

From: [Planning Support](#)
To: [Caroline Plank](#)
Cc: [SULTMANN Sel](#); [GEORGE Catherine](#); [PERSHOUSE Audrey](#)
Subject: RE: TP-00099 - Noosa Planning Scheme State Interest Review - UDPATE
Date: Friday, 22 June 2018 4:59:42 PM
Attachments: [image002.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.png](#)
[image007.png](#)
[EDOCS-#6667163-v1-FINAL-DES_RESPONSE_to_draft_Noosa_Scheme_June_2018.docx](#)

As requested, please find attached the DES response to the Noosa State Interests review.

Some information did not seem to be provided to allow for a full comment. In particular, coastal hazard area mapping did not seem to be provided. If this is readily available, DES can respond to this matter as a high priority next week.

Peter Rollston

Senior Policy Officer

Sustainable Planning

Department of Environment and Science

P 07 3330 5750

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



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From: Caroline Plank [mailto:Caroline.Plank@dndmip.qld.gov.au]

Sent: Wednesday, 13 June 2018 1:54 PM

To: bcqstateinterest@hpw.qld.gov.au; bcqstateinterest@hpw.qld.gov.au;
CAS_Correspondence@health.qld.gov.au; cultural.heritage@datsip.qld.gov.au; DAF Planning
<DAFPlanning@daf.qld.gov.au>; DAF Planning <DAFPlanning@daf.qld.gov.au>; DAF Planning
<DAFPlanning@daf.qld.gov.au>; DNRMEEPlan <DEWSEPlan@dnrme.qld.gov.au>; DNRMEEPlan
<DEWSEPlan@dnrme.qld.gov.au>; DNRMEEPlan <DEWSEPlan@dnrme.qld.gov.au>;
DPCPlanning@premiers.qld.gov.au; dsrgidep.executivesupport@defence.gov.au;
dsrgidep.executivesupport@defence.gov.au; DITID Planning <DITID.Planning@ditid.qld.gov.au>;
DITID Planning <DITID.Planning@ditid.qld.gov.au>; EDQ <EDQ@dndmip.qld.gov.au>;
environmental hazards@health.qld.gov.au; HSHPOTownPlanning@hpw.qld.gov.au;
hicb@oir.qld.gov.au; HSCATownPlanning@hpw.qld.gov.au; Infrastructure Planning
<Infrastructure.Planning@dndmip.qld.gov.au>; Infrastructure Policy
<InfrastructurePolicy@dndmip.qld.gov.au>; isb.correspondence@det.qld.gov.au;
judith.quirk@communities.qld.gov.au; judith.quirk@communities.qld.gov.au;
ministerial.designations@psba.qld.gov.au; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>;
parksandforestsEISassessments <parksandforestsEISassessments@npsr.qld.gov.au>;
Planning&Performance@police.qld.gov.au; Planning Support
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Planning Support <Planning.Support@des.qld.gov.au>; PlanningNPSR

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<Policy.Coordination@dsmip.qld.gov.au>; QGAO.oed@hpw.qld.gov.au; sdainfo
<sdainfo@dsmip.qld.gov.au>; SEQ Regional Plan <SEQRegionalPlan@dsmip.qld.gov.au>; SPP
<SPP@dsmip.qld.gov.au>; TownPlanning@energex.com.au; townplanning@powerlink.com.au;
'chris.teitzel@unitywater.com' <chris.teitzel@unitywater.com>; Glanvill, Rob CAPT - RAN
<rob.glanvill@defence.gov.au>; andrew.rutch@datsip.qld.gov.au; oadgdps@csiti.qld.gov.au

Cc: Candace Mitchell <Candace.Mitchell@dsmip.qld.gov.au>

Subject: TP-00099 - Noosa Planning Scheme State Interest Review - UPDATE

UPDATE:

Hello State Agencies

You have previously been requested to commence state interest review on the new Noosa Plan. The timeframes have been updated now to account for the GIS files being provided at a later date to the rest of the planning scheme material.

These files are not uploaded to the ePlan portal because of their file type. I have distributed the files to some agencies. If you require them please advise ASAP and I will arrange something.

Your new timeframe for SIR is until 22 June 2018. Please provide your comments to me via ePlan Portal by this date. You may use the template I have uploaded (and previously emailed) to outline your comments - you may additionally email it to me after uploading to ePlan Portal via my email caroline.plank@dsmip.qld.gov.au (this is preferable for me to keep check of comments).

The new timeframe for SIR means you now get 15 business days from the date we received the original planning scheme material (not the GIS files).

The Noosa Council gave a briefing on the draft scheme on Monday – attached is the presentation.

Please contact 53529709 or Caroline.Plank@dsmip.qld.gov.au if you have any questions.

Regards,

Caroline Plank

Principal Planning Officer

Planning and Development Services (SEQ North)

Department of State Development,

Manufacturing, Infrastructure and Planning

P 07 5352 9709

12 First Avenue, Maroochydore

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RTI RELEASED

State interest review – Part A (State interests) State interest review – Part B (Legislative requirements) and Part C (Advice)

Noosa Shire Council

Proposed new planning scheme – the Noosa Plan

State interest review: June 2018

DSDMIP contact: Caroline Plank, Principal Planning Officer, 53529709, caroline.plank@dsgmip.qld.gov.au

INSTRUCTIONS

State interests are matters that are articulated through a state planning instrument, including regional plans and the state planning policy (SPP). The Department of State Development, Manufacturing, Infrastructure, and Planning (DSDMIP) is the coordinating agency responsible for overseeing the state interest review.

State interest as defined by the *Planning Act 2016*—

- means an interest that the Minister considers affects an economic or environmental interest of the State or part of the State; or affects the interest of ensuring this Act's purpose is achieved and includes:
 - planning and development assessment policies in the SPP
 - planning and development assessment policies in the regional plan, *ShapingSEQ*.

The current SPP is available at <https://dilgpprd.blob.core.windows.net/general/spp-july-2017.pdf> and *ShapingSEQ* is available at <https://dilgpprd.blob.core.windows.net/general/shapingseq.pdf>.

You can upload your state interest review to the ePlan Portal, by attaching this completed table for your interests. You must advise whether your agency's interests have been integrated/not-integrated and why, or if the interest is not applicable and why. DO NOT simply respond by saying 'nil comment' or 'no requirements.'

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Table 4—Planning for the Environment and heritage

Biodiversity		
Ref. Number	Policy Elements	Requirement
12	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere.</p> <p>Reason: It's unclear from the discussion what the extent of the biosphere is.</p>
12	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>Not integrated.</i></p> <p>Action: Clearly identify locations subject to PKALA requirements and areas of MSES and MLES.</p> <p>Reason: As previously advised in 2016, DES acknowledges and supports the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. DES also supports the shire wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the PKALA within the Shire area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES and the demarcation of offset requirements. DES is happy to work directly with Noosa Shire to assist in the final mapping and code requirements, particularly where they relate to koalas and offsets.</p>
12	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: Integrated</p> <p>Action: DES is currently working with Bundaberg Regional Council regarding more detailed development codes regarding lighting's impact on turtles. As this work progresses in 2018, further details can be provided</p>

		<p>to Noosa Shire for incorporation into the planning scheme. Similarly, DES can provide Noosa with mapping which confirms the extent of known turtle beaches for inclusion in the planning scheme. Finally from a terminology perspective, refer to turtles as marine turtles, not sea turtles.</p> <p>Reason: The proposed reference to lighting's impact on marine turtles and nesting beaches is supported and further detailed code might become available for inclusion in the Noosa scheme during it's drafting phase. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements</p>
12	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: Not integrated</p> <p>Action: Where in a PKALA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation to limit clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m² and extractive industry et al areas to 5,000m²). Outside of PKALA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Part 10 of the Planning Regulation regarding the Priority Koala Assessable Development Areas (PKALAs) in Noosa Shire.</p>
Coastal environment		
Ref. Number	Policy Elements	Requirement
13	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.7 – Coastal Protection Overlay</p> <p>Integration of state interest: Integrated – but more information would be appreciated</p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The provision associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>

Cultural heritage		
Ref. Number	Policy Elements	Requirement
14	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7</p> <p>Integration of state interest: Not integrated</p> <p>Action: Consider adding statements of significance to the Noosa Local Heritage Register.</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain direction for places within the character areas, there is a lack of statements of significance for local heritage places outside the character areas.</p>
Water quality		
Ref. Number	Policy Elements	Requirement
15	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality PO6</p> <p>Integration of state interest: Not integrated.</p> <p>Action: AC6.2 to include reference to mitigation of 90% gross pollutants less than 5mm in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the Code.</p>

Table 5—Planning for safety and resilience to hazards

Emissions and hazardous activities		
Ref. Number	Policy Element	Requirement

16	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Action:</p> <p>Reason:</p>
Natural hazards, risk and resilience		
Ref. Number	Policy Element	Requirement
17	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference:</p> <p>Integration of state interest: <i>As discussed above in coastal management, more information would be appreciated regarding the extent of coastal hazard area mapping.</i></p> <p>Action:</p> <p>Reason:</p>

From: [Planning Support](#)
To: [Planning Support](#); [Caroline Plank](#)
Cc: [SULTMANN Sel](#); [GEORGE Catherine](#); [PERSHOUSE Audrey](#)
Subject: RE: TP-00099 - Noosa Planning Scheme State Interest Review - UDPATE
Date: Monday, 25 June 2018 11:52:47 AM
Attachments: [image001.png](#)
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[image005.png](#)
[image006.png](#)
[image008.png](#)
[EDOCS-#6667163-v1-FINAL-DES RESPONSE to draft Noosa Scheme June 2018.docx](#)

Caroline,

Here's an updated version of DES advice (the key difference is correcting an error in how we referred to the koala mapping at Noosa - it now reads KADA not PKALA).

Peter Rollston

Senior Policy Officer

Sustainable Planning

Department of Environment and Science

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Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



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From: Planning Support
Sent: Friday, 22 June 2018 4:58 PM
To: Caroline Plank <Caroline.Plank@dsdmip.qld.gov.au>
Cc: SULTMANN Sel <Sel.Sultmann@des.qld.gov.au>; GEORGE Catherine <Catherine.George@des.qld.gov.au>; PERSHOUSE Audrey <Audrey.Pershhouse@des.qld.gov.au>
Subject: RE: TP-00099 - Noosa Planning Scheme State Interest Review - UDPATE

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Regards,

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9709
12 First Avenue, Maroochydore
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State interest review – Part A (State interests) State interest review – Part B (Legislative requirements) and Part C (Advice)

Noosa Shire Council

Proposed new planning scheme – the Noosa Plan

State interest review: June 2018

DSDMIP contact: Caroline Plank, Principal Planning Officer, 53529709, caroline.plank@dsgmip.qld.gov.au

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The current SPP is available at <https://dilgpprd.blob.core.windows.net/general/spp-july-2017.pdf> and *ShapingSEQ* is available at <https://dilgpprd.blob.core.windows.net/general/shapingseq.pdf>.

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From: [Caroline Plank](#)
To: [Rowena Skinner](#)
Cc: [Garth Nolan](#); [Candace Mitchell](#); [Jamaica Hewston](#); [Michelle Tucker](#); "alinda.bryant@noosa.qld.gov.au"; [Kim Rawlings](#); [Rebecca Britton](#); [Nathan Rule](#)
Subject: Pause notice and request for information - SIR for draft New Noosa Plan
Date: Monday, 9 July 2018 4:59:00 PM
Attachments: [D18_164696 Attachment 1 - Request for further information for pause notice.docx](#)
[image001.png](#)
[image002.png](#)

Hello Rowena

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) has identified matters that require further information to progress the proposed planning scheme for approval to proceed to public consultation (see attached).

In regard to the timeframes under the section 18 notice, the department has paused the timeframes until 7 August 2018 to afford you a chance to respond.

Once the department receives the necessary information, the department will recommence the assessment.

If you require further information, I encourage you to contact Garth Nolan in the department on 07 5352 9710 or by email at garth.nolan@dsmip.qld.gov.au.

The department is happy to organise any meetings required with agencies to assist in your response, or understanding the requirements.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development
Manufacturing, Infrastructure and Planning
P 07 5352 9709
12 First Avenue, Maroochydore
www.dsmip.qld.gov.au

ATTACHMENT 1 – REQUEST FOR FURTHER INFORMATION FOR PAUSE NOTICE – 9 JULY 2018

Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity		
Ref. Number	Policy Element	Requirement
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity Policy 3 (1) (2) and (3) and Development and Construction (8)</i>.</p> <p>Action: The strategic framework can be amended to give stronger support to promoting affordable and social housing, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p>

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		<p>6. Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes; and.....</p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p>
2	<p>Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.</p>	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> • PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> • PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> • PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p>

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		<ul style="list-style-type: none"> • P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> • PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p>
Liveable communities		
Ref. Number	Policy Element	Requirement
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times.</p>

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		<p>In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>
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Planning for economic growth

Agriculture		
Ref. Number	Policy Element	Requirement
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can’t be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p>
5	The resources that agriculture depends	Planning Scheme Reference:

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	<p>on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity....and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.
6	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from ‘Animal husbandry’.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p>

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		Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.
7	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p>
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>

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9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AC18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>
10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p>

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12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor’s Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are “low rise” if low rise means under 9 metres, or define what “low rise” means. 2. Amend PO7(b) to “minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to “minimise” the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p>

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	growth of the agricultural sector.	<p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p> <p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p>
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Consider removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>

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17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor’s note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Reword PO15 2. Consider removing or rewording Editor’s note <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor’s note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: ‘maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and’</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>
19	The resources that agriculture depends on are protected to support the long-	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>

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	term viability and growth of the agricultural sector.	<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>
20	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p>
21	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>

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22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the performance outcome to focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p>

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		<p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn't appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme.</p>
Development and construction		
Ref. Number	Policy Element	Requirement
27	Employment needs, economic growth,	<p>Planning Scheme Reference: 1. Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements.</p>

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	<p>and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>2. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>
28	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 3 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133

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		<p>Reason: With the planning scheme seeking to have more people living in this area via infill, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
29	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
30	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
31	<p>Employment needs, economic growth,</p>	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p>

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	and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
32	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
34	Employment needs, economic growth,	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p>

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	and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>
37	Employment needs, economic growth, and a strong	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>

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	development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to ‘temporary.... outdoor entertainment events’, yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as ‘recreation and open space zone’. This lot is State-owned land with a land lease for the granted purpose of ‘recreation’. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p>
Mining and extractive resources		
Ref. Number	Policy Elements	Requirement
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>

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Planning for the environment and heritage

Biodiversity		
Ref. Number	Policy Elements	Requirement
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>
41	Matters of environmental significance are valued and protected, and the	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p>

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	health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p>
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PC12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>
44	Matters of environmental significance are	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p>

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	valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding ‘up-zoning’ land. By retaining a rural zone over MSES, this will prevent those areas being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and prevent ‘exempt clearing work’ (i.e. accepted development) from occurring.</p>
45	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding ‘up-zoning’ land. By retaining a conservation zone over MSES, this will prevent those areas being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and prevent ‘exempt clearing work’ (i.e. accepted development) from occurring.</p>
46	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding ‘up-zoning’ land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and prevent ‘exempt clearing work’ (i.e. accepted development) from occurring.</p>
47	Matters of environmental significance are valued and protected, and the	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p>

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	health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding ‘up-zoning’ land. By retaining a conservation zone over MSES, this will prevent those areas being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and prevent ‘exempt clearing work’ (i.e. accepted development) from occurring.</p>
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and then being ‘exempt clearing work’ (i.e. accepted development).</p>
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an ‘urban area’ under the <i>Planning Regulation 2017</i> and then being ‘exempt clearing work’ (i.e. accepted development).</p>
Coastal environment		
Ref. Number	Policy Elements	Requirement
50	The coastal environment is	Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay

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	protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>
Cultural heritage		
Ref. Number	Policy Elements	Requirement
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>
Water quality		
Ref. Number	Policy Elements	Requirement

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52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>
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Planning for safety and resilience to hazards

Emissions and hazardous activities		
Ref. Number	Policy Element	Requirement
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>
54	Community health and safety, and the natural and built environment are	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p>

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	protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> • Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. • Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). • Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “<i>Sensitive land uses are protected from the impacts of these former mining activities and related hazards.</i>”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p>		
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> • section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code • table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> • Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> • Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="618 1321 1621 1372"> <tr> <td data-bbox="618 1321 1021 1372">PO1</td> <td data-bbox="1021 1321 1621 1372">AO1.1</td> </tr> </table>	PO1	AO1.1
PO1	AO1.1			

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		<p>Development, including uses and works are constructed and operated to avoid:-</p> <p>(a) compromising the viability of the gas pipeline corridor; or</p> <p>(b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note – should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p>	
		<p>Reason: While <i>Petroleum Pipeline Licence 32</i> is authorised under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>		
<p>Natural hazards, risk and resilience</p>				

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Ref. Number	Policy Element	Requirement
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.</p>

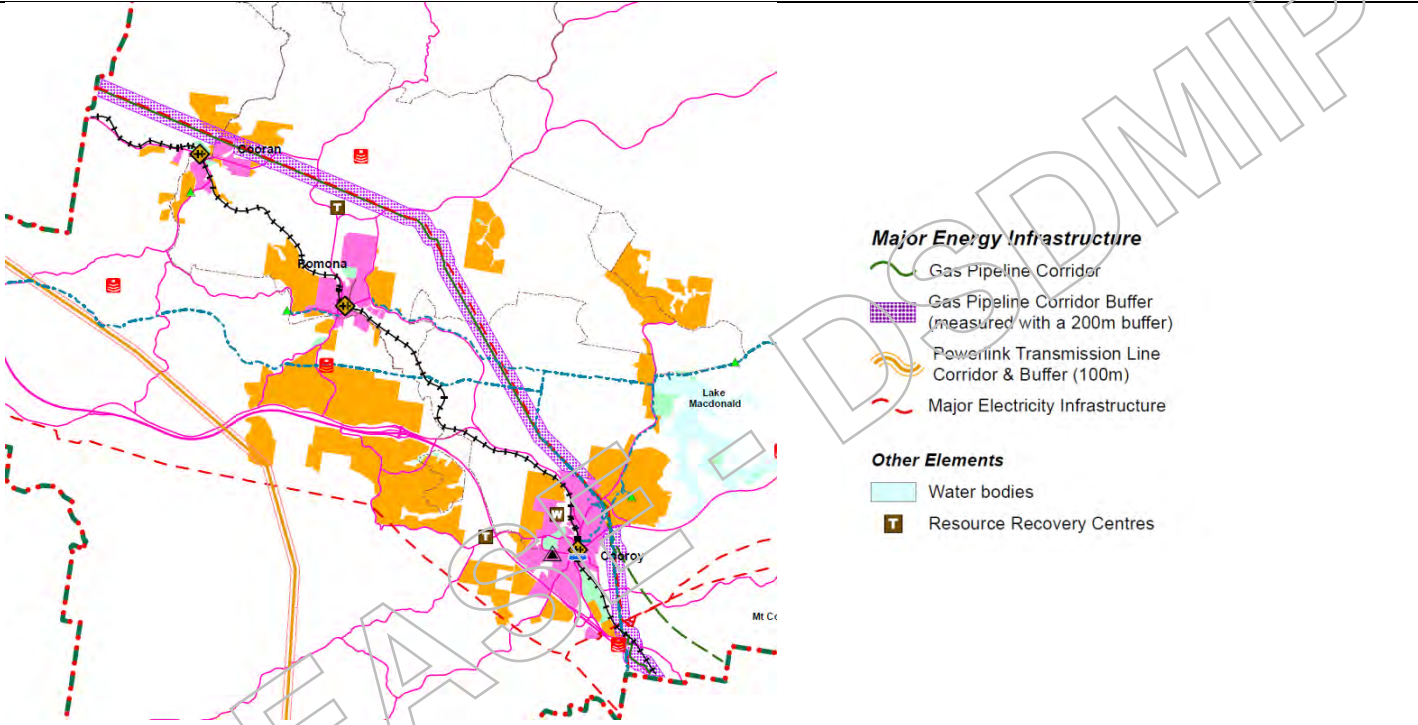
Planning for infrastructure

Energy and water supply		
Ref. Number	Policy Element	Requirement
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>

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58	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated.</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>
59	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>Energex offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>
60	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply</p>	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>

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	<p>infrastructure is supported and renewable energy development is enabled.</p>	 <p>Major Energy Infrastructure</p> <ul style="list-style-type: none"> Gas Pipeline Corridor Gas Pipeline Corridor Buffer (measured with a 200m buffer) Powerlink Transmission Line Corridor & Buffer (100m) Major Electricity Infrastructure <p>Other Elements</p> <ul style="list-style-type: none"> Water bodies Resource Recovery Centres <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: it's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p>
State transport infrastructure		
Ref. Number	Policy Element	Requirement
61	The safe and efficient movement	Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps

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	of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</i></p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p> <p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p> <p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p>
63	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: Advise where in the scheme the existing and future planned active transport routes are shown? <i>It is noted that the local area plan figures do identify active transport routes for specific defined areas.</i></p>

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	transport are supported.	<p>Reason: The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, the proposed active transport network is unclear.</p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>
64	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels

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		<ul style="list-style-type: none"> • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. <p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p>
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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>		
Ref. Number	Planning Scheme Reference	Requirement
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and, defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the <i>Planning Regulation 2017</i>) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p>
State Interest: Regulated requirements in the <i>Planning Regulation 2017</i>		
Ref. Number	Planning Scheme Reference	Requirement
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the <i>Planning Regulation 2017</i>. If a different administrative term is used, ensure this is done in accordance with section 8 of the <i>Planning Regulation 2017</i>.</p>

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		<p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>
State Interest: <i>ShapingSEQ</i>		
Ref. Number	Planning Scheme Reference	Requirement
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Cooroibah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p>
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p>

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		<p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p>
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p>
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m² outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p>
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p>

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		Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.
State Interest: <i>Building Act 1975</i>		
Ref. Number	Planning Scheme Reference	Requirement
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, ‘noise sensitive use’. Reason: The QDC MP 4.4 requires that, ‘Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants’ health and amenity.’ The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2 A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling’s energy needs; and	Action: Remove requirements for 4kW photovoltaic solar power system. Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i> , specifies building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution. The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW. Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.

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	(b) energy efficient systems for water heating.	
12	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used.</p> <p>AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).</p>

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13	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site. Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy. The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: Remove requirements relating to rainwater tanks and other supplementary water supply systems.</p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if—</p> <p>Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>
14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL.</p>

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	<p>the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p>
15	<p>9.3.1.3 Criteria for assessment PO21</p> <p>Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21</p> <p>Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL)</p> <p>(a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL.</p> <p>(b) The openings must meet the following criteria-</p> <p>(i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and</p> <p>(ii) there must be a minimum of two openings on different sides of each enclosed area; and</p> <p>(iii) the total net area of all openings must be at least 1% of the enclosed area; and</p> <p>(iv) openings must permit a 75 mm sphere to pass through; and</p> <p>(v) any opening covers must not impede the flow of water.</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p> <p>Essential network infrastructure (e.g. on-site electricity, water</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard.</p> <p>Reason: Refer <i>Planning Act 2016</i> Section 8 (5).</p>

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	supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	
17	9.3.1.3 Criteria for assessment AO22	<p>Action: Amend provisions as per comment for AO20.3.</p> <p>Reason: Comment Refer Planning Act 2016 Section 8 (5).</p>
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	<p>Action: Amend or remove acceptable outcome.</p> <p>Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing.</p> <p>Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'.</p>
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	<p>Action: Amend to align with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p>
	Table 9.4.3.3 AO1.1	<p>Action: Remove provisions as these are contained in the building legislation.</p>

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	<p>The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.</p>	<p>Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall</p> <p>These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application 5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.</p>
20	<p>Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6</p>	<p>Action: Amend provisions for consistency with QDC MP1.4.</p> <p>Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.</p>
21	<p>Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;</p>	<p>Action: Remove the requirement of width of awnings.</p> <p>Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.</p>
22	<p>Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)</p>	<p>Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>

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23	<p>Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2</p> <p>Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with—</p> <p>AS2890.3 Bicycle Parking Facilities; and</p> <p>AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p>	<p>Action: Remove references to AS 2890.3 Bicycles Parking Facilities</p> <p>Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12.</p>
24	<p>Table 9.4.8.3 AO14.2</p>	<p>Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor.</p> <p>Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.</p>
25	<p>9.4.6.3 PO1</p>	<p>Action: Remove the reference to natural light and cross ventilation.</p> <p>Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions.</p>
26	<p>Part 8 Overlays AO1.2</p>	<p>Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>
27	<p>Part 8 Overlays AO3.2 AO3.3 AO3.4</p>	<p>Action: Remove building requirements and cut/fill requirements that are already regulated.</p> <p>Reason:</p>

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		<p>The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>.</p> <p>The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation.</p> <p>Refer <i>Planning Act 2016</i> Section 8 (5).</p>
28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p> <p>This information should not be changed or repeated for inclusion in planning schemes. Refer <i>Planning Act 2016</i> Section 8 (5).</p>
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p>

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32	<p>Table 8.2.6.3</p> <p>AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5</p>	<p>Action: Amend provisions that are in conflict with the Building Assessment Provisions.</p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>
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<p>In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures:</p> <ul style="list-style-type: none"> a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and <p>there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by:</p> <ul style="list-style-type: none"> a) ensuring that building materials used have high water resistance and improve the resilience of a 	<p style="text-align: center; font-size: 2em; opacity: 0.1; transform: rotate(-30deg);">RELEASE - DSDMIP</p>
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<p>building during and after a flood or storm tide event;</p> <p>b) maintaining a functional and attractive street front address appropriate to the intended use;</p> <p>and</p> <p>c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Nonresidential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such</p>	<p>RELEASE - DSDMIP</p>
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<p>as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor.</p> <p>Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for nonresidential uses have flood immunity</p>	
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<p>above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is:</p> <p>a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or</p> <p>b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10</p>	
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<p>Filling, excavation or retaining structures only occur where they:</p> <p>c) do not directly, indirectly or cumulatively cause adverse impacts external to the site;</p> <p>d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p> <p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effect on the environment if discharged in a flood event.</p>	<p style="text-align: center; opacity: 0.2; font-size: 48px; transform: rotate(-20deg);"> RELEASE - DSDMIP </p>
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	<p>OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>	
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>
	<p>Part 6.3 Residential Zones Category</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p>

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<p>Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3</p>	<p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>
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	<p>Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p> <p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>	
34	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>

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<p>use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p>	<p style="text-align: center; opacity: 0.2; font-size: 48px; transform: rotate(-20deg);">PLEASE - DSDMIP</p>
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	<p>AO50 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p>	
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p>

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<p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices</p>	<p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>
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	<p>complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	
37	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>

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<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p> <p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>
<p>39</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more</p>

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	<p>Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>
40	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: located above the DFE level; or designed to prevent the intrusion of floodwaters; or</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor’s note, which provisions under the Building Act does this refer to? Clarify that this isn’t an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the</p>

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	<p>if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions.</p> <p>Examples of possible alternative solution requirements relating to materials—</p> <ul style="list-style-type: none"> • a limitation on the use of finishes with fire hazard properties as defined under the BCA • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23 Development incorporates design features and elements to manage resources of water and energy efficiently and</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>

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	<p>effectively through: buildings that maximise opportunities for natural ventilation and lighting; water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy. ALSO Part 6.7 PO12 and AO12</p>	
	<p>Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale</p> <p>PO7 AO7.1 Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.</p>	<p>Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below.</p> <p>Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard.</p> <p>Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.</p>
42	<p>Schedule 1 Definitions</p> <p>Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of floodprone</p>	<p>Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.</p>

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	land. Generally, it is not physically or financially possible to provide general protection against this event. PMF (as above)	
State Interest: <i>Mineral Resources Act 1989</i>		
Ref. Number	Planning Scheme Reference	Requirement
43	Strategic Framework	<p>Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>

Part C—Advice

The guiding principles

Efficient		
Ref. Number	Planning scheme reference	Advice
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>

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Planning for economic growth

Agriculture		
Ref. Number	Planning scheme reference	Advice
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above “Key Challenges”	Remove reference to “intensive factory farming”, and replace with intensive rural activities. Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment Part (u)	Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested? Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says “pending” on the map itself. Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it’s unclear if this refers to IAAs as mapped on the DSDMiP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation. It’s noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations. Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.

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		<p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO's or overall outcomes section where relevant</p> <ul style="list-style-type: none"> • Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSEs.</p>
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development. The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p>

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	Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	Consider rewording or removing these acceptable outcomes. Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	Remove these acceptable outcomes. Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1. These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	Remove this acceptable outcome (AO13.2). Reason: It does not relate to or demonstrate compliance with performance outcome PO13.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	Amend AO18.2 to read, for example, ' <i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i> ' Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.
14	Biodiversity Overlay	The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.

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		<p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>
15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p> <p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>

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Development and construction		
Ref. Number	Planning scheme reference	Advice
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Enregy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>
Mining and extractive resources		
Ref. Number	Planning scheme reference	Advice
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p>

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		<p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p> <p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>
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Planning for the environment and heritage

Biodiversity		
Ref. Number	Planning scheme reference	Advice
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p>

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		<p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.
Water quality		
Ref. Number	Planning scheme reference	Advice
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> • <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> • <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>

Planning for infrastructure

Energy and water supply		
Ref. Number	Planning scheme reference	Advice

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21	--	<p>Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs.</p> <p>Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.</p>
State transport infrastructure		
Ref. Number	Planning scheme reference	Advice
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	<p>Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, <i>'Development provides a road hierarchy that supports effective freight connectivity.'</i></p> <p>Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities.</p> <p>Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities.</p> <p>It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.</p>
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	<p>Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road.</p> <p>Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.</p>
24	Part 9 – Table 9.4.1.3	<p>Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p> <p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.</p>

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25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>

RTI RELEASE - DSD/MIP

From: [Rowena Skinner](#)
To: [Candace Mitchell](#); [Garth Nolan](#); [Jamaica Hewston](#); [Kim Rawlings](#)
Subject: RE: New Noosa Plan - Meeting to discuss request for further information
Date: Friday, 27 July 2018 10:07:37 AM
Attachments: [Responses to State request for further information.docx](#)
[image001.jpg](#)

Please find attached the initial responses to the State's comments. Specifically we will want to go through the red and amber coloured matters as the green ones may be resolved relatively easily.

Rowena Skinner

Principal Strategic Planner | Noosa Council

(My position is part time and I am reachable between 8:00 a.m. and 2:30 p.m. daily)

Phone: 07 5329 6212
Email: rowena.skinner@noosa.qld.gov.au
Website: www.noosa.qld.gov.au
Location: Level 2, 9 Pelican Street, Tewantin
Mail: PO Box 141 Tewantin Qld 4565

Line drawing NNP

-----Original Appointment-----

From: Candace Mitchell [[mailto:Candace Mitchell@dsdmip.qld.gov.au](mailto:Candace.Mitchell@dsdmip.qld.gov.au)]
Sent: Friday, 27 July 2018 9:14 AM
To: Candace Mitchell; Garth Nolan; Jamaica Hewston; kim.rawlings@noosa.qld.gov.au
Cc: Rebecca Leyshan; Rowena Skinner
Subject: FW: New Noosa Plan - Meeting to discuss request for further information
When: Friday, 27 July 2018 11:15 AM-12:45 PM (UTC+10:00) Brisbane.
Where: Room 1.10, Mike Ahern Centre, Level 1, 12 First Avenue, Maroochydore

-----Original Appointment-----

From: Candace Mitchell [<mailto:Candace.Mitchell@dsdmip.qld.gov.au>]
Sent: Tuesday, 24 July 2018 1:34 PM
To: Candace Mitchell; Garth Nolan; Jamaica Hewston; Kim Rawlings
Subject: New Noosa Plan - Meeting to discuss request for further information
When: Friday, 27 July 2018 11:15 AM-12:45 PM (UTC+10:00) Brisbane.
Where: Room 1.10, Mike Ahern Centre, Level 1, 12 First Avenue, Maroochydore

As requested by Kim Rawlings, Noosa Shire Council, the meeting is to discuss the matters raised in

the request for further information issued on 9 July 2018.

As part of the meeting, the department also offers to discuss the Measures that Matter for the South East Queensland Regional Plan 2017(Chapter 5) (approximately 20 minutes).

Please forward to relevant attendees.

Meeting room to be advised.

When attendees arrive at the Mike Ahern Centre please sign in with security on the ground level and confirm you are here to meet with the Department of State Development, Manufacturing, Infrastructure and Planning.

If you have any questions or need to re-schedule this meeting please contact Candace Mitchell on 5352 9708.

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RTI RELEASE - SDMP

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Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Requirement	Initial NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity Policy 3 (1) (2) and (3) and Development and Construction (8)</i>.</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing</u>, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016 3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i> 5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i> 6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes, and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p><i>e) A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i> <i>f) Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>Statements about Community housing / social housing can be made easily enough, but we would want to feel some level of confidence something can occur and ultimately that will rely on the State and NFP organisations. Council has already sought to be proactive in communication with both in this regard.</p> <p>To keep some perspective Moreton Council has a huge amount of greenfield growth. They have over 88k additional dwellings to supply. It is not necessarily a reasonable comparison.</p>
2	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living. This has been partially met.</i></p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones, facilitating not only secondary dwellings but also a small second dwelling (dual occupancy) which can be sub-let. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us</p>

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		<p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p>	<p>apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability. .</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>
Liveable communities			
Ref. Number	Policy Element	Requirement	Initial NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p>	<p>As drafted rural fire brigades are code assessable in the Rural or Rural Residential Zone. We can reduce this to acceptable subject to requirements.</p> <p>Otherwise, emergency services have not been listed as consistent uses in any of the other residential zones or centre zones. Only listed as consistent uses in some industrial zones and community services zones. They are consistent (impact) in the two green zones.</p> <p>Not sure we are likely to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing</p>

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	<p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times. In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) it is reasonable that they are accepted subject to requirements rather than code as drafted.</p> <p>We could make them consistent (code) in all the centres zones and industrial zones.</p> <p>However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p>
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Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	Initial NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p>	<p>Notwithstanding that wording could be adjusted, we don't see why the statement is offensive and do not plan to remove it. It does not say intensive agricultural land uses are prohibited and in fact if you can do an intensive agricultural activity without being noxious, and disrespectful to the setting and affecting the waterways you are not only very welcome but are applauded as well.</p> <p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the “clean/green” credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms of grazing use a method of herding stock into intensive clusters and shifting them regularly with electric fences etc. This practice is gaining momentum with regenerative farmers. Intensive horticulture is also quite welcome as long as chemical spray, runoffs and light nuisance are contained.</p>
5	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting</p>	<p>We can rephrase this however Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p>

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		<p>and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity....and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. 	
6	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from ‘Animal husbandry’</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p>	<p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>This is an interpretation problem – we are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry.</p> <p>If the State is determined they are, we need to adjust tables of assessment, Rural Zone Code and Rural Activities use code to allow a certain degree of “intensive animal industry” (i.e. some small scale poultry and pigs). This would be considerable work, and against the views of our community.</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development –</p>	<p>Our concerns about this are primarily:-</p> <ul style="list-style-type: none"> • The level of potential impact will be dependent on the size of the property as well as the scale of the operation. At the very least the table of assessment would have to threshold a very large minimum lot size for • It’s thought no intensive animal industry should be code assessable because by their very nature there is likely to be impacts. • While a poultry farm of over 1,000 birds is an ERA a piggery is not an ERA until they have more than 400 standard pig units. Up to 400 pigs subject to code assessment is certainly

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		<p>impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p>	<p>going to be a concern for the rural community. If we end up putting huge setbacks on them there are so few lots that could do it anyway so what is achieved?</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p>
8	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable. We will increase the threshold for accepted development subject to requirements to 2,000m².</p> <p>It is however preferable that above 2,000m² we continue to require code assessment but will amend the AO of the code to specify it can be up to 10% of the site area.</p> <p>If you had a 20ha property, this would allow you to have 2ha under shed/shadecloth/igloo. That's about the size of the Lake Macdonald tomato shed and it has been Council's experience that planning assessment and control was definitely warranted in that instance.</p>
9	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>We will:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read “setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps”. • Amend buffer widths in Table 6.8.1 AO18.1 to read “setback... a distance greater the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps”.

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		tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf	<ul style="list-style-type: none"> Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".
10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p>	This will be included in the whole consideration of what is intensive animal industry and what is not.
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	Done
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>Suggest PO7 remain however, the corresponding AOs provide a specific exclusion that a class 10 building used exclusively for agricultural activities be allowed up to 12 metres. A structure that does not constitute a building might be up to 15 metres.</p> <p>Accordingly, we are adding an AO for setbacks to ensure where the building or structure exceeds 9 metres its boundary setback is equal to twice its height.</p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings.</p>


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		<p>does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to “minimise” the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p>	<p>Propose rewording PO8 (a) to read “avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on the amenity enjoyed by users of nearby premises;”</p> <p>Council is not prepared to be silent on amenity</p> <p>It should be noted that there are many hundreds of small lifestyle lots within the Rural Zone. We thought it insensible to scatter the Rural Residential zone throughout the hinterland. However if the amenity of these residents cannot be protected Council may revisit the mapping methodology for Rural / Rural Residential zones which would be a great pity as that is likely to stifle small scale rural enterprises.</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p> <p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p>	<p>PO9 can be reworded to say “Development, including haulage components, does not result in environmental harm or environmental nuisance to sensitive land uses.”</p> <p>PO10b) will be deleted as it is considered to be covered by the amended PO9.</p> <p>The reality is that the majority of the hinterland is being used for lifestyle purposes and for conservation. It is strongly felt that the amenity of rural residents must be protected. As discussed above the alternative to this is that a much broader area be zoned Rural Residential. If this is the preference of the State please advise as we thought it the less appealing option.</p> <p>Through consultation on the Discussion Paper, we did get a great deal of feedback wanting to protect the amenity of rural and semi-rural areas.</p>
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>It has been considered and we need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the AO.</p> <p>We've added an Editors note as follows: Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>

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17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor’s note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: 1. Reword PO15 2. Consider removing or rewording Editor’s note</p> <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor’s note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>As discussed above need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the PO</p> <p>We are modifying PO15 to clarify it is also about slope stability.</p> <p>The Editor’s note will be modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</i></p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: ‘maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and’</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	Suggested wording added.
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p>	<p>Rewording it to read: (b) Agricultural practices contribute to the heritage values of the Shire. (c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged to establish in rural areas.</p>

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		<p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	
20	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p>	<p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.”</p> <p>It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped (see below). This was not cut out of ALCA maps but it would also be inappropriate or neglectful to allow “uglification” through intensive rural activities.</p> <p>We know from past studies and consultation that people value the landscapes of cows in paddocks, cane fields, pineapple crops, avocado trees, forest plantations etc. Scenic amenity and farming can go hand in hand and it is not unreasonable to aspire for landscapes to be attractive and interesting even if substantially modified by crops etc.</p> <p>Again it needs to be remembered how fragmented the rural area is and how much of it is used for lifestyle only. The alternative is zoning everything less than 4ha in area in Rural Residential then there will be little scope for farming anyway.</p> 
21	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Reworded to suggest development seeks to maintain the capacity of agricultural land.</p>

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		<p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the performance outcome to focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>We have modified PO23 as follows: <i>Intensive animal industries, including haulage of animals, do not result in environmental nuisance to surrounding sensitive land uses.</i></p> <p>However Council is of the strongest view that intensive animal industries should be treated as any other industry where we would expect impacts be contained on site.</p>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>“reducing the risk of soil erosion” has to be harder than “not increasing the risk of soil erosion”</p> <p>We do not see the logic of this comment.</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Edited to read “<i>Unless spray is entirely contained within a structure without risk of escape...</i>”</p>

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		<p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Intensive horticulture structures and covered areas associated with the use do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. We believe some forms of agriculture will not be appropriate in the catchment and certain conditions should be met. Therefore, it did not seem appropriate to map it as ALCA.</p> <p>The State needs to determine one clear instruction here.</p>
Development and construction			
Ref. Number	Policy Element	Requirement	Initial NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p>	<p>Modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won’t be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>

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		<p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Please advise what zone this should be, they have always been in an open space zone to date.</p> <p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregian Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings etc.</p> <p>Advice Comment at #16 also noted but not considered necessary.</p>
29	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail,	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes.</p> <p>In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space.</p>

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	industrial and mixed use development opportunities.	<p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p>
30	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>We've got it zoned Community Facilities: Utility Installation</p> <p>Zone will be changed to Rural.</p>
31	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>
32	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>

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		government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.	
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone will be changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	JUST A COPY OF 33?
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zoning will be changed to Environmental Management & Conservation
36	Employment needs, economic growth, and a strong development and construction sector are	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p>	All commercial leases in the Noosa River along Gympie Terrace will be zoned Recreation and Open Space.

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	supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p>	<p>Not sure why we have received this instruction. Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held and you get the occasional circus or whatever</p> <p>At another sports ground you get a rodeo one night every year. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie foreshore and at The Woods near Hastings Street there are often one day community events or festivals.</p> <p>PO7 reads as <i>Temporary or periodic uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area.</i></p> <p>That PO applies to the zone not one specific site obviously. The table of development specifies the consistent uses.</p>
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	Initial NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping will be changed and a footnote added.</p> <p>(We understand the consultation on the new shape is occurring right now.)</p>

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Planning for the environment and heritage

Biodiversity			
Ref. Number	Policy Elements	Requirement	Initial NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: State interest partially integrated</p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MLES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	Koala Habitat Map will be changed to show the Koala Assessable Development Area
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: Integrated</p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to 'marine turtles'.

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		to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.	
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	<p>We currently don't have a provision which relates to this. We can include a new PO and AO in the code which reflects the action.</p>
44	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	<p>Zone will be changed to Rural but note that #30 wanted it to be available for use as a quarry so suggest State reconcile its intentions for the site.</p>
45	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will</p>	<p>Zone will be changed to Environmental Management & Conservation</p>

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		prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.	
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone will be changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Noosa District Sports Complex at Tewantin – Council sought to rationalise the zoning because we assumed the veg was not at risk however split zoning can be reapplied.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>St Teresa's school at Noosaville – The zoning of this school as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. Council has now sought to rationalise the zoning (as it did with the hospital and other pieces of community infrastructure) because we have biodiversity overlay that covers the veg and we could not see why the Noosaville State School next door which has even more MSES would be treated differently (it is currently entirely Community Services zone).</p> 

			<p>We can reapply a split zone to St Teresa's however think it inappropriate to do so unless also applied to:</p> <ul style="list-style-type: none"> • Noosaville State School • Pomona State School • Noosa District High (both Pomona and Cooroy Campuses) • Noosa Christian Collage at Cooroy • Sunshine Beach Primary School <p>all of which contain MSES.</p> 
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>This would be disappointing as it would prevent another sports ground in demand by the community as well as the additional domestic violence safe houses near the police station. The boundaries of the MSES's do not seem to accurately match the landscape on the ground.</p> <p>Council can make the zone change as request however would appreciate the chance to discuss with the state the reasons for the proposed zone realignments and can have our Ecologist assist with redefining the boundaries of the zones if that helps.</p> 
Coastal environment			

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Ref. Number	Policy Elements	Requirement	Initial NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>	The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.
Cultural heritage			
Ref. Number	Policy Elements	Requirement	Initial NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow.
Water quality			
Ref. Number	Policy Elements	Requirement	Initial NSC response
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>

Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	Initial NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p><i>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of</i></p>

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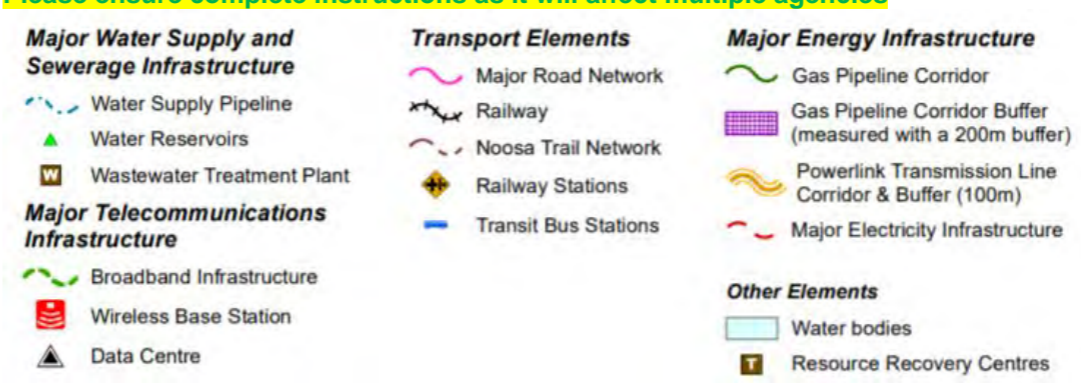
	appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p><i>acid sulfate soils is be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</i></p>		
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “<i>Sensitive land uses are protected from the impacts of these former mining activities and related hazards.</i>”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p><i>Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts.</i></p> <p>The following further information is available:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>Additional strategic outcome 3.3.8 added: <i>Sensitive land uses are protected from the impacts of abandoned mines and related hazards.</i></p>		
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area 	<p>Can include provisions as provided above that protect the existing and future pipeline.</p>		
		<table border="1"> <tr> <td>PO1 Development, including uses and works are constructed and operated to avoid:-</td> <td>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</td> </tr> </table>	PO1 Development, including uses and works are constructed and operated to avoid:-	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.	
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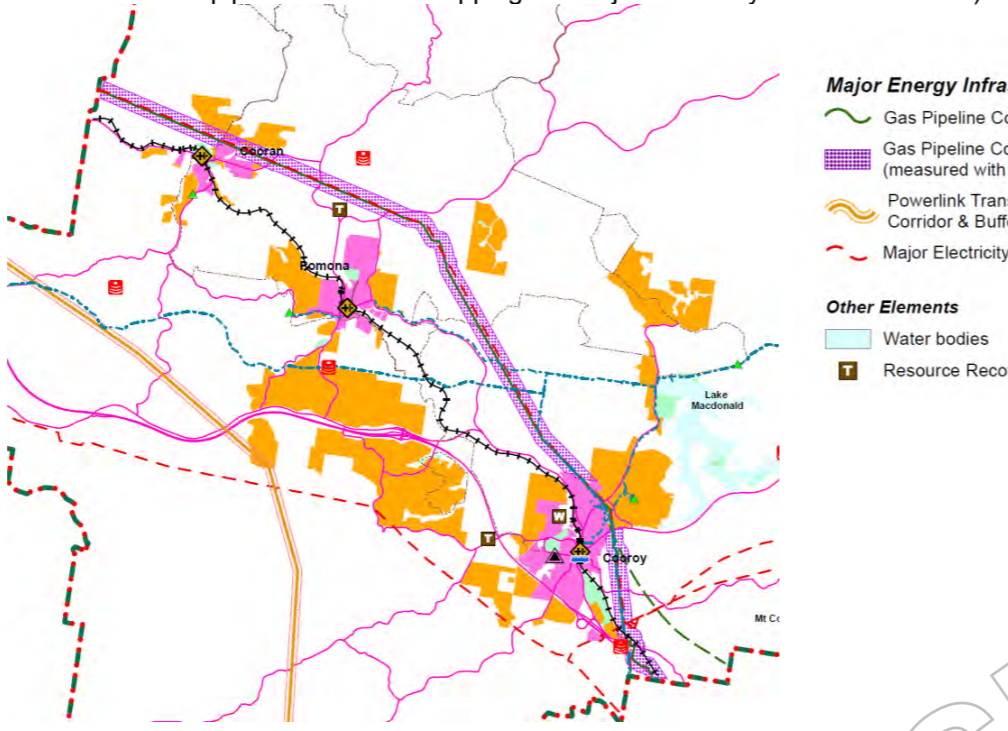
		<p>(a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p> <p>Reason: While <i>Petroleum Pipeline Licence 32</i> is authorised under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	
Natural hazards, risk and resilience			
Ref. Number	Policy Element	Requirement	Initial NSC response
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.</p>	As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. Council staff advised the State of recommended changes for the mapping. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent. No special assessment of bushfire risk beyond this is necessary given the low development scenario planned for Noosa Shire and the fact that the proposed development potential largely reflects that of the current planning scheme.

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Planning for infrastructure

Energy and water supply			
Ref. Number	Policy Element	Requirement	Initial NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	Property is 20 Grahams Rd Pomona 2SP216695 and zoning will be changed to Community Facilities (with substation annotation)
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	This change to the tables of assessment will be made.
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>With consideration of what is already shown on Strategic Framework Map 3 (see below) and other Overlay Maps, Council proposes that if it is the State's Instruction that we have a Regional Infrastructure Overlay including Energy Q electricity infrastructure it should also show:</p> <ul style="list-style-type: none"> - Powerlink transmission lines; - the gas pipeline; - the major road network and railway; - bulk water infrastructure?? <p>This is a significant piece of work and will also rely on rearrangement of code provisions as well. Please ensure complete instructions as it will affect multiple agencies</p> 

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60	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p>	<p>Council is happy to make the changes to the wording in the relevant overlay code as suggested in comment 55 above. (noting that it may be a different overlay given discussion at #59 above)</p> <p>However, this will not resolve the current conflict between the overlapping of easements held by Energex and gas pipeline licence holder. Council feels that this conflict may best be resolved at the state level.</p>
State transport infrastructure			
Ref. Number	Policy Element	Requirement	Initial NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p>	<p>The road hierarchy is shown on the Strategic Framework Map 3 Infrastructure and at this stage everything above local roads is shown on the zone map. This approach may be revisited if we end up having an infrastructure overlay.</p>

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		<p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p> <p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>High resolution Framework & Character Plans are available. They only deal with the town centres not the whole towns. They don't address inter-centre connections.</p> <p>The LGIP (which has not been forwarded to the State as yet and is being presented to Council this month) has the mapping for the priority <u>trunk</u> pathway network (existing and proposed). It does not show all pathways or on road bike lanes that would make up the active transport network. Neither does it show recreation bike paths and trails.</p> <p>The LGIP differs from the Principal Cycle Network Route Maps because there are concerns about some aspects of the route. There is reluctance to be committed to those pathways if for local /site specific reasons it is not practical or desirable.</p> <p>Council would be happy to work with DTMR to refine mapping if necessary.</p>
63	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</u></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>Every pathway we have forms part of our active transport network.</p> <p>The LGIP identifies the existing and future trunk pathways network which has a dual function for pedestrians and bikes. The pathways logically follow the trunk road network and includes pathways to key destinations.</p> <p>Local pathways that are not trunk also have a dual function but are fine grained and weren't mapped in the planning scheme.</p> <p>While Council is very keen to facilitate active transport it should be acknowledged that Noosa lacks both the large future greenfield estates of many local government areas where roads and pathways are being established from scratch and the high density, transit orientated communities of cities where walkability is more readily achieved.</p> <p>Noosa has an urban form that is largely established. Growth now will largely be through dispersed infill.</p>
64	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p>	<p>We can certainly add additional wording to the Transport Code and PSP however not sure to what extent they will be relevant. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber.</p>

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	<p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. <p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> 	
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		<ul style="list-style-type: none">○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p>	
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RTI RELEASE - DSDMIP

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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and, defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>State needs to tell us whether this is lawful or not.</p> <p>We tried to promote secondary dwellings as a legitimate form of housing choice however as the State is adamant they have to be part of the same household we've created the option for a dual occupancy where one dwelling is small and not subdivided off so that a separate household (probably only one or two people) can rent it out. (We believe Logan did something similar)</p> <p>It is limited in size in an attempt to ensure it is not as expensive as the majority of houses or units already existing in Noosa. Our Housing Needs Assessment showed a serious mismatch between dwelling size and household needs and we are trying to counteract/rectify this by promoting opportunities for additional small dwellings scattered throughout the existing low density urban neighbourhoods. If we allow the secondary dwelling to be bigger it is likely to have a bigger impact on the neighbourhood in terms of building bulk, car parking etc and is less likely to be “affordable” for the lone person households or the single parent etc who are particularly in need of options.</p>
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the <i>Planning Regulation 2017</i>) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p>	<p>State needs to provide clear instructions</p>
State Interest: Regulated requirements in the <i>Planning Regulation 2017</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the <i>Planning Regulation 2017</i>. If a different administrative term is used, ensure this is done in accordance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Define ‘Essential network infrastructure’ in the administrative definitions, ensuring compliance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the <i>Planning Regulation 2017</i> states that a local government may adopt only the use terms stated in Schedule 3,</p>	<p>It's not used in the scheme so will be deleted from the definitions. May have been a hangover from current scheme.</p>

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		<p>column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Cooribah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Cooribah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Cooribah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village".</p> <p>At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part</p>	<p>No, there's not going to be a lot of growth in the northern part of the Shire – just not realistic.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p>

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		of responding to the item immediately above may also inform this response.	Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • Small second dwellings (technically dual occupancies) built on the site of existing houses • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p>	<p>Confused. The Action at #6 above asks where we intend to put more land in the Urban Footprint and then this one tells us we can't.</p> <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint contains substantially unconstrained land. While the whole site has an area of 9.5ha, approximately one third is proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>If we put it in Community Facilities Zone with no annotation is that acceptable?</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are consider to reflect and incorporate those values consistent with <i>ShapingSEQ</i>.</p>
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p>	<p>Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.</p>

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		Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.	
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'. Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.	<p style="color: green;">Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we will delete or at least reword the PO & AO.</p> <p style="color: orange;">Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy but then if the land is zoned for that purpose and they otherwise comply and they have to meet the noise mitigation measures of the QDC then maybe we are unnecessarily stifling development and we delete the whole PO & AO. However implications include the fact you have houses designed that can't open windows and therefore rely on air conditioning etc. It is one thing to not get too onerous on building on existing lots but to allow additional lots where you know the housing will be constrained...</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2 A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.	Action: Remove requirements for 4kW photovoltaic solar power system. Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i> , specifies building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution. The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW. Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.	<p style="color: orange;">For the Low Density Housing Code removal of AO6.1 "A minimum of 4kW photovoltaic solar power system is provided for the dwelling" would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p> <p style="color: orange;">There are performance requirements for energy efficiency in the NCC and the QDC however Noosa Council had hoped to achieve more sustainable buildings.</p>
12	9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.	Action: Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC). Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).	<p style="color: orange;">As stated above the roof pitch and eaves is covered in the NCC and has minimum performance requirements which must be met. Roof pitch is governed by the type of roof cladding and can also effect the energy efficiency of the roof cavity.</p> <p style="color: orange;">For the Low Density Housing Code removal of AO7.1 regarding pitched roof and eaves would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p>

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	<p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>		
<p>13</p>	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site. Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy. The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: Remove requirements relating to rainwater tanks and other supplementary water supply systems.</p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if—</p> <p>Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Council will consider applying to the minister for an approval to require the mandatory application of QDC MP4.2 to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Should this be granted by the State, council will then endeavour to include a provision for rainwater tanks into the planning scheme for premise connected to reticulated water supply.</p>
<p>14</p>	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms. Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits</p>	<p>References to stormtide levels have been removed from this provision as follows:</p> <p>AO20.3 <i>Where involving a minor addition to an existing dwelling house that is situated below the DFE (or below the highest recorded flood level where the DFE has not been modelled for the area):</i></p> <ol style="list-style-type: none"> 1. <i>the extension has a gross floor area not exceeding 20m²; and</i> 2. <i>the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</i> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>

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		more than 1.0m, additional structural analysis should be undertaken.	
15	<p>9.3.1.3 Criteria for assessment PO21</p> <p>Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21</p> <p>Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p>	<p>It is likely the scheme will be changed to be consistent with MP 3.5 as it applies to buildings in the flood plain but we have to resolve a question around basements. Currently we support proposals where the access to the basement has a minimum 1% AEP immunity.</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p> <p>Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard. Reason: Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This provision will be removed.</p>
17	<p>9.3.1.3 Criteria for assessment AO22</p>	<p>Action: Amend provisions as per comment for AO20.3.</p> <p>Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Acceptable outcome will be removed.</p>
18	<p>9.3.1.3 Criteria for assessment Page 10 PO23</p> <p>Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p>Action: Amend or remove acceptable outcome.</p> <p>Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing.</p> <p>Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'.</p>	<p>Acceptable outcome will be removed.</p>
19	<p>Table 9.3.3.3 AO13</p> <p>Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend to align with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard</p>	<p>AO13 will be removed and corresponding PO13 will be amended to ensure underground carparking areas can be drained to function safely during a flood event.</p>

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		<p>2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL)</p> <p>(a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL.</p> <p>(b) The openings must meet the following criteria-</p> <p>(i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and</p> <p>(ii) there must be a minimum of two openings on different sides of each enclosed area; and</p> <p>(iii) the total net area of all openings must be at least 1% of the enclosed area; and</p> <p>(iv) openings must permit a 75 mm sphere to pass through; and</p> <p>(v) any opening covers must not impede the flow of water.</p>	
	<p>Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.</p>	<p>Action: Remove provisions as these are contained in the building legislation.</p> <p>Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall</p> <p>These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application 5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
20	<p>Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6</p>	<p>Action: Amend provisions for consistency with QDC MP1.4.</p> <p>Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
21	<p>Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;</p>	<p>Action: Remove the requirement of width of awnings.</p> <p>Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.</p>	Acceptable outcome will be removed.
22	<p>Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)</p>	<p>Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12.</p>	Acceptable outcome will be removed.

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		<p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	
23	<p>Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTRROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p>	<p>Action: Remove references to AS 2890.3 Bicycles Parking Facilities</p> <p>Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12.</p>	Reference will be removed.
24	<p>Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE</p>	<p>Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor.</p> <p>Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.</p>	We will delete this from this code.
25	<p>9.4.6.3 PO1</p>	<p>Action: Remove the reference to natural light and cross ventilation.</p> <p>Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions.</p>	We are not sure why the aspirational PO can't remain.
26	<p>Part 8 Overlays AO1.2</p>	<p>Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	<p>State to clarify if it is just AO1.2 or other provisions in the overlay code they do not support.</p> <p>Provisions that duplicate the Building Regulations will be removed.</p> <p>References to hardstands and pumps in AO3.2 have been removed</p>
27	<p>Part 8 Overlays AO3.2 AO3.3 AO3.4</p>	<p>Action: Remove building requirements and cut/fill requirements that are already regulated.</p> <p>Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3.</p> <p>Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.</p> <p>The NCC includes further detail for safety of excavations and retaining walls</p> <p>Council queries whether the planning scheme can prescribe cut and fill to a maximum limit. The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p>
28	<p>Part 8 Overlays AO2.4</p>	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p>	This is referring to the Extractive Resources Overlay and the requirements we put on development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including

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		<p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>insulation and sound resistant glazing materials. It has nothing to do with transport noise corridors and where you are within the buffer area of a quarry for instance seems perfectly reasonable.</p>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>State to advise what aspects AO7 they do not support.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p> <p>This information should not be changed or repeated for inclusion in planning schemes. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Figure 8.2.3.4 can be removed, plus the reference to the Figure in AO7.</p>
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p>	<p>Will separate the DFE and DSTE throughout the overlay code.</p>
32	Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5 AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5 AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge. PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.	<p>Action: Amend provisions that are in conflict with the Building Assessment Provisions.</p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	<p>Will review terminology for consistency with Building Assessment Provisions and will clarify that reference to overland flow and ponding relate to operational works (earthworks etc) not building works.</p>

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<p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures:</p> <ul style="list-style-type: none"> a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and <p>there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and</p> <p>there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by:</p> <ul style="list-style-type: none"> a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of flooding waters or create a health hazard after a flood or storm tide events. <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Nonresidential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are</p>		
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<p>constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for nonresidential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p> <p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are:</p>		
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	<p>a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>Editor's note will be added to clarify any conflict with bushfire provisions in NCC and Australian Standards.</p>
???	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We could delete and refer to the figures in an editor's note which would not be part of the scheme.</p>

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	colours avoided. Figure 6.9.1A and 6.9.1B in Part 6.9		
34	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	Changes will be made to clarify that the provisions are for operations works not for building works
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	Changes will be made to clarify that the provisions relate to operational works for Earthworks and Drainage.

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<p>36</p>	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance so if necessary we can qualify that through rewording and/or an editor's note.</p>
<p>37</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>We can delete the offending words but what we are trying to do is ensure any ramps are within the property boundary and not tacked on in the road reserve as an afterthought. Suggest we still need an editor's note that qualifies any DDA or NCC compliance is within the property.</p>
<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level. AO57.2</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p>	<p>It was not the intent of the scheme that these be limited to sites affected by biodiversity or heritage overlays if that is what is meant. The provisions are carried forward from the existing scheme. We might be able to delete the whole PO57 and all the AOs where this clause is used.</p> <p>See also PO19 of Table 6.3.1.3; PO12 & PO13 of Table 6.3.5.3;</p>

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	<p>Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	
39	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Probably just needs a reword – if necessary put materials in an editor’s note rather than in the AO itself. This might also get addressed in the design PSP. We could reword to state that treatment should not obscure the view of shopfronts.</p> <p>See also: AO47 of Table 6.4.1.3 AO51 of Table 6.4.2.3 AO43 of Table 6.4.3.3 AO43 of Table 6.4.4.3 AO32 of Table 6.5.1.3 AO24 of Table 6.5.2.3 AO28 of Table 6.6.1.3 AO38 of Table 6.8.1.3</p>
40	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: located above the DFE level; or designed to prevent the intrusion of floodwaters; or if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor’s Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor’s note, which provisions under the Building Act does this refer to? Clarify that this isn’t an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials—</p> <ul style="list-style-type: none"> • a limitation on the use of finishes with fire hazard properties as defined under the BCA • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p>	<p>We have not fully considered this but it may be ok to delete</p>

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		Please note that this provision reoccurs throughout the scheme therefore please address all instances.	
41	Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23 Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through: buildings that maximise opportunities for natural ventilation and lighting; water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy. ALSO Part 6.7 PO12 and AO12	Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c). Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.	Have not fully formed an opinion as yet. We are aware Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC
	Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale PO7 AO7.1 Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.	Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below. Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard. Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.	We need more time to consider this comment. There are many implications regarding flooding.
42	Schedule 1 Definitions Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of floodprone land. Generally, it is not physically or financially possible to provide general protection against this event. PMF (as above)	Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.	The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.
State Interest: Mineral Resources Act 1989			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
43	Strategic Framework	Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources,	OK

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		<p>Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	
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Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	OK "find edit replace" type job
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. It will be ok.

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above "Key Challenges"	<p>Remove reference to "intensive factory farming", and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	We will review the sentence.
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p>	We are NOT going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands. Contextually we might change it to something like "locally significant agricultural land" or "agricultural land conservation area" depending on the context of each reference.
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment Part (u)	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p> <p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says "pending" on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it's unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	<p>OK</p> <p>Mapping change done</p>
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p>	Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.

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		<p>It's noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	Additional wording will be added
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO's or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	Additional wording will be added.
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development.</p> <p>The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	Will consider including Fish Habitat Areas on Biodiversity, Waterways and Wetlands overlay mapping depending on map legibility.
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs are that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>These are considered reasonable outcomes for catchment care, remembering this is ONLY where located within the water resource catchment as shown on the Water Resource Overlay Maps in Schedule 2. For self-assessment, they would have to meet them but if they want</p>

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			to come up with a way of managing their composting on site they can, just go through assessment, as Council would probably have to get expert advice to assess the proposal.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	<p>Remove these acceptable outcomes.</p> <p>Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1.</p> <p>These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.</p>	Refer previous discussion. Council is not of the view that all poultry or pig operations have to be considered intensive where they are free to range or forage. If this changes then obviously, there will be some re-drafting here.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	<p>Remove this acceptable outcome (AO13.2).</p> <p>Reason: It does not relate to or demonstrate compliance with performance outcome PO13.</p>	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	<p>Amend AO18.2 to read, for example, 'Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.'</p> <p>Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.</p>	OK change made
14	Biodiversity Overlay	<p>The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.</p> <p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>	Added an Editor's note above Table 8.2.2.3 regarding forestry

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15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p> <p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which we did. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>Seriously???</p> <p>This is an incredulous suggestion and is not a cost of this draft planning scheme or the level of infill growth it allows. We have not suggested a considerable amount of growth will occur at Peregrin Beach – Marcus Beach.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p> <p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>A statement reflecting this philosophy has been added to the Strategic Framework.</p>

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	<p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	
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Planning for the environment and heritage

Biodiversity			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	<p>Will cross check the Biodiversity Overlay mapping with the RVMM map for legally secured offsets and add any additional areas currently missed.</p>
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	<p>Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.</p>	<p>The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.</p>
Water quality			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> Sullivan et al, 2018, <i>National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> Sullivan et al, 2018, <i>National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> 	<p>Noted.</p>

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	These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.
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Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
21	--	Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs. Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.	
State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, 'Development provides a road hierarchy that supports effective freight connectivity.' Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities. Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities. It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.	Certainly some words can be added to the strategic Framework and wherever else it is considered relevant. Highway and Railway carry much freight obviously but also the other major roads with the exception of David Low Way.
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road. Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.	Sure.
24	Part 9 – Table 9.4.1.3	Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10. Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	OK references will be updated. Might need Craig's assistance
25	Schedule 6 Planning scheme policies	It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor. Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.	Noted
26	Queensland Policy Services	QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times. Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).	Thanks for the advice

From: [Candace Mitchell](#)
To: ["Mathew.Johnston@daf.qld.gov.au"](#); ["DAFFPlanning@daff.qld.gov.au"](#); ["Planning_Support"](#); [KASAUSKAS Tom](#); ["Planning_Services_South"](#); [Natural Hazards](#); [SEQ Regional Plan](#); ["PEARSON Scott \(EnergyQ\)"](#); ["Kendall McNab \(PSBABS\)"](#); ["TMR Planning"](#); ["BEATTIE James"](#); ["HHS HPO Town Planning"](#); ["PUTTOCK Lara"](#); ["Planning&Performance@police.qld.gov.au"](#)
Cc: [Garth Nolan](#); [Jamaica Hewston](#)
Subject: New Noosa Plan - Initial response to State interests from NSC
Date: Monday, 30 July 2018 11:38:00 AM
Attachments: [image001.png](#)
[Responses to State request for further information.docx](#)
[image003.png](#)

Good morning,

Please find attached the Noosa Shire Council's initial response to the State interest request for further information which was issued on 9 July 2018.

The council has used a "traffic light" system where green is something that could be resolved easily, amber items need to be discussed further, and red items are actions/comments the council is not comfortable with.

Can I please request your agency review the attached comments from the council and provide your further comments **no later than Monday 6 August 2018**.

The council has also requested a meeting with some individual agencies and therefore I will be in contact with those agencies directly.

If you wish to discuss please do not hesitate to contact myself on 5352 9708 or Garth Nolan on 5352 9710.

Kind Regards,

Candace Mitchell

Planning Officer

Planning and Development Services | SEQ North

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Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Requirement	Initial NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity Policy 3 (1) (2) and (3) and Development and Construction (8)</i>.</p> <p>Action: The strategic framework can be amended to give stronger support to promoting affordable and social housing, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes, and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p>	<p>Strategic Framework already acknowledges one of the key challenges is “diversity in housing choice to provide suitable residential accommodation for low income earners and key workers”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p><i>e) A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p><i>f) Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>Statements about Community housing / social housing can be made easily enough, but we would want to feel some level of confidence something can occur and ultimately that will rely on the State and NFP organisations. Council has already sought to be proactive in communication with both in this regard.</p> <p>To keep some perspective Moreton Council has a huge amount of greenfield growth. They have over 88k additional dwellings to supply. It is not necessarily a reasonable comparison.</p>
2	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living. This has been partially met.</i></p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones, facilitating not only secondary dwellings but also a small second dwelling (dual occupancy) which can be sub-let. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us</p>

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		<p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p>	<p>apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability. .</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>
Liveable communities			
Ref. Number	Policy Element	Requirement	Initial NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p>	<p>As drafted rural fire brigades are code assessable in the Rural or Rural Residential Zone. We can reduce this to acceptable subject to requirements.</p> <p>Otherwise, emergency services have not been listed as consistent uses in any of the other residential zones or centre zones. Only listed as consistent uses in some industrial zones and community services zones. They are consistent (impact) in the two green zones.</p> <p>Not sure we are likely to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing</p>

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	<p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times. In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) it is reasonable that they are accepted subject to requirements rather than code as drafted.</p> <p>We could make them consistent (code) in all the centres zones and industrial zones.</p> <p>However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p>
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Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	Initial NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p>	<p>Notwithstanding that wording could be adjusted, we don't see why the statement is offensive and do not plan to remove it. It does not say intensive agricultural land uses are prohibited and in fact if you can do an intensive agricultural activity without being noxious, and disrespectful to the setting and affecting the waterways you are not only very welcome but are applauded as well.</p> <p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the “clean/green” credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms of grazing use a method of herding stock into intensive clusters and shifting them regularly with electric fences etc. This practice is gaining momentum with regenerative farmers. Intensive horticulture is also quite welcome as long as chemical spray, runoffs and light nuisance are contained.</p>
5	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting</p>	<p>We can rephrase this however Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p>

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		<p>and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity....and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. 	
6	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from ‘Animal husbandry’</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p>	<p><i>animal husbandry means the use of premises for—</i></p> <p>(a) producing animals or animal products on native or improved pastures or vegetation; or</p> <p>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</p> <p><i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i></p> <p>(a) means the use of premises for—</p> <p>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</p> <p>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</p> <p>(b) does not include the cultivation of aquatic animals.</p> <p><i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>This is an interpretation problem – we are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry.</p> <p>If the State is determined they are, we need to adjust tables of assessment, Rural Zone Code and Rural Activities use code to allow a certain degree of “intensive animal industry” (i.e. some small scale poultry and pigs). This would be considerable work, and against the views of our community.</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development –</p>	<p>Our concerns about this are primarily:-</p> <ul style="list-style-type: none"> • The level of potential impact will be dependent on the size of the property as well as the scale of the operation. At the very least the table of assessment would have to threshold a very large minimum lot size for • It’s thought no intensive animal industry should be code assessable because by their very nature there is likely to be impacts. • While a poultry farm of over 1,000 birds is an ERA a piggery is not an ERA until they have more than 400 standard pig units. Up to 400 pigs subject to code assessment is certainly

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		<p>impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p>	<p>going to be a concern for the rural community. If we end up putting huge setbacks on them there are so few lots that could do it anyway so what is achieved?</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p>
8	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable. We will increase the threshold for accepted development subject to requirements to 2,000m².</p> <p>It is however preferable that above 2,000m² we continue to require code assessment but will amend the AO of the code to specify it can be up to 10% of the site area.</p> <p>If you had a 20ha property, this would allow you to have 2ha under shed/shadecloth/igloo. That's about the size of the Lake Macdonald tomato shed and it has been Council's experience that planning assessment and control was definitely warranted in that instance.</p>
9	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> All major lakes, 200m buffer Noosa River and lower Kin Kin Creek, 200m buffer Unconfined / Partly confined and Alluvial based major waterways, 100m buffer Confined major waterways, 50m buffer All other waterways Stream Order 1 or greater, 10m buffer For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>We will:</p> <ul style="list-style-type: none"> Amend buffer widths in Table 6.7.1.3 AO8.2 to read “setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps”. Amend buffer widths in Table 6.8.1 AO18.1 to read “setback... a distance greater the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps”.

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		tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf	<ul style="list-style-type: none"> Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".
10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p>	This will be included in the whole consideration of what is intensive animal industry and what is not.
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	Done
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>Suggest PO7 remain however, the corresponding AOs provide a specific exclusion that a class 10 building used exclusively for agricultural activities be allowed up to 12 metres. A structure that does not constitute a building might be up to 15 metres.</p> <p>Accordingly, we are adding an AO for setbacks to ensure where the building or structure exceeds 9 metres its boundary setback is equal to twice its height.</p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings.</p>


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		<p>does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to “minimise” the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p>	<p>Propose rewording PO8 (a) to read “avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on the amenity enjoyed by users of nearby premises;”</p> <p>Council is not prepared to be silent on amenity</p> <p>It should be noted that there are many hundreds of small lifestyle lots within the Rural Zone. We thought it insensible to scatter the Rural Residential zone throughout the hinterland. However if the amenity of these residents cannot be protected Council may revisit the mapping methodology for Rural / Rural Residential zones which would be a great pity as that is likely to stifle small scale rural enterprises.</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p> <p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p>	<p>PO9 can be reworded to say “Development, including haulage components, does not result in environmental harm or environmental nuisance to sensitive land uses.”</p> <p>PO10b) will be deleted as it is considered to be covered by the amended PO9.</p> <p>The reality is that the majority of the hinterland is being used for lifestyle purposes and for conservation. It is strongly felt that the amenity of rural residents must be protected. As discussed above the alternative to this is that a much broader area be zoned Rural Residential. If this is the preference of the State please advise as we thought it the less appealing option.</p> <p>Through consultation on the Discussion Paper, we did get a great deal of feedback wanting to protect the amenity of rural and semi-rural areas.</p>
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>It has been considered and we need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the AO.</p> <p>We've added an Editors note as follows: Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>

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17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor’s note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: 1. Reword PO15 2. Consider removing or rewording Editor’s note</p> <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor’s note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>As discussed above need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the PO</p> <p>We are modifying PO15 to clarify it is also about slope stability.</p> <p>The Editor’s note will be modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</i></p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: ‘maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and’</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	Suggested wording added.
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p>	<p>Rewording it to read: (b) Agricultural practices contribute to the heritage values of the Shire. (c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged to establish in rural areas.</p>

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		<p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	
20	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p>	<p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.”</p> <p>It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped (see below). This was not cut out of ALCA maps but it would also be inappropriate or neglectful to allow “uglification” through intensive rural activities.</p> <p>We know from past studies and consultation that people value the landscapes of cows in paddocks, cane fields, pineapple crops, avocado trees, forest plantations etc. Scenic amenity and farming can go hand in hand and it is not unreasonable to aspire for landscapes to be attractive and interesting even if substantially modified by crops etc.</p> <p>Again it needs to be remembered how fragmented the rural area is and how much of it is used for lifestyle only. The alternative is zoning everything less than 4ha in area in Rural Residential then there will be little scope for farming anyway.</p> 
21	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Reworded to suggest development seeks to maintain the capacity of agricultural land.</p>

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		<p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the performance outcome to focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>We have modified PO23 as follows: <i>Intensive animal industries, including haulage of animals, do not result in environmental nuisance to surrounding sensitive land uses.</i></p> <p>However Council is of the strongest view that intensive animal industries should be treated as any other industry where we would expect impacts be contained on site.</p>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>“reducing the risk of soil erosion” has to be harder than “not increasing the risk of soil erosion”</p> <p>We do not see the logic of this comment.</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Edited to read “<i>Unless spray is entirely contained within a structure without risk of escape...</i>”</p>

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		<p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Intensive horticulture structures and covered areas associated with the use do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. We believe some forms of agriculture will not be appropriate in the catchment and certain conditions should be met. Therefore, it did not seem appropriate to map it as ALCA.</p> <p>The State needs to determine one clear instruction here.</p>
Development and construction			
Ref. Number	Policy Element	Requirement	Initial NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p>	<p>Modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won’t be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>

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		<p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Please advise what zone this should be, they have always been in an open space zone to date.</p> <p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregian Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings etc.</p> <p>Advice Comment at #16 also noted but not considered necessary.</p>
29	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail,	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes.</p> <p>In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space.</p>

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	industrial and mixed use development opportunities.	<p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p>
30	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>We've got it zoned Community Facilities: Utility Installation</p> <p>Zone will be changed to Rural.</p>
31	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>
32	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>

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		government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.	
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone will be changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	JUST A COPY OF 33?
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zoning will be changed to Environmental Management & Conservation
36	Employment needs, economic growth, and a strong development and construction sector are	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p>	All commercial leases in the Noosa River along Gympie Terrace will be zoned Recreation and Open Space.

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	supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p>	<p>Not sure why we have received this instruction. Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held and you get the occasional circus or whatever</p> <p>At another sports ground you get a rodeo one night every year. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie foreshore and at The Woods near Hastings Street there are often one day community events or festivals.</p> <p>PO7 reads as <i>Temporary or periodic uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area.</i></p> <p>That PO applies to the zone not one specific site obviously. The table of development specifies the consistent uses.</p>
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	Initial NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping will be changed and a footnote added.</p> <p>(We understand the consultation on the new shape is occurring right now.)</p>

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Planning for the environment and heritage


Biodiversity			
Ref. Number	Policy Elements	Requirement	Initial NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: State interest partially integrated</p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MLES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	Koala Habitat Map will be changed to show the Koala Assessable Development Area
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: Integrated</p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to 'marine turtles'.

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		to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.	
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	<p>We currently don't have a provision which relates to this. We can include a new PO and AO in the code which reflects the action.</p>
44	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	<p>Zone will be changed to Rural but note that #30 wanted it to be available for use as a quarry so suggest State reconcile its intentions for the site.</p>
45	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will</p>	<p>Zone will be changed to Environmental Management & Conservation</p>

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		prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.	
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone will be changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Noosa District Sports Complex at Tewantin – Council sought to rationalise the zoning because we assumed the veg was not at risk however split zoning can be reapplied.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>St Teresa's school at Noosaville – The zoning of this school as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. Council has now sought to rationalise the zoning (as it did with the hospital and other pieces of community infrastructure) because we have biodiversity overlay that covers the veg and we could not see why the Noosaville State School next door which has even more MSES would be treated differently (it is currently entirely Community Services zone).</p> 

			<p>We can reapply a split zone to St Teresa's however think it inappropriate to do so unless also applied to:</p> <ul style="list-style-type: none"> • Noosaville State School • Pomona State School • Noosa District High (both Pomona and Cooroy Campuses) • Noosa Christian Collage at Cooroy • Sunshine Beach Primary School <p>all of which contain MSES.</p> 
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>This would be disappointing as it would prevent another sports ground in demand by the community as well as the additional domestic violence safe houses near the police station. The boundaries of the MSES's do not seem to accurately match the landscape on the ground.</p> <p>Council can make the zone change as request however would appreciate the chance to discuss with the state the reasons for the proposed zone realignments and can have our Ecologist assist with redefining the boundaries of the zones if that helps.</p> 
Coastal environment			

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Ref. Number	Policy Elements	Requirement	Initial NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>	The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.
Cultural heritage			
Ref. Number	Policy Elements	Requirement	Initial NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow.
Water quality			
Ref. Number	Policy Elements	Requirement	Initial NSC response
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>

Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	Initial NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p><i>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of</i></p>

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	appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p><i>acid sulfate soils is be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</i></p>		
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “<i>Sensitive land uses are protected from the impacts of these former mining activities and related hazards.</i>”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p><i>Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts.</i></p> <p>The following further information is available:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>Additional strategic outcome 3.3.8 added: <i>Sensitive land uses are protected from the impacts of abandoned mines and related hazards.</i></p>		
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area 	<p>Can include provisions as provided above that protect the existing and future pipeline.</p>		
		<table border="1"> <tr> <td>PO1 Development, including uses and works are constructed and operated to avoid:-</td> <td>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</td> </tr> </table>	PO1 Development, including uses and works are constructed and operated to avoid:-	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.	
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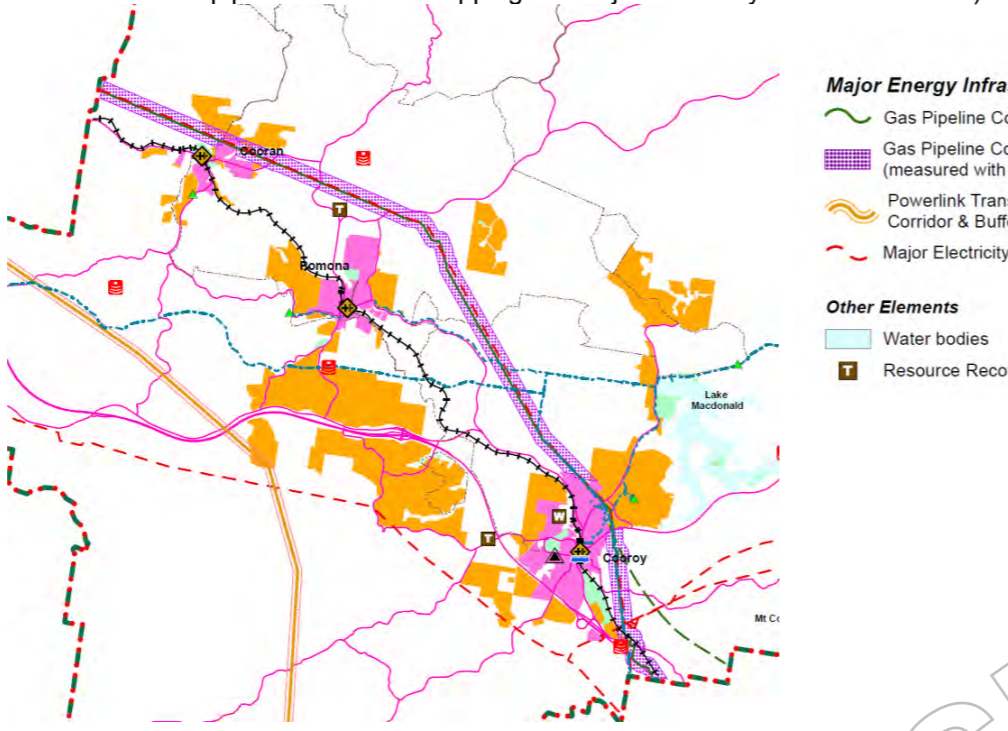
		<p>(a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p> <p>Reason: While <i>Petroleum Pipeline Licence 32</i> is authorised under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	
Natural hazards, risk and resilience			
Ref. Number	Policy Element	Requirement	Initial NSC response
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.</p>	As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. Council staff advised the State of recommended changes for the mapping. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent. No special assessment of bushfire risk beyond this is necessary given the low development scenario planned for Noosa Shire and the fact that the proposed development potential largely reflects that of the current planning scheme.

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Planning for infrastructure

Energy and water supply			
Ref. Number	Policy Element	Requirement	Initial NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	Property is 20 Grahams Rd Pomona 2SP216695 and zoning will be changed to Community Facilities (with substation annotation)
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	This change to the tables of assessment will be made.
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>With consideration of what is already shown on Strategic Framework Map 3 (see below) and other Overlay Maps, Council proposes that if it is the State's Instruction that we have a Regional Infrastructure Overlay including Energy Q electricity infrastructure it should also show:</p> <ul style="list-style-type: none"> - Powerlink transmission lines; - the gas pipeline; - the major road network and railway; - bulk water infrastructure?? <p>This is a significant piece of work and will also rely on rearrangement of code provisions as well. Please ensure complete instructions as it will affect multiple agencies</p>  <p>Major Water Supply and Sewerage Infrastructure</p> <ul style="list-style-type: none"> Water Supply Pipeline Water Reservoirs Wastewater Treatment Plant <p>Major Telecommunications Infrastructure</p> <ul style="list-style-type: none"> Broadband Infrastructure Wireless Base Station Data Centre <p>Transport Elements</p> <ul style="list-style-type: none"> Major Road Network Railway Noosa Trail Network Railway Stations Transit Bus Stations <p>Major Energy Infrastructure</p> <ul style="list-style-type: none"> Gas Pipeline Corridor Gas Pipeline Corridor Buffer (measured with a 200m buffer) Powerlink Transmission Line Corridor & Buffer (100m) Major Electricity Infrastructure <p>Other Elements</p> <ul style="list-style-type: none"> Water bodies Resource Recovery Centres

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60	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p>	<p>Council is happy to make the changes to the wording in the relevant overlay code as suggested in comment 55 above. (noting that it may be a different overlay given discussion at #59 above)</p> <p>However, this will not resolve the current conflict between the overlapping of easements held by Energex and gas pipeline licence holder. Council feels that this conflict may best be resolved at the state level.</p>
State transport infrastructure			
Ref. Number	Policy Element	Requirement	Initial NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p>	<p>The road hierarchy is shown on the Strategic Framework Map 3 Infrastructure and at this stage everything above local roads is shown on the zone map. This approach may be revisited if we end up having an infrastructure overlay.</p>

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		<p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p> <p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>High resolution Framework & Character Plans are available. They only deal with the town centres not the whole towns. They don't address inter-centre connections.</p> <p>The LGIP (which has not been forwarded to the State as yet and is being presented to Council this month) has the mapping for the priority <u>trunk</u> pathway network (existing and proposed). It does not show all pathways or on road bike lanes that would make up the active transport network. Neither does it show recreation bike paths and trails.</p> <p>The LGIP differs from the Principal Cycle Network Route Maps because there are concerns about some aspects of the route. There is reluctance to be committed to those pathways if for local /site specific reasons it is not practical or desirable.</p> <p>Council would be happy to work with DTMR to refine mapping if necessary.</p>
63	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</u></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>Every pathway we have forms part of our active transport network.</p> <p>The LGIP identifies the existing and future trunk pathways network which has a dual function for pedestrians and bikes. The pathways logically follow the trunk road network and includes pathways to key destinations.</p> <p>Local pathways that are not trunk also have a dual function but are fine grained and weren't mapped in the planning scheme.</p> <p>While Council is very keen to facilitate active transport it should be acknowledged that Noosa lacks both the large future greenfield estates of many local government areas where roads and pathways are being established from scratch and the high density, transit orientated communities of cities where walkability is more readily achieved.</p> <p>Noosa has an urban form that is largely established. Growth now will largely be through dispersed infill.</p>
64	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p>	<p>We can certainly add additional wording to the Transport Code and PSP however not sure to what extent they will be relevant. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber.</p>

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	<p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. <p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> 	
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		<ul style="list-style-type: none">○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p>	
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RTI RELEASE - DSDMIP

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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and, defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>State needs to tell us whether this is lawful or not.</p> <p>We tried to promote secondary dwellings as a legitimate form of housing choice however as the State is adamant they have to be part of the same household we've created the option for a dual occupancy where one dwelling is small and not subdivided off so that a separate household (probably only one or two people) can rent it out. (We believe Logan did something similar)</p> <p>It is limited in size in an attempt to ensure it is not as expensive as the majority of houses or units already existing in Noosa. Our Housing Needs Assessment showed a serious mismatch between dwelling size and household needs and we are trying to counteract/rectify this by promoting opportunities for additional small dwellings scattered throughout the existing low density urban neighbourhoods. If we allow the secondary dwelling to be bigger it is likely to have a bigger impact on the neighbourhood in terms of building bulk, car parking etc and is less likely to be “affordable” for the lone person households or the single parent etc who are particularly in need of options.</p>
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the <i>Planning Regulation 2017</i>) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p>	<p>State needs to provide clear instructions</p>
State Interest: Regulated requirements in the <i>Planning Regulation 2017</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the <i>Planning Regulation 2017</i>. If a different administrative term is used, ensure this is done in accordance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Define ‘Essential network infrastructure’ in the administrative definitions, ensuring compliance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the <i>Planning Regulation 2017</i> states that a local government may adopt only the use terms stated in Schedule 3,</p>	<p>It's not used in the scheme so will be deleted from the definitions. May have been a hangover from current scheme.</p>

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		<p>column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Cooribah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Cooribah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Cooribah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village".</p> <p>At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part</p>	<p>No, there's not going to be a lot of growth in the northern part of the Shire – just not realistic.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p>

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		of responding to the item immediately above may also inform this response.	Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • Small second dwellings (technically dual occupancies) built on the site of existing houses • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p>	<p>Confused. The Action at #6 above asks where we intend to put more land in the Urban Footprint and then this one tells us we can't.</p> <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint contains substantially unconstrained land. While the whole site has an area of 9.5ha, approximately one third is proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>If we put it in Community Facilities Zone with no annotation is that acceptable?</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are consider to reflect and incorporate those values consistent with <i>ShapingSEQ</i>.</p>
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p>	<p>Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.</p>

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		Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.	
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'. Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.	<p style="color: green;">Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we will delete or at least reword the PO & AO.</p> <p style="color: orange;">Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy but then if the land is zoned for that purpose and they otherwise comply and they have to meet the noise mitigation measures of the QDC then maybe we are unnecessarily stifling development and we delete the whole PO & AO. However implications include the fact you have houses designed that can't open windows and therefore rely on air conditioning etc. It is one thing to not get too onerous on building on existing lots but to allow additional lots where you know the housing will be constrained...</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2 A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.	Action: Remove requirements for 4kW photovoltaic solar power system. Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i> , specifies building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution. The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW. Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.	<p style="color: orange;">For the Low Density Housing Code removal of AO6.1 "A minimum of 4kW photovoltaic solar power system is provided for the dwelling" would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p> <p style="color: orange;">There are performance requirements for energy efficiency in the NCC and the QDC however Noosa Council had hoped to achieve more sustainable buildings.</p>
12	9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.	Action: Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC). Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).	<p style="color: orange;">As stated above the roof pitch and eaves is covered in the NCC and has minimum performance requirements which must be met. Roof pitch is governed by the type of roof cladding and can also effect the energy efficiency of the roof cavity.</p> <p style="color: orange;">For the Low Density Housing Code removal of AO7.1 regarding pitched roof and eaves would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p>

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	<p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>		
<p>13</p>	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site. Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy. The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: Remove requirements relating to rainwater tanks and other supplementary water supply systems.</p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if—</p> <p>Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Council will consider applying to the minister for an approval to require the mandatory application of QDC MP4.2 to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Should this be granted by the State, council will then endeavour to include a provision for rainwater tanks into the planning scheme for premise connected to reticulated water supply.</p>
<p>14</p>	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms. Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits</p>	<p>References to stormtide levels have been removed from this provision as follows:</p> <p>AO20.3 <i>Where involving a minor addition to an existing dwelling house that is situated below the DFE (or below the highest recorded flood level where the DFE has not been modelled for the area):</i></p> <ol style="list-style-type: none"> 1. <i>the extension has a gross floor area not exceeding 20m²; and</i> 2. <i>the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</i> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>

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		more than 1.0m, additional structural analysis should be undertaken.	
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p>	<p>It is likely the scheme will be changed to be consistent with MP 3.5 as it applies to buildings in the flood plain but we have to resolve a question around basements. Currently we support proposals where the access to the basement has a minimum 1% AEP immunity.</p>
16	<p>9.3.1.3 Criteria for assessment PO22 Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard. Reason: Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This provision will be removed.</p>
17	<p>9.3.1.3 Criteria for assessment AO22</p>	<p>Action: Amend provisions as per comment for AO20.3.</p> <p>Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Acceptable outcome will be removed.</p>
18	<p>9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p>Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'.</p>	<p>Acceptable outcome will be removed.</p>
19	<p>Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend to align with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard</p>	<p>AO13 will be removed and corresponding PO13 will be amended to ensure underground carparking areas can be drained to function safely during a flood event.</p>

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		<p>2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL)</p> <p>(a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL.</p> <p>(b) The openings must meet the following criteria-</p> <p>(i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and</p> <p>(ii) there must be a minimum of two openings on different sides of each enclosed area; and</p> <p>(iii) the total net area of all openings must be at least 1% of the enclosed area; and</p> <p>(iv) openings must permit a 75 mm sphere to pass through; and</p> <p>(v) any opening covers must not impede the flow of water.</p>	
	<p>Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.</p>	<p>Action: Remove provisions as these are contained in the building legislation.</p> <p>Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall</p> <p>These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application 5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
20	<p>Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6</p>	<p>Action: Amend provisions for consistency with QDC MP1.4.</p> <p>Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
21	<p>Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;</p>	<p>Action: Remove the requirement of width of awnings.</p> <p>Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.</p>	Acceptable outcome will be removed.
22	<p>Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)</p>	<p>Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12.</p>	Acceptable outcome will be removed.

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		<p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	
23	<p>Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTRROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p>	<p>Action: Remove references to AS 2890.3 Bicycles Parking Facilities</p> <p>Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12.</p>	Reference will be removed.
24	<p>Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE</p>	<p>Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor.</p> <p>Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.</p>	We will delete this from this code.
25	<p>9.4.6.3 PO1</p>	<p>Action: Remove the reference to natural light and cross ventilation.</p> <p>Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions.</p>	We are not sure why the aspirational PO can't remain.
26	<p>Part 8 Overlays AO1.2</p>	<p>Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	<p>State to clarify if it is just AO1.2 or other provisions in the overlay code they do not support.</p> <p>Provisions that duplicate the Building Regulations will be removed.</p> <p>References to hardstands and pumps in AO3.2 have been removed</p>
27	<p>Part 8 Overlays AO3.2 AO3.3 AO3.4</p>	<p>Action: Remove building requirements and cut/fill requirements that are already regulated.</p> <p>Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3.</p> <p>Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.</p> <p>The NCC includes further detail for safety of excavations and retaining walls</p> <p>Council queries whether the planning scheme can prescribe cut and fill to a maximum limit. The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p>
28	<p>Part 8 Overlays AO2.4</p>	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p>	This is referring to the Extractive Resources Overlay and the requirements we put on development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including

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		<p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>insulation and sound resistant glazing materials. It has nothing to do with transport noise corridors and where you are within the buffer area of a quarry for instance seems perfectly reasonable.</p>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>State to advise what aspects AO7 they do not support.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p> <p>This information should not be changed or repeated for inclusion in planning schemes. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Figure 8.2.3.4 can be removed, plus the reference to the Figure in AO7.</p>
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p>	<p>Will separate the DFE and DSTE throughout the overlay code.</p>
32	Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5 AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5 AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge. PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.	<p>Action: Amend provisions that are in conflict with the Building Assessment Provisions.</p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	<p>Will review terminology for consistency with Building Assessment Provisions and will clarify that reference to overland flow and ponding relate to operational works (earthworks etc) not building works.</p>

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<p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures:</p> <ul style="list-style-type: none"> a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and <p>there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and</p> <p>there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by:</p> <ul style="list-style-type: none"> a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of flooding waters or create a health hazard after a flood or storm tide events. <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Nonresidential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are</p>		
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<p>constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for nonresidential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p> <p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are:</p>		
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	<p>a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>Editor's note will be added to clarify any conflict with bushfire provisions in NCC and Australian Standards.</p>
???	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We could delete and refer to the figures in an editor's note which would not be part of the scheme.</p>

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	colours avoided. Figure 6.9.1A and 6.9.1B in Part 6.9		
34	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	Changes will be made to clarify that the provisions are for operations works not for building works
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	Changes will be made to clarify that the provisions relate to operational works for Earthworks and Drainage.

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<p>36</p>	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance so if necessary we can qualify that through rewording and/or an editor's note.</p>
<p>37</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>We can delete the offending words but what we are trying to do is ensure any ramps are within the property boundary and not tacked on in the road reserve as an afterthought. Suggest we still need an editor's note that qualifies any DDA or NCC compliance is within the property.</p>
<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level. AO57.2</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p>	<p>It was not the intent of the scheme that these be limited to sites affected by biodiversity or heritage overlays if that is what is meant. The provisions are carried forward from the existing scheme. We might be able to delete the whole PO57 and all the AOs where this clause is used.</p> <p>See also PO19 of Table 6.3.1.3; PO12 & PO13 of Table 6.3.5.3;</p>

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	<p>Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	
39	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Probably just needs a reword – if necessary put materials in an editor’s note rather than in the AO itself. This might also get addressed in the design PSP. We could reword to state that treatment should not obscure the view of shopfronts.</p> <p>See also: AO47 of Table 6.4.1.3 AO51 of Table 6.4.2.3 AO43 of Table 6.4.3.3 AO43 of Table 6.4.4.3 AO32 of Table 6.5.1.3 AO24 of Table 6.5.2.3 AO28 of Table 6.6.1.3 AO38 of Table 6.8.1.3</p>
40	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: located above the DFE level; or designed to prevent the intrusion of floodwaters; or if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor’s Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor’s note, which provisions under the Building Act does this refer to? Clarify that this isn’t an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials—</p> <ul style="list-style-type: none"> • a limitation on the use of finishes with fire hazard properties as defined under the BCA • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p>	<p>We have not fully considered this but it may be ok to delete</p>

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		Please note that this provision reoccurs throughout the scheme therefore please address all instances.	
41	Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23 Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through: buildings that maximise opportunities for natural ventilation and lighting; water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy. ALSO Part 6.7 PO12 and AO12	Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c). Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.	Have not fully formed an opinion as yet. We are aware Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC
	Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale PO7 AO7.1 Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.	Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below. Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard. Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.	We need more time to consider this comment. There are many implications regarding flooding.
42	Schedule 1 Definitions Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of floodprone land. Generally, it is not physically or financially possible to provide general protection against this event. PMF (as above)	Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.	The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.
State Interest: Mineral Resources Act 1989			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
43	Strategic Framework	Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources,	OK

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		<p>Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	
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Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	OK "find edit replace" type job
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. It will be ok.

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above "Key Challenges"	<p>Remove reference to "intensive factory farming", and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	We will review the sentence.
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p>	We are NOT going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands. Contextually we might change it to something like "locally significant agricultural land" or "agricultural land conservation area" depending on the context of each reference.
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment Part (u)	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p> <p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says "pending" on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it's unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	<p>OK</p> <p>Mapping change done</p>
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p>	Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.

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		<p>It's noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	Additional wording will be added
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO's or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	Additional wording will be added.
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development.</p> <p>The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	Will consider including Fish Habitat Areas on Biodiversity, Waterways and Wetlands overlay mapping depending on map legibility.
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs are that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>These are considered reasonable outcomes for catchment care, remembering this is ONLY where located within the water resource catchment as shown on the Water Resource Overlay Maps in Schedule 2. For self-assessment, they would have to meet them but if they want</p>

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			to come up with a way of managing their composting on site they can, just go through assessment, as Council would probably have to get expert advice to assess the proposal.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	Remove these acceptable outcomes. Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1. These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.	Refer previous discussion. Council is not of the view that all poultry or pig operations have to be considered intensive where they are free to range or forage. If this changes then obviously, there will be some re-drafting here.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	Remove this acceptable outcome (AO13.2). Reason: It does not relate to or demonstrate compliance with performance outcome PO13.	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	Amend AO18.2 to read, for example, 'Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.' Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.	OK change made
14	Biodiversity Overlay	The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development. Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land. Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material. Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance. The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries. The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance. Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard. Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i> .	Added an Editor's note above Table 8.2.2.3 regarding forestry

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15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p> <p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which we did. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>Seriously???</p> <p>This is an incredulous suggestion and is not a cost of this draft planning scheme or the level of infill growth it allows. We have not suggested a considerable amount of growth will occur at Peregrin Beach – Marcus Beach.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p> <p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>A statement reflecting this philosophy has been added to the Strategic Framework.</p>

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		<p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	
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Planning for the environment and heritage

Biodiversity			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the ‘Area of Biodiversity Significance’ layer found in the council’s proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	<p>Will cross check the Biodiversity Overlay mapping with the RVMM map for legally secured offsets and add any additional areas currently missed.</p>
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	<p>Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.</p>	<p>The Biodiversity Overlay maps significant vegetation by RE and is ‘tenure blind’. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate ‘Environment Management and Conservation’ to help support the protection of environmental values in these areas.</p>
Water quality			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> • <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> • <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> 	<p>Noted.</p>

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	These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.
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Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
21	--	Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs. Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.	
State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, 'Development provides a road hierarchy that supports effective freight connectivity.' Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities. Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities. It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.	Certainly some words can be added to the strategic Framework and wherever else it is considered relevant. Highway and Railway carry much freight obviously but also the other major roads with the exception of David Low Way.
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road. Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.	Sure.
24	Part 9 – Table 9.4.1.3	Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10. Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	OK references will be updated. Might need Craig's assistance
25	Schedule 6 Planning scheme policies	It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor. Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.	Noted
26	Queensland Policy Services	QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times. Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).	Thanks for the advice

From: [Candace Mitchell](#)
To: ["Planning Support"](#)
Subject: FW: HPE CM: New Noosa Plan - Initial response to State interests from NSC
Date: Tuesday, 31 July 2018 3:30:00 PM
Attachments: [image001.png](#)
[Responses to State request for further information.docx](#)
[NSC_Phase 3 - Coastal Hazards Assessment Report_March18_FINAL \(1\).pdf](#)
[Historical Report.pdf](#)
[image003.png](#)
[image005.png](#)

Good afternoon DES,

Apologies I forgot to attached the additional reports relevant to DES's comments and NSC's response to those comments as per my email yesterday. Please see attached now.

Kind Regards,

Candace Mitchell
Planning Officer
Planning and Development Services | SEQ North
Department of State Development,
Manufacturing, Infrastructure and Planning

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PO Box 1129, Maroochydore QLD 4558
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From: Candace Mitchell
Sent: Monday, 30 July 2018 11:39 AM
To: 'Mathew.Johnston@daf.qld.gov.au' <Mathew.Johnston@daf.qld.gov.au>; 'DAFFPlanning@daff.qld.gov.au' <DAFFPlanning@daff.qld.gov.au>; 'Planning Support' <Planning.Support@des.qld.gov.au>; KASAUSKAS Tom <Tom.Kasauskas@dnrme.qld.gov.au>; 'Planning Services South' <PlanningServicesSouth@dnrme.qld.gov.au>; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>; SEQ Regional Plan <SEQRegionalPlan@dsmip.qld.gov.au>; 'PEARSON Scott (EnergyQ)' <scott.pearson@energyq.com.au>; 'Kendall McNab (PSBABS)' <Kendall.McNab@psba.qld.gov.au>; 'TMR Planning' <planningschemes@tmr.qld.gov.au>; 'BEATTIE James' <James.BEATTIE@hpw.qld.gov.au>; 'HHS HPO Town Planning' <HHSHPOTownPlanning@hpw.qld.gov.au>; 'PUTTOCK Lara' <Lara.PUTTOCK@hpw.qld.gov.au>; 'Planning&Performance@police.qld.gov.au' <Planning&Performance@police.qld.gov.au>
Cc: Garth Nolan <Garth.Nolan@dsmip.qld.gov.au>; Jamaica Hewston <Jamaica.Hewston@dsmip.qld.gov.au>
Subject: HPE CM: New Noosa Plan - Initial response to State interests from NSC

Good morning,

Please find attached the Noosa Shire Council's initial response to the State interest request for further information which was issued on 9 July 2018.

The council has used a "traffic light" system where green is something that could be resolved easily, amber items need to be discussed further, and red items are actions/comments the council is not comfortable with.

Can I please request your agency review the attached comments from the council and provide your further comments **no later than Monday 6 August 2018**.

The council has also requested a meeting with some individual agencies and therefore I will be in contact with those agencies directly.

If you wish to discuss please do not hesitate to contact myself on 5352 9708 or Garth Nolan on 5352 9710.

Kind Regards,

Candace Mitchell

Planning Officer

Planning and Development Services | SEQ North

Department of State Development,
Manufacturing, Infrastructure and Planning

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Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Requirement	Initial NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity Policy 3 (1) (2) and (3) and Development and Construction (8)</i>.</p> <p>Action: The strategic framework can be amended to give stronger support to promoting affordable and social housing, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes, and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p>	<p>Strategic Framework already acknowledges one of the key challenges is “diversity in housing choice to provide suitable residential accommodation for low income earners and key workers”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p><i>e) A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p><i>f) Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>Statements about Community housing / social housing can be made easily enough, but we would want to feel some level of confidence something can occur and ultimately that will rely on the State and NFP organisations. Council has already sought to be proactive in communication with both in this regard.</p> <p>To keep some perspective Moreton Council has a huge amount of greenfield growth. They have over 88k additional dwellings to supply. It is not necessarily a reasonable comparison.</p>
2	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living. This has been partially met.</i></p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones, facilitating not only secondary dwellings but also a small second dwelling (dual occupancy) which can be sub-let. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us</p>

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		<p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p>	<p>apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability. .</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>
Liveable communities			
Ref. Number	Policy Element	Requirement	Initial NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p>	<p>As drafted rural fire brigades are code assessable in the Rural or Rural Residential Zone. We can reduce this to acceptable subject to requirements.</p> <p>Otherwise, emergency services have not been listed as consistent uses in any of the other residential zones or centre zones. Only listed as consistent uses in some industrial zones and community services zones. They are consistent (impact) in the two green zones.</p> <p>Not sure we are likely to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing</p>

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	<p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times. In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) it is reasonable that they are accepted subject to requirements rather than code as drafted.</p> <p>We could make them consistent (code) in all the centres zones and industrial zones.</p> <p>However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p>
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Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	Initial NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p>	<p>Notwithstanding that wording could be adjusted, we don't see why the statement is offensive and do not plan to remove it. It does not say intensive agricultural land uses are prohibited and in fact if you can do an intensive agricultural activity without being noxious, and disrespectful to the setting and affecting the waterways you are not only very welcome but are applauded as well.</p> <p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the “clean/green” credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms of grazing use a method of herding stock into intensive clusters and shifting them regularly with electric fences etc. This practice is gaining momentum with regenerative farmers. Intensive horticulture is also quite welcome as long as chemical spray, runoffs and light nuisance are contained.</p>
5	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting</p>	<p>We can rephrase this however Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p>

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		<p>and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity....and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. 	
6	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from ‘Animal husbandry’</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p>	<p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>This is an interpretation problem – we are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry.</p> <p>If the State is determined they are, we need to adjust tables of assessment, Rural Zone Code and Rural Activities use code to allow a certain degree of “intensive animal industry” (i.e. some small scale poultry and pigs). This would be considerable work, and against the views of our community.</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development –</p>	<p>Our concerns about this are primarily:-</p> <ul style="list-style-type: none"> • The level of potential impact will be dependent on the size of the property as well as the scale of the operation. At the very least the table of assessment would have to threshold a very large minimum lot size for • It’s thought no intensive animal industry should be code assessable because by their very nature there is likely to be impacts. • While a poultry farm of over 1,000 birds is an ERA a piggery is not an ERA until they have more than 400 standard pig units. Up to 400 pigs subject to code assessment is certainly

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		<p>impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p>	<p>going to be a concern for the rural community. If we end up putting huge setbacks on them there are so few lots that could do it anyway so what is achieved?</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p>
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable. We will increase the threshold for accepted development subject to requirements to 2,000m².</p> <p>It is however preferable that above 2,000m² we continue to require code assessment but will amend the AO of the code to specify it can be up to 10% of the site area.</p> <p>If you had a 20ha property, this would allow you to have 2ha under shed/shadecloth/igloo. That's about the size of the Lake Macdonald tomato shed and it has been Council's experience that planning assessment and control was definitely warranted in that instance.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> All major lakes, 200m buffer Noosa River and lower Kin Kin Creek, 200m buffer Unconfined / Partly confined and Alluvial based major waterways, 100m buffer Confined major waterways, 50m buffer All other waterways Stream Order 1 or greater, 10m buffer For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>We will:</p> <ul style="list-style-type: none"> Amend buffer widths in Table 6.7.1.3 AO8.2 to read “setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps”. Amend buffer widths in Table 6.8.1 AO18.1 to read “setback... a distance greater the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps”.

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		tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf	<ul style="list-style-type: none"> Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".
10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p>	This will be included in the whole consideration of what is intensive animal industry and what is not.
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	Done
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>Suggest PO7 remain however, the corresponding AOs provide a specific exclusion that a class 10 building used exclusively for agricultural activities be allowed up to 12 metres. A structure that does not constitute a building might be up to 15 metres.</p> <p>Accordingly, we are adding an AO for setbacks to ensure where the building or structure exceeds 9 metres its boundary setback is equal to twice its height.</p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings.</p>


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		<p>does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to “minimise” the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p>	<p>Propose rewording PO8 (a) to read “avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on the amenity enjoyed by users of nearby premises;”</p> <p>Council is not prepared to be silent on amenity</p> <p>It should be noted that there are many hundreds of small lifestyle lots within the Rural Zone. We thought it insensible to scatter the Rural Residential zone throughout the hinterland. However if the amenity of these residents cannot be protected Council may revisit the mapping methodology for Rural / Rural Residential zones which would be a great pity as that is likely to stifle small scale rural enterprises.</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p> <p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p>	<p>PO9 can be reworded to say “Development, including haulage components, does not result in environmental harm or environmental nuisance to sensitive land uses.”</p> <p>PO10b) will be deleted as it is considered to be covered by the amended PO9.</p> <p>The reality is that the majority of the hinterland is being used for lifestyle purposes and for conservation. It is strongly felt that the amenity of rural residents must be protected. As discussed above the alternative to this is that a much broader area be zoned Rural Residential. If this is the preference of the State please advise as we thought it the less appealing option.</p> <p>Through consultation on the Discussion Paper, we did get a great deal of feedback wanting to protect the amenity of rural and semi-rural areas.</p>
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>It has been considered and we need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the AO.</p> <p>We've added an Editors note as follows: Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>

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17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor’s note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: 1. Reword PO15 2. Consider removing or rewording Editor’s note</p> <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor’s note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>As discussed above need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the PO</p> <p>We are modifying PO15 to clarify it is also about slope stability.</p> <p>The Editor’s note will be modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</i></p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: ‘maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and’</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	Suggested wording added.
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p>	<p>Rewording it to read: (b) Agricultural practices contribute to the heritage values of the Shire. (c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged to establish in rural areas.</p>

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		<p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	
20	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p>	<p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.”</p> <p>It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped (see below). This was not cut out of ALCA maps but it would also be inappropriate or neglectful to allow “uglification” through intensive rural activities.</p> <p>We know from past studies and consultation that people value the landscapes of cows in paddocks, cane fields, pineapple crops, avocado trees, forest plantations etc. Scenic amenity and farming can go hand in hand and it is not unreasonable to aspire for landscapes to be attractive and interesting even if substantially modified by crops etc.</p> <p>Again it needs to be remembered how fragmented the rural area is and how much of it is used for lifestyle only. The alternative is zoning everything less than 4ha in area in Rural Residential then there will be little scope for farming anyway.</p> 
21	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Reworded to suggest development seeks to maintain the capacity of agricultural land.</p>

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		<p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the performance outcome to focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>We have modified PO23 as follows: <i>Intensive animal industries, including haulage of animals, do not result in environmental nuisance to surrounding sensitive land uses.</i></p> <p>However Council is of the strongest view that intensive animal industries should be treated as any other industry where we would expect impacts be contained on site.</p>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>“reducing the risk of soil erosion” has to be harder than “not increasing the risk of soil erosion”</p> <p>We do not see the logic of this comment.</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Edited to read “<i>Unless spray is entirely contained within a structure without risk of escape...</i>”</p>

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		<p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Intensive horticulture structures and covered areas associated with the use do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. We believe some forms of agriculture will not be appropriate in the catchment and certain conditions should be met. Therefore, it did not seem appropriate to map it as ALCA.</p> <p>The State needs to determine one clear instruction here.</p>
Development and construction			
Ref. Number	Policy Element	Requirement	Initial NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p>	<p>Modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won’t be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>

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		<p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Please advise what zone this should be, they have always been in an open space zone to date.</p> <p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregian Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings etc.</p> <p>Advice Comment at #16 also noted but not considered necessary.</p>
29	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail,	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes.</p> <p>In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space.</p>

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	industrial and mixed use development opportunities.	<p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p>
30	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>We've got it zoned Community Facilities: Utility Installation</p> <p>Zone will be changed to Rural.</p>
31	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>
32	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local</p>	<p>Zone will be changed to Environmental Management & Conservation.</p>

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		government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.	
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone will be changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	JUST A COPY OF 33?
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zoning will be changed to Environmental Management & Conservation
36	Employment needs, economic growth, and a strong development and construction sector are	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p>	All commercial leases in the Noosa River along Gympie Terrace will be zoned Recreation and Open Space.

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	supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p>	<p>Not sure why we have received this instruction. Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held and you get the occasional circus or whatever</p> <p>At another sports ground you get a rodeo one night every year. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie foreshore and at The Woods near Hastings Street there are often one day community events or festivals.</p> <p>PO7 reads as <i>Temporary or periodic uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area.</i></p> <p>That PO applies to the zone not one specific site obviously. The table of development specifies the consistent uses.</p>
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	Initial NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping will be changed and a footnote added.</p> <p>(We understand the consultation on the new shape is occurring right now.)</p>

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Planning for the environment and heritage


Biodiversity			
Ref. Number	Policy Elements	Requirement	Initial NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MLES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	Koala Habitat Map will be changed to show the Koala Assessable Development Area
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to 'marine turtles'.

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		to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.	
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	<p>We currently don't have a provision which relates to this. We can include a new PO and AO in the code which reflects the action.</p>
44	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	<p>Zone will be changed to Rural but note that #30 wanted it to be available for use as a quarry so suggest State reconcile its intentions for the site.</p>
45	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will</p>	<p>Zone will be changed to Environmental Management & Conservation</p>

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		prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.	
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone will be changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Noosa District Sports Complex at Tewantin – Council sought to rationalise the zoning because we assumed the veg was not at risk however split zoning can be reapplied.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>St Teresa's school at Noosaville – The zoning of this school as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. Council has now sought to rationalise the zoning (as it did with the hospital and other pieces of community infrastructure) because we have biodiversity overlay that covers the veg and we could not see why the Noosaville State School next door which has even more MSES would be treated differently (it is currently entirely Community Services zone).</p> 

			<p>We can reapply a split zone to St Teresa's however think it inappropriate to do so unless also applied to:</p> <ul style="list-style-type: none"> • Noosaville State School • Pomona State School • Noosa District High (both Pomona and Cooroy Campuses) • Noosa Christian Collage at Cooroy • Sunshine Beach Primary School <p>all of which contain MSES.</p> 
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>This would be disappointing as it would prevent another sports ground in demand by the community as well as the additional domestic violence safe houses near the police station. The boundaries of the MSES's do not seem to accurately match the landscape on the ground.</p> <p>Council can make the zone change as request however would appreciate the chance to discuss with the state the reasons for the proposed zone realignments and can have our Ecologist assist with redefining the boundaries of the zones if that helps.</p> 
Coastal environment			

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Ref. Number	Policy Elements	Requirement	Initial NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>	The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.
Cultural heritage			
Ref. Number	Policy Elements	Requirement	Initial NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow.
Water quality			
Ref. Number	Policy Elements	Requirement	Initial NSC response
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>

Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	Initial NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p><i>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of</i></p>

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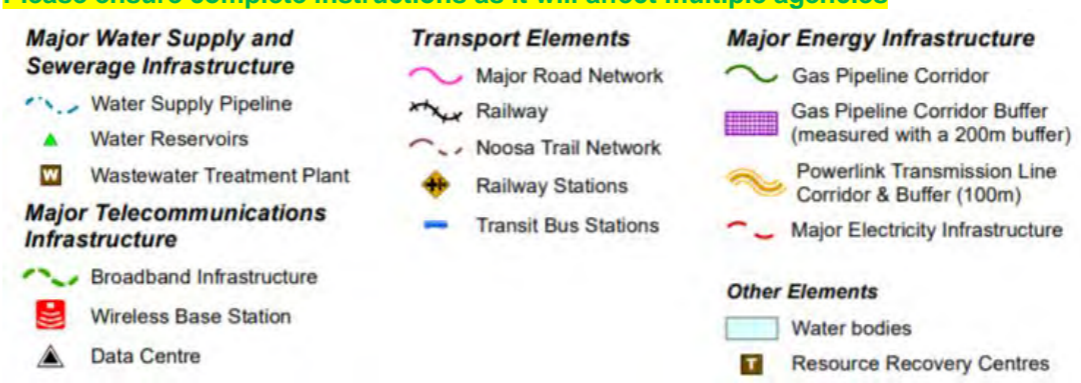
	appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p><i>acid sulfate soils is be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</i></p>		
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p><i>Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts.</i></p> <p><i>The following further information is available:</i></p> <ul style="list-style-type: none"> <i>Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy.</i> <i>Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68).</i> <i>Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/.</i> <p>Additional strategic outcome 3.3.8 added: <i>Sensitive land uses are protected from the impacts of abandoned mines and related hazards.</i></p>		
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area 	<p>Can include provisions as provided above that protect the existing and future pipeline.</p>		
		<table border="1"> <tr> <td>PO1 Development, including uses and works are constructed and operated to avoid:-</td> <td>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</td> </tr> </table>	PO1 Development, including uses and works are constructed and operated to avoid:-	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.	
PO1 Development, including uses and works are constructed and operated to avoid:-	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.				

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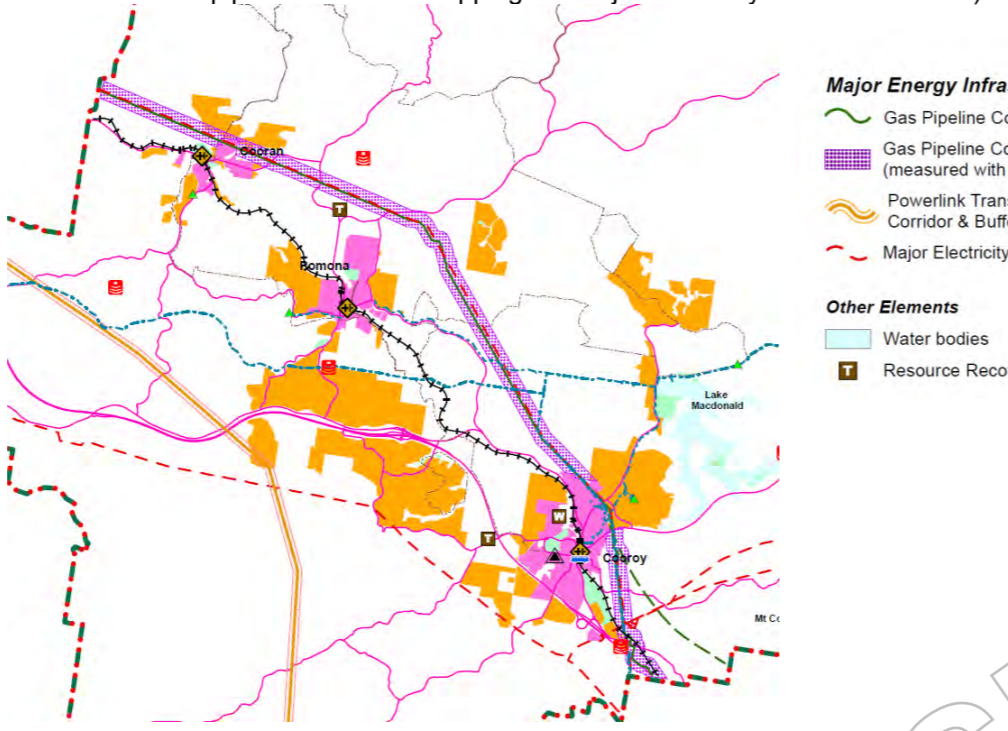
		<p>(a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p> <p>Reason: While <i>Petroleum Pipeline Licence 32</i> is authorised under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	
Natural hazards, risk and resilience			
Ref. Number	Policy Element	Requirement	Initial NSC response
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.</p>	As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. Council staff advised the State of recommended changes for the mapping. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent. No special assessment of bushfire risk beyond this is necessary given the low development scenario planned for Noosa Shire and the fact that the proposed development potential largely reflects that of the current planning scheme.

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Planning for infrastructure

Energy and water supply			
Ref. Number	Policy Element	Requirement	Initial NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	Property is 20 Grahams Rd Pomona 2SP216695 and zoning will be changed to Community Facilities (with substation annotation)
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	This change to the tables of assessment will be made.
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>With consideration of what is already shown on Strategic Framework Map 3 (see below) and other Overlay Maps, Council proposes that if it is the State's Instruction that we have a Regional Infrastructure Overlay including Energy Q electricity infrastructure it should also show:</p> <ul style="list-style-type: none"> - Powerlink transmission lines; - the gas pipeline; - the major road network and railway; - bulk water infrastructure?? <p>This is a significant piece of work and will also rely on rearrangement of code provisions as well. Please ensure complete instructions as it will affect multiple agencies</p> 

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60	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p>	<p>Council is happy to make the changes to the wording in the relevant overlay code as suggested in comment 55 above. (noting that it may be a different overlay given discussion at #59 above)</p> <p>However, this will not resolve the current conflict between the overlapping of easements held by Energex and gas pipeline licence holder. Council feels that this conflict may best be resolved at the state level.</p>
State transport infrastructure			
Ref. Number	Policy Element	Requirement	Initial NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p>	<p>The road hierarchy is shown on the Strategic Framework Map 3 Infrastructure and at this stage everything above local roads is shown on the zone map. This approach may be revisited if we end up having an infrastructure overlay.</p>

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		<p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p> <p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>High resolution Framework & Character Plans are available. They only deal with the town centres not the whole towns. They don't address inter-centre connections.</p> <p>The LGIP (which has not been forwarded to the State as yet and is being presented to Council this month) has the mapping for the priority <u>trunk</u> pathway network (existing and proposed). It does not show all pathways or on road bike lanes that would make up the active transport network. Neither does it show recreation bike paths and trails.</p> <p>The LGIP differs from the Principal Cycle Network Route Maps because there are concerns about some aspects of the route. There is reluctance to be committed to those pathways if for local /site specific reasons it is not practical or desirable.</p> <p>Council would be happy to work with DTMR to refine mapping if necessary.</p>
63	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</u></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>Every pathway we have forms part of our active transport network.</p> <p>The LGIP identifies the existing and future trunk pathways network which has a dual function for pedestrians and bikes. The pathways logically follow the trunk road network and includes pathways to key destinations.</p> <p>Local pathways that are not trunk also have a dual function but are fine grained and weren't mapped in the planning scheme.</p> <p>While Council is very keen to facilitate active transport it should be acknowledged that Noosa lacks both the large future greenfield estates of many local government areas where roads and pathways are being established from scratch and the high density, transit orientated communities of cities where walkability is more readily achieved.</p> <p>Noosa has an urban form that is largely established. Growth now will largely be through dispersed infill.</p>
64	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p>	<p>We can certainly add additional wording to the Transport Code and PSP however not sure to what extent they will be relevant. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber.</p>

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	<p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. <p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> 	
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		<ul style="list-style-type: none">○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p>	
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RTI RELEASE - DSDMIP

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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and, defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>State needs to tell us whether this is lawful or not.</p> <p>We tried to promote secondary dwellings as a legitimate form of housing choice however as the State is adamant they have to be part of the same household we've created the option for a dual occupancy where one dwelling is small and not subdivided off so that a separate household (probably only one or two people) can rent it out. (We believe Logan did something similar)</p> <p>It is limited in size in an attempt to ensure it is not as expensive as the majority of houses or units already existing in Noosa. Our Housing Needs Assessment showed a serious mismatch between dwelling size and household needs and we are trying to counteract/rectify this by promoting opportunities for additional small dwellings scattered throughout the existing low density urban neighbourhoods. If we allow the secondary dwelling to be bigger it is likely to have a bigger impact on the neighbourhood in terms of building bulk, car parking etc and is less likely to be “affordable” for the lone person households or the single parent etc who are particularly in need of options.</p>
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the <i>Planning Regulation 2017</i>) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p>	<p>State needs to provide clear instructions</p>
State Interest: Regulated requirements in the <i>Planning Regulation 2017</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the <i>Planning Regulation 2017</i>. If a different administrative term is used, ensure this is done in accordance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Define ‘Essential network infrastructure’ in the administrative definitions, ensuring compliance with section 8 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the <i>Planning Regulation 2017</i> states that a local government may adopt only the use terms stated in Schedule 3,</p>	<p>It's not used in the scheme so will be deleted from the definitions. May have been a hangover from current scheme.</p>

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		<p>column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Cooribah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Cooribah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Cooribah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village".</p> <p>At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part</p>	<p>No, there's not going to be a lot of growth in the northern part of the Shire – just not realistic.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p>

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		of responding to the item immediately above may also inform this response.	Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • Small second dwellings (technically dual occupancies) built on the site of existing houses • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p>	<p>Confused. The Action at #6 above asks where we intend to put more land in the Urban Footprint and then this one tells us we can't.</p> <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint contains substantially unconstrained land. While the whole site has an area of 9.5ha, approximately one third is proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>If we put it in Community Facilities Zone with no annotation is that acceptable?</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are consider to reflect and incorporate those values consistent with <i>ShapingSEQ</i>.</p>
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p>	<p>Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.</p>

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		Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.	
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'. Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.	<p style="color: green;">Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we will delete or at least reword the PO & AO.</p> <p style="color: orange;">Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy but then if the land is zoned for that purpose and they otherwise comply and they have to meet the noise mitigation measures of the QDC then maybe we are unnecessarily stifling development and we delete the whole PO & AO. However implications include the fact you have houses designed that can't open windows and therefore rely on air conditioning etc. It is one thing to not get too onerous on building on existing lots but to allow additional lots where you know the housing will be constrained...</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2 A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.	Action: Remove requirements for 4kW photovoltaic solar power system. Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i> , specifies building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution. The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW. Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.	<p style="color: orange;">For the Low Density Housing Code removal of AO6.1 "A minimum of 4kW photovoltaic solar power system is provided for the dwelling" would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p> <p style="color: orange;">There are performance requirements for energy efficiency in the NCC and the QDC however Noosa Council had hoped to achieve more sustainable buildings.</p>
12	9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.	Action: Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC). Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).	<p style="color: orange;">As stated above the roof pitch and eaves is covered in the NCC and has minimum performance requirements which must be met. Roof pitch is governed by the type of roof cladding and can also effect the energy efficiency of the roof cavity.</p> <p style="color: orange;">For the Low Density Housing Code removal of AO7.1 regarding pitched roof and eaves would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p>

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	<p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>		
<p>13</p>	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site. Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy. The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: Remove requirements relating to rainwater tanks and other supplementary water supply systems.</p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if—</p> <p>Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Council will consider applying to the minister for an approval to require the mandatory application of QDC MP4.2 to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Should this be granted by the State, council will then endeavour to include a provision for rainwater tanks into the planning scheme for premise connected to reticulated water supply.</p>
<p>14</p>	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms. Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits</p>	<p>References to stormtide levels have been removed from this provision as follows:</p> <p>AO20.3 <i>Where involving a minor addition to an existing dwelling house that is situated below the DFE (or below the highest recorded flood level where the DFE has not been modelled for the area):</i></p> <ol style="list-style-type: none"> 1. <i>the extension has a gross floor area not exceeding 20m²; and</i> 2. <i>the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</i> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>

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		more than 1.0m, additional structural analysis should be undertaken.	
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p>	<p>It is likely the scheme will be changed to be consistent with MP 3.5 as it applies to buildings in the flood plain but we have to resolve a question around basements. Currently we support proposals where the access to the basement has a minimum 1% AEP immunity.</p>
16	<p>9.3.1.3 Criteria for assessment PO22 Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard. Reason: Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This provision will be removed.</p>
17	<p>9.3.1.3 Criteria for assessment AO22</p>	<p>Action: Amend provisions as per comment for AO20.3.</p> <p>Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Acceptable outcome will be removed.</p>
18	<p>9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p>Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'.</p>	<p>Acceptable outcome will be removed.</p>
19	<p>Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend to align with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard</p>	<p>AO13 will be removed and corresponding PO13 will be amended to ensure underground carparking areas can be drained to function safely during a flood event.</p>

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		<p>2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL)</p> <p>(a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL.</p> <p>(b) The openings must meet the following criteria-</p> <p>(i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and</p> <p>(ii) there must be a minimum of two openings on different sides of each enclosed area; and</p> <p>(iii) the total net area of all openings must be at least 1% of the enclosed area; and</p> <p>(iv) openings must permit a 75 mm sphere to pass through; and</p> <p>(v) any opening covers must not impede the flow of water.</p>	
	<p>Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.</p>	<p>Action: Remove provisions as these are contained in the building legislation.</p> <p>Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall</p> <p>These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application 5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
20	<p>Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6</p>	<p>Action: Amend provisions for consistency with QDC MP1.4.</p> <p>Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>	
21	<p>Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;</p>	<p>Action: Remove the requirement of width of awnings.</p> <p>Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.</p>	Acceptable outcome will be removed.
22	<p>Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)</p>	<p>Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12.</p>	Acceptable outcome will be removed.

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		<p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	
23	<p>Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTRROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p>	<p>Action: Remove references to AS 2890.3 Bicycles Parking Facilities</p> <p>Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12.</p>	Reference will be removed.
24	<p>Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE</p>	<p>Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor.</p> <p>Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.</p>	We will delete this from this code.
25	<p>9.4.6.3 PO1</p>	<p>Action: Remove the reference to natural light and cross ventilation.</p> <p>Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions.</p>	We are not sure why the aspirational PO can't remain.
26	<p>Part 8 Overlays AO1.2</p>	<p>Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	<p>State to clarify if it is just AO1.2 or other provisions in the overlay code they do not support.</p> <p>Provisions that duplicate the Building Regulations will be removed.</p> <p>References to hardstands and pumps in AO3.2 have been removed</p>
27	<p>Part 8 Overlays AO3.2 AO3.3 AO3.4</p>	<p>Action: Remove building requirements and cut/fill requirements that are already regulated.</p> <p>Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3.</p> <p>Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.</p> <p>The NCC includes further detail for safety of excavations and retaining walls</p> <p>Council queries whether the planning scheme can prescribe cut and fill to a maximum limit. The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p>
28	<p>Part 8 Overlays AO2.4</p>	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p>	This is referring to the Extractive Resources Overlay and the requirements we put on development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including

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		<p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>insulation and sound resistant glazing materials. It has nothing to do with transport noise corridors and where you are within the buffer area of a quarry for instance seems perfectly reasonable.</p>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>State to advise what aspects AO7 they do not support.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p> <p>This information should not be changed or repeated for inclusion in planning schemes. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Figure 8.2.3.4 can be removed, plus the reference to the Figure in AO7.</p>
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p>	<p>Will separate the DFE and DSTE throughout the overlay code.</p>
32	Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5 AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5 AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge. PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.	<p>Action: Amend provisions that are in conflict with the Building Assessment Provisions.</p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	<p>Will review terminology for consistency with Building Assessment Provisions and will clarify that reference to overland flow and ponding relate to operational works (earthworks etc) not building works.</p>

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<p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures:</p> <ul style="list-style-type: none"> a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and <p>there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and</p> <p>there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by:</p> <ul style="list-style-type: none"> a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of flooding waters or create a health hazard after a flood or storm tide events. <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Nonresidential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are</p>		
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<p>constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for nonresidential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p> <p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are:</p>		
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	<p>a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>Editor's note will be added to clarify any conflict with bushfire provisions in NCC and Australian Standards.</p>
???	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We could delete and refer to the figures in an editor's note which would not be part of the scheme.</p>

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	colours avoided. Figure 6.9.1A and 6.9.1B in Part 6.9		
34	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	<p>Changes will be made to clarify that the provisions are for operations works not for building works</p>
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	<p>Changes will be made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>

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<p>36</p>	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance so if necessary we can qualify that through rewording and/or an editor's note.</p>
<p>37</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>We can delete the offending words but what we are trying to do is ensure any ramps are within the property boundary and not tacked on in the road reserve as an afterthought. Suggest we still need an editor's note that qualifies any DDA or NCC compliance is within the property.</p>
<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level. AO57.2</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p>	<p>It was not the intent of the scheme that these be limited to sites affected by biodiversity or heritage overlays if that is what is meant. The provisions are carried forward from the existing scheme. We might be able to delete the whole PO57 and all the AOs where this clause is used.</p> <p>See also PO19 of Table 6.3.1.3; PO12 & PO13 of Table 6.3.5.3;</p>

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	<p>Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	
39	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Probably just needs a reword – if necessary put materials in an editor’s note rather than in the AO itself. This might also get addressed in the design PSP. We could reword to state that treatment should not obscure the view of shopfronts.</p> <p>See also: AO47 of Table 6.4.1.3 AO51 of Table 6.4.2.3 AO43 of Table 6.4.3.3 AO43 of Table 6.4.4.3 AO32 of Table 6.5.1.3 AO24 of Table 6.5.2.3 AO28 of Table 6.6.1.3 AO38 of Table 6.8.1.3</p>
40	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: located above the DFE level; or designed to prevent the intrusion of floodwaters; or if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor’s Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor’s note, which provisions under the Building Act does this refer to? Clarify that this isn’t an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials—</p> <ul style="list-style-type: none"> • a limitation on the use of finishes with fire hazard properties as defined under the BCA • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p>	<p>We have not fully considered this but it may be ok to delete</p>

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		Please note that this provision reoccurs throughout the scheme therefore please address all instances.	
41	Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23 Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through: buildings that maximise opportunities for natural ventilation and lighting; water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy. ALSO Part 6.7 PO12 and AO12	Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c). Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.	Have not fully formed an opinion as yet. We are aware Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC
	Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale PO7 AO7.1 Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.	Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below. Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard. Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.	We need more time to consider this comment. There are many implications regarding flooding.
42	Schedule 1 Definitions Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of floodprone land. Generally, it is not physically or financially possible to provide general protection against this event. PMF (as above)	Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.	The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.
State Interest: Mineral Resources Act 1989			
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response
43	Strategic Framework	Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources,	OK

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		<p>Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	
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Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	OK "find edit replace" type job
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. It will be ok.

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above "Key Challenges"	<p>Remove reference to "intensive factory farming", and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	We will review the sentence.
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p>	We are NOT going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands. Contextually we might change it to something like "locally significant agricultural land" or "agricultural land conservation area" depending on the context of each reference.
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment Part (u)	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p> <p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says "pending" on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it's unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	<p>OK</p> <p>Mapping change done</p>
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p>	Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.

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		<p>It's noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	Additional wording will be added
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO's or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	Additional wording will be added.
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development.</p> <p>The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	Will consider including Fish Habitat Areas on Biodiversity, Waterways and Wetlands overlay mapping depending on map legibility.
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs are that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>These are considered reasonable outcomes for catchment care, remembering this is ONLY where located within the water resource catchment as shown on the Water Resource Overlay Maps in Schedule 2. For self-assessment, they would have to meet them but if they want</p>

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			to come up with a way of managing their composting on site they can, just go through assessment, as Council would probably have to get expert advice to assess the proposal.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	Remove these acceptable outcomes. Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1. These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.	Refer previous discussion. Council is not of the view that all poultry or pig operations have to be considered intensive where they are free to range or forage. If this changes then obviously, there will be some re-drafting here.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	Remove this acceptable outcome (AO13.2). Reason: It does not relate to or demonstrate compliance with performance outcome PO13.	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	Amend AO18.2 to read, for example, ' <i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i> ' Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.	OK change made
14	Biodiversity Overlay	The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development. Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land. Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material. Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance. The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries. The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance. Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard. Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i> .	Added an Editor's note above Table 8.2.2.3 regarding forestry

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15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p> <p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which we did. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>Seriously???</p> <p>This is an incredulous suggestion and is not a cost of this draft planning scheme or the level of infill growth it allows. We have not suggested a considerable amount of growth will occur at Peregrin Beach – Marcus Beach.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p> <p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>A statement reflecting this philosophy has been added to the Strategic Framework.</p>

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	<p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	
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Planning for the environment and heritage

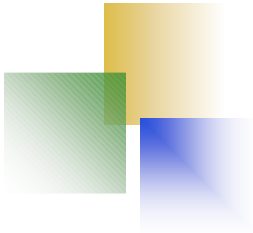
Biodiversity			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	Will cross check the Biodiversity Overlay mapping with the RVMM map for legally secured offsets and add any additional areas currently missed.
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.	The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.
Water quality			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> Sullivan et al, 2018, <i>National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual</i>, Department of Agriculture and Water Resources, Canberra, ACT Sullivan et al, 2018, <i>National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual</i>, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969 	Noted.

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	These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.
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Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
21	--	Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs. Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.	
State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	Initial NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, 'Development provides a road hierarchy that supports effective freight connectivity.' Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities. Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities. It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.	Certainly some words can be added to the strategic Framework and wherever else it is considered relevant. Highway and Railway carry much freight obviously but also the other major roads with the exception of David Low Way.
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road. Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.	Sure.
24	Part 9 – Table 9.4.1.3	Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10. Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	OK references will be updated. Might need Craig's assistance
25	Schedule 6 Planning scheme policies	It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor. Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.	Noted
26	Queensland Policy Services	QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times. Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).	Thanks for the advice



Historical Cultural Heritage of Noosa Shire - Report

An Historical Overview & Associated Sites,
Features & Precincts



**NOOSA COUNCIL
STRATEGIC PLANNING
SEPTEMBER 2002**



This document comprises a Planning Study prepared as part of the supporting documentation for The Noosa Plan: Choosing Futures process. It is intended to support a planning scheme that is consistent with the requirements of the *Integrated Planning Act*.

Project: Historical Cultural Heritage

Project Type: Cultural

Historical Cultural Heritage of Noosa Shire:

Report Authors: Raul Weyhardt, Director Environment & Planning (5449 5266)
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Source Documentation:

Report: h:\cultural heritage\historical study\master documents\historical report.doc

Mapping: [Citations](#)
[Principal Themes](#)

At various scales prepared by Ian Lewis.

Mapping prepared by Noosa Council for strategic planning purposes, with original mapping held in Noosa Council's GIS. Accurate representation of boundaries over individual allotments cannot be guaranteed.

Edited and reviewed by: Paul Summers, Manager Strategic Planning
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Coordination & Final Documentation: Noosa Council Strategic Planning Section (07 5447 1553)

Completion Date: August 2002

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Local historians who focused on the citations were-

Rod Adams
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This report was carried out with close attention to the *Guidelines for Cultural Heritage Management* produced by the Environmental Protection Agency 2001. Acknowledgement is given to the assistance of that document and Agency staff.

EXECUTIVE SUMMARY

Noosa Shire Council is undertaking a new Planning Scheme for the Shire in accordance with the requirements of the *Integrated Planning Act 1997*. In the implementation of such a Scheme, Council is obliged to-

- Achieve ecological sustainability with development
- Address the Shire's valuable features, and
- Establish measures that bring about desired environmental outcomes.

All of the above extend to identification and protection of significant cultural heritage features. Therefore the next Noosa Planning Scheme will recognise and afford appropriate protection to significant items and areas of historical cultural heritage.

The aim of this project is to:

Identify, record and assess the significance of places, events and people contributing to the Shire's historical cultural heritage.

The principal outcomes will be:

- a. A written and mapped record of early European settlement patterns across the Shire.
- b. Identification of significant individuals and pioneer families.
- c. Identification of historically significant buildings and building elements that contribute to the character of particular localities.
- d. Identification of sites, buildings, features and routes that may require protection.
- e. Documentation for the project should contribute to any development of a history of the Shire.

The authors of this planning study recognise there are many existing publications and information sources about the historical development of Noosa Shire. The report therefore is not intended to serve as a complete account of the Shire's history. However this report has been developed in a manner that assembles information about significant cultural heritage features in a way that assists with their future recognition and protection when the particular sites are proposed for development.

The Queensland Government through the Environmental Protection Agency published *Guidelines for Cultural Heritage Management* in February 2001. This project has been undertaken in accordance with the guidelines and has produced outcomes presented in a document format recommended by the guidelines.

The principal elements of this project report are:-

- An historical overview of the Shire

- Identification of historical themes that predominate the Shire's history with the themes being the range identified by the EPA guidelines
- Themes and typologies of associated places of potential cultural heritage significance
- Citations of individual sites and features
- Historic precincts
- Case studies
- Map of heritage precincts, sites and features

Cultural heritage within the Shire is defined under the following historical themes taken from the EPA Guidelines:-

- Theme 1** *Surveying and exploring the landscape*
- Theme 2** *Developing rural economies*
- Theme 3** *Developing transport and communication networks and infrastructure*
- Theme 4** *Establishing and developing towns*
- Theme 5** *Developing secondary and tertiary industry*
- Theme 6** *Maintaining order*
- Theme 7** *Educating a rural community*
- Theme 8** *Providing health and welfare services*
- Theme 9** *Developing social and cultural institutions*

The individual citations cover approximately 182 sites or features distributed into 14 localities. For each of the sites the citations provide information including-

- The location
- Tenure
- Date of establishment
- A description and brief history of the particular feature
- A description of the historical themes and integrity.

Citations usually also contain a photograph of the site or feature. A level of significance may be assigned to each citation that will assist in formulating a suitable strategy for the assessment of development proposals that may affect values held by the particular feature.

The information contained in this report will facilitate the formulation of an appropriate code and related development assessment material under the new Noosa Planning Scheme.

This report also contains recommendations on:-

- Modern and future cultural heritage; and
- Further study of significant buildings to better document their history and attributes.

This report does not purport to identify all historic cultural heritage features and attributes of the Noosa Shire nor does it fully specify all aspects of the features that are acknowledged. In addition valuable cultural heritage is continuing to be established by modern architecture and other community endeavour that will be recognised in the future for the values they add to our existing social fabric. Therefore the information contained in this project particularly within the citations and the mapping is capable of enhancement by further information over time.

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ID	Localities
1	Black Mountain, Federal, Pinbarren & Ridgewood
2	Boreen Point, Como & Cootharaba
3	Castaways Beach, Sunrise Beach & Sunshine Beach
4	Cooran
5	Coorobah
6	Cooroy
7	Cooroy Mountain, Lake Macdonald & Tinbeerwah
8	Doonan & Tewantin
9	Kin Kin
10	Marcus Beach & Peregian Beach
11	Noosa Heads
12	Noosa North Shore
13	Noosaville
14	Pomona



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1. INTRODUCTION

It is the natural landscape that attracts visitors to Noosa Shire. The coastal landform of shallow lakes, river system and coastal escarpment provide a structured backdrop to society. In this report the surviving cultural heritage is identified within the determining context of the natural heritage. The economic impact of change to the coastal strip has actually created a new cultural landscape. Some of this has been identified here as the regional architectural style. Similarly the theme of recreation - sport, cultural activities and relaxation activities - is identified as of particular relevance to Noosa Shire in the selection of cultural heritage sites of potential significance. A key observation is that many buildings are significant for their former use, not their current use. Examples are the reuse of schools, police lock-ups, churches and hotels for community group purposes and for residences.

This report is intended to provide useful information to Noosa Council and the community about cultural heritage values created since non-indigenous occupation of the Noosa area in significant numbers from around 1860 onwards. It will also assist Council with the preparation of a Planning Scheme for the Shire in accordance with the *Integrated Planning Act 1997*.

There are many detailed and comprehensive accounts of the settlement of the Noosa district. The overview of Noosa contained in this report was to provide a reference work for the cultural heritage precincts and for the individual sites referred to in the citations. In this way it also defines the themes and typology evident in the Shire's history. This is an approach developed by the Queensland Government for the assessment of the cultural heritage significance of an area using the set of Australian historical themes developed by the Australian Heritage Commission and assessment criteria contained in the *Queensland Heritage Act 1992*.

1.1 ABOUT THIS REPORT

This report presents a comprehensive outline of a high number of cultural heritage sites within Noosa Shire. The format of the report has been set out with a particular purpose in mind and that is to provide information on cultural heritage sites for the new Planning Scheme. This will then enable the scheme to require special assessment of those development proposals that might affect the significance of places and features having cultural heritage values, which may then involve further investigation and additional information about the values of a property prior to a decision being made on the particular development application.

Information about individual sites and features is enhanced by additional information that provides a context for that intrinsic cultural heritage. The significance of intrinsic cultural heritage can come from a number of reasons as set out further in the next section. These values will have a context related to one or more themes that have been derived from the broader cultural heritage history of the Shire. Therefore it is important that the value of a site is not derived from information contained within the citations alone but is also elevated to the theme or themes that are relevant to the site or features. Those themes are important in defining and setting the context and a link between an individual site or feature and the broader Shire history.

This report also recognises the contributions made by groupings of sites into cultural heritage precincts.

A case study of the Cooran commercial precinct is presented in Chapter 5 that further illustrates particular aspects of some areas of cultural heritage significance but in a way that further elaborates on information contained in the citations and leads to a potential assessment approach for development proposals under a new Planning Scheme.

1.2 HISTORICAL CULTURAL HERITAGE DEFINED

The local historians whose work has been documented in the citations undertook the identification of those places in Noosa Shire with cultural heritage significance. Although the citations are presented on a locality basis there is appropriate recognition to the historical themes of each of the features being described. The Environmental Protection Agency Guidelines explain the preferred approach towards the assessment of the cultural heritage significance of particular places or features. *The Queensland Heritage Act 1992* is the primary reference tool as it defines eight criteria for assessment of a particular place. The place needs only to meet one or more of the criteria in order to be considered as having historical significance. The Environmental Protection Authority has adapted the criteria under *The Heritage Act* and recommends the following broad assessment approach:-

A place may be of historical cultural heritage significance if it satisfies one or more of the following criteria:-

- a. The place has **HISTORICAL** significance
- b. The place has **RARITY** values
- c. The place has **POTENTIAL** significance
- d. The place is a good **EXAMPLE** of its type
- e. The place has **AESTHETIC** significance
- f. The place has **CREATIVE** or **TECHNICAL** significance
- g. The place has **SOCIAL** significance
- h. The place is important because of its **SPECIAL ASSOCIATION/S**.

Note: Cultural heritage significance may be further qualified by the degree of intactness, integrity, rarity, distinctiveness, exceptionality, representativeness, or some other quality of the place.

The Guidelines continue to provide more specific explanation as to the meanings of the eight criteria.

1.3 METHODOLOGY

This project has been prepared in accordance with the *Guidelines for Cultural Heritage Management* produced by the Environmental Protection Agency in February 2001. To undertake that work Noosa Council commissioned a group of historians to act as a consultant team to write the Shire Overview, to further develop the historical themes and typology and to compile the individual citations.

This project was carried out with a systematic and consistent approach to the greatest extent possible. There are however likely to be some particular descriptions arising from the individual historian's understanding of the sites or features being assessed.

The Guidelines propose that *The most effective surveys of local historical cultural heritage adopt a three-stage process:*

1. *Preparation of an historical context report*
2. *Identification of places of potential cultural heritage significance, and*
3. *Assessment of cultural heritage significance.*

The Historical Context report is the development of a story of the local history of a particular place. But in an effort to have wider coverage than the typical review of a chronological history of people and events and a focus on key families, the Environmental Protection Agency Guidelines recommend use of the historical themes established by the Australian Heritage Commission as a preferred approach. These themes have been adapted to particularly suit the Queensland circumstances and are enhanced by a series of sub-themes to further define the particular area of investigation. The Guidelines also envisage further sub-themes being developed in addition to those within the Guidelines depending on the circumstances of the area under investigation.

This report has used the historical themes and sub-themes established by the Guidelines and adapted those to suit the Noosa circumstances. These specific themes are set out in Chapter 2 of this report.

This project has been conducted in accordance with the assessment criteria a) - h) outlined in the previous section. It also attempts a further qualification of the significance of the places or features by a ratings system. The classifications within that ratings system are intended to give guidance to the level of protection to be offered to the cultural heritage values.

This then would enable the Planning Scheme to frame the appropriate development assessment mechanism that would enable sufficient investigation and appropriate information being offered about the cultural heritage values attaching to a site prior to a decision being made on a development proposal.

Further details of the system for classifying significance is set out in Chapter 7.

2. NOOSA SHIRE OVERVIEW

The essential purposes of this Overview are:

to assist Council in interpreting whether particular buildings and sites being considered as part of an approval process under the Integrated Planning Act 1997 are of cultural heritage value; and

to present an historical overview of the Noosa Shire covering the following key themes (developed by Queensland's Environmental Protection Agency) which specifically apply to the shire.

The following historical themes predominate:

Theme 1: *Surveying & Exploring the Landscape: Looking for land with pastoral, agricultural and extractive material,*

Theme 2: *Developing Rural Economies: Establishing Pastoral Empires, Exploiting Natural Resources: Timber, Exploiting Natural Resources: Fishing Developing Agriculture and Agriculture Related Industries: Dairying,*

Theme 3: *Developing Transport and Communication Networks and Infrastructure: Establishing roads and road transport services & Creating Rail Links,*

Theme 7: *Educating a Rural Community, and*

Theme 9: *Developing Social and Cultural Institutions.*

The themes of marine service structures (3c), towns (4), law and order (6), education (7), and health and welfare (8) feature where they survive in small numbers in each town.

The predominance of sites described in the citations relate to rural activities and buildings (houses and public buildings of all types).

Whilst this Overview analyses the early exploration of the Shire area, there are no surviving remnants or sites indicating this activity. The establishment of the first roads are assessed and a hotel site along one of them, the Robin Hood hotel site on the Old Tewantin Road is identified.

The predominant cultural heritage rural sites of the Shire are of the timber and dairying industries. These are accompanied by the complementary built environment comprising the social, cultural and religious institutions, sporting and recreational activities, and government infrastructure.

The **theme of Communications** illustrates aptly the growth of the shire and the evidence of surviving cultural heritage place. Roads, rail and boats all figure as a spider web of inter-relationships in the Noosa region.

The only surviving **railway station** in use in the Shire is Cooroy's which dates from the early twentieth century. Cooran's has been sold and removed. Pomona's has been incorporated in a cultural precinct. Nandroya's building including signal cabin and two residences have all been sold and removed. Pomona's station master's residence survives as the Landcare Community building, in its original position.

The Kin Kin Creek **Tramways** and the Elanda Point sawmill site are a highly important surviving element of the timber industry in southeast Queensland. This network of tramways dating from 1870 to 1892 extends from Lake Cootharaba to the Wahpunga area. Nearby on the late Sir Earle Page's property is a road and drainage system which has been utilised later by the timber plantation owners of the property. There were a number of State Forest operations in the Shire - at Yarrol and to the north of Tewantin and on the Cooroy - Tewantin Range in the Tinbeerwah area. There are few observable remains of those works. A particular block (Portion 32, Parish of Tewantin) has been included to illustrate the effect of land selection and selective hardwood logging on the forest.

The **road system** dating from 1869 first served Tewantin, the Tuckekoi area and the Skyring Creek areas near the Mary River. The road to Brisbane from the 1880s came east of Cooroy and west of Tinbeerwah Bluff where there were land selections to join the Tewantin - Gympie Road. Today the Cooroy - Tewantin Road Range, the Old Tewantin Road through the Ringtail area, and the Cooroy - Pomona Road demonstrate the form of the road construction of the relevant period and the first two have been included in citations (and a citation of the Cooroy - Pomona Road could be compiled when desired).

The **jetties and boat slipways** constructed by the Massoud, Parkyn and McKenna families have been included. These serviced the fishing and holiday clientele at Tewantin and Noosaville.

There are few **police** buildings surviving *in situ* in the Shire - only Tewantin and Cooroy. Cooran's Lock-Up is now in the Gympie and District Historical Society Museum at Gympie. Tewantin's Lock-Up has been removed to the District Sports Complex, via Butler Street, Tewantin, and has a new use.

Appendices are included dividing the places included in citations into listings according to the themes and place categories and place sub-categories.

2.1 BRIEF HISTORICAL INTRODUCTION

The majority of the surviving cultural heritage sites are actually in the towns. Accordingly, the following introduction assesses the rapid initial growth of the towns and the significance today.

Noosa Shire development has come full circle. Tewantin and Noosa began as ports to serve the Gympie goldfield. Water was the first access point to the Shire and the essential stimulant for the growth of the timber industry in the area. With the coming of the railway the focus changed to the hinterland. As tourism has developed the focus has turned again to the coast and is now the centre of the Shire. Until the 1960s Tewantin and Noosa were only holiday and fishing centres. The industries - dairying, agriculture and timber - were all in the hinterland, centred on Cooroy, Pomona, Cooran, Kin Kin and Cootharaba.

Just as the Aboriginals saw their lifestyle overturned, the country people have too. Rural people struggled to settle and change the landscape, prospered, retired and sold the land, for newcomers to revitalise. Tewantin and Noosa, once a timbergetters' port, a fishing village, and holiday centre for Gympie, have become a mecca for globe trotting trendsetters, retirement opportunities and a business centre.

Tewantin is now the headquarters of the Shire. Pomona, once the centre, concentrates on its rural residential aspects. By comparison Cooroy has always maintained its comparative prosperity, and its areas of wealthy residential areas at Cooroy Mountain and adjacent Sunrise Hills. Cooroy's proximity to the beach has energised the town's economy and social and cultural context.

Tewantin was the first town in the Shire from the late 1860s. Cooran began as a coach stop in 1869 on the road to Tewantin, and was a focal point for decades, hosting first at Appelby's, then Casey's and then Martin's Hotel the coach travellers on the Tewantin and Brisbane routes. Cooroy settlement arose as a timber, railway and dairying settlement from the 1890s. Pomona railway siding was opened in 1894. Kin Kin was a timber and dairying town which has now converted to tourist outcomes.

Pomona arose as a railway siding to service remnant settlers from the failed Protestant Unity Group commune which began in the area of what is now Gardiner's Road in 1894. Settlers selected land under various *Land Acts* in the surrounding areas. By the turn of the century there were also selectors from New South Wales moving to the whole Sunshine Coast area.

Until the opening of the railway through to Brisbane in 1891, settlement was from Gympie. The railway opened from Gympie to Brisbane on 17 July 1891, having first opened south to Cooran on 10 June 1889 and south to Cooroy on 1 April 1891. The railway construction stimulated further timber exploitation and land settlement movements from the Brisbane direction. Immigrants selected land, aiming to develop farms after selling the timber. The advent and accessibility of the railway permitted operators to harvest timber as a resource and renewable asset. This resulted in the Brisbane sawmills profiting handsomely.

Thus, the land around Cooroy had been selected and some freeholded by 1885. The Queensland government resumed much of this land and allocated 5 507 acres as an estate in 1885 to sawmillers, Dath Henderson Bartholomew & Co. They took up the opportunity and systematically felled the softwood forest country around Cooroy. Managers worked the coops, establishing tracks for bullock wagons. The tracks or roads were pitiful, self-selected routes.

The Government terminated the timber concession in 1907 at a cost of £7 000 and re-opened the land for selection. Numbers of people came from the south to the Cooroy area - from the Northern Rivers and the Illawarra district of New South Wales where young men saw themselves as landlocked. They established themselves and brought their families. They continued to log timber. J.L. Boden established a store on the railway reserve at Cooroy in 1906. A town slowly developed after survey and quickly burgeoned after sale of allotments. In 1911 - 1912 the commercial, cultural and administrative structures of Cooroy blossomed -

- a. opening of the Post office,
- b. extension of the top hotel,
- c. renovation of Goodrich's shop buildings,
- d. formation of the committee to establish the butter factory,
- e. appointment of a permanent station master,
- f. opening of a police station,
- g. start-up of two sawmills,
- h. opening of a permanent boarding house,
- i. opening a hospital by a female doctor,
- j. construction and opening of several churches,
- k. re-articulation of the arguments for road improvements,
- l. commencement of motorised transport between Cooroy and Tewantin,
- m. introduction of milking machines to the district,
- n. opening of a real estate office and the holding of clearing-out auction sales on farms,
- o. extension of the school building, and
- p. establishment of the Masonic Lodge, the cricket and tennis clubs, the Rifle Society, and the choral society.

Cooroy had matured and consolidated as a town.

Pomona had achieved several of these developments earlier - in 1905 - for several reasons:

- a. families from the failed commune moved close to the railway,
- b. new land was opened for selection ahead of Cooroy, as the timber concession still existed around Cooroy,
- c. shops and cultural organisations developed immediately in response,

- d. population increased in the area because the government had focussed on alienation of farming land there through its land-opening policy.

Cooran had contracted as a town after the railway was opened south to Brisbane and Cooroy became the centre for the co-ordinated service to Tewantin. The Kin Kin scrubs were not opened then for felling or selection, though Traveston and Woondum had. Farmers at Ringtail and Cootharaba struggled into destitution through the 1890s. Farmers on Skyring Creek and Black Mountain either used the road to Gympie or travelled to Cooran and Pomona as their towns.

2.2 HISTORICAL THEMES AND TYPOLOGY

This section provides a detailed historical account of Noosa Shire expressed within the contexts of the relevant Themes. In the first instance Table 2.1 Historical Themes & Typology below has been developed for Noosa Shire based on the various themes assessed as being relevant. The Table presents the various types of facilities and features that may contribute to each particular theme.

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TABLE 2.1 HISTORICAL THEMES & TYPOLOGY

THEME 1: Surveying and exploring the landscape		
Sub-theme	Category	Sub-category
looking for land with economic potential	camp sites distinctive features of the landscape associated with survey and exploration	mountains, hills, passes, rock formations, caves, rivers, creeks, waterfalls, lagoons, swamps.
THEME 2: Developing rural economies		
Sub-theme	Category	Sub-category
a. establishing pastoral empires	homestead waterhole dam	main residence, kitchen house, dairy, manager's residence, staff quarters; outbuildings: shed, barn, harness room, pumping shed, generator shed, garage, cow-bail, stables, dip; grounds: trees, garden, orchard, vegetable plot, fernery, apiary, aviary, yards, fencing, carriage drive
b. displacing Aboriginal people/frontier conflict	conflict site camp site reserve	creek, pathway waterhole, lagoon, lake, river, creek reservation
c. developing extractive industries (timber, clay, sand, gravel, rock, fishing)	logged forest sawpit sawmill quarry sand/ gravel/clay pit kaolin clay pit fished lake, river & sea waters	machinery, shed, hut, tramway, road/track, tree stump, rafting place, raft, landmark tree machinery, boiler, road/track, tramway, camp site, hut, mill manager's residence, township excavation excavation kiln, excavation nouse, boat shed, slipway, market
d. encouraging closer settlement and immigration	township agricultural reserve group settlement	town reserve selection, homestead selection, grazing farm selection, farm
e. encouraging agricultural expansion	farm: dairy/grain/grazing/mixed/stud/cane orchard horticulture/market garden plantation apiary factory	dairy, shed, barn, yard, fence, stables, cow-bail, machinery shed, mustering yard, garage, generator shed, dip, dam, drainage canal, residence orchard, sheds, residence garden, sheds, residence plantation, sheds, residence hives, shed, residence butter factory
f. managing and conserving land, water, flora and fauna	national park conservation park state forest timber reserve fish habitat wetland reserve	fire tower, barracks, track, firebreak, water reservoir, forest station, nursery, experimental plot, apiary, beauty spot, hiking trail forestry plot, landmark tree

g. encouraging the growth of tourism	the natural tourist attraction tourist attraction camping ground/caravan park tourist accommodation tourist information centre picnic facilities rest stop scenic view water transport facilities	beach, lake, river private collection (objects, memorabilia), theatre camping ground, store, office, ablution block boarding house, guesthouse, flats, hotel, motel, apartments bar-b-cue, shelter shed, seating roadhouse, hut track, board walk, lookout, amphitheatre, landmark tree jetty, boat and canoe hire
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THEME 3: developing transport and communication networks

Sub-theme	Category	Sub-category
a. establishing roads and developing road transport services	road bridge river crossing coach stop garage bus stop public car park	corduroy road, cutting, sideling, kerbing, guttering, benched road, range road, macadamised road ford, bridge vehicular ferry hotel or inn, coach terminal, waiting room, watering place roadhouse terminus, bus shelter
b. establishing ports	government reserve port and harbour infrastructure	Ports and Harbours reserve wharf, jetty, dock, holding yard, buoy, light, boat shed, slipway, groyne, retaining wall, reclaimed site, marina, boat parking area
c. developing shipping services	navigational aid marine services centre	channel light, river light, harbour light, buoy pilot and rescue centre, radio tower, jetty, boathouse
d. establishing and developing post, telegraph and telephone services	office telephone exchange telegraph/telephone post/line postal route	post or receiving office, telegraph office, post & telegraph office post box
e. providing a railway service	railway railway station	track, cutting, bridge platform, station building, waiting room, siding, goods shed, water tower, dam or lagoon, pump house, signal box, switching system, turntable, repair shed, residence, post or telegraph office
f. establishing air services and facilities	airfield/helipad	runway, hangar, control tower
g. communicating information	newspaper office broadcast facility mobile phone tower internet cafe	radio station, transmission aerial

THEME 4: establishing and developing towns

Sub-theme	Category	Sub-category
a. selecting township sites	port cross-road ford watering place rail siding abandoned town site	street grid, cleared site, ruin
b. establishing local government	shire chambers shire clerk's residence	town hall, administration centre/office residence

c. providing public services	electricity supply/street lighting water supply stormwater management sewerage system nightsoil cart access way waste management system roadbuilding services bridge beach protection public garden ambulance station fire station weather station library art gallery cultural centre arts and crafts centre community centre sports facilities public toilets	substation, lamp post dam, waterworks, pipeline, water reservoir, pumping station kerbing, channelling, stormwater drains sewerage pipes, sewerage farm, pumping station laneway landfill, depot, recycling centre depot, garage, machinery store, office road bridge, pedestrian bridge seawall park, garden, street plantings, median strip, roundabout, clock tower, botanical garden, amphitheatre studio, gallery, pottery kiln swimming pool, playing fields, courts, etc showers
d. planning urban environments	land subdivision town planning scheme	planned or garden suburb, rural residential estate, canal estate, gated estate, streetscape, plantings industrial estate
e. housing urban populations	dwelling / residence	tent, hut, cottage, house, mansion, flat, apartment, unit, townhouse, caravan, boarding house
f. developing a regional style of architecture	dwelling/residence public building commercial building community care accommodation centre	house, apartment building hostel/nursing home
THEME 5: developing secondary and tertiary industry		
Sub-theme	Category	Sub-category
a. developing manufacturing and heavy industry	factory works	food processing factory (eg bakery), joinery, furniture factory forge, brickworks, pottery, boat building yard
b. encouraging the building and construction industry	dwelling	hut, cottage, house, mansion, duplex, flat/s, apartment, unit, townhouse
c. providing services - professional, financial, commercial, hospitality, entertainment, etc	commercial and office premises warehouse, bulk storage facilities hotel, motel place of public entertainment	shop, shop-house, store, kiosk, cafe, restaurant, office/s, bank, bank manager's residence theatre/picture theatre, dance hall, outdoor theatre, billiard room, bowling alley, skating rink
THEME 6: maintaining order		
Sub-theme	Category	Sub-category
a. policing & maintaining law and order	police station court house	station, lock-up, residence
b. developing government and public administration	government office	Shire office, Council chambers

c. defending the country	military installation	airfield, firing range, amphibious craft landing site, explosives magazine, unexploded ordnance, prefabricated building
	encampment	barracks, camp site, training ground

THEME 7: educating a rural community

Sub-theme	Category	Sub-category
a. establishing schools	government school [provisional school, state school, state high school, rural school] private school denominational school	schoolhouse, schoolroom, teacher's residence, classroom block, auditorium, gymnasium, playshed, playing field, swimming pool, garden, former school site
b. encouraging adult self-education	school of arts university of the third age	

THEME 8: providing health and welfare services

Sub-theme	Category	Sub-category
a. developing health services	hospital doctor's surgery ambulance station	private, general, maternity doctor's surgery, residence ambulance station, residence
b. caring for the elderly and the needy	community care/accommodation centre	refuge, safe house, women's centre, daycare centre, hostel, nursing home, aged person's home, respite centre, meals-on-wheels centre, adult training centre, animal refuge
c. caring for the young	child care	crèche, pre-school, kindergarten, playground
d. providing for the dead	cemetery/crematorium	headstone, grave marker, monument, memorial, lychgate, fence, gate, path, garden

THEME 9: developing social and cultural institutions and ways of life

Sub-theme	Category	Sub-category
a. establishing places of worship	place of worship accommodation meeting place	church rectory, presbytery, convent hall
b. forming secular associations, institutions, organisations and societies	meeting place showground sporting facility indoor recreation facility theatre arts and crafts centre museum	hall, meeting room, masonic hall, auditorium, youth centre, outdoor meeting space, shed, environment centre pavilion, sheds, holding yards clubhouse, sports ground, playing field, jetty, boat house, tennis court, golf course, bowling green, swimming pool, horse racing track, pony club, storage shed indoor sports centre, card hall, billiard room studio, gallery, pottery kiln museum
c. recreating (going to the beach, holidaying, eating & drinking)	beachside facilities fishing spot tourist resort restaurant	lifesaving tower, changing rooms, surf break, nude beach jetty, bridge, hut
d. commemorating important events or people	memorial memorabilia name	stone cairn, plaque, arboretum, park, tree war munitions street, house, hut, park
e. remembering the fallen	memorial	obelisk, cairn, statue, honour board, plaque, hall, forestry plot, flagstaff, park

2.2.1 Theme 1: Surveying & Exploring the Landscape: Looking for land with pastoral, agricultural and extractive material:

The human occupation of the Noosa Shire landscape has always alternated between the water and the hinterland.¹ Six Mile Creek traverses the Shire from its sources at Cooroy Mountain at the southern end to its confluence with the Mary River at Keefton beyond the northern end of the Shire.² The low range, the watershed between Six Mile Creek and the Noosa River and its lakes system, accentuated most in Tinbeerwah Bluff, has been crossed by paths for thousands of years.

Following Cook's trip in 1770 and Flinders' in 1799 and 1802, there were three official expeditions into the Shire area by sea and land before any European settlement in the Noosa Shire area. The first was in March 1822 when John Bingle in the colonial cutter, *Sally*, and William Edwardson in the colonial cutter, *Snapper*, in July 1822, sailed north as far as Hervey Bay. Bingle identified Double Island Point, and Edwardson hastily sketched the areas of Double Island Point, Rainbow Beach, Wolf Rock, Hook Point and Tin Can Bay Inlet.³ Neither landed in the Shire.

The second trip was that of Andrew Petrie and Henry Stuart Russell and party in May 1842. They were travelling in a 'mongrel' of a boat and ventured mainly along the coast seeking timber and any good pastoral country. Petrie kept a diary and accounts of the trip were published widely at the time.

Andrew Petrie set out for Wide Bay on Wednesday 4 May 1842 with Henry Russell, Joliffe, Hon. Wrottesley, five boat crew including Joseph Russell and two Aborigines. On Thursday they landed at Noosa. Petrie sent a letter with the Aborigines to Bracefield, a convict escapee, who came to see him. They named the low bluff, 'Bracefield Head'. Bracefield listed the names of the row of mountains in the hinterland (many of them volcanic plugs) as Caroora, Coolum, Coora, Yuro-Yuro, Eirange and Boppol.⁴

The settlement of the Wide Bay and Burnett bypassed the Near North Coast. Pastoralists had moved up the rivers behind the D'Aigular and Coast Ranges from the Darling Downs from 1841. Burnett Inn was opened in Nanango in 1846 to service the Brisbane Road.

¹ Indigenous history is not covered in this overview as it is addressed as a separate Indigenous Cultural Heritage Study of Noosa Shire.

² The town water supplies are now harnessed in Lake McDonald on Six Mile Creek east of Cooroy. (Ian McDonald was a Noosa Shire Councillor from 1962 to 1979. He was Shire Chairman from 1964 to 1979. His private occupation was as a veterinarian in Cooroy from 1954. He was 55 years old when he died in 1980. (Noosa News 17 May 1979 and 19 Sep. 1980)).

³ Gill, J.C.H. (Connal), 'In Search of a River: Two Little Known Voyages to Moreton Bay', *Queensland Heritage*, vol.1 no.8 pp.16-25.

⁴ Russell, Henry Stuart, *The Genesis of Queensland: an account of the first exploring journeys to and over the Darling Downs: the earliest days of their occupation; social life; the course of the discovery, northward and westward; and a resume of the causes which led to separation from New South Wales with portrait and fac-similes [sic] of maps, log etc., Toowoomba, Vintage Books, facsimile, 1989, pp.251-256.*

Maryborough was opened as a port servicing Gayndah and Russell's *Burrandowan* run on the Upper Burnett. The Archers of *Durundur* near Kilcoy and Frederick Bigge of *Mount Brisbane* had been across into the Upper Mary (probably around Imbil and Brooloo) in 1841 and found the dense forests and steep slopes unsuitable for sheep.

The Upper Mary, Maroochy and Mooloolah Rivers were effectively 'locked up' by the declaration of the Bunya pine resources as an exclusive area. The road to the Kilcoy runs from the North Pine also led people west. Furthermore, the Aborigines' reaction to the intrusion of settlers with cattle and sheep was known to be fiercer on the coast, and the effects of the poisoning of Aborigines on the Kilcoy run in 1841 inhibited and soured Aboriginal - settler relations in the whole of south east Queensland.

Expansion of the population of Moreton Bay settlement in the late 1840s increased interest. Commissioner for Crown Lands for the Wide Bay and Burnett District, John Carne Bidwell, a botanist and horticulturalist based at Tinana near present day Maryborough, was instructed in 1851 to mark a route to Brisbane. In riding south he became hopelessly lost amongst the volcanic plugs - Cooran, Cooroora, Cooroy, Coondoo, Coolum, Erwah and Ninderry believing them to be the Glass House Mountains. He was lost without food for eight days, bewildered, confused and eventually found his way to Brisbane with the aid of a personal pocket hook (or knife). He never recovered and died on 16 March 1851.⁵

2.2.2 Theme 2: Developing Rural Economies: Establishing Pastoral Empires:

The initial settlers within the Noosa Shire were the Skyring family in 1853.⁶ Zachariah and Daniel Skyring took up four runs - *Whildka Whildka* (later known as *Tuchekoi*) bounded on the north by the creek that became known as Skyring Creek, *Canando* and *Yandina* to the south along the Maroochy River and bounded on the west by the Coast Range, and *Pooreema* east of *Whildka Whildka* and across to the coast (the only one within current Noosa Shire). Their tenders for the 90 850 acres were accepted on 30 May 1857 in Sydney.⁷ Each were said to be capable of running 600 cattle. It is unclear whether they actually settled on the land. Skyring family history tradition records they did.⁸ Their future settlement under the *Crown Lands Alienation Act 1868* on Skyring Creek on Portion 1, Parish of Tuchekoi, County of March, 98 acres, initially, in 1869,⁹ is just outside the current

⁵ For an assessment of Bidwell's career see, 'John Carne Bidwell' by D.A. Herbert in *Australian Dictionary of Biography*, Melbourne, Melbourne University press, 1966, 1977, vol. 1, pp.98-99, and *Australian Encyclopedia*, Sydney, Angus and Robertson, 1958, p.500.

⁶ 'They Paved the Way' by Claire Tuck, *Gympie Times*, 22 Jul. 1994 p.7. It is the private records of the family which record that original settlement. Official records do not record their presence on the land until 1857.

⁷ *New South Wales Government Gazette* 1857 p.1254.

⁸ Claire Tuck, *Gympie Times*, op.cit.

⁹ LAN/P22 fol. 2, QSA; Daniel Skyring subsequently took up Portions 500 in 1874 and 565 in 1875, and others lands under the 1884 Act.

western boundary of Noosa Shire. In effect these shopkeepers from Brisbane tried to settle the Noosa region too early. Within 18 months of their officially obtaining the runs they were declared forfeited for non-payment of rent.¹⁰ The same four runs were opened to public competition by tender closing on 15 August 1859.¹¹

John Bergin took up the *Whildka Whildka*, *Canando* and *Yandina* runs in mid 1859.¹² Control of the runs went to Edward Lande, lessee of Mooloolah run to the south within a year, to Walter Scott in 1861, and to Scott and James Kingsford in 1863.¹³ *Pooreema* was not advertised for lease again. Instead, in accordance with colonial government policy, a reserve of 12 miles was maintained along the coast at that time. Two runs of 16 000 acres each were subsequently applied for over part of the *Pooreema* country - *Coutharaba* [sic] by Walter Hay of *Tahiti* run on Tinana Creek in September 1860; and *Caroora* [sic] in November 1860 by John O'Connell Bligh, an officer of the Native Mounted Police at Yabba and Maryborough, and a descendent of Captain Bligh of the *Bounty*.¹⁴ Hay's run was bounded by Kin Kin Creek to the south, Lake Cootharaba down to Cooloolthin Creek and westerly back to the commencement point at the head of Kin Kin Creek. *Caroora* was less definite in description and covered the land 12 miles north of Cootharaba run to the Tagigan and Como Scarp areas.¹⁵

The Skyring Brothers appeared to have left the area, and in their travels came full circle, Daniel taking up Portion 1 in the Parish of Tuchekeoi in 1869, and the family expanded their landholdings just outside of Noosa Shire until 2001. Zac went to Brisbane, then Nanango, found gold and ultimately went to Gympie when gold was discovered there in 1867.

Bligh maintained his connection with the region through *Caroora* and then as Police Magistrate in Gympie, and in 1869 he blazed the road to Lake Coorobah as the port for the burgeoning timber industry in the Kin Kin Creek area.

Walter Hay who pioneered Noosa Heads and Tewantin located the route from Gympie following the eastern watershed of Six Mile Creek as far as possible and crossing down from the escarpment immediately north of Tinbeerwah Bluff, paralleling Ringtail Creek and turning south along the flats to Tewantin. Hay did this informally for the government in 1873 and it is retained to this day as Old Tewantin Road.¹⁶ The Robin Hood Hotel site at the Five Mile on this road has been included in this study as a site worth preserving. The historic road is also significant to Shire settlement patterns and offers the Council the opportunity of an eco-tourism heritage route through the Shire for horse riders and bushwalkers.

Bligh had been in the area in 1853 - 1854 in the course of his work with the Native Police when he had blazed the track from Traveston to Lake Coorobah. An imperfectly described report of the area appeared in the *Moreton Bay Courier* on 11 October 1860¹⁷ and J.B.¹⁸ followed it up with a similar article in the *Wide Bay and Burnett Times*. This article set the landscape in simple perspective - showing the difference between the water people - the Aborigines around the lakes - and the drier land above the escarpment. A key element was his assessment that the kauri pine stands were better than those in the Mary River Valley. That offered new opportunities for Brisbane sawmillers.

2.2.3 Theme 2: Developing Rural Economies: Exploiting Natural Resources: Timber

Newspaper reports and the promotional character of colonial immigration campaigner, John Dunmore Lang's book, *Queensland*¹⁹, attracted timbergetters to the area. For the next four decades this country rang to the sounds of axes, the bells of bullock teams, the hiss of steam from sawmill boilers, the horses' hooves on the gravel base of the tramways, the squeal of the iron surfaces of the timber jinkers grinding together, the laughter of the social events and the school children at Cootharaba and Tewantin, hammers driving the nails of the sawn timber houses at Elanda Point²⁰, the lapping of the tidal water on the lake against the log loading bank at Elanda Point Mill, the chuffing the *Gneering*, *Adonis* and *Culgoa* paddle steamers that plied the Noosa River²¹, the splashing, dumping sound of the kauri logs hitting the water when rolled in to be rafted down to Dath Henderson's mill. Sawn timber was transported by boat down to Colloy loading wharf on the North Shore close to the river mouth, together with the markers of a growing consolidating rural region of sparse settlement of selectors carving out a lifestyle based on selling timber, building a house, growing fruit and vegetables, enclosing their land in post and rail fencing and the vegetable patches with palings.

¹⁰ *New South Wales Government Gazette* 12 November 1858 p.1872.

¹¹ *New South Wales Government Gazette* 13 June 1859 p.1315.

¹² *New South Wales Government Gazette* 13 June 1859 p.1315 and CLO/13 fols. 9 & 147, QSA.

¹³ CLO/13 fols. 9 and 147, QSA.

¹⁴ *Gympie Times*, 10 Jan. 1970; He was the son of Captain Bligh's daughter, Elizabeth, and her cousin, Richard Bligh.

¹⁵ CCL 3/2 fols. 32, 110 & 145, QSA.

¹⁶ QSA

¹⁷ "The Freshwater Lake".

¹⁸ Possibly John O'Connell Bligh.

¹⁹ Lang, John Dunmore, *Queensland, Australia: highly eligible for emigration, and the future cottonfield of Great Britain: with a discussion on the origin and manners and customs of the Aborigines* (London, Stanford, 1861).

²⁰ Formerly called Ilandra, the Aboriginal name of the lake.

²¹ The Aboriginal name was Weiba.

The lifestyle of the timbergetters was similar to that of miners in the loneliness and danger of their daily work. There were unforgiving hours in the long arduous apprenticeship and through the workforce. They were legendary for their vivid vocabulary. Often they were farmers earning cash to pay for their land. They changed the landscape with their on-the-spot road construction.²² Portable sawmills were often used. They also constructed tramways with wooden rails, three four inch sections of hardwood wedged or nailed to the sleepers. The tramway wagons were iron with steel axles carrying steel flanged wheels, operating on gentle gradients.

As the timber was removed from the land selections²³, the timber industry contracted to the rougher ridgy country and the 5 507 acre timber concession around Cooroy and W. Ferguson's large land selection at Ridgewood.

The 1893 flood had a profound effect on the economy of south east Queensland and the Noosa region. Sawmills in Brisbane were flooded, the Elanda Point Mill was already closed when the timber resources ran out, the water rose at Tewantin damaging the houses of Goodchap and Dukes and Walter Hay.²⁴ Six Mile Creek cut off Cooroy for over a week. The Tuchekei settlers on the Mary River at Carter's Ridge²⁵ who had land selections with both a small farm of 40 acres or so on the river alluvial flats and a house block in the village area²⁶ were completely devastated. Their livelihood was washed away down the Mary River and their settlement never recovered.

As the timber industry at Cootharaba declined, the settlement concentrated more around land selections in the Tewantin, Cootharaba and Ringtail areas, the Skyring family's community at Skyring Creek, Asher Cole's to the east, Cooran and Pinbarren lands (from May 1905), Cooroy Mountain area timber settlement of bullockies carting the cutters' timber, the Community Settlement around Cootharaba set up by McGhie Luyba & Co on subdivisions of part of their original Portion 1 and around Ringtail Creek lands, and two more major Co-operative Community settlements - the Woolloongabba Exemplars at Lake Weyba, and the Protestant Unity Group on Cardiner's Road near Cooroora Mountain west of Pomona. Both communes failed as the parameters of settlement were flawed. Their story is told in this report separately in the Woolloongabba Exemplars and the Federal Character Area citations. The outcome was that selectors took up the opportunities of dairying as the Travelling Dairy visited the area and a Dairy and Ice-Making plant was erected at Gympie in 1897.²⁷ Dairy factories opened

progressively - Kin Kin on 1 January 1914²⁸, Cooroy in April 1915²⁹ and Pomona on 1 October 1919.

As timber declined people around Tewantin turned to fishing. An ice works was installed near the Royal Mail Hotel in 1912. They also concentrated more on tourism. Nevertheless, the timber industry survived in various ways throughout the shire until the 1950s. Several sawmills are recorded in citations in this Report - Straker's at Cooroy, Kildey's at Kin Kin and case mills are referred to in this Overview and in the citations on public halls around which social life was centred, eg. Ridgewood, Ringtail.

2.2.4 Theme 2: Developing Rural Economies: Exploiting Natural Resources: Fishing

Europeans immediately appreciated the abundant marine resources of the Cooloola Coast. Readily available fish, crabs and oysters became a tasty adjunct to the diet of flour, sugar, tea and red meat that the settlers brought with them. From the time of first contact, Aborigines traded in seafood with the newcomers.

For the settlers the problems of exploiting perishable marine resources commercially in a (remote) area were not quickly or easily overcome. Some preservation of fish by salting and smoking was carried out during the nineteenth century, but it was not until the introduction of such twentieth century advances as iceworks, refrigeration and motor-boats that fishermen could reliably deliver large quantities of fresh marine products onto distant markets and make fishing an important local industry.

The men who fished for a living at Tewantin during the nineteenth century sold their catches chiefly to the hotels and boarding houses that catered for holiday-makers. A local legend describes how, in the early 1870's, a poor fisherman named Joseph Keyser doggedly wheeled barrow-loads of smoked fish along the Noosa road to sell at the Gympie diggings. During the depressed 1890's a number of families at Tewantin relied for at least part of their income on fishing.³⁰

Fish catches were taken by horse and cart to Cooroy, where they were packed in ice and then railed to Brisbane. Some families, especially around Exhibition time, took their fish to Brisbane by boat.³¹ In the early 1900's, a fish and iceworks established at Tewantin³² near the jetty below the present day RSL Park, helped boost the commercial fishing industry.

²² *Gympie Times*, 24 Jan. 1907.

²³ *Gympie Times*, 19 and 21 Aug. 1897.

²⁴ *Gympie Times*, 4 Feb. 1893.

²⁵ Just outside the western boundary of the Noosa Shire.

²⁶ This area was utilised in the 1930s depression as a residential area for unemployed people and was known as 'Bag Town' because of the flimsy house construction methods. It is just outside the western boundary of the Noosa Shire today.

²⁷ *Gympie Times*, 4 May 1897.

²⁸ *Gympie Times*, 14 January 1914.

²⁹ *Nambour Chronicle*, 9 April 1915 p.4.

³⁰ Browne, Elaine *Cooloola Coast - Noosa to Fraser Island (the Aboriginal and settler histories of a unique environment)*, University of Queensland Press, St Lucia, 2000, p.169.

³¹ Edwards, Denise *Country and Coast - A history of the development of the Noosa Shire*, Denise Edwards, Noosa Heads, 2001, p.56.

³² *ibid.*

Before the second world war, about ten commercial outfits fished the lakes in single-engine motor boats, catching mackerel all year round, mainly by netting, and mullet in winter when they came up the river to spawn.³³

The Fish Supply Management Act of 1935 gave the Queensland Fish Board power to establish branch markets in declared fish supply districts. Fishermen then had to direct their entire catches to the Fish Board's depot,³⁴ which had its own jetty and packing shed at Hilton Terrace, Noosaville.

Oystering

The large shell middens of the lower Noosa River (for example near Lake Weyba)³⁵ showed that oysters had long been a favourite food of the Aborigines. In the late nineteenth century, a new local industry exploited the oyster, native to south-east Queensland's coastal inlets, to supply the Sydney and Melbourne markets.³⁶

Activity in south-east Queensland's oyster industry peaked around the turn of the century and then began to decline, slowly at first, more rapidly after 1920 due to a combination of economic and environmental factors. At Noosa, where the Moreton Bay Oyster Company once employed men to dredge the river bed for culture and sent it by the steamer *Adonis* to Moreton Bay for fattening, environmental changes created by increasing urbanisation and farming activities upstream eventually destroyed the oysters and brought about an end to the trade.³⁷

From the 1930's up to the 1960's, the Parkyn brothers regularly scraped a generous feed of oysters from the jetties of their boating business on the site of the present day Noosa River Harbour at Tewantin until increasing water pollution from sewage deterred this practice.³⁸

Prawning

Prawning was for bait only until the advent of beam trawling after the Second World War when a separate industry developed, exploiting the coastal lakes up to the 1990's.³⁹ George Parkyn apparently adapted machinery left by the American services after the Second World War to initiate the industrial fishing techniques that he and his brother Howard used.⁴⁰

2.2.5 Theme 2: Developing Rural Economies: Developing Agriculture and Agriculture Related Industries: Dairying

With the opening of railways cream depots and travelling dairies could operate efficiently. As travelling dairies entered the districts in the 1890s selectors could transfer to dairying and start supplying creameries established in the area. Much of the local economy was a subsistence one.

The establishment of the Noosa Shire Council in 1910 confirmed the State Government's confidence in the maturity of the new towns in the area and the timber and dairying industries. Landholders and town storekeepers became quite aggressive in advancing their arguments for opening and building new roads, focussing on the towns. They did this through the formation of Progress Associations and in sending deputations to Shire Council Meetings. Farmers also participated proactively in road construction to their properties. This assisted the Council's Roads Foreman and construction teams.

As many of the land selectors had migrated to south east Queensland from other settled areas of eastern Australia, they already had experience in developing towns, butter factories and opening up roads and railways. They were often the sons of families who had established farms on the Northern Rivers and South Coast of New South Wales and Gippsland, Victoria and who were then land-locked. Consequently, these young men and the commercial interests often had the measure of older timbermen on the early Councils. They quickly had themselves elected to Council, subsequently, the Shire Council was always oriented to construction and development and increased population.

The dairying industry became the backbone of the Shire. Butter factories opened at Kin Kin on 1 January 1914, Cooroy in April 1915 and Pomona in 1919 – the Silverwood Association Company at Kin Kin, Wide Bay Co-operative Dairy Association at Cooroy, Caboolture Assoc at Pomona. Prior to that farmers railed their cans of cream in louvred vans from Cooroy, Pomona and Cooran railway stations. Trafficable roads for cream lorries were essential to the dairy industry.

The family farm became a critical element of the Noosa hinterland society. Milking machines were introduced on the larger farms from 1911 but it was the children who provided the substantial labour for milking cows and feeding pigs and calves and herding cattle. Dairying is a 364 day a year task. Social life, weddings, meetings and church services were all timed to accord with available time between milking. Farmers wives formed social grouping – CWAs, Church Guilds – to raise funds for country comforts, social welfare and building programs.

³³ *ibid.*

³⁴ *ibid.*

³⁵ Monks, Colin *Noosa –the way it was, the way it is now*, Tewantin, 2000, p.16.

³⁶ Browne, *op. cit.*, p's. 172-3.

³⁷ *Ibid.*, p's 174-5

³⁸ Interview with Howard Parkyn, taped by Elaine Green for the SEQRWQMS *Historical and Cultural Heritage Study of the Noosa, Maroochy and Mooloolah Rivers*, September 2000.

³⁹ Edwards, Denise, *op cit.*, p.56.

⁴⁰ Parkyn interview, *op cit.*

The 1920s were boom years. The Shire roared ahead then. The population of the shire almost doubled 1921 and 1927⁴¹ and another 30.7% to 1933.⁴² Land selections were subdivided or sub-leased in the early seventies. Returned Servicemen from the Great War sought new land to settle on. New infrastructure developments offered new employment – upgrading the Cooroy - Tewantin Road under the Main Roads Act, town housing, railway deviations and school and public hall buildings, together with new shops as fires swept away the old.

The Banana Boom, the Sawmills: and Life of the Farmers

Bananas were the boom crop. The first bananas were grown in an experimental way by selectors in 1911-12 beside their orchard crops. Growers were able to prosper quickly using acreages as small as five acres of fertile soils for the first time. Increasing population and improved rail transport to southern markets via Wallangarra offered profitable returns. Banana growers needed far less capital to start banana growing compared to dairy farming. Case mills sprang up in all the banana growing districts to service the industry. They came at the end of the long sawmilling industry boom. There was no requirements for sawmills to be licensed so they were erected in rudimentary fashion on freehold and leasehold farms often where stands of good softwood timber were available. Kin Kin and Pinbarren were prolific producing areas.⁴³ Cooran farmers quickly joined in an enterprising way. Cooroy farmers railed 1 375 cases of bananas in early October 1917.⁴⁴ The tonnages escalated through the 1920s with 14 924 cases for 1925 railed through Pomona⁴⁵ from 445 acres. 1928 was the peak year with 1.5 million bunches grown in the Gympie District.⁴⁶ Between 1918 and 1933 banana plantings in the Noosa and Widgee Shires rose from 887 acres or 12.9% of Queensland's banana production in 1918, through to a maximum of 10 018 acres or 50.4% of Queensland's production in 1928, and declined to 934 acres or 10.3% of Queensland production in 1935.⁴⁷ The decline was rapid because of falling prices after the Tweed River district recovered its pride of position after the bunchy top disease was overcome.

What were the banana growers to do then, when they were effectively decimated by disease in Queensland and recovery south the Queensland border? In the face of an enveloping world-wide economic depression they turned to four options – return to dairying; join the depression construction works and the railway deviation work on the Blackall Range; join the ranks of the unemployed; or turn to pineapples and beans and peas. Butter prices also dropped during the depression to seven pence (seven cents) per pound. However, the Empire Agreement of 1932 for the firm supply of butter to Great Britain provided certainty for the industry in the region.

Those dairymen throughout the Shire who owned their farms as freehold or who had substantially paid off their leases were protected from the brunt of the force of economic depression. Those who couldn't pay their rental to the government could barely survive by subsistence farming after having their rent garnisheed from their cream cheques by the butter factory company. Generally the children of dairy farmers stayed home to work the farm and then married within the district. The teenagers/children of the rural townsmen often went to work in the sawmill or obtained apprenticeships with the local garage, the tailor, the carpenter, plumber, or went to work in a café, hotel, shop, as a nurse or on a farm.

2.2.6 Theme 3: Developing Transport and Communication Networks and Infrastructure: Establishing roads and road transport services & Creating Rail Links

The initial entry to the shire was by sea. After exploration by Petrie, land settlement was directed along the upper Caboolture, Upper Maroochy and Upper Mary River watersheds. The discovery of gold at Gympie in 1867 accelerated this trend and communication routes fanned out from Gympie including the Tewantin area as the nearest port. However, the opening of the railway to Brisbane in 1891 facilitated marketing of the log timber to Brisbane; the opening of more land to dairying as around Pomona and Cooran after the Protestant Unity Group folded; and marketing of fruit and vegetables to Gympie and Brisbane.

⁴¹ 84.9% increase (Australian Bureau of Statistics).

⁴² *ibid.*

⁴³ *Noosa Advocate*, 28 Sep. 1917 p.2.

⁴⁴ *Noosa Advocate*, 3 Oct. 1917 p.3.

⁴⁵ *Noosa Advocate*, 2 Jan. 1926 p.2.

⁴⁶ Defined as the Court of Petty Sessions District (D Edwards, *Country and Coast*, op.cit., p.49.

⁴⁷ *Annual Reports of the Department of Agriculture and Stock*.

Land transport routes changed markedly as the population ebbed and flowed across the region. From the opening of the Gympie goldfield there was a passable road from Brisbane to *Durundur* Station in the Kilcoy area. Parliament debated the expenditure of £1 000 on the Gympie Road on 9 January 1868⁴⁸ but there was no support. Miners and coachmen then opened a route via Lander's at Mooloolah River, Lowe's at Maroochy River, Tuchekei Pocket (the watershed between the Brisbane and Mary Rivers, west of Cooroy), Mulligan's Flat near the junction of Skyring Creek with the Mary River and on to Gympie.⁴⁹ An alternative in 1869 was: Petrie's, Stony Creek (Zillman and Franz) 11 miles, Narangba 11, Crookneck 15, Mellum Creek 9, Middle Camp 12, Maroochy 14, Yandina 4 (Johnson's), Cooroy 12, Six Mile Creek (old road) 25, and Diggings 6.⁵⁰ It was Lowe who had cut this road north of Mooloolah through dense scrub and putting logs over the bad pinches.⁵¹ It was this road west of North Arm skirting the Obi, up Newspaper Hill to Carter's Ridge which became the mail and coach route and the main road to Gympie until the early 1950s.⁵²

The opening of the Gympie - Tewanin Road followed McGhie Luya & Co's opening of the Cootharaba Sawmill and the use of the Noosa River for transporting logs downstream for loading on Brisbane bound boats. The position of a small population on the banks of Lake Cootharaba set the scene of a structured commercial and social relationship necessitating connection with Gympie and Cooroy railway stations.

The timber industry evolved from that of the remote axemen of the 1850s to the sophisticated sawmillers of the twentieth century in the towns. The transformation of Straker's mill at Cooroy into Wilco's mill and then Boral Limited is set out in the separate citation in this study.⁵³

⁴⁸ *Queensland Parliamentary Debates*, vol. VI, pp.839-844.

⁴⁹ Letter No. 69/8583, LAN/AF 1131, QSA.

⁵⁰ *Pugh's Almanac* 1870.

⁵¹ *Nashville Times*, 20 May 1868.

⁵² See Survey Plans. (Although this road is outside the shire it is important to understand the key roads network in context.)

⁵³ The history of the timber industry in the Cooloola area is amply described in Elaine Brown's book, *Cooloola Coast*, op.cit.

I have relied on this book for the period 1860s and 1870s. Beyond that I have done substantial research on the timber industry from the following sources: Reading:

1. *Gympie Times* from 1868 to 1880, 1890 to 1898, 1911-1914 and specific feature articles thereafter;
2. *Gympie Miner* 1878-1888;
3. *Queenslander* 1872-1885;
4. *Brisbane Courier* - specific selected articles 1866, 1867, 1885;
5. Historical articles in *Noosa News* in 1970s by St John Carter and E M Long;
6. Cooroy Repurchased Estate file at QSA - LAN/154 and LAN/AZ110;
7. All Land Selection Registers for Gympie Land Agent's District at QSA, LAN/P22 > , ; Selected Land Selection and Deed Farm Files in Parishes of Tewanin, Noosa, Laguna, Weyba, Tuchekei;
8. *Annual Reports* of the Railway Department in Queensland *Parliamentary Papers* 1891-1900; and as recorded in published articles:

Brisbane sawmiller, Scotsman, William Pettigrew, trail blazing opportunist in the region⁵⁴ explored and mapped the Noosa River area in September 1863⁵⁵ and saw the stands of pine trees as far as the eye could see in the vicinity of Cooroy, Tinbeerwah and Cooroora Mountains. When he came back in 1865 there were already cedar getters there but he did not record whether he saw them.⁵⁶ They were living and working along Kin Kin Creek using timber licences gazetted by Government. Ebenezer Thorne knew of Henry Blakesley and John Kinmond. Blakesley and his wife, son and daughter actually resided in the Tewanin area then. Kinmond was an employee of Pettigrew sent north to explore and secure timber resources, and he ultimately stayed, taking up his own selection at Cootharaba in 1879.⁵⁷ The Kinmonds married into James Duke's family (already referred to). Duke had worked as a timbergetter and bullocky at Laidley and Fraser Island before coming south to the Tewanin area and working for Dath Henderson Bartholomew and Co at Doonan and the Cooroy Timber Concession.⁵⁸

(i) Kerr, J.D. & R.S., 'More on Cootharaba', *Light Railways*, Autumn 1976, pp.11-15.

(ii) Kerr, J.D. & R.S., 'Notes on the Gauge of Cootharaba Tramway', *Light Railways*, Apr. 1989, no. 104, p.21.

(iii) Kerr, Ruth S., 'A Timber Selection - Portion 32, Parish of Tewanin', *Missing Links*, Journal of the Cooroy-Noosa Genealogical & Historical Research Group Inc, no.2, May 1998, pp.10-12.

⁵⁴ While the word "opportunist" with its late 20th and 21st century negative connotations may seem disturbing or overdraw the scene, I feel it is relevant to Pettigrew for its meaning. Pettigrew was a leader, always ahead of competitors in exploration, proving of resources and in technology.

⁵⁵ Pettigrew Diaries held by Royal Historical Society of Queensland, 1963; *Queensland Daily Guardian*, 1 Oct. 1863, quoted in E. Brown, op.cit.

⁵⁶ Thorne, Ebenezer, *The Queen of the Colonies or Queensland I know it by an eight years' resident*, London, Sampson, Low, Marston, Searle, Rivington, 1876.

⁵⁷ Land Selection No. 1231, Portion 1231, Parish of Noosa, County of March, and freeholded on 27 April 1885. LAN/P22, QSA.

⁵⁸ James Duke was born in Liverpool on 25 March 1841 and arrived in Australia on the *Everton* in 1863. He married Jane Maker at Laidley on 18 October 1864. He was a carrier at Helidon. They moved to Maryborough in 1867 with their young son, Alfred. Two sons who made significant contributions to the life of Cooroy and Tewanin, were born at Maryborough - Henry George in 1871 and William Hunt in 1874. They moved to Fraser Island where James carted logs to the west coast for transport to Maryborough sawmills. Two daughters, Elizabeth and Charlotte, were born in Maryborough in 1877 and 1880 respectively. James moved to Tewanin in 1883 where he started carting to Gympie, aided by his sons. Two more daughters, Emma and Myra were born at Tewanin and they lived opposite the school. In 1897 James and the family moved to Dath Henderson's manager's house on the north shore after the mill closed. He bought the property and later he built another house further upstream in 1913. He established dairy farms at Eumundi and Doonan. He was elected the first Chairman of the Noosa Shire Council in 1910. (See Betty Sutton, 'James Duke' in *Missing Link* Journal of the Cooroy-Noosa Genealogical and Historical Research Group Inc, issue 1, November 1997, p.23; and Betty Sutton, 'Noosa Shire 90th Anniversary', *Missing Link* Journal of the Cooroy-Noosa Genealogical and Historical Research Group Inc, issue 6, May 2000, pp.23-25, including photo of James Duke at p.25)

Brisbane storekeeper, George Harris had come from Brisbane via Ipswich and Conondale Ranges to Tewantin in 1864-5⁵⁹ and extracted 400 000 super feet of cedar logs out of Kin Kin Creek area for Brisbane timber merchants, Webb Brothers. Harris's trip into the Noosa Shire from the west was very likely the first serious project exploiting the region's economic resources by land. The next serious extraction of timber south was Pettigrew's *Gneering* drawing Thorne's timber out of Kin Creek back to Brisbane in 1866 and his *Taldora Radjah* which took logs to Pettigrew's northern mill at Dundathu (Tin Can Bay {and outside the Noosa Shire}) at the same time. Thorne sought to select the Kin Kin Creek land in 1865 but was prevented by Government. On receipt of a promise from A. C. Gregory, Chief Commissioner for Crown Lands and Surveyor General⁶⁰ then, that he would be given priority on opening of the land to selection he grazed cattle there and erected cattle yards and a house and established a vegetable garden on the site what became Cootharaba Station later.⁶¹

Pettigrew maintained his timber interests in the area using his employees. One of them, James Low later became a major land owner and public figure at Yandina.⁶² William Grigor of the Landsborough - Caboolture area came to collect cedar from Scott at Noosa in July 1867. Pettigrew established a wharf site at Tewantin from 1868 to 1872. In 1871 selector G.F. St John Carter sold kauri pine from his selection No. 181 on Cooloothin Creek⁶³ – the first kauri pine to be exported from the Noosa area.

As stated above, the road into Tewantin from the Brisbane direction came east of Tinbeerwah Bluff having come up from Maroochy River crossing, very likely Doonan and certainly unlikely to have been up over the Blackall Range near Cooroy, or Sunrise or Cooroy Mountain area. The road joined the blazed track which was known as the Gympie road to the Port via Ringtail, Coloothin Creek and up to Wahpunga Range.⁶⁴

Pettigrew's influence centred on Dundathu on the Mary River near Maryborough where he established his sawmill in August 1863.⁶⁵ It was McGhie Luya & Co who controlled and developed the Cootharaba area, under the *Crown Lands Alienation Act 1868*. Pettigrew lost out to McGhie Luya & Co whose agent Charles Russell beat him to select Portion 1 of 6 000 acres on 2 March 1869.⁶⁶ Russell joined with James McGhie, Abraham Fleetwood Luya, George Goodchap and John Woodburn in the land selection – all wealthy miners. They erected their sawmill at Elanda Point⁶⁷ in 1870. A detailed description of the sawmill is outlined in Elaine Brown's book, *Cooloola Country* at pages 158 to 159.

Transport was an expensive problem to the company. The road to Gympie was boggy and slow, and the Lake and Noosa River were shallow. In 1873 the company mortgaged their property to the new Queensland National Bank (QNB) to buy flat bottomed paddle wheel boats to tow punts of sawn timber downstream to Colloy, their loading station opposite Tewantin. They also purchased the *Culgoa* paddle wheel steamer to carry passengers goods and 35 000 super feet of sawn timber to Brisbane. The mill experienced a severe setback and sadness when the steam boiler blew up killing five men in July 1873. The Governor visited the area in May 1873 en route to Tewantin for return to Brisbane from Gympie. His party travelled along Walter Hay's new road from Gympie.

The timber industry was the foundation of the Noosa Shire economy and settlement patterns. Clearing of land and sale of the timber continued as standard practice on the majority of land selections until World War I. The income enabled capital improvements, i.e. house and fencing to be done to fulfil the conditions of the Land Selection Acts. The land could then be stocked and maize and cane crops grown. The selectors also tended to work in the timber industry outside of their own selection as bullock drivers, timber cutters, sniggers, and in the bush sawmills.

Rural Economy: Changes from the 1960s

The 1960s were a key formative period in the Shire's development. The pioneers had died and their children were leaving. The farmers were retiring by selling out to inland graziers who desired to use the land as cattle agistment country or to real estate companies for land subdivision. Sawmills were closing because of decreasing production. There are few remains of any of the portable or case mills. Recent rehabilitation of town mill sites at Pomona and Cooran has also diluted the evidence of these major industrial sites.

⁵⁹ Brown, op.cit., pp.135-6.

⁶⁰ For details of his career see Cohen, Kay, 'Augustus Gregory - "A Biased Civil Servant?"', *Royal Historical Society of Queensland Journal*, vol. XIV, no. 10, Feb. 1992, pp.393-402.

⁶¹ Land Selection File for Portion 1, Parish of Noosa, County of March, LAN/P22, fol.1, QSA.

⁶² For details of his career see: *Yandina: 125 Years 1871 - 1996*, Yandina Historical Research Project Group.

⁶³ LAN/P22, fol. 23, QSA.

⁶⁴ G.F. St John Carter, 'The Early Days of Tewantin and Noosa River', *Noosa Advocate*, Christmas 1912.

⁶⁵ This is outside of the Noosa Shire, and therefore is neither studied nor analysed here.

⁶⁶ LAN/P22, fol.1, QSA.

⁶⁷ Known as Ilandra by Aborigines.

The individual country town economics were evolving from that of close-knit self-sufficient communities into more regional groupings as affordable access to motor vehicles and realigned, improved and bituminised roads allowed almost universal transportation. New farmers bought the land and converted it to agriculture, particularly bean crops. The advent of bulldozers and tractors allowed contractors to plough whole hillsides in preparation for planting beans. The shire was producing 19% of Queensland's beans in 1964-5. Townswomen were the pickers, often providing their own transport to the farms. As the price of butter had steadily declined in real terms since 1951 with inflation and rising wages, the remaining ageing farmers converted to beef or sold out. Those who persevered, invested in improved pastures. When they couldn't they replanted beans or bananas etc, but the noxious weeds (groundsel and lantana) intruded and engulfed the hillsides and creek banks. The only way farmers could pay day-to-day expenses was by taking an outside job – in the sawmills, sandmining, bean picking, chipping, sleeper cutting, Page's furniture factory, Cooroy brickworks or the Council 's outside-labour force. Consequently, the majority of farms were heavily mortgaged to the banks, and storekeepers and garages often carried huge debt lists. Clearing-out sales were common. Pig and calf sales at the railway yards declined. Cream supplies to the butter factories plummeted affecting town economics severely. Carriers concentrated on cattle transport. Meanwhile enterprising younger farmers converted to milk supplies, buying quotas and installing refrigerated vats at considerable capital cost. This impacted severely on unformed country roads.

2.2.7 Theme 7, 8 & 9: Educating a Rural Community; Providing Health and Welfare Services, & Developing Social and Cultural Institutions

Each town except Tewantin and Noosa had a hospital. Only Cooroy's has survived and the original home has been remodelled totally. Cooran's and Pomona's hospitals were closed in the 1940s and eventually sold as private residences. Both Cooran's and Pomona's are included in the citations. In 2000 a new hospital was opened at Noosaville to service the coast. Social welfare centres which feature among the citations in this report are the RSPCA at Doonan and St Vincent's Aged Care Centre at Noosa Heads.

Schools were always considered of paramount importance for the next generation – petitions, working bees and deputations were all organised to lobby for new schools in each farming district by 1920. Schools of Arts provided technical and general education and were opened at Cooroy, Pomona, Cooran and Kin Kin. One teacher schools multiplied across Queensland and this shire in response to the influx of population. They closed in the 1950s with the advent of school bus transport.

Higher education commenced in the shire in 1936 when Pomona Rural School was opened. Cooroy State High School was opened in 1961 and the Senior School in 1964, the year that Pomona Senior School closed and the first time Cooroy had won an administrative decision over Pomona – a sign of further changes to come.

Public Halls were the social hub – often adjacent to hotels – useful for all meetings. They were cheaply constructed – of local timber and local labour. In the farming and timber districts they were the venue for dances, socials, meetings, family gatherings until the 1960s when the motor car centred social life at the beach and the central towns. The halls which survive have been refurbished through government grants revitalized through young women's groups for Child Care and public education, landcare and environmental matters. The others have been moved or demolished.

The School Picnics and Annual Agricultural Shows provided outlets for social activities. The annual show provided so much opportunity for showing the cattle and agricultural produce. Farmers vied with each other over the quality of their favourite breeds – AIS, Jersey and Ayrshire predominated – often bred from pedigreed champions brought at the Brisbane Exhibition. Families competed with each other over the butterfat production of their cattle, measured through the testing of cream through the butter factories.

Side shows attracted all. The pavilions with District Exhibits, Junior Farmers' displays, cooking, needlework and school work were arrayed and judged by efficient regional people.

The woodchops exhibited the skills of the timbermen. The butchers brought their bullock for "guess the weight" competition and the horsemen hacks etc took control of the arena all day except for the grand parade and Show Queen.

The Masonic Lodges and the Churches moulded families, districts and the towns together. They were often formed immediately after the opening of the town's shops and school and were built substantially to last. The Pomona Lodge and building is arrayed with numerous murals of mythological figures telling the stories of our cultural and spiritual ancestors. Cooroy's lodge was opened in 1911 and a photo of the interior was published in the *Gympie Times* at opening. The Tewantin, Pomona and Cooran Masonic Lodge buildings are included in the citations. Cooroy's is not included as the original building was sold for removal as a house at Belli and a new one moved there from Helidon in 1996.⁶⁸ Although the closed nature of lodges is the perception that prevails about their purpose and activities, welfare remains their aim.

⁶⁸ *Gympie Times*, 27 Sep. 1994 p.36 and 23 Apr. 1996 p.12.

Meanwhile active sporting teams – cricket, football, tennis, rifle shooting flourished continuously. Tennis courts were established in most small districts centred on the public hall, the school. Some of the major families also formed tennis courts on the farms which attracted the young men and women of surrounding families. Community Golf Clubs in the Shire have only been established at Cooroy in the 1930s and Tewantin (stimulated by G Adams) in the 1950s. Several private company gold clubs have been constructed in the Noosaville area. Horse racing has never been a focus, perhaps because of the proximity to Brisbane and Gympie and because horses were used on farms as working horses.

The Sailing Club began at Noosaville in the 1950s. There were regular sailing competitions on the river. The Surf Club at Noosa in the 1930s. The Noosa Shire Council gave strong financial support to the Surf Club in the early years and in erecting bathing sheds at Noosa, Noosaville and Tewantin. The surf club building survives at Tewantin and a citation has been written on it for this report. In the 1960s, in the era of full employment, increased opportunity to privately owned motor vehicles stimulated the beach culture and weekend travel. Noosa Heads with its northeast-facing beach became a 'mecca'. At the same time fishing clubs flourished.

The improvement of roads – using Main Roads funding on the highway and the Cooroy -Tewantin Range Road in the 1920s and 1930s, 1950s and 1960s provided easy access for residents to travel to the beach and parks. Polley's Bus Company at Gympie provided a bus to take day-trippers without cars to Noosa. The cream carriers in the hinterland towns also provided trucks for Sunday School Picnickers to the beach and a bus service" to and from country dances.

Easter, Christmas and New Year holidays were highly popular times when hinterland residents, Gympie and Brisbane people visited. Since the 1870s there have been holiday cottages homes available at Noosa Heads and Tewantin. The Royal Mail Hotel at Tewantin has hosted governors, high society and workers on holiday. Laguna House built in the 1890s and Halse Lodge became the fashionable holiday centres until the 1960s when Laguna House was demolished. Halse Lodge has revitalized in the 1980s. Meanwhile lingerie millionaire, Bernard Dowd's house at Sunshine Beach hosted Royalty and international celebrities. The house was sold and demolished in the 1970s.

All of these holiday venues prospered according to the standard of transport access. The beaches could only be reached easily by road after the bridges over Doonella and Weyba Lakes were built. Likewise the state of the road from Weyba Lake over Noosa Hill was critical. From the 1920s the Parkyns and Massouds ran a boat across to Noosa Woods for day trippers and holiday makers. Their river heritage survives in various ways and their hut, jetties and slipways have been recorded in citations in this study.

In the 1920s families began the practice of camping at the beach for holidays. There were camping areas at Tewantin near the bathing area, at Munna Point and at Noosa Heads. Tents were packed in "cheek by jowl", the ropes coming right up to the next tent. Citations of several sites have been prepared on the Noosa and Tewantin camping areas in this report. The camps were vulnerable in cyclones and storms. Fortunately there were few misadventures, except for the unforecasted New Year's Eve storm at sea in 1962 which caused havoc.

The establishment of motels and private holiday houses and subsequently resorts followed with the greater affluence of holiday-makers from the 1960s. Salter's was the first motel, in 1962 some freehold land at Munna Point just at the junction of the Munna Point Lake Weyba heads and eastern side of the Gympie Terrace and Weyba Road corner. It has now been replaced by resort type housing. The Lakes Motel near Doonella Bridge was the second motel followed by Bailey's and Shannon's on Noosa Hill, and the first hotel at Noosa Heads was the Reef Hotel on the hill. Only the Reef Hotel survive with any remnants of the original buildings.

The developments of the 1970s and 1980s projected Hastings Street as a mecca to the world. The introduction of southern capital after the Queensland Government had abolished death duties in 1975 gave the Gold and Sunshine Coast economies an enormous financial boost on a broad scale. Not only were tourist and holiday accommodation built on the coast at Noosa, there was a land subdivision and building boom. The farmers families who had visited the beach at Christmas and Easter for decades now saw their friends' sell at premium prices and quickly subdivided for housing blocks e.g. Ross's butcher's property that went into the St Andrew's Drive Subdivision known as Noosa Outlook.

People who had camped at Noosa Woods, Munna Point, Moorindal Street, and the Tewantin Camping Grounds were returning as permanent retirees to experience the quiet lifestyle and the mountains and lakes scenery. At the beginning of this phase the infrastructure – roads, hospital at Cooroy, entertainment, bowls and golf clubs were sufficient. The professional and trade services expanded, particularly the Cooroy Hospital and High School to service the Tewantin-Noosa areas. Pomona retained its hinterland view and industry through Page's furniture factory and motor vehicle outlet.

The next major demographic change has been the influx of younger people and families in the 1980s and 1990s accepting the cheaper cost of living and seeking trade and service industry employment.

Education made possible new alternative options for young people, and this has been the determinant of the vast changes in Noosa Shire communities and social structures and formation of organisations. That has been seen throughout the Shire and is most pronounced on the coast. The wealth has followed and tourism and cultural activities have blossomed, and their manifestation in significant places and sites are shown in the citations which follow. The shire history has come full circle - to Noosa and the southern end of the Shire where the timbergetters first entered in the 1850s.

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3. INDIVIDUAL CITATIONS

This study reviews the history of Noosa Shire and also investigates those particular sites or features that have contributed in some significant way to that history. Although many of the physical buildings, tracks, structures and the like have long since disappeared, the sites of these are still of interest. Therefore the citations record many sites where the cultural heritage values are physically removed by past action such as fire or demolition following deterioration.

The citations are individual assessments by the historians and collectively provide a wealth of information about the history of Noosa. Although the citations are detailed it is quite likely that much more information can be related to the many sites and features recorded.

There are also many additional sites and features that are not included in the citation for reason that the information sourced was not sufficiently rigorous or the remaining values were marginal.

The 182 citations are published separately, due to their size.

4. CHARACTER PRECINCTS

The citations also contain information about character precincts. These are particular localities that contain a number of sites and features that collectively make a significant contribution to the local cultural heritage values. Sometimes an individual site does not alone represent a significant contribution but its association with the others is where its significance lies. The citations make it clear where these circumstances apply.

Character precincts have been identified in-

- The Federal area
- Maple Street and Tewantin Road in Cooroy
- The main street of Cooran
- The main street of Kin Kin

The character of Factory Street in Pomona is illustrated in a variety of citations in that street - Uniting Church, Page's Factory and the Garage Driveway, the various remains of the old Railway Hotel and the Majestic Theatre.

5. CASE STUDY OF CHARACTER PRECINCTS - COORAN

5.1 COORAN - KING STREET COMMERCIAL PRECINCT

5.1.1 Description

Travelling up King Street, from east to west, the places of interest are:

- Former general store, c.1900, 2 King St (cnr Prince St)
- site of former Railway Hotel, c.1889, public park/playground
- Memorial School of Arts c.1906, 14 King St
- Former Commercial Bank c.1906, 16 King St (Country Kitchen)
- Former butcher's shop c.1905, 18 King St (private house)
- Former bakery c.1935-40, 24A King St (private house)
- Former Alfredson's Joinery c.1934, 28 King St (Trading Post)
- Former railway goods shed c.1890, 30 King St
- Former Alfredson's Joinery office/garage c.1962 30 King St (Mill Studio)

5.1.2 Brief History

The King Street commercial precinct illustrates Cooran's economic and social development for more than a century, from its early beginnings as a scenic stopover and watering place on the first coach route, established in 1878 between the Gympie goldfields and Tewantin's coastal shipping, to a thriving rural town and railhead, exporting the district's timber and agricultural produce (sugar cane, bananas, other fruits, vegetables, milk).

Cooran had the Shire's earliest and most important railway station, which opened in 1889 from Gympie. Cooran was also a popular early tourist destination. Most of this precinct's culturally important, remaining buildings recall Cooran's appearance at the beginning of the twentieth century.

In the second half of the century, the former Alfredson's joinery at the top end of King Street established an innovative business based on local timber and shipped pre-cut homes throughout Australasia. Cooran's economy severely contracted when the railway station closed in 1986.

The Memorial School of Arts, Alfredson's Joinery complex and former railway goods shed are separately mentioned. Further research is needed to fill our details on the other places whose history and contribution to the precinct's visual character are sketched below.

Former General Store

The single storey building, on the corner of Prince Street, at King Street commercial precinct's eastern end, is thought to be the "general store at the railway gates" owned by Rohan and Booth.⁶⁹ It was formerly a general store known as Bish's store. Mr Alf Lister was named as storekeeper in 1901.⁷⁰

This building's history is incompletely known. In 1905, the *Gympie Times* reported that "A great drawback is the want of a general store, as many visitors who came with the intention of camping out found on arrival that no rations could be procured locally, and consequently were compelled to go on to Gympie, at considerable inconvenience and expense."⁷¹

The building (vacant at the time of writing) was an antique store during the late 1990's. It is a modest weatherboard shop in generally good condition.

It has a prominent location at the precinct's lower entry, facing the railway crossing. The simple timber construction, deep pavement awning, plain glassed shopfront and stepped parapet link it visually to other buildings in the precinct. Its scale, dark colours and parapet are similar features to those of the more modern Alfredson buildings at King Street's top end.

Site of the Railway Hotel

Taking advantage of the new railway station, the Railway Hotel was built in 1889 by district pioneer, William Martin, after demolishing the first coach inn (the Half-Way House).⁷² However, it still had stables out the back near the fence and behind that - horse yards.

The hotel was seen as the epitome of modernity at a time when a hundred people visited Cooran for Sunday picnics and sporting events. In 1905, the *Gympie Times* reported that:

*'Mr W Martin has decided to have the Kitson Hydro Light installed throughout his hotel, and Mr E J Curtin, the representative, yesterday made arrangements for the work to be carried out. The illuminations will reach nearly a thousand candle power. The additions to the hotel are still progressing, the ten rooms and large hallway are completed and the balcony will now be commenced.'*⁷³

Successive Licensees of the Railway Hotel have been the founder's son and original licensee of the Tewantin Hotel, Dan Martin, his son-in-law, J. McIlwraith, Peter Cummins, and Bill Bycroft.

⁶⁹ Judith Smoothy Guran. *Cooran State School 100 Years of Education* (Cooran State School, 1990), p 36.

⁷⁰ *Gympie Times* 12 December 1901.

⁷¹ *Gympie Times* 6 June 1905.

⁷² *Historical Tales of Noosa Shire* (Cooroora Historical Society), p 3.

⁷³ *Gympie Times* 6 June 1909.

The Railway Hotel burnt down around 1965. Its site is now a public park and playground. None of Cooran's several early hotels, which also included the Cooran Inn (formerly Premier Hotel) built in 1911 near Arthy's Road on the other side of town, survive.

Former Commercial Bank of Australia

This building, now the "Country Kitchen" cafe, was completed shortly after July 1906. (*Gympie Times*, 28 July 1906).

Further research is needed to see whether the shopfront has been substantially altered. However, visually it relates well to the adjacent Memorial Hall, with a gabled roof of similar pitch. The deep pavement awning and glassed shopfront are like the former General Store at the precinct's entry.

Former Butcher Shop

This simple timber building, now used as a dwelling, is believed to be a former butcher's shop. It may date from around the same decade as the adjacent former bank building, though the narrower verandah facing the street is infilled with narrow casements. It has attractive metal hoods over its side windows and its painted timber facade tones in colour with the Memorial Hall, former bank and old bakery a few doors away.

Old Bakery

This timber cottage-like building has two doors opening towards the street, one at the side apparently leading to a small projecting shop front. Though it is collapsing, the brick baker's oven attached to the back of the premises, appears to be more modern.

At the time of writing, the building looked unoccupied. The timber structure appears to be in good condition and probably was painted within last few years despite fig trees growing over the outside walls.

This building is thought to have been used by Len Howard, a baker, in the 1950s. Originally, it may have been premises other than a bakery. It has apparently also housed a doll doctor's shop and a (knife) sharpening business.

Visually, this is a transitional building between the earlier buildings to the east and the adjacent Alfredson joinery complex. Its timber painted walls and gable harmonise with earlier buildings. The roof pitch is not as steep as the older buildings but sharper than the original Alfredson's joinery building. Like the nearby joinery buildings, its front facade is oddly angled to follow the street boundary.

Former Alfredson's Joinery Complex

(including the former Railway Goods Shed)

Visually, compared with the older buildings in the streetscape, the more recent buildings in this complex have rougher, plainer features, flatter rooflines and darker coloured timber facades, except for some contrasting white trim, e.g. to window frames.

The tiny white painted goods shed is much older; it has a steep pitched roof like the Memorial Hall, while its small short awning over the entry door is like the awnings on the Alfredson's joinery complex buildings on either side.

The parapet on the very end (former garage) building echoes the stepped parapet on the old general store at King Street's opposite end, like (almost) matching bookends.

5.1.3 Historical Themes

This place illustrates the following historical themes in Noosa Shire based on the Environmental Protection Agency's *Guidelines for Historical and Indigenous Cultural Heritage Management*, dated 2001:

2(d) - Developing rural economies - encouraging selection, closer settlement and immigration: township;

5(b) - Developing secondary and tertiary industry - providing professional, financial, commercial, hospitality, entertainment services: hotel, shops, offices and bank;

3(e) - Developing transport and communication networks and infrastructure - creating rail links: railhead and railway station;

2(g) - Developing rural economies - encouraging the growth of tourism: tourist attraction;

9(b) - Developing social and cultural institutions and ways of life - forming secular associations, institutions, organisations and societies: meeting place; and

5(a) - Developing secondary and tertiary industry - developing manufacturing: joinery.

5.1.4 Potential Significance

As well as being a character area of considerable historic significance, this precinct is worth including on a Heritage Trail.

5.1.5 Visual Integration of Character Area

Historically important elements of the streetscape are visually integrated by common materials (timber and iron), repetition and groupings of similar building forms, rooflines and setbacks.

The flanking and supporting buildings are modest in scale and design, compared with the street's centrepiece - the Memorial School of Arts Hall. This is the largest, most imposing, decorative and articulated building as well as the most significant remaining place.

5.1.6 Proposed Protection Measures & Principles

- a. Keep the original built forms and essential external features of the character buildings;
- b. Maintain original and/or continuous uses of the nominated places or allow adaptive reuse;

- c. Control external additions and alterations and all new development in the precinct to respect the form, scale, materials, textures, colours, setbacks and massing of the nominated character places.

5.1.7 Possible Planning Controls

The following activities have the potential to be damaging to the values of the precinct and ought to be classified as assessable development under a future Planning Scheme:

- a. demolition (including removal) of the nominated character buildings - impact assessable;
- b. major additions and alterations to the external appearance of the character buildings as seen from the street - impact assessable;
- c. material change of use of premises or reconfiguring a lot where the proposed use or new subdivision pattern would significantly affect the historic fabric or appearance of the character building and the precinct - impact assessable;
- d. material change of use of premises, combined with demolition or new building work, on infill/redevelopment sites - impact assessable;
- e. material change of use of premises or reconfiguration of a lot, where the proposed use or new subdivision pattern would not detract from the character of the building or precinct - code assessable;
- f. following approved redevelopment of infill sites, material change of use of premises on such sites - code assessable;
- g. minor alterations, additions and maintenance to character buildings, as seen from the street - code assessable;

The following activities would not be detrimental to the values of the precinct and need not be classified as assessable development from a cultural heritage perspective:

- a. minor alterations, additions and maintenance to either character buildings, not visible from the street, or to other existing buildings in the precinct - self assessable;
- b. material change of use of premises, involving the re-establishment of a previously approved, lawful use, which, in the opinion of Council, does not involve substantial alterations to the external appearance of a character building - self-assessable.

6. MAPPING

The individual citations refer to locations of cultural heritage significance that are generally capable of being mapped.

Two A1 maps have been prepared to support this report which illustrate the location of the citations:

- on the basis of the Principal Theme that each citation is associated with, and
- on the basis of their reference number.

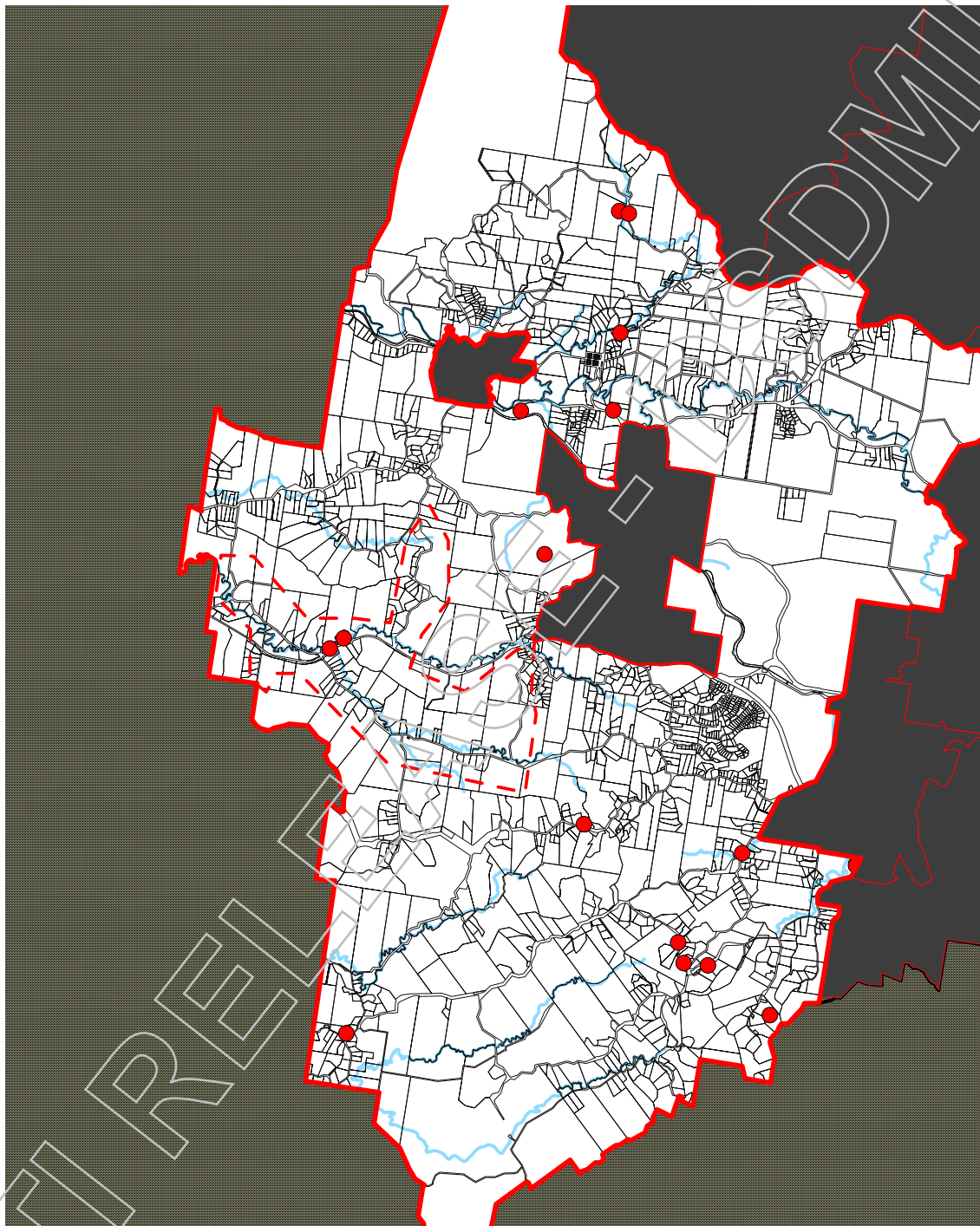
The map of the Principal Themes uses icons that reflect the nature of the theme. This map enables interpretation of the location and clustering of cultural heritage values and their principal purpose. Just a quick glance over the map confirms the earlier comment that most values are found in the towns and urban areas. Tewantin, Noosaville, Noosa Heads and Cooroy in particular, feature most of the citations.

The map of the citation numbers allows a useful link between the individual citations and a reference source for their location. Being able to identify citations in the particular area assists studies of a locality.

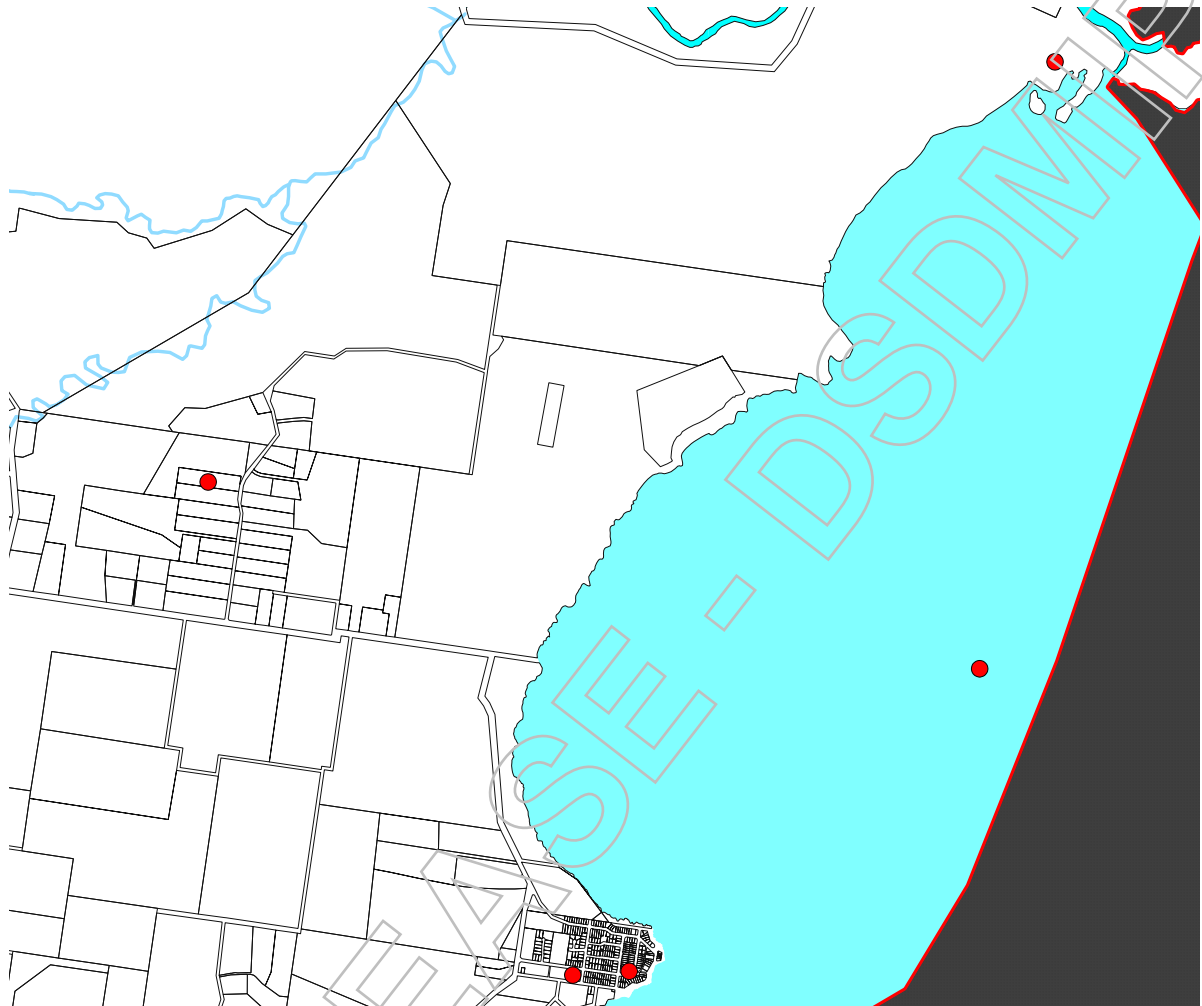
For ease of reference the following Map 6.1 to Map 6.14 give an illustrative overview of the distribution of cultural heritage values found in each of the localities.

A mapping base enables a future Planning Scheme to apply in a practical manner, the measures adopted by Council to protect cultural heritage values. A property owner or prospective property owner can readily check if Council has recorded cultural heritage significance for any individual property. The assessment of development applications by Council is also facilitated by access to this type of information available for any locality.

MAP 6.1 BLACK MOUNTAIN, FEDERAL PINBARREN & RIDGEWOOD



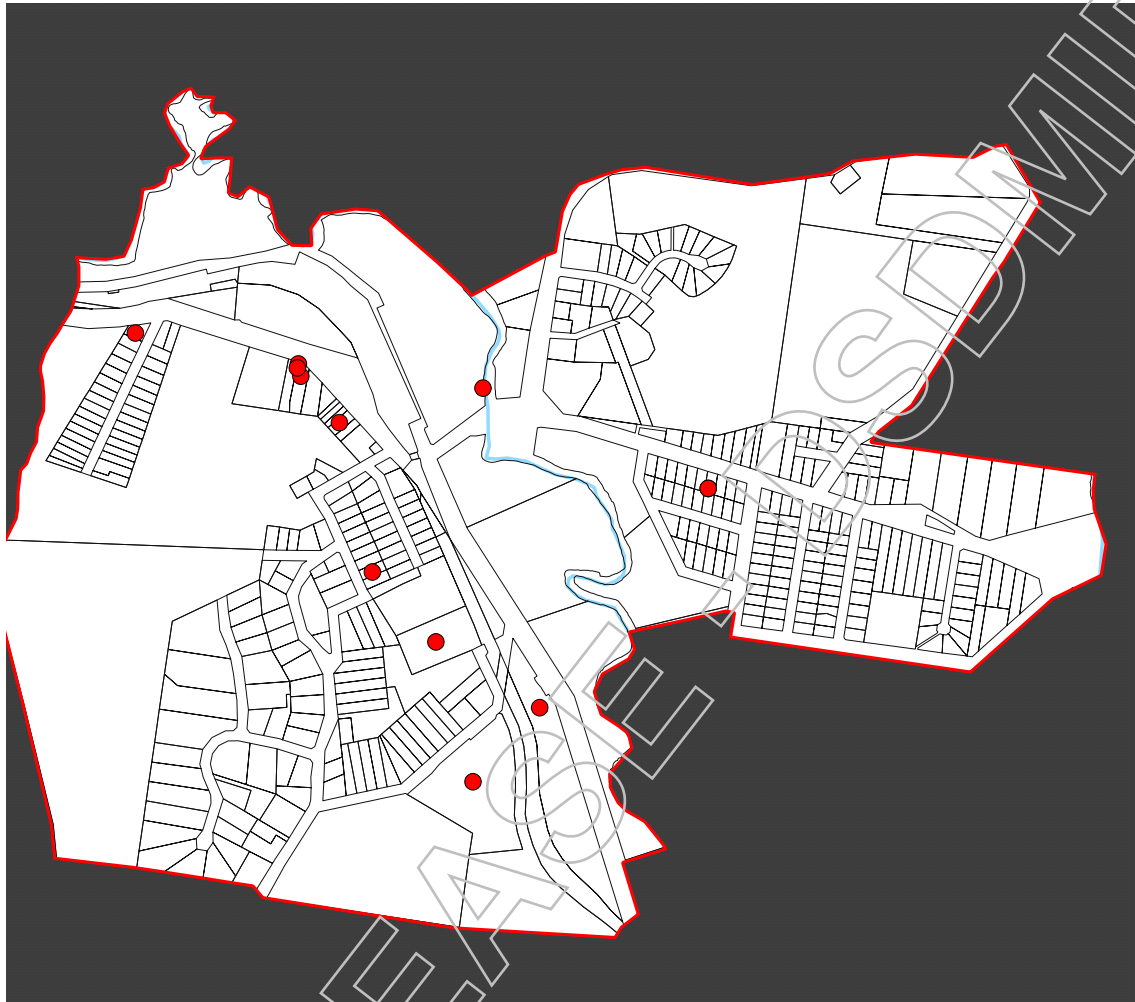
MAP 6.2 BOREEN POINT, COMO & COOTHARABA



MAP 6.3 CASTAWAYS BEACH, SUNRISE BEACH & SUNSHINE BEACH



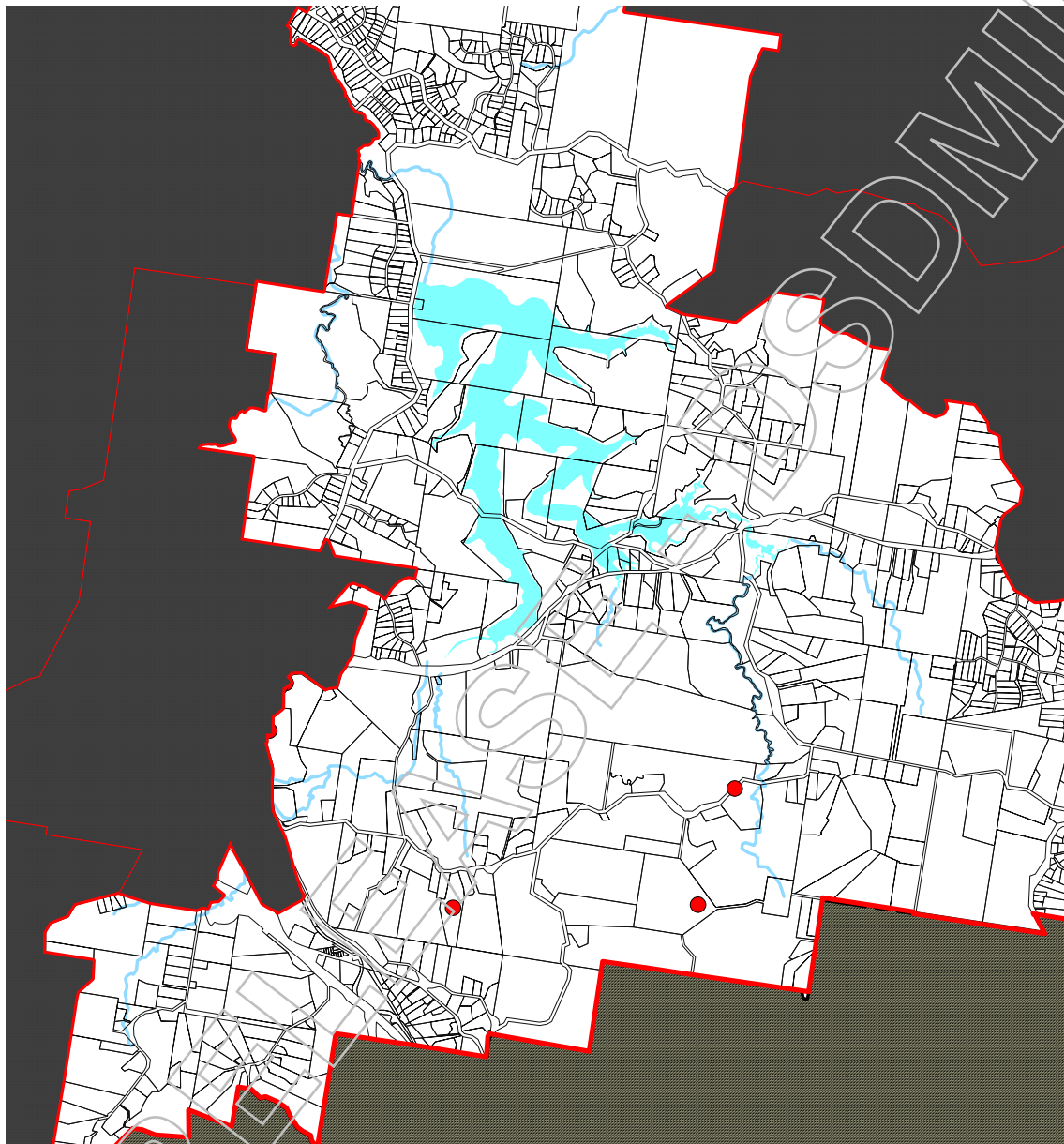
MAP 6.4 COORAN



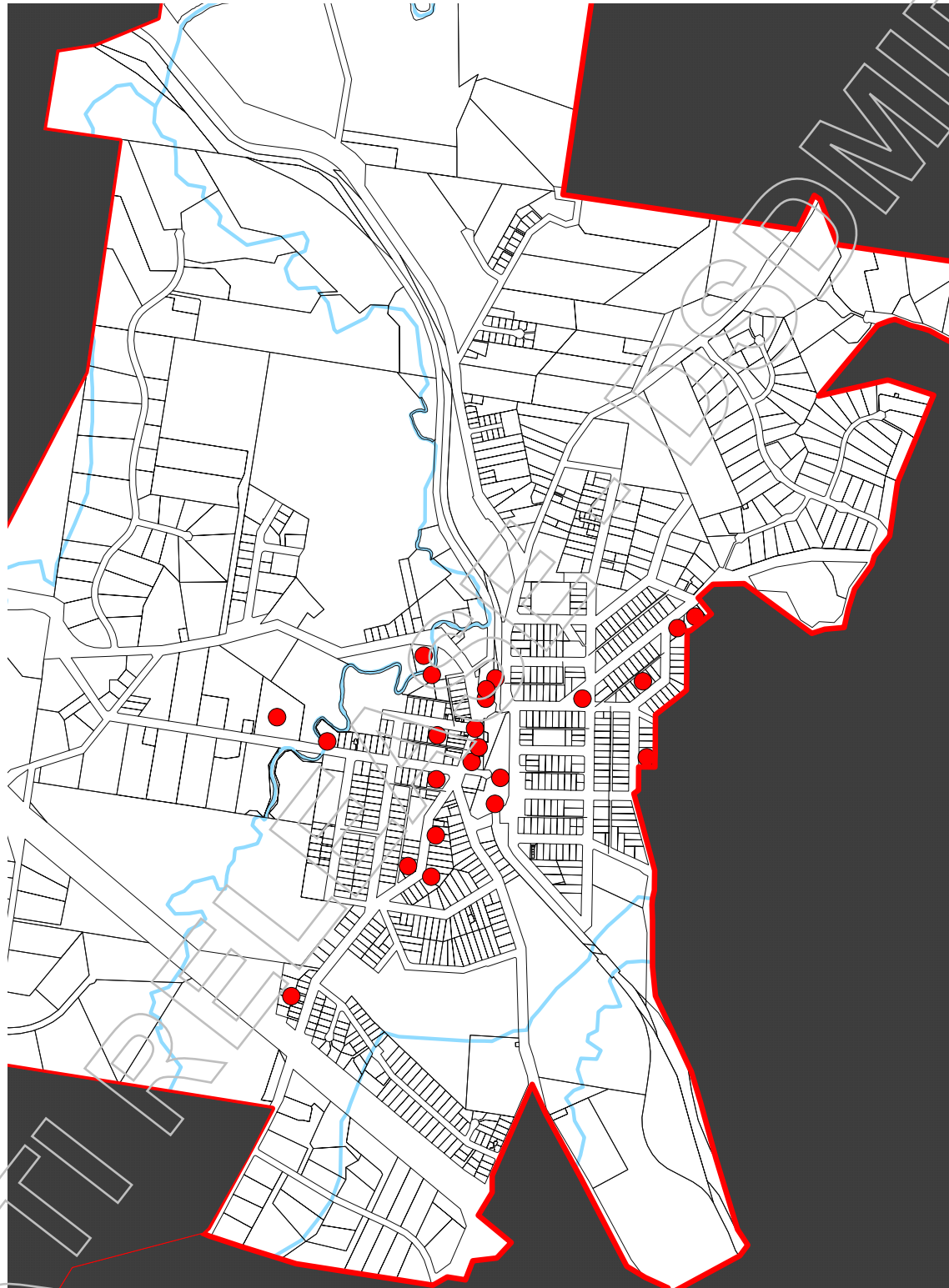
MAP 6.5 COOROIBAH



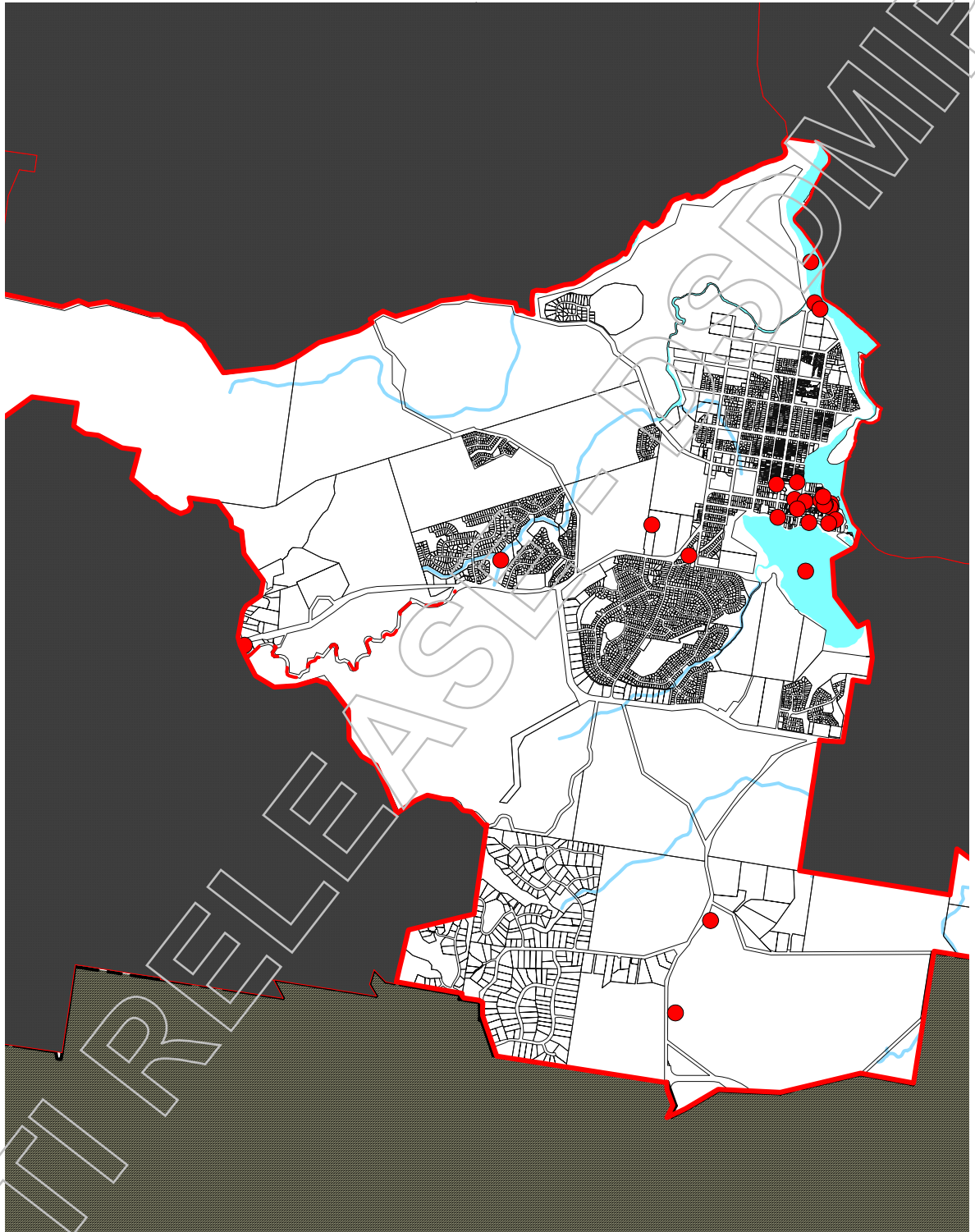
MAP 6.6 COOROY MOUNTAIN, LAKE MACDONALD & TINBEERWAH



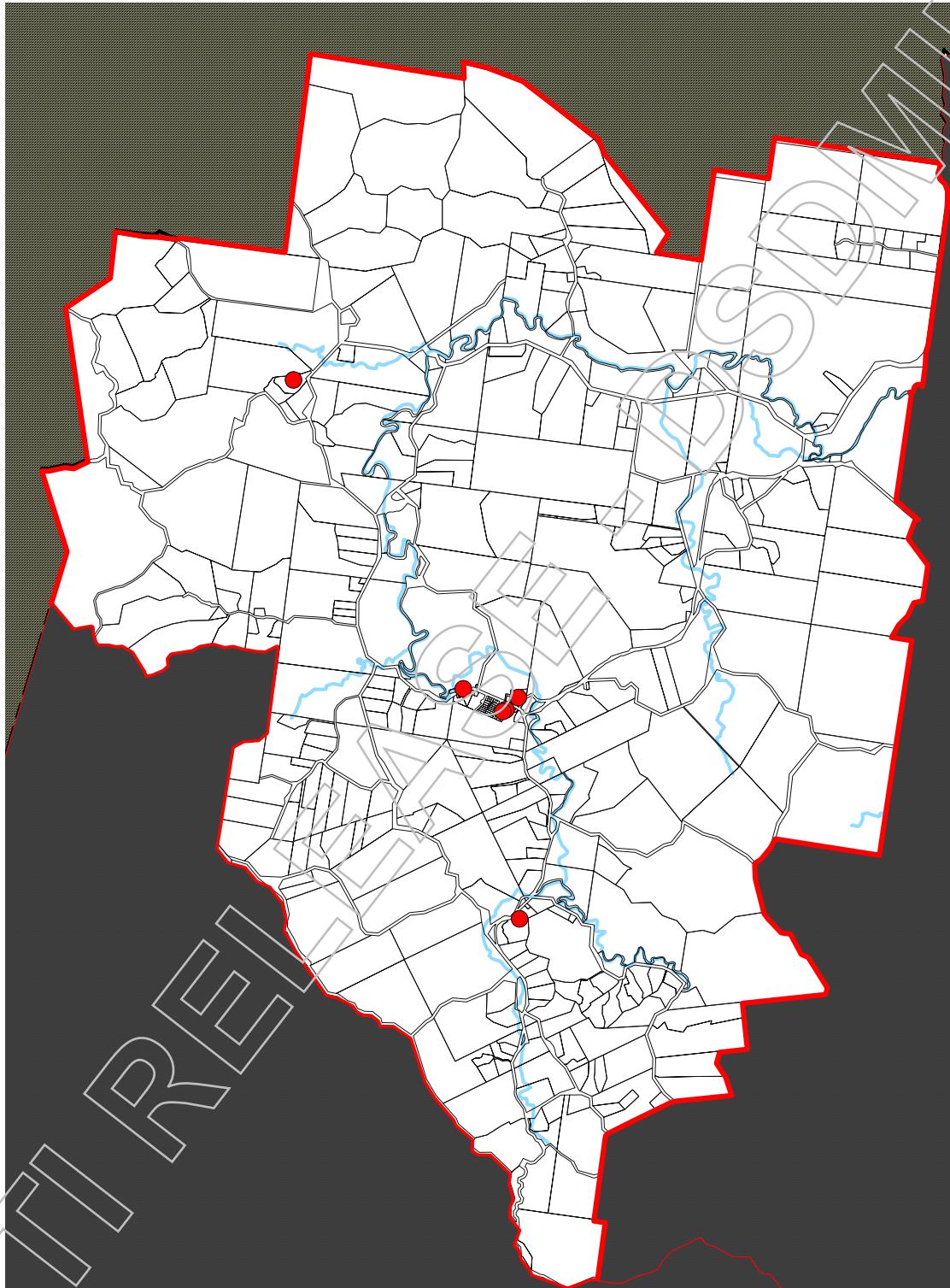
MAP 6.7 COOROY



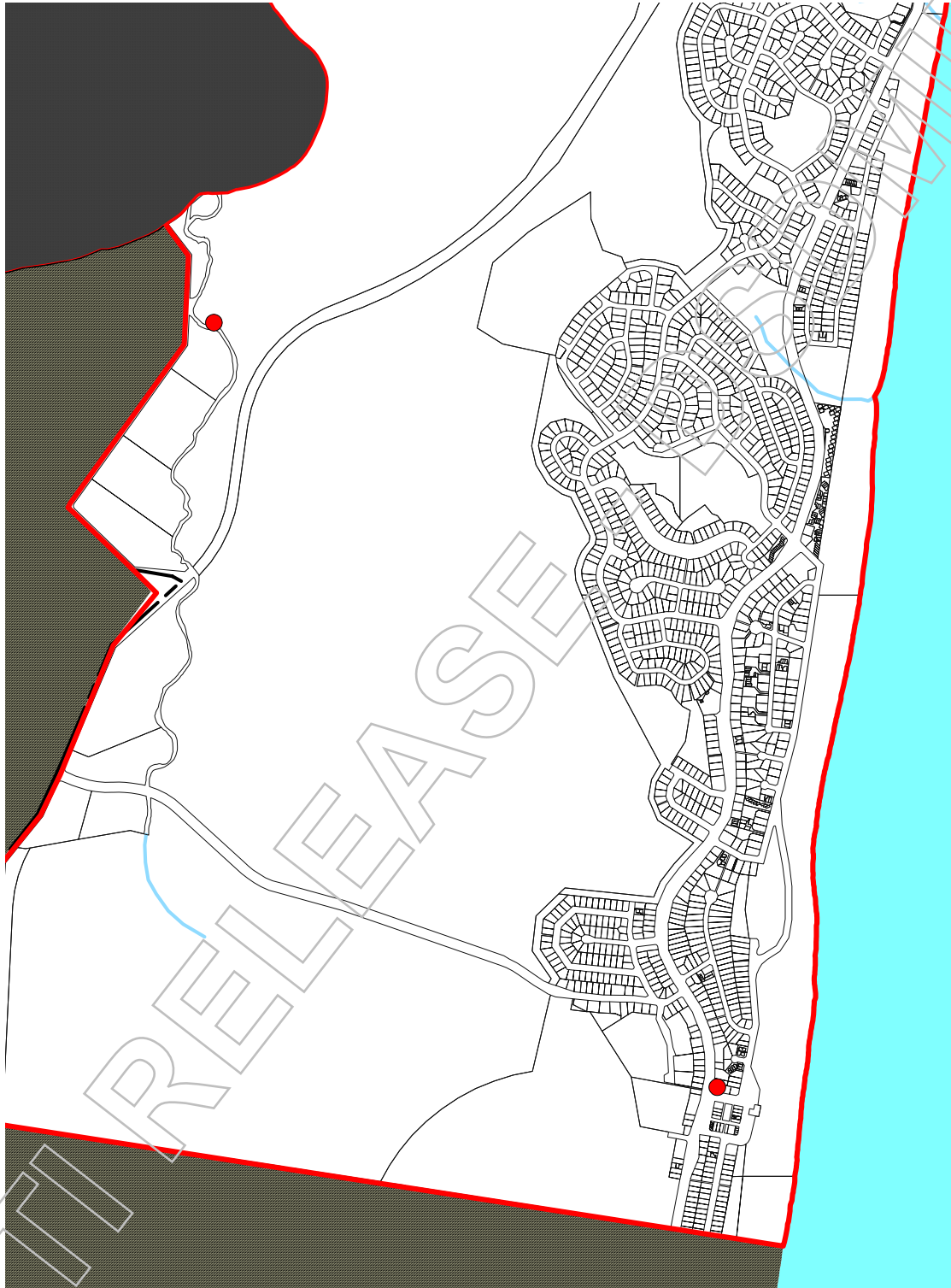
MAP 6.8 DOONAN & TEWANTIN



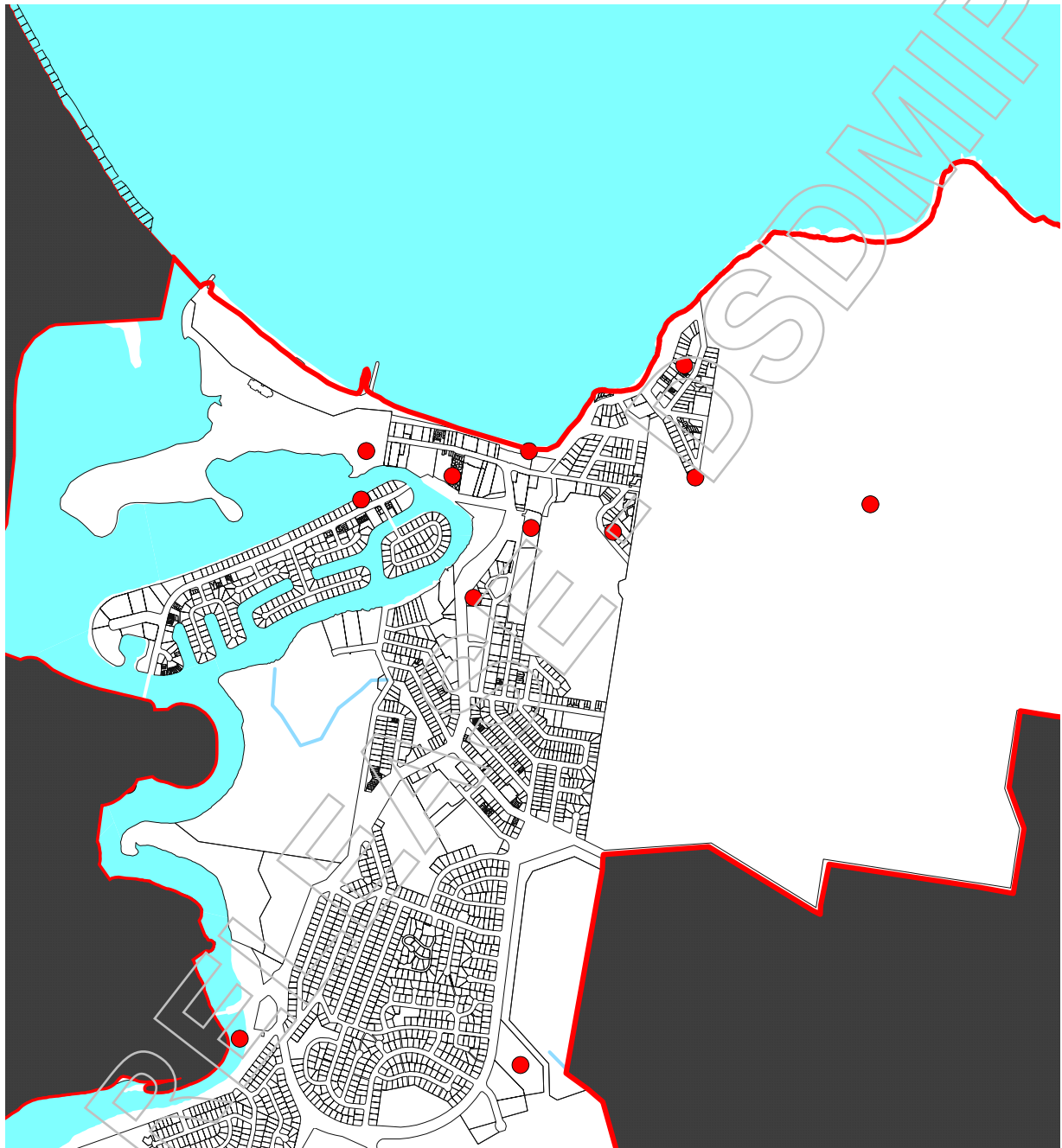
MAP 6.9 KIN KIN



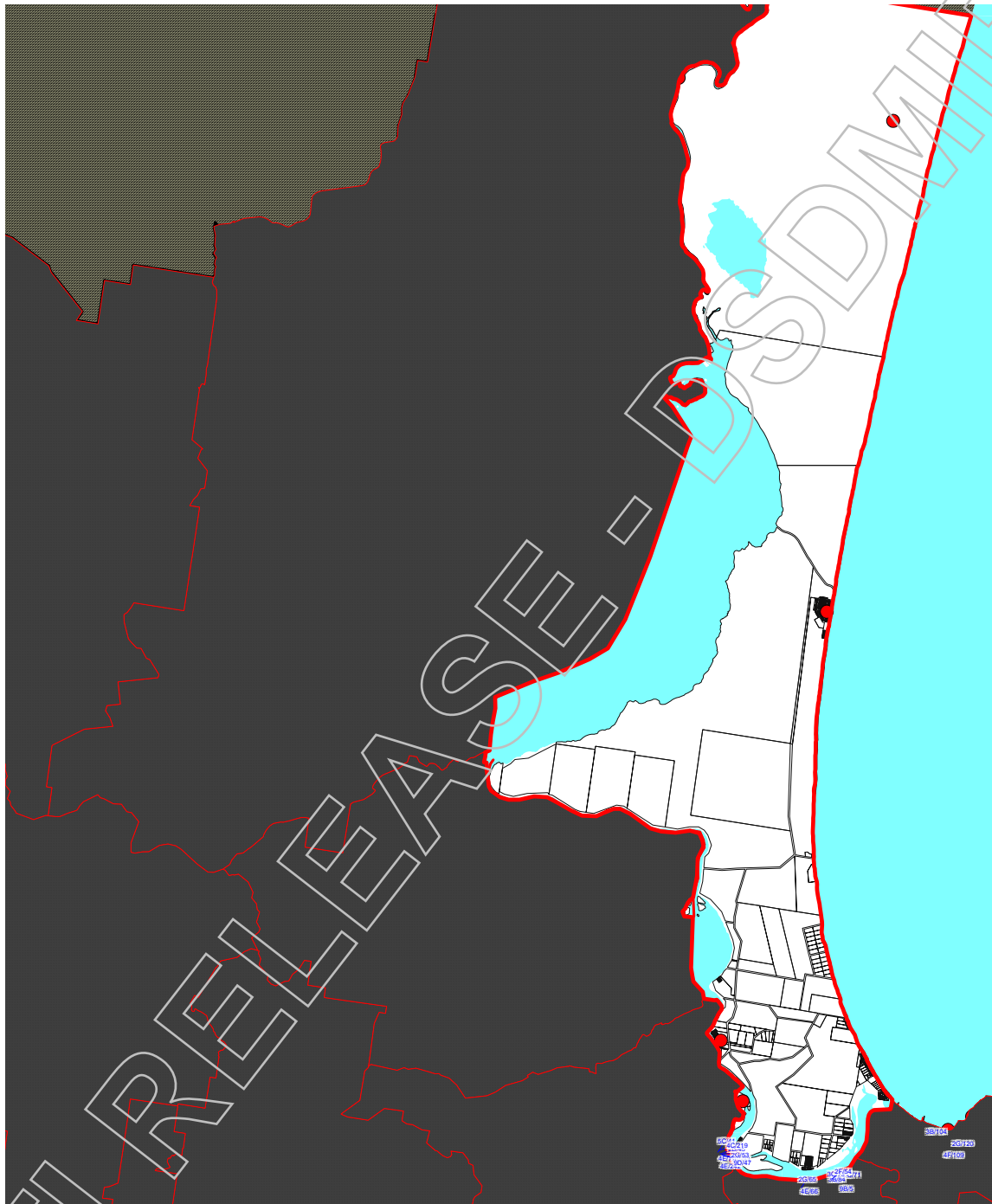
MAP 6.10 MARCUS BEACH & PEREGIAN BEACH



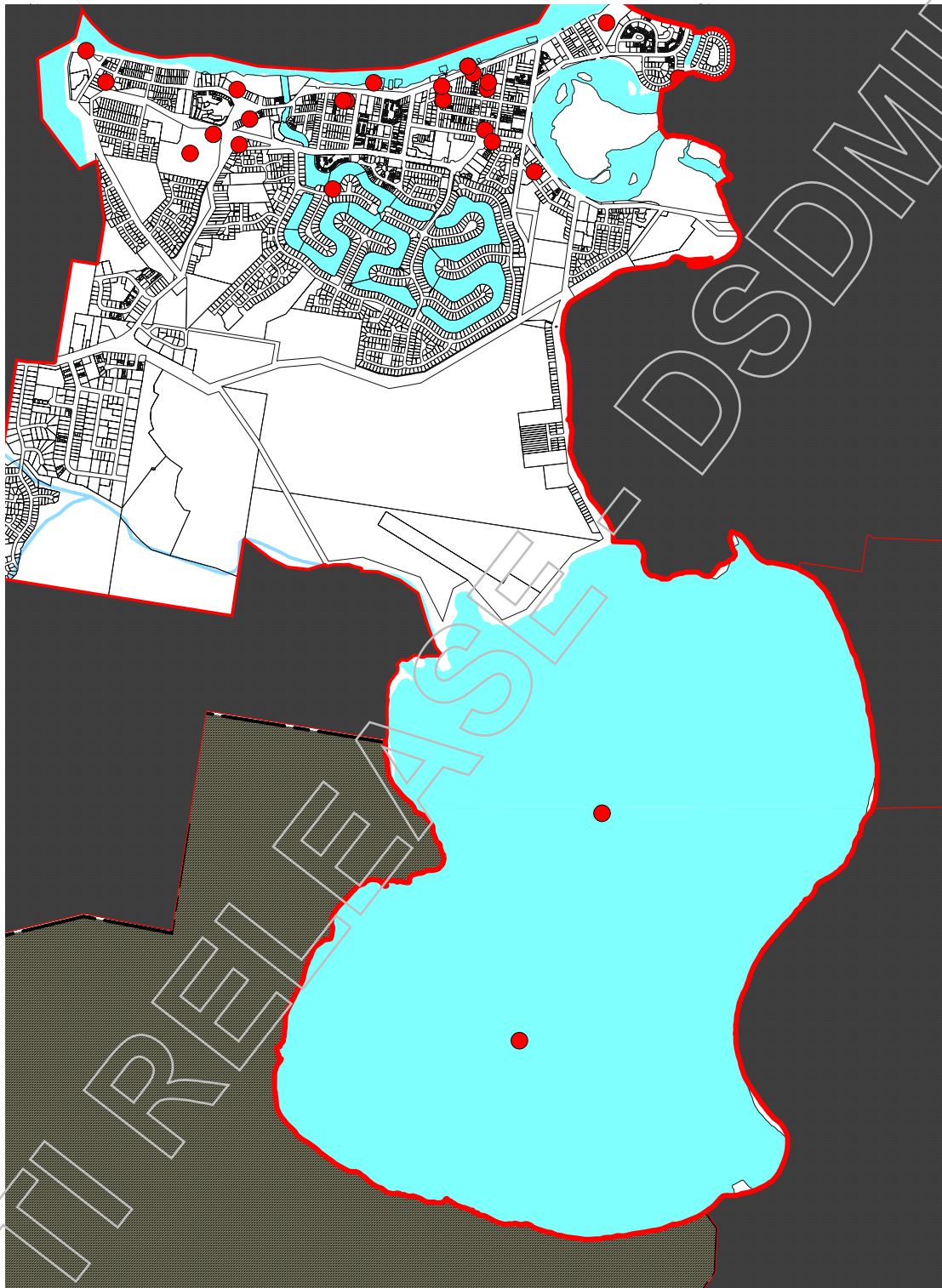
MAP 6.11 NOOSA HEADS



MAP 6.12 NOOSA NORTH SHORE



MAP 6.13 NOOSAVILLE



MAP 6.14 POMONA



7. INFORMING THE PLANNING SCHEME

This report has been produced to firstly collate information about cultural heritage values within the Shire and secondly to order that information in a manner that enables the new Planning Scheme to apply appropriate levels of protection to the more significant values.

The values identified by this project range greatly in significance. Some citations refer to sites that are historically important but for which there is no lasting physical feature related to the site's history. At the other end of the range are buildings such as Halse Lodge in Noosa Heads that is listed on the State Register under the *Queensland Heritage Act 1992* and on the Register of the National Estate under the *Australian Heritage Commission Act 1975*.

On this basis, each of the citations have been assigned a Significance Rating to assist with interpreting their cultural heritage values. The Significance Rating for each of the citations has been published as Appendix C. This allows for an appropriate level of assessment to be applied to proposals that may remove or impair these values. Table 7.1 nominates a possible assessment approach for cultural heritage values based on the Significance Ratings.

For those sites where the cultural heritage values are of significance due to the sites' rarity, important historical associations or the standard of fabric, then recognition of those values may be achieved through a degree of control under the Planning Scheme. This could result in any proposal for a development that would remove the intactness or otherwise detract from the significance, being required to undergo close examination under an Impact Assessment procedure.

Development proposals that might trigger impact assessment under the future Planning Scheme ought to include:

- demolition (including removal) of the heritage building;
- major additions and alterations to the external appearance of the heritage building;
- material change of use of premises or reconfiguration a lot where the proposed use or new subdivision pattern would affect the historical fabric or appearance of a heritage building, its setting or a Character Precinct;
- Material change of use of premises, combined with demolition or new building work on infill/redevelopment sites.

TABLE 7.1 ASSESSMENT CLASSIFICATIONS

Significance Rating	Criteria	Level of Assessment
1. State Significance	Principal criterion is rarity but can be combined with important historical associations and/or continuity of use. Fabric is variable.	Impact assessment
2. High Local and Intact Significance	Important historical associations combined with intact fabric	Impact assessment
3. High Local Significance	Important historical associations but with lesser standard of fabric	Impact assessment
4. Important Local Significance	Important to local communities	Impact assessment
5. Local Significance	Significance to local communities with variable fabric	Code assessment
6. Local Significance - Precincts	Significance to local communities arises through association within a precinct	Code assessment
7. Local Significance - Removed	Significance to local community arises from former use but values are largely removed or location not identified.	Self assessment (but interpretation, recording and recognition)

Cultural heritage values that have significance to local communities but have variable fabric or have significance through their association within a Character Precinct, may be dealt with through a Code Assessment process. This would involve the preparation of a Heritage Code which sets out the criteria for the assessment of development proposals that would modify the character or otherwise detract from the significance of the cultural heritage values. Alternatively, regulatory measures may be provided for each of the localities that are tailored more specifically to the heritage characteristics and values of the particular area. The intent here would be that the heritage controls required for areas where existing heritage values predominate, such as at Pomona, would be different than for those at Tewantin. Cultural heritage values could then be mapped within each locality plan with corresponding controls prescribed to protect those values.

The following activities have the potential to have some impact on heritage values of a site or Character Precinct and ought to be classified as Code Assessable under the new Planning Scheme:

- material change of use of premises or reconfiguration of a lot, where the proposed use or new subdivision pattern would not detract from the character of the building or precinct;
- following approved redevelopment of infill sites, material change of use of premises on such sites;
- minor alterations, additions and maintenance works to heritage buildings visible from the street.

There would be no need to apply any degree of control over sites with no vestige of their cultural heritage, such as where the values are largely removed or the location cannot be specifically identified (i.e. Noosa Woods). Accordingly, proposals for development on such sites could undergo a Self Assessment process under the Planning Scheme, subject to other assessment triggers. Part of the Self Assessment process would include the interpretation, recording and recognition of the cultural heritage values of the site prior to development. The proposal would also need to comply with the provision within any heritage code.

The following activities would not be detrimental to the values of the precinct and need not be classified as assessable development from a cultural heritage perspective:

- minor alterations, additions and maintenance to heritage buildings or buildings within a Character Precinct, not visible from the street;
- material change of use of premises, involving the re-establishment of a previously approved, lawful use, which in the opinion of Council, does not involve substantial alterations to the existing appearance of a heritage building.

8. RECOMMENDATIONS

This project establishes an outline of the Shire's history and provides a wealth of detail. However the task of capturing relevant information about the cultural heritage values of the Shire is ongoing - both for the past events and the contemporary works and actions that become the heritage of the future.

To advance the work recorded in this project report the following recommendations are made to Council:

1. Adopt a flexible approach to this report so that the information within is updated over time as more facts come to light about past events.
2. Further research is commissioned on the architectural styles and features of the periods for the historic buildings recorded in the citations.
3. Further work be conducted on the heritage precincts of the towns to better record the values made by the contributory buildings and so that sympathetic design is applied to new developments.
4. Contemporary architectural styles are further documented to record modern heritage particularly as recorded in the Council Design Awards.
5. The historical cultural heritage of the coastal parts of the Shire be further documented to recognise the significant events, places, and features of the area's history.
6. A Heritage Code is developed as part of the new Planning Scheme or if Locality Plans are adopted then heritage provisions should be incorporated.

9. APPENDIX A - REFERENCES

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10. APPENDIX B - PROJECT BRIEF

10.1 INTRODUCTION

Conservation of historical, archaeological or Aboriginal items, sites or places of National, State or local cultural heritage value is an aim of the 1997 Strategic Plan. This project is intended to advance recognition and management of the Shire's historical cultural heritage.

A prior project brief was developed for the Shire's cultural heritage as a whole. In practical terms, the entire project will still advance, however, the circumstances on which the original brief were based have changed. These circumstances include:

- Reduced capability for students to assist with the project.
- Consultant responses to the project brief requiring further tailoring of the approach to be taken.
- Funding sought from the State for assistance with the project was not readily forthcoming.
- State Government-commissioned studies potentially providing information.

It is now preferable to advance separate projects dealing with individual components of the original brief, of which the main strands are studies of indigenous and historical cultural heritage. This brief deals with the historical component of Noosa's cultural heritage.

A key purpose of the project is to inform the development of an IPA-based planning scheme for Noosa Shire, particularly in respect of the IPA's requirement for address of the Shire's *valuable features*.

10.2 AIMS & OUTCOMES

10.2.1 Aim

The aim of this project is to:

Identify, record and assess the significance of places, events and people contributing to the Shire's historical cultural heritage.

10.2.2 Outcomes

Principal outcomes

The principal outcomes will be:

- f. A written and mapped record of early European settlement patterns across the Shire.
- g. Identification of significant individuals and pioneer families.
- h. Identification of historically significant buildings and building elements that contribute to the character of particular localities.
- i. Identification of sites, buildings, features and routes that may require protection.
- j. Documentation for the project should contribute to any development of a history of the Shire.

Subsidiary outcomes

The focus of this study is the Shire's historical cultural heritage: however, information on indigenous cultural heritage, that may be already known to the historians or which arises in the course of this study, should also be recorded.

Such information may, for example, relate to places with potential for shared significance. This information may also assist the study of indigenous cultural heritage, but it would only be regarded as preliminary until examined by the Indigenous Cultural Heritage Study.

10.3 COMPONENTS OF THE PROJECT

10.3.1 Methodology

For the purposes of this project brief, Section 1.3.2 of the Environment Protection Agency (EPA) draft *Guidelines for Historical & Indigenous Cultural Heritage Management*, (the Guidelines), dated June 2000 provides the project's methodology. Based on the Guidelines, the project falls into two overall stages.

10.3.2 Stage 1

The first stage essentially covers items (i) to (iv) in Section 1.3.2 of the Guidelines, together with some fieldwork, collection of oral histories and consultation with the bodies mentioned in Section 7 of this brief. The outputs of the first stage will include:

- a. A contextual history that identifies the principal historical themes applying to the Shire [See pages 4-7 of the Guidelines].
- b. An indicative list or draft typology of places that illustrate the principal themes and are classified according to their potential cultural heritage significance [See pages 8-12 of the Guidelines].

Gatton and Beaudesert Shires have studies prepared by Helen Bennett that provide useful examples of thematic histories. Similar approaches are to be used for this project.

The principal themes on pages 7 -12 of the Guidelines are a framework to be generally but not rigidly applied. These will be adapted and expanded to delineate Noosa's unique heritage.

Milestone Date: December 2000

10.3.3 Stage 2

Items (v) to (viii) of Section 1.3.2 of the Guidelines outline the elements of the work program for the second stage. The focus will be the assessment of the cultural heritage significance of places identified by the first stage. These places will be investigated in more detail with a view to recommending how they might be recognised, maintained or managed.

In classifying places for cultural heritage significance, the consultants will evaluate how these places illustrate key themes and satisfy the criteria set down in the Queensland Heritage Act 1992. Section 1.2.7 of the Guidelines sets out the assessment criteria. The inventory notification in the Guideline suggests how the information on individual places should be organised.

The outputs of the second stage will include:

- a. Identifying the most significant places of cultural heritage, including maps, photos and diagrams.
- b. Compiling inventory listings, organised as per Item (vii) of Section 1.3.2 of the Guidelines.
- c. Identifying character areas.
- d. Suggesting possible planning and management mechanisms with reference to Item (viii) of Section 1.3.2 of the Guidelines.

Milestone Date: March 2001

10.3.4 Recommendations

The recommendations brought forward as part of this project are to be related directly to, or capable of direct relationship with, the IPA planning scheme. Therefore, the recommendations must clearly indicate how the aim and project outcomes are to be achieved.

10.4 DOCUMENTATION

The direct product from the project is expected to be a single report, produced in stages as necessary for to meet the objectives.

All written material should be structured in a way that allows later integration to a single document on the Shire's cultural heritage.

The consultant will be responsible for the production of the report, however Noosa Council will be responsible for its final collation and publication. Noosa Council will also prepare any mapping needed for the project.

10.5 CONSULTATION

10.5.1 Environment Protection Agency

The relevant State Agency for assistance and advice with this project is the Cultural Heritage Branch of the EPA. Ongoing consultation with this agency should ensure state interests are met.

In-kind support from the EPA has been requested, particularly for the second stage, to assist in assessing significance, identifying character areas, tailoring consultation procedures and suggesting possible planning and management mechanisms. Such input should be allowed for in devising a work program for the second stage.

10.5.2 Register of the National Estate

Any listings on the Register of the National Estate should be recorded.

10.5.3 National Trust

The Sunshine Coast Branch of the National Trust has a valuable collection of information on historically significant sites, and should be consulted at an early stage.

10.5.4 Local Historical Associations

There are three local historical associations with expertise in this area that should be consulted.

10.5.5 General Community Consultation

General community consultation may be carried out as necessary.

10.6 INFORMATION SOURCES & ASSISTANCE

There are many sources of information in relation to cultural heritage.

Listings in heritage registers and databases, such as the State Register and National Trust of Queensland and important primary collections, such as those held by the John Oxley Library should be reviewed.

10.6.1 SEQRWQMS

The findings of the history projects now underway under the auspices of the South East Queensland Regional Water Quality Management Strategy should be consulted to avoid duplicating work on the Noosa River catchment, especially in the initial bibliographical and scoping phase of the study.

10.6.2 Research Inventory of Historical Places

A protocol for accessing the EPA's Research Inventory of Historical Places must be observed as per pages 45-47 of the Guidelines.

10.6.3 Noosa Library

The Noosa Library Local Studies Collection includes an extensive amount of resource material on the history of the Sunshine and Cooloola Coasts with some specific references to the Noosa region. Through its networks, the library also has access to resources of other libraries upon request.

10.6.4 Cooroora Historical Society

The Cooroora Historical Society, maintaining the museum of historical artefacts and photographs at Pomona, carries out extensive research on the history of Noosa Shire. It holds a significant collection of resource material.

10.6.5 The Cooroy-Noosa Genealogical and Historical Research Group

The Cooroy-Noosa Genealogical and Historical Research Group researches family histories and holds a collection of photographic, oral and written heritage and history of the Shire, with particular reference to pioneer families. Its reading room at Cooroy contains a substantial amount of relevant information.

10.6.6 Tewantin Heritage and Historical Society

The Tewantin Heritage and Historical Society researches and collates the history of Tewantin, and has also established a notable collection of reference material.

10.6.7 EIS

The Strategic Planning Section maintains a library of volumes that include copies of environmental impacts statements that have accompanied development applications. Many of these contain reports on cultural heritage and significance.

10.7 PROJECT MANAGEMENT

Consultants will be engaged to carry out the work and manage the project. Brief progress reports and copies of findings should be submitted at monthly intervals to Council's Project Officer: these will be tied to progress payments.

Internally, Noosa's Strategic Planning Section will be responsible for project management, provide mapping assistance and help organise public consultations.

Work on the project will also be needed from:

WHO	ROLE
Strategic Planner	Internal project manager
Noosa Library	Data collection, publicity, consultation and review
Museum Resource Centre	Consultation, publicity, co-ordination of reference groups, review and final report
Technical Officer Strategic Planning	Assistance with mapping products
Administration Officer Strategic Planning	Assistance with databases and final reporting

10.8 BUDGETARY CONSIDERATIONS

A maximum sum of \$25,000 is set aside for the completion of the work.

RTI RELEASE CASE - DSDMIP

11. APPENDIX C - SIGNIFICANCE RATING
NOT FOR PUBLIC RELEASE

RTI RELEASE - DSDMIP



Noosa Shire Council Coastal Hazards Risk, Vulnerability and Adaptation Assessment

Coastal Hazard Mapping Refinement

26th April 2018

RTI RELEASE - DSDMIP



Queensland
Government



Document Control Sheet

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Synopsis:		

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BMT WBM File	PDF	PDF	PDF	PDF	PDF						
BMT WBM Library	PDF	PDF	PDF	PDF	PDF						

Executive Summary

Priority gap studies identified by the Noosa Shire Council Coastal Hazard Adaptation Plan (CHAP) Scoping Report (BMT WBM 2017) have been completed, namely:

- Development of storm tide hazard mapping for the CHAP planning horizons (present-day, 2040, 2070 and 2100); and
- Coastal erosion prone area assessment and mapping for the CHAP planning horizons.

BMT WBM (2017) discusses the three 'categories' of storm tide hazard that are relevant to the region:

- (1) 'Open coast storm tide' which can lead to inundation of nearshore areas adjacent to beaches. For these locations the combination of tide, surge and wave breaking processes contribute to the observed water level.
- (2) 'Lower Noosa River catchment storm tide' which can lead to flooding of areas within the tidal extent of the lower river system. For these locations and in the absence of significant rainfall and catchment flooding, the combination of tide and surge contribute to the observed water level.
- (3) 'Coincident catchment flooding and storm tide' which can lead to flooding of areas within the tidal extent of the lower river system. For these locations the combination of river flow, tide and surge contribute to the observed water level.

Hazard areas related to each of the above storm tide categories have been developed using a combination of existing information and inundation modelling tools (Aurecon 2013; WMA Water 2017a; WMA Water 2017b). For land adjacent to the lower Noosa River both inundation depth and velocity hazard information has been determined.

In accordance with the Queensland Government Coastal Hazard Technical Guide (DEHP, 2013), the open coast calculated erosion distance has been refined through consideration of the design storm conditions, dune slumping, long term recession and the shoreline response to sea-level rise. In addition, and for consistency with the State-defined erosion prone areas, the permanent tidal inundation due to sea-level rise hazard area has also been established.

These hazard maps will be used to support future consultation with the community and a risk assessment process; in combination, these will then inform the consequences of these hazards to assets and future strategic planning in response.

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1 Background

1.1 Noosa Shire Climate Change Adaptation Plan

To help the Noosa Shire adapt to potential effects of climate change over time, Noosa Council is responding to potential climate change risks by undertaking a two-year project to develop a Climate Change Adaptation Plan (CCAP) to build adaptive capacity within Council and across the community.

The core objectives for the CCAP are to:

- Improve Noosa Council and the community's understanding of current & future risks from coastal hazards and how they might change through time as a result of climate change;
- Consult with the community clearly and sensitively throughout key stages of the project so the community understands the implications and contributes to the decision making;
- Identify what actions are required to avoid, reduce or adapt to these risks to people, property, assets and the environment;
- Provide mapping & visual products and deliverables that are useful for a range of purposes across Council departments and functions and within the community (e.g. planning scheme, asset management, community awareness, disaster management and financial planning); and
- Provide direction for a coordinated approach for Council and the community to adapt to climate change and coastal hazards.

The coastal hazards component of the CCAP will be informed by the development of a Coastal Hazards Adaptation Plan (CHAP). The CHAP is funded by a grant agreement with the Local Government Association of Queensland (LGAQ), under the Queensland Department of Environment and Heritage Protection's (DEHP) QCoast₂₁₀₀ initiative. Coastal Hazard Mapping, the subject of this report, is required to understand the extent of current and future coastal hazard areas so that potentially impacted assets and values can be identified.

1.2 QCoast₂₁₀₀ Program

The QCoast₂₁₀₀ program is governed by a Board comprising members from the LGAQ, DEHP and Department of Infrastructure, Local Government and Planning (DILGP). The program has been designed to assist Queensland coastal local governments with funding and technical support to progress the preparation of plans and strategies to address climate change related coastal hazard risks. The program is intended to guide decision-making across key areas of local government planning and operations, including:

- Corporate and operational planning and financial planning;
- Land use planning and development assessment;
- Infrastructure planning and management including roads, stormwater and foreshores;
- Asset management and planning including nature conservation, recreation, cultural heritage values and other public amenities;

- Community planning; and
- Emergency management.

The [QCoast₂₁₀₀ Minimum Standards & Guidelines](#) (MS&G) provide guidance to local government wishing to prepare a CHAP. The guidelines set minimum requirements that are to be included in a CHAP as well as providing information on leading practices to facilitate continuous improvement. The minimum standards set a benchmark for undertaking such studies in Queensland so that coastal hazard adaptation decision-making is approached in a consistent and systematic manner. The MS&G are structured to address the key phases of a CHAP which are illustrated in Figure 1-1. This report is a key output of Phase 3 – the identification of areas exposed to current and future coastal hazards.

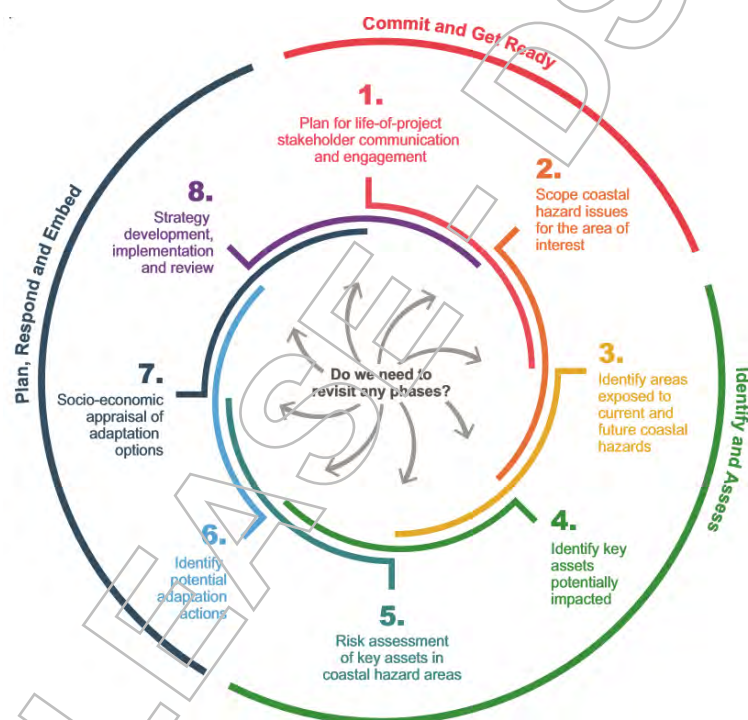


Figure 1-1 QCoast₂₁₀₀ Phases

This report and mapping are just one tool that will be used to support future consultation with the community and a risk assessment process; in combination, these will then inform the consequences of these hazards to assets and future strategic planning in response.

1.3 Coastal Hazard Adaptation Plan Scoping Study

A review of existing information relevant to the Noosa CHAP has been completed (BMT WBM 2017). The review identified the necessary additional studies to address key knowledge gaps and establish a basis for a risk assessment process in accordance with the Australian Standard for Risk Management (AS/NZS ISO 31000:2009).

Regarding coastal hazard mapping, two priority gap studies were identified:

Background

- (1) Developing storm tide hazard mapping for the planning horizons of interest
- (2) Coastal erosion prone area assessment and mapping

The planning horizons agreed for the Noosa CHAP are present-day, 2040, 2070 and 2100 and therefore hazard mapping representative of these years is required. The CHAP adopts the 100 year Average Recurrence Interval (ARI) as the base planning horizon for land use planning decision making, consistent with Queensland Government approach to assessing future climate coastal hazards. It is noted that climate change considerations for coastal engineering design should follow best practice guidelines (e.g. Harper 2012, 2017) and relevant standards and in some cases may require consideration of different planning horizons, likelihoods and climate change assumptions for internal purposes and progressive planning, therefore additional hazard maps have been produced.

The Queensland Flood Commission of Inquiry for the Brisbane floods recommended consideration be given to a wide range of flood severities up to the probable maximum flood for considering flood risk. A similar approach has been undertaken for the CHAP, with a range of coastal hazard event probabilities being modelled. However to ensure this report remains concise, only the 1% AEP (approximately 100 ARI) are discussed.

The assessments and methods for developing the necessary mapping products for the Noosa CHAP are described in Chapter 2 and Chapter 3 of this report. Plans illustrating the coastal hazard mapping results are presented in the Appendices.

2 Storm Tide Hazard Assessment

2.1 Background

The Noosa CHAP Scoping Study Report (BMT WBM 2017) discusses the three 'categories' of storm tide hazard that have been considered as part of previous local government scale assessments:

- (1) 'Open coast storm tide' which can lead to inundation of nearshore areas adjacent to beaches. For these locations the combination of tide, surge and wave breaking processes contribute to the observed water level.
- (2) 'Lower Noosa River catchment storm tide' which can lead to flooding of areas within the tidal extent of the lower river system. For these locations and in the absence of significant rainfall and catchment flooding, the combination of tide and surge contribute to the observed water level.
- (3) 'Coincident catchment flooding and storm tide' which can lead to flooding of areas within the tidal extent of the lower river system. For these locations the combination of river flow, tide and surge contribute to the observed water level.

Aurecon (2013) assessed 'storm tide only' (i.e. categories 1 and 2 above) for the present-day and 2100 planning horizons and range of exceedance probabilities. The other planning horizons relevant to the CHAP (2040 and 2070) were not previously assessed. The method for producing outputs for the other planning horizons of interest is summarised in Table 2-1 and further described in Section 2.2. Table 2-1 also indicates the sea-level rise (SLR) allowance adopted for the Noosa CHAP. Further details regarding the Noosa CHAP SLR assumptions are provided in BMT WBM (2017).

The likelihood of peak storm tide conditions coinciding with peak catchment flooding (storm tide category 3) within the lower Noosa River is expected to be a rare event, that whilst valuable to understand, would be an extreme event and not preferred as a basis for making planning decisions. The coincident rainfall, river flooding and storm tide hazard was recently assessed by WMA Water (2017a) for the present-day and 2100 planning horizons. The 2040 and 2070 planning horizons were subsequently assessed to provide the additional hazard information required for the CHAP (WMA Water 2017b).

Table 2-1 Summary of CHAP Storm Tide Hazard Mapping Approach

Mapping product	Present-day	2040	2070	2100
Open coast storm tide inundation	Developed using present-day open coast levels reported by Aurecon (2013) and bathtub mapping	Developed using present-day open coast levels + 0.2 m SLR reported by Aurecon (2013) and bathtub mapping	Developed using present-day open coast levels + 0.5 m SLR reported by Aurecon (2013) and bathtub mapping	Developed using 2100 open coast levels reported by Aurecon (2013) (which included 0.8m SLR) and bathtub mapping
Lower Noosa River catchment storm tide inundation	Previously completed by Aurecon (2013)	Developed using existing TUFLOW model + 0.2 m SLR boundary condition adjustments	Developed using existing TUFLOW model + 0.5 m SLR boundary condition adjustments	Previously completed by Aurecon (2013) (which included 0.8m SLR)
Coincident Noosa River flooding and storm tide conditions	Previously completed by (WMA Water, 2017a)	Previously completed by (WMA Water, 2017b)	Previously completed by (WMA Water, 2017b)	Previously completed by (WMA Water, 2017a)

2.2 Open Coast & Lower Noosa River Storm Tide Inundation

The open coast and lower Noosa River storm tide hazard depth and extent for the CHAP planning horizons are presented in Appendix A. The method for deriving the 'storm tide only' coastal hazard area is described in this section.

Current climate open coast storm tide levels for the Noosa local government area are reported in Aurecon (2013). For return periods up to the 100 year ARI, the levels are based on the following:

- Analysis of tidal residual data recorded at Mooloolaba Harbour Entrance by fitting a Generalised Extreme Value (GEV) distribution to the data.
- Generation of a synthetic record of surge plus tide level by independent sampling of the tidal residual distribution and a derived high tide distribution (based on published tidal constituent data for Mooloolaba).
- Analysis of the synthetic surge plus tide record at Mooloolaba by fitting a GEV distribution to the data.
- Extrapolation of the surge plus tide levels at Mooloolaba to other Sunshine Coast locations with reference to the spatial distribution of storm tide levels reported by Connell Wagner (2005) and Hardy et al. (2004).
- An allowance for wave setup (discussed further below)

Future climate 2100 scenarios were also reported by Aurecon (2013). These assessments simply added a 0.8 m SLR allowance to the current climate design water levels. This approach has been followed, using the SLR allowances summarised in Table 2-1, to estimate the 2040 and 2070 open coast 100 year ARI water levels. Current climate and future climate open coast design water levels adopted for the Noosa CHAP storm tide hazard mapping are provided in Table 2-2.

Table 2-2 100 year ARI Open Coast Storm Tide Levels (mAHD)

Location	Current	2040	2070	2100
Peregian Beach	2.97	3.17	3.47	3.77
Marcus Beach	3.01	3.21	3.51	3.81
Sunshine Beach	3.17	3.37	3.67	3.97
Noosa Head	3.17	3.37	3.67	3.97
Noosa Main Beach	2.62	2.82	3.12	3.42
Noosa River Entrance*	1.63	1.83	2.13	2.43
Noosa North Shore	2.73	2.93	3.23	3.53
Teewah Beach	3.18	3.38	3.68	3.98

*wave setup not included within river entrance

The current and 2100 climate design water levels reported by Aurecon (2013) and reproduced in Table 2-2 included an allowance for wave setup; however, it is noted that Aurecon (2013) did not provide details of how wave setup was derived other than to reference the NDRP Storm Tide Hazard Interpolation Study (GHD 2014). The NDRP study adopted wave setup estimates reported by Hardy et al. (2004), noting that this study only considered surge and wave conditions generated by tropical cyclone events. For the Sunshine Coast region, design water level and wave statistics are likely to be dominated by non-cyclonic weather systems up to at least the 100 year ARI. Consequently, there is some concern that the wave setup allowances reported by Aurecon (2013) are not representative of actual wave conditions that occur along the Sunshine Coast, particularly for return periods up to and including the 100 year ARI. For storm erosion hazard assessment discussed in Section 3.5, the wave setup contribution to the design water level at the shoreline has been estimated following an alternative approach.

2.2.1 Open Coast Storm Tide Assessment

Open coast storm tide hazard mapping has been produced using a 'bathtub' mapping approach. The mapping methodology involved extrapolating the point location output summarised in Table 2-2 across the adjacent coastal land. The open coast shoreline throughout the Noosa region is characterised by either an established dune system or rocky headland. These natural features provide the adjacent land areas a degree of protection from open coast storm tide inundation and therefore this hazard area is confined to a relatively narrow strip along open coast beaches. The influence of storm tide conditions on catchment flooding (i.e. land adjacent to the lower Noosa River) has been mapped separately and is described in Section 2.2.2.

It is noted that the water levels in Table 2-2 are considered representative of the 'sustained peak' level during a storm tide event. These levels do not account for wave runup, the intermittent

process of advancement and retreat of the instantaneous shoreline position on a timescale that is of the order of the incoming wave period (~12 s for large swell conditions). A preliminary wave runup assessment is presented in Section 3.5.1.3, noting that wave runup and overtopping are key considerations when designing coastal structures and may need further assessment during the options analysis stage of the Noosa CHAP.

2.2.2 Lower Noosa River Storm Tide Assessment

Aurecon (2013) produced storm tide hazard mapping throughout the tidal extent of the Noosa River catchment using inundation modelling techniques. In summary, this involved the application of representative 'surge plus tide' boundary conditions at the entrance to the Noosa River and simulation of the resulting lower river floodplain inundation. The current climate 100 year ARI boundary condition is shown in Figure 2-1.

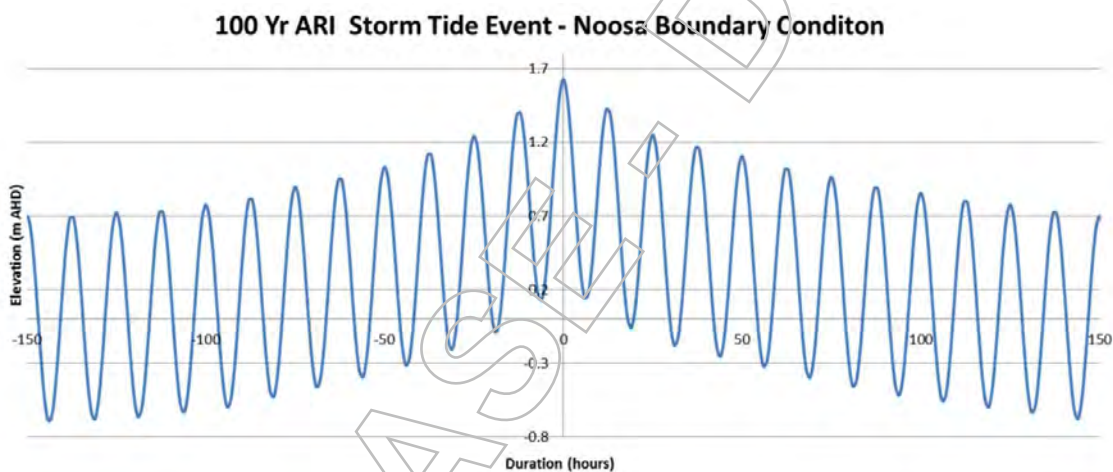


Figure 2-1 100 year ARI surge plus tide boundary condition applied at the entrance to the Noosa River (Aurecon 2013)

Future climate 2100 scenarios involved adding a 0.8 m SLR allowance offset to the boundary condition shown in Figure 2-1. In addition, a morphological response to SLR across the lower Noosa River and flood tide delta was represented by raising the bathymetry elevation by an amount equivalent to the SLR allowance. Full details of the modelling approach are provided in Aurecon (2013).

To develop lower Noosa River storm tide mapping for the additional 2040 and 2070 planning horizons required by the CHAP, the modelling approach described by Aurecon (2013) has been adopted. This simply involved application of the existing inundation modelling tools with surge plus tide and bathymetry boundary condition adjustments using the methodology described in Aurecon (2013). The SLR assumptions for each planning horizon are summarised in Table 2-1.

It is noted that the assessment mapping presented in Appendix A classify the inundation hazard in terms of depth only. Other hazard definition information, such as inundation velocity, is also available to the Noosa CHAP and may be considered as part of the risk and vulnerability assessment (QCoast₂₁₀₀ Phase 5).

2.3 Coincident Catchment Flooding & Storm Tide

The coincident Noosa River catchment flooding and storm tide hazard depth and extent for the CHAP planning horizons are presented in Appendix B. As described in Section 2.1, coincident rainfall river flooding and storm tide hazard was recently assessed by WMA Water (2017a; 2017b). Their report describes the 1 in 100 AEP as a combination of flow, rainfall and tide conditions, of which the probability of occurrence is unknown, but likely to be rarer than the 1 in 100 AEP. The maps provided in Appendix B are simply a presentation of the WMA Water peak inundation depth assessment results. As noted above, inundation velocity information is also available and may be used to inform the Noosa CHAP risk and vulnerability assessment.

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3 Erosion Prone Area Assessment

3.1 Background

These assessments have been undertaken with the key objective of developing maps suitable for the Noosa CHAP and to better understand the erosion hazard and associated risk to assets and values within the local government area in order to progress consultation with the community about the consequences of these risks. In addition to the CHAP, the outcomes of these assessments may be used to support an amendment to the State-declared erosion prone area plans, if desired. Details of the State-declared erosion prone areas for Noosa are provided in BMT WBM (2017).

3.1.1 Erosion Prone Area Definition & Mapping

The State Erosion Prone Area plans are intended to assist development assessment and to inform the preparation of planning instruments, such as planning schemes and regional plans under the *Planning Act 2016*.

Erosion prone areas have been declared for all coastal local government areas in Queensland. The Noosa Shire Plan NOS3A is available online via DEHP website:

<https://www.ehp.qld.gov.au/coastal/development/assessment/pdf/noosa-erosion-prone-area-plan.pdf>

The EPAs apply to land subject to inundation by the Highest Astronomical Tide (HAT) by the year 2100 or at risk from sea erosion. On land adjacent to tidal water the EPA is defined by whichever of the following methods gives the greatest width:

- (1) 40 m buffer from the present-day HAT contour
- (2) Calculated erosion distance shown in Table 1 of the statutory plan
- (3) Permanent inundation due to SLR in 2100 (defined by present-day HAT plus 0.8 m).

The 40 m buffer from present-day HAT (component 1) generally applies within estuarine areas not exposed to open coast processes. This approximate method is intended to account for the migration of channels within tidal waterways with natural (undeveloped) shorelines.

The calculated erosion distance (component 2) is intended to cater for the potential loss of land for open coast locations. Both short term (storm-related) and longer term (gradual) trends are included in the assessment together with an allowance for potential sea level rise associated with climate change. Provision is also included for a factor of safety on the estimates and an allowance made for slumping of the dune scarp that is often observed after significant storm erosion has occurred. For the Noosa CHAP this component has been reassessed and is discussed further in Section 3.2.

The Noosa Shire Plan NOS3A (NOS3A, Table 1) provides a summary of the calculated erosion distance for open coast locations. Consideration of the potential presence of bedrock is included however it is noted that the State plans do not capture all local-scale natural and/or manmade features that may limit the landward extent of shoreline erosion.

The permanent inundation due to SLR (component 3) represents the HAT coastline (or elevation contour) in 2100 in the absence of any adaptation response to treat the risk, such as filling land to

an elevation above the threshold water level. This component has also been reassessed for the planning horizons relevant to the Noosa CHAP (see Chapter 4).

The EPAs determined by the State define a hazard extent at a single specified planning horizon (the year 2100) and probability (representative 100 year ARI). The erosion prone areas are therefore useful for 'first-pass risk screening' however do not provide sufficient information regarding likelihood and consequence to undertake a more detailed risk assessment in accordance AS/NZS ISO 31000:2009, the SPP or other State guideline documents (such as the QCoast₂₁₀₀ Minimum Standards and Guidelines). This issue has been addressed through the erosion prone area hazard assessments described in this Chapter.

3.2 Calculated Erosion Distance Assessment

The potential coastal erosion hazard throughout the study area arises from a combination of:

- The physical processes that are causing (or threatening to cause) erosion;
- The assets and values potentially affected by the erosion; and
- The timeframe over which the threat may act upon the assets and values.

In order to assess the erosion hazard for the open coast beaches throughout the Noosa region, it is necessary to understand which areas are presently within the short term storm erosion zone and areas that may become threatened in the future.

To effectively assess the coastal erosion hazard a vulnerable zone is typically determined for a specific planning period. The erosion vulnerability zone should include the following components, consistent with the Queensland Government Coastal Hazard Technical Guide (DEHP, 2013):

- Short term storm erosion;
- Continuation of the long term historical shoreline position trend (if this can be identified);
- Cyclic morphological change observed at river and creek mouths (not a significant issue at this location due to training of the southern shoreline of Noosa River); and
- Additional future effects of climate change induced sea level rise.

The selected planning period influences:

- The design event characteristics adopted for the short term erosion assessment;
- The duration that the long term erosion component is applied; and
- The choice of an appropriate sea level rise projection.

3.2.1 Open Coast Calculated Erosion Distance Formula

The open coast erosion hazard areas are determined to cater for potential erosion of the dune system over a specified planning period. Both short term (storm-related) and longer term (gradual) trends are included in the assessment together with an allowance for potential sea level rise associated with climate change. Provision is also included for a factor of safety on the estimates and an allowance made for slumping of the dune scarp that is often observed after significant storm

erosion has occurred. The following relationship was originally used by the former Beach Protection Authority (BPA) for determining erosion hazard area widths throughout Queensland. This formula continues to be recognised by DEHP (2013) as a reasonable method of assessing the erosion hazard on sandy coastlines.

$$E = [(N \times R) + C + S] \times (1 + F) + D$$

Equation 3-1

Where E = Calculated erosion distance or width (metres)

N = planning period (years)

R = rate of long term erosion (metres per year)

C = short term erosion from the design storm event (metres)

S = erosion due to sea level rise (metres)

F = factor of safety

D = dune scarp component

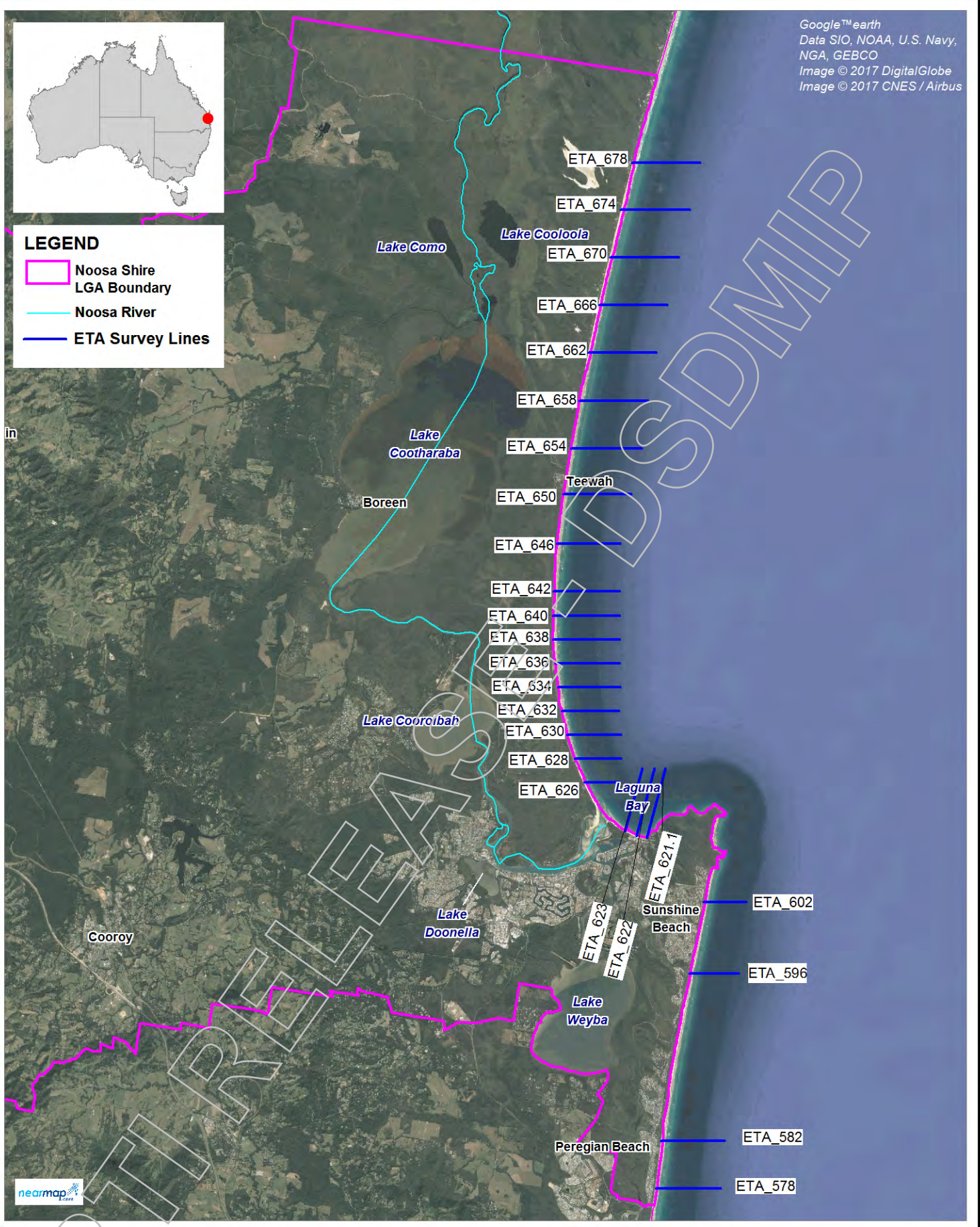
In the assessments for the Noosa region described in this Section, the values of C , S and D have been determined for individual beach compartments using existing beach profile survey data, site specific modelling and SLR projections adopted for the CHAP (refer BMT WBM 2017). As described below in Section 3.4, insufficient data is available to accurately assess R on an individual beach basis. Previous studies and the limited data that is available suggests that most beaches within the region are 'dynamically stable' and are not displaying trends of long term recession that can be linked to a deficit in sand supply. The notable exceptions are Noosa Main Beach and Dog Beach, where coastal structures and an ongoing sand replenishment program (via back-passing using a sand shifter or dredging) are used to maintain the beach profile. The localised erosion issues at Dog Beach are related to channel migration (rather than sand supply) and appear to be linked to the dynamic morphology of the Noosa River entrance. For the CHAP, the potential for channel migration is accounted for through the State-defined EPA erosion component 1 (i.e. 40 m buffer on present-day HAT). This buffer is applied consistently across all planning horizons.

The open coast calculated erosion distance has been assessed at 25 existing beach and offshore profile locations indicated in Figure 3-1. These monitoring locations, commonly known as 'ETA' profiles, were originally established by the former BPA and surveyed at semi-regular intervals between 1970s and early 2000s. The assessments described in this Chapter focus on the locations shown in Figure 3-1.



LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- ETA Survey Lines

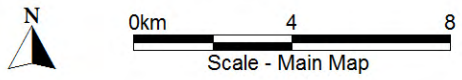


Title:
Erosion Assesment Locations

Figure:
3-1

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A

BMT WBM endeavours to ensure that the information provided in this map is correct at the time of publication. BMT WBM does not warrant, guarantee or make representations regarding the currency and accuracy of information contained in this map.



3.2.1.1 Application of the Calculated Erosion Distance Formula

DEHP (2013) guidelines require that the open coast erosion hazard area distance is measured landward from the seaward toe of the frontal dune. This is normally approximated by the seaward limit of terrestrial vegetation or, where this cannot be determined, the level of present day HAT. The coastal zone is highly dynamic and significant fluctuations can occur in the dune profile and correspondingly the location of the seaward toe of the frontal dune. At some locations and times there can be a large height (and therefore volume) difference between the higher hind dune areas and the low foredunes which can be quite wide.

The calculation of the short term erosion component (*C*) is volumetric based and where there is a broad low foredune, the calculated distance from the seaward toe of that dune can be large. The adopted formula for calculating the overall erosion hazard area width also includes a factor of safety that is applied to the short term erosion component (*C*). In situations with a broad low frontal dune, this can lead to an unrealistic overestimation of the width of the short term erosion threat as measured from the seaward toe of the frontal dune. Accordingly, for the present study, this short term erosion component has been split into two sections (*C1* and *C2*) with the revised calculated erosion distance formula as follows:

$$E = [(N \times R) + C1 + S] \times (1 + F) + D + C2$$

Equation 3-2

Where *C1* = short term erosion from the design storm event, measured from the location where the design water level intersects the pre-storm beach profile (metres)

C2 = distance from the seaward toe of the frontal dune to the location where the design water level intersects the pre-storm initial beach profile (metres)

The modified calculated erosion distance formula is illustrated conceptually in Figure 3-2 using an example beach profile. The *C1* term in the current study is the modelled short term erosion setback distance based on the volume eroded from the main pre-storm dune above the design water level. This is the primary short term erosion component to which the factor of safety is applied. The *C2* term is the distance between the seaward toe of the frontal dune and the location where the design water level intersects the pre-storm profile. This covers the short term erosion of the low foredune area to which the factor of safety is not applied. As outlined above, this minimises the potential overestimation of the total short term erosion component when using the standard formula on beaches with a broad low dune terrace. The approach for assessing short term erosion is discussed further in Section 3.5.

For the present study, the Department of Natural Resources and Mines (DNRM) state coastline definition has been used to estimate the frontal dune toe position along Noosa open coast beaches for erosion hazard area assessment and mapping purposes. The DNRM coastline was digitised manually, guided by several references including aerial imagery and HAT contours generated from LiDAR survey data. A review of the DNRM coastline definition along Noosa beaches indicates that digitised coastline is at an elevation above HAT and close to the seaward edge of dune vegetation.

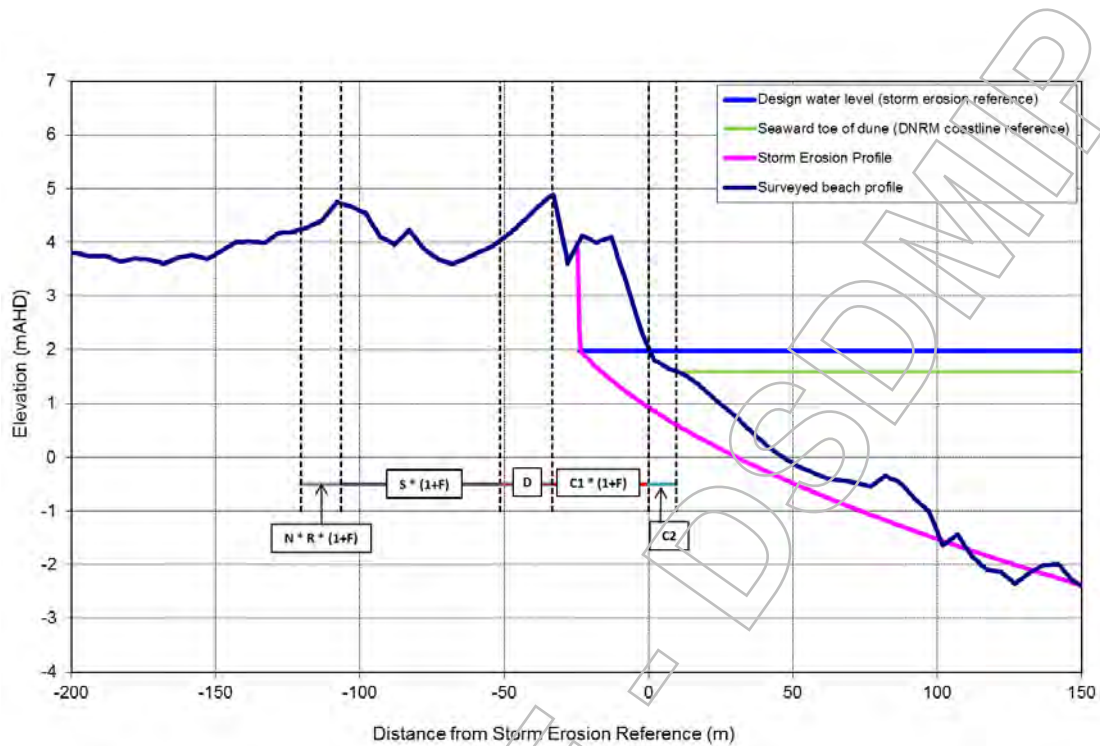


Figure 3-2 Conceptual Illustration of the Open Coast Calculated Erosion Distance Formula

3.3 Planning Period (N)

The present-day, 2040, 2070 and 2100 planning horizons have been assessed. For each timeframe, it has been assumed that the storm erosion component ($C1 + C2$), the rate of long term erosion (R) and the dune slumping component (D) remains consistent. For example, the short term erosion associated with a storm event is the same for all planning horizons.

The erosion due to an increase to mean sea level (S) for each timeframe is ultimately based on a SLR projection of 0.8 m by 2100, as adopted by the Queensland Government for land use planning purposes. SLR benchmarks for the intervening planning horizons have been determined from projections that are consistent with the current literature. This has been previously summarised as part of the CHAP Scoping Study (BMT WBM 2017).

3.4 Rate of Long Term Erosion (R)

The rate of long term erosion can be estimated by extrapolating past trends from analysis of historical survey data and/or determining any deficit in the local sediment budget, typically via a combination of data analysis and longshore sediment transport modelling. In instances when there is insufficient data is available to accurately assess (R) on an individual beach basis, the component is simply accounted for by adopting an allowance of 10 m (the minimum allowance for $N \times R$ required by DEHP 2013).

Changes to the beach profile in response to wave events can be clearly detected in the historical survey datasets, with volumetric changes of $\pm 30,000 \text{ m}^3/\text{year}$ common at Noosa Main Beach (e.g.

Beach Protection Authority 1998). Despite this annual variation, periods of erosion are generally followed by accretion and therefore the Noosa region beaches would appear to be 'dynamically stable' in the short to medium term. Persistent erosion at Noosa Main Beach has been an issue since the 1970s and has been somewhat mitigated through a combination of coastal protection structures (groynes and seawalls) and a permanent sand replenishment program. While this beach remains vulnerable to the impacts of short term storm erosion, shoreline recession due to long term trends is currently managed.

There is no strong indication of shoreline recession along the Noosa Eastern Beaches based on an analysis of historical aerial imagery (e.g. BMT WBM 2013). However, it should be noted that only a relatively short period of historical records exists and it begins at a time when the beaches were known to be recovering from severe cyclonic erosion in the early 1970's. Furthermore, periodic exposure of coffee rock at many locations throughout the wider Sunshine Coast region may be anecdotal evidence of a receding shoreline on a geological timescale (e.g. Lord and Burgess 1987).

Due to the difficulties in determining long term trends from intermittent historical datasets, BMT WBM (2013) estimated the rate of long term shoreline trends using wave and longshore sediment transport modelling techniques. A minor rate in long term recession was identified by dividing the annual sediment loss per metre of shoreline (averaged over the Sunshine Coast study area and taken to be 0.55 m³/m/year) by an estimate of the active profile height at each location. The active profile is defined as the vertical distance from the dune crest to the depth of the closure. The dune crest was obtained from the measured beach profile data and the depth of closure was estimated from the local wave conditions. The depth of closure is the theoretical depth limit for sediment transport and is discussed further in Section 3.6.2.

Adopting the average annual sediment deficit per metre of shoreline and the approach described by BMT WBM (2013), the annual rate of long-term erosion (R) for the Noosa CHAP planning horizons has been estimated and are presented in Table 3-1. These results, together with consideration of the available historical data, suggest that the rate of long term shoreline recession is very low.

For the Noosa CHAP, an allowance of 10 m to account for long-term erosion ($N \times R$) has been adopted for all planning horizons, since the annual rates of long-term erosion presented in Table 3-1 (obtained using modelling techniques described in BMT WBM 2013) and are less than the 10 m minimum allowance required by DEHP.

Table 3-1 Summary of Long Term Recession Results (m)¹

Beach Compartment	Profile Location	Active Height (m)	Annual Recession (m)	2040 (m) N = 23	2070 (m) N= 53	2100 (m) N= 83
Peregian Beach	ETA 578	18	0.031	0.7	1.6	2.6
Peregian Beach	ETA 582	17	0.033	0.8	1.7	2.7
Peregian Beach Compartment – Modelled Long Term Recession (m)				0.8	1.7	2.7
Castaways Beach	ETA 596	21	0.026	0.6	1.4	2.1
Sunshine Beach	ETA 602	19	0.030	0.7	1.6	2.5
Sunshine Beach Compartment – Modelled Long Term Recession (m)				0.7	1.7	2.7
Noosa Main Beach	ETA 621.2	17	0.031	0.7	1.7	2.6
Noosa Main Beach	ETA 622	17	0.032	0.7	1.7	2.7
Noosa Main Beach	ETA 623	19	0.029	0.7	1.5	2.4
Noosa Main Beach Compartment – Modelled Long Term Recession (m)				0.7	1.6	2.6
Noosa North Shore	ETA 626	21	0.027	0.6	1.4	2.2
Noosa North Shore	ETA 628	18	0.030	0.7	1.6	2.5
Noosa North Shore	ETA 630	16	0.034	0.8	1.8	2.8
Noosa North Shore	ETA 632	16	0.035	0.8	1.9	2.9
Noosa North Shore	ETA 634	18	0.030	0.7	1.6	2.5
Noosa North Shore	ETA 636	17	0.032	0.8	1.7	2.7
Noosa North Shore	ETA 638	17	0.032	0.7	1.7	2.7
Noosa North Shore	ETA 640	17	0.032	0.7	1.7	2.6
Noosa North Shore	ETA 642	19	0.030	0.7	1.6	2.5
Noosa North Shore Compartment – Modelled Long Term Recession (m)				0.7	1.7	2.6
Teewah Beach	ETA 646	18	0.031	0.7	1.6	2.5
Teewah Beach	ETA 650	18	0.031	0.7	1.7	2.6
Teewah Beach	ETA 654	21	0.026	0.6	1.4	2.2
Teewah Beach	ETA 658	18	0.030	0.7	1.6	2.5
Teewah Beach	ETA 662	18	0.030	0.7	1.6	2.5
Teewah Beach	ETA 666	19	0.029	0.7	1.5	2.4
Teewah Beach	ETA 670	14	0.038	0.9	2.0	3.2
Teewah Beach	ETA 674	21	0.026	0.6	1.4	2.2
Teewah Beach	ETA 678	21	0.026	0.6	1.4	2.2
Teewah Beach Compartment – Modelled Long Term Recession (m)				0.7	1.6	2.5

¹ The minimum allowance for $N \times R$ required by DEHP (2013) is 10 m and has been adopted in the Erosion Hazard Area Width formula for all Noosa CHAP planning horizons.

3.5 Storm Erosion (C)

Storm erosion occurs when increased wave heights and water levels result in the erosion of sand from the upper beach ridge. The eroded sand is taken offshore where it is deposited as a sand bar located near the wave break area. After the storm event the sediment is slowly transported onshore, often over many months or several years, rebuilding the beach.

The potential for short term storm erosion due to severe wave and elevated sea water levels (storm tide conditions) has been predicted using the simple cross-shore equilibrium profile model of Vellinga (1983). This empirical model calculates upper beach and dune erosion volume associated with the given storm induced extreme water level and wave conditions. The amount of shoreline recession is determined from the input parameters and the initial (pre-storm) beach profile shape. The model assumes the volume of material eroded from the upper beach/dune system and deposited offshore is balanced by a setback of the shoreline. This assessment approach is described further below.

3.5.1 Design Event Erosion Assessment

3.5.1.1 Background Information and Datasets

As discussed in Chapter 2, Aurecon (2013) recently assessed and updated storm tide levels throughout the Noosa region. The present-day 100 year ARI 'surge plus tide' levels have been adopted for the short term storm erosion assessments.

BMT WBM (2013) assessed design wave heights for the Sunshine Coast region which included the Noosa Eastern Beaches. Inputs to the wave modelling was based on the statistical analysis of the Brisbane Waverider buoy data (Allen & Callaghan 2001)² that considered waves generated by cyclonic and non-cyclonic conditions. The 100 year ARI significant wave height has been used as input to the erosion hazard assessments. In addition, the wave setup contribution to the sustained water level at the shoreline has been estimated following Stockdon et al (2006):

$$S_{shoreline} = 0.35 \beta_f (H_0 L_0)^{1/2}$$

Equation 3-3

Where β_f is the foreshore slope (approximately 1V:25H throughout the study area), H_0 is the deep water significant wave height and L_0 is the deep-water wave length ($L_0 = gT^2/2\pi$ where T is the wave period = 12s).

The setup allowance has been added to the 'surge plus tide' levels reports by Aurecon (2013) and used as input to the Vellinga (1983) storm erosion model. This is considered a conservative approach since the erosion model only requires input of the 'surge plus tide' level and the additional contribution of wave setup to the extreme water level leads to an increase in the predicted erosion volume.

An assumed beach sediment median grain size of 0.22 mm (220 μm) was adopted throughout the study area (e.g. Delft Hydraulics Laboratory 1970; Jones 1992). This grain size is typical for south

² Shand et al. (2011) also report extreme value analysis of Brisbane waverider buoy recordings using approximately 10 years of additional data. Their results are consistent with Allen & Callaghan (2001) with the 100 year ARI significant wave height $H_s \approx 8$ m.

east Queensland beaches; however, it is noted that the Vellinga model is relatively sensitive to the assumed sediment grain size with the erosion volume and setback distance increasing with decreasing grain size.

The pre-storm upper beach profile for the assessments was obtained from topographic LiDAR survey acquired in 2016 and provided by Council. The upper beach profile data typically extended offshore to an elevation between 0 and -1.0 m Australian Height Datum (AHD). Below this elevation, the nearshore and offshore beach profile information used in this assessment was extracted from a bathymetric LiDAR survey captured in 2011 (Queensland Government, 2012).

The combined 100 year ARI 'surge plus tide' level, wave height and wave setup allowance that define the 'design event' for the Noosa CHAP short term storm erosion assessments are summarised in Table 3-2.

It is noted that the likelihood of the 100 year ARI storm tide event coinciding with the 100 year ARI wave conditions throughout the Noosa region remains uncertain however is considered a rare event and appropriate for planning periods of at least 100 years.

3.5.1.2 Design Erosion Events Modelling Results

The predicted storm erosion profile at each assessment location is provided in Appendix C and the model inputs and assessment results are summarised in Table 3-2.

An example storm erosion modelling result at North Shore beach is presented in Figure 3-3. The position of the design water level and the DNRM coastline on the surveyed beach profile is also shown in Figure 3-3. As discussed in Section 3.2.1.1 and illustrated conceptually in Figure 3-2, the DNRM coastline definition has been used to estimate the dune frontal toe position and is the seaward reference for the storm erosion assessment and the overall open coast calculated erosion distance (E in Equation 3-2). Both the C1 and C2 components of the short term erosion are provided in Table 3-2. In situations where the DNRM coastline reference is landward of the design water level, the C2 term has been set to zero.

The short-term setback distances varied significantly throughout the region, with the range between 7 m and 63 m ($n = 25$, mean = 25 m, $SD = 16$ m) relative to the seaward toe of the frontal dune. The variation is primarily due to differences in the height and volume of the coastal barrier and the nearshore slope. Relatively subtle changes in the design storm characteristics also contribute to alongshore variation in the erosion estimates.

It is also important to note that the Vellinga storm erosion estimates do not account for erosion controls, such as the presence of bedrock behind the beach or man-made coastal erosion protection structures. Consideration of the seawall at Noosa Main Beach is discussed further in Section 3.9.

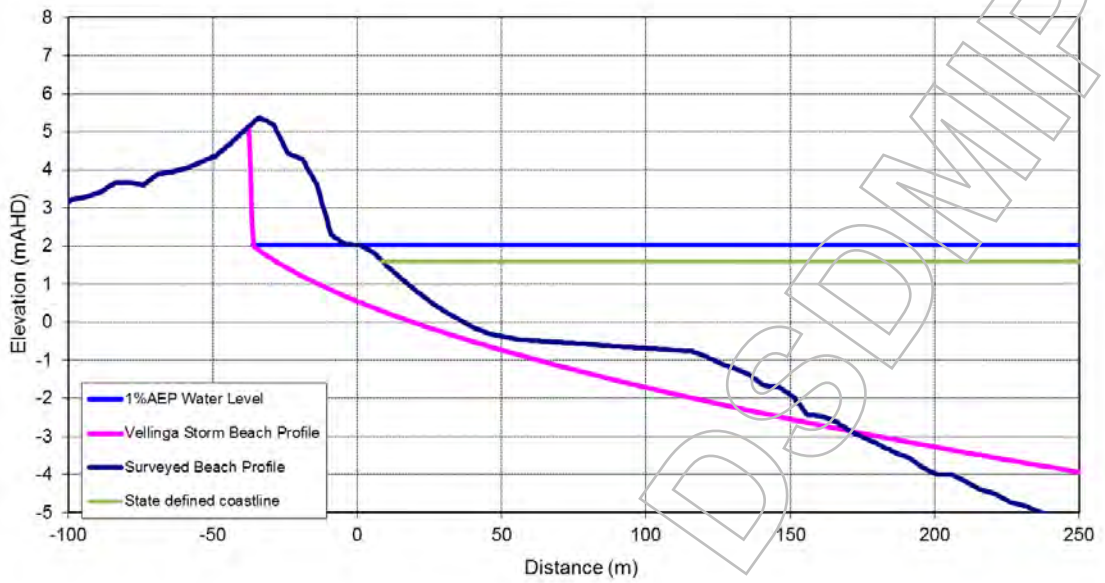


Figure 3-3 Example Design Erosion Setback at North Shore Beach (ETA 626 shown in Figure 3-1)

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Table 3-2 Summary of Design Storm Erosion Assessment Results

Beach Compartment	Profile Location	Peak Surge plus Tide (mAHD)	Input Peak Height, H _s (m)	Wave setup (m)	Modelled Erosion Volume (m ³ /m)	Modelled Landward Setback	
						C1 (m)	C2 (m)
Peregian Beach	ETA 578	1.72	5.9	0.38	43	16	0
Peregian Beach	ETA 582	1.72	5.9	0.38	61	12	35
Peregian Beach Compartment – Adopted C1 Setback Distance (m) = 14; Adopted C2 Distance (m) = 18							
Castaways Beach	ETA 596	1.74	6.2	0.46	77	21	0
Sunshine Beach	ETA 602	1.74	6.2	0.46	103	52	0
Sunshine Beach Compartment – Adopted C1 Setback Distance (m) = 37; Adopted C2 Distance (m) = 0							
Noosa Main Beach	ETA 621.2	1.53	6.2	0.52	207	53	0
Noosa Main Beach	ETA 622	1.53	6.2	0.52	163	63	0
Noosa Main Beach	ETA 623	1.53	6.2	0.52	21	11	0
Noosa Main Beach Compartment – Adopted C1 Setback Distance (m) = 42; Adopted C2 Distance (m) = 0							
Noosa North Shore	ETA 626	1.63	6.2	0.39	120	36	9
Noosa North Shore	ETA 628	1.63	6.2	0.39	95	27	3
Noosa North Shore	ETA 630	1.63	6.2	0.39	81	25	10
Noosa North Shore	ETA 632	1.63	6.2	0.39	69	30	4
Noosa North Shore	ETA 634	1.63	6.2	0.39	48	16	0
Noosa North Shore	ETA 636	1.63	6.2	0.35	60	15	0
Noosa North Shore	ETA 638	1.63	6.2	0.35	47	7	0
Noosa North Shore	ETA 640	1.63	6.2	0.35	48	13	0
Noosa North Shore	ETA 642	1.63	6.2	0.35	36	8	0
Noosa North Shore Compartment – Adopted C1 Setback Distance (m) = 20; Adopted C2 Distance (m) = 3							
Teewah Beach	ETA 646	1.74	6.2	0.37	44	9	4
Teewah Beach	ETA 650	1.74	6.2	0.37	47	12	3
Teewah Beach	ETA 654	1.74	6.2	0.37	69	25	6
Teewah Beach	ETA 658	1.74	6.2	0.37	72	22	0
Teewah Beach	ETA 662	1.74	6.2	0.37	52	25	3
Teewah Beach	ETA 666	1.74	6.2	0.37	41	9	0
Teewah Beach	ETA 670	1.74	6.2	0.37	59	21	0
Teewah Beach	ETA 674	1.74	6.2	0.37	63	19	1
Teewah Beach	ETA 678	1.74	6.2	0.37	10	7	0
Teewah Beach Compartment – Adopted C1 Setback Distance (m) = 17; Adopted C2 Distance (m) = 2							

3.5.1.3 Wave Runup & Overtopping Potential

A preliminary assessment of the contribution of wave runup processes to the extreme water level has been considered at the open coast locations. Within estuaries the contribution of wave driven processes to the extreme water level is assumed to be much smaller.

Wave runup is the intermittent process of advancement and retreat of the instantaneous shoreline position on a timescale that is of the order of the incoming wave period. Wave runup can be a significant contributor to the peak water levels and inundation associated with the overtopping of coastal barriers. Furthermore, the large quantity of energy contained in individual wave runup can pose a serious risk to coastal barriers (natural or man-made) within the wave runup zone.

The wave setup and runup contribution to shoreline water levels within the coastal zone has been estimated using an empirical formulation based on 10 dynamically diverse field experiments described in Stockdon et al (2006). The runup height predicted with this formula is the level above the offshore mean water level that is exceeded by 2% of runup events (R_2). The general expression for wave setup and wave runup on beaches provided in Stockdon et al. (2006):

Wave setup

$$S_{shoreline} = 0.35 \beta_f (H_0 L_0)^{1/2}$$

Equation 3-4

Wave runup

$$R_2 = 1.1 \left(S_{shoreline} + \frac{H_0 L_0 (0.563 \beta_f^2 + 0.004)^{1/2}}{2} \right)$$

Equation 3-5

Where β_f is the foreshore slope, H_0 is the deep water significant wave height and L_0 is the deep water wave length ($L_0 = gT/2\pi$ where T is the wave period).

Adopting a representative regional 100 year ARI design wave height of 6.2 m (see Table 3-2), an associated wave period of 12 seconds and foreshore slope of 1V:25H in Equation 3-5 gives a 2% runup height of 1.77 m.

Table 3-3 provides a summary of the present-day runup elevation (mAHD) associated with the adopted design storm definition. Table 3-3 also indicates the primary frontal dune height at each assessment location and the potential for overtopping of the dune (or coastal barrier). Overtopping is predicted to occur at Noosa Main Beach and Teewah Beach, with the latter considered being of little consequence due to the well-established hind dune area.

The consequence of overtopping would be greater at Noosa Main Beach and may significantly influence the coastal hazard at this location. Furthermore, since the landward migration of the shoreline in response to SLR is constrained by development at this location, the wave overtopping potential will increase with SLR if left unmitigated. Overtopping at Noosa Main Beach may need further assessment during the options analysis stage of the Noosa CHAP.

Table 3-3 Summary of Wave Runup & Overtopping Potential

Beach Compartment	Profile Location	Dune Height (mAHD)	Surge plus Tide (mAHD)	Surge, Tide plus 2% Runup* (mAHD)
Peregian Beach	ETA 578	6.9	1.72	3.27
Peregian Beach	ETA 582	6.4	1.72	3.27
Castaways Beach	ETA 596	7.2	1.74	3.43
Sunshine Beach	ETA 602	4.9	1.74	3.43
Noosa Main Beach	ETA 621.2	3.2	1.53	3.30
Noosa Main Beach	ETA 622	3.0	1.53	3.30
Noosa Main Beach	ETA 623	5.8	1.53	3.30
Noosa North Shore	ETA 626	5.6	1.63	3.22
Noosa North Shore	ETA 628	5.5	1.63	3.22
Noosa North Shore	ETA 630	6.8	1.63	3.22
Noosa North Shore	ETA 632	4.2	1.63	3.22
Noosa North Shore	ETA 634	4.5	1.63	3.22
Noosa North Shore	ETA 636	5.7	1.63	3.16
Noosa North Shore	ETA 638	7.1	1.63	3.16
Noosa North Shore	ETA 640	5.5	1.63	3.16
Noosa North Shore	ETA 642	5.8	1.63	3.16
Teewah Beach	ETA 646	5.5	1.74	3.29
Teewah Beach	ETA 650	4.8	1.74	3.29
Teewah Beach	ETA 654	4.5	1.74	3.29
Teewah Beach	ETA 658	4.3	1.74	3.29
Teewah Beach	ETA 662	3.7	1.74	3.29
Teewah Beach	ETA 666	3.6	1.74	3.29
Teewah Beach	ETA 670	3.0	1.74	3.29
Teewah Beach	ETA 674	4.9	1.74	3.29
Teewah Beach	ETA 678	4.6	1.74	3.29

*shading indicates potential overtopping of the primary frontal dune or coastal barrier

3.6 Shoreline Response to Sea Level Rise (S)

3.6.1 Background Information

As discussed in BMT WBM (2017), the Noosa CHAP adopts the following sea level rise allowances (relative to present-day mean sea level):

- 2040: 0.2 m
- 2070: 0.5 m
- 2100: 0.8 m

These allowances are based on consideration of the following key studies:

- IPCC (2014) suggest global mean increases to sea level of approximately 0.3 m by 2050 and 0.8 m by 2100;
- DOE, CSIRO & BOM suggest regional mean increases to sea level of approximately 0.14 m by 2030 and 0.65 m by 2090;
- Analysis of east coast Australia tide gauge data suggests 3 mm/year increase in mean sea level (e.g. CSIRO-ARECRC 2012; Wainwright and Lord 2014); and
- State planning policy and guidelines that adopt 0.8 m by 2100.

3.6.2 Equilibrium Profile (Bruun Rule) Concept

The mean sea level has remained at or near the present level for about 6,500 years. During this period the shoreline throughout the study area has evolved to a condition of 'dynamic equilibrium', noting that relatively short-term fluctuations in shoreline position occur (typically in response to storm events). In theory, the dynamic equilibrium shape will be maintained as the shoreline moves landward in response to SLR. This shoreline response assumes that no significant sediment sources or sinks emerge and that the landward migration of the shoreline is not obstructed by natural or man-made features.

The equilibrium profile concept can be simulated by the Bruun Rule (Bruun 1962) which is illustrated in Figure 3-4. As SLR gradually occurs, wave, tide and wind related sand transport processes influence a higher position on the beach profile, with the shoreline evolving to a more landward position to return to equilibrium with the new sea level. There is an upward and landward translation of the profile to maintain equilibrium with the prevailing condition at the new SLR position.

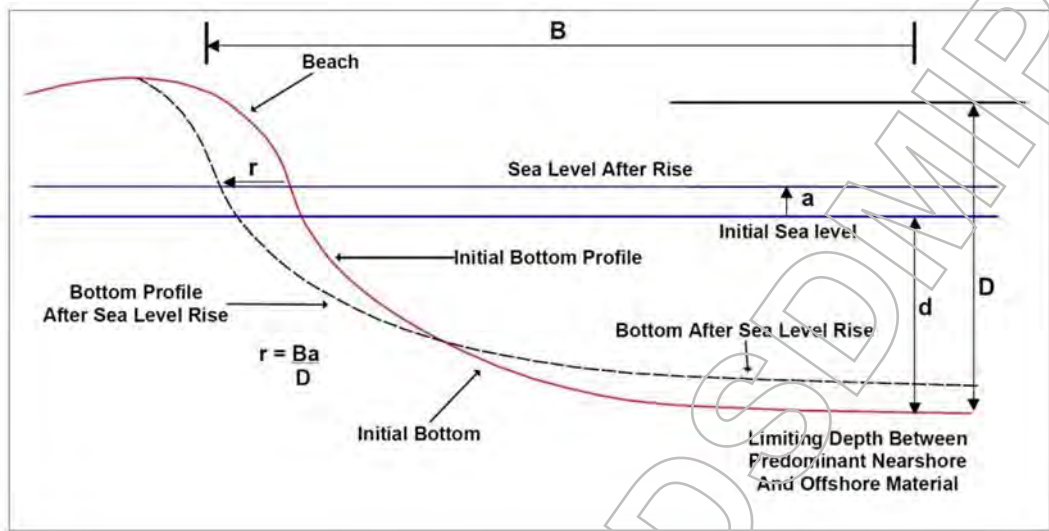


Figure 3-4 Bruun (1962) Concept of Recession due to Sea Level Rise

Application of the Bruun Rule has been highly contested within the coastal science community (e.g. Ranasinghe et al., 2007), often relating to the method for estimating the depth of closure. The depth of closure is the theoretical depth limit at which there is little or no potential for significant cross-shore exchanges of sand. Recession estimates can vary by around 500% depending on the method used to calculate the depth of closure (Ranasinghe and Stive, 2009). This compounds the already high level of uncertainty associated with the future rate of SLR and highlights the appropriateness of a risk-based approach to future climate shoreline recession assessments.

As noted by Woodroffe et al. (2012), the wide application of the Bruun Rule probably reflects its simplicity rather than its proven accuracy and recession rate estimates based on the method should be considered as only broadly indicative. More robust numerical methods to assess future climate shoreline recession exist; however, such methods require extensive historical datasets to underpin the modelling assumptions and, despite significant additional effort, will not always reduce the level of uncertainty for decision makers over long planning periods.

The 'Standard' Bruun Rule Approach

The simplified Bruun Rule as shown in Figure 3-30 for the linear recession distance r (in metres) is:

$$r = \frac{Ba}{D}$$

Equation 3-6

Where: B = horizontal distance offshore from the top of the dune to the depth of closure (d); a = the rise in sea level, and D = the vertical distance (height) from the top of the dune to the depth of closure (d).

Depth of Closure

Hallermeier (1981) divides the nearshore zone into three zones, namely:

- The littoral zone, which “extends to the seaward limit of intense bed activity”;

- The shoal zone, which “extends from the seaward edge of the littoral zone to a water depth where expected surface waves are likely to cause little sand transport” and “waves have neither strong nor negligible effects on the sand bed” ; and
- The offshore zone, which is seaward of the shoal zone and water depths are relatively deep with respect to surface wave effects on the sea bed.

Hallermeier (1981) stresses that sediment motion can and does occur seaward of the shoal zone, however the seaward boundary (d_i) defined by Hallermeier (1981) aims to provide “a physically meaningful seaward limit to the usual wave-constructed shoreface”.

Hallermeier (1981) then identifies two depths that define the landward and seaward boundaries of the shoal zone:

- Depth d_l which is the “maximum water depth for sand erosion and seaward transport by an extreme yearly wave condition”; and seaward of this; and
- Depth d_i which is the “maximum water depth for sand motion by the median wave condition”, corresponding to the seaward limit of the usual wave-constructed profile.

Patterson (2012; 2013) identified that the time-scale of profile response, the time required for the profile to achieve equilibrium, increases with depth and needs to be considered in determining closure depth. Nicholls et al. (1996, 1998) and Cowell et al. (2001) both refer to the closure depth in terms of the time scale considered. That is, they note that profile “closure” occurs at greater depth as the time scale increases. Nicholls et al. (1998) adopt a version of the Hallermeier (1977; 1981) relationship for depth of closure of the form:

$$d_{l,t} = 2.28 H_{e,t} - 68.5 (H_{e,t}^2 / gT_{e,t}^2)$$

Equation 3-7

Where $d_{l,t}$ = the predicted depth of closure over t years, referenced to Mean Low Water; $H_{e,t}$ = non-breaking significant wave height exceeded 12 hours per t years; and $T_{e,t}$ = associated wave period.

Following Equation 3-7, the depth of closure to cater for SLR over a planning period of 100 years will be greater than that adopted for shorter durations. Adopting a representative regional 1% AEP design wave height of 6.2 m (see Table 3-2) and an associated wave period of 12 seconds in Equation 3-7 suggests a 100 year planning period depth of closure around 11-12 m for Noosa beaches. However, it should be noted that this does not provide for the concept of accumulation at the lower part of the equilibrium profile translation to balance upper profile erosion on which the Bruun Rule is based.

Considering the above, the horizontal distance offshore to the depth of closure varies between approximately 525 m and 950 m throughout the study area. Considering the variation in dune heights and offshore bathymetry, the measured Bruun Rule slope factor ranges from 1:32 to 1:56.

3.6.3 Shoreline Response to Sea Level Rise Assessment Results

The shoreline response to SLR assessment results are presented in Table 3-4. It must be recognised that the Bruun Rule does not account for the influences of longshore sand transport processes on the profile response to sea level, nor does it consider the potential changes to

sediment sinks and sources (e.g. rivers and creeks) that may influence the future sediment budget. As noted by DEHP (2013), SLR projections are expected to be refined and updated in line with future IPCC publications. Should this refinement occur, Noosa Shire Council may wish to consider a review of the assumptions that underpin the SLR assessments described in this report.

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Table 3-4 Summary of Response to Sea Level Rise Assessment Results

Beach Compartment	Profile Location	Profile Width (m)	Profile Slope (1V: XH)	Bruun Rule Recession Estimate (m)		
				2040 (0.2m SLR)	2070 (0.4m SLR)	2100 (0.8m SLR)
Peregian Beach	ETA 578	630	35	7	18	28
Peregian Beach	ETA 582	620	36	7	18	29
Peregian Beach Compartment – Adopted				7	18	29
Castaways Beach	ETA 596	595	32	6	16	26
Sunshine Beach	ETA 602	525	32	6	16	26
Sunshine Beach Compartment – Adopted				6	16	26
Noosa Main Beach	ETA 621.2	800	55	11	27	44
Noosa Main Beach	ETA 622	800	55	11	28	44
Noosa Main Beach	ETA 623	800	46	9	23	37
Noosa Main Beach Compartment – Adopted				10	26	42
Noosa North Shore	ETA 626	950	56	11	28	45
Noosa North Shore	ETA 628	750	44	9	22	35
Noosa North Shore	ETA 630	790	43	9	22	35
Noosa North Shore	ETA 632	750	48	10	24	38
Noosa North Shore	ETA 634	725	46	9	23	36
Noosa North Shore	ETA 636	725	42	8	21	34
Noosa North Shore	ETA 638	720	39	8	19	31
Noosa North Shore	ETA 640	715	42	8	21	34
Noosa North Shore	ETA 642	715	42	8	21	33
Noosa North Shore Compartment – Adopted				9	22	36
Teewah Beach	ETA 646	715	42	8	21	34
Teewah Beach	ETA 650	750	46	9	23	37
Teewah Beach	ETA 654	735	46	9	23	37
Teewah Beach	ETA 658	750	48	10	24	38
Teewah Beach	ETA 662	750	50	10	25	40
Teewah Beach	ETA 666	760	50	10	25	40
Teewah Beach	ETA 670	720	50	10	25	40
Teewah Beach	ETA 674	735	45	9	23	36
Teewah Beach	ETA 678	765	48	10	24	38
Teewah Beach Compartment - Adopted				9	24	38

3.7 Factor of Safety (F)

A 40% factor of safety has been applied to the erosion hazard area calculations for this study, as a conservative provision to acknowledge the uncertainties and limitations of the adopted methods and assumptions. In addition, there are many other conservative assumptions that underpin erosion prone area width assessment, including:

- The design storm erosion event being characterised by coincident 100 year ARI storm tide and 100 year ARI wave conditions. It is assumed that the probability of this event occurring in any given year is less than one percent;
- The assumption that the coastal barrier only contains erodible sands;
- No recognition of existing (or possible future) shoreline erosion management activities such as dune revegetation, beach nourishment, revetment seawalls and/or other man-made structures designed to limit shoreline recession; and
- Accurate cross-shore profiles, measured from the 2016 topography LiDAR survey and the 2012 bathymetric LiDAR survey.

3.8 Dune Slumping (D)

Immediately following storm erosion events on sandy beaches, a near vertical erosion scarp of substantial height can be left in the dune or beach ridge. An area of reduced bearing capacity can exist on the landward side of sand escarpments. This can impact on structures founded on sand within this zone and the sand escarpments pose a hazard associated with sudden collapse.

Over time the near vertical erosion scarp will slump to the natural angle of repose of the sand. Nielsen et al. (1992) outlined the zones within and behind the erosion escarpment on a dune face that is expected to slump or become unstable following a storm erosion event (see Figure 3-5), namely:

- Zone of Slope Adjustment (ZSA): the area landward of the vertical erosion escarpment crest that may be expected to collapse after the storm event; and
- Zone of Reduced Foundation Capacity (ZRFC): the area landward of the zone of slope adjustment that is unstable being in proximity to the storm erosion and dune slumping.

Amongst other factors, the width of the dune slumping and reduced bearing capacity behind the top of an erosion escarpment is dependent upon the angle of repose of the dune sand and the height of the dune above mean sea level.

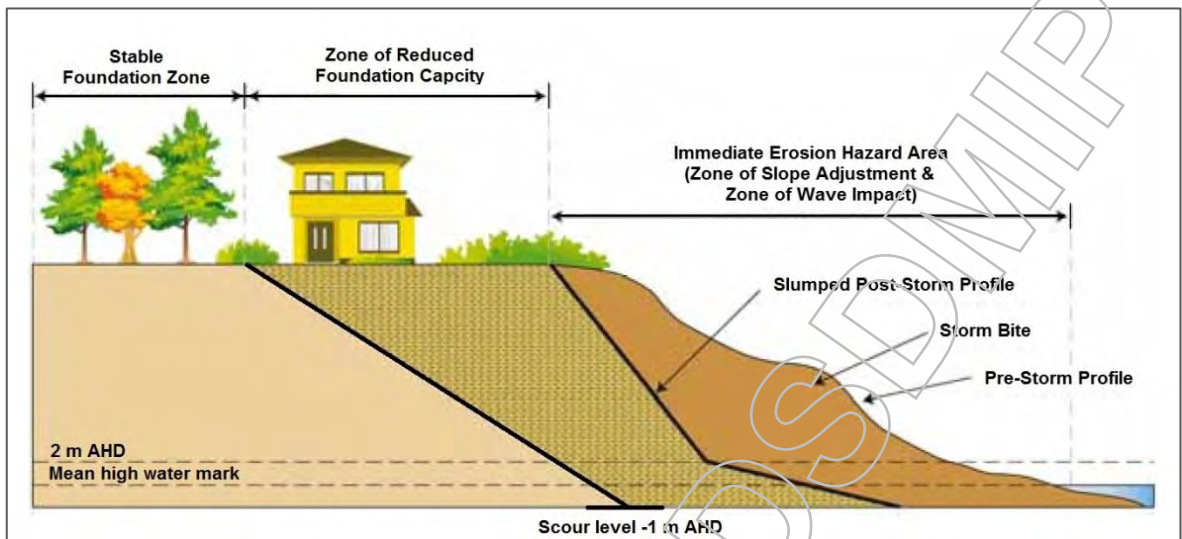


Figure 3-5 Schematic Beach/Dune Cross Section Showing Pre and Post Erosion Dune Face and Dune Stability Profiles (from DECCW, 2010; after Nielsen *et al.*, 1992)

For the current assessment, the dune slumping component provides for the horizontal distance between the vertical erosion scarp and zone of reduced bearing capacity. A typical angle of repose of 34 degrees for dune sands, and scour level of -1m AHD, was applied to the Nielsen *et al* (1992) schema, in addition to the dune crest heights measured from the available 2016 LiDAR topography for each beach profile. The results of the assessment are summarised below in Table 3-5).

Table 3-5 Summary of Dune Slumping Assessment Results

Beach Compartment	Profile Location	Dune Height (mAHD)	Dune Slumping (m)
Peregian Beach	ETA 578	6.9	18
Peregian Beach	ETA 582	6.4	17
Peregian Beach - Adopted = 18			
Castaways Beach	ETA 596	7.2	19
Sunshine Beach	ETA 602	4.9	13
Sunshine Beach – Adopted = 16			
Noosa Main Beach	ETA 621.2	3.2	9
Noosa Main Beach	ETA 622	3.0	9
Noosa Main Beach	ETA 623	5.8	15
Noosa Main Beach – Adopted = 11			
Noosa North Shore	ETA 626	5.6	15
Noosa North Shore	ETA 628	5.5	15
Noosa North Shore	ETA 630	6.8	18
Noosa North Shore	ETA 632	4.2	12
Noosa North Shore	ETA 634	4.5	12
Noosa North Shore	ETA 636	5.7	15
Noosa North Shore	ETA 638	7.1	18
Noosa North Shore	ETA 640	5.5	15
Noosa North Shore	ETA 642	5.8	15
Noosa North Shore – Adopted = 15			
Teewah Beach	ETA 646	5.5	15
Teewah Beach	ETA 650	4.8	13
Teewah Beach	ETA 654	4.5	13
Teewah Beach	ETA 658	4.3	12
Teewah Beach	ETA 662	3.7	11
Teewah Beach	ETA 666	3.6	10
Teewah Beach	ETA 670	3.0	9
Teewah Beach	ETA 674	4.9	13
Teewah Beach	ETA 678	4.6	13
Teewah Beach – Adopted = 12			

3.9 Assessment Results

Open coast erosion hazard distances have been calculated following the methodology and formula described in Section 3.2.1 and 3.2.1.1 for locations throughout the study area where sufficient data is available. The results (beach compartment averages) presented in Table 3-6 include the 40% factor of safety that is assumed to account for the uncertainties associated with the assessments (see Section 3.7).

As previously discussed, the calculated erosion distances do not account for local erosion controls, such as the engineered coastal protection structures or erosion resistant bedrock slopes. Properly designed and maintained seawalls are expected to limit the landward extent of the erosion. The design standard of the Noosa Main Beach seawall, concealed within the sand dune, remains uncertain. It has been assumed the existing structure may not withstand a design storm event but would be sufficient to limit long term recession and the shoreline response to sea level rise. This assumption has been incorporated to the coastal hazard mapping produced for Noosa Main Beach.

As noted in Section 3.4, it has been difficult establishing a clear long-term trend in shoreline recession from the available historical datasets but it is assumed to be very low and/or mitigated through ongoing management activities. The adopted value of $R = 10$ m for all planning horizons is based on the minimum allowance required by DEHP.

The short-term erosion component (see Section 3.5) varies between 7 m and 63 m ($n = 25$, mean = 25 m, $SD = 16$ m) relative to the seaward toe of the frontal dune. The alongshore variation is primarily due to differences in the height and volume of the coastal barrier and the nearshore slope. The short term erosion component accounts for approximately 30% of the coastal erosion hazard area under the 2100 timeframe.

Considering the SLR projection of 0.8 m by the year 2100 adopted by the Queensland Government for planning purposes (DEHP 2015), the shoreline response to sea level rise (S , see Section 3.6) component accounts for approximately 35% of the coastal erosion hazard area by 2100.

The coastal erosion hazard area also considers slumping of the dune scarp (D , see Section 3.8) and this component accounts for approximately 15% of the total erosion prone area under the 2100 timeframe. Dune instability was estimated using the zone of reduced foundation capacity zone schema by Nielsen et al (1992).

Erosion Prone Area Assessment

Table 3-6 Beach Compartment Summary of Open Coast Calculated Erosion Distances

Beach Compartment	Long term recession component	Short term storm erosion component		Dune slumping component	Shoreline response to sea level rise S x F (m)			Calculated erosion distance E (m)				Notes
	(N x R) x F (m)	C1 x F (m)	C2 (m)	D (m)	2040 (0.2m SLR)	2070 (0.5m SLR)	2100 (0.8m SLR)	Present-day ²	2040	2070	2100	
Peregian Beach	14	20	18	18	10	25	41	56	80	95	111	
Castaways Beach to Sunshine Beach	14	52	0	16	8	22	36	68	90	104	118	
Noosa Main Beach ³	14	59	0	11	14	36	59	70	98	120	143	Seawall controls expected to limit erosion
Noosa North Shore	14	28	3	15	13	31	50	46	73	91	110	Possible bedrock control may limit erosion
Teewah Beach	14	24	2	12	13	34	53	38	65	86	105	Possible bedrock control may limit erosion

¹ The calculated erosion distances are measured landward from the frontal dune toe. These estimates do not consider local erosion controls where present (i.e. bedrock or engineered coastal protection structures). They also do not apply to coastal waterway entrances.

² Short term erosion and dune slumping components only (C1 x F + C2 + D)

³ Noosa Main Beach seawall, expected to limit long term recession and shoreline response to sea level rise. Mapping assumes the erosion hazard area is limited to the short term erosion and dune slumping components only (i.e. the present-day width) landward of the seawall.

4 Permanent Inundation due to Sea Level Rise

4.1 Hazard Assessment Approach

As discussed by BMT WBM (2017), the State EPA mapping defines permanent tidal inundation due to SLR at 2100 as:

- Present-day Highest Astronomical Tide (HAT) plus 0.8 m SLR.

The hazard area is then obtained by extrapolating the water level across land. Areas adjacent to tidal waters where the ground elevation falls below the threshold water level are deemed to be within the hazard area.

The SLR hazard information provided by the State is useful for 'first-pass risk screening' only and does not provide sufficient information regarding likelihood and consequence to undertake a more detailed risk assessment. To address this issue, SLR hazard mapping including depth classification has been developed for the Noosa CHAP planning horizons. The adopted approach generally follows the State definition, whereby a threshold water level (mAHD) is defined by consideration of HAT plus an appropriate SLR allowance. The water level mapping assumptions are summarised in Table 4-1. These thresholds for different locations throughout the study area consider Maritime Safety Queensland published tidal planes (MSQ 2017) along the open coast and within the lower Noosa River. Linear interpolation of the water level between the sites has been adopted with the Munna Point and Tewantin levels extending into Lake Cooroibah/Cootharaba and Lake Weyba respectively.

Table 4-1 Permanent inundation due to Sea Level Rise mapping assumptions

Planning Horizon	SLR allowance (m)	Noosa Head HAT (mAHD)	Munna Point HAT (mAHD)	Tewantin HAT (mAHD)
Present-day	0	1.16	0.68	0.55
2040	0.2	1.36	0.88	0.75
2070	0.5	1.66	1.18	1.05
2100	0.8	1.96	1.48	1.35

4.2 Assessment Results

The projected impact of inundation due to SLR is presented in Appendix E and is moderate across the Noosa region, primarily impacting land adjacent to the lower Noosa River. Based on current forecasts, and in the absence of an adaptation response, this impact would be realised between 2060 and 2080 and significantly escalate by 2100.

5 Hazard Classification

5.1 Introduction

To inform the Noosa CHAP risk assessment, it will be necessary to classify coastal hazard areas presented in this report. A short discussion on some key considerations is presented below.

5.2 Storm Tide inundation

In terms of defining inundation hazards, floodplain and emergency management guidelines consider both velocity and depth of flows. The flood hazard classification as defined by Handbook 7 - Australian Emergency Management Handbook Series is summarised in Table 5-1 and Figure 5-1. As part of risk and vulnerability assessments for the Noosa CHAP, the temporary inundation hazard associated with storm tide (and coincident catchment flooding and storm tide) may need to be further defined based on this or another similar classification.

5.3 Permanent Inundation from Sea-level Rise

Tidal inundation is slowly emerging and characterised by very low flow velocities (less than 0.5 m/s). Therefore, when defining the potential hazard associated with permanent inundation due to SLR, it is important to note the significance or consequence of the low velocity HAT plus SLR inundation hazard and its relationship to depth, frequency and duration of inundation.

Multiple locations within the study area may experience frequent – possibly even daily – inundation by tidal waters under future climate scenarios. This inundation (even for areas subject to less frequent inundation) may result in a range of effects such as sediment deposition, salinization of soils, and/or reduced functionality of buried infrastructure services. These effects to both built and natural environments will gradually develop (over many decades) and are distinct in nature from more rapid onset hazards such as storm tide inundation. Therefore, the potential consequence and risk associated with permanent inundation from SLR will be assessed separately in subsequent CHAP phases³.

Future climate performance analysis of affected infrastructure, services and natural environments adjacent to tidal waterways will need to be considered in conjunction with lower catchment and riverine flood and drainage assessments.

5.4 Coastal Erosion

The open coast calculated erosion distances presented in this report may also require further consideration as part of ongoing work for the Noosa CHAP, in the event hazard reduction measures are undertaken in the future at a given location.

³ It is noted that the Noosa CHAP storm tide and erosion prone area assessments and mapping described in this report include an allowance for SLR.

Table 5-1 Flood Hazard Classification Description⁴

Hazard Vulnerability Classification	Description
H1	Generally safe for vehicles, people and buildings.
H2	Unsafe for small vehicles.
H3	Unsafe for vehicles, children and the elderly.
H4	Unsafe for vehicles and people.
H5	Unsafe for vehicles and people. All building types vulnerable to structural damage. Some less robust building types vulnerable to failure.
H6	Unsafe for vehicles and people. All building types considered vulnerable to failure.

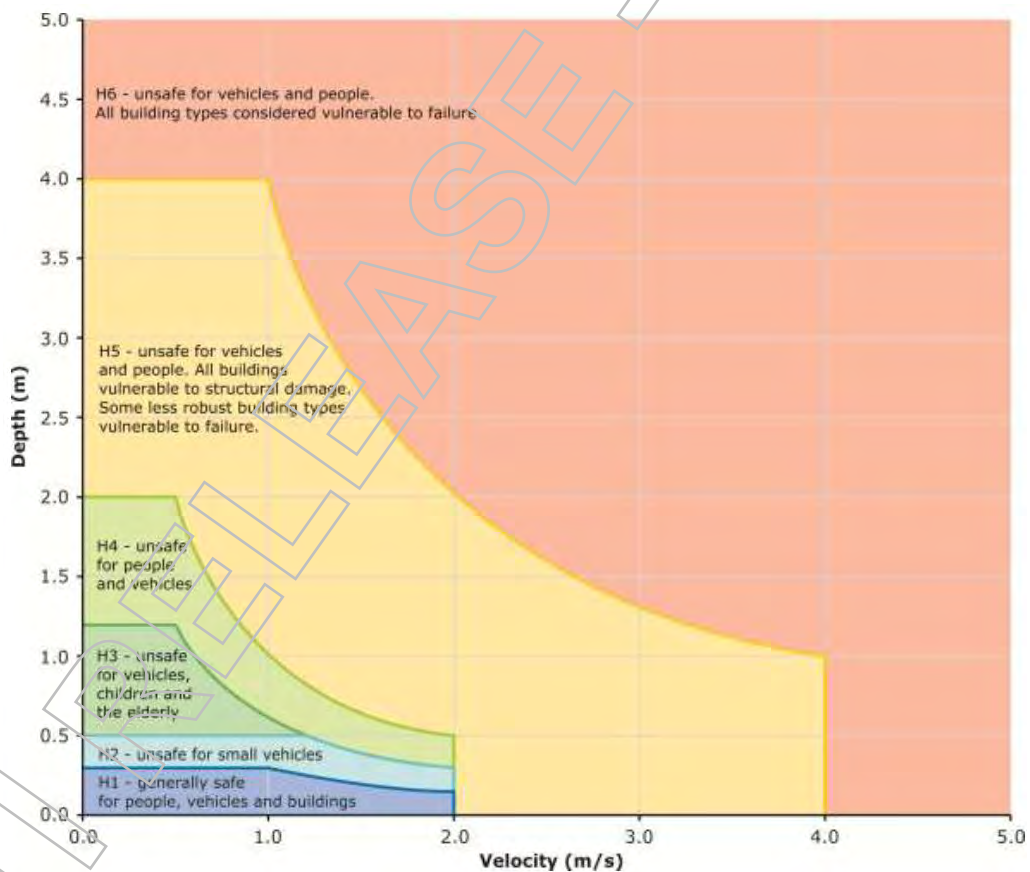


Figure 5-1 Flood Hazard Classification and Curves²

⁴ Handbook 7: technical flood risk management guideline: Flood Hazard

6 References

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WMA Water (2017b) Noosa River Flood Study Future Climate Scenarios, prepared for Noosa Shire Council, 5 July 2017.

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Appendix A Open Coast & Lower Noosa River Storm Tide Hazard Extent

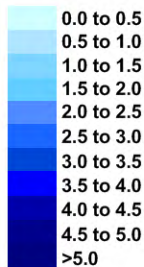
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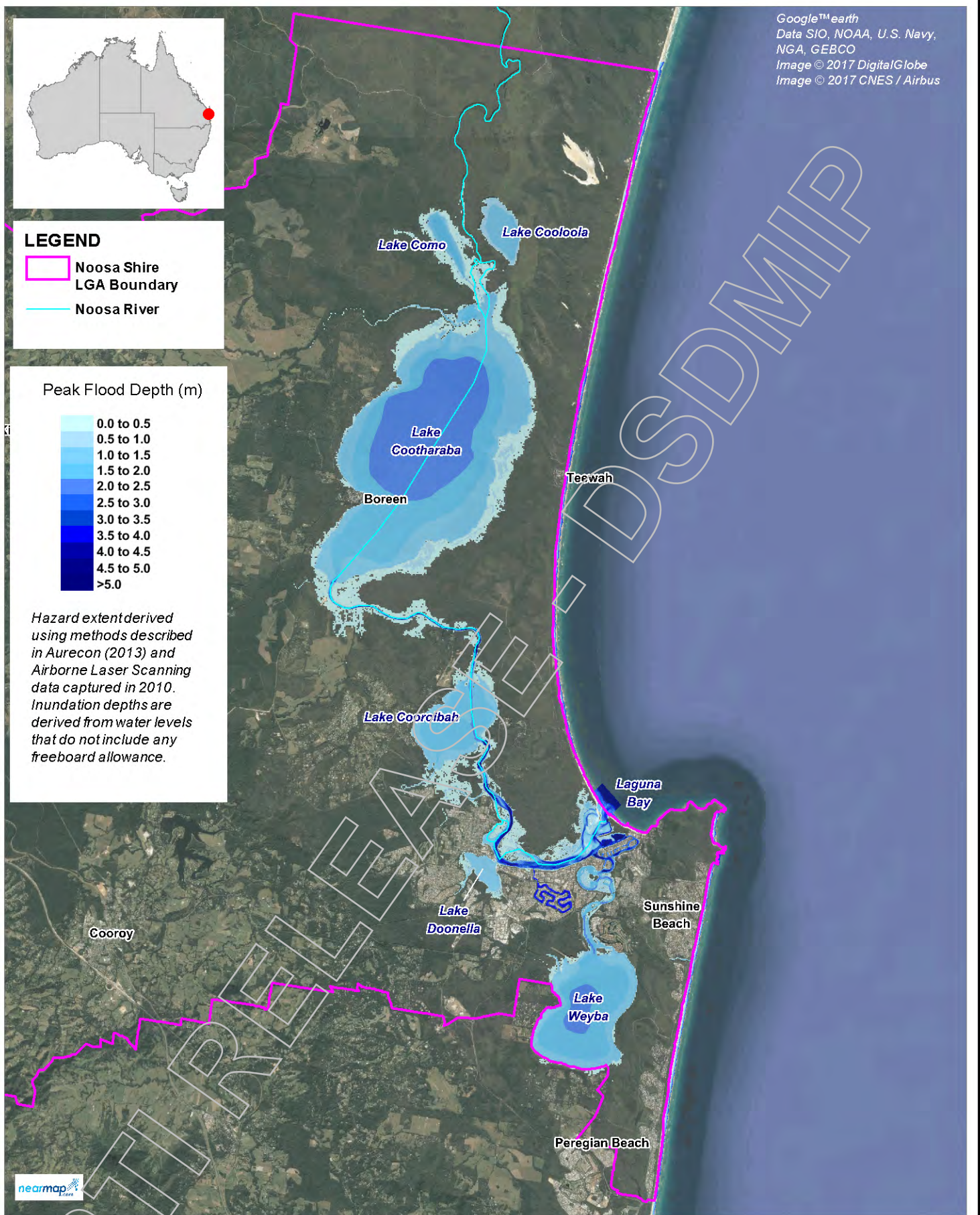
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



Hazard extent derived using methods described in Aurecon (2013) and Airborne Laser Scanning data captured in 2010. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
Present Day 100 year ARI Storm Tide Inundation Peak Depth

Figure:

A-1

Rev:

A

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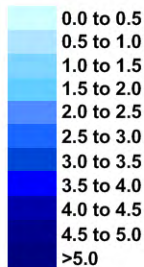




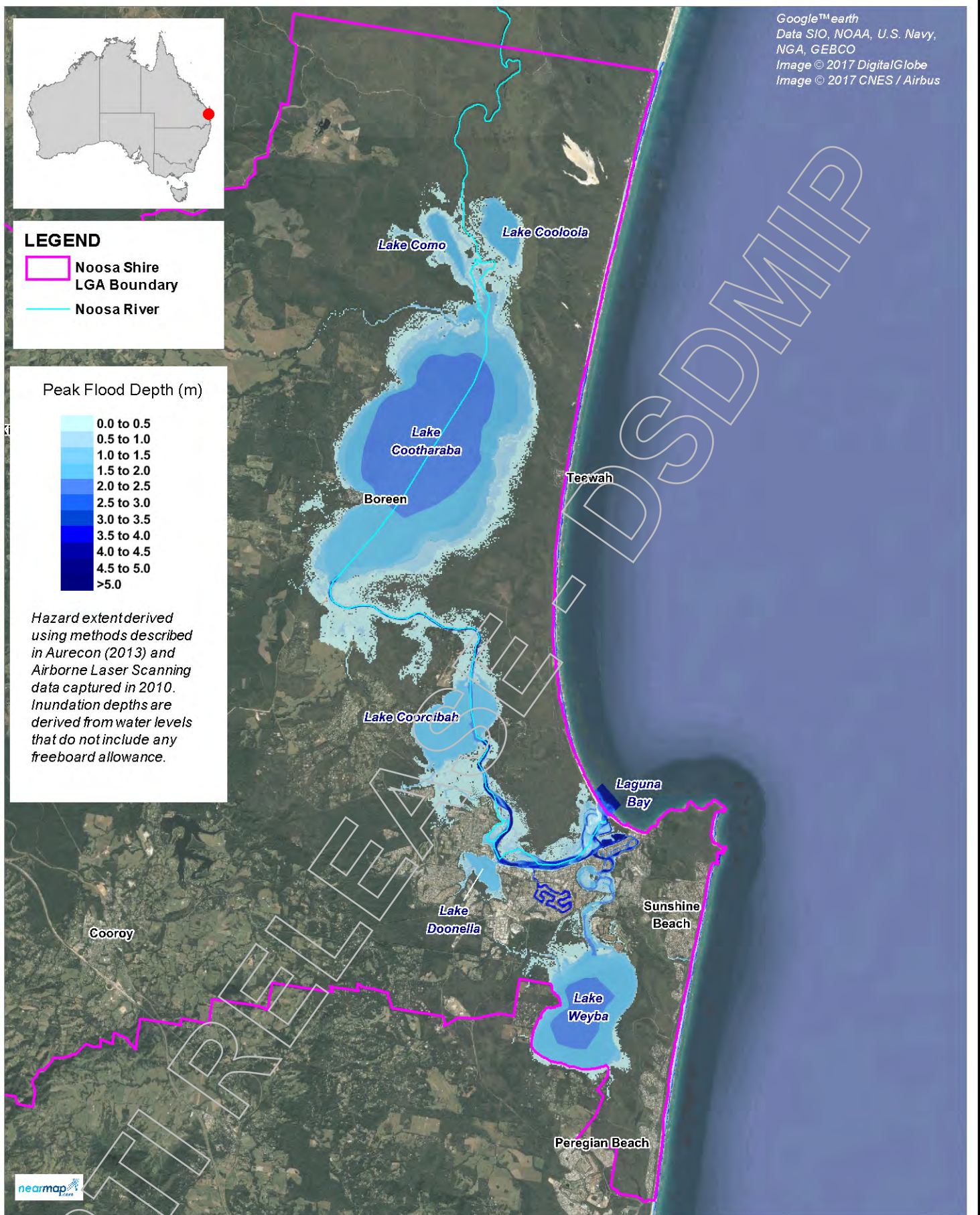
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



Hazard extent derived using methods described in Aurecon (2013) and Airborne Laser Scanning data captured in 2010. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
2040 Planning Horizon 100 year ARI Storm Tide Inundation Peak Depth

Figure:

A-2

Rev:

A

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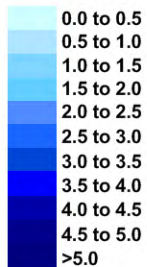




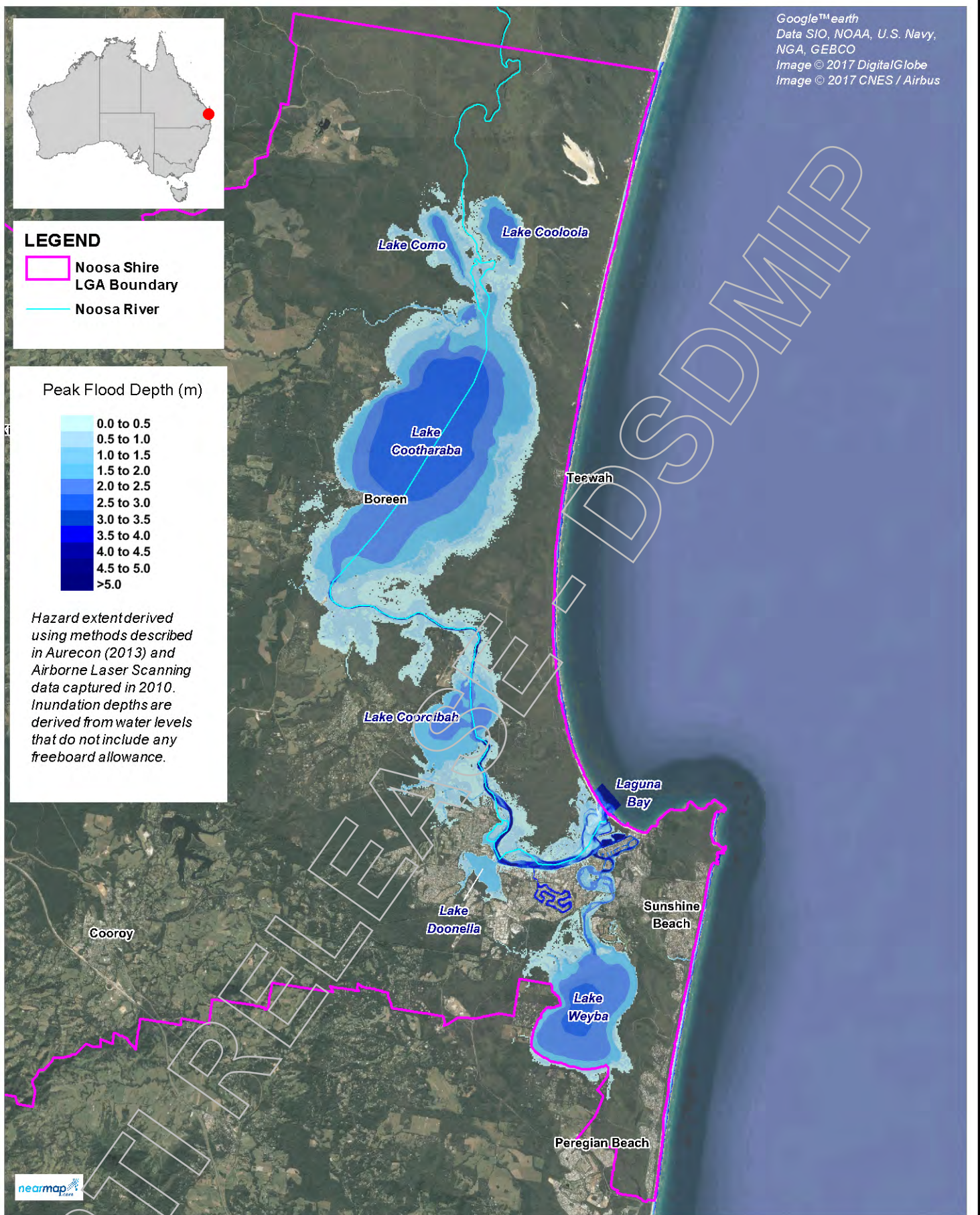
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



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Title:
2070 Planning Horizon 100 year ARI Storm Tide Inundation Peak Depth

Figure:

A-3

Rev:

A

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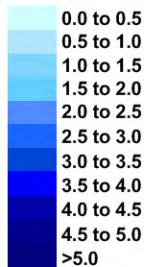




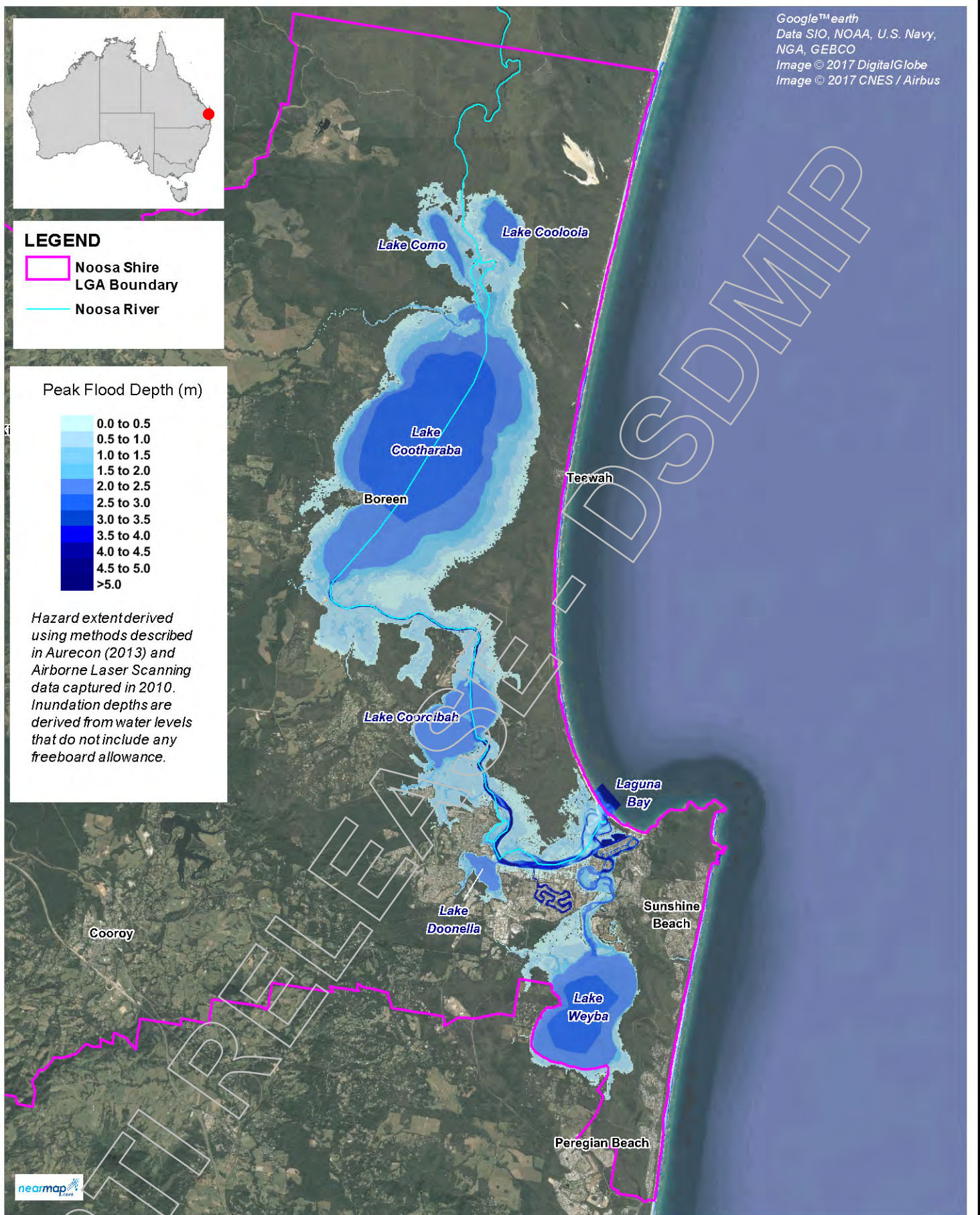
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



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Title:
2100 Planning Horizon 100 year ARI Storm Tide Inundation Peak Depth

Figure:

A-4

Rev:

A

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Appendix B Coincident Catchment Flooding & Storm Tide Hazard Extent

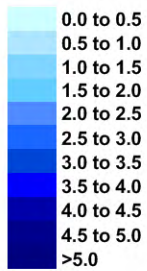
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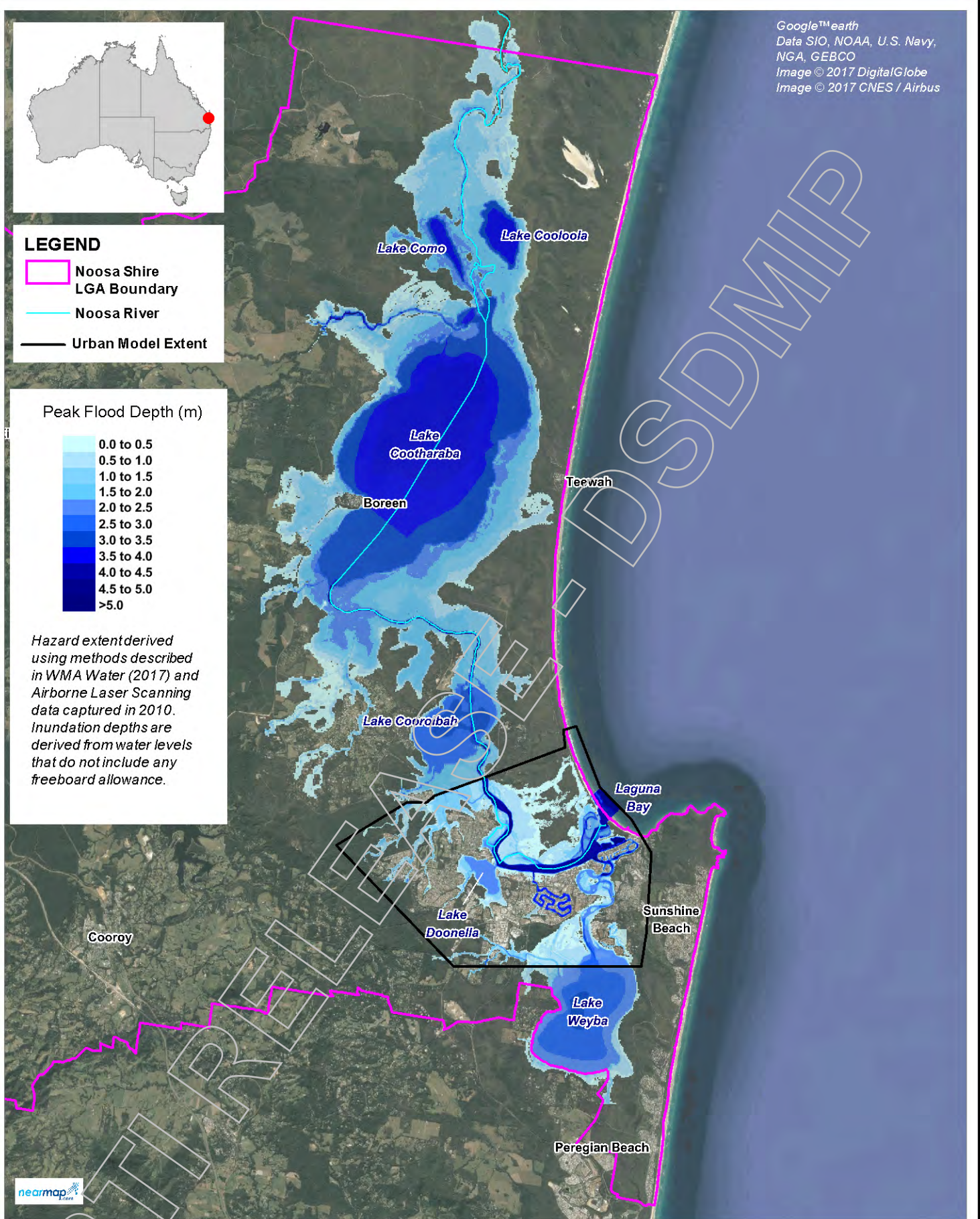
LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- Urban Model Extent

Peak Flood Depth (m)



Hazard extent derived using methods described in WMA Water (2017) and Airborne Laser Scanning data captured in 2010. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
Present Day Planning Horizon Coincident Catchment Flooding & Storm Tide Inundation Peak Depth

Figure:

B-1

Rev:

A

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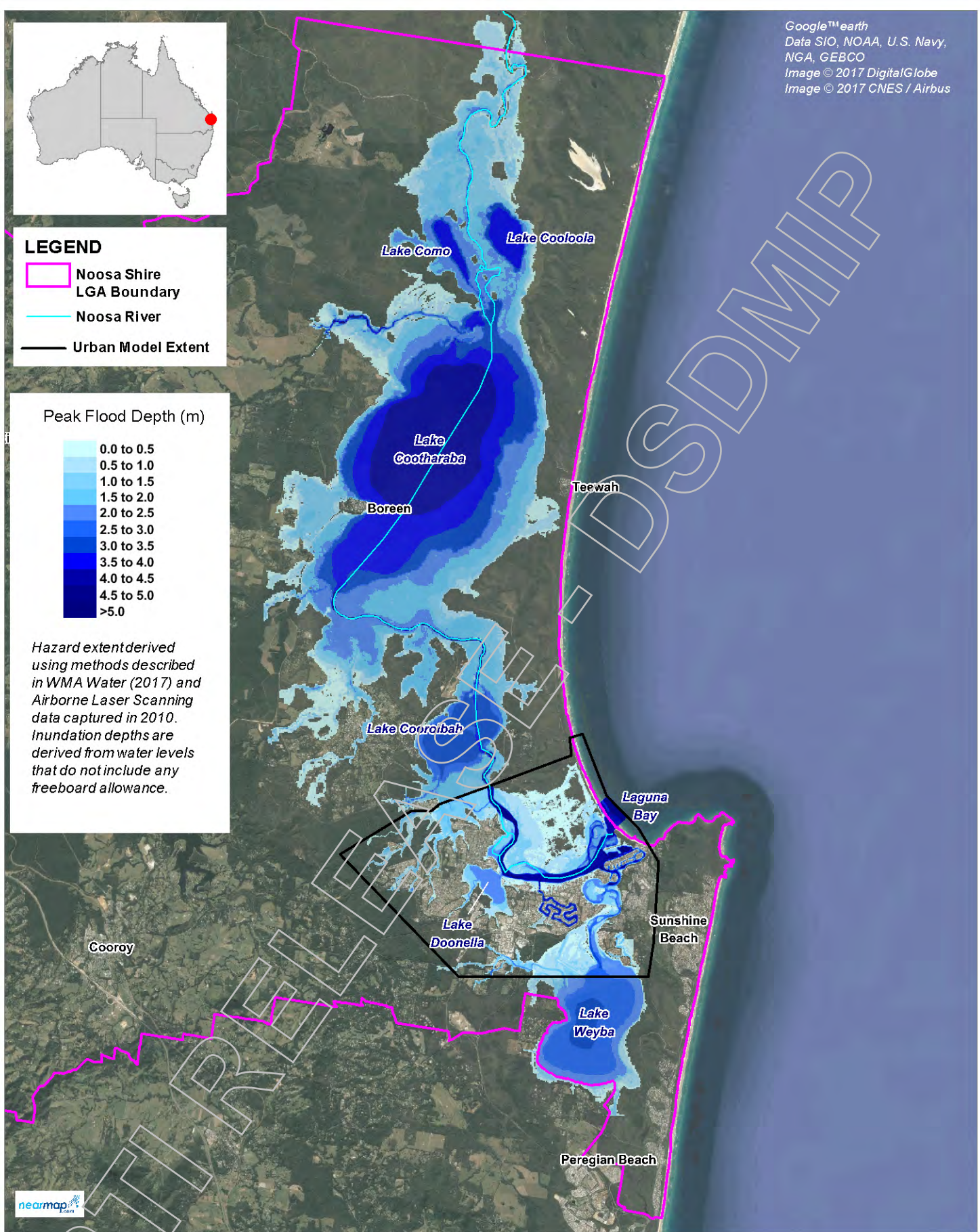
LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- Urban Model Extent

Peak Flood Depth (m)

0.0 to 0.5
0.5 to 1.0
1.0 to 1.5
1.5 to 2.0
2.0 to 2.5
2.5 to 3.0
3.0 to 3.5
3.5 to 4.0
4.0 to 4.5
4.5 to 5.0
>5.0

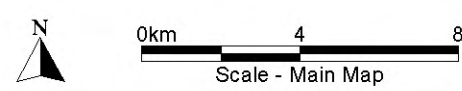
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Title:
2040 Planning Horizon Coincident Catchment Flooding & Storm Tide Inundation Peak Depth

Figure: B-2	Rev: A
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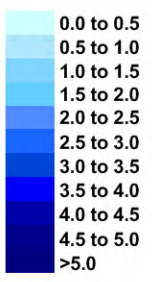




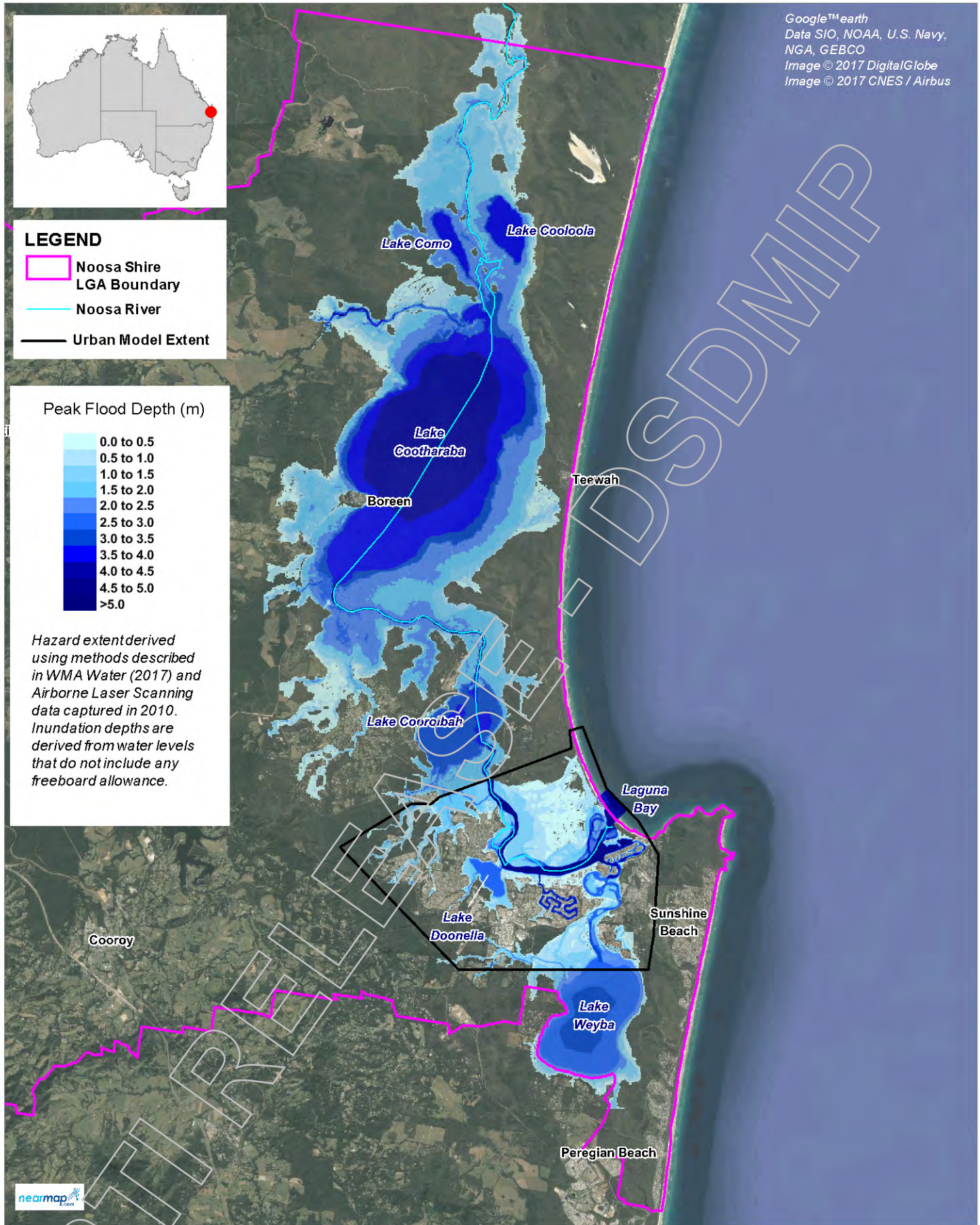
LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- Urban Model Extent

Peak Flood Depth (m)



Hazard extent derived using methods described in WMA Water (2017) and Airborne Laser Scanning data captured in 2010. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title: **2070 Planning Horizon Coincident Catchment Flooding & Storm Tide Inundation Peak Depth**

Figure:	Rev:
B-3	A

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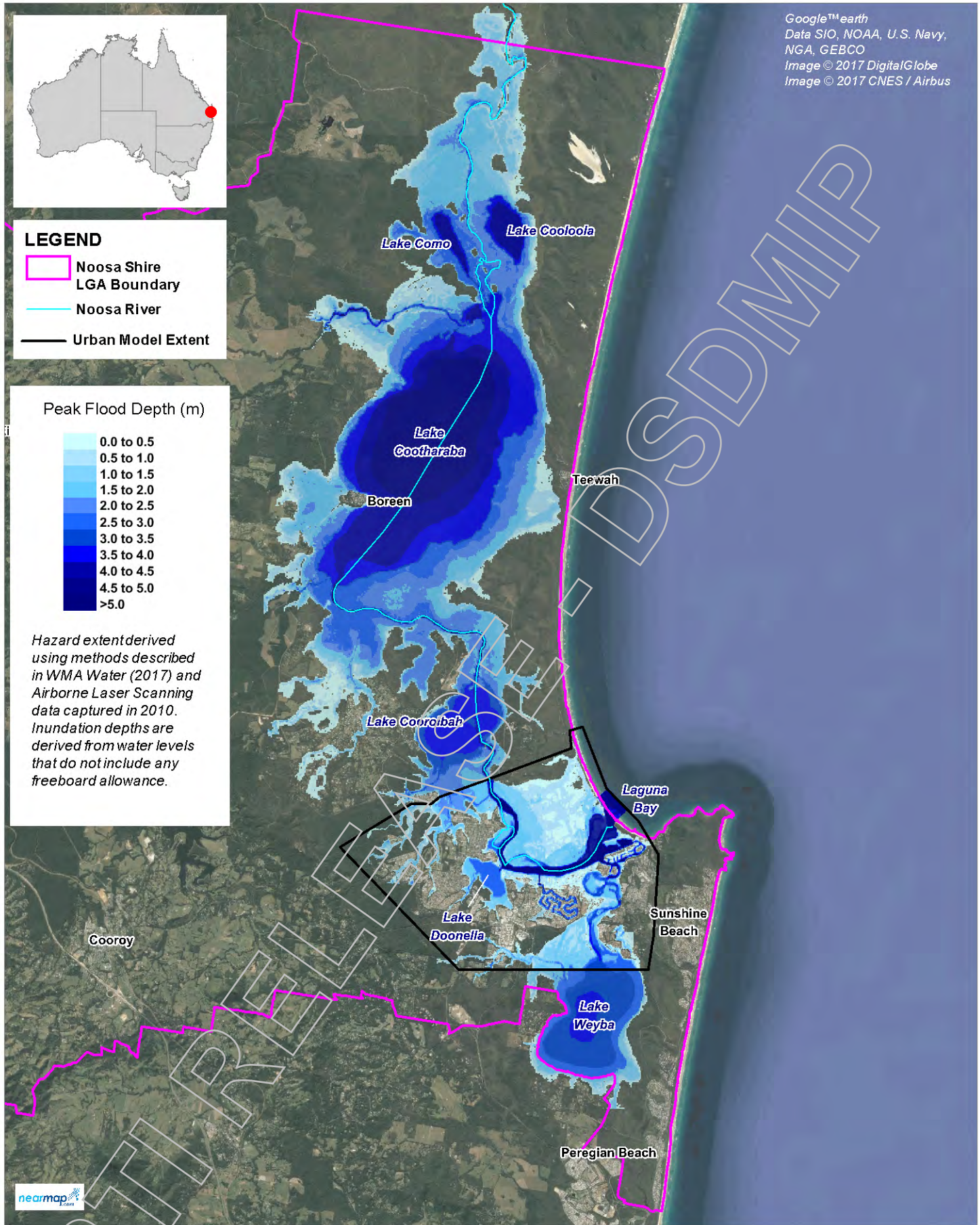
LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- Urban Model Extent

Peak Flood Depth (m)

0.0 to 0.5
0.5 to 1.0
1.0 to 1.5
1.5 to 2.0
2.0 to 2.5
2.5 to 3.0
3.0 to 3.5
3.5 to 4.0
4.0 to 4.5
4.5 to 5.0
>5.0

Hazard extent derived using methods described in WMA Water (2017) and Airborne Laser Scanning data captured in 2010. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title: **2100 Planning Horizon Coincident Catchment Flooding & Storm Tide Inundation Peak Depth**

Figure: **B-4** Rev: **A**

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Appendix C Storm Erosion Estimates

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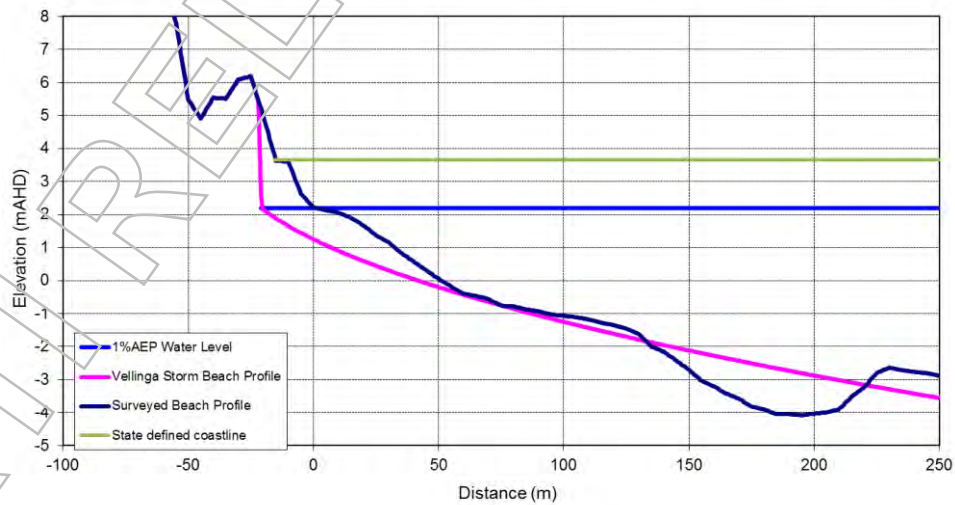
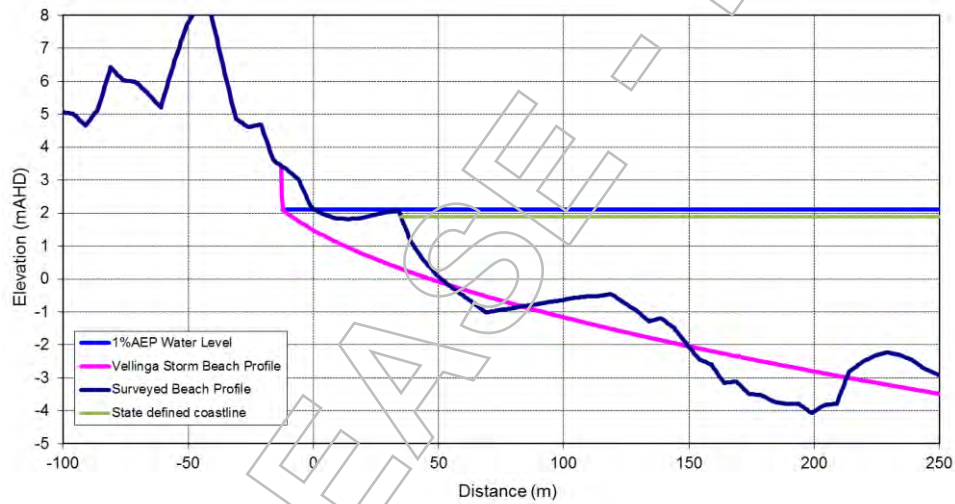
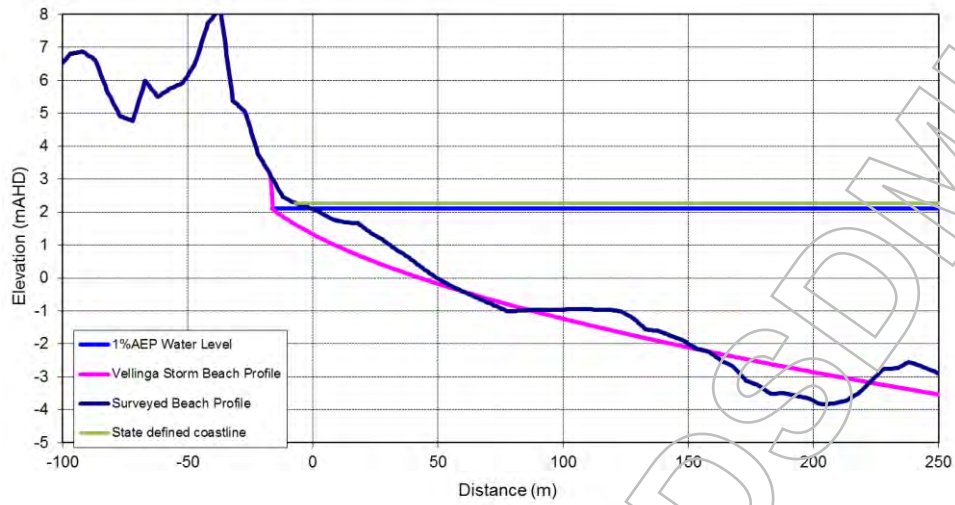


Figure C-1 Storm Erosion Estimate: ETA 578 (top), ETA 582 (middle) and ETA 596 (bottom)

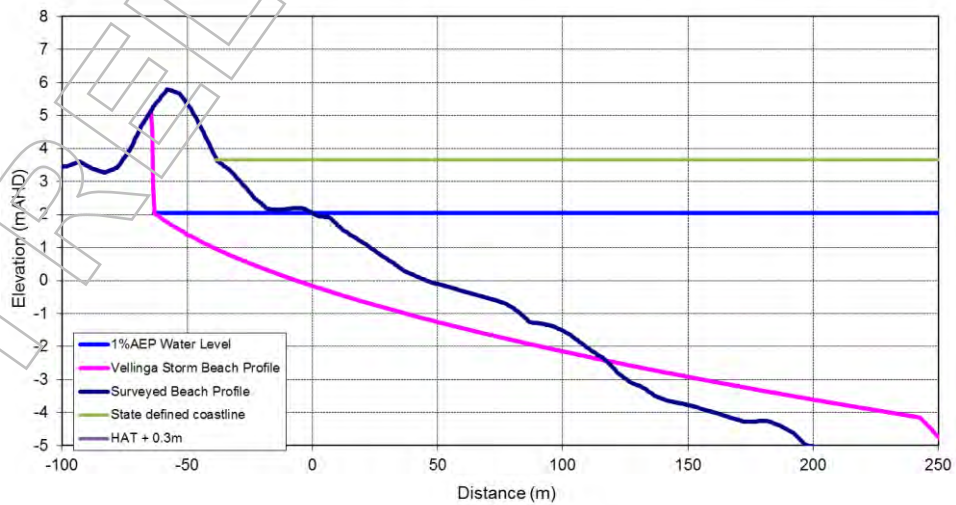
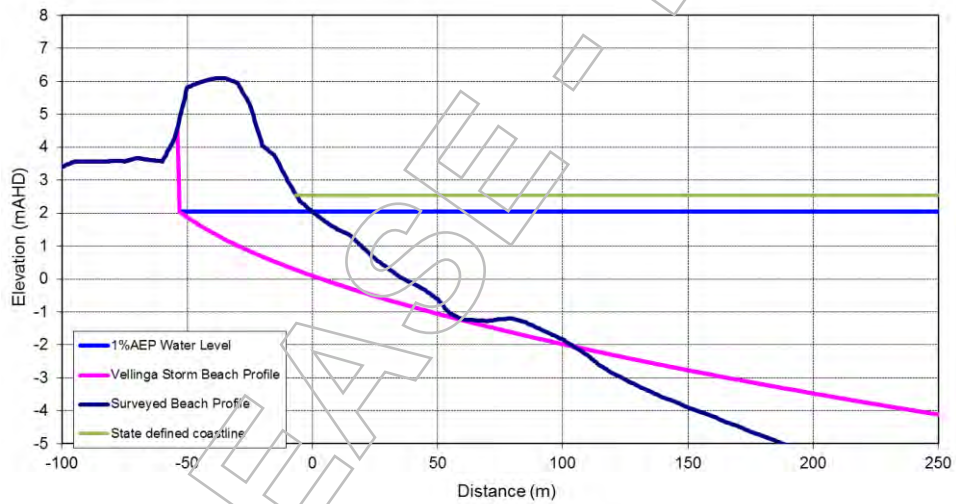
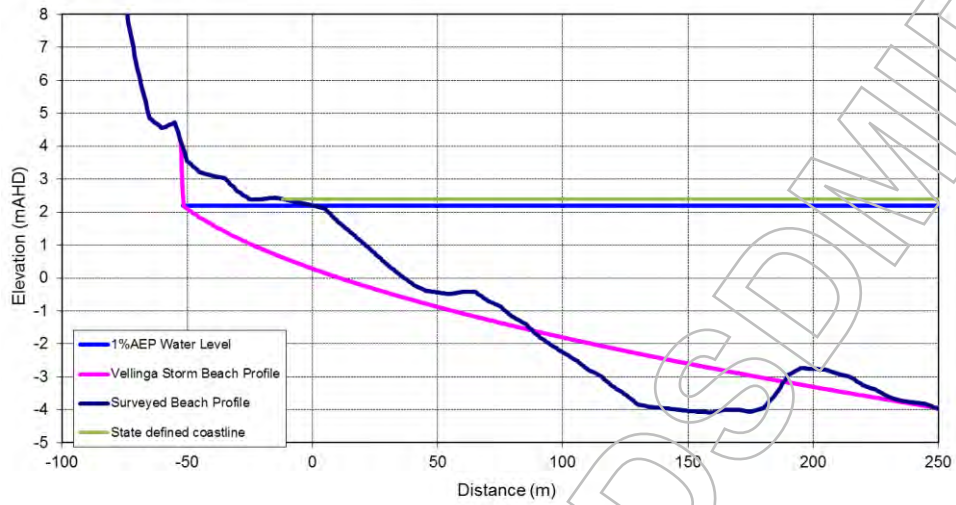


Figure C-2 Storm Erosion Estimate: ETA 602 (top), ETA 621.2 (middle) and ETA 622 (bottom)

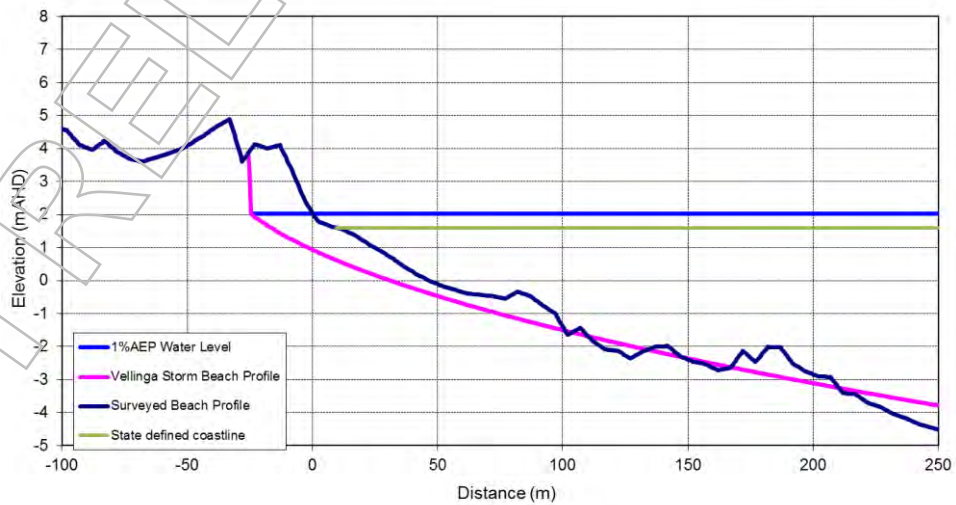
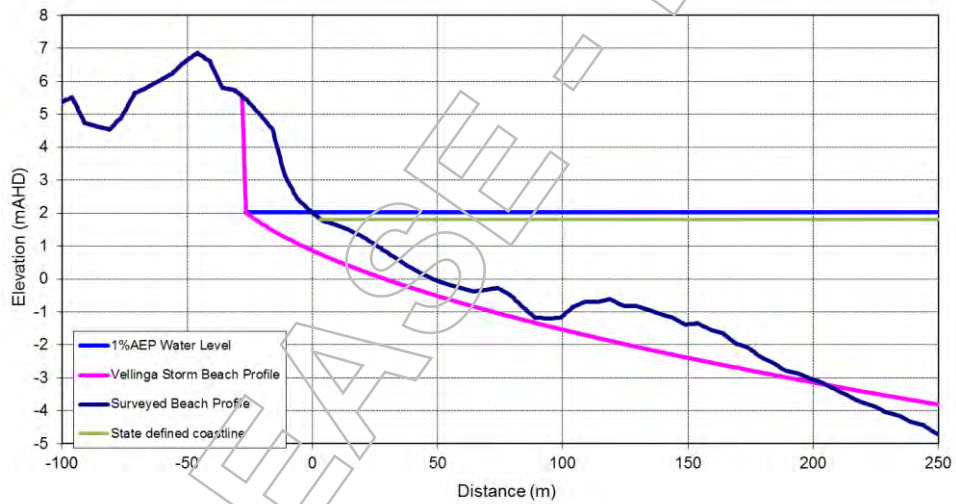
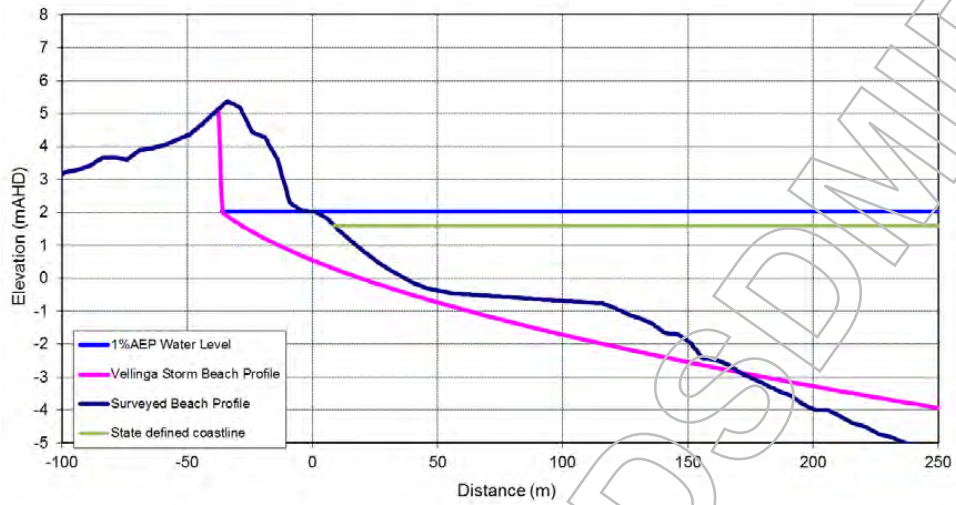


Figure C-3 Storm Erosion Estimate: ETA 626 (top), ETA 628 (middle) and ETA 630 (bottom)

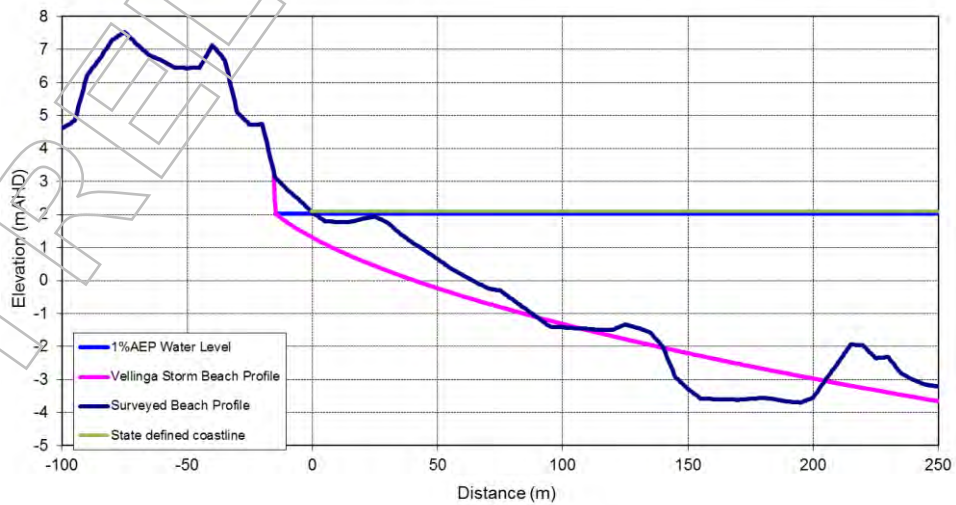
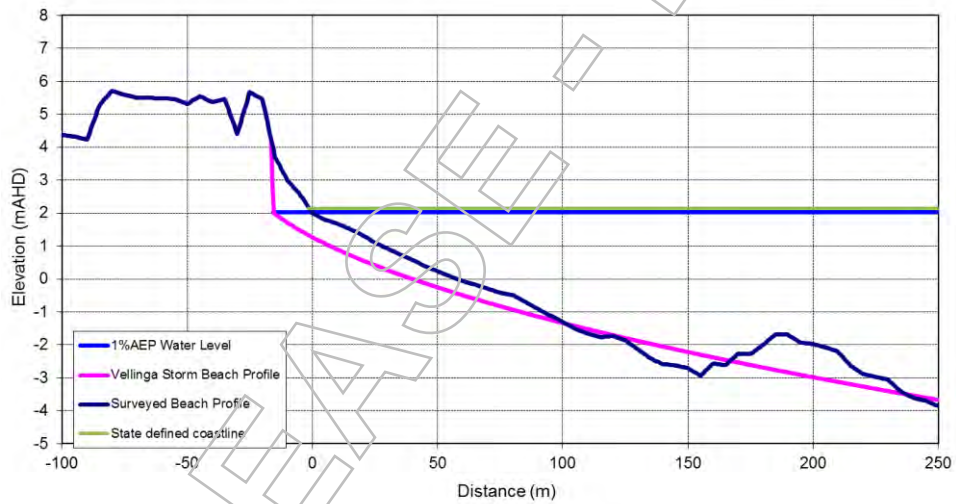
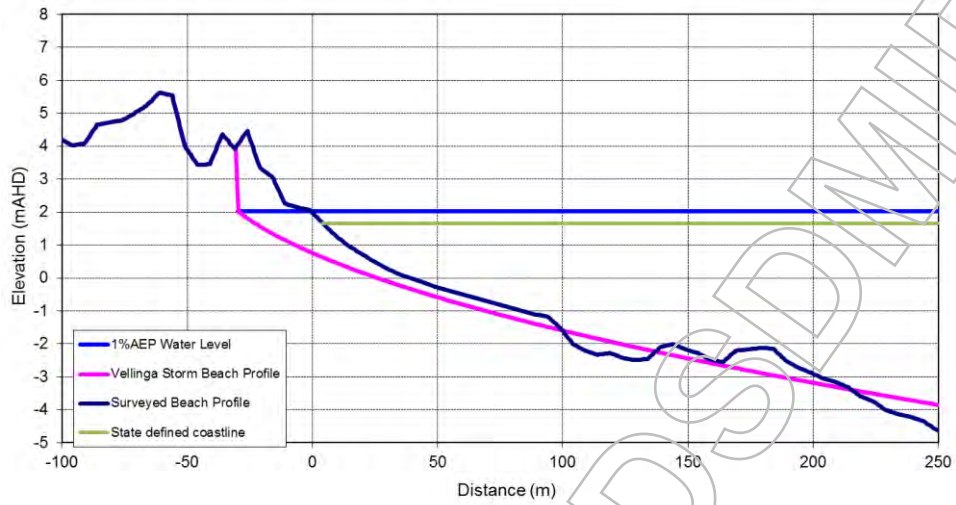


Figure C-4 Storm Erosion Estimate: ETA 632 (top), ETA 634 (middle) and ETA 636 (bottom)

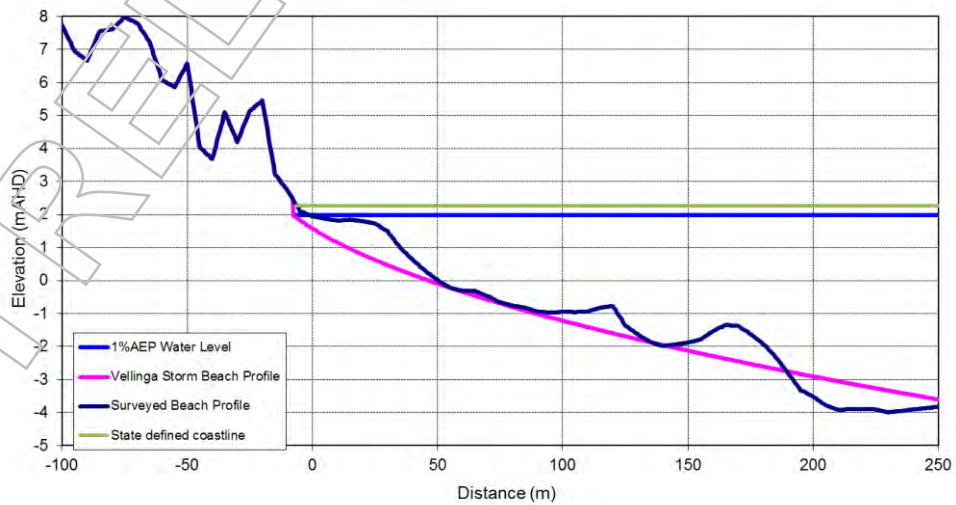
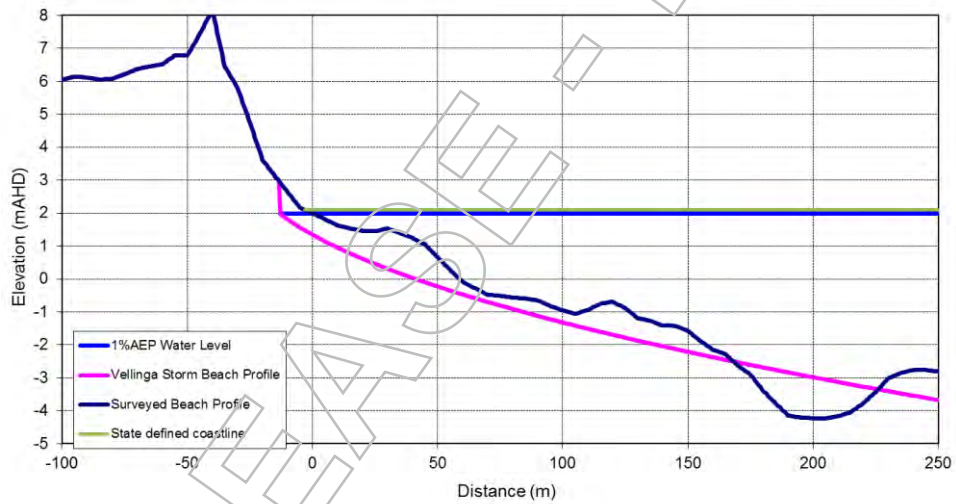
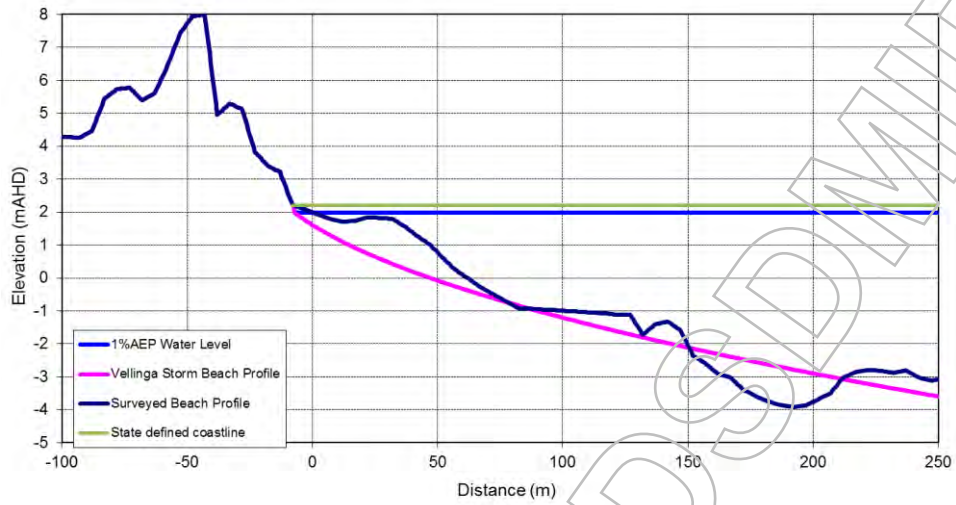


Figure C-5 Storm Erosion Estimate: ETA 638 (top), ETA 636 (middle) and ETA 642 (bottom)

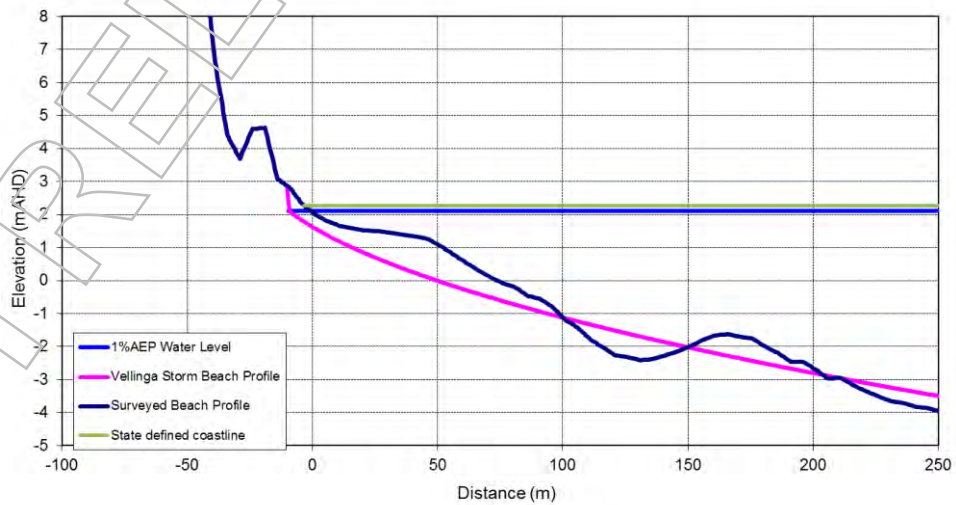
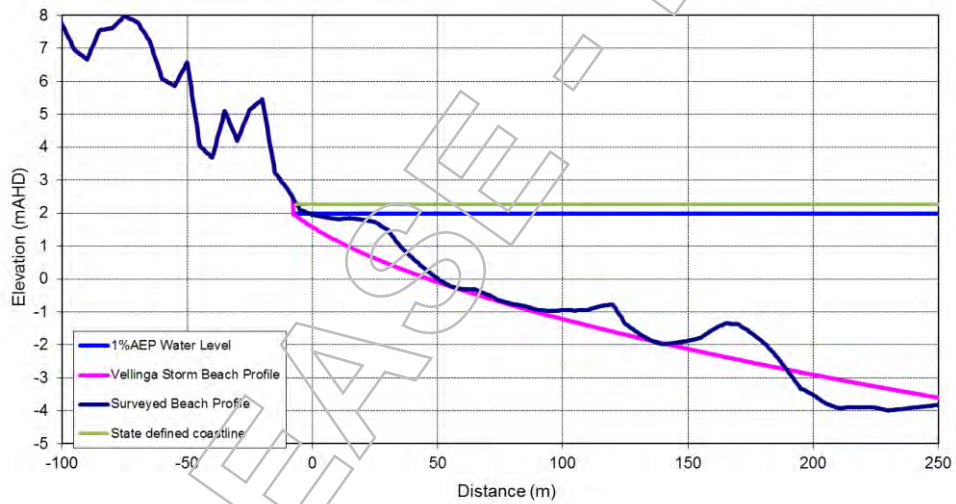
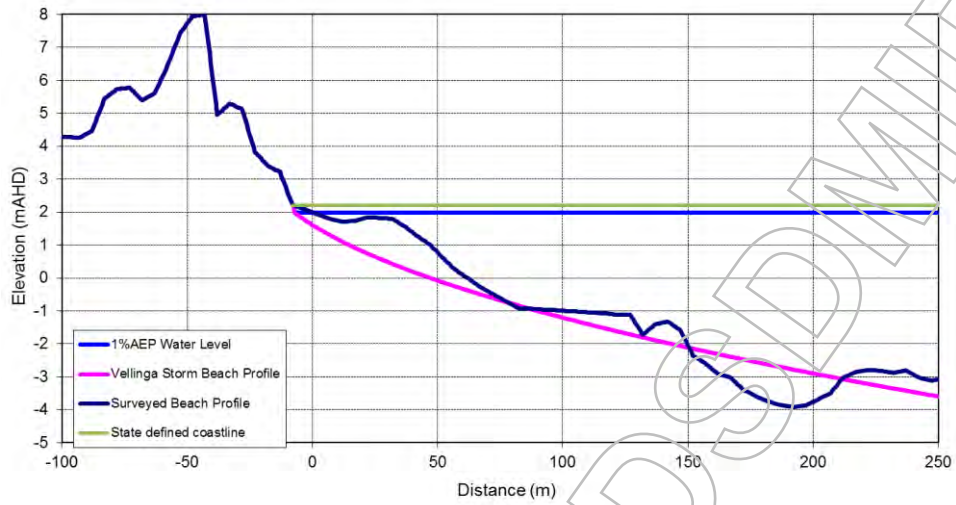


Figure C-6 Storm Erosion Estimate: ETA 638 (top), ETA 642 (middle) and ETA 646 (bottom)

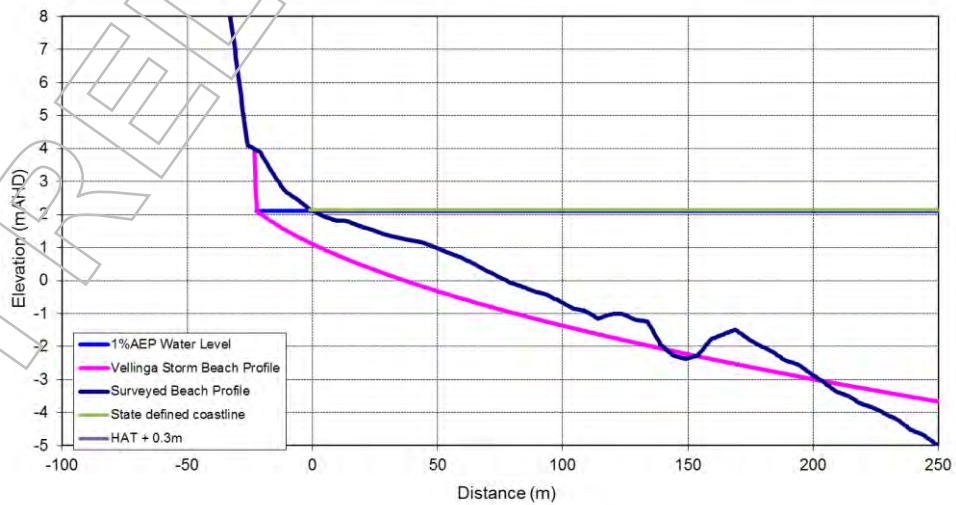
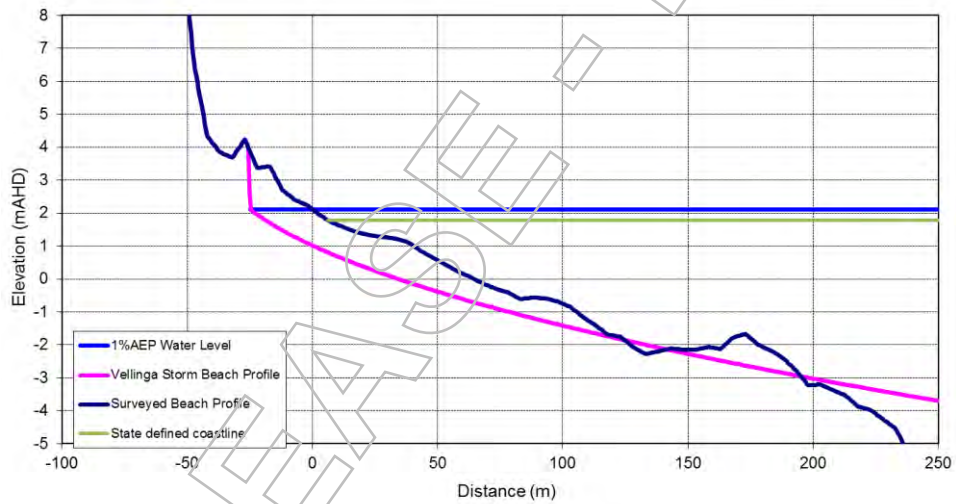
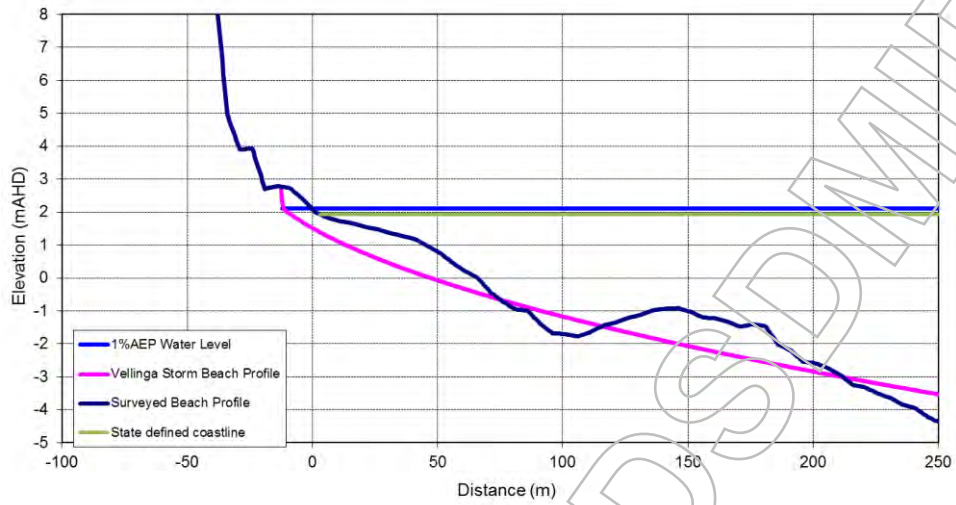


Figure C-7 Storm Erosion Estimate: ETA 650 (top), ETA 654 (middle) and ETA 658 (bottom)

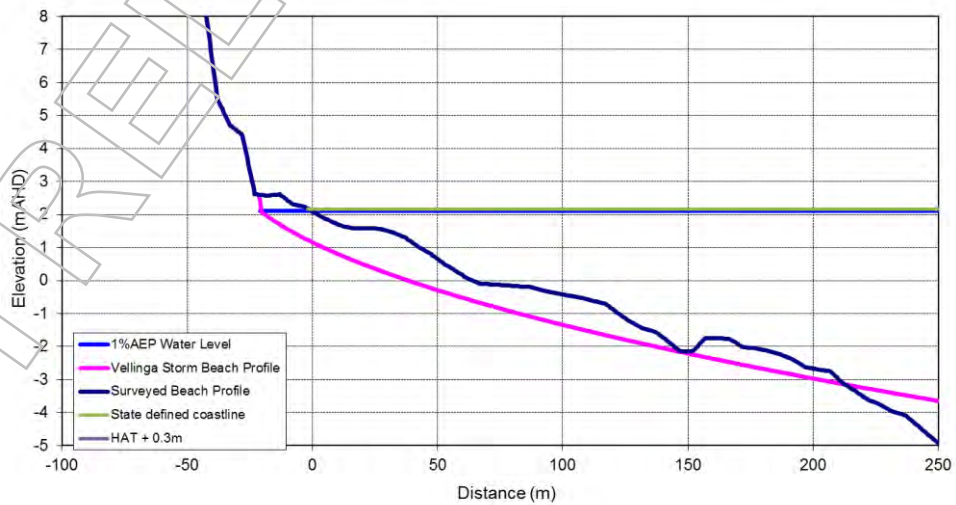
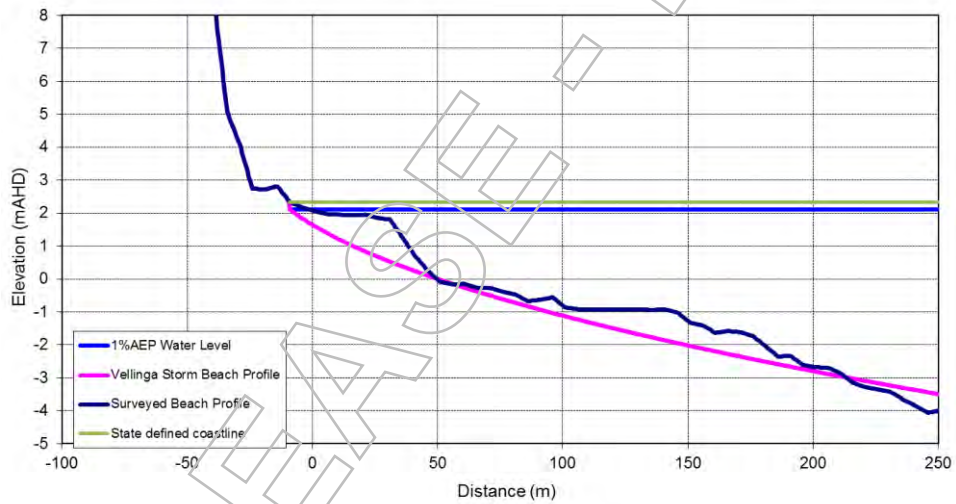
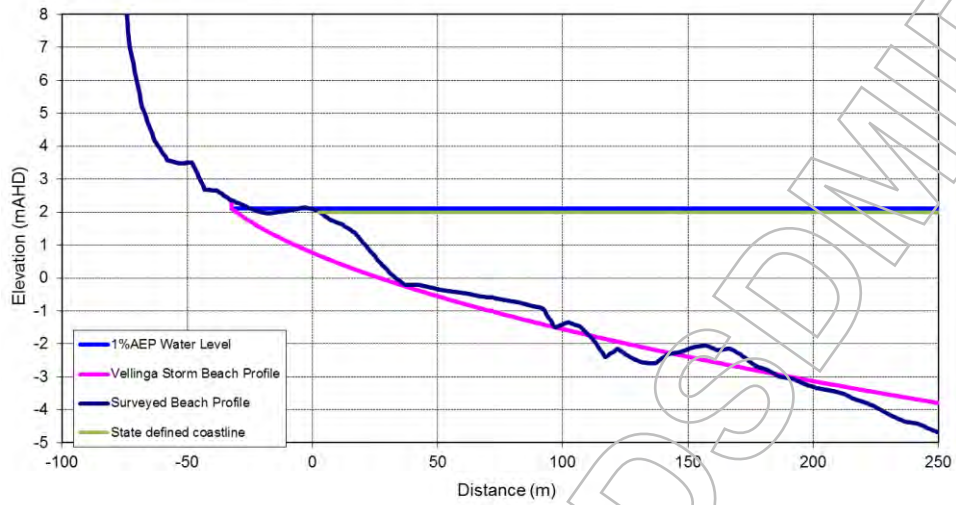


Figure C-8 Storm Erosion Estimate: ETA 662 (top), ETA 666 (middle) and ETA 670 (bottom)

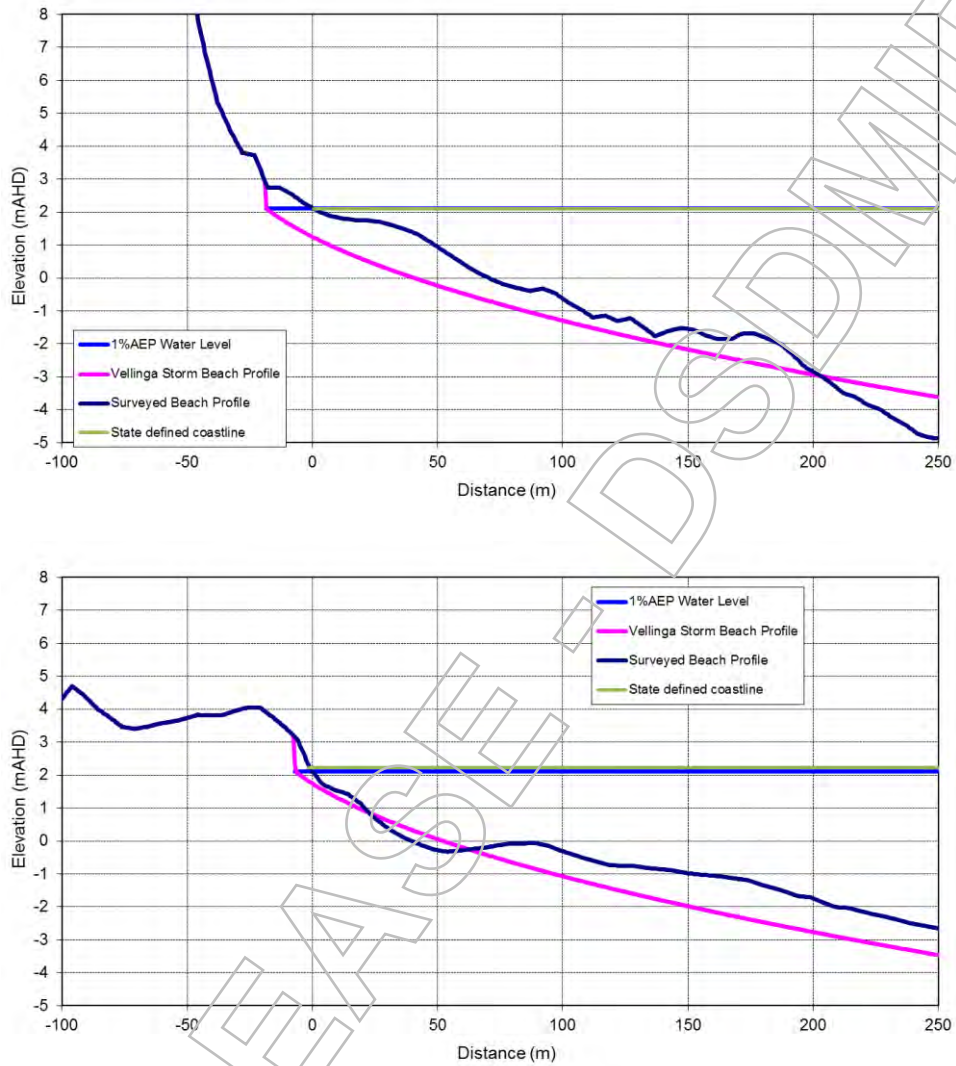


Figure C-9 Storm Erosion Estimate: ETA 674 (top) and ETA 678 (bottom)

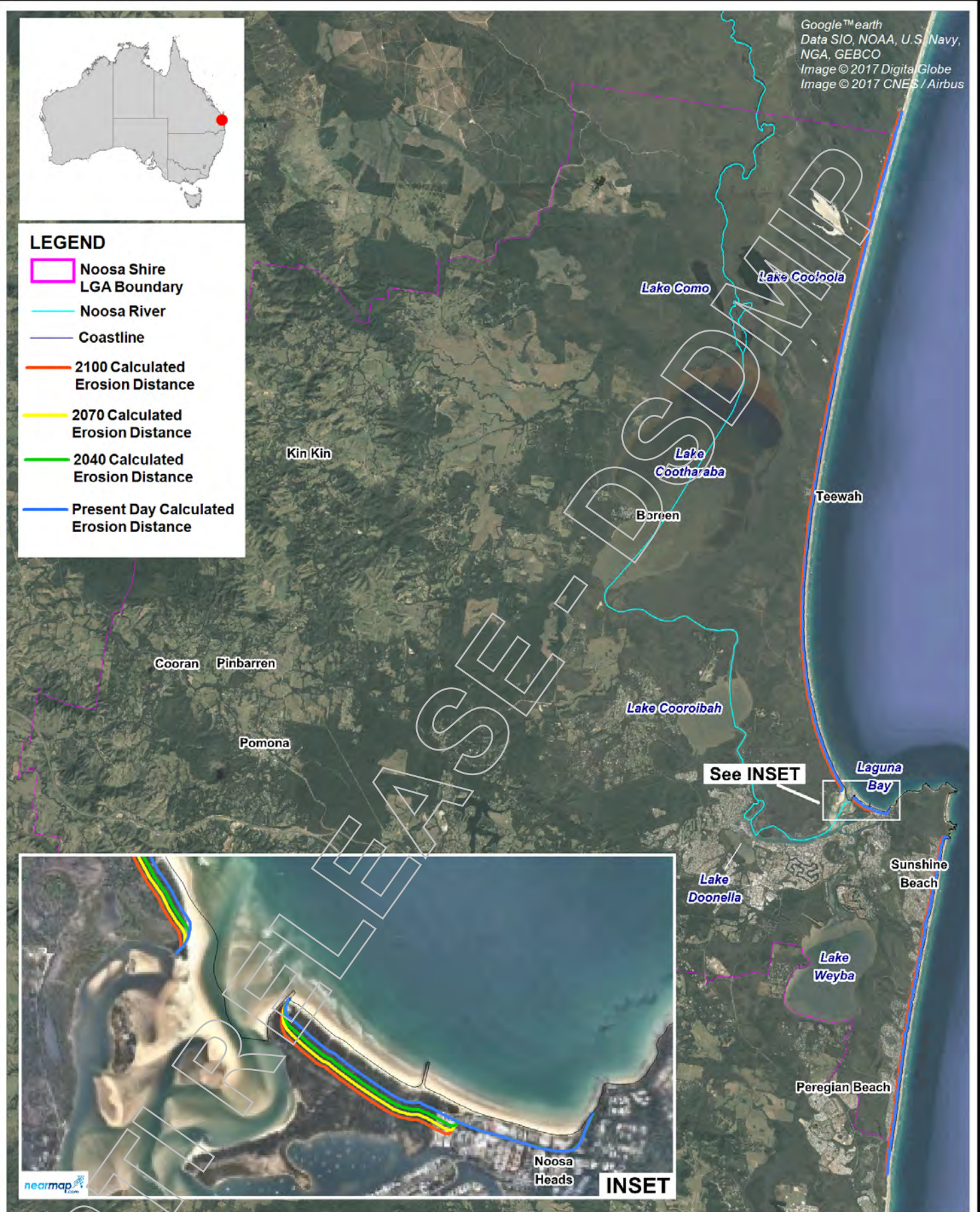
Appendix D Calculated Erosion Distance Hazard Extent

RTI RELEASE - DSDMIP



LEGEND

- Noosa Shire LGA Boundary
- Noosa River
- Coastline
- 2100 Calculated Erosion Distance
- 2070 Calculated Erosion Distance
- 2040 Calculated Erosion Distance
- Present Day Calculated Erosion Distance



<p>Title: Calculated Erosion Distance</p>	<p>Figure: D-1</p>	<p>Rev: B</p>
<p>BMT WBM endeavours to ensure that the information provided in this map is correct at the time of publication. BMT WBM does not warrant, guarantee or make representations regarding the currency and accuracy of information contained in this map.</p>		<p>www.bmt.org</p>
<p>Filepath: I:\B22613.i.mbp.Noosa_CHAS\DRG\COA_016B_180104_Calculated_Erosion_Distance.wor</p>		

Appendix E Permanent Inundation due to Sea-Level Rise Extent

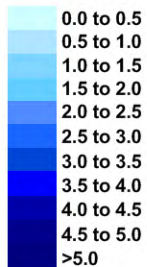
RTI RELEASE - DSDMIP



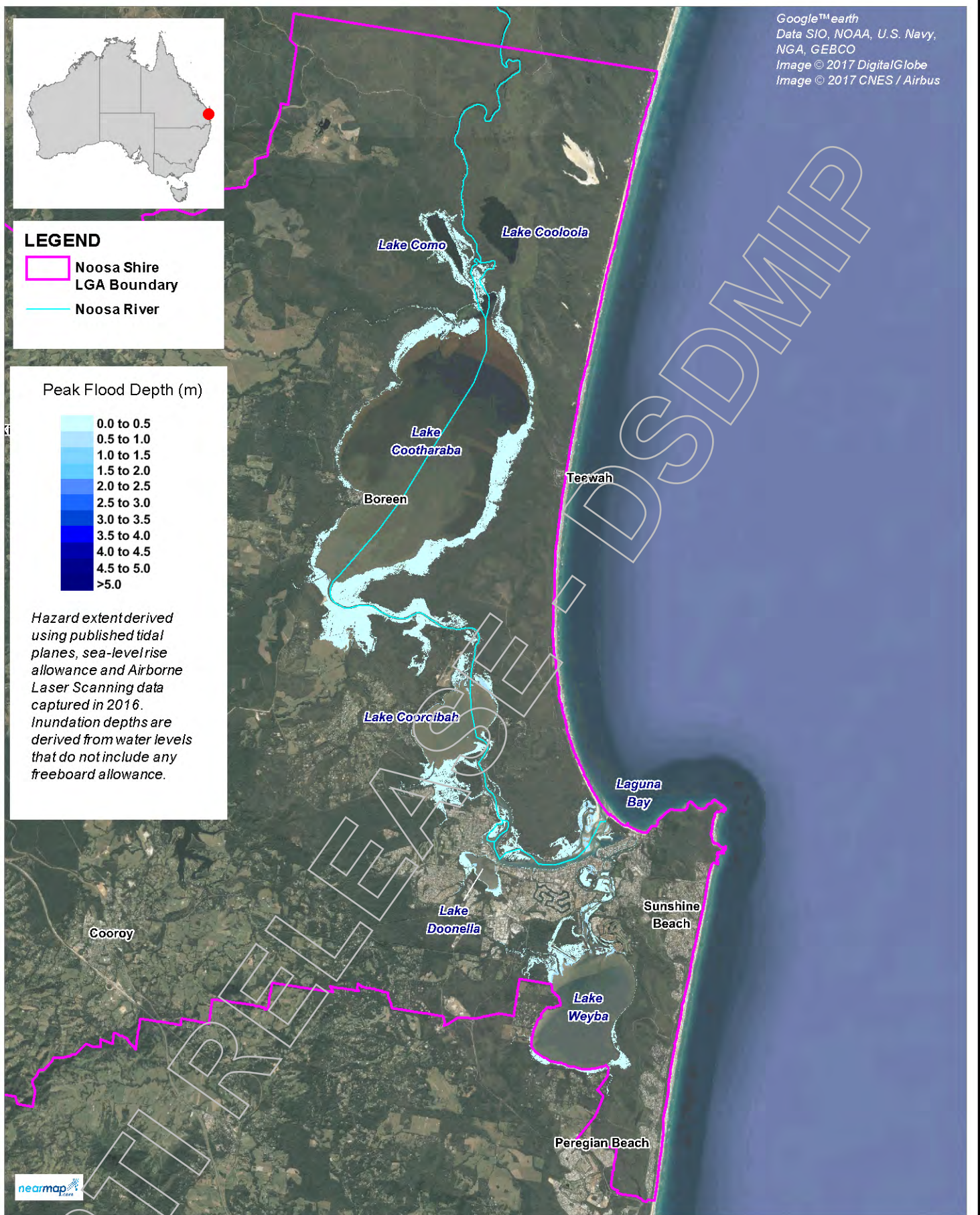
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



Hazard extent derived using published tidal planes, sea-level rise allowance and Airborne Laser Scanning data captured in 2016. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
2040 Planning Horizon Permanent Inundation due to Sea Level Rise

Figure:

E-1

Rev:

A

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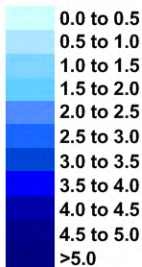




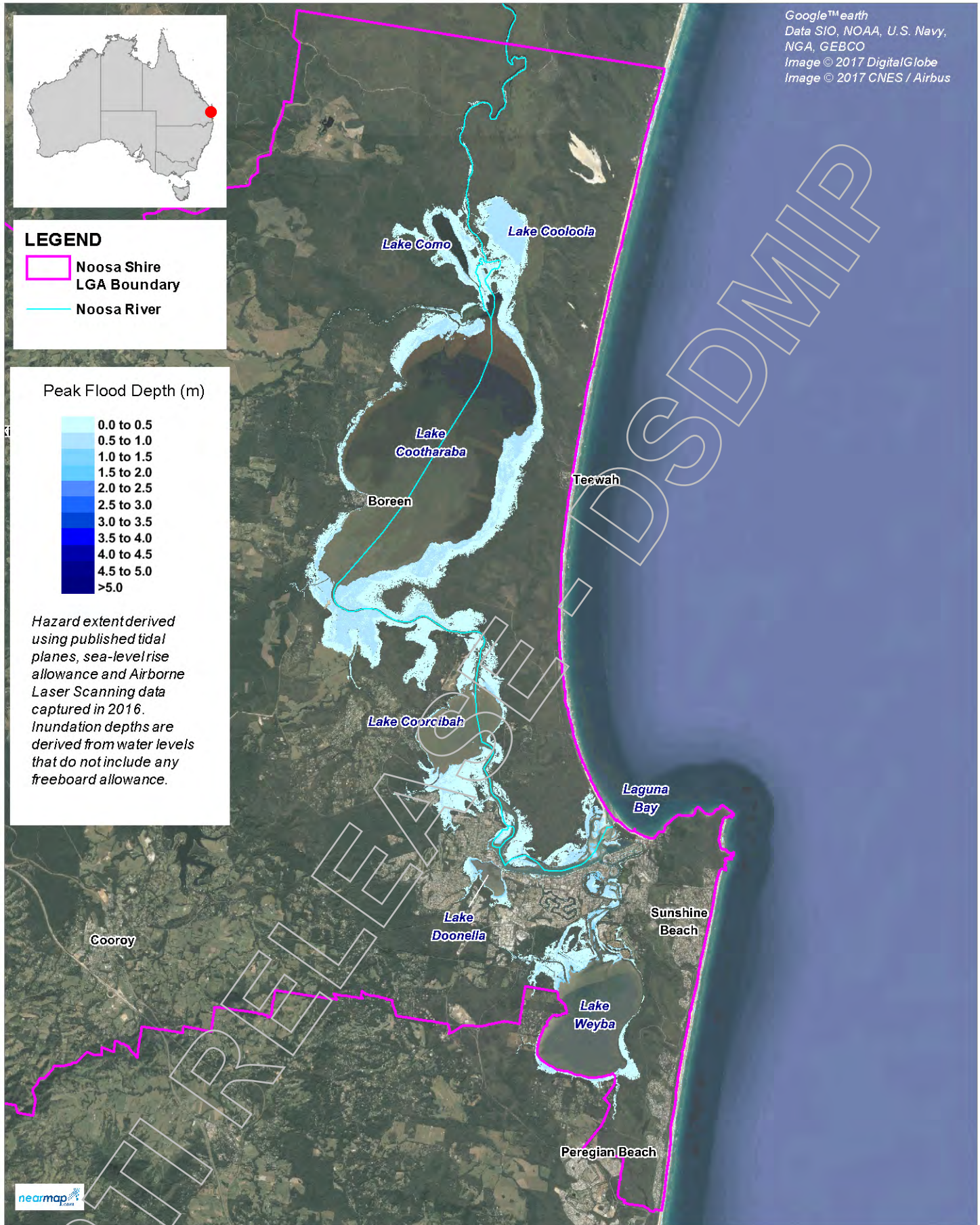
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



Hazard extent derived using published tidal planes, sea-level rise allowance and Airborne Laser Scanning data captured in 2016. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
2070 Planning Horizon Permanent Inundation due to Sea Level Rise

Figure:

E-2

Rev:

A

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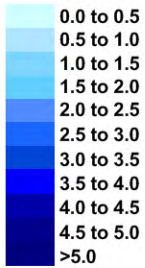




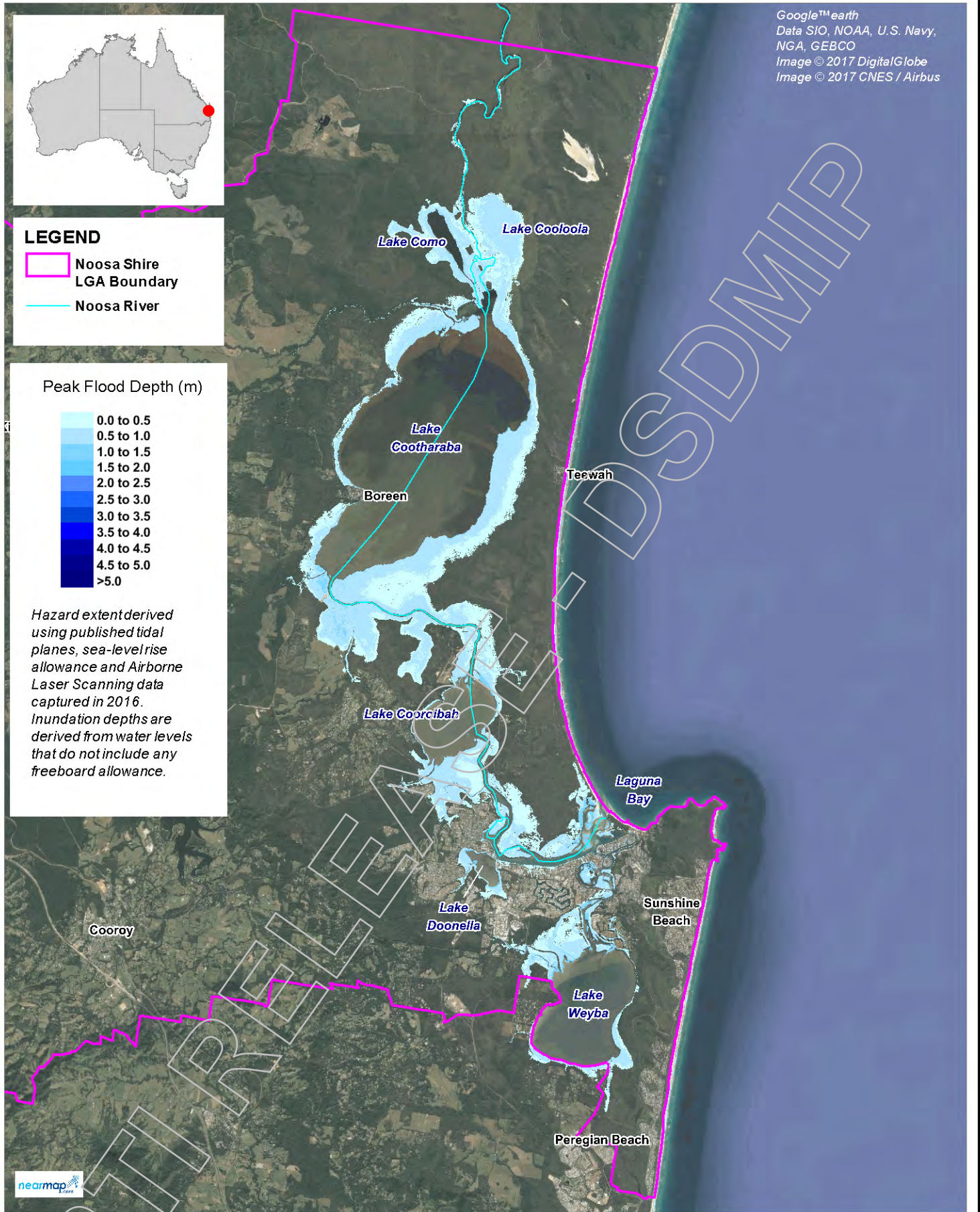
LEGEND

- Noosa Shire LGA Boundary
- Noosa River

Peak Flood Depth (m)



Hazard extent derived using published tidal planes, sea-level rise allowance and Airborne Laser Scanning data captured in 2016. Inundation depths are derived from water levels that do not include any freeboard allowance.



Title:
2100 Planning Horizon Permanent Inundation due to Sea Level Rise

Figure:
E-3

Rev:
A

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Email vancouver@bmtwbm.com
Web www.bmtwbm.com

From: [Planning Support](#)
To: [Candace Mitchell](#); [Planning Support](#)
Cc: [Caroline Plank](#)
Subject: RE: HPE CM: New Noosa Plan - Initial response to State interests from NSC
Date: Tuesday, 14 August 2018 10:28:03 AM
Attachments: [image002.png](#)
[image006.jpg](#)
[image007.png](#)
[image001.png](#)
[image003.png](#)
[image005.png](#)

Apologies for the delay.

Noosa's response is supported subject to the following:

- a) It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.
- b) The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.
- c) Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.
- d) DES accepts Noosa's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and Noosa informed on progress.

Peter Rollston

Senior Policy Officer

Sustainable Planning

Department of Environment and Science

P 07 3330 5750

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Candace Mitchell [mailto:Candace.Mitchell@dsdmip.qld.gov.au]
Sent: Tuesday, 31 July 2018 3:31 PM
To: Planning Support <Planning.Support@des.qld.gov.au>
Subject: FW: HPE CM: New Noosa Plan - Initial response to State interests from NSC

Good afternoon DES,

Apologies I forgot to attached the additional reports relevant to DES's comments and NSC's response to those comments as per my email yesterday. Please see attached now.

Kind Regards,

Candace Mitchell
Planning Officer
Planning and Development Services | SEQ North

Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9708

Level 3, 12 First Avenue, Maroochydore QLD 4558

PO Box 1129, Maroochydore QLD 4558

candace.mitchell@dsdmip.qld.gov.au

From: Candace Mitchell

Sent: Monday, 30 July 2018 11:39 AM

To: 'Mathew.Johnston@daf.qld.gov.au' <Mathew.Johnston@daf.qld.gov.au>; 'DAFFPlanning@daff.qld.gov.au' <DAFFPlanning@daff.qld.gov.au>; 'Planning Support' <Planning.Support@des.qld.gov.au>; KASAUSKAS Tom <Tom.kasauskas@dnrme.qld.gov.au>; 'Planning Services South' <PlanningServicesSouth@dnrme.qld.gov.au>; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>; SEQ Regional Plan <SEQRegionalPlan@dsdmip.qld.gov.au>; 'PEARSON Scott (EnergyQ)' <scott.pearson@energyq.com.au>; 'Kendall McNab (PSBABS)' <Kendall.McNab@psba.qld.gov.au>; 'TMR Planning' <planningschemes@tmr.qld.gov.au>; 'BEATTIE James' <James.BEATTIE@hpw.qld.gov.au>; 'HHS HPO Town Planning' <HSHSPOTownPlanning@hpw.qld.gov.au>; 'PUTTOCK Lara' <Lara.PUTTOCK@hpw.qld.gov.au>; 'Planning&Performance@police.qld.gov.au' <Planning&Performance@police.qld.gov.au>
Cc: Garth Nolan <Garth.Nolan@dsdmip.qld.gov.au>; Jamaica Hewston <Jamaica.Hewston@dsdmip.qld.gov.au>
Subject: HPE CM: New Noosa Plan - Initial response to State interests from NSC

Good morning,

Please find attached the Noosa Shire Council's initial response to the State interest request for further information which was issued on 9 July 2018.

The council has used a "traffic light" system where green is something that could be resolved easily, amber items need to be discussed further, and red items are actions/comments the council is not comfortable with.

Can I please request your agency review the attached comments from the council and provide your further comments **no later than Monday 6 August 2018**.

The council has also requested a meeting with some individual agencies and therefore I will be in contact with those agencies directly.

If you wish to discuss please do not hesitate to contact myself on 5352 9708 or Garth Nolan on 5352 9710.

Kind Regards,

Candace Mitchell
Planning Officer

Planning and Development Services | SEQ North

Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9708

Level 3, 12 First Avenue, Maroochydore QLD 4558

PO Box 1129, Maroochydore QLD 4558

candace.mitchell@dsmip.qld.gov.au

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From: [Caroline Plank](#)
To: ["ROLLSTON Peter"](#)
Cc: [Planning Support](#)
Subject: Draft DES response to Noosa plan comments for SIR
Date: Friday, 17 August 2018 10:08:00 AM
Attachments: [Responses to State request for further information \(003\).docx](#)
[image001.png](#)
[image002.png](#)

Hi Peter

I have lined your comments up with the SIR table comments and put 'ok' where I didn't get a response from you.

Can you please review this before I provide to council?

Thanks

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9709
12 First Avenue, Maroochydore
www.dsdmip.qld.gov.au

RTI RELEASE - DSDMIP

ATTACHMENT 1 – REQUEST FOR FURTHER INFORMATION FOR PAUSE NOTICE

Part A—State interests

Planning for the environment and heritage

Biodiversity				
Ref. Number	Policy Elements	Requirement	Initial NSC response	DES initial response back
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”	Ok.
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: State interest partially integrated</p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	Koala Habitat Map will be changed to show the Koala Assessable Development Area	Ok.
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: Integrated</p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to ‘marine turtles’.	Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.

ATTACHMENT 1 – REQUEST FOR FURTHER INFORMATION FOR PAUSE NOTICE

		In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles. Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.		
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code Integration of state interest: <i>State interest not integrated</i> Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas). Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.	The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to: AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i> Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.	DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress. DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.
Coastal environment				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay Integration of state interest: <i>State interest integrated however more information required</i> Action: Provide coastal hazard area mapping Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.	The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.	The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.
Cultural heritage				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved	Planning Scheme Reference: 8.2.7 – Heritage Overlay Code	The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report	It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important

ATTACHMENT 1 – REQUEST FOR FURTHER INFORMATION FOR PAUSE NOTICE

	for the benefit of the community and future generations	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	and citations require updating and review. This will be completed next calendar year as resources allow.	element to satisfy the SPP cultural heritage state interest.
Water quality				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>	Ok.

RTI RELEASED

From: [ROLLSTON Peter](#)
To: [Caroline Plank](#)
Cc: [Planning Support](#)
Subject: RE: Draft DES response to Noosa plan comments for SIR
Date: Friday, 17 August 2018 10:14:15 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.png](#)
[image007.png](#)

Yes. That's fine.

Peter Rollston

Senior Policy Officer

Sustainable Planning

Department of Environment and Science

P 07 3330 5750

Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Caroline Plank [mailto:Caroline.Plank@dsdmip.qld.gov.au]
Sent: Friday, 17 August 2018 10:08 AM
To: ROLLSTON Peter <Peter.Rollston@des.qld.gov.au>
Cc: Planning Support <Planning.Support@des.qld.gov.au>
Subject: Draft DES response to Noosa plan comments for SIR

Hi Peter

I have lined your comments up with the SIR table comments and put 'ok' where I didn't get a response from you.

Can you please review this before I provide to council?

Thanks

Caroline Plank

Principal Planning Officer

Planning and Development Services (SEQ North)

Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9709

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RTI RELEASE - DSSIMP

From: [Caroline Plank](#)
To: [Kim Rawlings](#); [Rowena Skinner](#)
Cc: [Rebecca Britton](#); [Planning Support](#)
Subject: DES response to council's initial response to SIR
Date: Friday, 17 August 2018 1:40:00 PM
Attachments: [DES response to council's initial response to SIR.docx](#)
[image001.png](#)
[image002.png](#)

Hello Kim and Rowena

Please find attached the DES response to council's initial response on the SIR.

Please advise if you would like further discussion, particularly in regards to comment 40.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9709

12 First Avenue, Maroochydore

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RTI RELEASE - DSDMIP

ATTACHMENT 1 – REQUEST FOR FURTHER INFORMATION FOR PAUSE NOTICE

Part A—State interests

Planning for the environment and heritage

Biodiversity				
Ref. Number	Policy Elements	Requirement	Initial NSC response	DES initial response back
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”	Ok.
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: State interest partially integrated</p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	Koala Habitat Map will be changed to show the Koala Assessable Development Area	<p>The mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: Integrated</p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to ‘marine turtles’.	Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.

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		<p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p>		
42	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p>	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>	<p>DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.</p> <p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>
Coastal environment				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
50	<p>The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.</p>	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>	<p>The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.</p>	<p>The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.</p>
Cultural heritage				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
51	<p>The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved</p>	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p>	<p>The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report</p>	<p>It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important</p>

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	for the benefit of the community and future generations	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	and citations require updating and review. This will be completed next calendar year as resources allow.	element to satisfy the SPP cultural heritage state interest.
Water quality				
Ref. Number	Policy Elements	Requirement	Initial NSC response	
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>	Ok.

RTI RELEASED

From: [Caroline Plank](#)
To: [Rowena Skinner](#); [Kim Rawlings](#)
Cc: [Rebecca Britton](#); [Michelle Tucker](#); "alinda.bryant@noosa.qld.gov.au"; [Candace Mitchell](#)
Subject: SIR resolutions to date
Date: Thursday, 13 September 2018 5:28:00 PM
Attachments: [Draft new Noosa Plan - SIR resolutions 13SEP18.docx](#)
[Seqwater comments for SIR - Noosa plan.docx](#)

Hello Kim and Rowena

I have finished going through the SIR table, and greyed out rows I believe have no real further actions required.

I note there will be some things which remain outstanding - like where DES will get back to council about turtle lighting etc.

Please have a look at the attached and compare with what council believes is resolved.

Please note I've also attached the seqwater comments separately seeing as they came late and therefore don't fit into the numbering in the main table.

Obviously there will be some further comments from BLP (and maybe SPP natural hazards) so I will update this table again once this occurs. Candace is also going through the BLP stuff from yesterday.

Regards

Caroline Plank
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Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity Policy 3 (1) (2) and (3) and Development and Construction (8)</i>.</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</u></p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>.....</p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for</i></p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p><i>e) A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p><i>f) Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>Statements about Community housing / social housing can be made easily enough, but we would want to feel some level of confidence something can occur and ultimately that will rely on the State and NFP organisations. Council has already sought to be proactive in communication with both in this regard.</p> <p>To keep some perspective Moreton Council has a huge amount of greenfield growth. They have over 88k additional dwellings to supply. It is not necessarily a reasonable comparison.</p>	<p>1) Council’s representations in relation to their support for smaller units to encourage affordable housing is supported by DHPW.</p> <p>2) Council’s concerns regarding confidence that affordable housing will be delivered if it amends its strategic framework are noted and the following comments are offered.</p> <p>Noosa Shire Council (council) being within the SEQ region is a priority Council (along with the Sunshine Coast Regional Council) for the Housing Construction Jobs Plan. The State Planning Policy, Housing Supply and Diversity (Policy 3 (c)) aims to ensure that planning schemes are able to facilitate affordable and social housing outcomes through supportive planning provisions and suitably zoned land with the intent that this housing is able to be delivered when suitable sites and funding are available. In order to ensure this, inclusion in the strategic framework is sought to give high-level support for these housing outcomes by Council.</p> <p>It is noted that informal email between Council and DHPW planners indicates that an outcome could be provided.</p> <p>Suggested wording:</p> <p>In order to meet Policy 3(c) of the SPP (above), DHPW considers that the Strategic Framework should at the very least include a specific statement that references support for social and affordable housing:</p> <p>“Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.”</p> <p>If a supportive statement is not included, DHPW would not consider the planning scheme to fully integrate Policy 3 the state interest.</p> <p>3) Council’s comments in relation to MBRC are noted. It is emphasised that MBRC was only suggested as an approach undertaken by a local government, it was not intended to compare the two LGAs.</p>

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		<p><i>that land to be used for affordable housing purposes; and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p>		
2	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned <u>land</u> with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones, facilitating not only secondary dwellings but also a small second dwelling (dual occupancy) which can be sub-let. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability. .</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed</p>	<p>DHPW makes recommendations generally on items in the planning scheme which it feels could be amended to contribute towards introducing more flexibility in a planning scheme, thus contributing to housing diversity and eventually supply of more affordable housing.</p> <p>In this case, the issues that the council raise, and the potential implications have been noted, particularly in the Low density residential (LDR) zone. The council's approaches to encourage affordable housing in other areas of the scheme and the code alterations for the medium (MDR) and high density residential (HDR) zone as outlined are acknowledged.</p> <p>DHPW accepts the council's response on the code provisions and has no further requirements on this matter.</p>

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		<ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p>	<p>relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>	
Liveable communities				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times. In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>As drafted rural fire brigades are code assessable in the Rural or Rural Residential Zone. We can reduce this to acceptable subject to requirements.</p> <p>Otherwise, emergency services have not been listed as consistent uses in any of the other residential zones or centre zones. Only listed as consistent uses in some industrial zones and community services zones. They are consistent (impact) in the two green zones.</p> <p>Not sure we are likely to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) it is reasonable that they are accepted subject to requirements rather than code as drafted.</p> <p>We could make them consistent (code) in all the centres zones and industrial zones.</p> <p>However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p>	<p>Council's response is acceptable – the changes proposed by council will be reviewed when a revised planning scheme is provided.</p>

Planning for economic growth

Agriculture

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Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations</p>	<p>Notwithstanding that wording could be adjusted, we don't see why the statement is offensive and do not plan to remove it. It does not say intensive agricultural land uses are prohibited and in fact if you can do an intensive agricultural activity without being noxious, and disrespectful to the setting and affecting the waterways you are not only very welcome but are applauded as well.</p> <p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the “clean/green” credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms of grazing use a method of herding stock into intensive clusters and shifting them regularly with electric fences etc. This practice is gaining momentum with regenerative farmers. Intensive horticulture is also quite welcome as long as chemical spray, runoffs and light nuisance are contained.</p>	<p>DAF would not object to the retention of a similar statement as long as it is re-worded. The term “intensive factory farming” should be removed, as it is an unnecessary singling out of a particular industry and is highly emotive.</p> <p>The phrase “disrespect ecosystem service functions” should also be removed for clarity – what does this phrase mean?</p> <p>DAF agrees that all development (including intensive agricultural activities) ensures that the environment is not significantly impacted and the statement should simply be: “Developments that have the potential to impact surrounding environments will only be supported where they are appropriately located and designed to avoid environmental harm and nuisance.”</p> <p>Resolved – Council has advised that changes have been made to remove emotive language and remove prohibition. DSDMIP and DAF will review the revised planning scheme.</p>
5	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity....and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. 	<p>We can rephrase this however Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p>	<p>DAF agrees that intensive agricultural land uses have the potential to cause environmental harm and nuisance, and need to be suitably located and designed to avoid environmental harm and nuisance.. DAF does not support the exclusion of these uses from the rural zone.</p> <p>DAFs position is that the term amenity is so subjective it is almost unworkable, particularly in the rural zone. What disturbs one person's amenity may not worry another. For example, a rooster crowing or cows bellowing may disturb one person, yet it may take a tractor noise to disturb another. In both cases, these noises are intrinsic to a functioning rural zone. How will the council determine the impact of a development on the rural amenity?</p> <p>DAF suggests the council focuses on the suitable location and design of intensive agricultural land uses in appropriate locations of the rural zone.</p> <p>Council will look at rewording these provisions. DAF and DSDMIP will review a new revision of the planning scheme.</p>

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		<p>Reason:</p> <ol style="list-style-type: none"> 1. "Industrial farming" is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. 		
6	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: State interest partially integrated</p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from 'Animal husbandry'.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p>	<p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>This is an interpretation problem – we are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry.</p> <p>If the State is determined they are, we need to adjust tables of assessment, Rural Zone Code and Rural Activities use code to allow a certain degree of "intensive animal industry" (i.e. some small scale poultry and pigs). This would be considerable work, and against the views of our community.</p>	<p><u>Intensive animal industry</u></p> <p>DSDMIP advises: The definition of 'intensive animal industry' is multi-layered – there's more than one criteria to meet – the use is for the <u>intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or...</u></p> <p>The use needs to meet all of these for it to meet the definition. It will be up to council to ensure that animal husbandry really is animal husbandry and not intensive animal industry.</p> <p><u>Animal husbandry</u></p> <p>DAF's position is that animal husbandry should be accepted development in the rural zone. DAF accepts that Council would like to have some control over numbers to minimise impacts and at these thresholds determined by Council (whatever they might be), the use would become code assessable. DAF would accept this if the numbers of animals allowed as accepted development were increased. For example, DAF doesn't think it is reasonable for someone who wants a couple of head of cattle in the rural zone to have the use deemed assessable.</p> <p>DSDMIP advises that other councils in the region make animal husbandry accepted development (with or without requirements) and therefore Noosa Shire Council could look to these for guidance. MBRC use a local law to control certain animal keeping which is referred to in the tables of assessment for animal husbandry to be accepted development (without requirements) and otherwise, to be accepted development with requirements (rural zone code). SCRC makes animal husbandry accepted development with requirements (rural uses code).</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>
7	<p>The resources that agriculture depends on are protected to support the long-term</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use;</p>	<p>Our concerns about this are primarily:-</p> <ul style="list-style-type: none"> • The level of potential impact will be dependent on the size of the property as well as the scale 	<p>DAF previously advised that DAF does not support the exclusion of intensive animal industries or restricting the scale of the intensive animal industry within the rural zone.</p>

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	viability and growth of the agricultural sector.	<p>Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p>	<p>of the operation. At the very least the table of assessment would have to threshold a very large minimum lot size for</p> <ul style="list-style-type: none"> • It's thought no intensive animal industry should be code assessable because by their very nature there is likely to be impacts. • While a poultry farm of over 1,000 birds is an ERA a piggery is not an ERA until they have more than 400 standard pig units. Up to 400 pigs subject to code assessment is certainly going to be a concern for the rural community. If we end up putting huge setbacks on them there are so few lots that could do it anyway so what is achieved? <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the "clean/ green" credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p>	<p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>However, the suitable location and design of intensive animal industries to avoid environmental harm is supported.</p> <p>DAF does not accept any attempts by a local government to prohibit or make intensive animal uses inconsistent in the rural zone.</p> <p>DSDMIP advises: The Sunshine Coast Planning Scheme uses a scale (threshold) to determine code and impact for the rural zone for intensive animal industry: Code assessment if involving less than</p> <ul style="list-style-type: none"> • 21 standard units of pigs • 1000 birds or poultry • 50 standard units of cattle • 350 standard units of sheep <p>Impact assessment if not otherwise specified.</p> <p>DSDMIP doesn't consider this to be prohibition but rather, regulation. As such, DSDMIP is not against Noosa Shire Council regulating intensive animal industry in a similar way to Sunshine Coast Regional Council, by providing local context as the justification.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable. We will increase the threshold for accepted development subject to requirements to 2,000m².</p> <p>It is however preferable that above 2,000m² we continue to require code assessment but will amend the AO of the code to specify it can be up to 10% of the site area.</p> <p>If you had a 20ha property, this would allow you to have 2ha under shed/shadecloth/igloo. That's about the size of the Lake Macdonald tomato shed and it has been Council's experience that planning assessment and control was definitely warranted in that instance.</p>	<p>Agreed – and DAF is happy to accept Council's advice on what requires code assessment as per Lake Macdonald example.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer 	<p>Resolved.</p>

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		<p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>	<ul style="list-style-type: none"> - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>We will:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read “setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps”. • Amend buffer widths in Table 6.8.1 AO18.1 to read “setback... a distance greater the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps”. • Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. “a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps”. 	
10	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>This will be included in the whole consideration of what is intensive animal industry and what is not.</p>	<p>DAF previously advised that the definition of agriculture in the SPP includes intensive animal industries.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>All rural uses should be listed as consistent uses in the rural zone. Please amend any instances with rural uses are listed as inconsistent uses in the rural zone. Council can regulate the level of assessment through the tables of assessment.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>

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		The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.		
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	Done	Resolved.
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are “low rise” if low rise means under 9 metres, or define what “low rise” means. 2. Amend PO7(b) to “minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to “minimise” the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>Suggest PO7 remain however, the corresponding AOs provide a specific exclusion that a class 10 building used exclusively for agricultural activities be allowed up to 12 metres. A structure that does not constitute a building might be up to 15 metres.</p> <p>Accordingly, we are adding an AO for setbacks to ensure where the building or structure exceeds 9 metres its boundary setback is equal to twice its height.</p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big “barns” that very quickly get converted to habitable buildings.</p>	DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of ‘bulk’.
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p>	Propose rewording PO8 (a) to read “avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on the amenity enjoyed by users of nearby premises;”	DAF previously advised, that DAF agrees in part, however if an issue as subjective as “amenity” is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect

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		<p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p>	<p>Council is not prepared to be silence on amenity.</p> <p>It should be noted that there are many hundreds of small lifestyle lots within the Rural Zone. We thought it insensible to scatter the Rural Residential zone throughout the hinterland. However if the amenity of these residents cannot be protected Council may revisit the mapping methodology for Rural / Rural Residential zones which would be a great pity as that is likely to stifle small scale rural enterprises.</p>	<p>amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone’s amenity if that person’s perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - “avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses.”</p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p> <p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn’t supportive of the state interest for agriculture.</p>	<p>PO9 can be reworded to say “Development, including haulage components, does not result in environmental harm or environmental nuisance to sensitive land uses.”</p> <p>PO10(b) will be deleted as it is considered to be covered by the amended PO9.</p> <p>The reality is that the majority of the hinterland is being used for lifestyle purposes and for conservation. It is strongly felt that the amenity of rural residents must be protected. As discussed above the alternative to this is that a much broader area be zoned Rural Residential. If this is the preference of the State please advise as we thought it the less appealing option.</p> <p>Through consultation on the Discussion Paper, we did get a great deal of feedback wanting to protect the amenity of rural and semi-rural areas.</p>	Resolved.
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce</p>	<p>It has been considered and we need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the AO.</p> <p>We’ve added an Editors note as follows: Editor’s Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the</p>	Resolved.

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		amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.	<i>surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</i>	
17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor’s note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: 1. Reword PO15 2. Consider removing or rewording Editor’s note</p> <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor’s note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it’s acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p><i>As discussed above need to be realistic in that 80% of the building approvals in the rural zone are likely to be for domestic purposes (or tourism) and so if we are going to make specific allowances for genuine agricultural building it should be limited to them rather than just deleting the PO</i></p> <p><i>We are modifying PO15 to clarify it is also about slope stability.</i></p> <p><i>The Editor’s note will be modified to read: On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</i></p>	Resolved.
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: ‘maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and’</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	Suggested wording added.	Resolved.
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p><i>Rewording it to read: (b) Agricultural practices contribute to the heritage values of the Shire. (c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged to establish in rural areas.</i></p>	Resolved.

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		<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>		
20	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p>	<p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.”</p> <p>It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes.</p> <p>Regionally significant scenic amenity is also mapped (see below). This was not cut out of ALCA maps but it would also be inappropriate or neglectful to allow “uglification” through intensive rural activities.</p> <p>We know from past studies and consultation that people value the landscapes of cows in paddocks, cane fields, pineapple crops, avocado trees, forest plantations etc. Scenic amenity and farming can go hand in hand and it is not unreasonable to aspire for landscapes to be attractive and interesting even if substantially modified by crops etc.</p> <p>Again it needs to be remembered how fragmented the rural area is and how much of it is used for lifestyle only. The alternative is zoning everything less than 4ha in area in Rural Residential then there will be little scope for farming anyway.</p>	<p>DAF previously advised that DAF acknowledges this, however the conundrum is that the rural zone is for growing food etc, and if that means intensively, then without a mechanism to remove that land use from being acceptable in the rural zone, it must be supported.....or at least not unfairly constrained. It's appropriate to require developments of this nature to reduce impacts on amenity and surely this could be achieved through appropriate buffering and landscape elements? Like housing and industry, agriculture must go somewhere – and the only place for it is the rural zone.</p> <p>DSDMIP considers that the inclusion of rural landscapes in the purpose and overall outcomes for the Rural Activities Code does not adversely impact rural activities from occurring and provides local context for the Noosa Shire.</p>

				
21	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>Reworded to suggest development seeks to maintain the capacity of agricultural land.</p>	<p>Resolved.</p>
22	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>We have modified PO23 as follows: Intensive animal industries, including haulage of animals, do not result in environmental nuisance to surrounding sensitive land uses.</p>	<p>DAF previously advised: Agree with amended PO23.</p> <p>DAF agrees that development should not cause environmental nuisance to sensitive land uses.</p>

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		<p>Action: Amend the performance outcome to focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>However Council is of the strongest view that intensive animal industries should be treated as any other industry where we would expect impacts be contained on site.</p>	<p>However, the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone, which is the appropriate location for all agricultural/rural uses and its development, including intensive agricultural uses.</p> <p>The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Resolved.</p>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>“reducing the risk of soil erosion” has to be harder than “not increasing the risk of soil erosion”</p> <p>We do not see the logic of this comment.</p>	<p>Agree – reword to “manages the risk of soil erosion”</p> <p>Resolved.</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	<p>Edited to read “Unless spray is entirely contained within a structure without risk of escape...”</p>	<p>Resolved.</p>
25	The resources that agriculture depends on are protected to support the long-term	<p>Planning Scheme Reference:</p>	<p>We have added an new AO that says: “Intensive horticulture structures and covered areas</p>	<p>Resolved.</p>

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	viability and growth of the agricultural sector.	<p>Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>associated with the use do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>	
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. We believe some forms of agriculture will not be appropriate in the catchment and certain conditions should be met. Therefore, it did not seem appropriate to map it as ALCA.</p> <p>The State needs to determine one clear instruction here.</p>	<p>The council can map the land as ALC, and then have appropriate planning scheme provisions to regulate development that could impact on the water supply catchment.</p> <p>Development in water resource catchments and water supply buffer areas should be appropriately sited and designed to avoid the risk of sediments, nutrients and contaminants compromising the quality of the drinking water supply.</p>
Development and construction				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted</p>	<p>Modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won’t be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>	Resolved.

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		<p>development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>		
28	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>Please advise what zone this should be, they have always been in an open space zone to date.</p> <p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregrin Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings etc.</p> <p>Advice Comment at #16 also noted but not considered necessary.</p>	<p>DNRME previously advised, that at the Whole of Government briefing, it was advised that council's vision for the scheme was to promote Secondary dwellings and particular "dual occupancies" (separate household). This is a form of infill development, and would therefore increase the amount of people living and visiting the area. Infill is not just occurring via up zoning.</p> <p>It is considered that environmental management and conservation is the 'best fit' zone, but a footnote should be used to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area. Furthermore, the use of this land should be acknowledged in section 7.2.6.2 Purpose and Overall outcomes for the Coastal Communities Local Plan Code, and PO20(c) should be amended to ensure fire risk management 'can' significantly impact the biodiversity values as the area will be periodically cleared and burnt.</p> <p>Additional comments in comment 16.</p> <p>The historical interactions between DNRME and the council were explained in a meeting on 15/08/18 and the management issues.</p> <p>Council to reword provisions to address issue, and DNRME will review in a new revision of the planning scheme.</p>

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29	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes.</p> <p>In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space.</p> <p>Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p>	<p>DNRME previously advised, that this is not the present use or approved use of the land. DNRME understands there is no date for this closure to occur and council has not sought to surrender or amend the purposes of the reserve.</p> <p>Therefore, it was recommended that the zoning be amended to reflect the approved present use as previously suggested.</p> <p>Council could also include the future intent for the area in the scheme's Strategic Framework. This could be done by acknowledging the Great Sandy Management Plan outcomes.</p> <p>Council acknowledged that zone changes in this area previously have drawn significant community interest and opposition, in terms of a zone change from Environmental Management and conservation zone to community facilities zone.</p> <p>Previous attempts to change the purpose of the reserve have been difficult, due in part to the trustee lease. Council needs to liaise with the DNRME about possible solutions as the two trustee leases combined only covers less than 2000m² of the entire 428Ha site.</p> <p>Council intend to acknowledge the existing uses of the reserve in the strategic framework of the planning scheme.</p> <p>DNRME support councils proposed zone in the draft scheme, but the strategic framework needs to acknowledge:</p> <ul style="list-style-type: none"> - the existing land use as an airstrip - the existing land use will not be expanded - the present land use will stop in the future as per the Great Sandy Management Plan outcomes.
30 SAME PROPERTY AS ADDRESSED AT #44 BELOW	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	<p>We've got it zoned Community Facilities: Utility Installation</p> <p>Zone will be changed to Rural.</p>	Resolved.
31 SAME PROPERTY AS ADDRESSED	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	Zone will be changed to Environmental Management & Conservation.	Resolved.

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SSED AT #45		<p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>		
32 SAME PROPERTY AS ADDRESS SSED AT #46	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone will be changed to Environmental Management & Conservation.	Resolved.
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone will be changed to Environmental Management and Conservation	Resolved.
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range	Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419	JUST A COPY OF 33?	This is not a copy of item 33, it is regarding lot 491 SP287419, which is the adjacent property, but the outcome sought is the same as that sought for lot 492. Based on

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	of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>		<p>council's comment, DNRME is unsure if council supports DNRME's advice. DNRME's reason for the advice explains the difference between the two lots.</p> <p>Resolution as per item 33.</p>
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zoning will be changed to Environmental Management & Conservation	Resolved.
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	All commercial leases in the Noosa River along Gympie Terrace will be zoned Recreation and Open Space.	Council acknowledged the inconsistency in the zoning applied to the jetties and will make changes. DNRME to review these changes in a new revision of the planning scheme.
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p>	Not sure why we have received this instruction.	DNRME previously advised, that this is not DNRME's experience in the past as there are examples of this property being previously used for helicopter joy rides and music festivals which has had significant impacts on

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	of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to ‘temporary... outdoor entertainment events’, yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as ‘recreation and open space zone’. This lot is State-owned land with a land lease for the granted purpose of ‘recreation’. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p>	<p>Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held and you get the occasional circus or whatever.</p> <p>At another sports ground you get a rodeo one night every year. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie foreshore and at The Woods near Hastings Street there are often one day community events or festivals.</p> <p>PO7 reads as <i>Temporary or periodic uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area.</i></p> <p>That PO applies to the zone not one specific site obviously. The table of development specifies the consistent uses.</p>	<p>amenity, safe traffic environment and character of the surrounding area.</p> <p>Without a definition of temporary or periodic events this PO is unmeasurable.</p> <p>Council will be making some changes to the definition of Temporary uses in the planning scheme to clarify their intentions. Council acknowledged that it is not their intention to have the planning scheme regulate ‘one off events’ such as a circus.</p> <p>Council could use management plans for one off uses – this is up to council to manage.</p> <p>DNRME to review the changes once they have been made.</p>
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Mining and extractive resources

Ref. Number	Policy Elements	Requirement	Initial NSC response	Resolutions as at 13/9/18
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping will be changed and a footnote added.</p> <p>(We understand the consultation on the new shape is occurring right now.)</p>	Resolved.

Planning for the environment and heritage

Biodiversity

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Ref. Number	Policy Elements	Requirement	Initial NSC response	Resolutions as at 13/9/18
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	<p>Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.” If that is not clear we can add “the whole of”</p>	<p>Resolved.</p>
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p>	<p>Koala Habitat Map will be changed to show the Koala Assessable Development Area</p>	<p>DES previously advised that the mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>DES and DSDMIP met with the council on 28/8/18, where the MSES requirements were explained.</p> <p>It was agreed that the council would provide the mapping methodology for the Koala Habitat Area map to DES and DSDMIP and DES could provide confirmation about the methodology being satisfactory. Council has provided this mapping.</p> <p>DSDMIP advised that the SPP requires MSES to be identified and that development is located in areas that avoid adverse impacts, or where adverse impacts cannot be reasonably avoided, they are minimised (HOWEVER, the planning scheme must not include assessment criteria for MSES which duplicate a state assessment process – this includes MSES that is koala habitat) – see section 2 of the guidance material for biodiversity for guidance on how to appropriately integrate the policy for MSES. Council will revisit planning scheme provisions which rely on the biodiversity overlay to ensure there’s no duplication of assessment with the state process.</p> <p>DSDMIP reminded the council that MSES is made up of lots and lots of different datasets – they are defined in Part G of the SPP, and spatially represented on the SPP interactive mapping system where possible. Part 3 of the guidance material for biodiversity also provides further guidance on mapping. It’s worth noting that least concern REs are not MSES, but are still an environmental value that the local government could map. The guidance document provides a list of some of the other environmental values that aren’t considered MSES.</p> <p>Additional action for council:</p>

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				<ul style="list-style-type: none"> In regards to Matters of National Environmental Significance (MNES), the SPP requires local government planning schemes ensure development is located in areas to avoid significant impacts on MNES and considers the requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>. Given the way the planning scheme currently shows biodiversity in the overlay map, it's unclear if the council has complied with this policy. Currently, the only MSES for which a local government can require offsets, is non-juvenile koala habitat trees as defined in Schedule 24 of the Planning Regulation 2017. The Planning Regulation 2017, Schedule 11 has the assessment benchmarks for development in a koala habitat area that the local government, as assessment manager must assess against. The Noosa Shire contains Koala assessable development areas (KADA). The council could provide a note on the map and/or in the planning scheme about the assessment requirements under the Planning Regulation 2017.
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p>	<p>Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles. References to turtle will be changed to 'marine turtles'.</p>	Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation</i></p>	DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.



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		<p>value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p>	<p><i>clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>	<p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>
43	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p>	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	<p><i>We currently don't have a provision which relates to this. We can include a new PO and AO in the code which reflects the action.</i></p>	<p>Resolved.</p>
44	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p> <p>SAME SITE AS ADDRESS IN 30 ABOVE</p>	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	<p>Zone will be changed to Rural but note that #30 wanted it to be available for use as a quarry so suggest State reconcile its intentions for the site.</p>	<p>Resolved.</p>
45	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p> <p>SAME PROPERTY AS ADDRESS IN #31</p>	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By</p>	<p>Zone will be changed to Environmental Management & Conservation</p>	<p>Resolved.</p>

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		retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.		
46 SAME PROPERTIES AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone will be changed to Environmental Management & Conservation.	Resolved.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Noosa District Sports Complex at Tewantin – Council sought to rationalise the zoning because we assumed the veg was not at risk however split zoning can be reapplied.	Resolved.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up</p>	St Teresa's school at Noosaville – The zoning of this school as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. Council has now sought to rationalise the zoning (as it did with the hospital and other pieces of community infrastructure) because we have biodiversity overlay that covers the veg and we could not see why the Noosaville State School next door which has even more MSES would be treated differently (it is currently entirely Community Services zone).	<p>DNRME previously advised: The other school sites raised by Council weren't raised in DNRME's review because these sites were already zoned wholly for community facilities. St Teresa's was the only site where there was a change from a non-urban (split) zone to a wholly urban zone.</p> <p>St Teresas Current zone – Split community services / open space conservation Proposed zone – Wholly community facilities</p> <p>Noosaville State School Current zone – Wholly community services Proposed zone – Wholly community facilities</p>

		<p>zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	 <p>We can reapply a split zone to St Teresa's however think it inappropriate to do so unless also applied to:</p> <ul style="list-style-type: none"> • Noosaville State School • Pomona State School • Noosa District High (both Pomona and Cooroy Campuses) • Noosa Christian Collage at Cooroy • Sunshine Beach Primary School <p>all of which contain MSES.</p>  	<p>Pomona State School Current zone – Wholly community services Proposed zone – Wholly community facilities</p> <p>Noosa District High (Pomona campus) Current zone – Wholly community services Proposed zone – Wholly community facilities</p> <p>Noosa District High (Cooroy campus) Current zone – Wholly Community services Proposed zone – Wholly community facilities</p> <p>Noosa Christian College (Cooroy) Current zone – Wholly Community services Proposed zone – Wholly community facilities</p> <p>Sunshine Beach Primary School Current zone – Wholly community services Proposed zone – Wholly community facilities</p> <p>DSDMIP has recently added an infrastructure designation layer to the SARA DA Mapping System. A review of this layer shows that there is no infrastructure designation on this lot.</p> <p>The subject vegetation is least concern veg, and essential habitat (which makes it MSES).</p> <p>The subject vegetation is covered by the 'Area of biodiversity significance' overlay area on the proposed Biodiversity, Waterways and Wetlands Overlay map.</p> <p>This issue is not a matter of consistency with other school sites, but is about up-zoning.</p> <p>Council will reapply the split-zoning to this site.</p>
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<p>49</p>	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p>	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p>	<p>This would be disappointing as it would prevent another sports ground in demand by the community as well as the additional domestic violence safe houses near the police station. The boundaries of the MSES's do not seem to accurately match the landscape on the ground.</p> <p>Council can make the zone change as request however would appreciate the chance to discuss with the state the reasons for the proposed zone realignments and can have our Ecologist assist with redefining the boundaries of the zones if that helps.</p> 	<p>DNRME previously advised: It is unclear why this change 'would prevent another sports ground' as suggested in Council's comment. As part of the development assessment of any proposal (e.g. a sporting field), the on-ground extent of the vegetation is assessed. DNRME's advice reflects the mapped values of the site and would set a level of assessment for any development on the site.</p> <p>Furthermore, there may be some confusion caused by the size and configuration of Lot 1 SP239726. DNRME's comments related to the proposed zoning change adjacent to the sports fields, and did not relate to changes adjacent to the Noosa Heads Police Station.</p> <p>The area adjacent to the Police Station has a small amount of land that was previously Open Space Conservation that is proposed to be zoned Community Facilities. However, DNRME acknowledges that overall the outcome will be a net reduction in Community Facilities zoning in this area via a reconfiguration of the zoning. Therefore, DNRME supports the proposed change adjacent to the Police Station.</p> <p>Council advised during the meeting of 15/08/18 that the vegetation that's mapped on the road is probably regrowth.</p> <p>DNRME offered for council to provide some information to DNRME about the status of the vegetation, and DNRME can consider this issue again.</p>

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Coastal environment				
Ref. Number	Policy Elements	Requirement	Initial NSC response	Resolutions as at 13/9/18
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p>	The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.	The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.
Cultural heritage				
Ref. Number	Policy Elements	Requirement	Initial NSC response	Resolutions as at 13/9/18
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations .	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p> <p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p>	The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow.	It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.
Water quality				
Ref. Number	Policy Elements	Requirement	Initial NSC response	Resolutions as at 13/9/18
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>	Resolved.

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Planning for safety and resilience to hazards

Emissions and hazardous activities				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p><i>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of acid sulfate soils is to be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</i></p>	Resolved.
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p><i>Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts.</i></p> <p>The following further information is available:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>Additional strategic outcome 3.3.8 added: Sensitive land uses are protected from the impacts of abandoned mines and related hazards.</p>	<p>DNRME provides this further advice as the preferred wording, to align with the soon-to-be-released SPP guidance material:</p> <p>Additional wording added to Strategic Intent 3.2.9:</p> <p><i>Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts.</i></p> <p>The following further information is available:</p> <ul style="list-style-type: none"> Historic information relating to mining activities is held by the Department of Natural Resources, Mines and Energy. Information on abandoned mines can be obtained by visiting the Queensland Government website for more information www.qld.gov.au/environment/land/abandoned-mines/. <p>and additional information on historic mining activities can be gained from the Minesonlinemaps https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/minesonlinemaps</p> <p>Note: This mapping does not spatially represent all former mining activities in the Council area, and their extent. However, these mining layers do give an indication of where there is an increased risk of hazards from former mining activities so that further geotechnical investigations can be undertaken where necessary.</p> <p>Additional strategic outcome 3.3.8 added: Sensitive land uses are protected from the impacts of abandoned mines former mining activities and related hazards.</p>

55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> • section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code • table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> • Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b)For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> (i) <i>Development provides for adequate separation from the gas pipeline corridor.</i> (ii) <i>Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> (iii) <i>Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> (iv) <i>The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> • Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="759 1094 1540 1871"> <tr> <td data-bbox="759 1094 1080 1871"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="1080 1094 1540 1871"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p> </td> </tr> </table>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p>	Can include provisions as provided above that protect the existing and future pipeline.	<p>Resolved as long as the following provisions are included:</p> <p>Action: The focus of the Code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> • Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b)For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> (i) <i>Development provides for adequate separation from the gas pipeline corridor.</i> (ii) <i>Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> (iii) <i>Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> (iv) <i>The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> • Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="2184 1178 2769 1894"> <tr> <td data-bbox="2184 1178 2445 1894"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="2445 1178 2769 1894"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> </td> </tr> </table>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p>
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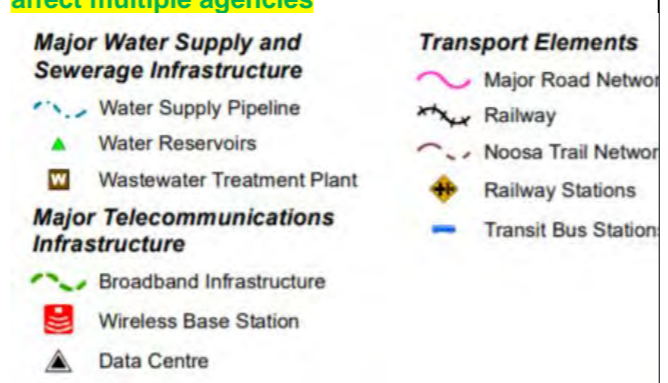
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		<p>Reason: While <i>Petroleum Pipeline Licence 32</i> is authorised under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>		<p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>
Natural hazards, risk and resilience				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.</p>	<p>As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. Council staff advised the State of recommended changes for the mapping. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent. No special assessment of bushfire risk beyond this is necessary given the low development scenario planned for Noosa Shire and the fact that the proposed development potential largely reflects that of the current planning scheme.</p>	<p>DSDMIP is still waiting for council to provide a risk assessment for bushfire.</p>

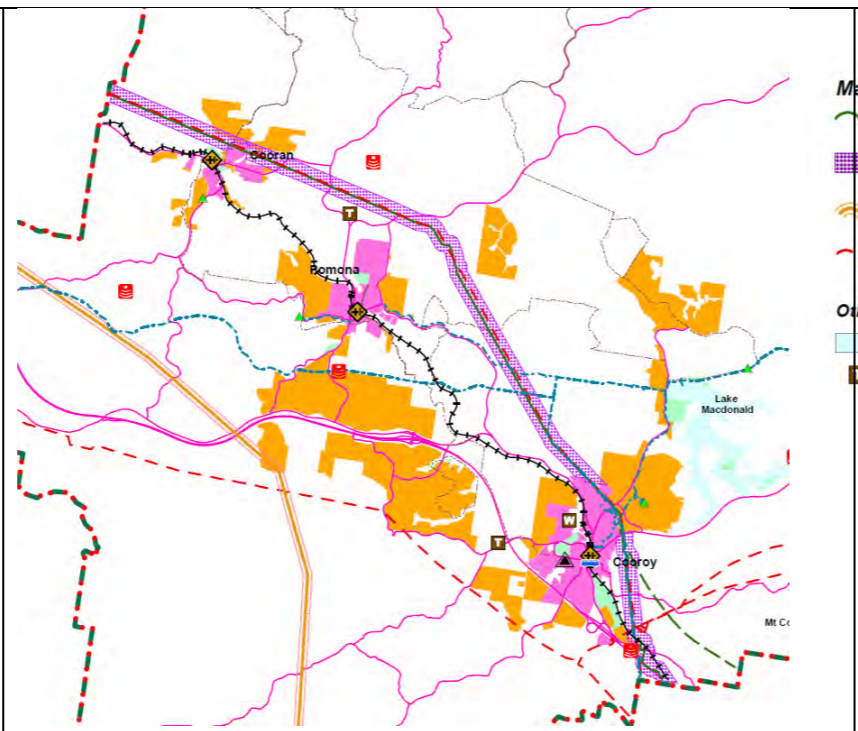
Planning for infrastructure

Energy and water supply				
Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Property is 20 Grahams Rd Pomona 2SP216695 and zoning will be changed to Community Facilities (with substation annotation)</p>	<p>Resolved.</p>

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		<p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>		
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from ‘Impact Inconsistent’ to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	This change to the tables of assessment will be made.	Resolved.
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>Energex offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>With consideration of what is already shown on Strategic Framework Map 3 (see below) and other Overlay Maps, Council proposes that if it is the State's Instruction that we have a Regional Infrastructure Overlay including Energy Q electricity infrastructure it should also show:</p> <ul style="list-style-type: none"> - Powerlink transmission lines; - the gas pipeline; - the major road network and railway; - bulk water infrastructure?? <p>This is a significant piece of work and will also rely on rearrangement of code provisions as well. Please ensure complete instructions as it will affect multiple agencies</p>  <p>Major Water Supply and Sewerage Infrastructure</p> <ul style="list-style-type: none"> Water Supply Pipeline Water Reservoirs Wastewater Treatment Plant <p>Major Telecommunications Infrastructure</p> <ul style="list-style-type: none"> Broadband Infrastructure Wireless Base Station Data Centre <p>Transport Elements</p> <ul style="list-style-type: none"> Major Road Network Railway Noosa Trail Network Railway Stations Transit Bus Station 	<p>EnergyQ reiterated the importance of including a Regional Infrastructure Overlay Code. It's understood that 'major electricity infrastructure' has been shown on Strategic Framework Map 3. However, to properly address the Energy and water supply - State interest policy 1 (protecting existing and approved major electricity infrastructure) there needs to be a Regional Infrastructure Overlay and an associated development Code. A specific Code will mean that issues such as reverse amenity and setbacks to protect the safety of people and infrastructure, can be assessed against in regard to targeted development and not just development that is required to address the strategic framework.</p> <p>EnergyQ provided a recent example of an overlay code that reflects the SPP guideline.</p> <p>EnergyQ and DSDMIP will review the changes to the planning scheme in a revised version of the plan.</p>
60	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>	<p>Council is happy to make the changes to the wording in the relevant overlay code as suggested in comment 55 above. (noting that it may be a different overlay given discussion at #59 above)</p> <p>However, this will not resolve the current conflict between the overlapping of easements held by Energex and gas pipeline licence holder. Council feels that this conflict may best be resolved at the state level.</p>	<p>EnergyQ previously requested that the council reword AO1.1 so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>The preference is that the DNRME suggested changes to the code (item 55) should be used, as opposed to the EnergyQ suggestion, given that EnergyQ can simply request written confirmation as</p>

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		 <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p>		<p>per AO1.3 – this is the best way to ensure that the development doesn't impact on the future use, and doesn't stop EnergyQ from being able to locate structures within the buffer if appropriately designed.</p>
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State transport infrastructure

Ref. Number	Policy Element	Requirement	Initial NSC response	Resolutions as at 13/9/18
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</i></p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p>	<p>The road hierarchy is shown on the Strategic Framework Map 3 Infrastructure and at this stage everything above local roads is shown on the zone map. This approach may be revisited if we end up having an infrastructure overlay.</p>	<p>Further review of the submitted material confirms that the proposed road hierarchy identified on the mapping is generally appropriate and consistent with the State-controlled road network.</p> <p>Council proposed to create a new regional infrastructure overlay map which will show this infrastructure. DTMR and DSDMIP will review this new map and associated code when a new revision of the scheme is provided.</p>

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		<p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>		
62	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p> <p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>High resolution Framework & Character Plans are available. They only deal with the town centres not the whole towns. They don't address inter-centre connections.</p> <p>The LGIP (which has not been forwarded to the State as yet and is being presented to Council this month) has the mapping for the priority <u>trunk</u> pathway network (existing and proposed). It does not show all pathways or on road bike lanes that would make up the active transport network. Neither does it show recreation bike paths and trails.</p> <p>The LGIP differs from the Principal Cycle Network Route Maps because there are concerns about some aspects of the route. There is reluctance to be committed to those pathways if for local/site specific reasons it is not practical or desirable.</p> <p>Council would be happy to work with DTMR to refine mapping if necessary.</p>	<p>DTMR previously advised:</p> <p><u>Active Transport</u></p> <p>In order to provide sufficient information to guide development outcomes and promote active transport as an attractive alternative to private transport the Framework & Character Plans should be amended or an overall active transport strategic network plan developed. Planning is needed to ensure the delivery of a connected and cohesive cycle network across the shire. The existing and future primary cycle routes that have logical connections to key destinations within and between centres should be included and the Priority Routes as shown on the SEQ Principal Cycle Network Plan should be incorporated.</p> <p>This can be further discussed with the council.</p> <p><u>7.2.4 Noosaville Local Plan Code – Figure 7.2.4.5 Noosa Business Centre – Transit Centre</u></p> <p>TMR does not support the identification of a Proposed Bus Interchange on this Framework and Character Plan.</p> <p>Identification of a Proposed Bus Interchange in this location may unduly raise expectation of State delivering transport infrastructure being delivered that is not planned or funded. DTMR is unaware of any associated studies or planning supporting a new bus interchange in this location. It is noted that draft PFTI in the draft LGIP do not nominate a new bus stop at this location.</p> <p>Whilst a 'Transit Bus Station' is nominated in this general location in the Strategic Framework mapping it is unclear if it relates to this proposed Bus Interchange or the existing Bus Station at the 'Noosa Civic' Centre.</p> <p>The inclusion of a proposed bus interchange in Strategic Mapping is supportable with the inclusion of an Editor's Note stating the following or similar, 'Editor's note: this Proposed Bus Interchange is not planned or funded State transport infrastructure'. The inclusion of a proposed bus interchange in the Part 7 - Framework & Character Plans is generally not supported.</p> <p>This was further discussed with the council during a meeting.</p> <p>As a result of meeting, the following actions arose:</p> <p>1. Council to include editor's note saying the interchange isn't planned or funded by the State</p>

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				<p>government (or similar eg ...is subject to further planning with the State government...) and is subject to further planning studies.</p> <p>2. Council to include additional wording in codes to identify that interchange and its location is subject to further planning.</p> <p>3. State to review final wording prior to final endorsement.</p> <p>Further, TMR will discuss internally with TransLink (Network Planning and Infrastructure teams) with a view for a future discussion about the planning of the interchange with council's planning team and infrastructure team. (Lud (Oddbjorn Ludvigsen) is contact for Noosa Council.)</p>
63	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <u>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</u></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned with sufficient information provided to guide development outcomes.</u></p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>Every pathway we have forms part of our active transport network.</p> <p>The LGIP identifies the existing and future trunk pathways network which has a dual function for pedestrians and bikes. The pathways logically follow the trunk road network and includes pathways to key destinations.</p> <p>Local pathways that are not trunk also have a dual function but are fine grained and weren't mapped in the planning scheme.</p> <p>While Council is very keen to facilitate active transport it should be acknowledged that Noosa lacks both the large future greenfield estates of many local government areas where roads and pathways are being established from scratch and the high density, transit orientated communities of cities where walkability is more readily achieved.</p> <p>Noosa has an urban form that is largely established. Growth now will largely be through dispersed infill.</p>	<p>DTMR previously advised: Appreciating the challenges Council faces in the form of a low density dispersed settlement pattern, the planning scheme has an aspirational target to reduce car usage and encourage walking and cycling. Planning is needed to ensure an active transport network develops that is logical and well-connected in order for active transport to be an attractive alternative to private transport.</p> <p>The existing and future active transport network, in particular the primary routes, should be reflected in the planning scheme to guide development. The active transport network should incorporate the cycle network identified in the SEQ Principal Cycle Network Plan, particularly the Priority Routes.</p> <p>This was further discussed at a meeting.</p> <p>At the meeting, the following action arose:</p> <p>Council suggested this could be shown on the new regional infrastructure overlay, and DTMR and DSDMIP agreed this option could work. This will be reviewed in a revised version of the planning scheme.</p>
64	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <u>Amend the assessment codes and planning scheme policy to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p>	<p>We can certainly add additional wording to the Transport Code and PSP however not sure to what extent they will be relevant. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or</p>	<p>DTMR is providing the taxi rank information to the council.</p>

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		<ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m2) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. <p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. 	<p>substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber.</p>	
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		Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.		
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RTI RELEASE - DSDMIP

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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>				
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response	Resolutions as at 13/9/18
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and, defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>State needs to tell us whether this is lawful or not.</p> <p>We tried to promote secondary dwellings as a legitimate form of housing choice however as the State is adamant they have to be part of the same household we've created the option for a dual occupancy where one dwelling is small and not subdivided off so that a separate household (probably only one or two people) can rent it out. (We believe Logan did something similar)</p> <p>It is limited in size in an attempt to ensure it is not as expensive as the majority of houses or units already existing in Noosa. Our Housing Needs Assessment showed a serious mismatch between dwelling size and household needs and we are trying to counteract/rectify this by promoting opportunities for additional small dwellings scattered throughout the existing low density urban neighbourhoods. If we allow the secondary dwelling to be bigger it is likely to have a bigger impact on the neighbourhood in terms of building bulk, car parking etc and is less likely to be “affordable” for the lone person households or the single parent etc who are particularly in need of options.</p>	<p>In the local government area, the specific issues around larger units are noted. DHPW does not object to the council's proposal.</p> <p>DSDMIP requires the following:</p> <p>Further Action required – Action: Remove the provisions which prevents a dual occupancy from being placed into a community title scheme: Table 5.5.1 – Low density residential – Dual occupancy, 6.3.1 Low density residential zone code (AO5.2, AO5.3), 9.3.1 Low density housing code (overall outcome (h), AO3, PO4 <i>*Note: this may flow on to other areas of the planning scheme*</i></p> <p>Reason: The <i>Planning Regulation 2017</i> defines a dual occupancy – (a) means a residential use of premises for <u>2 households</u> involving – (i) <u>2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property;</u> (ii) <u>any domestic outbuilding associated with the dwellings; and</u> (b) does not include a residential use of premises that involve a secondary dwelling. The <i>Planning Regulation 2017</i> defines reconfiguring a lot – (d) <u>dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—</u> (ii) <u>an agreement for the exclusive use of part of the common property for a community titles scheme under the <i>Body Corporate and Community Management Act 1997</i>.</u> As the planning scheme cannot regulate a community title scheme, as it does not require a development permit, the scheme cannot prevent a dual occupancy development from being separately titled through a community title scheme under the <i>Body Corporate and Community Management Act 1997</i>. Furthermore, a material change of use cannot restrict a reconfiguring a lot development as they are two separate development types.</p> <p>Action:</p>

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				<p>Review the provisions in, and consider re-drafting, 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – dual occupancy requirements</p> <p>Reason: The term 'small dwellings' is defined in the administrative definitions as having a gross floor area of no more than 90m². However, AO5.4 states a dual occupancy only occurs where one dwelling is no more than 65m² (the small dwelling). Small dwellings are referenced for other types of development throughout the scheme and using this term for multiple meanings and provisions causes conflict and confusion.</p> <p>Action: Review the provisions in, and consider re-drafting, 1 Low density housing code AO3, PO4.</p> <p>Reason: PO4 contradicts the definition of dual occupancy and the provision seems to be mixing secondary dwelling and dual occupancy together. The provision needs to be clear which type of development it is regulating. Is it a dual occupancy or dwelling house with secondary dwelling? The use definitions would prevent you from having a dwelling house with a secondary dwelling (one household) already on site and then trying to develop a dual occupancy (two new households) on top of that, it would move into the multiple dwelling use definition. Furthermore, AO4 is confusing and re-drafting should be considered. As it currently reads it is not clear on the intent of this AO4.</p>
2	<p>6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing</p>	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the Planning Regulation 2017) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p>	<p>State needs to provide clear instructions</p>	<p>DSDMIP have been requested to provide advice as to whether the proposed approach is acceptable.</p> <p>DHPW is supportive of NSC's proposals to address affordable housing, however it has advised that "public housing" should not be bound in the provisions of the planning scheme as it is not assessable development and, as it has specific requirements, it may not be able to be easily delivered through conditions of development. Therefore, references to public housing should be deleted.</p> <p>It may however be appropriate to reference affordable housing as well as other social housing (excluding public housing). Further discussion on this matter is envisioned with NSC once advice is received from DSDMIP.</p> <p>DSDMIP agrees with DHPW, that the planning scheme can not make particular development for public housing assessable development, as per section 30 of Schedule 6 of the <i>Planning Regulation 2017</i>. However DSDMIP also agrees with DHPW, that there could be opportunity to regulate other types of social/affordable housing (excluding public housing). As such, some amendment is required to PO19 to ensure that public housing is not regulated here.</p>

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				<p>In terms of PO19 generally, and the requirement to provide a contribution towards the social housing needs of the Noosa community, this is not something that the planning framework specifically regulates (mandates or restricts), therefore council could regulate it. However, DSDMIP notes that it could be challenged by an applicant through appeal if the applicant considered a condition for the contribution to not be relevant or reasonable – this is a risk, and the council should seek its own professional/legal advice to inform its decision to include these provisions in the planning scheme.</p> <p>At this point, DSDMIP is not averse to the council going to public consultation with this provision in the planning scheme.</p>
	Table SC1.2.2 – Administrative definitions	<p>Advice: DSDMIP recommends reconsidering the administrative definition 'urban boundary'. This suggests the boundary will be clearly identified as a boundary line on a map. However, the zoning maps make no reference to a 'urban boundary'. Is the intention that the urban boundary is simply identified by the urban zones (areas)?</p>		<p>Advice: DSDMIP recommends reconsidering the administrative definition 'urban boundary'. This suggests the boundary will be clearly identified as a boundary line on a map. However, the zoning maps make no reference to a 'urban boundary'. Is the intention that the urban boundary is simply identified by the urban zones (areas)?</p>
	N/A	<p>Advice: DSDMIP recommends all other references to building unit plans be removed from the planning scheme as the scheme cannot regulate a community title scheme.</p>		<p>Advice: DSDMIP recommends all other references to building unit plans be removed from the planning scheme as the scheme cannot regulate a community title scheme.</p>
	Table 5.9.9 – Water resources and gas pipeline overlay	<p>Administrative error: DSDMIP has recognised a potential 'cut and paste' error in Table 5.9.9 – Water resources and gas pipeline overlay benchmarks and criteria which contains dual occupancy provisions.</p>		<p>Administrative error: DSDMIP has recognised a potential 'cut and paste' error in Table 5.9.9 – Water resources and gas pipeline overlay benchmarks and criteria which contains dual occupancy provisions.</p>
State Interest: Regulated requirements in the Planning Regulation 2017				
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response	Resolutions as at 13/9/18
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the Planning Regulation 2017. If a different administrative term is used, ensure this is done in accordance with section 8 of the Planning Regulation 2017.</p> <p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p>	<p>It's not used in the scheme so will be deleted from the definitions. May have been a hangover from current scheme.</p>	<p>Resolved.</p>

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		To clearly define electricity infrastructure and for consistency with the regulated requirements.		
State Interest: <i>ShapingSEQ</i>				
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response	Resolutions as at 13/9/18
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Cooribah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Cooribah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Cooribah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village".</p> <p>At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the</p>	<p>Growth management <i>ShapingSEQ</i> identifies an additional 6,400 dwellings will be required in Noosa Shire to 2041. At this stage, the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, the following advice is to be provided to council for ongoing consideration.</p> <p>Advice</p> <p>The dwelling capacities provided by council for dwelling growth to 2041 relate to all dwellings (resident and non-resident). Council should note the department's analysis of the planning assumptions which support the new Noosa Plan is based on resident dwellings only, as the <i>ShapingSEQ</i> dwelling supply benchmarks are for resident dwellings, i.e. dwellings required to accommodate the projected resident population (as opposed to visitor accommodation).</p> <p>The department's analysis indicates that relative to the <i>ShapingSEQ</i> dwelling supply benchmarks for additional dwellings to 2041, the dwellings projected by the DMATT growth forecasts:</p> <ul style="list-style-type: none"> • fall approx. 400 dwellings short of the Consolidation benchmark; • slightly exceeds the Expansion benchmark. <p>While the projected Consolidation growth to 2041 falls below the <i>ShapingSEQ</i> benchmark, the DMATT growth forecasts indicate substantial additional capacity beyond 2041. The department acknowledges that part of this additional capacity may be able to be taken up by 2041 to address the relatively small shortfall for Consolidation growth.</p> <p>It is noted that the assumptions underpinning the dwelling supply estimates of the DMATT growth forecasts may change over time, e.g. as a result of implementing the recommendations of best practice research undertaken by the Growth Monitoring Program (GMP). Also, it is currently considered that secondary dwellings should not be counted separately from the primary dwelling as part of the dwelling supply, but it is unclear the extent to which secondary dwellings contribute to council's reported dwelling growth and capacity.</p> <p>The department does not have concerns regarding the new draft scheme's ability to accommodate the projected growth at this stage. However, any changes</p>

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			<p>current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>	<p>to the assumptions and resulting dwelling supply estimates may require future planning scheme amendments to accommodate <i>ShapingSEQ</i> dwelling supply benchmarks in the future. Council should note this is a matter for ongoing review based on the GMP's annual Land Supply and Development Monitoring reports.</p> <p>Additional urban areas – Kin Kin and Cooroibah In relation to the 'urban areas' at Kin Kin and Cooroibah (see Strategic Framework Map 1), the department notes these areas are shown as 'Urban' on the Strategy Map of the current Noosa Plan.</p> <p>The identification of these areas as 'urban areas' in the Strategic Framework does not incorporate these areas in the Urban Footprint under <i>ShapingSEQ</i>. No change is required to the draft New Noosa Plan in relation to these areas.</p>
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p>	<p>No, there's not going to be a lot of growth in the northern part of the Shire – just not realistic.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p> <p>Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).</p>	<p>In accordance with the northern sub-regional direction, council will be encouraged to investigate the potential to identify limited additional longer-term urban growth opportunities, giving consideration to broader strategies for their long-term rural, environmental and landscape sustainability.</p> <p>In line with this, council are encouraged to investigate the potential to identify longer-term options to accommodate growth in the northern sub-region. Opportunities should be reflected in the strategic framework for future investigation. This is not required to be a commitment to development within a certain timeframe.</p>
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • Small second dwellings (technically dual occupancies) built on the site of existing houses 	<p>As noted in response to item 4 above, at this stage the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, council should note the advice provided in item 4 above, for ongoing consideration.</p> <p>Further, the department acknowledges council's Housing Needs Assessment which highlights a mismatch between dwellings being constructed and the needs of the Noosa community. It is noted particular needs relate to more affordable accommodation, smaller dwellings, additional aged care and special needs.</p> <p>The range of measures included by council in the draft New Noosa Plan to accommodate these needs are noted.</p>

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			<ul style="list-style-type: none"> New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc) 	
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m² outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p>	<p>Confused. The Action at #6 above asks where we intend to put more land in the Urban Footprint and then this one tells us we can't.</p> <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint contains substantially unconstrained land. While the whole site has an area of 9.5ha, approximately one third is proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>If we put it in Community Facilities Zone with no annotation is that acceptable?</p>	<p>Including this lot in the Community Facilities zone (with no annotation) would not allow for the potential use of the site for residential care facilities, as intended by council. Community Facilities is not an urban zone and the development of a residential care facility with a GFA of more than 5,000m² on this site would be prohibited development under the Planning Regulation 2017.</p> <p>If the lot were included in an urban zone, future development on the site would be considered <i>excluded development</i> under the SEQ regulatory provisions. However, council would need to undertake an assessment of the site against the Urban Footprint principles (see <i>ShapingSEQ</i>, Chapter 3) to determine the site's suitability for inclusion in an urban zone.</p> <p>The department invites further discussion with council about the potential options to facilitate council's intended use of this site.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are consider to reflect and incorporate those values consistent with <i>ShapingSEQ</i>.</p>	<p>The department is satisfied the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the proposed planning scheme.</p>
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged</p>	<p>Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where</p>	<p>The department considers council's proposed and ongoing approach to Traditional Owner engagement to be a positive approach.</p> <p>Council should continue to demonstrate how feedback received during public consultation and through this targeted engagement has been reflected in the proposed New Noosa Plan for adoption.</p>

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		and their culture is respected and reflected in planning for the region.	council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.	
State Interest: <i>Building Act 1975</i>				
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response	Resolutions as at 13/9/18
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, ‘noise sensitive use’. Reason: The QDC MP 4.4 requires that, ‘Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants’ health and amenity.’ The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.	Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we will delete or at least reword the PO & AO. Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy but then if the land is zoned for that purpose and they otherwise comply and they have to meet the noise mitigation measures of the QDC then maybe we are unnecessarily stifling development and we delete the whole PO & AO. However implications include the fact you have houses designed that can’t open windows and therefore rely on air conditioning etc. It is one thing to not get too onerous on building on existing lots but to allow additional lots where you know the housing will be constrained...	Council has deleted aspects in RoL regarding this issue in working version of the scheme that will be provided back to DSDMIP. DTMR and DSDMIP okay with this approach and can review revised planning scheme once submitted.
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2 A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling’s energy needs; and (b) energy efficient systems for water heating.	Action: Remove requirements for 4kW photovoltaic solar power system. Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i> , specifies building matters, a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution. The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW. Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.	For the Low Density Housing Code removal of AO6.1 “A minimum of 4kW photovoltaic solar power system is provided for the dwelling” would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc). There are performance requirements for energy efficiency in the NCC and the QDC however Noosa Council had hoped to achieve more sustainable buildings.	Local government can’t impose the requirement for 4kw system as the QDC MP 4.1 allows applicants to choose photovoltaic cells as an option to achieve part of their required star rating. Results of meeting - The council has determined to remove the AO provisions. Would have to remove the PO too, council to further review.

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<p>12</p>	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used.</p> <p>AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).</p>	<p>As stated above the roof pitch and eaves is covered in the NCC and has minimum performance requirements which must be met. Roof pitch is governed by the type of roof cladding and can also effect the energy efficiency of the roof cavity.</p> <p>For the Low Density Housing Code removal of AO7.1 regarding pitched roof and eaves would mean that there would be no requirement for acceptable development (which are most dwelling houses and secondary dwellings etc).</p>	<p>It is not clear why Council is concerned about addressing building provisions which are governed by the building assessment provisions such as those in the NCC. To clarify, the provisions in AO 7.1 and AO7.2 are in conflict with the scope of the building assessment provisions. Council may address building design to achieve particular aesthetic design outcomes but not for the energy efficiency purposes as prescribed in AO7.1 and AO7.2.</p> <p>Results of meeting – The council has stated this is a character and aesthetics requirement. BLP confirm the council needs to tie the provision to the appropriate PO. Council to remove any reference to energy efficiency.</p>
<p>13</p>	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site. Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy. The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: Remove requirements relating to rainwater tanks and other supplementary water supply systems.</p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an</p>	<p>Council will consider applying to the minister for an approval to require the mandatory application of QDC MP4.2 to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Should this be granted by the State, council will then endeavour to include a provision for rainwater tanks into the planning scheme for premise connected to reticulated water supply.</p>	<p>Resolved.</p>

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		additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if— Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.		
14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and. (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p>	<p>References to stormtide levels have been removed from this provision as follows:</p> <p>AO20.3 <i>Where involving a minor addition to an existing dwelling house that is situated below the DFE (or below the highest recorded flood level where the DFE has not been modelled for the area):</i></p> <ol style="list-style-type: none"> <i>the extension has a gross floor area not exceeding 20m²; and</i> <i>the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</i> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>It's acknowledged that council has amended the references to stormtide.</p> <p>By imposing a maximum 20m² GFA AO20.3 (1) Council is prescribing a structural design requirement in response to flood. This is in conflict with the building assessment provisions. Section 13 of the Building Regulation 2006 outlines what a local government may address in terms of building controls to mitigate flood impacts. Apologies for not making this clearer in our original comment.</p> <p>Results of meeting – The council is still investigating this issue. The council is concerned about the impacts of habitable floor heights in respect to extensions to existing buildings (e.g. bedroom extension to existing house which was constructed prior to the flood requirements and therefore a matching floor level for a small extension would not comply).</p> <p>BLP is requested to provide the council with further advice on the applicability of QDC MP3.5 for alterations and additions in relation to extensions to existing buildings. For example Table 1 of QDC MP3.5 states this mandatory part is only applicable to additions to a class 1 building where the additions constitute 50% of more of the floor area of the existing building.</p>
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and</p>	<p>It is likely the scheme will be changed to be consistent with MP 3.5 as it applies to buildings in the flood plain but we have to resolve a question around basements. Currently we support proposals where the access to the basement has a minimum 1% AEP immunity.</p>	<p>Council may refer to the performance requirements in the Code to achieve alternative solutions.</p>

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		(v) any opening covers must not impede the flow of water.		
16	9.3.1.3 Criteria for assessment PO22 Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard. Reason: Refer <i>Planning Act 2016</i> Section 8 (5).	This provision will be removed.	Resolved.
17	9.3.1.3 Criteria for assessment AO22	Action: Amend provisions as per comment for AO20.3. Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).	Acceptable outcome will be removed.	Resolved.
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extend more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'.	Acceptable outcome will be removed.	Result of meeting – The council needs to deal with the impact of filling on sites to meet flood immunity which then causes stormwater drainage and overland flow issues within residential areas. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council to look further into this.
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	Action: Amend to align with MP 3.5. Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.	AO13 will be removed and corresponding PO13 will be amended to ensure underground carparking areas can be drained to function safely during a flood event.	No further comment Result of meeting – The council wants to ensure basements are not flooding during these events. There is concern that there will be mechanical fails (power outages) during flooding events which would impact the ability to drain these basements. The council is to look into this further.
	Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no	Action: Remove provisions as these are contained in the building legislation.		DSDMIP advised that the Council did not provide any comment on these items – please confirm if this has been, or will be, addressed?

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	closer than 1.5m (measured horizontally) from stormwater structures.	<p>Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall</p> <p>These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application 5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>		Result of meeting – The council has removed.
20	Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6	<p>Action: Amend provisions for consistency with QDC MP1.4.</p> <p>Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.</p> <p>Mark has forwarded an email to Allan Hull for advice from Civil Ops.</p>		DSDMIP advised that the Council did not provide any comment on these items – please confirm if this has been, or will be, addressed? Result of meeting – The council has removed.
21	Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;	<p>Action: Remove the requirement of width of awnings.</p> <p>Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.</p>	Acceptable outcome will be removed.	Resolved.
22	Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)	<p>Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.</p>	Acceptable outcome will be removed.	Resolved.
23	Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with—	<p>Action: Remove references to AS 2890.3 Bicycles Parking Facilities</p> <p>Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12.</p>	Reference will be removed.	Result of meeting – The council has reviewed QDC MP4.1 and is still looking into opportunities here (e.g. designated LGA). BLP confirms any provisions outside of the QDC and NCC can be considered in planning scheme.

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	AS2890.3 Bicycle Parking Facilities; and AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.			
24	Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE	Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor. Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.	We will delete this from this code.	Resolved.
25	9.4.6.3 PO1	Action: Remove the reference to natural light and cross ventilation. Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions.	We are not sure why the aspirational PO can't remain.	BLP considers this unnecessary red tape. While this provision might seem minor, if a planning instrument contains several redundant provisions (with no bearing as they are addressed by building legislation) than it creates a readability/clarity issue and may also cause unnecessary confusion. Result of meeting – The council to look further into (both AO and PO). This provision may be more applicable to very specific sites to sites/uses which are owned by the council.
26	Part 8 Overlays AO1.2	Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.	State to clarify if it is just AO1.2 or other provisions in the overlay code they do not support. Provisions that duplicate the Building Regulations will be removed. References to hardstands and pumps in AO3.2 have been removed	BLP wants to ensure that Council removes other provisions in the planning scheme that feature the same principles as AO1.2 – setbacks from hazardous vegetation (for class 1-3 buildings and associated 10a structures as per AS3959). Please note that the reference to hardstands or pumps was made in relation to AO 3.2. It was also stated that all reoccurring provisions of that nature need to be removed from the scheme. Result of meeting – The council is looking further into.
27	Part 8 Overlays AO3.2 AO3.3 AO3.4	Action: Remove building requirements and cut/fill requirements that are already regulated. Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i> . The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).	This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3. Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided. The NCC includes further detail for safety of excavations and retaining walls Council queries whether the planning scheme can prescribe cut and fill to a maximum limit. The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.	The Building Regulation 2006 Schedule 1 allows cut and fill to be self-assessable up to 1 metre. Unless the council are trying to address aesthetic quality of building work or operational works requirements, it should not be prescribing building provisions such as height of cut and fill. Refer definition of building work in the Building Act which includes excavation works. Result of meeting – The council will revisit this issue. This provision is in various parts of the planning scheme. Amenity and aesthetics reasons can be incorporated which do not conflict with the building provisions. BLP confirms stability and erosion control are building provisions.

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28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>This is referring to the Extractive Resources Overlay and the requirements we put on development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including insulation and sound resistant glazing materials. It has nothing to do with transport noise corridors and where you are within the buffer area of a quarry for instance seems perfectly reasonable.</p>	<p>The original comment made informed the council that unless the building work was in a designated transport noise corridor, the planning scheme cannot implement noise mitigation construction or design techniques. A certifier will not assess sound insulation requirements in line with a planning scheme because the National Construction Code contains the relevant requirements for wall treatments and glazing. Council can't introduce building controls such as these due to the scope of the building assessment provisions and the application of the Section 8 (5) of the Planning Act 2016.</p> <p>Result of meeting – The NCC may capture these issues – this needs to be revisited. BLP are requested to look into this further and provide some further comments/advice. The council may look into a PO addressing amenity for this provision to avoid conflict.</p>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>State to advise what aspects AO7 they do not support.</p>	<p>The below highlighted provisions are in conflict with the application of AS3959 to the extent these provisions apply to class 1-3 buildings (and Class associated 10a structures).</p> <p>AO7 (ii) achieves setbacks from hazardous vegetation for a distance of 1.5 times the height of the predominant mature tree canopy or 10 metres, whichever is greater; and (d) is designed so that buildings and structures are sited in locations of lowest hazard within the lot and elements of the development least susceptible to fire are closest to the fire hazard.</p> <p>Result of meeting – The council is looking into the issue.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p> <p>This information should not be changed or repeated for inclusion in planning schemes. Refer <i>Planning Act 2016</i> Section 8 (5).</p>	<p>Figure 8.2.3.4 can be removed, plus the reference to the Figure in AO7.</p>	<p>Resolved.</p>
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p>	<p>Will separate the DFE and DSTE throughout the overlay code.</p>	<p>If you separate through the overlay code, will you also separate on the overlay?</p>

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32	<p>Table 8.2.6.3</p> <p>AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures: a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6</p>	<p>Action: Amend provisions that are in conflict with the Building Assessment Provisions.</p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>	<p>Will review terminology for consistency with Building Assessment Provisions and will clarify that reference to overland flow and ponding relate to operational works (earthworks etc) not building works.</p>	<p>Resolved.</p>
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<p>Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by:</p> <p>a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event;</p> <p>b) maintaining a functional and attractive street front address appropriate to the intended use; and</p> <p>c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Nonresidential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded</p>			
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<p>flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for nonresidential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which</p>			
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	<p>adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p> <p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effect on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>			
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>Editor's note will be added to clarify any conflict with bushfire provisions in NCC and Australian Standards.</p>	<p>No further comment</p> <p>Result of meeting – The council is doing some further work on bushfire issues and provisions.</p>

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<p>???</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%; roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p> <p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We could delete and refer to the figures in an editor's note which would not be part of the scheme.</p>	<p>No further comment</p> <p>Result of meeting – The council rewrote the provisions to address as amenity and aesthetics to avoid conflict with building provisions.</p>
<p>34</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If</p>	<p>Changes will be made to clarify that the provisions are for operations works not for building works</p>	<p>Resolved.</p>

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	<p>Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p>	<p>the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p>		
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is</p>	<p>Changes will be made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>	<p>Resolved.</p>

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	<p>and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>		
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings.</p> <p>AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings.</p> <p>Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance so if necessary we can qualify that through rewording and/or an editor's note.</p>	<p>A clarifying note of this nature would be sufficient.</p>
37	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is</p>	<p>We can delete the offending words but what we are trying to do is ensure any ramps are within the property boundary and not tacked on in the road reserve as an afterthought. Suggest we still need an editor's note that qualifies any DDA or NCC compliance is within the property.</p>	<p>Agree with inclusion of an editor's note.</p> <p>Result of meeting – The council is yet to finalise and editor's note still being considered.</p>

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	Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5	the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.		
38	Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3 PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level. AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.	Action: Clarify to ensure provisions only apply to designated environment or heritage areas. Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1). These provisions reoccur throughout the scheme. Please address all accordingly.	It was not the intent of the scheme that these be limited to sites affected by biodiversity or heritage overlays if that is what is meant. The provisions are carried forward from the existing scheme. We might be able to delete the whole PO57 and all the AOs where this clause is used. See also PO19 of Table 6.3.1.3; PO12 & PO13 of Table 6.3.5.3;	No further comment. Result of meeting – The council is still working on this issue.
39	Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters;	Action: Amend to remove conflict with building legislation as per reasoning below. Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements. Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly. Refer QDC MP 4.1 and the NCC Volume 1 Part J.	Probably just needs a reword – if necessary put materials in an editor's note rather than in the AO itself. This might also get addressed in the design PSP. We could reword to state that treatment should not obscure the view of shopfronts. See also: AO47 of Table 6.4.1.3 AO51 of Table 6.4.2.3 AO43 of Table 6.4.3.3 AO43 of Table 6.4.4.3 AO32 of Table 6.5.1.3 AO24 of Table 6.5.2.3 AO28 of Table 6.6.1.3 AO38 of Table 6.8.1.3	Resolved.

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	and use hardy vandal proof materials and antigraffiti paint in the construction of buildings.			
40	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: located above the DFE level; or designed to prevent the intrusion of floodwaters; or if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor's note, which provisions under the Building Act does this refer to? Clarify that this isn't an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials—</p> <ul style="list-style-type: none"> • a limitation on the use of finishes with fire hazard properties as defined under the BCA • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>	<p>We have not fully considered this but it may be ok to delete</p>	<p>No further comment.</p> <p>Result of meeting – The council is still working on this.</p>
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23 Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through: buildings that maximise opportunities for natural ventilation and lighting; water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy. ALSO Part 6.7 PO12 and AO12</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>	<p>Have not fully formed an opinion as yet. We are aware Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC</p>	<p>No further comment.</p> <p>Result of meeting – The council is still considering.</p>

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	Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale PO7 AO7.1 Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.	Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below. Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard. Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.	We need more time to consider this comment. There are many implications regarding flooding.	No further comment. Result of meeting – Where filling of the site is required to meet flood immunity, the maximum building height is not measured from the finished surface level, it is measured from natural ground level. The council is still reviewing and has a strong position on maintaining this requirement.
42	Schedule 1 Definitions Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of floodprone land. Generally, it is not physically or financially possible to provide general protection against this event. PMF (as above)	Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.	The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in 100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.	BLP considers the use of this terminology will cause confusion with the Flood Code and QDC. BLP wondered if the terminology could be changed to make it clear that it applies to evacuation routes/refuge areas? The National Flood Code refers to annual probabilities of exceedance. DSMDIP notes that it appears the only reference to PMF is for determining evacuation routes and congregation and refuge areas for development. Further discussion required. Result of meeting – The council is reviewing further.
State Interest: <i>Mineral Resources Act 1989</i>				
Ref. Number	Planning Scheme Reference	Requirement	Initial NSC response	Resolutions as at 13/9/18
43	Strategic Framework	Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences. Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.	OK	Resolved.

Part C—Advice

The guiding principles

Efficient

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Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
1	3.2.2 - Accessible, diverse and affordable communities	Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'. Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.	OK "find edit replace" type job	Resolved.
2	Part 5	Explain what is meant by impact assessment - inconsistent use. Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.	Don't believe there is confusion. It will be ok.	Resolved.

Planning for economic growth

Agriculture				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above "Key Challenges"	Remove reference to "intensive factory farming", and replace with intensive rural activities. Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.	We will review the sentence.	Resolved.
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.	We are NOT going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands. Contextually we might change it to something like "locally significant agricultural land" or "agricultural land conservation area" depending on the context of each reference.	This is ok, but GQAL is no longer used, so the council needs to avoid using this term. Any other term used must be defined.
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment Part (u)	Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested? Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says "pending" on the map itself. Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it's unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.	OK Mapping change done	Resolved.
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation. It's noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations. Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially	Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.	Resolved.

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		<p>conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unresponsive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>		
7	<p>Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5</p>	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	Additional wording will be added	Resolved.
8	<p>Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)</p>	<p>Consider adding an additional point to the identified PO's or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	Additional wording will be added.	Resolved.
9	<p>8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13</p>	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development.</p> <p>The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	Will consider including Fish Habitat Areas on Biodiversity, Waterways and Wetlands overlay mapping depending on map legibility.	Resolved.
10	<p>Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13</p>	<p>Consider rewording or removing these acceptable outcomes.</p>	The offending AOs are that <i>The reuse of waste litter, manure and other organics as soil conditioners or</i>	Resolved.

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	Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.	<i>fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i> These are considered reasonable outcomes for catchment care, remembering this is ONLY where located within the water resource catchment as shown on the Water Resource Overlay Maps in Schedule 2. For self-assessment, they would have to meet them but if they want to come up with a way of managing their composting on site they can, just go through assessment, as Council would probably have to get expert advice to assess the proposal.	
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	Remove these acceptable outcomes. Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1. These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.	Refer previous discussion. Council is not of the view that all poultry or pig operations have to be considered intensive where they are free to range or forage. If this changes then obviously, there will be some re-drafting here.	Resolved.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	Remove this acceptable outcome (AO13.2). Reason: It does not relate to or demonstrate compliance with performance outcome PO13.	Fair comment operational rather than separation issue – it's deleted.	Resolved.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	Amend AO18.2 to read, for example, 'Upon cessation of aquaculture production the soil profile within the aquaculture development <i>developed</i> area is rehabilitated, as close as practical, to predevelopment conditions.' Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.	OK change made	Resolved.
14	Biodiversity Overlay	The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development. Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land. Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.	Added an Editor's note above Table 8.2.2.3 regarding forestry	Resolved.

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		<p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>		
15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p> <p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which we did. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p>	<p>DAF is satisfied with the response, except for the omission of the water catchment area.</p> <p>As previously advised by DSDMIP, this can still be mapped as ALC, with the planning scheme containing appropriate provisions to regulate development.</p>
Development and construction				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via</p>	<p>Seriously???</p> <p>This is an incredulous suggestion and is not a cost of this draft planning scheme or the level of infill growth it allows. We have not suggested a considerable amount of growth will occur at Peregrin Beach – Marcus Beach.</p>	<p>See item 28 above.</p>

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		infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.		
Mining and extractive resources				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p> <p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	<p>As of June 2018: <i>"Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</i></p> <p>A statement reflecting this philosophy has been added to the Strategic Framework</p>	<p>Noosa has continued to identify its position on mineral and petroleum activities in the planning scheme, which is contrary to DNRME's suggestion.</p> <p>This issue has been discussed between DNRME, DSDMIP and the council – DSDMIP will assess this aspect once a new revision of the planning scheme is provided to the council.</p>

Planning for the environment and heritage

Biodiversity				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18

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18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	<p>Will cross check the Biodiversity Overlay mapping with the RVMM map for legally secured offsets and add any additional areas currently missed.</p>	<p>Ok, but the council must also ensure that it adequately represents Category R vegetation to help maintain water quality discharging to the Great Barrier Reef.</p> <p>Council is working with DNRME to ensure mapping covers off all the regulated vegetation that is MSES.</p>
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	<p>Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.</p>	<p>The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.</p>	<p>Resolved.</p>
Water quality				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>	<p>Noted.</p>	<p>Resolved.</p>

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Planning for infrastructure

Energy and water supply				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
21	--	Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs. Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.		Resolved.
State transport infrastructure				
Ref. Number	Planning scheme reference	Advice	Initial NSC response	Resolutions as at 13/9/18
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, 'Development provides a road hierarchy that supports effective freight connectivity.' Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities. Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities. It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.	Certainly some words can be added to the strategic Framework and wherever else it is considered relevant. Highway and Railway carry much freight obviously but also the other major roads with the exception of David Low Way.	Council requested further information in regard to what should be included. As a result of meeting, DTMR was to identify other schemes that may include good freight aspects in strategic framework. DTMR was to provide the map showing the multi combination routes. The map was provided by DTMR. As an example, DSDMIP can advise that the MBRC planning scheme contains text under <i>Integrated transport</i> in the SF, such as 'One aspect places great importance on transport infrastructure that creates an effective and efficient passenger and freight transport system that connects the Moreton Bay Region to the rest of SEQ and importantly Brisbane City and the Australian Trade Coast to underpin economic growth.' They then have strategic outcomes for integrated freight transport: 3.10.5 Strategic Outcome – Integrated freight transport <i>Advocate for regional freight network improvements to support economic growth of the region.</i> 1. Protect the freight network while limiting its impacts on sensitive land uses; 2. Ensure industrial land remains accessible to major freight routes; and 3. Provides sites for freight and logistics activities at strategic locations on the regional freight network. Council to update the strategic framework and DTMR and DSDMIP will review once submitted.
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road. Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.	Sure.	Noted – this can be reviewed again once the council submits a new version of the planning scheme showing these changes.
24	Part 9 – Table 9.4.1.3	Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.	OK references will be updated. Might need Craig's assistance	Noted – this can be reviewed again once the council submits a new version of the planning scheme showing these changes.


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		<p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.</p>		
25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>	Noted	Resolved.
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>	Thanks for the advice	Resolved.

RTI RELEASE - DSDMIP

Planning for the environment and heritage

Water quality - Seqwater		
Ref. Number	Policy Elements	Requirement
a	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Strategic Framework 3.3.4 Biodiversity and Environment</p> <p>Action: Please insert the following to point (h) (h)The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply <u>through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</u></p> <p>Also please make the following a separate point (...)Enhance opportunities for agriculture, fisheries, tourism and recreation where possible meeting (h).</p> <p>Reason: The SPP requires that water quality be maintained and improved in drinking water catchments. There are a few minor amendments that will improve the protection of drinking water quality. The importance of the protection of water quality and the water supply catchment areas are integral to the viability of a sustainable future. This change highlights the importance of buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p>
b	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Cooroy Local Plan</p> <p>Action: Please insert a relevant Purpose statement and Overall Outcome to provide line of sight in the Local Plan.</p> <p>Reason: The Cooroy Local Plan contains two POs relevant to drinking water quality.</p>

			<p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p>	<p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p>						
			<p>PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.</p>	<p>No acceptable outcome provided</p>						
c	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1" data-bbox="698 695 2031 1166"> <tr> <td data-bbox="698 695 1337 882">Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in roofed and bunded areas, for disposal by a licenced contractor.</td> <td data-bbox="1337 695 2031 882">No acceptable outcome provided</td> </tr> <tr> <td data-bbox="698 882 1337 1038">Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.</td> <td data-bbox="1337 882 2031 1038">No acceptable outcome provided</td> </tr> <tr> <td data-bbox="698 1038 1337 1166">Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.</td> <td data-bbox="1337 1038 2031 1166">Development complies with the separation distances by stream order as specified in Table X.</td> </tr> </table>			Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in roofed and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided	Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided	Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.
Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in roofed and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided									
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Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.									

Development type and activities	Stream Order 1 To 3	Stream Order 4 or greater
Intensive animal industry	50m	100m
Aquaculture	Case-by-case basis	Case-by-case basis
All other agricultural or forestry land uses	50m	100m
Extractive industry	50m	100m
All other Industrial uses	100m	100m
Motor sport facility	50m	100m
Outdoor sport and recreation		
Major sport, recreation and entertainment facility		
Service station	50m	100m
All other development types	50m	100m

		<p>Reason: The addition of these items strengthens this code to meet the intent of the drinking water quality objectives. These items are not specifically picked up in the Water Quality and Drainage Code.</p>
d	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Wastewater management and effluent disposal Table 9.4.9.3 Criteria for assessment</p> <p>Action: Consider adding more details to the note to strengthen the note for onsite effluent treatment and disposal</p> <p>Editor's Note—<i>The Plumbing and Drainage Act 2003 sets out requirements for onsite effluent treatment and disposal.</i></p> <p><i><u>The Queensland Plumbing and Wastewater Code and associated guidelines are used to confirm the suitability of each site to accommodate an on-site sewerage facility; or where a centrally located group collection treatment system is proposed, confirmation as to the suitability of the designated site to accommodate the on-site sewerage facility. Additionally, where the combined total peak design capacity of effluent treatment is less than 21 equivalent persons, the design of the system achieves a low to medium risk classification in accordance with Seqwater's Land Use Risk Tool for onsite sewerage facilities.</u></i></p> <p>Reason: This amendment provides clarity for onsite effluent treatment requirements. The Plumbing and Drainage Act and Queensland Plumbing and Wastewater Code do not have requirements regarding pathogens and other factors which can impact drinking water quality objectives. This is inbuilt into Seqwater's Land Use Risk Tool for onsite sewerage facilities. This tool will be available online soon.</p>

Planning for infrastructure

Energy and water supply - Seqwater		
Ref. Number	Policy Element	Requirement
e	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is	<p>Planning Scheme Reference: Strategic Framework 3.2.8 Co-ordinated and efficient Infrastructure</p> <p>Action: Please amend reference to Seq Water with Seqwater.</p> <p>Reason: Please note correct name for Seqwater which commenced in 2013.</p>

	supported and renewable energy development is enabled.													
f	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1"> <tr> <td>Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</td> <td>Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.</td> </tr> <tr> <td>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</td> <td>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</td> </tr> <tr> <td>Development is located and designed to maintain required access to Bulk water supply infrastructure.</td> <td>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to: a. buildings or structures; b. gates and fences; c. storage of equipment or materials; d. landscaping or earthworks or stormwater or other infrastructure.</td> </tr> </table> <p>Table X</p> <table border="1"> <thead> <tr> <th>Bulk water supply infrastructure – asset type</th> <th>Type of development</th> <th>Recommended separation distance minimum</th> </tr> </thead> <tbody> <tr> <td>Pipelines and channels(1)</td> <td>Buildings/Structures/Earthworks</td> <td>20 m from edge of pipe</td> </tr> </tbody> </table>	Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.	Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.	Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.	Planting near pipelines complies with the current Seqwater Network Consent Guidelines.	Development is located and designed to maintain required access to Bulk water supply infrastructure.	Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to: a. buildings or structures; b. gates and fences; c. storage of equipment or materials; d. landscaping or earthworks or stormwater or other infrastructure.	Bulk water supply infrastructure – asset type	Type of development	Recommended separation distance minimum	Pipelines and channels(1)	Buildings/Structures/Earthworks	20 m from edge of pipe
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Bulk water supply infrastructure – asset type	Type of development	Recommended separation distance minimum												
Pipelines and channels(1)	Buildings/Structures/Earthworks	20 m from edge of pipe												

		Blasting(2,3)	200 m from edge of pipe
Water treatment plants and water quality facilities	Sensitive Land Use	250 m from building footprint	
	Buildings/Structure/Earthworks	20 m from building footprint	
	Blasting(2,3)	200 m from building footprint	
Reservoir facilities	Buildings/Structure/Earthworks	20 m from building footprint	
	Blasting(2,3)	200 m from building footprint	
Pump stations	Sensitive Land Use	100 m from building footprint	
	Buildings/Structure/Earthworks	20 m from building footprint	
	Blasting(2,3)	200 m from building footprint	
Dam structures and weirs(4)	Earthworks Dam/Weir Height(5) 0-5m	50 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 5-10m	100 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	150 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	200 m from the toe of the dam/weir	

		Earthworks Dam/Weir Height(5) 10-15m	500 m from the toe of the dam/weir
		Blasting(2,3)	500 m from dam wall/earth embankment/weir footprint
<p>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances.</p> <p>2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply.</p> <p>3 It is recommended that blasting provisions be included in an extractive industry code (or similar).</p> <p>4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir.</p> <p>5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</p> <p>Replace parts of above with:</p>			

Dam structures and weirs ⁽⁴⁾	Earthworks	Dam/Weir Height ⁽⁵⁾	
		0 m to 5 m	50 m from the toe of the dam/weir
		5 m to 10 m	100 m from the toe of the dam/weir
		10 m to 15 m	150 m from the toe of the dam/weir
		15 m to 20 m	200 m from the toe of the dam/weir
		> 20 m	500 m from the toe of the dam/weir
	Blasting ^(2,3)	500 m from dam wall/earth embankment/weir footprint	

¹ Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances.


² Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply.

³ It is recommended that blasting provisions be included in an extractive industry code (or similar).

⁴ For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir.

⁵ Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).

Reason: The SPP requires that bulk water supply infrastructure be protected from development that would compromise the corridor integrity, and the safe, efficient delivery and functioning of the identified infrastructure. The indicated buffer distances are recommended as suitable triggers to identify when development should be assessed regarding its potential impact on bulk water supply infrastructure. This amendment provides clarity within the overlay code. By inserting these requirements in the overlay code, will reduce the need for duplication which would be created by inserting requirements into multiple zones.

<p>g</p>	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Zone Map ZM3</p> <p>Action: Please extend the Community Facilities Zone at the Noosa Water Treatment Plant so that it aligns with the current WTP upgrade. The proposed scheme splits Lot 1 RP800331 into two zones. Please retain the entirety of this lot as Community Facilities.</p>  <p>Reason: The WTP is currently being upgraded. The proposed zoning in Zone Map ZM3 only partially covers the site area of the WTP. The extension of the Community Facilities zone to include all of Lot 1 RP800331 will cover the site area of the upgrade works. Please note, Lot 1 RP800331 is currently zoned Community Services in the Noosa Plan 2006.</p>
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From: [Rowena Skinner](#)
To: [Caroline Plank](#); [Garth Nolan](#); [Candace Mitchell](#)
Cc: [Kim Rawlings](#); [Alinda Bryant](#); [Michelle Tucker](#); [Ali Salehi](#)
Subject: Amended draft planning scheme for Noosa Shire
Date: Friday, 21 September 2018 1:36:06 PM
Attachments: [image001.jpg](#)
[Final Response to State Interest Review Comments.pdf](#)
[Letter Formal Response to SIR.docx](#)

Hi Caroline, Candace and Garth,

Thank you for your time in organising the many different meetings with the agencies over the last month or so and coordinating their comments. I'm very pleased to advise that we have responded to all the comments raised by the State Agencies, as provided to Council to date.

Attached is a copy of correspondence to the Chief Executive, as well as the tabulated responses to each State Interest comment. Our responses should reflect the agreed solutions that have been reached through conversation with each State agency, as well as yourselves. You will note in the table there are a few items where a final determination from an agency has not been received. These include:

- Koala habitat mapping and methodology
- Riparian buffer mapping and integration of MSES category R vegetation
- Bushfire Overlay Code changes and mapping – including a way forward for the proposed mapping amendments in Bushfire Risk Assessment that does not hold up the SIR sign off
- Flood Hazard Overlay further changes
- Coastal hazards assessment report

Changes TMR requested to the character and framework maps, to add taxi ranks and principal pathway network have had to be done in a design software, which is taking longer than anticipated. We hope they are ready for upload by the end of today.

Also we have only recently been advised that updated ALC A & B soils data is available so it is our intention to update the Agricultural Land Conservation Area prior to community engagement and we will provide updated maps to you and DAF within the next week or two.

An amended version of the draft scheme, including all amended mapping, is provided electronically through the Plan Making Portal. You'll notice that Anita Lakeland has also uploaded the draft Local Government Infrastructure Plan, which is also ready for State review. We anticipate draft Planning Scheme Policies will be completed within the next week or two and these could also be uploaded onto the Plan Making Portal for completeness.

Please be aware that only maps that were changed have been included in the new package. Please refer to the original package for other maps.

As you may appreciate the ePlan platform we've drafted the scheme in does not allow for track changes, however we have tried to highlight changes in the text.

We understand, Caroline, that you are collecting an electronic version of the scheme from our office in Tewantin later today. We therefore request that the pause notice be withdrawn and that timing of the State Interest Review be formally recommenced on Monday.

Council is optimistic that we will have the draft scheme out for community consultation by the beginning of November, which relies on Council endorsing the amended scheme in the latter part of October. Obviously this suggests a very tight timeframe and we would appreciate your advice on progress as your review proceeds.

I've got Monday – Wednesday off next week but Alinda and Michelle will be here if you need anything.

Rowena Skinner

Principal Strategic Planner | Noosa Council

(My position is part time and I am reachable between 8:00 a.m. and 2:30 p.m. daily)

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Line drawing NNP



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Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Original Requirement and additional comments from State following NSC response	NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity</i> Policy 3 (1) (2) and (3) and <i>Development and Construction</i> (8).</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing</u>, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016 3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i> 5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i> 6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes; and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p> <p>ADDITIONAL COMMENTS: 1) Council’s representations in relation to their support for smaller units to encourage affordable housing is supported by DHPW. 2) Council’s concerns regarding confidence that affordable housing will be delivered if it amends its strategic framework are noted and the following comments are offered. Noosa SC being within the SEQ region is a priority Council (along with the Sunshine Coast Regional Council) for the Housing Construction Jobs Plan. The State Planning Policy- Housing Supply and Diversity (Policy 3 (c) aims to ensure that planning schemes are able to facilitate affordable and social housing outcomes through supportive planning provisions and suitably zoned land with the intent that this housing is able to be delivered when suitable sites and funding are available. In order to ensure this, inclusion in the strategic framework is sought to give high-level support for these housing outcomes by Council. It is noted that informal email between Council and DHPW planners indicates that an outcome could be provided.</p> <p>Suggested wording:</p> <p><u>In order to meet Policy 3(c) of the SPP (above), DHPW considers that the Strategic Framework should at the very least include a specific statement that references support for social and affordable housing:</u></p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p>e) <i>A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i> f) <i>Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>We’ve added another line to 3.2.4 as follows: “The initiatives of Federal and State Government and community based not-for-profit entities in delivering more affordable housing for residents in need are likely to be an important component of new housing.”</p> <p>We’ve added two additional lines to 3.3.3 as follows: “Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.”</p> <p>“Major residential developments will be encouraged to incorporate a range of housing types including more affordable housing products for the entry buyer and low-income housing markets.”</p>

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		<p><u>"Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options."</u> <u>If a supportive statement is not included, DHPW would not consider the planning scheme to fully integrate Policy 3 the state interest.</u> 3) Council's comments in relation to MBRC are noted. It is emphasised that MBRC was only suggested as an approach undertaken by a local government; it was not intended to compare the two LGAs.</p>	
2	<p>Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.</p>	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: <u>Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land</u> with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p> <p>ADDITIONAL COMMENTS:- DHPW makes recommendations generally on items in the planning scheme which it feels could be amended to contribute towards introducing more flexibility in a planning scheme, thus contributing to housing diversity and eventually supply of more affordable housing.</p> <p>In this case, the issues that NSC raise and the potential implications have been noted, particularly in the Low density residential (LDR) zone. Council's approaches to encourage affordable housing in other areas of the scheme and the code alterations for the medium (MDR) and high density residential (HDR) zone as outlined are acknowledged.</p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability.</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>

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		DHPW accepts Council's response on the code provisions and has no further requirements on this matter.	
Liveable communities			
Ref. Number	Policy Element	Requirement	NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times.</p> <p>In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>Rural fire brigades are now acceptable subject to requirements in the Rural or Rural Residential Zone.</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) Emergency Services are now accepted subject to requirements.</p> <p>We have made Emergency Services consistent (code) in all the centres zones and industrial zones (but not in every precinct).</p> <p>They are consistent (impact) in the two green zones. However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p> <p>Unlikely to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low.</p>

Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>“Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible”.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the “clean/green” credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms are applauded and are gaining momentum as hoped through the local economic strategy and work of Country Noosa.</p> <p>The original sentence has been removed and replaced with:</p> <p>“Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance.”</p>

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		<p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p> <p>FURTHER COMMENT: DAF would not object to the retention of a similar statement as long as it is re-worded. The term “intensive factory farming” should be removed, as it is an unnecessary singling out of a particular industry and is highly emotive.</p> <p>The phrase “disrespect ecosystem service functions” should also be removed for clarity – what does this phrase mean?</p> <p>DAF agrees that all development (including intensive agricultural activities) ensures that the environment is not significantly impacted and the statement should simply be: “Developments that have the potential to impact surrounding environments will only be supported where they are appropriately located and designed to avoid environmental harm and nuisance.”</p>	
5	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. <u>Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported</u>”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity...and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. <p>FURTHER COMMENT: DAF agrees that intensive agricultural land uses have the potential to cause environmental harm and nuisance, and need to be suitably located and designed to avoid environmental harm and nuisance.. DAF does not support the exclusion of these uses from the rural zone.</p> <p>DAFs position is that the term amenity is so subjective it is almost unworkable, particularly in the rural zone. What disturbs one person’s amenity may not worry another. For example, a rooster crowing or cows bellowing may disturb one person, yet it may take a tractor noise to disturb another. In both cases, these noises are intrinsic to a functioning rural zone. How will Council determine the impact of a development on the rural amenity?</p> <p>DAF suggests Council focuses on the suitable location and design of intensive agricultural land uses in appropriate locations of the rural zone.</p>	<p>Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p> <p>“Intensive or high impact rural uses can lead to environmental harm or nuisance through increased noise, traffic, lighting, use of chemicals or generation of dust or odour. Rural uses that pollute the air, groundwater and surface water are not likely to be supported.”</p>

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<p>6</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from 'Animal husbandry'.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p> <p>FURTHER ADVICE: <u>Intensive animal industry</u></p> <p>DSDMIP advises: The definition of 'intensive animal industry' is multi-layered – there's more than one criteria to meet – the use is for the <u>intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or...</u></p> <p>The use needs to meet all of these for it to meet the definition. It will be up to council to ensure that animal husbandry really is animal husbandry and not intensive animal industry.</p> <p><u>Animal husbandry</u></p> <p>DAF's position is that animal husbandry should be accepted development in the rural zone. DAF accepts that Council would like to have some control over numbers to minimise impacts and at these thresholds determined by Council (whatever they might be), the use would become code assessable. DAF would accept this if the numbers of animals allowed as accepted development were increased. For example, DAF doesn't think it is reasonable for someone who wants a couple of head of cattle in the rural zone to have the use deemed assessable.</p> <p>DSDMIP advises that other councils in the region make animal husbandry accepted development (with or without requirements) and therefore Noosa Shire Council could look to these for guidance. MBRC use a local law to control certain animal keeping which is referred to in the tables of assessment for animal husbandry to be accepted development (without requirements) and otherwise, to be accepted development with requirements (rural zone code). SCRC makes animal husbandry accepted development with requirements (rural uses code).</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above</p>	<p>This is an interpretation problem – Council are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry. We have received legal interpretation on this matter, the upshot of which is that if animals or birds are free to range or graze in a field and are not in an enclosure requiring food and water to be provided mechanically or by hand, the use can only be animal husbandry. This legal advice has been provided to DSMIP and DAF.</p> <p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>Notwithstanding the above we are proposing to change the Table of assessment for the Rural Zone and the Rural Activities Code</p> <p>For Animal Husbandry there's still a table of animals that are just acceptable development (no planning scheme requirements)</p> <p>Then everything else is Accepted Subject to Requirements (self-assessable) with applicable AOs listed from the Rural Zone Code and the Rural Activities Code</p> <p>For Intensive Animal Industry we're listing a few thresholds that would be code assessable-if:</p> <ul style="list-style-type: none"> a) located on a site at least 20 hectares in area; and b) poultry farming (meat or egg production) not exceeding 999 birds; or c) emu or ostrich farming not exceeding 20 birds; or d) not exceeding 21 standard units of pig; or e) not exceeding 50 standard units of cattle <p>Outside of these circumstances Intensive Animal Industry will be impact assessable but only consistent where it meets the following criteria:</p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area. <p>Within the Rural Activities code we have amended and rearranged provisions to address Animal Husbandry and Intensive Animal Industry in a closer manner and combined the same performance outcomes for both in instances.</p> <p>PO10 <i>Animal husbandry and Intensive animal industry is at a scale, intensity and stocking density that does not over-graze the property, lead to erosion or degradation, compromise the welfare of animals or cause environmental nuisance experienced on adjoining premises.</i></p> <p>AO10.1 <i>Livestock are free to graze or forage in pastures and rely on supplementary food for no more than 30% of their diet.</i></p> <p>AO10.2 <i>The lot used for Animal husbandry has a minimum area of 4 hectares.</i></p> <p>AO10.3 <i>The lot used for Intensive animal industry has a minimum area of 20 hectares.</i></p> <p>Pigs</p>
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			<p>Buildings and enclosures intended to house animals or birds are sited, designed and constructed:</p> <ul style="list-style-type: none"> a) to facilitate natural ventilation and ease of cleaning, ensuring effluent can be managed effectively; and b) with sufficient noise and odour mitigation measures so as to ensure that dispersion effectively limits odours to acceptable levels and frequencies under the expected range of atmospheric conditions. <p>AO13 Sheds and storage areas are designed and constructed with:</p> <ul style="list-style-type: none"> a) natural ventilation; b) easy to clean material; c) drains, pits or litter beds which can be easily and regularly cleaned out without excess waste or moisture build-up; d) noise mitigation measures for fans and pneumatic feed systems; and e) covers applied to stored manure or litter. <p>PO14 Intensive animal industries are sited, sized, designed, constructed and managed to protect:</p> <ul style="list-style-type: none"> a) the profile and productive qualities of soil; b) the water quality of groundwater, waterways and wetlands; c) the scenic and visual amenity of the Noosa hinterland; and d) the quality of life enjoyed by residents of Noosa Shire. <p>No acceptable outcome provided</p> <p>PO15 The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</p> <p>No acceptable outcome provided</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>FURTHER ADVICE: DAF does not support the exclusion of intensive animal industries or restricting the scale of the intensive animal industry within the rural zone. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>However, the suitable location and design of intensive animal industries to avoid environmental harm is supported.</p>	<p>We believe the strategy detailed above should satisfy the State on this comment as well.</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p> <p>Discussions with DAF suggests they would be happy with a threshold approach. We have looked at other schemes and the thresholds we have used are not dissimilar.</p>

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		<p>DAF does not accept any attempts by a local government to prohibit or make intensive animal uses inconsistent in the rural zone.</p> <p>DSDMIP advises: The Sunshine Coast Planning Scheme uses a scale (threshold) to determine code and impact for the rural zone for 'intensive animal industry': Code assessment if involving less than</p> <ul style="list-style-type: none"> • 21 standard units of pigs • 1000 birds or poultry • 50 standard units of cattle • 350 standard units of sheep <p>Impact assessment if not otherwise specified.</p> <p>DSDMIP doesn't consider this to be prohibition but rather, regulation. As such, DSDMIP is not against Noosa Shire Council regulating intensive animal industry in a similar way to Sunshine Coast Regional Council, by providing local context as the justification.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a)</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable.</p> <p>We have increased the threshold for accepted development subject to requirements to 2,000m² for both intensive horticulture and wholesale nursery.</p> <p>Above 2,000m² we continue to require code assessment but we have amended the AO of the code to specify it can be up to 10% of the site area.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/__data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>Council has made the following changes:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read "setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps". • Amend buffer widths in Table 6.8.1 AO18.1 to read "setback... a distance greater than the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps". • Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".

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10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>FURTHER ADVICE: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>All rural uses should be listed as consistent uses in the rural zone. Please amend any instances with rural uses are listed as inconsistent uses in the rural zone. Council can regulate the level of assessment through the tables of assessment.</p>	<p>Intensive Animal Industry is now considered consistent where it meets the following criteria:</p> <p>a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area.</p>
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>Done - Editor's note added below AO2.2 as follows: "Aquaculture is specifically permissible on Agricultural Land Conservation Area".</p> <p>(ALCA is a defined term)</p>
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. 2. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to "minimise" the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>6.8.3.3. PO7 remains however (b) has been amended to read "minimise the appearance of bulk to adjacent properties, roads or other areas in the vicinity of the site";</p> <p>The corresponding AOs now read as follows:</p> <p>AO7.1 <i>Buildings are no more than two storeys in height.</i></p> <p>AO7.2 <i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, buildings and structures are no more than 8 metres in building height from ground level and no more than 8 metres above the finished surface level providing that they may be up to 9 metres where the pitched roof but no other part of the building or structure exceeds 8 metres.</i></p> <p>AO7.3</p>


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		<p>FURTHER ADVICE DAF is concerned that a boundary setback of twice the height of the building or structure is excessive, however given it is an AO, DAF will accept.</p> <p>However there doesn't appear to be any decision on PO7(b)</p> <p>DAF supports Councils endeavours to avoid "big barns" being converted to a dwelling.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of 'bulk'.</p>	<p><i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, individual buildings or roofed structures do not exceed 500m² gross floor area.</i></p> <p>A07.4 <i>Class 10 buildings used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry do not exceed 12 metres in height.</i></p> <p>A07.5 <i>A structure, not constituting a building, used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry does not exceed 15 metres in height.</i></p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings. DAF indicated it's OK.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p> <p>FURTHER ADVICE DAF agrees in part, however if an issue as subjective as "amenity" is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone's amenity if that person's perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - <i>"avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses."</i></p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	<p>Reworded PO8 (a) to read <i>"avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;"</i></p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p>	<p>PO9 is reworded to say <i>"Development does not result in environmental harm or environmental nuisance to sensitive land uses."</i></p> <p>PO10b) is deleted.</p>

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		<p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p> <p>FURTHER ADVICE: Development that is assessable will likely be assessed for traffic impacts, is there a need to single out haulage components – would like to discuss with NSC, given the majority of land uses currently in the rural zone, and fragmented nature of rural zone, what is the risk of large-scale agricultural enterprises locating in the region?</p>	
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>We've added an Editors note as follows:</p> <p>Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor's note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: 1. Reword PO15 2. <u>Consider</u> removing or rewording Editor's note</p> <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor's note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>PO15 now reads as follows: The landscape character and visual amenity quality of hill slopes and ridgelines are retained and buildings and structures:</p> <ol style="list-style-type: none"> are visually responsive to the natural topography of the site, sitting within the landscape rather than dominating it; step down slopes or use suspended floor construction; and minimise cut and fill. <p>The Editor's note following AO15.5 is modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings.</i></p> <p>For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: 'maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and'</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	<p>8.2.4.3 PO3 (b) now reads as follows:</p> <p>"maintain or enhance coastal ecosystems and natural features such as coastal creeks and marine plants including mangroves, salt marshes and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and"</p>
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Overall outcomes for the Rural Zone are now:</p> <ol style="list-style-type: none"> Rural activities contribute to the economic strength of the Noosa hinterland and create opportunities for employment. Animal husbandry and cropping contribute to the heritage values of the Shire. Innovative and sustainable agricultural enterprises are particularly promoted and encouraged.

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		<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme I is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	<p>d) Rural activities directly and indirectly support the local production of food and beverage products.</p> <p>e) Development maintains and enhances rural landscapes and ecologically important areas.</p> <p>f) Development is managed to protect land and water resources to avoid diminished productivity.</p> <p>g) Rural activities are located and operated to protect and maintain water quality values of surface and groundwater.</p> <p>h) Rural activities are separated from sensitive land uses which might be adversely affected by the activity.</p>
20	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p> <p>FURTHER ADVICE: DAF acknowledges this, however the conundrum is that the rural zone is for growing food etc, and if that means intensively, then without a mechanism to remove that land use from being acceptable in the rural zone, it must be supported... or at least not unfairly constrained. It’s appropriate to require developments of this nature to reduce impacts on amenity and surely this could be achieved through appropriate buffering and landscape elements? Like housing and industry, agriculture must go somewhere – and the only place for it is the rural zone.</p> <p>DSDMIP considers that the inclusion of rural landscapes in the purpose and overall outcomes for the Rural Activities Code does not adversely impact rural activities from occurring and provides local context for the Noosa Shire.</p>	<p>See above, this is an overall outcome and does not actually preclude any particular development.</p> <p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.” It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped.</p> 
21	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>9.3.13 PO18 now reads as “Wherever possible, development does not permanently alienate good quality agricultural land.”</p>
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>The Rural Zone Code includes setback provisions as follows:</p> <p>PO8 Notwithstanding that intensive rural activities may need greater separation distances, buildings and other structures are appropriately sited and designed to:</p>

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		<p>Action: Amend the performance outcome to <u>focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</u></p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>FURTHER ADVICE: Agree with amended PO23.</p> <p>DAF agrees that development should not cause environmental nuisance to sensitive land uses.</p> <p>However, the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone, which is the appropriate location for all agricultural/rural uses and its development, including intensive agricultural uses.</p> <p>The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p>	<p>a) <i>avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;</i></p> <p>b) <i>avoid adverse impact on ecologically important areas including National Parks, watercourses, and wetlands;</i></p> <p>c) <i>mitigate risks associated with the use of chemicals or air pollutants;</i></p> <p>d) <i>avoid conflict with existing or future rural uses and activities on adjoining properties.</i></p> <p>AO8.1 <i>Buildings used to house animals, temporary holding yards, structures containing areas of animal waste or by-product disposal are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO8.2 <i>Buildings or structures which are used for the storage of chemicals or machinery, stockpiling of composting or organic fertilisers, or which support artificial lighting or irrigation sprayers are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>As detailed above within the <u>Rural Activities Code</u> we have somewhat merged provisions for animal husbandry and intensive animal industries. This code includes the following statements:</p> <p>PO11 <i>Sufficient separation distance is provided between Animal husbandry and Intensive animal industry, public spaces and sensitive land uses on other premises.</i></p> <p>AO11 <i>Irrespective of boundary setbacks for the relevant zone, area used to contain livestock intensively, whether temporarily or permanently, or waste and by-product disposal areas are located no less than—</i></p> <p>a) <i>50 metres from a road reserve;</i></p> <p>b) <i>250 metres from land in a residential zone including the rural residential zone;</i></p> <p>c) <i>40 metres from another property boundary; and</i></p> <p>d) <i>150 metres from a sensitive land use.</i> <i>provided that a mobile poultry shed housing no more than 200 birds can be as close as 40 metres to any property boundary provided it is within the setbacks specified above for no more than 2 days during any given week.</i></p> <p>PO12 <i>Sufficient separation distance is provided between livestock and ecologically important areas including national parks, waterways, water bodies and wetlands.</i></p> <p>AO12.1 <i>Buildings used to house animals, temporary holding yards, areas of waste or by-product disposal are not within 100 metres of</i></p> <p>a) <i>adjoining land in the environmental management and conservation zone; or</i></p> <p>b) <i>a waterway or wetlands as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO12.2 <i>Where livestock is located on land adjoining a natural waterway or wetland (as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2) fencing prevents livestock entering the waterway or riparian zone.</i></p> <p>PO15</p>
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			<i>The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</i>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>PO25 now reads as:</p> <p>“Development manages the risk of soil erosion or landslide and does not lead to sediments, nutrients and other chemicals flowing into drainage lines, waterways or wetlands.”</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	<p>AO26.3 now reads as “Unless spray is entirely contained within a structure without risk of escape...”</p>
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Structures and covered areas associated with intensive horticulture or wholesale nurseries do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme. Rural activities should be able to be managed to reduce potential impacts on water storages.</p> <p>ADDITIONAL COMMENTS: The council can map the land as ALC, and then have appropriate planning scheme provisions to regulate development that could impact on the water supply catchment.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. In the current scheme agriculture would always be assessable in the water supply catchment and going back to the 1985 scheme it was actually prohibited.</p> <p>We have reinstated any ALC class A or B mapping to this area however in a water resource catchment or water supply buffer area agricultural uses will be code assessable against the overlay code if they are “a rural activity storing chemicals or keeping livestock on site”.</p> <p>Table 5.9.9 has been modified and catchment relevant benchmarks shifted from the Rural Activities Code to the Regional Infrastructure Overlay Code.</p>

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		Development in water resource catchments and water supply buffer areas should be appropriately sited and designed to avoid the risk of sediments, nutrients and contaminants compromising the quality of the drinking water supply.	
Development and construction			
Ref. Number	Policy Element	Requirement	NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AO6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	<p>We have modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won't be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can</p>	<p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregrin Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings (<u>note there are no longer dual occupancies proposed in the Low Density Residential Zone</u>).</p> <p>DNRME has agreed environmental management and conservation is the 'best fit' zone, but wants a footnote to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area.</p> <p>We've edited 7.2.6.2 overall outcome (2) (q) to read: "Development in the local plan area is supported by an extensive network of open space and passive recreation opportunities offered by the foreshore parks, reserves and Noosa National Parks. A buffer between urban development and Noosa National Park facilitates regular fire fuel reduction burning."</p> <p>At the end of PO20 we've added an Editor's Note as follows: Regular hazard reduction activities occur in the fire fuel control buffer between the Noosa National Park and urban residential development. These activities are necessary to reduce risk to people and property and may have an unavoidable impact on biodiversity and habitat values.</p>

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		<p>also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that at the Whole of Government briefing, it was advised that council's vision for the scheme was to promote Secondary dwellings and particular "dual occupancies" (separate household). This is a form of infill development, and would therefore increase the amount of people living and visiting the area. Infill is not just occurring via up zoning.</p> <p>It is considered that environmental management and conservation is the 'best fit' zone, but a footnote should be used to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area. Furthermore, the use of this land should be acknowledged in section 7.2.6.2 Purpose and Overall outcomes for the Coastal Communities Local Plan Code, and PO20(c) should be amended to ensure fire risk management 'can' significantly impact the biodiversity values as the area will be periodically cleared and burnt.</p>	
29	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that this is not the present use or approved use of the land. DNRME understands there is no date for this closure to occur and council has not sought to surrender or amend the purposes of the reserve.</p> <p>Therefore, it was recommended that the zoning be amended to reflect the approved present use as previously suggested.</p> <p>Council could also include the future intent for the area in the scheme's Strategic Framework. This could be done by acknowledging the Great Sandy Management Plan outcomes.</p> <p>Council acknowledged that zone changes in this area previously have drawn significant community interest and opposition, in terms of a zone change from Environmental Management and conservation zone to community facilities zone.</p> <p>Previous attempts to change the purpose of the reserve have been difficult, due in part to the trustee lease. Council needs to liaise with the DNRME about possible solutions as the two trustee leases combined only covers less than 2000m2 of the entire 428Ha site.</p> <p>Council intend to acknowledge the existing uses of the reserve in the strategic framework of the planning scheme.</p> <p>DNRME support councils proposed zone in the draft scheme, but the strategic framework needs to acknowledge:</p> <ul style="list-style-type: none"> - the existing land use as an airstrip - the existing land use will not be expanded 	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes. Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection. In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space. Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p> <p>DA Approval was given for Transport Type 4 (aeronautical hanger) in 2010 with two extensions given – the latest granted Jan 2018. This is for hang gliders.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that <i>"The Noosa North Shore airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</i></p> <p>Within the Strategic Framework we have added a new Strategic Outcome under Transport and Movement as follows:</p> <p><i>The Noosa Aerodrome off Weyba Drive, Noosaville is retained and operated as the only commercial airstrip within Noosa Shire. Use of the Noosa North Shore airstrip will not be expanded and the airstrip will ultimately be closed and added to the Cooloola Section of the Great Sandy National Park.</i></p>

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		- the present land use will stop in the future as per the Great Sandy Management Plan outcomes.	
30 SAME PROPERTY AS ADDRESSED AT #44 BELOW	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Rural.
31 SAME PROPERTY AS ADDRESSED AT #45	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
32 SAME PROPERTY AS ADDRESSED AT #46	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	Zone has been changed to Environmental Management and Conservation

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		<p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zone has been changed to Environmental Management and Conservation
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	All commercial leases in the Noosa River along Gympie Terrace have now been zoned Recreation and Open Space.
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p> <p>Additional Advice: There are examples of this property being previously used for helicopter joy rides and music festivals which has had significant impacts on amenity, safe traffic environment and character of the surrounding area.</p>	<p>Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held as well as the occasional circus. Apparently, there has been instances of inappropriate festival or concert events which have caused concern. DNRME suggest there's something lacking in the property management process for events.</p> <p>It is common for sports grounds and other areas of open space to host occasional events. For example at Tewantin sports ground a rodeo one night every year event occurs. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie Terrace foreshore and at the Woods near Hastings Street there are often one-day community events or festivals.</p> <p>PO7 now reads as "Temporary uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area."</p> <p>"Temporary uses" is a term defined by the Planning Regs and included in the administrative definitions of the scheme. It is suggested that it may be management problem if inappropriate events are being approved and that particularly loud events could not possibly meet that PO. Obviously temporary uses are not to be repeated on a regular (e.g. fortnightly or monthly) basis.</p> <p>That PO applies to the zone not one specific site. The table of development specifies the consistent uses.</p>

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		Without a definition of temporary or periodic events this PO is unmeasurable.	
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping has been changed and a footnote added.</p> <p>We note however that DNRME have completed consultation on a revised shape and are now preparing a consultation report that will be forwarded from the Minister for Natural Resources Mines and Energy to the Minister for State Development, Infrastructure and Planning recommending the proposed amendment for adoption in the State Planning Policy Guidelines.</p> <p>Should the proposed amendment to KRA57 be resolved prior to State sign off, Council will reflect the revised boundary in the scheme.</p>

Planning for the environment and heritage

Biodiversity			
Ref. Number	Policy Elements	Requirement	NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says "In September 2007, <i>Noosa Shire</i> was declared a Biosphere Reserve under UNESCO's Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development."
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>ADDITIONAL COMMENTS: DES previously advised that the mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>DES and DSDMIP met with the council on 28/8/18, where the MSES requirements were explained.</p> <p>It was agreed that the council would provide the mapping methodology for the Koala Habitat Area map to DES and DSDMIP and DES could provide confirmation about the methodology being satisfactory. Council has provided this mapping.</p>	<p>Koala Habitat Map has been changed to show the Koala Assessable Development Area.</p> <p>Following discussions with the DES, council has added category C and A mapping and Legally secured offset areas to the Biodiversity Overlay 'Area of Biodiversity Significance'.</p> <p>A new layer has been added to this biodiversity overlay map to show all the SPP MSES map layers as a separate layer (except for category R regulated veg which is now shown on the second biodiversity map). This will help distinguish the locally significant veg from the MSES. The following note has been added to the map to explain this:</p> <p><i>MSES environmental values represent the State Planning Policy Matters of State Environmental Significance (MSES) map layers. However, it does not include Category R regulated vegetation – this is shown on the Biodiversity, Waterways and Wetlands Overlay (ii) as part of the Riparian Buffer Area.</i></p> <p>The Category R regulated veg layer for the Great Barrier Reef regrowth watercourse veg is to be shown on the</p>

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		<p>DSDMIP advised that the SPP requires MSES to be identified and that development is located in areas that avoid adverse impacts, or where adverse impacts cannot be reasonably avoided, they are minimised (HOWEVER, the planning scheme must not include assessment criteria for MSES which duplicate a state assessment process – this includes MSES that is koala habitat) – see section 2 of the guidance material for biodiversity for guidance on how to appropriately integrate the policy for MSES. Council will revisit planning scheme provisions which rely on the biodiversity overlay to ensure there's no duplication of assessment with the state process.</p> <p>DSDMIP reminded the council that MSES is made up of lots and lots of different datasets – they are defined in Part G of the SPP, and spatially represented on the SPP interactive mapping system where possible. Part 3 of the guidance material for biodiversity also provides further guidance on mapping. It's worth noting that least concern REs are not MSES, but are still an environmental value that the local government could map. The guidance document provides a list of some of the other environmental values that aren't considered MSES.</p> <p>Additional action for council:</p> <ul style="list-style-type: none"> In regards to Matters of National Environmental Significance (MNES), the SPP requires local government planning schemes ensure development is located in areas to avoid significant impacts on MNES and considers the requirements of the Environment Protection and Biodiversity Conservation Act 1999. Given the way the planning scheme currently shows biodiversity in the overlay map, it's unclear if the council has complied with this policy. Currently, the only MSES for which a local government can require offsets, is non-juvenile koala habitat trees as defined in Schedule 24 of the Planning Regulation 2017. The Planning Regulation 2017, Schedule 11 has the assessment benchmarks for development in a koala habitat area that the local government, as assessment manager must assess against. The Noosa Shire contains Koala assessable development areas (KADA). The council could provide a note on the map and/or in the planning scheme about the assessment requirements under the Planning Regulation 2017. 	<p>second Biodiversity Overlay Map with the waterways and riparian buffers with the following note added to the map:</p> <p><i>The Riparian Buffer Area shows protective buffers for mapped waterways across Noosa Shire and incorporates the State Planning Policy Matters of State Environmental Significance (MSES) map layer for Category R Regulated Vegetation areas in the Mary River Catchment.</i></p> <p>Council has provided DES and DSDMIP with a copy of the methodology for the Koala Mapping from Healthy Land and Water, as well as map files for koala and riparian buffer areas and awaits state response.</p>
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p> <p>ADDITIONAL COMMENTS: Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles when this information is available from DES. References to turtles have been changed to 'marine turtles'.
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p> <p>ADDITIONAL COMMENTS: DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.</p> <p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council is of the understanding that all of Schedule 11 would be relevant.</p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>

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			Council notes DES's comments about their policy review and we await the results. The 'exempt clearing' approach does not permit greater clearing than what is allowed under the Planning Regs. No further action required.
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	Council added new AO - AO8.3 "Bushfire management measures are carried out on the subject property and not any adjoining property."
44 SAME SITE AS ADDRESSED IN 30 ABOVE	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Rural
45 SAME PROPERTY AS ADDRESSED IN #31	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Split zoning has been reapplied so biodiversity values and MSES included in Environmental Management & Conservation.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not</p>	Council believes this is inconsistent with how all other schools have been treated given Noosaville State School, Pomona State School, Noosa District High (both Pomona and Cooroy Campuses), Noosa Christian Collage at Cooroy and Sunshine Beach Primary School all contain MSES and yet are all entirely within the Community Facilities Zone.

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		<p>up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: DSDMIP has recently added an infrastructure designation layer to the SARA DA Mapping System. A review of this layer shows that there is no infrastructure designation on this lot.</p> <p>The subject vegetation is least concern veg, and essential habitat (which makes it MSES). The subject vegetation is covered by the 'Area of biodiversity significance' overlay area on the proposed Biodiversity, Waterways and Wetlands Overlay map.</p> <p>This issue is not a matter of consistency with other school sites, but is about up-zoning (Current zone – Split community services / open space conservation. Proposed zone – Wholly community facilities).</p>	<p>The zoning of St Teresa's as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. For this reason Council has a biodiversity overlay that covers the vegetation.</p> <p>Council will reinstate the split zoning of St Teresa's school at Noosaville as requested.</p>
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: It is unclear why this change 'would prevent another sports ground' as suggested in Council's comment. As part of the development assessment of any proposal (e.g. a sporting field), the on-ground extent of the vegetation is assessed.</p> <p>DNRME's advice reflects the mapped values of the site and would set a level of assessment for any development on the site.</p> <p>Furthermore, there may be some confusion caused by the size and configuration of Lot 1 SP239726. DNRME's comments related to the proposed zoning change adjacent to the sports fields, and did not relate to changes adjacent to the Noosa Heads Police Station.</p> <p>The area adjacent to the Police Station has a small amount of land that was previously Open Space Conservation that is proposed to be zoned Community Facilities. However, DNRME acknowledges that overall the outcome will be a net reduction in Community Facilities zoning in this area via a reconfiguration of the zoning. Therefore, DNRME supports the proposed change adjacent to the Police Station.</p>	<p>DNRME supports the proposed change adjacent to the Police Station for the Shine Houses.</p> <p>In relation to the expansion of Girraween sports fields, Council will not pursue this right now. The LGIP still identifies a shortfall / broader need in the area generally but it may need to be met elsewhere depending on land constraints.</p>
Coastal environment			
Ref. Number	Policy Elements	Requirement	NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p> <p>ADDITIONAL COMMENTS: The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.</p>	<p>The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.</p> <p>DES is still reviewing the technical details on the Q100 report and will advise further if there are any technical matters requiring review.</p>
Cultural heritage			
Ref. Number	Policy Elements	Requirement	NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p>	<p>The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow. If this review recommends changes to the listings, maps or</p>

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	community and future generations	<p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p> <p>ADDITIONAL COMMENTS: It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.</p>	provisions of the scheme, a scheme amendment will be pursued as a result.				
Water quality							
Ref. Number	Policy Elements	Requirement	NSC response				
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>				
NEW COMMENTS FROM SEQWATER							
a	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Strategic Framework 3.3.4 Biodiversity and Environment</p> <p>Action: Please insert the following to point (h) (h)The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply <u>through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</u></p> <p>Also please make the following a separate point (...)Enhance opportunities for agriculture, fisheries, tourism and recreation where possible meeting (h).</p> <p>Reason: The SPP requires that water quality be maintained and improved in drinking water catchments. There are a few minor amendments that will improve the protection of drinking water quality. The importance of the protection of water quality and the water supply catchment areas are integral to the viability of a sustainable future. This change highlights the importance of buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p>	<p>3.3.4 (h) now reads:</p> <p><i>The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability. The high quality of waters also enhance opportunities for agriculture, fisheries, tourism and recreation.</i></p>				
b	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Cooroy Local Plan</p> <p>Action: Please insert a relevant Purpose statement and Overall Outcome to provide line of sight in the Local Plan.</p> <p>Reason: The Cooroy Local Plan contains two POs relevant to drinking water quality.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p> </td> <td style="width: 50%; padding: 5px;"> <p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p> </td> </tr> <tr> <td style="width: 50%; padding: 5px;"> <p>PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.</p> </td> <td style="width: 50%; padding: 5px;"> <p>No acceptable outcome provided</p> </td> </tr> </table>	<p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p>	<p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p>	<p>PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.</p>	<p>No acceptable outcome provided</p>	<p>New Overall outcome has been added to Cooroy Local area Plan as follows:</p> <p><i>The protection of water quality within Lake Macdonald and waterways that drain to it is a paramount factor in consideration of development within the water supply catchment.</i></p>
<p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p>	<p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p>						
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<p>c</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1" data-bbox="774 281 2033 573"> <tr> <td>Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in roofed and bunded areas, for disposal by a licenced contractor.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.</td> <td>Development complies with the separation distances by stream order as specified in Table X.</td> </tr> </table> <table border="1" data-bbox="774 600 1448 1514"> <thead> <tr> <th>Development type and activities</th> <th>Stream Order 1 To 3</th> <th>Stream Order 4 or greater</th> </tr> </thead> <tbody> <tr> <td>Intensive animal industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Extractive industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other industrial uses</td> <td>100m</td> <td>100m</td> </tr> <tr> <td>Motor sport facility</td> <td></td> <td></td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Major sport, recreation and entertainment facility</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other development types</td> <td>50m</td> <td>100m</td> </tr> </tbody> </table> <p style="text-align: right;">Table X</p> <p>Reason: The addition of these items strengthens this code to meet the intent of the drinking water quality objectives. These items are not specifically picked up in the Water Quality and Drainage Code.</p>	Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in roofed and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided	Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided	Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.	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<p>d</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Wastewater management and effluent disposal Table 9.4.9.3 Criteria for assessment</p> <p>Action: Consider adding more details to the note to strengthen the note for onsite effluent treatment and disposal</p> <p>Editor's Note—The Plumbing and Drainage Act 2003 sets out requirements for onsite effluent treatment and disposal. The Queensland Plumbing and Wastewater Code and associated guidelines are used to confirm the suitability of each site to accommodate an on-site sewerage facility; or where a centrally located group collection treatment system is proposed, confirmation as to the suitability of the designated site to accommodate the on-site sewerage facility. Additionally, where the combined total peak design capacity of effluent treatment is less than 21 equivalent persons,</p>	<p>Editor's note expanded as requested.</p>																																																																					

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		<p><i>the design of the system achieves a low to medium risk classification in accordance with Seqwater's Land Use Risk Tool for onsite sewerage facilities.</i></p> <p>Reason: This amendment provides clarity for onsite effluent treatment requirements. The Plumbing and Drainage Act and Queensland Plumbing and Wastewater Code do not have requirements regarding pathogens and other factors which can impact drinking water quality objectives. This is inbuilt into Seqwater's Land Use Risk Tool for onsite sewerage facilities. This tool will be available online soon.</p>	
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Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of acid sulfate soils is avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</p>
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dhrm.qld.gov.au or by contacting 13QGOV (13 74 68). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p> <p>ADDITIONAL COMMENTS: DNRME provided their preferred wording to align with the soon-to-be-released SPP guidance material.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p>“Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts. Information on abandoned mines can be obtained by visiting the Queensland Government website for more information www.qld.gov.au/environment/land/abandoned-mines/ and additional information on historic mining activities can be gained from the Minesonlinemaps https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/minesonlinemaps. Note: This mapping does not spatially represent all former mining activities in the Council area, and their extent. However, these mining layers do give an indication of where there is an increased risk of hazards from former mining activities so that further geotechnical investigations can be undertaken where necessary.”</p> <p>Additional strategic outcome 3.3.8 added: “Sensitive land uses are protected from the impacts of former mining activities and related hazards”.</p>
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p>	<p>Overall outcomes sought for the Regional Infrastructure overlay code include the following:</p> <p>For Major Energy Infrastructure:</p> <ol style="list-style-type: none"> Development provides for adequate separation from the Powerlink Transmission Line Corridor. Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. Development provides for adequate separation from the gas pipeline and corridor.

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		<ul style="list-style-type: none"> Section 8.2.9.2(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> (b) For the gas pipeline corridor and buffer area: <ul style="list-style-type: none"> (i) Development provides for adequate separation from the gas pipeline corridor. (ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor. (iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor. (iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised. Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="789 573 1715 1115"> <tr> <td data-bbox="789 573 1130 1115"> PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor. </td> <td data-bbox="1130 573 1715 1115"> AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i> </td> </tr> </table> <p>Reason: While Petroleum Pipeline Licence 32 is authorised under the Petroleum and Gas (Production and Safety) Act 2004 and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. 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Natural hazards, risk and resilience					
Ref. Number	Policy Element	Requirement	NSC response		
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment</p>	<p>As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent.</p> <p>A bushfire risk assessment has since been prepared and provided to DSDMIP and QFES for review. Council wishes to work with QFES to make changes to the mapping as per the list of map recommendations in the risk assessment.</p>		

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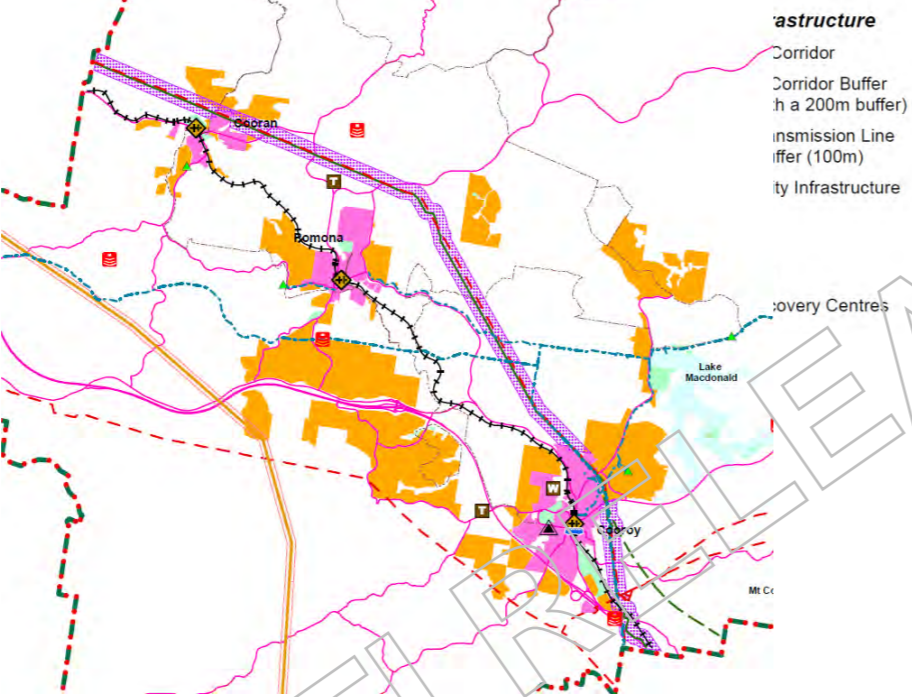
	has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.	
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Planning for infrastructure

Energy and water supply			
Ref. Number	Policy Element	Requirement	NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	<p>Property is 20 Grahams Rd Pomona 2SP216695 and zoning has been changed to Community Facilities (with substation annotation)</p>
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	<p>Table 5.5.14 for Rural Zone now lists substation as consistent but impact assessable.</p> <p>Table 5.5.10 for Low Impact Industry now lists substation as code assessable. However, note there are some higher amenity precincts within this zone where it is not considered appropriate.</p>
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>Council has now prepared a Regional Infrastructure Overlay that shows:</p> <ul style="list-style-type: none"> - The road hierarchy - Water resources including catchment & infrastructure - Major energy infrastructure (including gas and electricity) <p>Provisions regarding major electricity infrastructure have been incorporated according to the suggestions provided.</p> <p>Purpose statements: ... For major energy infrastructure:</p> <ol style="list-style-type: none"> a) ...; and b) ensure development is compatible with and does not adversely affect the operation of major electricity infrastructure, including the Powerlink Transmission Line. <p>overall outcomes: ...For major energy infrastructure:</p> <ol style="list-style-type: none"> (i) Development provides for adequate separation from the Powerlink Transmission Line Corridor. (ii) Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. (iii) The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. <p>Performance outcomes and acceptable outcomes include:</p> <p>Major Electricity Infrastructure</p>

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	<p>ADDITIONAL COMMENTS: EnergyQ reiterated the importance of including a Regional Infrastructure Overlay Code. It's understood that 'major electricity infrastructure' has been shown on Strategic Framework Map 3. However, to properly address the Energy and water supply - State interest policy 1 (protecting existing and approved major electricity infrastructure) there needs to be a Regional Infrastructure Overlay and an associated development Code. A specific Code will mean that issues such as reverse amenity and setbacks to protect the safety of people and infrastructure, can be assessed against in regard to targeted development and not just development that is required to address the strategic framework.</p> <p>EnergyQ provided a recent example of an overlay code that reflects the SPP guideline.</p>	<p>PO2 <i>Development does not increase risk to community health or safety, or the operation and reliability of major electricity infrastructure</i></p> <p><i>No acceptable outcome provided</i></p> <p>PO3 <i>Development involving a sensitive land use is sufficiently separated from major electricity infrastructure and substations to minimise the likelihood of nuisance or complaint.</i></p> <p>AO3.1 <i>With the exception of class 10 buildings, buildings associated with a sensitive land use maintain a setback of at least:</i> a) 50 metres from a transmission substation; b) 10 metres from any other substation; and c) 30 metres from a transmission line easement.</p> <p>AO3.2 <i>With the exception of class 10 buildings, buildings are not located within an easement for a distribution line.</i></p> <p>PO4 <i>Development is located and designed to avoid noise nuisance from infrastructure.</i></p> <p>AO4 <i>Noise emissions do not exceed 5db(A) above background noise level at the sensitive receptor of a building associated with a sensitive land use, measured in accordance with AS1055.</i></p> <p>PO5 <i>Wherever practicable new lots and buildings are orientated to avoid direct overlooking of electricity infrastructure.</i></p> <p>AO5 <i>Buildings are orientated so that the majority of outdoor living areas and windows of habitable rooms face away from towers or other major electricity infrastructure.</i></p> <p>PO6 <i>For sensitive land uses, there is sufficient space within the site to establish landscaping which substantively screens and softens poles, towers, or other structures and equipment associated with major electricity infrastructure and substations.</i></p> <p>AO6 <i>A minimum 3 metres wide densely planted landscaped buffer is provided along the boundary adjoining the electricity infrastructure, including provision for advanced trees and shrubs that will grow to a minimum height of 10 metres.</i></p> <p><i>Editor's note- Applicants may find guidance in Powerlink Queensland's brochure "Using Vegetation to screen transmission lines". Applicants should also note that vegetation will need to maintain statutory clearances.</i></p> <p>PO7 <i>Vegetation does not pose a risk to the safety or reliability of electricity infrastructure.</i></p> <p>AO7.1 <i>Vegetation planted within the easement of an overhead powerline or, where there is no easement, the area of influence of a powerline, has a mature height of no more than 3.5 metres.</i></p> <p>AO7.2 <i>Vegetation planted within an underground powerline easement does not have a mature root system in excess of 150 millimetres in depth and is not located directly over the powerline.</i></p> <p>AO7.3 <i>Regardless of the width of the easement, vegetation adjoining easements must be separated from the power pole or other infrastructure by a distance at least equal to the maximum mature height of the vegetation.</i></p> <p>PO8 <i>Any earthworks are undertaken in a way which: ensures stability of the land on or adjoining the electricity infrastructure; does not otherwise impact on the safety and reliability of the electricity infrastructure; and does not restrict the placement or use of the electricity infrastructure provider's equipment.</i></p> <p>AO8.1 <i>For overhead distribution infrastructure, no earthworks are undertaken within 10 metres of a tower, pole or stay.</i></p>
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			<p>A08.2 For overhead transmission infrastructure, no earthworks are undertaken within 20 metres of a tower, pole or stay.</p> <p>PO9 Services and infrastructure works (such as stormwater, sewerage, water and the like) do not impact on the safety and reliability of substations or major electricity infrastructure.</p> <p>A09.1 Underground services are not located within 20 metres of a tower, pole, stay or substation boundary.</p> <p>A09.2 No valve pits occur within: a) for transmission infrastructure, 60 metres of a tower, pole or stay; or b) for distribution infrastructure, 20 metres of a tower, pole or stay.</p> <p>A09.3 Underground services traversing an easement cross at right angles to the overhead or underground lines.</p>
60	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: State interest partially integrated</p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area be amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p> <p>ADDITIONAL COMMENTS: In regards to the gas pipeline buffer vs the electricity easement, EnergyQ requested adding some words into the AOs: Action: We recommend that AO1.1 be reworded so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>This doesn't conflict with the DNRME requirements to protect the gas pipeline corridor:</p>	<p>Table 8.2.9.4 amended to include following Performance Outcome and Acceptable Outcome:</p> <p>Gas pipeline corridor and buffer area PO1 Development, including uses and works are constructed and operated to avoid: compromising the viability of the gas pipeline corridor; or damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline license holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p><i>Editor's note- should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i></p>

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		<p>Action: The focus of the Code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="528 674 1394 1192"> <tr> <td data-bbox="528 674 774 1192"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="774 674 1394 1192"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p> </td> </tr> </table> <p>EnergyQ previously requested that the council reword AO1.1 so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>The preference is that the DNRME suggested changes to the code (item 55) should be used, as opposed to the EnergyQ suggestion, given that EnergyQ can simply request written confirmation as per AO1.3 – this is the best way to ensure that the development doesn't impact on the future use, and doesn't stop EnergyQ from being able to locate structures within the buffer if appropriately designed.</p>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>	
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e	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Strategic Framework 3.2.8 Co-ordinated and efficient Infrastructure</p> <p>Action: Please amend reference to Seq Water with Seqwater.</p> <p>Reason: Please note correct name for Seqwater which commenced in 2013.</p>	Done		

<p>f</p>	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1"> <tr> <td data-bbox="528 310 943 598"> <p>Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</p> </td> <td data-bbox="943 310 1365 598"> <p>Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.</p> </td> </tr> <tr> <td data-bbox="528 598 943 724"> <p>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> </td> <td data-bbox="943 598 1365 724"> <p>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> </td> </tr> <tr> <td data-bbox="528 724 943 1012"> <p>Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> </td> <td data-bbox="943 724 1365 1012"> <p>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to:</p> <p>a. buildings or structures; 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b. gates and fences; c. storage of equipment or materials; d. landscaping or earthworks or stormwater or other infrastructure.</p>	<p>Additional provisions have been incorporated as follows;</p> <p>Bulk Water Infrastructure PO6 Development is set back from bulk water supply infrastructure to: a) avoid safety risks to people and property; b) minimise noise and visual impacts to people and property; and c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</p> <p>AO6 Development is setback in accordance with Table 8.2.9.3B 'Recommended separation distances from bulk water supply infrastructure'.</p> <p>Table 8.2.9.3B - Recommended separation distances from bulk water supply infrastructure</p> <table border="1"> <thead> <tr> <th>Bulk water supply infrastructure - asset type</th> <th>Type of development</th> <th>Recommended separation distance minimum</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Pipelines and channels (1)</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from edge of pipe</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 metres from edge of pipe</td> </tr> <tr> <td rowspan="3">Water treatment plants and water quality facilities</td> <td>Sensitive Land Use</td> <td>250 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="2">Reservoir facilities</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="3">Pump stations</td> <td>Sensitive Land Use</td> <td>100 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="5">Dam structures and weirs (4)</td> <td>Earthworks Dam/Weir Height(5) 0-5 metres</td> <td>50 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 5-10 metres</td> <td>100 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 10-15 metres</td> <td>150 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 15-20 metres</td> <td>200 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) > 20 metres</td> <td>500 metres from the toe of the dam/weir</td> </tr> <tr> <td></td> <td>Blasting (2,3)</td> <td>500 metres from dam wall/earth embankment/weir footprint</td> </tr> </tbody> </table> <p>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances. 2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply. 3 It is recommended that blasting provisions be included in an extractive industry code (or similar). 4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir. 5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</p> <p>PO7 Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> <p>A07 Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> <p>PO8 Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> <p>A08 Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to: a) buildings or structures; b) gates and fences; c) storage of equipment or materials; d) landscaping or earthworks or stormwater or other infrastructure.</p>	Bulk water supply infrastructure - asset type	Type of development	Recommended separation distance minimum	Pipelines and channels (1)	Buildings/Structures/Earthworks	20 metres from edge of pipe	Blasting(2,3)	200 metres from edge of pipe	Water treatment plants and water quality facilities	Sensitive Land Use	250 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Reservoir facilities	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Pump stations	Sensitive Land Use	100 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Dam structures and weirs (4)	Earthworks Dam/Weir Height(5) 0-5 metres	50 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 5-10 metres	100 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 10-15 metres	150 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 15-20 metres	200 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) > 20 metres	500 metres from the toe of the dam/weir		Blasting (2,3)	500 metres from dam wall/earth embankment/weir footprint
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<p>g</p> <p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>		<p>Planning Scheme Reference: Zone Map ZM3</p> <p>Action: Please extend the Community Facilities Zone at the Noosa Water Treatment Plant so that it aligns with the current WTP upgrade. The proposed scheme splits Lot 1 RP800331 into two zones. Please retain the entirety of this lot as Community Facilities.</p> <p>Reason: The WTP is currently being upgraded. The proposed zoning in Zone Map ZM3 only partially covers the site area of the WTP. The extension of the Community Facilities zone to include all of Lot 1 RP800331 will cover the site area of the upgrade works. Please note, Lot 1 RP800331 is currently zoned Community Services in the Noosa Plan 2006.</p>	<p>OK. Lot 1 on RP800331 is currently entirely zoned Community Services. It will be zoned Community Facilities in its entirety.</p>
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State transport infrastructure			
Ref. Number	Policy Element	Requirement	NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</i></p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p> <p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	<p>Road hierarchy is now shown on the Regional Infrastructure Overlay Map.</p>
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p>	<p>Framework & Character Plans only deal with the bigger town centres not the whole towns. They don't address inter-centre connections.</p> <p>We've added principal cycle network paths including priority routes as per the State's mapping and shown arrows at the edges where these connect to other areas. A disclaimer reads "routes shown are indicative only and exist to guide future investigation and planning and are not currently resourced".</p> <p>The new Regional Infrastructure Overlay map now includes all the Principal Cycle Network (including the Priority Routes) despite not all of them being included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Strategic Framework Point (g) of the Strategic Outcomes on transport and Movement now reads as follows:</p>

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		<p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p> <p>ADDITIONAL COMMENT:</p> <p><u>Active Transport</u> In order to provide sufficient information to guide development outcomes and promote active transport as an attractive alternative to private transport the Framework & Character Plans should be amended or an overall active transport strategic network plan developed. Planning is needed to ensure the delivery of a connected and cohesive cycle network across the shire. The existing and future primary cycle routes that have logical connections to key destinations within and between centres should be included and the Priority Routes as shown on the SEQ Principal Cycle Network Plan should be incorporated.</p> <p><u>7.2.4 Noosaville Local Plan Code – Figure 7.2.4.5 Noosa Business Centre – Transit Centre</u></p> <p>TMR does not support the identification of a Proposed Bus Interchange on this Framework and Character Plan. Identification of a Proposed Bus Interchange in this location may unduly raise expectation of State delivering transport infrastructure being delivered that is not planned or funded. DTMR is unaware of any associated studies or planning supporting a new bus interchange in this location. It is noted that draft PFTI in the draft LGIP do not nominate a new bus stop at this location.</p> <p>Whilst a 'Transit Bus Station' is nominated in this general location in the Strategic Framework mapping it is unclear if it relates to this proposed Bus Interchange or the existing Bus Station at the 'Noosa Civic' Centre.</p> <p>The inclusion of a proposed bus interchange in Strategic Mapping is supportable with the inclusion of an Editor's Note stating the following or similar, 'Editor's note: this Proposed Bus Interchange is not planned or funded State transport infrastructure'. The inclusion of a proposed bus interchange in the Part 7 - Framework & Character Plans is generally not supported.</p> <p>As a result of meeting, the following actions arose:</p> <ol style="list-style-type: none"> 1. Council to include editor's note saying the interchange isn't planned or funded by the State government (or similar eg ...is subject to further planning with the State government...) and is subject to further planning studies. 2. Council to include additional wording in codes to identify that interchange and its location is subject to further planning. 3. State to review final wording prior to final endorsement. <p>Further, TMR will discuss internally with TransLink (Network Planning and Infrastructure teams) with a view for a future discussion about the planning of the interchange with council's planning team and infrastructure team. (Lud (Oddbjorn Ludvigsen) is contact for Noosa Council.)</p>	<p><i>New development incorporates or supports active public transport infrastructure that connects with existing networks. Development takes into account the future planning of the State's Principal Cycle Network.</i></p> <p>Noosa Business Centre Transit hub Since the gazettal of the current 2006 planning scheme a Public Transport Node has been shown on the Noosa Business Centre site (Schedule 5 Map 1 Transport) and the Transit function has specifically been shown close to the Walter Hay Drive roundabout on the Shire Business Centre Precinct Plan (schedule 4). This is further qualified by the provisions in the current Noosa Plan for the Shire Business centre since 2006. It is the highest-order centre for the Shire, a Major Regional Activity Centre under the SEQ Regional Plan and considered vital to the successful functioning of public transport. It will necessarily be bigger than the existing bus stop at Noosa Civic. If we are to secure a land dedication from the land owner it remains important to show it.</p> <p>Council would like to stress that the exact location of the transit hub is not final and that development of the Noosa Business Centre will be subject to further master planning, of which TRM will be part.</p> <p>Wording has been added to the Noosaville Local Plan code to qualify:</p> <ul style="list-style-type: none"> - Development at the Noosa Business Centre occurs in a staged manner following the construction of the internal circulation road system, creation of an open aired activated village green space for significant community gatherings and the provision of land for a sub-regional transit centre that has the potential to function as an integrated public transport node, with pedestrian and bicycle paths linking with nearby urban areas. The further development of transit facility will be subject to further investigation and planning with the State Government; - The Framework and character Plan for Noosa Business Centre also has a disclaimer stating that the "Potential transit facility – indicative only and subject to further investigation and resourcing."
63	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <u>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</u></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned with sufficient information provided to guide development outcomes.</u></p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>As discussed above the new Regional Infrastructure Overlay includes all the Principal Cycle Network (including the Priority Routes) despite not all of them are included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Obviously there are a great many other pathways and on-road cycle lanes that form part of the active transport network.</p>

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		<p>ADDITIONAL COMMENTS: DTMR appreciates the challenges Council faces in the form of a low density dispersed settlement pattern, the planning scheme has an aspirational target to reduce car usage and encourage walking and cycling. Planning is needed to ensure an active transport network develops that is logical and well-connected in order for active transport to be an attractive alternative to private transport.</p> <p>The existing and future active transport network, in particular the primary routes, should be reflected in the planning scheme to guide development. The active transport network should incorporate the cycle network identified in the SEQ Principal Cycle Network Plan, particularly the Priority Routes.</p> <p>At the meeting, the following action arose:</p> <p>Council suggested this could be shown on the new regional infrastructure overlay, and DTMR and DSDMIP agreed this option could work. This will be reviewed in a revised version of the planning scheme.</p>	
64	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m2) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. 	<p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>The Framework and Character plans have been amended to include location of existing taxi ranks as stated above as did not receive official taxi rank locations from DMR.</p> <p>We have amended PO11 and AO11.1 of the Transport Code to reference taxis, and shared and private vehicles as part of the range of travel modes and have added a new Acceptable outcome as follows:</p> <p>AO11.5 Taxi or shared vehicle infrastructure is provided parallel to the kerb, conveniently located to minimise passenger walking and designed in accordance with:</p> <ol style="list-style-type: none"> a) AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work; b) AS1742.11–1999 Parking controls – manual of uniform traffic control devices; c) AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities; d) Disability standards for accessible public transport 2002 made under section 31(1) of the Disability Discrimination Act 1992; and e) AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements.

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	<p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p> <p>ADDITIONAL COMMENTS: The scheme could be amended so that only specific uses likely to create taxi demand are required to determine if taxi infrastructure / facilities are required (this can include taxi ranks or taxi bays). Please refer to the initial DTMR comments for common land uses where taxi services are often provided and where demand for taxis is generated. These land uses could trigger the requirement to undertake an assessment to determine the need for a taxi facility. The Department of Transport and Main Roads' <i>Public Transport Infrastructure Manual 2015</i> Chapter 7 provides guidance on what an assessment should address.</p> <p>Taxi facilities should be designed and located in such a way as to minimise passenger walking distances and assist with passenger convenience and safety. General acceptable standard practice for a taxi rank location is a maximum of 400m walking distance to a major venue entrance and exit, this equates to approximately a five-minute walking journey. To maximise passenger convenience, if demand for taxi facilities is warranted, the facilities should be provided within the development or within a 400m walking distance.</p>	
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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	Council has considered this and decided to maintain the current arrangement where duplexes are not permitted in the detached housing neighbourhoods. As such any references to a dual occupancy being consistent in the Low Density Residential Zone has been deleted.

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		<p>Further Action required –</p> <p>Action: Remove the provisions which prevents a dual occupancy from being placed into a community title scheme: Table 5.5.1 – Low density residential – Dual occupancy, 6.3.1 Low density residential zone code (AO5.2, AO5.3), 9.3.1 Low density housing code (overall outcome (h), AO3, PO4 *Note: this may flow on to other areas of the planning scheme*</p> <p>Reason: The Planning Regulation 2017 defines a dual occupancy – (a) means a residential use of premises for <u>2 households involving – (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property;</u> (ii) any domestic outbuilding associated with the dwellings; and (b) does not include a residential use of premises that involve a secondary dwelling.</p> <p>The Planning Regulation 2017 defines reconfiguring a lot – (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is— (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997.</p> <p>As the planning scheme cannot regulate a community title scheme, as it does not require a development permit, the scheme cannot prevent a dual occupancy development from being separately titled through a community title scheme under the Body Corporate and Community Management Act 1997. Furthermore, a material change of use cannot restrict a reconfiguring a lot development as they are two separate development types.</p> <p>Action: Review the provisions in, and consider re-drafting, 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – dual occupancy requirements</p> <p>Reason: The term 'small dwellings' is defined in the administrative definitions as having a gross floor area of no more than 90m². However, AO5.4 states a dual occupancy only occurs where one dwelling is no more than 85m² (the small dwelling). Small dwellings are referenced for other types of development throughout the scheme and using this term for multiple meanings and provisions causes conflict and confusion.</p> <p>Action: Review the provisions in, and consider re-drafting, 1 Low density housing code AO3, PO4.</p> <p>Reason: PO4 contradicts the definition of dual occupancy and the provision seems to be mixing secondary dwelling and dual occupancy together. The provision needs to be clear which type of development it is regulating. Is it a dual occupancy or dwelling house with secondary dwelling? The use definitions would prevent you from having a dwelling house with a secondary dwelling (one household) already on site and then trying to develop a dual occupancy (two new households) on top of that, it would move into the multiple dwelling use definition.</p>	
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		Furthermore, AO4 is confusing and re-drafting should be considered. As it currently reads it is not clear on the intent of this AO4.	
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the Planning Regulation 2017) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p> <p>ADDITIONAL COMMENTS:-</p> <p>DHPW is supportive of NSC's proposals to address affordable housing, however it has advised that "public housing" should not be bound in the provisions of the planning scheme as it is not assessable development and, as it has specific requirements, it may not be able to be easily delivered through conditions of development. Therefore, references to public housing should be deleted.</p> <p>It may however be appropriate to reference affordable housing as well as other social housing (excluding public housing). Further discussion on this matter is envisioned with NSC once advice is received from DSDMIP.</p> <p>DSDMIP agrees with DHPW, that the planning scheme can not make particular development for public housing assessable development, as per section 30 of Schedule 6 of the <i>Planning Regulation 2017</i>. However DSDMIP also agrees with DHPW, that there could be opportunity to regulate other types of social/affordable housing (excluding public housing). As such, some amendment is required to PO19 to ensure that public housing is not regulated here.</p> <p>In terms of PO19 generally, and the requirement to provide a contribution towards the social housing needs of the Noosa community, this is not something that the planning framework specifically regulates (mandates or restricts), therefore council could regulate it. However, DSDMIP notes that it could be challenged by an applicant through appeal if the applicant considered a condition for the contribution to not be relevant or reasonable – this is a risk, and the council should seek its own professional/legal advice to inform its decision to include these provisions in the planning scheme.</p> <p>At this point, DSDMIP is not averse to the council going to public consultation with this provision in the planning scheme..</p>	<p>Noted. Wording to remain at this stage.</p> <p>Council is particularly concerned about the noticeable mismatch between the existing social housing stock, which includes a high proportion of detached houses in Tewantin and Cooroy. The Housing Needs Assessment Council commissioned in 2017 showed that (in 2015) of the 383 public housing rental dwellings:</p> <ul style="list-style-type: none"> - 131 dwellings had one bedroom (34%), - 71 dwellings had two bedrooms (19%), - 143 dwellings had three bedrooms (37%), - 33 dwellings had four bedrooms (9%) and - 5 dwellings had five bedrooms (1%). <p>In comparison:</p> <ul style="list-style-type: none"> - 196 households in public housing dwellings were lone person households (51%), - 100 households had 2 occupants (26%), and - 42 households had 3 occupants (11%). <p>The social housing waiting list is dominated by sole person households, who are not likely to qualify for a dwelling of three or more bedrooms.</p> <p>For this reason it is important that additional social housing be created in higher density areas, close to activity centres and transport where one and two bedroom units can be established and social housing mixed amongst other similar attached housing. Some level of regulatory intervention and incentive is necessary to make this occur.</p>
State Interest: Regulated requirements in the Planning Regulation 2017			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the <i>Planning Regulation 2017</i>. If a different administrative term is used, ensure this is done in accordance with section 8 of the <i>Planning Regulation 2017</i>.</p>	It's not used in the scheme so has been deleted from the definitions.


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		<p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Coorobah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p> <p>ADDITIONAL COMMENTS: Growth management <i>ShapingSEQ</i> identifies an additional 6,400 dwellings will be required in Noosa Shire to 2041. At this stage, the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, the following advice is to be provided to council for ongoing consideration.</p> <p>The dwelling capacities provided by council for dwelling growth to 2041 relate to all dwellings (resident and non-resident). Council should note the department's analysis of the planning assumptions which support the new Noosa Plan is based on resident dwellings only, as the <i>ShapingSEQ</i> dwelling supply benchmarks are for resident dwellings, i.e. dwellings required to accommodate the projected resident population (as opposed to visitor accommodation).</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Coorobah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Coorobah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village". At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>

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		<p>The department's analysis indicates that relative to the ShapingSEQ dwelling supply benchmarks for additional dwellings to 2041, the dwellings projected by the DMATT growth forecasts: fall approx. 400 dwellings short of the Consolidation benchmark; slightly exceeds the Expansion benchmark.</p> <p>While the projected Consolidation growth to 2041 falls below the ShapingSEQ benchmark, the DMATT growth forecasts indicate substantial additional capacity beyond 2041. The department acknowledges that part of this additional capacity may be able to be taken up by 2041 to address the relatively small shortfall for Consolidation growth.</p> <p>It is noted that the assumptions underpinning the dwelling supply estimates of the DMATT growth forecasts may change over time, e.g. as a result of implementing the recommendations of best practice research undertaken by the Growth Monitoring Program (GMP). Also, it is currently considered that secondary dwellings should not be counted separately from the primary dwelling as part of the dwelling supply, but it is unclear the extent to which secondary dwellings contribute to council's reported dwelling growth and capacity.</p> <p>The department does not have concerns regarding the new draft scheme's ability to accommodate the projected growth at this stage. However, any changes to the assumptions and resulting dwelling supply estimates may require future planning scheme amendments to accommodate ShapingSEQ dwelling supply benchmarks in the future. Council should note this is a matter for ongoing review based on the GMP's annual Land Supply and Development Monitoring reports.</p> <p>Additional urban areas – Kin Kin and Cooribah In relation to the 'urban areas' at Kin Kin and Cooribah (see Strategic Framework Map 1), the department notes these areas are shown as 'Urban' on the Strategy Map of the current Noosa Plan.</p> <p>The identification of these areas as 'urban areas' in the Strategic Framework does not incorporate these areas in the Urban Footprint under <i>ShapingSEQ</i>. <u>No change is required to the draft New Noosa Plan in relation to these areas.</u></p>	
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p> <p>ADDITIONAL COMMENTS: In accordance with the northern sub-regional direction, council will be encouraged to investigate the potential to identify limited additional longer-term urban growth opportunities, giving consideration to broader strategies for their long-term rural, environmental and landscape sustainability.</p> <p><u>In line with this, council are encouraged to investigate the potential to identify longer-term options to accommodate growth in the northern sub-region. Opportunities should be reflected in the</u></p>	<p>Council does not agree with this and considers it unrealistic to suggest further growth in the northern part of the Shire.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p> <p>Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).</p> <p>In terms of the broader Shire, Council is aware of a couple of areas which may have potential for urban growth in the future, however they are not without constraints and as there has been no meaningful investigation to date it is preferred these not be mapped in this planning scheme at this stage as it prematurely generates speculation. These areas will be investigated later and potential be part of future planning scheme amendments.</p>

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		<p><u>strategic framework for future investigation</u>. This is not required to be a commitment to development within a certain timeframe.</p>	
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p> <p>ADDITIONAL COMMENT: As noted in response to item 4 above, <u>at this stage the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council</u>. However, council should note the advice provided in item 4 above, for ongoing consideration.</p> <p>Further, the department acknowledges council's Housing Needs Assessment which highlights a mismatch between dwellings being constructed and the needs of the Noosa community. It is noted particular needs relate to more affordable accommodation, smaller dwellings, additional aged care and special needs.</p> <p>The range of measures included by council in the draft New Noosa Plan to accommodate these needs are noted.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • New and expanded retirement villages (later stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m² outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p> <p>ADDITIONAL COMMENTS: including this lot in the Community Facilities zone (with no annotation) would not allow for the potential use of the site for residential care facilities, as intended by council. Community Facilities is not an urban zone and the development of a residential care facility with a GFA of more than 5,000m² on this site would be prohibited development under the Planning Regulation 2017.</p> <p>If the lot were included in an urban zone, future development on the site would be considered <i>excluded development</i> under the SEQ regulatory provisions. <u>However, council would need to undertake an assessment of the site against the Urban Footprint principles (see <i>ShapingSEQ</i>, Chapter 3) to determine the site's suitability for inclusion in an urban zone.</u></p> <p>The department invites further discussion with council about the potential options to facilitate council's intended use of this site.</p>	 <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint is surrounded on two sides by Urban Footprint and contains substantially unconstrained land.</p> <p>While the whole site has an area of 9.5ha, approximately one third was proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>Council will not pursue this at this stage and the site will be zoned Environmental Management and Conservation reflecting the current zone.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation</p>

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		<p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p> <p><u>The department is satisfied the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the proposed planning scheme.</u></p>	mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are considered to reflect and incorporate those values consistent with <i>ShapingSEQ</i> .
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.</p> <p><u>The department considers council's proposed and ongoing approach to Traditional Owner engagement to be a positive approach.</u></p> <p><u>Council should continue to demonstrate how feedback received during public consultation and through this targeted engagement has been reflected in the proposed New Noosa Plan for adoption.</u></p>	Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	<p>Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'.</p> <p>Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.</p>	<p>Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we have deleted what was PO14 and corresponding AO14.</p> <p>Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy. However we have deleted what was PO25 and AO25</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2	<p>Action: <u>Remove requirements for 4kW photovoltaic solar power system.</u></p> <p>Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i>, specifies</p>	PO6 and the corresponding AOs have all been deleted and subsequent provisions renumbered.

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	<p>A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.</p>	<p>building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution.</p> <p>The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW.</p> <p>Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.</p> <p>Local government can't impose the requirement for 4kw system as the QDC MP 4.1 allows applicants to choose photovoltaic cells as an option to achieve part of their required star rating.</p>	
12	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used.</p> <p>AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: <u>Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</u></p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - <i>Planning Act 2016</i> Section 8 (5).</p> <p>It is not clear why Council is concerned about addressing building provisions which are governed by the building assessment provisions such as those in the NCC. To clarify, the provisions in AO 7.1 and AO7.2 are in conflict with the scope of the building assessment provisions. Council may address building design to achieve particular aesthetic design outcomes but not for the energy efficiency purposes as prescribed in AO7.1 and AO7.2.</p>	<p>Original Performance outcome has been deleted and replaced with the following:</p> <p>Roof design & articulation PO6 <i>Within the Local Plan Areas for Hinterland Villages, Cooroy, Tewantin or Noosaville, buildings contribute to the local character through buildings that incorporate:</i> a) pitched roof design; and b) eaves and/or awnings.</p> <p>AO6 <i>With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have:</i> a) a roof pitch no less than 5 degrees to 75% of the roof; and b) 600 millimetre eaves to 75% of the perimeter of the dwelling.</p> <p>Editor's Note — 450-millimetre eaves will achieve AO6 (b) provided a 150 millimetre gutter is used.</p>
13	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site.</p> <p>Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy.</p> <p>The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: <u>Remove requirements relating to rainwater tanks and other supplementary water supply systems.</u></p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Original PO8 and corresponding AO has been deleted.</p> <p>Council may apply to the Minister for an approval to require the mandatory application of QDC MP 4.2 to a building development application for a new class 1 building to be located within a reticulated town water area and that we can apply to vary the application of MP4.2. This will be considered outside of this Planning Scheme State Interest Review process.</p>

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14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p> <p>ADDITIONAL COMMENTS: It's acknowledged that council has amended the references to stormtide.</p> <p>By imposing a maximum 20m² GFA AO20.3 (1) Council is prescribing a structural design requirement in response to flood. This is in conflict with the building assessment provisions. Section 13 of the Building Regulation 2006 outlines what a local government may address in terms of building controls to mitigate flood impacts. Apologies for not making this clearer in our original comment.</p> <p>BLP is requested to provide the council with further advice on the applicability of QDC MP3.5 for alterations and additions in relation to extensions to existing buildings. For example Table 1 of QDC MP3.5 states this mandatory part is only applicable to additions to a class 1 building where the additions constitute 50% of more of the floor area of the existing building.</p>	<p>Provision has been deleted.</p>
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p> <p>Council may refer to the performance requirements in the Code to achieve alternative solutions.</p>	<p>AO21 has been removed and PO13 reworded as follows:</p> <p><i>"Underground car parking areas are drained to function safely during a flood event and power failure."</i></p> <p>No further action required</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard.</p>	<p>PO22 and AO22 have been removed</p>

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	Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	Reason: Refer <i>Planning Act 2016</i> Section 8 (5).	
17	9.3.1.3 Criteria for assessment AO22	Action: Amend provisions as per comment for AO20.3. Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).	PO22 and AO22 have been removed
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council to look further into this.	Acceptable outcome has been removed however, we still had concerns about this for reasons of both overland flow and amenity. Some properties in Noosaville for instance that need to meet a minimum floor height are filling their whole site to be the same level of the floor. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council has deleted the AC. An editor's note has been added to highlight the privacy and drainage issues that can arise when whole lots are filled to the boundary in urban areas: Editor's note— Development should ensure that filling does not impacts on: a) neighbouring privacy; b) the amenity and usability of neighbouring properties; or c) offsite drainage.
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	Action: Amend to align with MP 3.5. Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.6 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.	AO13 has been removed and PO13 reworded as follows: "Underground car parking areas are designed to drain and function safely during a flood event and power failure."
	Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.	Action: Remove provisions as these are contained in the building legislation. Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)

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		5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.	
20	Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6	Action: Amend provisions for consistency with QDC MP1.4. Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)
21	Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;	Action: Remove the requirement of width of awnings. Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.	References to awnings have been deleted.
22	Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)	Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for handstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.	Building Regulation 2006 Section 12 allows the Local Government planning scheme to nominate the designated bush fire prone area which we have done through the overlay. The provisions of the BCA and QDC apply for building assessment within that area. Items c) and d) have been deleted.
23	Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.	Action: Remove references to AS 2890.3 Bicycles Parking Facilities Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12. BLP confirms any provisions outside of the QDC and NCC can be considered in planning scheme.	This was something the community of Noosa is quite keen on and is carried forward from the existing scheme. It is acknowledged: <i>In accordance with the Sustainable Planning Act 2009 section 233(7) and section 86, the QDC and BCA override any similar provisions of a local government's planning instrument. The QDC and BCA regulate sustainable building designs and features, and local governments should not include additional or more stringent measures in a planning instrument. Where a planning scheme, local planning instrument or local law is inconsistent with a regulation, such as the Building Regulation 2006, the planning scheme, local planning instrument or local law is of no effect.</i> However in relation to end of trip facilities: Queensland Development Code Mandatory Part 4.1—Sustainable buildings guideline only applies to end of trip facilities requirements on commercial office buildings, shopping centres, hospitals and tertiary education facilities where they exceed 2,000 square metres (as defined by the QDC) and these where they are located in a designated local government area , as listed in schedule 1 of the Queensland Development Code (QDC) (Noosa is not listed as one) For local governments not listed in schedule 1 of the QDC, end-of-trip facilities can also apply where a council has published notice of a resolution to adopt the QDC provisions. The resolution will be published in a local newspaper and be available on the local government's website. It will outline the area considered a designated local government area (which may be all or part of the local government area). Noosa can obviously pursue this if necessary. Part 4.1 also says: <i>For the purpose of end-of-trip facilities, a local government planning scheme may expand on the QDC requirements by:</i> <input type="checkbox"/> <i>requiring additional bicycle parking and storage facilities, locker facilities and change rooms higher than the QDC requirements</i> <input type="checkbox"/> <i>expanding the definition of a major development to encompass a broader range of buildings.</i>

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			Therefore there would seem to be scope for NSC to control this and it is just a matter of following the procedure allowed for in the QDC Action: Have included an Editor's Note in the Driveways and Parking code stating that where there is an inconsistency between the scheme and the QDC, the QDC section 4.1 applies for what is considered major developments. Anything not listed as a major development is not covered by the QDC and therefore the planning Scheme can control.
24	Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE	Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor. Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.	Have deleted this from the code.
25	9.4.6.3 PO1	Action: Remove the reference to natural light and cross ventilation. Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions. ADDITIONAL COMMENTS: BLP considers this unnecessary red tape. While this provision might seem minor, if a planning instrument contains several redundant provisions (with no bearing as they are addressed by building legislation) than it creates a readability/clarity issue and may also cause unnecessary confusion. This provision may be more applicable to very specific sites to sites/uses which are owned by the council.	PO1 now reads as follows: <i>Development minimises energy consumption and the production of greenhouse gas emissions.</i> There is no AO provided.
26	Part 8 Overlays AO1.2	Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. FURTHER COMMENTS: BLP wants to ensure that Council removes other provisions in the planning scheme that feature the same principles as AO1.2 - setbacks from hazardous vegetation (for class 1-3 buildings and associated 10a structures as per AS3959). Please note that the reference to hardstands or pumps was made in relation to AO 3.2. It was also stated that all reoccurring provisions of that nature need to be removed from the scheme. Please ensure the other provisions (with similar principles as AO1.2) are addressed as per our Further Comments (regarding bushfire).	References to hardstands and pumps in AO3.2 have been removed. Diagram showing the best place to build a house in bushfire areas has been removed. Council has removed references to building setbacks from hazardous vegetation. Other reoccurring provisions of this nature have been removed from scheme where they relate to building works. New provision requiring that bushfire management measures be carried out on the subject property and not any adjoining property has been added to Bushfire Overlay Code. Council awaits State agency response as to their acceptance of these changes.
27	Part 8 Overlays AO3.2 AO3.3 AO3.4	Action: Remove building requirements and cut/fill requirements that are already regulated. Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for	This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3. Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.

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		<p>limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>ADDITIONAL COMMENTS: The Building Regulation 2006 Schedule 1 allows cut and fill to be self-assessable up to 1 metre. <u>Unless the council are trying to address aesthetic quality of building work or operational works requirements</u>, it should not be prescribing building provisions such as height of cut and fill. Refer definition of building work in the Building Act which includes excavation works.</p> <p>This provision is in various parts of the planning scheme. Amenity and aesthetics reasons can be incorporated which do not conflict with the building provisions. BLP confirms stability and erosion control are building provisions but aesthetics aren't.</p>	<p>The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p> <p>Amendments have been made to this Performance Outcome and Acceptable outcome to try to clarify it is about landscape character and aesthetics primarily rather than slope stability.</p> <p>Steep land, landscape character and scenic amenity PO3 Development, including associated access, is designed and constructed to:</p> <ol style="list-style-type: none"> be responsive to the natural topography and constraints imposed by the slope; retain the natural landforms, landscape character, vegetation, including the visual amenity of hill slopes and ridgelines; visually integrate into the streetscape and the natural surrounds; and ensure buildings and structures are not visually obtrusive, particularly from ridgelines, public open spaces, scenic routes and other critical vantage points, outside the site. <p>AO3.1 Buildings present no more than two storeys at any one point when viewed from the road or other public space.</p> <p>AO3.2 Buildings and associated accesses are not constructed on land with a slope greater than 25% (1 in 4).</p> <p>AO3.3 No additional lots intended to provide house sites are created on land with a slope of 25% or greater.</p> <p>AO3.4 Buildings are designed to follow the natural landform rather than modify it.</p> <p>Editor's note- Designs that step down the slope using split level construction or elevated construction on suspended floors are a preferred alternative to standard slab on ground construction reliant on cut and fill of sites.</p> <p>AO3.5 The extent of filling or excavation is revegetated immediately following completion of the works.</p> <p>AO3.6 Any building, including any associated car parking structure:-</p> <ol style="list-style-type: none"> has a maximum undercroft height at the perimeter of the building of 3 metres above ground level; or incorporates undercroft skirting or screening (such as timber battens) to the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building; or incorporates landscape screening for the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building. <p>AO3.7 On sites where slope gradients exceed 15% roof lines are generally parallel with contours of the land and roof pitch does not exceed 15 degrees.</p>
28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The original comment made informed the council that <u>unless</u> the building work was in a designated transport noise corridor, the planning scheme cannot implement noise mitigation construction or</p>	<p>This relates to the Extractive Resources Overlay and the acceptable outcomes for development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including insulation and sound resistant glazing materials. Reference is made to the State interest guidance material – Mining and extractive resources page 19, which specifically includes the following within model code provisions.</p>

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		<p>design techniques. A certifier will not assess sound insulation requirements in line with a planning scheme because the National Construction Code contains the relevant requirements for wall treatments and glazing. Council can't introduce building controls such as these due to the scope of the building assessment provisions and the application of the Section 8 (5) of the Planning Act 2016.</p> <p>The NCC may capture these issues – this needs to be revisited. BLP are requested to look into this further and provide some further comments/advice. The council may look into a PO addressing amenity for this provision to avoid conflict.</p>	<p><i>Suitable mitigation measures may include:</i></p> <ul style="list-style-type: none"> a) <i>locating buildings and structures the greatest distance practicable from the resource extraction and processing areas and associated transportation routes;</i> b) <i>designing buildings so the areas where people work or congregate are furthest from the resource extraction and processing area and associated transportation routes;</i> c) <i>minimising openings in walls closest to the sources of any current or potential adverse effects;</i> d) <i>providing mechanical ventilation to areas in which people work or congregate;</i> e) <i>utilising appropriate construction methods and materials including insulation, sealants and glazing that minimise the transmission of noise, vibration, dust, fumes and odours; and</i> f) <i>providing outdoor recreation space adjacent to a building façade that shields the recreation space from resource extraction and processing areas and associated transport routes.</i> <p>AO2.4 now reads as: <i>Development within the extractive resource separation area incorporates design, orientation and construction materials that mitigate potential adverse effects from an existing or future extractive industry to acceptable levels by:</i></p> <ul style="list-style-type: none"> a) <i>locating buildings and structures the greatest distance practicable from the resource processing area and associated transport route;</i> b) <i>designing buildings so that areas where people live, work and congregate (habitable rooms) are furthest from the resource/processing area and transport route; and</i> c) <i>design and construction of walls and openings that minimise noise entry.</i>
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The below highlighted provisions are in conflict with the application of AS3959 to the extent these provisions apply to class 1-3 buildings (and Class associated 10a structures).</p> <p>AO7 (ii) achieves setbacks from hazardous vegetation for a distance of 1.5 times the height of the predominant mature tree canopy or 10 metres, whichever is greater; and (d) is designed so that buildings and structures are sited in locations of lowest hazard within the lot and elements of the development least susceptible to fire are closest to the fire hazard.</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>References to setbacks from hazardous vegetation in AO1.3 has been amended. The setbacks in AO7 have been retained as these relate to reconfiguring a lot and not building works. It is about the correct placement of a building envelope where a future house would be located.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p>	<p>Figure 8.2.3.4 has been removed as has the reference to the figure in AO7.</p>

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		This information should not be changed or repeated for inclusion in planning schemes. Refer Planning Act 2016 Section 8 (5).	
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p> <p>If you separate through the overlay code, will you also separate on the overlay?</p> <p>BLP: If the storm tide provisions don't reference or interfere with our flood code, there is no issue.</p>	<p>References to the Design Storm Tide Event has been removed throughout the overlay in most instances though where high frequency nuisance stormtide flooding needs to be considered as a result of climate change the reference to DSTE has been retained (AO5). Large parts of Noosaville are expected to be inundated by stormtide and frequent tidal inundation into the future.</p> <p>There is no need to distinguish between what is catchment flooding and stormtide inundation on the overlay mapping as in all instances stormtide areas are also affected by catchment flooding with catchment flooding being the more dominant hazard in terms of depth and extent of flood waters.</p>
32	<p>Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures: a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by: a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of</p>	<p>Action: <u>Amend provisions that are in conflict with the Building Assessment Provisions.</u></p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>FURTHER COMMENTS FROM BLP: We cannot determine what has been changed adequately based on the information provided. The terminology in the QDC and ABCB Flood Standard cannot be changed and this includes 'Finished Flood Level' and 'Probable Maximum Flood.' PMST is ok because it relates to storm tide inundation which the flood codes don't address.</p> <p>Regarding the exclusion of dwelling houses from the overlay, this is helpful but the flood codes applies to all building work and not just dwellings. The flood overlay may address op works and ROL however.</p> <p>Thank you for changing reference to overland flow for ponding to relate to op works.</p> <p>Please ensure that the highlighted provisions are addressed accordingly, in line with section 13 of the Building Regulation 2006.</p> <p>Council may address climate change, DSTE and overland flow by siting new lots or reconfiguring existing lots.</p>	<p>Terminology in Table 8.2.6.4 changed to minimum Finished Flood Level for the floor levels of buildings as distinct from the finished surface level of new lots. This resolves terminology issue.</p> <p>Tables of assessment have been changed to exclude dwelling houses from assessment against the overlay code.</p> <p>The overlay code does not apply to dwelling houses but it does include provisions for other building works, operational works and reconfiguring a lot. Wording has been added to PO4, PO5 and PO10 to clarify what type of development the PO relates to, eg. RAL or operational works.</p> <p>Reference to overland flow and ponding etc (PO10) relate to operational works (earthworks etc) not building works. Wording has been changed to clarify this.</p> <p>AO6.1 has been deleted: Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment</p> <p>An editor's note for flood resilient building materials has been amended and now reads: <i>Editor's Note—The use of flood resilient building materials is also encouraged for building works up to the probable maximum flood to reduce the consequences of flooding.</i></p> <p>Council would like to retain resilient building design requirements in PO6. Wording has been amended to avoid duplication with building regs. Can BLP please advise on any additional wording changes if necessary that allow Council to maintain the intent of the PO particularly for streetscape amenity? This is relevant to our commercial/tourist area along the riverfront that gets inundated by flood water and stormtide periodically. New development should consider quality streetscape appearance when designing for flood immunity given the large changes in floor level required to meet the DFE.</p> <p>AO6.6 Basements and underground car parking areas are designed to drain and function safely during a flood event and power failure.</p> <p><i>Editor's note—Basements for residential uses should have flood immunity above the 1%AEP defined flood event with alternative means to mechanical pumping used to achieve such immunity.</i></p> <p><i>Basements for non-residential uses should have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</i></p> <p>Reference in AO8 to "resist hydrostatic and hydrodynamic forces as a result of inundation" has been deleted.</p>

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<p>flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Non residential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for non-residential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p>Prevent building development approvals on those lots at the planning stage.</p>	
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	<p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effect on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>This AO has been deleted.</p>
<p>???</p> <p>33B</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We have re-written part of Table 6.3.1.3 (Residential Low Density Zone) now with the sub heading of Environment, heritage and scenic amenity to try to clarify these matters are tied to the landform and landscape</p> <p>PO19 Development:</p> <ul style="list-style-type: none"> a) <i>has minimal impact on the natural landform and landscape of the site;</i> b) <i>does not lead to erosion or the transport of sediments off site;</i> c) <i>does not lead to the disturbance of natural features, buildings or structures of cultural heritage significance.</i> <p>AO19.1 <i>Cut or fill is less than 1.5 metres in depth relative to the ground level.</i></p> <p>AO19.2 <i>Development does not result in sediment or other material including building materials or waste products being deposited or released into the road reserve, stormwater drain or adjacent properties.</i></p> <p>AO19.3 <i>Development on a site adjoining a local heritage place respects the cultural heritage significance of the place by mitigating any adverse impacts on the setting or integrity of the heritage values.</i></p> <p>Editor's Note—Local heritage places are identified on the Heritage and Character Area Overlay Maps in Schedule 2.</p> <p>PO20 Development on sloping sites:</p> <ul style="list-style-type: none"> a) <i>is visually responsive to the natural topography and sits within the landscape rather than dominating it;</i> b) <i>steps down slopes or uses suspended floor construction, minimising Cut or fill and avoiding benching of the site;</i> c) <i>retains natural vegetation that assists in screening or visually softening development; and</i> d) <i>uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</i>

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	<p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>		<p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: a) roof lines are generally parallel with contours of the land; b) roofs do not exceed a pitch of 15 degrees; and c) buildings do not protrude above the height of prevailing vegetation.</p> <p><i>Editor's note—refer to Figure AP3-3B</i></p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings with small floorplates are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites.</p> <p><i>Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</i></p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and non-reflective with large expanses of solid colours avoided.</p> <p>Similar changes have been done in: Table 6.3.2.3 (Res Medium Density Zone) Table 6.3.3.3 (Res High Density Zone) Table 6.3.5.3 (Rural Residential Zone) Table 6.8.3.3 (Rural Zone)</p> <p>(We have also taken duplicated provisions out of the Local Area codes)</p>
<p>34</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>BLP: The provisions still don't state that they apply for operational works. Note that filling/excavation can be considered building work. Note the proposed changes in red.</p> <p>Council: Changes suggested in red have now been made</p>	<p>Changes have been made to zone codes to clarify that the provisions are for operations works (filling and excavation) not for building works</p> <p>PO21 Filling and excavation for operational works do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: a) causing ponding of water on the site or nearby land; b) increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or c) adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Filling and excavation for operational works is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties or downstream environments.</p>

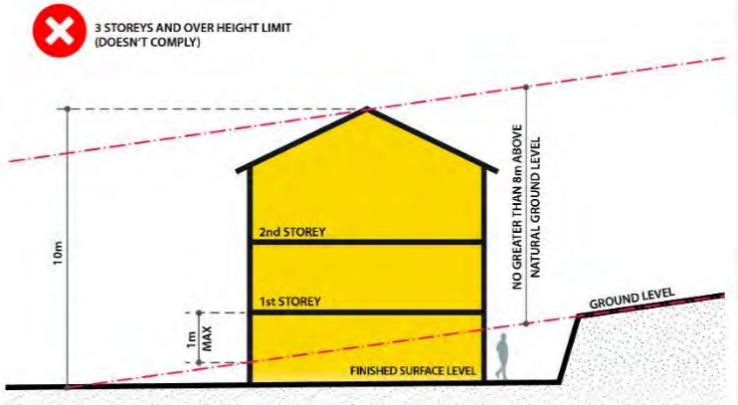
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	Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.		
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	<p>Changes have been made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance</p> <p>An editor's note has been added as suggested:</p> <p>Editor's note—Provisions for sill height, glazing, screening and window openings are to improve the residential amenity for occupants. Thermal performance requirements are contained in Queensland Development Code MP4.1 Sustainable Buildings. Energy efficiency requirements are contained in the National Construction Code.</p>
37	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>Offending words have been deleted</p>

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<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p> <p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	<p>The AO for cut and fill of no more than 1.5 m has been deleted from the various centre zones where under the heading of Environment & Heritage.</p> <p>The relevant AO in the remaining zones (Environment and Residential zones) has been changed to make it clear that the outcome is for landscape amenity reasons and not for meeting structural building design requirements that are already covered in the building regs.</p> <p>AO For landscape amenity reasons, cut or fill is less than 1.5 metres in depth relative to the ground level.</p>
<p>39</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Within Table 6.4.1.3 AO47 has been rewritten with: Buildings or structures that are visible and accessible from a public street or laneway:</p> <p>a) avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used;</p> <p>b) with windows at ground level use measures that deter break and enters without obscuring views to shopfronts; and</p> <p>c) are constructed to be vandal and graffiti proof.</p> <p>Also fixed in: Table 6.4.2.3 Table 6.4.3.3 Table 6.4.4.3 Table 6.5.1.3 Table 6.5.2.3 Table 6.6.1.3 Table 6.7.1.3 Table 6.8.1.3</p>
<p>40</p>	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters; or c) if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood. Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor's note, which provisions under the Building Act does this refer to? Clarify that this isn't an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials— • a limitation on the use of finishes with fire hazard properties as defined under the BCA</p>	<p>These flood provisions have been deleted from the various zone tables.</p>

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		<ul style="list-style-type: none"> • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>	
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23</p> <p>Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through:</p> <p>buildings that maximise opportunities for natural ventilation and lighting;</p> <p>water sensitive urban design allowing for the reuse or rainwater and storm water on the site;</p> <p>and</p> <p>on site generation of renewable energy.</p> <p>ALSO Part 6.7 PO12 and AO12</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>	<p>We note Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC</p> <p>For the Recreation and Open Space Zone we would like to leave in a Performance outcome because the likelihood is that development would be done by the State, Council or a community group and we'd like it to be exemplary development. For this reason the acceptable outcome has been deleted but we propose a Performance outcome that reads:</p> <p><i>“Development for the purpose of a community use or sport and recreation is located, designed and operated to be responsive to the sub-tropical climate and make the most of natural light, ventilation and on site rain water capture and reuse.”</i></p>
41B	<p>Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale</p> <p>PO7 AO7.1</p> <p>Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.</p>	<p>Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below.</p> <p>Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard</p> <p>Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.</p> <p>BLP FURTHER COMMENTS: Please ensure your decision is informed by established terms in legislation: Building Regulation 2006: natural ground surface, for a building, device or structure, means the ground surface located at site of the building or structure on the day the first plan of survey showing the relevant allotment was first registered.</p>	<p>There are implications regarding flooding - Where filling of the site is required to meet flood immunity, the maximum building height is not measured from the finished surface level, it is measured from natural ground level.</p> <p>A development's building height is measured from both the ground level and the finished surface level, the building height is whichever height is the greater. Furthermore, “Finished surface level” is listed in the administrative definitions for reader clarity as “the level of ground specified in a current development permit”.</p> <p>Historically, if for example the building is in a flood hazard area a relaxation to the 4m building height may be considered. Further if backfilling did not occur around a basement garage the finished surface level would be lower than the natural ground level. The diagram below gives an example of how height is measured.</p> 
42	<p>Schedule 1 Definitions</p> <p>Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation.</p> <p>The probable maximum flood defines the extent of flood prone land. Generally, it is not physically or financially possible to provide general protection against this event.</p> <p>PMF (as above)</p>	<p>Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.</p> <p>ADDITIONAL ADVICE:- BLP considers the use of this terminology will cause confusion with the Flood Code and QDC. BLP wondered if the terminology could be changed to make it clear that it applies to evacuation routes/refuge areas? The National Flood Code refers to annual probabilities of exceedance.</p>	<p>The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in 100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.</p> <p>With the exception of the definition, the only place this phrase is used is in the Flood Hazard Overlay and it has been clarified it is only relevant to reconfiguring a lot.</p> <p>The definitions themselves have not been changed.</p> <p>BLP: PMF may be used as a term for ROL only</p> <p>No further action required.</p>

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		DSMDIP notes that it appears the only reference to PMF is for determining evacuation routes and congregation and refuge areas for development.	
State Interest: <i>Mineral Resources Act 1989</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
43	Strategic Framework	<p>Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	<p>Have added the following Editor's Note within the section on Extractive Industries within 3.2. <i>Mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at the Department of Natural Resources, Mines and Energy's Mines Online Map.</i></p>

Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	Noted. Replaced terms
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. No change

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above “Key Challenges”	<p>Remove reference to “intensive factory farming”, and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	<p>Sentence now reads as “Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance.”</p>
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p> <p>DAF is simply seeking clarification so that users know what has been mapped. There is no longer any such thing as GQAL, therefore whatever term is used should be defined</p>	<p>Council are not going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands.</p> <p>In 3.3.1 we've changed to the phrase "quality farming land"</p> <p>In Rural Activities Code for aquaculture we've changed reference at PO18 to "agricultural land"</p>
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p>	<p>Mapping change done</p>

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	Part (u)	<p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says “pending” on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it’s unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p> <p>It’s noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unresponsive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	<p>Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.</p>
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	<p>Additional wording added</p>
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO’s or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	<p>Additional wording added to reference wildlife connectivity and fish passage</p> <p>For example PO11 of Table 6.8.3.3. says: <i>Development does not have a significant adverse impact on the natural values of the site including through:</i></p> <p><i>a) loss of biodiversity values, fauna habitat and fish passage;...</i></p> <p>In the local Area Plans wording has been amended to: <i>Development maintains and protects an integrated open space network throughout the locality to—</i></p> <p><i>a)...</i> <i>b)...</i> <i>c) provide habitat connectivity for wildlife and fish passage;</i></p> <p>Fish Passage is also referenced in both the overall outcomes and the performance outcomes of the Water Quality and Drainage.</p>
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development. The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	<p>We have included the Fish Habitats on the Biodiversity Overlay Maps</p>
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs were that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>We have removed these from the Rural Activities Code and put them in the Regional Infrastructure Overlay Code which is where the water supply catchments are addressed.</p>

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			As discussed agricultural uses will be assessable against this code where within the water supply catchment.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	<p>Remove these acceptable outcomes.</p> <p>Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1.</p> <p>These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.</p>	Refer previous discussion. There has been significant re-drafting within the Rural Activities Code and it is considered the provisions will work regardless of the use interpretation.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	<p>Remove this acceptable outcome (AO13.2).</p> <p>Reason: It does not relate to or demonstrate compliance with performance outcome PO13.</p>	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	<p>Amend AO18.2 to read, for example, '<i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i>'</p> <p>Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.</p>	OK change made
14	Biodiversity Overlay	<p>The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.</p> <p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>	Added an Editor's note above Table 8.2.2.3 regarding forestry
15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which Council has done. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the</p>

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		<p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p> <p>Note that ALCA has been reinstated where it overlapped with the water catchment.</p> <p><u>On 12 September 2018 Council received a letter from Soil and Land Resources of Department of Environment and Science advising changes were being made to the Agricultural Land Classification (ALC) mapping that informs the State Planning Policy (SPP). Over the ensuing days our GIS officer has been in communication with the Soils team to ascertain how to access the correct layers however time has not allowed for the recreation of our Agricultural Land Conservation Area (ALCA) as it appears on the Strategic Framework Economy & Employment Map and on the Agricultural Land Overlay Maps.</u></p> <p><u>Council will rerun the ALCA mapping over the course of the next week and provide updates to the above maps once available. We would not anticipate State Interest concern with this process.</u></p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>This is not a planning scheme matter and is being considered separately by Council's Property and Environmental services Sections.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>Noosa Council acknowledges that coal, mineral petroleum and gas including coal seam gas resources are the property of the Queensland State Government and approval processes for the exploration and mining of these resources is governed by the State Government in accordance with its resources legislation</p>

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		<p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	<p>Minerals Resources Act 1989, Mineral Resources Regulation 2013 and Petroleum and Gas Act 2004.</p> <p>However under the State's Regional Planning Interests (RPI) Act 2014, areas of regional interest are identified. All of the Noosa Shire is within an area of Regional interest known as a Priority Living Area (PLA). A Priority Living Area is an area that includes existing settled areas for living and is primarily protected for these purposes. Importantly the RPI Act generally restricts the carrying out of resource activities in Priority Living Areas. This Act also requires that, should an application for a resource activity such as a mining lease application be made to the State, it must be referred to the Council as an 'Assessing Agency'.</p> <p>Council has considered its position with regard to further permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire and within the context of its role as an Assessing Agency under the RPI Act 2014 does not support further permits for coal or coal seam gas exploration or mining based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle, and its designation as a Priority Living Area.</p> <p>A statement reflecting this policy has been added to the Strategic Framework as such: "Applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire are not supported based on significant concerns from council and the community regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle."</p>
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Planning for the environment and heritage

Biodiversity			
Ref. Number	Planning scheme reference	Advice	NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments, Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	MSES now integrated
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.	The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.

Noosa Council Responses to State Interest Review comments 21 September 2018

Water quality			
Ref. Number	Planning scheme reference	Advice	NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>	References have been replaced

Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	NSC response
21	--	<p>Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs.</p> <p>Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.</p>	Noosa Council has no opposition to Seqwater accessing the demand modelling UnityWater has prepared for us.

State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	<p>Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, <i>'Development provides a road hierarchy that supports effective freight connectivity.'</i></p> <p>Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities.</p> <p>Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just in Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities.</p> <p>It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.</p>	<p>The Multi-Combination Routes in Queensland Map really just shows the Bruce highway so not considered particularly useful.</p> <p>The following statements are in the Strategic Framework:</p> <p>Under Regional Context: <i>The Bruce Highway and North Coast Railway serve as the main transport access to Brisbane and serve an important function for the movement of freight. An improved railway network would enhance access to Brisbane for Noosa -based commuters, residents and visitors.</i></p> <p>Under Strategic Outcomes for Transport and Movement: <i>The role the highway and arterial roads serve in the movement of freight is protected with sensitive land uses avoided or buffered along these routes.</i></p> <p>The following overall outcome has been added to the Transport Code: <i>Development does not adversely impact on the role of the major road network, particularly the Highway, in the efficient movement of freight through the Shire.</i></p>
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	<p>Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road.</p> <p>Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.</p>	We've added an Editor's note below these AO's to read: <i>Reference should be made to the Queensland Government's Development Assessment Mapping System to confirm which are state-controlled roads or limited access roads.</i>
24	Part 9 – Table 9.4.1.3	<p>Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTRROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p> <p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design</p>	References have been replaced in the scheme and PSP.

Noosa Council Responses to State Interest Review comments 21 September 2018

		Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	
25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>	Noted
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>	Noted – will not be resolved through the scheme

RTI RELEASE - DSDMIP

Officer Name: Rowena Skinner
Officer Email: rowena.skinner@noosa.qld.gov.au
Phone No: 07 5329 6212
Our Ref: Project and Contracts PSR04
Planning Scheme Review
State Interest Review

21 September 2018

Ms Rachel Hunter
Director-General
Department of State Development, Manufacturing, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Ms Hunter

RE: PROPOSED PLANNING SCHEME FOR NOOSA SHIRE

Reference is made to our correspondence of 31 May, submitting a draft planning scheme, and to a subsequent request for further information issued by DSDMIP Planning and Development Services (SEQ North) on 9 July.

I'm pleased to advise that we have responded to all the comments raised by the State Agencies, as provided to Council to date, and consider each matter to be resolved. As such we are confident that the draft scheme as amended now meets State Interests.

Attached is a document that outlines how we have responded to each individual comment. It reflects resolved solutions that have been reached through conversation with each State agency, as well as Planning and Development Services.

An amended version of the draft scheme, including all mapping, is provided electronically to your Department through the Plan Making Portal. This is now accompanied by the draft Local Government Infrastructure Plan, which is also ready for State review.

An electronic version is also being given directly to the Principal Planning Officer of Planning and Development Services (SEQ North).

Council is optimistic that we will have the draft scheme out for community consultation by the beginning of November. We therefore look forward to receiving your approval to consult our community on this plan.

Should you have any enquiries in relation to the proposed planning scheme please contact Rowena Skinner on ph. 07 5329 6212 or email rowena.skinner@noosa.qld.gov.au.

Yours sincerely

Kim Rawlings
DIRECTOR ENVIRONMENT & SUSTAINABLE DEVELOPMENT

From: [Caroline Plank](#)
To: ["judith.quirk@communities.qld.gov.au"](#); ["jsb.correspondence@det.qld.gov.au"](#);
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["NAIKER UtkatuBob"](#); ["HILL Jeremy"](#); ["ROBERTSON, Brett"](#); ["Planning Support"](#); ["Glanvill, Rob CAPT - RAN"](#);
["Grant Hastie"](#); ["BAXTER, Dave"](#); ["DUNCAN, Bruce"](#); ["DAF Planning"](#); ["LEO Daniel"](#); ["Candace Mitchell"](#);
["Thomas V Rowland"](#); ["Darryl R Kong"](#); ["Lena M Hobson"](#); ["PEARSON Scott \(EnergyO\)"](#); ["Sarah Doring"](#);
["glen.glanvill@defence.gov.au"](#); ["andrew.rutch@datsip.qld.gov.au"](#); ["HHS HPC Town Planning"](#); ["John Schiavo"](#); ["FOGARTY Chris \(EnergyO\)"](#)
Subject: State agency review - Noosa planning scheme - revised documents
Date: Friday, 5 October 2018 1:10:00 PM
Attachments: [Noosa Council Final Response to State Interest Review Comments.docx](#)
[image001.png](#)
[image003.png](#)
[image004.png](#)

Hello State Agencies

You have previously been requested to participate in a state interest review (SIR) on the new Noosa Plan.

The council has revised the planning scheme, with changes in response to the SIR. This has been uploaded to the plan making portal. The new version is dated 28 September 2018 (please ignore the versions uploaded which are dated 21/9/18 as these don't show the changes adequately). Also uploaded is a table summarising the changes in response to the SIR - dated 21 September 2018.

I have uploaded (and also attached to this email) a word version of the council's response to the SIR - you can use this to add your comments - in the last column, add your comments underneath Noosa Council's response - use a different colour or a clear heading so I can easily recognise your comments from Noosa Council's.

Please provide your comments by 5pm Friday 12 October 2018. Please contact me if you are unable to meet this timeframe.

You can use the plan making portal to upload your document with comments, or you can email it to me.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
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12 First Avenue, Maroochydore
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From: Caroline Plank

Sent: Friday, 8 June 2018 5:27 PM

To: judith.quirk@communities.qld.gov.au; isb.correspondence@det.qld.gov.au; CAS_Correspondence@health.qld.gov.au; environmentalhazards@health.qld.gov.au; bcqstateinterest@hpw.qld.gov.au; QGAO.oed@hpw.qld.gov.au; SPP@dilgp.qld.gov.au; Infrastructure Policy <InfrastructurePolicy@dsmip.qld.gov.au>; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>; EDQ <EDQ@dsmip.qld.gov.au>; planning@npsr.qld.gov.au; parksandforestseisassessments@npsr.qld.gov.au; Planning&Performance@police.qld.gov.au; ministerial.designations@psba.qld.gov.au; sdainfo@coordinatorgeneral.qld.gov.au; depea@dsiti.qld.gov.au; planningschemes@tmr.qld.gov.au; PlanningPolicy@tmr.qld.gov.au; DAFFPlanning@daff.qld.gov.au; cultural.heritage@datsip.qld.gov.au; DEWSEPlan@dews.qld.gov.au; planning.support@ehp.qld.gov.au; DPCPlanning@premiers.qld.gov.au; hicb@oir.qld.gov.au; TownPlanning@energex.com.au; townplanning@powerlink.com.au; wettropics@wtma.qld.gov.au; dsrgidep.executivesupport@defence.gov.au; PlanningServicesSouth@dnrm.qld.gov.au; policycoordination@dsd.qld.gov.au; DTESB.Planning@dtesb.qld.gov.au; HSCATownPlanning@hpw.qld.gov.au; SEQRegionalPlan@dilgp.qld.gov.au; chris.teitzel@unitywater.com; FOGARTY Chris (Energex) <chrisfogarty@energex.com.au>; YOUNG Gary <Gary.Young@des.qld.gov.au>; Correspondence, ISB <ISB.Correspondence@qed.qld.gov.au>; NAIKER UtkatuBob <UtkatuBob.NAIKER@hpw.qld.gov.au>; HILL Jeremy <Jeremy.HILL@hpw.qld.gov.au>; ROBERTSON, Brett <Brett.ROBERTSON@qed.qld.gov.au>; Planning Support <Planning.Support@des.qld.gov.au>; Glanvill, Rob CAPT - RAN <rob.glanvill@defence.gov.au>; Grant Hastie <Grant.Hastie@oir.qld.gov.au>; BAXTER, Dave <Dave.BAXTER@qed.qld.gov.au>; DUNCAN, Bruce <Bruce.DUNCAN@qed.qld.gov.au>; DAF Planning <DAFPlanning@daf.qld.gov.au>; LEO Daniel <Daniel.Leo@dnrme.qld.gov.au>; Candace Mitchell <Candace.Mitchell@dsmip.qld.gov.au>; Thomas V Rowland <Thomas.V.Rowland@tmr.qld.gov.au>; Darryl R Kong <Darryl.R.Kong@tmr.qld.gov.au>; Lena M Hobson <Lena.M.Hobson@tmr.qld.gov.au>; PEARSON Scott (EnergyQ) <scott.pearson@energyq.com.au>; Sarah Doring <Sarah.Doring@dsmip.qld.gov.au>; glen.glanvill@defence.gov.au; andrew.rutch@datsip.qld.gov.au; HHS HPO Town Planning <HHSHPOTownPlanning@hpw.qld.gov.au>; John Schiavo <John.Schiavo@datsip.qld.gov.au>; FOGARTY Chris (EnergyQ) <chris.fogarty@energyq.com.au>

Subject: State agency review template - Noosa planning scheme

Hello All

Please find attached a template for you to use for your state interest review. You can upload this completed template to the ePlan Portal (ezischeme) or email it to me. I would actually prefer you email it to me at this stage, due to inadequacies in the ezischeme at our end.

Also, if you would like the GIS shapefiles for the planning scheme, bring a USB on Monday and I will transfer the files on to it for you.

If you still want the files and are not coming on Monday, please let me know and I will arrange to get them to you.

As we did not receive the files until Wednesday, we will be starting our review timeframe from this date – this will be updating in ezischeme.

I will recalculate the review timeframe for state agencies and let you know on Monday.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
Manufacturing, Infrastructure and Planning

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RTI RELEASE - DSDMIP

Noosa Council Responses to State Interest Review comments 21 September 2018

Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Original Requirement and additional comments from State following NSC response	NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity</i> Policy 3 (1) (2) and (3) and <i>Development and Construction</i> (8).</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing</u>, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes; and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p> <p>ADDITIONAL COMMENTS: 1) Council’s representations in relation to their support for smaller units to encourage affordable housing is supported by DHPW. 2) Council’s concerns regarding confidence that affordable housing will be delivered if it amends its strategic framework are noted and the following comments are offered. Noosa SC being within the SEQ region is a priority Council (along with the Sunshine Coast Regional Council) for the Housing Construction Jobs Plan. The State Planning Policy- Housing Supply and Diversity (Policy 3 (c) aims to ensure that planning schemes are able to facilitate affordable and social housing outcomes through supportive planning provisions and suitably zoned land with the intent that this housing is able to be delivered when suitable sites and funding are available. In order to ensure this, inclusion in the strategic framework is sought to give high-level support for these housing outcomes by Council. It is noted that informal email between Council and DHPW planners indicates that an outcome could be provided.</p> <p>Suggested wording:</p> <p><u>In order to meet Policy 3(c) of the SPP (above), DHPW considers that the Strategic Framework should at the very least include a specific statement that references support for social and affordable housing:</u></p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p>e) <i>A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p>f) <i>Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>We’ve added another line to 3.2.4 as follows: “<i>The initiatives of Federal and State Government and community based not-for-profit entities in delivering more affordable housing for residents in need are likely to be an important component of new housing.</i>”</p> <p>We’ve added two additional lines to 3.3.3 as follows: “<i>Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.</i>”</p> <p>“<i>Major residential developments will be encouraged to incorporate a range of housing types including more affordable housing products for the entry buyer and low-income housing markets.</i>”</p>

Noosa Council Responses to State Interest Review comments 21 September 2018

		<p><u>"Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options."</u> <u>If a supportive statement is not included, DHPW would not consider the planning scheme to fully integrate Policy 3 the state interest.</u> 3) Council's comments in relation to MBRC are noted. It is emphasised that MBRC was only suggested as an approach undertaken by a local government; it was not intended to compare the two LGAs.</p>	
2	<p>Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.</p>	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p> <p>ADDITIONAL COMMENTS:- DHPW makes recommendations generally on items in the planning scheme which it feels could be amended to contribute towards introducing more flexibility in a planning scheme, thus contributing to housing diversity and eventually supply of more affordable housing.</p> <p>In this case, the issues that NSC raise and the potential implications have been noted, particularly in the Low density residential (LDR) zone. Council's approaches to encourage affordable housing in other areas of the scheme and the code alterations for the medium (MDR) and high density residential (HDR) zone as outlined are acknowledged.</p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability.</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>

Noosa Council Responses to State Interest Review comments 21 September 2018

		DHPW accepts Council's response on the code provisions and has no further requirements on this matter.	
Liveable communities			
Ref. Number	Policy Element	Requirement	NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times.</p> <p>In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>Rural fire brigades are now acceptable subject to requirements in the Rural or Rural Residential Zone.</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) Emergency Services are now accepted subject to requirements.</p> <p>We have made Emergency Services consistent (code) in all the centres zones and industrial zones (but not in every precinct).</p> <p>They are consistent (impact) in the two green zones. However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p> <p>Unlike to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low.</p>

Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>"Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible".</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the "clean/green" credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms are applauded and are gaining momentum as hoped through the local economic strategy and work of Country Noosa.</p> <p>The original sentence has been removed and replaced with:</p> <p>"Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance."</p>

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		<p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p> <p>FURTHER COMMENT: DAF would not object to the retention of a similar statement as long as it is re-worded. The term “intensive factory farming” should be removed, as it is an unnecessary singling out of a particular industry and is highly emotive.</p> <p>The phrase “disrespect ecosystem service functions” should also be removed for clarity – what does this phrase mean?</p> <p>DAF agrees that all development (including intensive agricultural activities) ensures that the environment is not significantly impacted and the statement should simply be: “Developments that have the potential to impact surrounding environments will only be supported where they are appropriately located and designed to avoid environmental harm and nuisance.”</p>	
5	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. <u>Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported</u>”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity...and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. <p>FURTHER COMMENT: DAF agrees that intensive agricultural land uses have the potential to cause environmental harm and nuisance, and need to be suitably located and designed to avoid environmental harm and nuisance.. DAF does not support the exclusion of these uses from the rural zone.</p> <p>DAFs position is that the term amenity is so subjective it is almost unworkable, particularly in the rural zone. What disturbs one person’s amenity may not worry another. For example, a rooster crowing or cows bellowing may disturb one person, yet it may take a tractor noise to disturb another. In both cases, these noises are intrinsic to a functioning rural zone. How will Council determine the impact of a development on the rural amenity?</p> <p>DAF suggests Council focuses on the suitable location and design of intensive agricultural land uses in appropriate locations of the rural zone.</p>	<p>Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p> <p>“Intensive or high impact rural uses can lead to environmental harm or nuisance through increased noise, traffic, lighting, use of chemicals or generation of dust or odour. Rural uses that pollute the air, groundwater and surface water are not likely to be supported.”</p>

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<p>6</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from 'Animal husbandry'.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p> <p>FURTHER ADVICE: <u>Intensive animal industry</u></p> <p>DSDMIP advises: The definition of 'intensive animal industry' is multi-layered – there's more than one criteria to meet – the use is for the intensive production of <u>animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand</u>; or...</p> <p>The use needs to meet all of these for it to meet the definition. It will be up to council to ensure that animal husbandry really is animal husbandry and not intensive animal industry.</p> <p><u>Animal husbandry</u></p> <p>DAF's position is that animal husbandry should be accepted development in the rural zone. DAF accepts that Council would like to have some control over numbers to minimise impacts and at these thresholds determined by Council (whatever they might be), the use would become code assessable. DAF would accept this if the numbers of animals allowed as accepted development were increased. For example, DAF doesn't think it is reasonable for someone who wants a couple of head of cattle in the rural zone to have the use deemed assessable.</p> <p>DSDMIP advises that other councils in the region make animal husbandry accepted development (with or without requirements) and therefore Noosa Shire Council could look to these for guidance. MBRC use a local law to control certain animal keeping which is referred to in the tables of assessment for animal husbandry to be accepted development (without requirements) and otherwise, to be accepted development with requirements (rural zone code). SCRC makes animal husbandry accepted development with requirements (rural uses code).</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above</p>	<p>This is an interpretation problem – Council are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry. We have received legal interpretation on this matter, the upshot of which is that if animals or birds are free to range or graze in a field and are not in an enclosure requiring food and water to be provided mechanically or by hand, the use can only be animal husbandry. This legal advice has been provided to DSMIP and DAF.</p> <p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>Notwithstanding the above we are proposing to change the Table of assessment for the Rural Zone and the Rural Activities Code</p> <p>For Animal Husbandry there's still a table of animals that are just acceptable development (no planning scheme requirements)</p> <p>Then everything else is Accepted Subject to Requirements (self-assessable) with applicable AOs listed from the Rural Zone Code and the Rural Activities Code</p> <p>For Intensive Animal Industry we're listing a few thresholds that would be code assessable—if:</p> <ul style="list-style-type: none"> a) located on a site at least 20 hectares in area; and b) poultry farming (meat or egg production) not exceeding 999 birds; or c) emu or ostrich farming not exceeding 20 birds; or d) not exceeding 21 standard units of pig; or e) not exceeding 50 standard units of cattle <p>Outside of these circumstances Intensive Animal Industry will be impact assessable <u>but only consistent where it meets the following criteria:</u></p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area. <p>Within the Rural Activities code we have amended and rearranged provisions to address Animal Husbandry and Intensive Animal Industry in a closer manner and combined the same performance outcomes for both in instances.</p> <p>PO10 <i>Animal husbandry and Intensive animal industry is at a scale, intensity and stocking density that does not over-graze the property, lead to erosion or degradation, compromise the welfare of animals or cause environmental nuisance experienced on adjoining premises.</i></p> <p>AO10.1 <i>Livestock are free to graze or forage in pastures and rely on supplementary food for no more than 30% of their diet.</i></p> <p>AO10.2 <i>The lot used for Animal husbandry has a minimum area of 4 hectares.</i></p> <p>AO10.3 <i>The lot used for Intensive animal industry has a minimum area of 20 hectares.</i></p> <p>Pigs</p>
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7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>FURTHER ADVICE: DAF does not support the exclusion of intensive animal industries or restricting the scale of the intensive animal industry within the rural zone. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>However, the suitable location and design of intensive animal industries to avoid environmental harm is supported.</p>	<p>We believe the strategy detailed above should satisfy the State on this comment as well.</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p> <p>Discussions with DAF suggests they would be happy with a threshold approach. We have looked at other schemes and the thresholds we have used are not dissimilar.</p>

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		<p>DAF does not accept any attempts by a local government to prohibit or make intensive animal uses inconsistent in the rural zone.</p> <p>DSDMIP advises: The Sunshine Coast Planning Scheme uses a scale (threshold) to determine code and impact for the rural zone for 'intensive animal industry': Code assessment if involving less than</p> <ul style="list-style-type: none"> • 21 standard units of pigs • 1000 birds or poultry • 50 standard units of cattle • 350 standard units of sheep <p>Impact assessment if not otherwise specified.</p> <p>DSDMIP doesn't consider this to be prohibition but rather, regulation. As such, DSDMIP is not against Noosa Shire Council regulating intensive animal industry in a similar way to Sunshine Coast Regional Council, by providing local context as the justification.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable.</p> <p>We have increased the threshold for accepted development subject to requirements to 2,000m² for both intensive horticulture and wholesale nursery.</p> <p>Above 2,000m² we continue to require code assessment but we have amended the AO of the code to specify it can be up to 10% of the site area.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>Council has made the following changes:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read "setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps". • Amend buffer widths in Table 6.8.1 AO18.1 to read "setback... a distance greater than the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps". • Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".

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10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>FURTHER ADVICE: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>All rural uses should be listed as consistent uses in the rural zone. Please amend any instances with rural uses are listed as inconsistent uses in the rural zone. Council can regulate the level of assessment through the tables of assessment.</p>	<p>Intensive Animal Industry is now considered consistent where it meets the following criteria:</p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area.
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>Done - Editor's note added below AO2.2 as follows: "Aquaculture is specifically permissible on Agricultural Land Conservation Area".</p> <p>(ALCA is a defined term)</p>
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. 2. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to "minimise" the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>6.8.3.3. PO7 remains however (b) has been amended to read "minimise the appearance of bulk to adjacent properties, roads or other areas in the vicinity of the site";</p> <p>The corresponding AOs now read as follows:</p> <p>AO7.1 Buildings are no more than two storeys in height.</p> <p>AO7.2 With the exception of Class 10 buildings or structures used exclusively for a rural activity, buildings and structures are no more than 8 metres in building height from ground level and no more than 8 metres above the finished surface level providing that they may be up to 9 metres where the pitched roof but no other part of the building or structure exceeds 8 metres.</p> <p>AO7.3</p>


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		<p>FURTHER ADVICE DAF is concerned that a boundary setback of twice the height of the building or structure is excessive, however given it is an AO, DAF will accept.</p> <p>However there doesn't appear to be any decision on PO7(b)</p> <p>DAF supports Councils endeavours to avoid "big barns" being converted to a dwelling.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of 'bulk'.</p>	<p><i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, individual buildings or roofed structures do not exceed 500m² gross floor area.</i></p> <p>A07.4 <i>Class 10 buildings used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry do not exceed 12 metres in height.</i></p> <p>A07.5 <i>A structure, not constituting a building, used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry does not exceed 15 metres in height.</i></p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings. DAF indicated it's OK.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p> <p>FURTHER ADVICE DAF agrees in part, however if an issue as subjective as "amenity" is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone's amenity if that person's perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses."</p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	<p>Reworded PO8 (a) to read "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;"</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p>	<p>PO9 is reworded to say "Development does not result in environmental harm or environmental nuisance to sensitive land uses."</p> <p>PO10b) is deleted.</p>

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		<p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p> <p>FURTHER ADVICE: Development that is assessable will likely be assessed for traffic impacts, is there a need to single out haulage components – would like to discuss with NSC, given the majority of land uses currently in the rural zone, and fragmented nature of rural zone, what is the risk of large-scale agricultural enterprises locating in the region?</p>	
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>We've added an Editors note as follows:</p> <p>Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor's note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Reword PO15 2. <u>Consider</u> removing or rewording Editor's note <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor's note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>PO15 now reads as follows: The landscape character and visual amenity quality of hill slopes and ridgelines are retained and buildings and structures:</p> <ol style="list-style-type: none"> a) are visually responsive to the natural topography of the site, sitting within the landscape rather than dominating it; b) step down slopes or use suspended floor construction; and c) minimise cut and fill. <p>The Editor's note following AO15.5 is modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings.</i></p> <p>For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: 'maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and'</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	<p>8.2.4.3 PO3 (b) now reads as follows:</p> <p>"maintain or enhance coastal ecosystems and natural features such as coastal creeks and marine plants including mangroves, salt marshes and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and"</p>
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Overall outcomes for the Rural Zone are now:</p> <ol style="list-style-type: none"> a) Rural activities contribute to the economic strength of the Noosa hinterland and create opportunities for employment. b) Animal husbandry and cropping contribute to the heritage values of the Shire. c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged.

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		<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	<p>d) Rural activities directly and indirectly support the local production of food and beverage products.</p> <p>e) Development maintains and enhances rural landscapes and ecologically important areas.</p> <p>f) Development is managed to protect land and water resources to avoid diminished productivity.</p> <p>g) Rural activities are located and operated to protect and maintain water quality values of surface and groundwater.</p> <p>h) Rural activities are separated from sensitive land uses which might be adversely affected by the activity.</p>
20	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p> <p>FURTHER ADVICE: DAF acknowledges this, however the conundrum is that the rural zone is for growing food etc, and if that means intensively, then without a mechanism to remove that land use from being acceptable in the rural zone, it must be supported...or at least not unfairly constrained. It’s appropriate to require developments of this nature to reduce impacts on amenity and surely this could be achieved through appropriate buffering and landscape elements? Like housing and industry, agriculture must go somewhere – and the only place for it is the rural zone.</p> <p>DSDMIP considers that the inclusion of rural landscapes in the purpose and overall outcomes for the Rural Activities Code does not adversely impact rural activities from occurring and provides local context for the Noosa Shire.</p>	<p>See above, this is an overall outcome and does not actually preclude any particular development.</p> <p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.” It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped.</p> 
21	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>9.3.13 PO18 now reads as “Wherever possible, development does not permanently alienate good quality agricultural land.”</p>
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>The Rural Zone Code includes setback provisions as follows:</p> <p>PO8 Notwithstanding that intensive rural activities may need greater separation distances, buildings and other structures are appropriately sited and designed to:</p>

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		<p>Action: Amend the performance outcome to <u>focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</u></p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>FURTHER ADVICE: Agree with amended PO23.</p> <p>DAF agrees that development should not cause environmental nuisance to sensitive land uses.</p> <p>However, the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone, which is the appropriate location for all agricultural/rural uses and its development, including intensive agricultural uses.</p> <p>The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p>	<p>a) <i>avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;</i></p> <p>b) <i>avoid adverse impact on ecologically important areas including National Parks, watercourses, and wetlands;</i></p> <p>c) <i>mitigate risks associated with the use of chemicals or air pollutants;</i></p> <p>d) <i>avoid conflict with existing or future rural uses and activities on adjoining properties.</i></p> <p>AO8.1 <i>Buildings used to house animals, temporary holding yards, structures containing areas of animal waste or by-product disposal are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO8.2 <i>Buildings or structures which are used for the storage of chemicals or machinery, stockpiling of composting or organic fertilisers, or which support artificial lighting or irrigation sprayers are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>As detailed above within the <u>Rural Activities Code</u> we have somewhat merged provisions for animal husbandry and intensive animal industries. This code includes the following statements:</p> <p>PO11 <i>Sufficient separation distance is provided between Animal husbandry and Intensive animal industry, public spaces and sensitive land uses on other premises.</i></p> <p>AO11 <i>Irrespective of boundary setbacks for the relevant zone, area used to contain livestock intensively, whether temporarily or permanently, or waste and by-product disposal areas are located no less than—</i></p> <p>a) <i>50 metres from a road reserve;</i></p> <p>b) <i>250 metres from land in a residential zone including the rural residential zone;</i></p> <p>c) <i>40 metres from another property boundary; and</i></p> <p>d) <i>150 metres from a sensitive land use.</i></p> <p><i>provided that a mobile poultry shed housing no more than 200 birds can be as close as 40 metres to any property boundary provided it is within the setbacks specified above for no more than 2 days during any given week.</i></p> <p>PO12 <i>Sufficient separation distance is provided between livestock and ecologically important areas including national parks, waterways, water bodies and wetlands.</i></p> <p>AO12.1 <i>Buildings used to house animals, temporary holding yards, areas of waste or by-product disposal are not within 100 metres of</i></p> <p>a) <i>adjoining land in the environmental management and conservation zone; or</i></p> <p>b) <i>a waterway or wetlands as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO12.2 <i>Where livestock is located on land adjoining a natural waterway or wetland (as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2) fencing prevents livestock entering the waterway or riparian zone.</i></p> <p>PO15</p>
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			<i>The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</i>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>PO25 now reads as:</p> <p>“Development manages the risk of soil erosion or landslide and does not lead to sediments, nutrients and other chemicals flowing into drainage lines, waterways or wetlands.”</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	<p>AO26.3 now reads as “Unless spray is entirely contained within a structure without risk of escape...”</p>
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Structures and covered areas associated with intensive horticulture or wholesale nurseries do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme. Rural activities should be able to be managed to reduce potential impacts on water storages.</p> <p>ADDITIONAL COMMENTS: The council can map the land as ALC, and then have appropriate planning scheme provisions to regulate development that could impact on the water supply catchment.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. In the current scheme agriculture would always be assessable in the water supply catchment and going back to the 1985 scheme it was actually prohibited.</p> <p>We have reinstated any ALC class A or B mapping to this area however in a water resource catchment or water supply buffer area agricultural uses will be code assessable against the overlay code if they are “a rural activity storing chemicals or keeping livestock on site”.</p> <p>Table 5.9.9 has been modified and catchment relevant benchmarks shifted from the Rural Activities Code to the Regional Infrastructure Overlay Code.</p>

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		Development in water resource catchments and water supply buffer areas should be appropriately sited and designed to avoid the risk of sediments, nutrients and contaminants compromising the quality of the drinking water supply.	
Development and construction			
Ref. Number	Policy Element	Requirement	NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AQ6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	<p>We have modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won't be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can</p>	<p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregrin Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings (<u>note there are no longer dual occupancies proposed in the Low Density Residential Zone</u>).</p> <p>DNRME has agreed environmental management and conservation is the 'best fit' zone, but wants a footnote to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area.</p> <p>We've edited 7.2.6.2 overall outcome (2) (q) to read: "Development in the local plan area is supported by an extensive network of open space and passive recreation opportunities offered by the foreshore parks, reserves and Noosa National Parks. A buffer between urban development and Noosa National Park facilitates regular fire fuel reduction burning."</p> <p>At the end of PO20 we've added an Editor's Note as follows: Regular hazard reduction activities occur in the fire fuel control buffer between the Noosa National Park and urban residential development. These activities are necessary to reduce risk to people and property and may have an unavoidable impact on biodiversity and habitat values.</p>

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		<p>also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that at the Whole of Government briefing, it was advised that council's vision for the scheme was to promote Secondary dwellings and particular "dual occupancies" (separate household). This is a form of infill development, and would therefore increase the amount of people living and visiting the area. Infill is not just occurring via up zoning.</p> <p>It is considered that environmental management and conservation is the 'best fit' zone, but a footnote should be used to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area. Furthermore, the use of this land should be acknowledged in section 7.2.6.2 Purpose and Overall outcomes for the Coastal Communities Local Plan Code, and PO20(c) should be amended to ensure fire risk management 'can' significantly impact the biodiversity values as the area will be periodically cleared and burnt.</p>	
29	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that this is not the present use or approved use of the land. DNRME understands there is no date for this closure to occur and council has not sought to surrender or amend the purposes of the reserve.</p> <p>Therefore, it was recommended that the zoning be amended to reflect the approved present use as previously suggested.</p> <p>Council could also include the future intent for the area in the scheme's Strategic Framework. This could be done by acknowledging the Great Sandy Management Plan outcomes.</p> <p>Council acknowledged that zone changes in this area previously have drawn significant community interest and opposition, in terms of a zone change from Environmental Management and conservation zone to community facilities zone.</p> <p>Previous attempts to change the purpose of the reserve have been difficult, due in part to the trustee lease. Council needs to liaise with the DNRME about possible solutions as the two trustee leases combined only covers less than 2000m2 of the entire 428Ha site.</p> <p>Council intend to acknowledge the existing uses of the reserve in the strategic framework of the planning scheme.</p> <p>DNRME support councils proposed zone in the draft scheme, but the strategic framework needs to acknowledge:</p> <ul style="list-style-type: none"> - the existing land use as an airstrip - the existing land use will not be expanded 	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes. Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection. In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space. Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p> <p>DA Approval was given for Transport Type 4 (aeronautical hanger) in 2010 with two extensions given – the latest granted Jan 2018. This is for hang gliders.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North Shore airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Within the Strategic Framework we have added a new Strategic Outcome under Transport and Movement as follows:</p> <p><i>The Noosa Aerodrome off Weyba Drive, Noosaville is retained and operated as the only commercial airstrip within Noosa Shire. Use of the Noosa North Shore airstrip will not be expanded and the airstrip will ultimately be closed and added to the Cooloola Section of the Great Sandy National Park.</i></p>

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		- the present land use will stop in the future as per the Great Sandy Management Plan outcomes.	
30 SAME PROPERTY AS ADDRESSED AT #44 BELOW	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been be changed to Rural.
31 SAME PROPERTY AS ADDRESSED AT #45	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
32 SAME PROPERTY AS ADDRESSED AT #46	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	Zone has been changed to Environmental Management and Conservation

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		<p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zone has been changed to Environmental Management and Conservation
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	All commercial leases in the Noosa River along Gympie Terrace have now been zoned Recreation and Open Space.
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p> <p>Additional Advice: There are examples of this property being previously used for helicopter joy rides and music festivals which has had significant impacts on amenity, safe traffic environment and character of the surrounding area.</p>	<p>Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held as well as the occasional circus. Apparently, there has been instances of inappropriate festival or concert events which have caused concern. DNRME suggest there's something lacking in the property management process for events.</p> <p>It is common for sports grounds and other areas of open space to host occasional events. For example at Tewantin sports ground a rodeo one night every year event occurs. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie Terrace foreshore and at the Woods near Hastings Street there are often one-day community events or festivals.</p> <p>PO7 now reads as "Temporary uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area."</p> <p>"Temporary uses" is a term defined by the Planning Regs and included in the administrative definitions of the scheme. It is suggested that it may be management problem if inappropriate events are being approved and that particularly loud events could not possibly meet that PO. Obviously temporary uses are not to be repeated on a regular (e.g. fortnightly or monthly) basis.</p> <p>That PO applies to the zone not one specific site. The table of development specifies the consistent uses.</p>

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		Without a definition of temporary or periodic events this PO is unmeasurable.	
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping has been changed and a footnote added.</p> <p>We note however that DNRME have completed consultation on a revised shape and are now preparing a consultation report that will be forwarded from the Minister for Natural Resources Mines and Energy to the Minister for State Development, Infrastructure and Planning recommending the proposed amendment for adoption in the State Planning Policy Guidelines.</p> <p>Should the proposed amendment to KRA57 be resolved prior to State sign off, Council will reflect the revised boundary in the scheme.</p>

Planning for the environment and heritage

Biodiversity			
Ref. Number	Policy Elements	Requirement	NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “ <i>In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.</i> ”
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>ADDITIONAL COMMENTS: DES previously advised that the mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>DES and DSDMIP met with the council on 28/8/18, where the MSES requirements were explained.</p> <p>It was agreed that the council would provide the mapping methodology for the Koala Habitat Area map to DES and DSDMIP and DES could provide confirmation about the methodology being satisfactory. Council has provided this mapping.</p>	<p>Koala Habitat Map has been changed to show the Koala Assessable Development Area.</p> <p>Following discussions with the DES, council has added category C and A mapping and Legally secured offset areas to the Biodiversity Overlay ‘Area of Biodiversity Significance’.</p> <p>A new layer has been added to this biodiversity overlay map to show all the SPP MSES map layers as a separate layer (except for category R regulated veg which is now shown on the second biodiversity map). This will help distinguish the locally significant veg from the MSES. The following note has been added to the map to explain this:</p> <p><i>MSES environmental values represent the State Planning Policy Matters of State Environmental Significance (MSES) map layers. However, it does not include Category R regulated vegetation – this is shown on the Biodiversity, Waterways and Wetlands Overlay (ii) as part of the Riparian Buffer Area.</i></p> <p>The Category R regulated veg layer for the Great Barrier Reef regrowth watercourse veg is to be shown on the</p>

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		<p>DSDMIP advised that the SPP requires MSES to be identified and that development is located in areas that avoid adverse impacts, or where adverse impacts cannot be reasonably avoided, they are minimised (HOWEVER, the planning scheme must not include assessment criteria for MSES which duplicate a state assessment process – this includes MSES that is koala habitat) – see section 2 of the guidance material for biodiversity for guidance on how to appropriately integrate the policy for MSES. Council will revisit planning scheme provisions which rely on the biodiversity overlay to ensure there's no duplication of assessment with the state process.</p> <p>DSDMIP reminded the council that MSES is made up of lots and lots of different datasets – they are defined in Part G of the SPP, and spatially represented on the SPP interactive mapping system where possible. Part 3 of the guidance material for biodiversity also provides further guidance on mapping. It's worth noting that least concern REs are not MSES, but are still an environmental value that the local government could map. The guidance document provides a list of some of the other environmental values that aren't considered MSES.</p> <p>Additional action for council:</p> <ul style="list-style-type: none"> In regards to Matters of National Environmental Significance (MNES), the SPP requires local government planning schemes ensure development is located in areas to avoid significant impacts on MNES and considers the requirements of the Environment Protection and Biodiversity Conservation Act 1999. Given the way the planning scheme currently shows biodiversity in the overlay map, it's unclear if the council has complied with this policy. Currently, the only MSES for which a local government can require offsets, is non-juvenile koala habitat trees as defined in Schedule 24 of the Planning Regulation 2017. The Planning Regulation 2017, Schedule 11 has the assessment benchmarks for development in a koala habitat area that the local government, as assessment manager must assess against. The Noosa Shire contains Koala assessable development areas (KADA). The council could provide a note on the map and/or in the planning scheme about the assessment requirements under the Planning Regulation 2017. 	<p>second Biodiversity Overlay Map with the waterways and riparian buffers with the following note added to the map:</p> <p><i>The Riparian Buffer Area shows protective buffers for mapped waterways across Noosa Shire and incorporates the State Planning Policy Matters of State Environmental Significance (MSES) map layer for Category R Regulated Vegetation areas in the Mary River Catchment.</i></p> <p>Council has provided DES and DSDMIP with a copy of the methodology for the Koala Mapping from Healthy Land and Water, as well as map files for koala and riparian buffer areas and awaits state response.</p>
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p> <p>ADDITIONAL COMMENTS: Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles when this information is available from DES. References to turtles have been changed to 'marine turtles'.
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p> <p>ADDITIONAL COMMENTS: DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.</p> <p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council is of the understanding that all of Schedule 11 would be relevant.</p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>

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			Council notes DES's comments about their policy review and we await the results. The 'exempt clearing' approach does not permit greater clearing than what is allowed under the Planning Regs. No further action required.
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	Council added new AO - AO8.3 "Bushfire management measures are carried out on the subject property and not any adjoining property."
44 SAME SITE AS ADDRESSED IN 30 ABOVE	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Rural
45 SAME PROPERTY AS ADDRESSED IN #31	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Split zoning has been reapplied so biodiversity values and MSES included in Environmental Management & Conservation.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not</p>	Council believes this is inconsistent with how all other schools have been treated given Noosaville State School, Pomona State School, Noosa District High (both Pomona and Cooroy Campuses), Noosa Christian Collage at Cooroy and Sunshine Beach Primary School all contain MSES and yet are all entirely within the Community Facilities Zone.

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		<p>up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: DSDMIP has recently added an infrastructure designation layer to the SARA DA Mapping System. A review of this layer shows that there is no infrastructure designation on this lot.</p> <p>The subject vegetation is least concern veg, and essential habitat (which makes it MSES). The subject vegetation is covered by the 'Area of biodiversity significance' overlay area on the proposed Biodiversity, Waterways and Wetlands Overlay map.</p> <p>This issue is not a matter of consistency with other school sites, but is about up-zoning (Current zone – Split community services / open space conservation. Proposed zone – Wholly community facilities).</p>	<p>The zoning of St Teresa's as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. For this reason Council has a biodiversity overlay that covers the vegetation.</p> <p>Council will reinstate the split zoning of St Teresa's school at Noosaville as requested.</p>
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: It is unclear why this change 'would prevent another sports ground' as suggested in Council's comment. As part of the development assessment of any proposal (e.g. a sporting field), the on-ground extent of the vegetation is assessed.</p> <p>DNRME's advice reflects the mapped values of the site and would set a level of assessment for any development on the site.</p> <p>Furthermore, there may be some confusion caused by the size and configuration of Lot 1 SP239726. DNRME's comments related to the proposed zoning change adjacent to the sports fields, and did not relate to changes adjacent to the Noosa Heads Police Station.</p> <p>The area adjacent to the Police Station has a small amount of land that was previously Open Space Conservation that is proposed to be zoned Community Facilities. However, DNRME acknowledges that overall the outcome will be a net reduction in Community Facilities zoning in this area via a reconfiguration of the zoning. Therefore, DNRME supports the proposed change adjacent to the Police Station.</p>	<p>DNRME supports the proposed change adjacent to the Police Station for the Shine Houses.</p> <p>In relation to the expansion of Girraween sports fields, Council will not pursue this right now. The LGIP still identifies a shortfall / broader need in the area generally but it may need to be met elsewhere depending on land constraints.</p>
Coastal environment			
Ref. Number	Policy Elements	Requirement	NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p> <p>ADDITIONAL COMMENTS: <u>The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.</u></p>	<p>The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.</p> <p>DES is still reviewing the technical details on the Q100 report and will advise further if there are any technical matters requiring review.</p>
Cultural heritage			
Ref. Number	Policy Elements	Requirement	NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p>	<p>The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow. If this review recommends changes to the listings, maps or</p>

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	community and future generations	<p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p> <p>ADDITIONAL COMMENTS: It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.</p>	provisions of the scheme, a scheme amendment will be pursued as a result.				
Water quality							
Ref. Number	Policy Elements	Requirement	NSC response				
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>				
NEW COMMENTS FROM SEQWATER							
a	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Strategic Framework 3.3.4 Biodiversity and Environment</p> <p>Action: Please insert the following to point (h) (h)The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p> <p>Also please make the following a separate point (...)Enhance opportunities for agriculture, fisheries, tourism and recreation where possible meeting (h).</p> <p>Reason: The SPP requires that water quality be maintained and improved in drinking water catchments. There are a few minor amendments that will improve the protection of drinking water quality. The importance of the protection of water quality and the water supply catchment areas are integral to the viability of a sustainable future. This change highlights the importance of buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p>	<p>3.3.4 (h) now reads:</p> <p><i>The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability. The high quality of waters also enhance opportunities for agriculture, fisheries, tourism and recreation.</i></p>				
b	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Cooroy Local Plan</p> <p>Action: Please insert a relevant Purpose statement and Overall Outcome to provide line of sight in the Local Plan.</p> <p>Reason: The Cooroy Local Plan contains two POs relevant to drinking water quality.</p> <table border="1" data-bbox="905 1507 1834 1789"> <tr> <td> <p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p> </td> <td> <p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p> </td> </tr> <tr> <td> <p>PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.</p> </td> <td> <p>No acceptable outcome provided</p> </td> </tr> </table>	<p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p>	<p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p>	<p>PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.</p>	<p>No acceptable outcome provided</p>	<p>New Overall outcome has been added to Cooroy Local area Plan as follows:</p> <p><i>The protection of water quality within Lake Macdonald and waterways that drain to it is a paramount factor in consideration of development within the water supply catchment.</i></p>
<p>PO23 Development does not adversely impact on the Lake Macdonald water supply.</p>	<p>No acceptable outcome provided</p> <p><i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i></p>						
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<p>c</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1" data-bbox="786 283 2033 577"> <tr> <td>Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.</td> <td>Development complies with the separation distances by stream order as specified in Table X.</td> </tr> </table> <table border="1" data-bbox="786 577 1439 1333"> <tr> <td>Intensive animal industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Extractive industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other industrial uses</td> <td>100m</td> <td>100m</td> </tr> <tr> <td>Motor sport facility</td> <td></td> <td></td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Major sport, recreation and entertainment facility</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other development types</td> <td>50m</td> <td>100m</td> </tr> </table> <p style="text-align: right;">Table X</p> <p>Reason: The addition of these items strengthens this code to meet the intent of the drinking water quality objectives. These items are not specifically picked up in the Water Quality and Drainage Code.</p>	Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided	Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided	Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.	Intensive animal industry	50m	100m	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50m	100m	Extractive industry	50m	100m	All other industrial uses	100m	100m	Motor sport facility			Outdoor sport and recreation	50m	100m	Major sport, recreation and entertainment facility			Service station	50m	100m	All other development types	50m	100m	<p>We have amended the table of development for the catchment area so agricultural uses are no longer exempt and will be code assessed against the overlay code.</p> <p>We've added the PO's and AO requested but have moved the catchment AOs from the Rural Activities use code to the Regional Infrastructure Overlay code so agriculture will have the relevant quantitative benchmarks in the overlay code (rather than in the use code) – upshot of this being that outside the mapped catchment there are no requirements.</p> <p>New table has been inserted and referenced as follows: Table 3.2.9.3A - Separation distances to waterways and water supply sources</p> <table border="1" data-bbox="2136 640 2760 976"> <tr> <td>Intensive animal industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Extractive industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other industrial uses</td> <td>100 metres</td> <td>100 metres</td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Major sport, recreation and entertainment</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other developments</td> <td>50 metres</td> <td>100 metres</td> </tr> </table>	Intensive animal industry	50 metres	100 metres	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50 metres	100 metres	Extractive industry	50 metres	100 metres	All other industrial uses	100 metres	100 metres	Outdoor sport and recreation	50 metres	100 metres	Major sport, recreation and entertainment			Service station	50 metres	100 metres	All other developments	50 metres	100 metres
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<p>d</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Wastewater management and effluent disposal Table 9.4.9.3 Criteria for assessment</p> <p>Action: Consider adding more details to the note to strengthen the note for onsite effluent treatment and disposal</p> <p>Editor's Note—The Plumbing and Drainage Act 2003 sets out requirements for onsite effluent treatment and disposal. <u>The Queensland Plumbing and Wastewater Code and associated guidelines are used to confirm the suitability of each site to accommodate an on-site sewerage facility; or where a centrally located group collection treatment system is proposed, confirmation as to the suitability of the designated site to accommodate the on-site sewerage facility. Additionally, where the combined total peak design capacity of effluent treatment is less than 21 equivalent persons,</u></p>	<p>Editor's note expanded as requested.</p>																																																															

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	<p><i>the design of the system achieves a low to medium risk classification in accordance with Seqwater's Land Use Risk Tool for onsite sewerage facilities.</i></p> <p>Reason: This amendment provides clarity for onsite effluent treatment requirements. The Plumbing and Drainage Act and Queensland Plumbing and Wastewater Code do not have requirements regarding pathogens and other factors which can impact drinking water quality objectives. This is inbuilt into Seqwater's Land Use Risk Tool for onsite sewerage facilities. This tool will be available online soon.</p>	
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Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of acid sulfate soils is avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</p>
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 7468). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p> <p>ADDITIONAL COMMENTS: DNRME provided their preferred wording to align with the soon-to-be-released SPP guidance material.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p>“Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts. Information on abandoned mines can be obtained by visiting the Queensland Government website for more information www.qld.gov.au/environment/land/abandoned-mines/ and additional information on historic mining activities can be gained from the Minesonlinemaps https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/minesonlinemaps. Note: This mapping does not spatially represent all former mining activities in the Council area, and their extent. However, these mining layers do give an indication of where there is an increased risk of hazards from former mining activities so that further geotechnical investigations can be undertaken where necessary.”</p> <p>Additional strategic outcome 3.3.8 added: “Sensitive land uses are protected from the impacts of former mining activities and related hazards”.</p>
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p>	<p>Overall outcomes sought for the Regional Infrastructure overlay code include the following:</p> <p>For Major Energy Infrastructure:</p> <ol style="list-style-type: none"> Development provides for adequate separation from the Powerlink Transmission Line Corridor. Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. Development provides for adequate separation from the gas pipeline and corridor.

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		<ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> (b) For the gas pipeline corridor and buffer area: <ul style="list-style-type: none"> (i) Development provides for adequate separation from the gas pipeline corridor. (ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor. (iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor. (iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised. Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="789 569 1721 1115"> <tr> <td data-bbox="789 569 1130 1115"> PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor. </td> <td data-bbox="1130 569 1721 1115"> AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i> </td> </tr> </table> <p>Reason: While Petroleum Pipeline Licence 32 is authorised under the Petroleum and Gas (Production and Safety) Act 2004 and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. 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Natural hazards, risk and resilience					
Ref. Number	Policy Element	Requirement	NSC response		
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment</p>	<p>As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent.</p> <p>A bushfire risk assessment has since been prepared and provided to DSDMIP and QFES for review. Council wishes to work with QFES to make changes to the mapping as per the list of map recommendations in the risk assessment.</p>		

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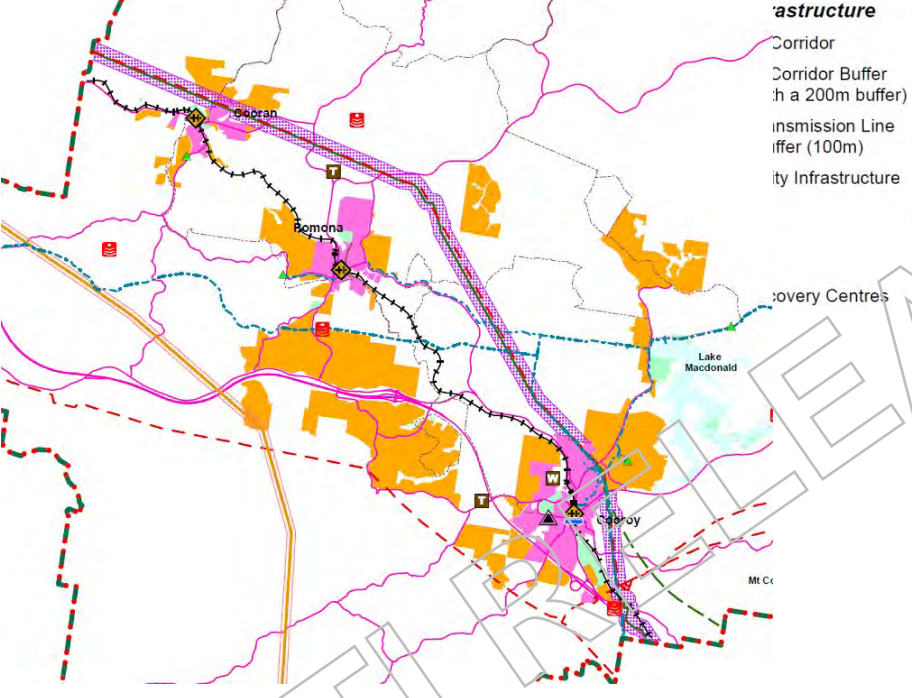
	has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.	
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Planning for infrastructure

Energy and water supply			NSC response
Ref. Number	Policy Element	Requirement	NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	<p>Property is 20 Grahams Rd Pomona 2SP216695 and zoning has been changed to Community Facilities (with substation annotation)</p>
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	<p>Table 5.5.14 for Rural Zone now lists substation as consistent but impact assessable.</p> <p>Table 5.5.10 for Low Impact Industry now lists substation as code assessable. However, note there are some higher amenity precincts within this zone where it is not considered appropriate.</p>
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>Council has now prepared a Regional Infrastructure Overlay that shows:</p> <ul style="list-style-type: none"> - The road hierarchy - Water resources including catchment & infrastructure - Major energy infrastructure (including gas and electricity) <p>Provisions regarding major electricity infrastructure have been incorporated according to the suggestions provided.</p> <p>Purpose statements: ... For major energy infrastructure:</p> <ol style="list-style-type: none"> a) ...; and b) ensure development is compatible with and does not adversely affect the operation of major electricity infrastructure, including the Powerlink Transmission Line. <p>overall outcomes: ...For major energy infrastructure:</p> <ol style="list-style-type: none"> (i) Development provides for adequate separation from the Powerlink Transmission Line Corridor. (ii) Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. (iii) The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. <p>Performance outcomes and acceptable outcomes include:</p> <p>Major Electricity Infrastructure</p>

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	<p>ADDITIONAL COMMENTS: EnergyQ reiterated the importance of including a Regional Infrastructure Overlay Code. It's understood that 'major electricity infrastructure' has been shown on Strategic Framework Map 3. However, to properly address the Energy and water supply - State interest policy 1 (protecting existing and approved major electricity infrastructure) there needs to be a Regional Infrastructure Overlay and an associated development Code. A specific Code will mean that issues such as reverse amenity and setbacks to protect the safety of people and infrastructure, can be assessed against in regard to targeted development and not just development that is required to address the strategic framework.</p> <p>EnergyQ provided a recent example of an overlay code that reflects the SPP guideline.</p>	<p>PO2 <i>Development does not increase risk to community health or safety, or the operation and reliability of major electricity infrastructure</i></p> <p><i>No acceptable outcome provided</i></p> <p>PO3 <i>Development involving a sensitive land use is sufficiently separated from major electricity infrastructure and substations to minimise the likelihood of nuisance or complaint.</i></p> <p>A03.1 <i>With the exception of class 10 buildings, buildings associated with a sensitive land use maintain a setback of at least:</i> a) 50 metres from a transmission substation; b) 10 metres from any other substation; and c) 30 metres from a transmission line easement.</p> <p>A03.2 <i>With the exception of class 10 buildings, buildings are not located within an easement for a distribution line.</i></p> <p>PO4 <i>Development is located and designed to avoid noise nuisance from infrastructure.</i></p> <p>A04 <i>Noise emissions do not exceed 5db(A) above background noise level at the sensitive receptor of a building associated with a sensitive land use, measured in accordance with AS1055.</i></p> <p>PO5 <i>Wherever practicable new lots and buildings are orientated to avoid direct overlooking of electricity infrastructure.</i></p> <p>A05 <i>Buildings are orientated so that the majority of outdoor living areas and windows of habitable rooms face away from towers or other major electricity infrastructure.</i></p> <p>PO6 <i>For sensitive land uses, there is sufficient space within the site to establish landscaping which substantively screens and softens poles, towers, or other structures and equipment associated with major electricity infrastructure and substations.</i></p> <p>A06 <i>A minimum 3 metres wide densely planted landscaped buffer is provided along the boundary adjoining the electricity infrastructure, including provision for advanced trees and shrubs that will grow to a minimum height of 10 metres.</i></p> <p><i>Editor's note- Applicants may find guidance in Powerlink Queensland's brochure "Using Vegetation to screen transmission lines". Applicants should also note that vegetation will need to maintain statutory clearances.</i></p> <p>PO7 <i>Vegetation does not pose a risk to the safety or reliability of electricity infrastructure.</i></p> <p>A07.1 <i>Vegetation planted within the easement of an overhead powerline or, where there is no easement, the area of influence of a powerline, has a mature height of no more than 3.5 metres.</i></p> <p>A07.2 <i>Vegetation planted within an underground powerline easement does not have a mature root system in excess of 150 millimetres in depth and is not located directly over the powerline.</i></p> <p>A07.3 <i>Regardless of the width of the easement, vegetation adjoining easements must be separated from the power pole or other infrastructure by a distance at least equal to the maximum mature height of the vegetation.</i></p> <p>PO8 <i>Any earthworks are undertaken in a way which: ensures stability of the land on or adjoining the electricity infrastructure; does not otherwise impact on the safety and reliability of the electricity infrastructure; and does not restrict the placement or use of the electricity infrastructure provider's equipment.</i></p> <p>A08.1 <i>For overhead distribution infrastructure, no earthworks are undertaken within 10 metres of a tower, pole or stay.</i></p>
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60	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: State interest partially integrated</p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p> <p>ADDITIONAL COMMENTS: In regards to the gas pipeline buffer vs the electricity easement, EnergyQ requested adding some words into the AOs: Action: We recommend that AO1.1 be reworded so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>This doesn't conflict with the DNRME requirements to protect the gas pipeline corridor:</p>	<p>Table 8.2.9.4 amended to include following Performance Outcome and Acceptable Outcome:</p> <p>Gas pipeline corridor and buffer area PO1 Development, including uses and works are constructed and operated to avoid: compromising the viability of the gas pipeline corridor; or damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline license holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note- should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>

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		<p>Action: The focus of the Code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="528 674 1394 1192"> <tr> <td data-bbox="528 674 765 1192"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="765 674 1394 1192"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p> </td> </tr> </table> <p>EnergyQ previously requested that the council reword AO1.1 so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>The preference is that the DNRME suggested changes to the code (item 55) should be used, as opposed to the EnergyQ suggestion, given that EnergyQ can simply request written confirmation as per AO1.3 – this is the best way to ensure that the development doesn't impact on the future use, and doesn't stop EnergyQ from being able to locate structures within the buffer if appropriately designed.</p>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>	
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NEW COMMENTS FROM SEQWATER					
e	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Strategic Framework 3.2.8 Co-ordinated and efficient Infrastructure</p> <p>Action: Please amend reference to Seq Water with Seqwater.</p> <p>Reason: Please note correct name for Seqwater which commenced in 2013.</p>	Done		

<p>f</p>	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1"> <tr> <td data-bbox="528 310 943 594"> <p>Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</p> </td> <td data-bbox="943 310 1389 594"> <p>Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.</p> </td> </tr> <tr> <td data-bbox="528 594 943 724"> <p>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> </td> <td data-bbox="943 594 1389 724"> <p>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> </td> </tr> <tr> <td data-bbox="528 724 943 1012"> <p>Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> </td> <td data-bbox="943 724 1389 1012"> <p>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to:</p> <p>a. buildings or structures; 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b. gates and fences; c. storage of equipment or materials; d. landscaping or earthworks or stormwater or other infrastructure.</p>	<p>Additional provisions have been incorporated as follows;</p> <p>Bulk Water Infrastructure PO6 Development is set back from bulk water supply infrastructure to: a) <i>avoid safety risks to people and property;</i> b) <i>minimise noise and visual impacts to people and property; and</i> c) <i>ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</i></p> <p>AO6 Development is setback in accordance with <u>Table 8.2.9.3B 'Recommended separation distances from bulk water supply infrastructure'</u>.</p> <p>Table 8.2.9.3B - Recommended separation distances from bulk water supply infrastructure</p> <table border="1"> <thead> <tr> <th>Bulk water supply infrastructure - asset type</th> <th>Type of development</th> <th>Recommended separation distance minimum</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Pipelines and channels (1)</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from edge of pipe</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 metres from edge of pipe</td> </tr> <tr> <td rowspan="3">Water treatment plants and water quality facilities</td> <td>Sensitive Land Use</td> <td>250 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="2">Reservoir facilities</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="3">Pump stations</td> <td>Sensitive Land Use</td> <td>100 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="5">Dam structures and weirs (4)</td> <td>Earthworks Dam/Weir Height(5) 0-5 metres</td> <td>50 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 5-10 metres</td> <td>100 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 10-15 metres</td> <td>150 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 15-20 metres</td> <td>200 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) > 20 metres</td> <td>500 metres from the toe of the dam/weir</td> </tr> <tr> <td></td> <td>Blasting (2,3)</td> <td>500 metres from dam wall/earth embankment/weir footprint</td> </tr> </tbody> </table> <p><small>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances. 2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply. 3 It is recommended that blasting provisions be included in an extractive industry code (or similar). 4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir. 5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</small></p> <p>PO7 Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> <p>A07 Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> <p>PO8 Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> <p>A08 Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to: a) <i>buildings or structures;</i> b) <i>gates and fences;</i> c) <i>storage of equipment or materials;</i> d) <i>landscaping or earthworks or stormwater or other infrastructure.</i></p>	Bulk water supply infrastructure - asset type	Type of development	Recommended separation distance minimum	Pipelines and channels (1)	Buildings/Structures/Earthworks	20 metres from edge of pipe	Blasting(2,3)	200 metres from edge of pipe	Water treatment plants and water quality facilities	Sensitive Land Use	250 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Reservoir facilities	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Pump stations	Sensitive Land Use	100 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Dam structures and weirs (4)	Earthworks Dam/Weir Height(5) 0-5 metres	50 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 5-10 metres	100 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 10-15 metres	150 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 15-20 metres	200 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) > 20 metres	500 metres from the toe of the dam/weir		Blasting (2,3)	500 metres from dam wall/earth embankment/weir footprint
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Pipelines and channels(1)	Buildings/Structures/Earthworks	20 m from edge of pipe																																																
	Blasting(2,3)	200 m from edge of pipe																																																
Water treatment plants and water quality facilities	Sensitive Land Use	250 m from building footprint																																																
	Buildings/Structure/Earthworks	20 m from building footprint																																																
	Blasting(2,3)	200 m from building footprint																																																
Reservoir facilities	Buildings/Structure/Earthworks	20 m from building footprint																																																
	Blasting(2,3)	200 m from building footprint																																																
Pump stations	Sensitive Land Use	100 m from building footprint																																																
	Buildings/Structure/Earthworks	20 m from building footprint																																																

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		Blasting(2,3)	200 m from building footprint
Dam structures and weirs(4)	Earthworks Dam/Weir Height(5) 0-5m	50 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 5-10m	100 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	150 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	200 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	500 m from the toe of the dam/weir	
	Blasting(2,3)	500 m from dam wall/earth embankment/weir footprint	
<p>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances.</p> <p>2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply.</p> <p>3 It is recommended that blasting provisions be included in an extractive industry code (or similar).</p> <p>4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir.</p> <p>5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</p> <p>Reason: The SPP requires that bulk water supply infrastructure be protected from development that would compromise the corridor integrity, and the safe, efficient delivery and functioning of the identified infrastructure. The indicated buffer distances are recommended as suitable triggers to identify when development should be assessed regarding its potential impact on bulk water supply infrastructure. This amendment provides clarity within the overlay code. By inserting these requirements in the overlay code, will reduce the need for duplication which would be created by inserting requirements into multiple zones.</p>			

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<p>g</p> <p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	 <p>zoning in Zone Map ZM3 only partially covers the site area of the WTP. The extension of the Community Facilities zone to include all of Lot 1 RP800331 will cover the site area of the upgrade works. Please note, Lot 1 RP800331 is currently zoned Community Services in the Noosa Plan 2006.</p>	<p>Planning Scheme Reference: Zone Map ZM3</p> <p>Action: Please extend the Community Facilities Zone at the Noosa Water Treatment Plant so that it aligns with the current WTP upgrade. The proposed scheme splits Lot 1 RP800331 into two zones. Please retain the entirety of this lot as Community Facilities.</p> <p>Reason: The WTP is currently being upgraded. The proposed</p>	<p>OK. Lot 1 on RP800331 is currently entirely zoned Community Services. It will be zoned Community Facilities in its entirety.</p>
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State transport infrastructure			
Ref. Number	Policy Element	Requirement	NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p> <p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	<p>Road hierarchy is now shown on the Regional Infrastructure Overlay Map.</p>
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p>	<p>Framework & Character Plans only deal with the bigger town centres not the whole towns. They don't address inter-centre connections.</p> <p>We've added principal cycle network paths including priority routes as per the State's mapping and shown arrows at the edges where these connect to other areas. A disclaimer reads "routes shown are indicative only and exist to guide future investigation and planning and are not currently resourced".</p> <p>The new Regional Infrastructure Overlay map now includes all the Principal Cycle Network (including the Priority Routes) despite not all of them being included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Strategic Framework Point (g) of the Strategic Outcomes on transport and Movement now reads as follows:</p>

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		<p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p> <p>ADDITIONAL COMMENT:</p> <p><u>Active Transport</u> In order to provide sufficient information to guide development outcomes and promote active transport as an attractive alternative to private transport the Framework & Character Plans should be amended or an overall active transport strategic network plan developed. Planning is needed to ensure the delivery of a connected and cohesive cycle network across the shire. The existing and future primary cycle routes that have logical connections to key destinations within and between centres should be included and the Priority Routes as shown on the SEQ Principal Cycle Network Plan should be incorporated.</p> <p><u>7.2.4 Noosaville Local Plan Code – Figure 7.2.4.5 Noosa Business Centre – Transit Centre</u></p> <p>TMR does not support the identification of a Proposed Bus Interchange on this Framework and Character Plan. Identification of a Proposed Bus Interchange in this location may unduly raise expectation of State delivering transport infrastructure being delivered that is not planned or funded. DTMR is unaware of any associated studies or planning supporting a new bus interchange in this location. It is noted that draft PFTI in the draft LGIP do not nominate a new bus stop at this location.</p> <p>Whilst a 'Transit Bus Station' is nominated in this general location in the Strategic Framework mapping it is unclear if it relates to this proposed Bus Interchange or the existing Bus Station at the 'Noosa Civic' Centre.</p> <p>The inclusion of a proposed bus interchange in Strategic Mapping is supportable with the inclusion of an Editor's Note stating the following or similar, 'Editor's note: this Proposed Bus Interchange is not planned or funded State transport infrastructure'. The inclusion of a proposed bus interchange in the Part 7 - Framework & Character Plans is generally not supported.</p> <p>As a result of meeting, the following actions arose:</p> <ol style="list-style-type: none"> 1. Council to include editor's note saying the interchange isn't planned or funded by the State government (or similar eg ...is subject to further planning with the State government...) and is subject to further planning studies. 2. Council to include additional wording in codes to identify that interchange and its location is subject to further planning. 3. State to review final wording prior to final endorsement. <p>Further, TMR will discuss internally with TransLink (Network Planning and Infrastructure teams) with a view for a future discussion about the planning of the interchange with council's planning team and infrastructure team. (Lud (Oddbjorn Ludvigsen) is contact for Noosa Council.)</p>	<p><i>New development incorporates or supports active public transport infrastructure that connects with existing networks. Development takes into account the future planning of the State's Principal Cycle Network.</i></p> <p>Noosa Business Centre Transit hub Since the gazettal of the current 2006 planning scheme a Public Transport Node has been shown on the Noosa Business Centre site (Schedule 5 Map 1 Transport) and the Transit function has specifically been shown close to the Walter Hay Drive roundabout on the Shire Business Centre Precinct Plan (schedule 4). This is further qualified by the provisions in the current Noosa Plan for the Shire Business centre since 2006. It is the highest-order centre for the Shire, a Major Regional Activity Centre under the SEQ Regional Plan and considered vital to the successful functioning of public transport. It will necessarily be bigger than the existing bus stop at Noosa Civic. If we are to secure a land dedication from the land owner it remains important to show it.</p> <p>Council would like to stress that the exact location of the transit hub is not final and that development of the Noosa Business Centre will be subject to further master planning, of which TRM will be part.</p> <p>Wording has been added to the Noosaville Local Plan code to qualify:</p> <ul style="list-style-type: none"> - Development at the Noosa Business Centre occurs in a staged manner following the construction of the internal circulation road system, creation of an open aired activated village green space for significant community gatherings and the provision of land for a sub-regional transit centre that has the potential to function as an integrated public transport node, with pedestrian and bicycle paths linking with nearby urban areas. The further development of transit facility will be subject to further investigation and planning with the State Government; - The Framework and character Plan for Noosa Business Centre also has a disclaimer stating that the "Potential transit facility – indicative only and subject to further investigation and resourcing."
63	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <i>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</i></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>As discussed above the new Regional Infrastructure Overlay includes all the Principal Cycle Network (including the Priority Routes) despite not all of them are included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Obviously there are a great many other pathways and on-road cycle lanes that form part of the active transport network.</p>

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		<p>ADDITIONAL COMMENTS: DTMR appreciates the challenges Council faces in the form of a low density dispersed settlement pattern, the planning scheme has an aspirational target to reduce car usage and encourage walking and cycling. Planning is needed to ensure an active transport network develops that is logical and well-connected in order for active transport to be an attractive alternative to private transport.</p> <p>The existing and future active transport network, in particular the primary routes, should be reflected in the planning scheme to guide development. The active transport network should incorporate the cycle network identified in the SEQ Principal Cycle Network Plan, particularly the Priority Routes.</p> <p>At the meeting, the following action arose:</p> <p>Council suggested this could be shown on the new regional infrastructure overlay, and DTMR and DSDMIP agreed this option could work. This will be reviewed in a revised version of the planning scheme.</p>	
64	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. 	<p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>The Framework and Character plans have been amended to include location of existing taxi ranks as stated above as did not receive official taxi rank locations from DMR.</p> <p>We have amended PO11 and AO11.1 of the Transport Code to reference taxis, and shared and private vehicles as part of the range of travel modes and have added a new Acceptable outcome as follows:</p> <p>AO11.5 Taxi or shared vehicle infrastructure is provided parallel to the kerb, conveniently located to minimise passenger walking and designed in accordance with:</p> <ol style="list-style-type: none"> a) AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work; b) AS1742.11–1999 Parking controls – manual of uniform traffic control devices; c) AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities; d) Disability standards for accessible public transport 2002 made under section 31(1) of the Disability Discrimination Act 1992; and e) AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements.

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		<p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p> <p>ADDITIONAL COMMENTS: The scheme could be amended so that only specific uses likely to create taxi demand are required to determine if taxi infrastructure / facilities are required (this can include taxi ranks or taxi bays). Please refer to the initial DTMR comments for common land uses where taxi services are often provided and where demand for taxis is generated. These land uses could trigger the requirement to undertake an assessment to determine the need for a taxi facility. The Department of Transport and Main Roads' <i>Public Transport Infrastructure Manual 2015</i> Chapter 7 provides guidance on what an assessment should address.</p> <p>Taxi facilities should be designed and located in such a way as to minimise passenger walking distances and assist with passenger convenience and safety. General acceptable standard practice for a taxi rank location is a maximum of 400m walking distance to a major venue entrance and exit, this equates to approximately a five-minute walking journey. To maximise passenger convenience, if demand for taxi facilities is warranted, the facilities should be provided within the development or within a 400m walking distance.</p>	
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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>Council has considered this and decided to maintain the current arrangement where duplexes are not permitted in the detached housing neighbourhoods. As such any references to a dual occupancy being consistent in the Low Density Residential Zone has been deleted.</p>

		<p>Further Action required –</p> <p>Action: Remove the provisions which prevents a dual occupancy from being placed into a community title scheme: Table 5.5.1 – Low density residential – Dual occupancy, 6.3.1 Low density residential zone code (AO5.2, AO5.3), 9.3.1 Low density housing code (overall outcome (h), AO3, PO4 <i>*Note: this may flow on to other areas of the planning scheme*</i></p> <p>Reason: The Planning Regulation 2017 defines a dual occupancy – (a) means a residential use of premises for 2 households involving – (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; (ii) any domestic outbuilding associated with the dwellings; and (b) does not include a residential use of premises that involve a secondary dwelling.</p> <p>The Planning Regulation 2017 defines reconfiguring a lot – (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is— (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997.</p> <p>As the planning scheme cannot regulate a community title scheme, as it does not require a development permit, the scheme cannot prevent a dual occupancy development from being separately titled through a community title scheme under the <i>Body Corporate and Community Management Act 1997</i>. Furthermore, a material change of use cannot restrict a reconfiguring a lot development as they are two separate development types.</p> <p>Action: Review the provisions in, and consider re-drafting, 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – dual occupancy requirements</p> <p>Reason: The term 'small dwellings' is defined in the administrative definitions as having a gross floor area of no more than 90m². However, AO5.4 states a dual occupancy only occurs where one dwelling is no more than 85m² (the small dwelling). Small dwellings are referenced for other types of development throughout the scheme and using this term for multiple meanings and provisions causes conflict and confusion.</p> <p>Action: Review the provisions in, and consider re-drafting, 1 Low density housing code AO3, PO4.</p> <p>Reason: PO4 contradicts the definition of dual occupancy and the provision seems to be mixing secondary dwelling and dual occupancy together. The provision needs to be clear which type of development it is regulating. Is it a dual occupancy or dwelling house with secondary dwelling? The use definitions would prevent you from having a dwelling house with a secondary dwelling (one household) already on site and then trying to develop a dual occupancy (two new households) on top of that, it would move into the multiple dwelling use definition.</p>	
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		Furthermore, AO4 is confusing and re-drafting should be considered. As it currently reads it is not clear on the intent of this AO4.	
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the Planning Regulation 2017) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p> <p>ADDITIONAL COMMENTS:-</p> <p>DHPW is supportive of NSC's proposals to address affordable housing, however it has advised that "public housing" should not be bound in the provisions of the planning scheme as it is not assessable development and, as it has specific requirements, it may not be able to be easily delivered through conditions of development. Therefore, references to public housing should be deleted.</p> <p>It may however be appropriate to reference affordable housing as well as other social housing (excluding public housing). Further discussion on this matter is envisioned with NSC once advice is received from DSDMIP.</p> <p>DSDMIP agrees with DHPW, that the planning scheme can not make particular development for public housing assessable development, as per section 30 of Schedule 6 of the Planning Regulation 2017. However DSDMIP also agrees with DHPW, that there could be opportunity to regulate other types of social/affordable housing (excluding public housing). As such, some amendment is required to PO19 to ensure that public housing is not regulated here.</p> <p>In terms of PO19 generally, and the requirement to provide a contribution towards the social housing needs of the Noosa community, this is not something that the planning framework specifically regulates (mandates or restricts), therefore council could regulate it. However, DSDMIP notes that it could be challenged by an applicant through appeal if the applicant considered a condition for the contribution to not be relevant or reasonable – this is a risk, and the council should seek its own professional/legal advice to inform its decision to include these provisions in the planning scheme.</p> <p>At this point, DSDMIP is not averse to the council going to public consultation with this provision in the planning scheme..</p>	<p>Noted. Wording to remain at this stage.</p> <p>Council is particularly concerned about the noticeable mismatch between the existing social housing stock, which includes a high proportion of detached houses in Tewantin and Cooroy. The Housing Needs Assessment Council commissioned in 2017 showed that (in 2015) of the 383 public housing rental dwellings:</p> <ul style="list-style-type: none"> - 131 dwellings had one bedroom (34%), - 71 dwellings had two bedrooms (19%), - 143 dwellings had three bedrooms (37%), - 33 dwellings had four bedrooms (9%) and - 5 dwellings had five bedrooms (1%). <p>In comparison:</p> <ul style="list-style-type: none"> - 196 households in public housing dwellings were lone person households (51%), - 100 households had 2 occupants (26%), and - 42 households had 3 occupants (11%). <p>The social housing waiting list is dominated by sole person households, who are not likely to qualify for a dwelling of three or more bedrooms.</p> <p>For this reason it is important that additional social housing be created in higher density areas, close to activity centres and transport where one and two bedroom units can be established and social housing mixed amongst other similar attached housing. Some level of regulatory intervention and incentive is necessary to make this occur.</p>
State Interest: Regulated requirements in the Planning Regulation 2017			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the Planning Regulation 2017. If a different administrative term is used, ensure this is done in accordance with section 8 of the Planning Regulation 2017.</p>	It's not used in the scheme so has been deleted from the definitions.


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		<p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Coorobah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p> <p>ADDITIONAL COMMENTS: Growth management <i>ShapingSEQ</i> identifies an additional 6,400 dwellings will be required in Noosa Shire to 2041. At this stage, the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, the following advice is to be provided to council for ongoing consideration.</p> <p>The dwelling capacities provided by council for dwelling growth to 2041 relate to all dwellings (resident and non-resident). Council should note the department's analysis of the planning assumptions which support the new Noosa Plan is based on resident dwellings only, as the <i>ShapingSEQ</i> dwelling supply benchmarks are for resident dwellings, i.e. dwellings required to accommodate the projected resident population (as opposed to visitor accommodation).</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Coorobah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Coorobah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village". At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>

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		<p>The department's analysis indicates that relative to the ShapingSEQ dwelling supply benchmarks for additional dwellings to 2041, the dwellings projected by the DMATT growth forecasts: fall approx. 400 dwellings short of the Consolidation benchmark; slightly exceeds the Expansion benchmark.</p> <p>While the projected Consolidation growth to 2041 falls below the ShapingSEQ benchmark, the DMATT growth forecasts indicate substantial additional capacity beyond 2041. The department acknowledges that part of this additional capacity may be able to be taken up by 2041 to address the relatively small shortfall for Consolidation growth.</p> <p>It is noted that the assumptions underpinning the dwelling supply estimates of the DMATT growth forecasts may change over time, e.g. as a result of implementing the recommendations of best practice research undertaken by the Growth Monitoring Program (GMP). Also, it is currently considered that secondary dwellings should not be counted separately from the primary dwelling as part of the dwelling supply, but it is unclear the extent to which secondary dwellings contribute to council's reported dwelling growth and capacity.</p> <p>The department does not have concerns regarding the new draft scheme's ability to accommodate the projected growth at this stage. However, any changes to the assumptions and resulting dwelling supply estimates may require future planning scheme amendments to accommodate ShapingSEQ dwelling supply benchmarks in the future. Council should note this is a matter for ongoing review based on the GMP's annual Land Supply and Development Monitoring reports.</p> <p>Additional urban areas – Kin Kin and Cooroibah In relation to the 'urban areas' at Kin Kin and Cooroibah (see Strategic Framework Map 1), the department notes these areas are shown as 'Urban' on the Strategy Map of the current Noosa Plan.</p> <p>The identification of these areas as 'urban areas' in the Strategic Framework does not incorporate these areas in the Urban Footprint under <i>ShapingSEQ</i>. <u>No change is required to the draft New Noosa Plan in relation to these areas.</u></p>	
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p> <p>ADDITIONAL COMMENTS: In accordance with the northern sub-regional direction, council will be encouraged to investigate the potential to identify limited additional longer-term urban growth opportunities, giving consideration to broader strategies for their long-term rural, environmental and landscape sustainability.</p> <p><u>In line with this, council are encouraged to investigate the potential to identify longer-term options to accommodate growth in the northern sub-region. Opportunities should be reflected in the</u></p>	<p>Council does not agree with this and considers it unrealistic to suggest further growth in the northern part of the Shire.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p> <p>Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).</p> <p>In terms of the broader Shire, Council is aware of a couple of areas which may have potential for urban growth in the future, however they are not without constraints and as there has been no meaningful investigation to date it is preferred these not be mapped in this planning scheme at this stage as it prematurely generates speculation. These areas will be investigated later and potential be part of future planning scheme amendments.</p>

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		strategic framework for future investigation. This is not required to be a commitment to development within a certain timeframe.	
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p> <p>ADDITIONAL COMMENT: As noted in response to item 4 above, <u>at this stage the department has no significant concerns with the capacity for additional dwelling growth to 2041</u> provided by council. However, council should note the advice provided in item 4 above, for ongoing consideration.</p> <p>Further, the department acknowledges council's Housing Needs Assessment which highlights a mismatch between dwellings being constructed and the needs of the Noosa community. It is noted particular needs relate to more affordable accommodation, smaller dwellings, additional aged care and special needs.</p> <p>The range of measures included by council in the draft New Noosa Plan to accommodate these needs are noted.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p> <p>ADDITIONAL COMMENTS: Including this lot in the Community Facilities zone (with no annotation) would not allow for the potential use of the site for residential care facilities, as intended by council. Community Facilities is not an urban zone and the development of a residential care facility with a GFA of more than 5,000m² on this site would be prohibited development under the Planning Regulation 2017.</p> <p>If the lot were included in an urban zone, future development on the site would be considered <i>excluded development</i> under the SEQ regulatory provisions. <u>However, council would need to undertake an assessment of the site against the Urban Footprint principles (see <i>ShapingSEQ</i>, Chapter 3) to determine the site's suitability for inclusion in an urban zone.</u></p> <p>The department invites further discussion with council about the potential options to facilitate council's intended use of this site.</p>	 <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint is surrounded on two sides by Urban Footprint and contains substantially unconstrained land.</p> <p>While the whole site has an area of 9.5ha, approximately one third was proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>Council will not pursue this at this stage and the site will be zoned Environmental Management and Conservation reflecting the current zone.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation</p>

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		<p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p> <p><u>The department is satisfied the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the proposed planning scheme.</u></p>	mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are considered to reflect and incorporate those values consistent with <i>ShapingSEQ</i> .
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.</p> <p><u>The department considers council's proposed and ongoing approach to Traditional Owner engagement to be a positive approach.</u></p> <p><u>Council should continue to demonstrate how feedback received during public consultation and through this targeted engagement has been reflected in the proposed New Noosa Plan for adoption.</u></p>	Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	<p>Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'</p> <p>Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.</p>	<p>Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we have deleted what was PO14 and corresponding AO14.</p> <p>Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy. However we have deleted what was PO25 and AO25</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2	<p>Action: <u>Remove requirements for 4kW photovoltaic solar power system.</u></p> <p>Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i>, specifies</p>	PO6 and the corresponding AOs have all been deleted and subsequent provisions renumbered.

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	<p>A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.</p>	<p>building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution.</p> <p>The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW.</p> <p>Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.</p> <p>Local government can't impose the requirement for 4kw system as the QDC MP 4.1 allows applicants to choose photovoltaic cells as an option to achieve part of their required star rating.</p>	
12	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: <u>Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</u></p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - Planning Act 2016 Section 8 (5).</p> <p>It is not clear why Council is concerned about addressing building provisions which are governed by the building assessment provisions such as those in the NCC. To clarify, the provisions in AO 7.1 and AO7.2 are in conflict with the scope of the building assessment provisions. Council may address building design to achieve particular aesthetic design outcomes but not for the energy efficiency purposes as prescribed in AO7.1 and AO7.2</p>	<p>Original Performance outcome has been deleted and replaced with the following:</p> <p>Roof design & articulation PO6 <i>Within the Local Plan Areas for Hinterland Villages, Cooroy, Tewantin or Noosaville, buildings contribute to the local character through buildings that incorporate:</i> a) pitched roof design; and b) eaves and/or awnings.</p> <p>AO6 <i>With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have:</i> a) a roof pitch no less than 5 degrees to 75% of the roof; and b) 600 millimetre eaves to 75% of the perimeter of the dwelling.</p> <p>Editor's Note — 450-millimetre eaves will achieve AO6 (b) provided a 150 millimetre gutter is used.</p>
13	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site.</p> <p>Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy.</p> <p>The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: <u>Remove requirements relating to rainwater tanks and other supplementary water supply systems.</u></p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Original PO8 and corresponding AO has been deleted.</p> <p>Council may apply to the Minister for an approval to require the mandatory application of QDC MP 4.2 to a building development application for a new class 1 building to be located within a reticulated town water area and that we can apply to vary the application of MP4.2. This will be considered outside of this Planning Scheme State Interest Review process.</p>

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14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p> <p>ADDITIONAL COMMENTS: It's acknowledged that council has amended the references to stormtide.</p> <p>By imposing a maximum 20m² GFA AO20.3 (1) Council is prescribing a structural design requirement in response to flood. This is in conflict with the building assessment provisions. Section 13 of the Building Regulation 2006 outlines what a local government may address in terms of building controls to mitigate flood impacts. Apologies for not making this clearer in our original comment.</p> <p>BLP is requested to provide the council with further advice on the applicability of QDC MP3.5 for alterations and additions in relation to extensions to existing buildings. For example Table 1 of QDC MP3.5 states this mandatory part is only applicable to additions to a class 1 building where the additions constitute 50% of more of the floor area of the existing building.</p>	<p>Provision has been deleted.</p>
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p> <p>Council may refer to the performance requirements in the Code to achieve alternative solutions.</p>	<p>AO21 has been removed and PO13 reworded as follows: <i>"Underground car parking areas are drained to function safely during a flood event and power failure."</i></p> <p>No further action required</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard.</p>	<p>PO22 and AO22 have been removed</p>

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	Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	Reason: Refer <i>Planning Act 2016</i> Section 8 (5).	
17	9.3.1.3 Criteria for assessment AO22	Action: Amend provisions as per comment for AO20.3. Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).	PO22 and AO22 have been removed
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council to look further into this.	Acceptable outcome has been removed however, we still had concerns about this for reasons of both overland flow and amenity. Some properties in Noosaville for instance that need to meet a minimum floor height are filling their whole site to be the same level of the floor. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council has deleted the AO. An editor's note has been added to highlight the privacy and drainage issues that can arise when whole lots are filled to the boundary in urban areas: Editor's note— Development should ensure that filling does not impacts on: a) neighbouring privacy; b) the amenity and usability of neighbouring properties; or c) offsite drainage.
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	Action: Amend to align with MP 3.5. Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.5 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria— (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.	AO13 has been removed and PO13 reworded as follows: "Underground car parking areas are designed to drain and function safely during a flood event and power failure."
	Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.	Action: Remove provisions as these are contained in the building legislation. Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)

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		5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.	
20	Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6	Action: Amend provisions for consistency with QDC MP1.4. Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)
21	Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;	Action: Remove the requirement of width of awnings. Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.	References to awnings have been deleted.
22	Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)	Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.	Building Regulation 2006 Section 12 allows the Local Government planning scheme to nominate the designated bush fire prone area which we have done through the overlay. The provisions of the BCA and QDC apply for building assessment within that area. Items c) and d) have been deleted.
23	Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.	Action: Remove references to AS 2890.3 Bicycles Parking Facilities Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12. BLP confirms any provisions outside of the QDC and NCC can be considered in planning scheme.	This was something the community of Noosa is quite keen on and is carried forward from the existing scheme. It is acknowledged: <i>In accordance with the Sustainable Planning Act 2009 section 233(7) and section 86, the QDC and BCA override any similar provisions of a local government's planning instrument. The QDC and BCA regulate sustainable building designs and features, and local governments should not include additional or more stringent measures in a planning instrument. Where a planning scheme, local planning instrument or local law is inconsistent with a regulation, such as the Building Regulation 2006, the planning scheme, local planning instrument or local law is of no effect.</i> However in relation to end of trip facilities: Queensland Development Code Mandatory Part 4.1—Sustainable buildings guideline only applies to end of trip facilities requirements on commercial office buildings, shopping centres, hospitals and tertiary education facilities where they exceed 2,000 square metres (as defined by the QDC) and these where they are located in a designated local government area , as listed in schedule 1 of the Queensland Development Code (QDC) (Noosa is not listed as one) For local governments not listed in schedule 1 of the QDC, end-of-trip facilities can also apply where a council has published notice of a resolution to adopt the QDC provisions. The resolution will be published in a local newspaper and be available on the local government's website. It will outline the area considered a designated local government area (which may be all or part of the local government area). Noosa can obviously pursue this if necessary. Part 4.1 also says: <i>For the purpose of end-of-trip facilities, a local government <u>planning scheme may expand on the QDC requirements</u> by:</i> <i><u>requiring additional bicycle parking and storage facilities, locker facilities and change rooms higher than the QDC requirements</u></i> <i><u>expanding the definition of a major development to encompass a broader range of buildings.</u></i>

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			Therefore there would seem to be scope for NSC to control this and it is just a matter of following the procedure allowed for in the QDC Action: Have included an Editor's Note in the Driveways and Parking code stating that where there is an inconsistency between the scheme and the QDC, the QDC section 4.1 applies for what is considered major developments. Anything not listed as a major development is not covered by the QDC and therefore the planning Scheme can control.
24	Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE	Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor. Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.	Have deleted this from the code.
25	9.4.6.3 PO1	Action: Remove the reference to natural light and cross ventilation. Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions. ADDITIONAL COMMENTS: BLP considers this unnecessary red tape. While this provision might seem minor, if a planning instrument contains several redundant provisions (with no bearing as they are addressed by building legislation) than it creates a readability/clarity issue and may also cause unnecessary confusion. This provision may be more applicable to very specific sites to sites/uses which are owned by the council.	PO1 now reads as follows: <i>Development minimises energy consumption and the production of greenhouse gas emissions.</i> There is no AO provided.
26	Part 8 Overlays AO1.2	Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. FURTHER COMMENTS: BLP wants to ensure that Council removes other provisions in the planning scheme that feature the same principles as AO1.2 -- setbacks from hazardous vegetation (for class 1-3 buildings and associated 10a structures as per AS3959). Please note that the reference to hardstands or pumps was made in relation to AO 3.2. It was also stated that all reoccurring provisions of that nature need to be removed from the scheme. Please ensure the other provisions (with similar principles as AO1.2) are addressed as per our Further Comments (regarding bushfire).	References to hardstands and pumps in AO3.2 have been removed. Diagram showing the best place to build a house in bushfire areas has been removed. Council has removed references to building setbacks from hazardous vegetation. Other reoccurring provisions of this nature have been removed from scheme where they relate to building works. New provision requiring that bushfire management measures be carried out on the subject property and not any adjoining property has been added to Bushfire Overlay Code. Council awaits State agency response as to their acceptance of these changes.
27	Part 8 Overlays AO3.2 AO3.3 AO3.4	Action: Remove building requirements and cut/fill requirements that are already regulated. Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for	This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3. Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.

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		<p>limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>ADDITIONAL COMMENTS: The Building Regulation 2006 Schedule 1 allows cut and fill to be self-assessable up to 1 metre. <u>Unless the council are trying to address aesthetic quality of building work or operational works requirements</u>, it should not be prescribing building provisions such as height of cut and fill. Refer definition of building work in the Building Act which includes excavation works.</p> <p>This provision is in various parts of the planning scheme. Amenity and aesthetics reasons can be incorporated which do not conflict with the building provisions. BLP confirms stability and erosion control are building provisions but aesthetics aren't.</p>	<p>The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p> <p>Amendments have been made to this Performance Outcome and Acceptable outcome to try to clarify it is about landscape character and aesthetics primarily rather than slope stability.</p> <p>Steep land, landscape character and scenic amenity PO3 Development, including associated access, is designed and constructed to:</p> <ol style="list-style-type: none"> be responsive to the natural topography and constraints imposed by the slope; retain the natural landforms, landscape character, vegetation, including the visual amenity of hill slopes and ridgelines; visually integrate into the streetscape and the natural surrounds; and ensure buildings and structures are not visually obtrusive, particularly from ridgelines, public open spaces, scenic routes and other critical vantage points, outside the site. <p>AO3.1 Buildings present no more than two storeys at any one point when viewed from the road or other public space.</p> <p>AO3.2 Buildings and associated accesses are not constructed on land with a slope greater than 25% (1 in 4).</p> <p>AO3.3 No additional lots intended to provide house sites are created on land with a slope of 25% or greater.</p> <p>AO3.4 Buildings are designed to follow the natural landform rather than modify it.</p> <p>Editor's note- Designs that step down the slope using split level construction or elevated construction on suspended floors are a preferred alternative to standard slab on ground construction reliant on cut and fill of sites.</p> <p>AO3.5 The extent of filling or excavation is revegetated immediately following completion of the works.</p> <p>AO3.6 Any building, including any associated car parking structure:-</p> <ol style="list-style-type: none"> has a maximum undercroft height at the perimeter of the building of 3 metres above ground level; or incorporates undercroft skirting or screening (such as timber battens) to the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building; or incorporates landscape screening for the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building. <p>AO3.7 On sites where slope gradients exceed 15% roof lines are generally parallel with contours of the land and roof pitch does not exceed 15 degrees.</p>
28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The original comment made informed the council that <u>unless</u> the building work was in a designated transport noise corridor, the planning scheme cannot implement noise mitigation construction or</p>	<p>This relates to the Extractive Resources Overlay and the acceptable outcomes for development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including insulation and sound resistant glazing materials. Reference is made to the State interest guidance material – Mining and extractive resources page 19, which specifically includes the following within model code provisions.</p>

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		<p>design techniques. A certifier will not assess sound insulation requirements in line with a planning scheme because the National Construction Code contains the relevant requirements for wall treatments and glazing. Council can't introduce building controls such as these due to the scope of the building assessment provisions and the application of the Section 8 (5) of the Planning Act 2016.</p> <p>The NCC may capture these issues – this needs to be revisited. BLP are requested to look into this further and provide some further comments/advice. The council may look into a PO addressing amenity for this provision to avoid conflict.</p>	<p><i>Suitable mitigation measures may include:</i></p> <ol style="list-style-type: none"> locating buildings and structures the greatest distance practicable from the resource extraction and processing areas and associated transportation routes; designing buildings so the areas where people work or congregate are furthest from the resource extraction and processing area and associated transportation routes; minimising openings in walls closest to the sources of any current or potential adverse effects; providing mechanical ventilation to areas in which people work or congregate; utilising appropriate construction methods and materials including insulation, seals, ts and glazing that minimise the transmission of noise, vibration, dust, fumes and odours, and providing outdoor recreation space adjacent to a building façade that shields the recreation space from resource extraction and processing areas and associated transport routes. <p>AO2.4 now reads as: Development within the extractive resource separation area incorporates design, orientation and construction materials that mitigate potential adverse effects from an existing or future extractive industry to acceptable levels by:</p> <ol style="list-style-type: none"> locating buildings and structures the greatest distance practicable from the resource processing area and associated transport route; designing buildings so that areas where people live, work and congregate (habitable rooms) are furthest from the resource/processing area and transport route; and design and construction of walls and openings that minimise noise entry.
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The below highlighted provisions are in conflict with the application of AS3959 to the extent these provisions apply to class 1-3 buildings (and Class associated 10a structures).</p> <p>AO7 (ii) achieves setbacks from hazardous vegetation for a distance of 1.5 times the height of the predominant mature tree canopy or 10 metres, whichever is greater; and (d) is designed so that buildings and structures are sited in locations of lowest hazard within the lot and elements of the development least susceptible to fire are closest to the fire hazard.</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>References to setbacks from hazardous vegetation in AO1.3 has been amended. The setbacks in AO7 have been retained as these relate to reconfiguring a lot and not building works. It is about the correct placement of a building envelope where a future house would be located.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p>	Figure 8.2.3.4 has been removed as has the reference to the figure in AO7.

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		This information should not be changed or repeated for inclusion in planning schemes. Refer Planning Act 2016 Section 8 (5).	
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p> <p>If you separate through the overlay code, will you also separate on the overlay?</p> <p>BLP: If the storm tide provisions don't reference or interfere with our flood code, there is no issue.</p>	<p>References to the Design Storm Tide Event has been removed throughout the overlay in most instances though where high frequency nuisance stormtide flooding needs to be considered as a result of climate change the reference to DSTE has been retained (AO5). Large parts of Noosaville are expected to be inundated by stormtide and frequent tidal inundation into the future.</p> <p>There is no need to distinguish between what is catchment flooding and stormtide inundation on the overlay mapping as in all instances stormtide areas are also affected by catchment flooding with catchment flooding being the more dominant hazard in terms of depth and extent of flood waters.</p>
32	<p>Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures: a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by: a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of</p>	<p>Action: <u>Amend provisions that are in conflict with the Building Assessment Provisions.</u></p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>FURTHER COMMENTS FROM BLP: We cannot determine what has been changed adequately based on the information provided. The terminology in the QDC and ABCB Flood Standard cannot be changed and this includes 'Finished Flood Level' and 'Probable Maximum Flood.' PMST is ok because it relates to storm tide inundation which the flood codes don't address.</p> <p>Regarding the exclusion of dwelling houses from the overlay, this is helpful but the flood codes applies to all building work and not just dwellings. The flood overlay may address op works and ROL however.</p> <p>Thank you for changing reference to overland flow for ponding to relate to op works.</p> <p>Please ensure that the highlighted provisions are addressed accordingly, in line with section 13 of the Building Regulation 2006.</p> <p>Council may address climate change, DSTE and overland flow by siting new lots or reconfiguring existing lots.</p>	<p>Terminology in Table 8.2.6.4 changed to minimum Finished Flood Level for the floor levels of buildings as distinct from the finished surface level of new lots. This resolves terminology issue.</p> <p>Tables of assessment have been changed to exclude dwelling houses from assessment against the overlay code.</p> <p>The overlay code does not apply to dwelling houses but it does include provisions for other building works, operational works and reconfiguring a lot. Wording has been added to PO4, PO5 and PO10 to clarify what type of development the PO relates to, eg. RAL or operational works.</p> <p>Reference to overland flow and ponding etc (PO10) relate to operational works (earthworks etc) not building works. Wording has been changed to clarify this.</p> <p>AO6.1 has been deleted: Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment</p> <p>An editor's note for flood resilient building materials has been amended and now reads: <i>Editor's Note—The use of flood resilient building materials is also encouraged for building works up to the probable maximum flood to reduce the consequences of flooding.</i></p> <p>Council would like to retain resilient building design requirements in PO6. Wording has been amended to avoid duplication with building regs. Can BLP please advise on any additional wording changes if necessary that allow Council to maintain the intent of the PO particularly for streetscape amenity? This is relevant to our commercial/tourist area along the riverfront that gets inundated by flood water and stormtide periodically. New development should consider quality streetscape appearance when designing for flood immunity given the large changes in floor level required to meet the DFE.</p> <p>AO6.6 Basements and underground car parking areas are designed to drain and function safely during a flood event and power failure.</p> <p><i>Editor's note—Basements for residential uses should have flood immunity above the 1%AEP defined flood event with alternative means to mechanical pumping used to achieve such immunity.</i></p> <p><i>Basements for non-residential uses should have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</i></p> <p>Reference in AO8 to "resist hydrostatic and hydrodynamic forces as a result of inundation" has been deleted.</p>

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<p>flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Non residential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for non-residential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p><u>Prevent building development approvals on those lots at the planning stage.</u></p>	
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	<p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>This AO has been deleted.</p>
<p>???</p> <p>33B</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We have re-written part of Table 6.3.1.3 (Residential Low Density Zone) now with the sub heading of Environment, heritage and scenic amenity to try to clarify these matters are tied to the landform and landscape</p> <p>PO19 Development:</p> <ul style="list-style-type: none"> a) has minimal impact on the natural landform and landscape of the site; b) does not lead to erosion or the transport of sediments off site; c) does not lead to the disturbance of natural features, buildings or structures of cultural heritage significance. <p>AO19.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO19.2 Development does not result in sediment or other material including building materials or waste products being deposited or released into the road reserve, stormwater drain or adjacent properties.</p> <p>AO19.3 Development on a site adjoining a local heritage place respects the cultural heritage significance of the place by mitigating any adverse impacts on the setting or integrity of the heritage values.</p> <p>Editor's Note—Local heritage places are identified on the Heritage and Character Area Overlay Maps in Schedule 2.</p> <p>PO20 Development on sloping sites:</p> <ul style="list-style-type: none"> a) is visually responsive to the natural topography and sits within the landscape rather than dominating it; b) steps down slopes or uses suspended floor construction, minimising Cut or fill and avoiding benching of the site; c) retains natural vegetation that assists in screening or visually softening development; and d) uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.

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	<p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>		<p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: a) roof lines are generally parallel with contours of the land; b) roofs do not exceed a pitch of 15 degrees; and c) buildings do not protrude above the height of prevailing vegetation.</p> <p><i>Editor's note—refer to Figure AP3-3B</i></p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings with small floorplates are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites.</p> <p><i>Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</i></p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and non-reflective with large expanses of solid colours avoided.</p> <p>Similar changes have been done in: Table 6.3.2.3 (Res Medium Density Zone) Table 6.3.3.3 (Res High Density Zone) Table 6.3.5.3 (Rural Residential Zone) Table 6.8.3.3 (Rural Zone)</p> <p>(We have also taken duplicated provisions out of the Local Area codes)</p>
<p>34</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>BLP: The provisions still don't state that they apply for operational works. Note that filling/excavation can be considered building work. Note the proposed changes in red.</p> <p>Council: Changes suggested in red have now been made</p>	<p>Changes have been made to zone codes to clarify that the provisions are for operations works (filling and excavation) not for building works</p> <p>PO21 Filling and excavation for operational works do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: a) causing ponding of water on the site or nearby land; b) increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or c) adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Filling and excavation for operational works is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties or downstream environments.</p>

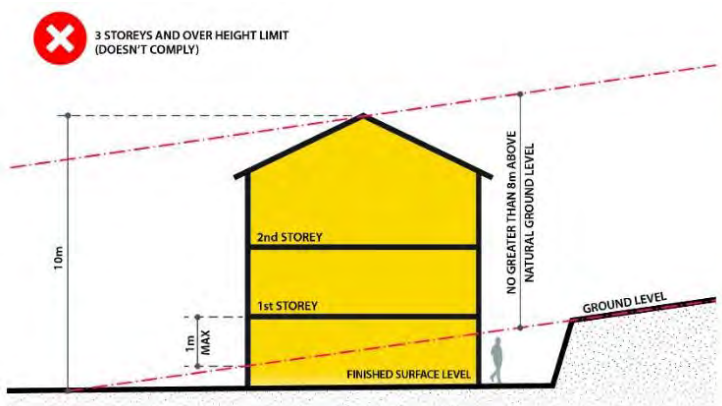
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	Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.		
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	<p>Changes have been made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance</p> <p>An editor's note has been added as suggested:</p> <p><i>Editor's note—Provisions for sill height, glazing, screening and window openings are to improve the residential amenity for occupants. Thermal performance requirements are contained in Queensland Development Code MP4.1 Sustainable Buildings. Energy efficiency requirements are contained in the National Construction Code.</i></p>
37	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>Offending words have been deleted</p>

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<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p> <p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	<p>The AO for cut and fill of no more than 1.5 m has been deleted from the various centre zones where under the heading of Environment & Heritage.</p> <p>The relevant AO in the remaining zones (Environment and Residential zones) has been changed to make it clear that the outcome is for landscape amenity reasons and not for meeting structural building design requirements that are already covered in the building regs.</p> <p>AO For landscape amenity reasons, cut or fill is less than 1.5 metres in depth relative to the ground level.</p>
<p>39</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Within Table 6.4.1.3 AO47 has been rewritten with: Buildings or structures that are visible and accessible from a public street or laneway: a) avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; b) with windows at ground level use measures that deter break and enters without obscuring views to shopfronts; and c) are constructed to be vandal and graffiti proof.</p> <p>Also fixed in: Table 6.4.2.3 Table 6.4.3.3 Table 6.4.4.3 Table 6.5.1.3 Table 6.5.2.3 Table 6.6.1.3 Table 6.7.1.3 Table 6.8.1.3</p>
<p>40</p>	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters; or c) if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood. Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor's note, which provisions under the Building Act does this refer to? Clarify that this isn't an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials— • a limitation on the use of finishes with fire hazard properties as defined under the BCA</p>	<p>These flood provisions have been deleted from the various zone tables.</p>

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		<ul style="list-style-type: none"> • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>	
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23</p> <p>Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through:</p> <p>buildings that maximise opportunities for natural ventilation and lighting;</p> <p>water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy.</p> <p>ALSO Part 6.7 PO12 and AO12</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>	<p>We note Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC</p> <p>For the Recreation and Open Space Zone we would like to leave in a Performance outcome because the likelihood is that development would be done by the State, Council or a community group and we'd like it to be exemplary development. For this reason the acceptable outcome has been deleted but we propose a Performance outcome that reads:</p> <p><i>“Development for the purpose of a community use or sport and recreation is located, designed and operated to be responsive to the sub-tropical climate and make the most of natural light, ventilation and on site rain water capture and reuse.”</i></p>
41B	<p>Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale</p> <p>PO7 AO7.1</p> <p>Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.</p>	<p>Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below.</p> <p>Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard.</p> <p>Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.</p> <p>BLP FURTHER COMMENTS: Please ensure your decision is informed by established terms in legislation: Building Regulation 2006: natural ground surface, for a building, device or structure, means the ground surface located at site of the building or structure on the day the first plan of survey showing the relevant allotment was first registered.</p>	<p>There are implications regarding flooding - Where filling of the site is required to meet flood immunity, the maximum building height is not measured from the finished surface level, it is measured from natural ground level.</p> <p>A development's building height is measured from both the ground level and the finished surface level, the building height is whichever height is the greater. Furthermore, “Finished surface level” is listed in the administrative definitions for reader clarity as “the level of ground specified in a current development permit”.</p> <p>Historically, if for example the building is in a flood hazard area a relaxation to the 4m building height may be considered. Further if backfilling did not occur around a basement garage the finished surface level would be lower than the natural ground level. The diagram below gives an example of how height is measured.</p>  <p>3 STOREYS AND OVER HEIGHT LIMIT (DOESN'T COMPLY)</p> <p>10m</p> <p>1m MAX</p> <p>2nd STOREY</p> <p>1st STOREY</p> <p>NO GREATER THAN 8m ABOVE NATURAL GROUND LEVEL</p> <p>FINISHED SURFACE LEVEL</p> <p>GROUND LEVEL</p>
42	<p>Schedule 1 Definitions</p> <p>Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation.</p> <p>The probable maximum flood defines the extent of flood prone land. Generally, it is not physically or financially possible to provide general protection against this event.</p> <p>PMF (as above)</p>	<p>Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.</p> <p>ADDITIONAL ADVICE:- BLP considers the use of this terminology will cause confusion with the Flood Code and QDC. BLP wondered if the terminology could be changed to make it clear that it applies to evacuation routes/refuge areas? The National Flood Code refers to annual probabilities of exceedance.</p>	<p>The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in 100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.</p> <p>With the exception of the definition, the only place this phrase is used is in the Flood Hazard Overlay and it has been clarified it is only relevant to reconfiguring a lot.</p> <p>The definitions themselves have not been changed.</p> <p>BLP: PMF may be used as a term for ROL only</p> <p>No further action required.</p>

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		DSMDIP notes that it appears the only reference to PMF is for determining evacuation routes and congregation and refuge areas for development.	
State Interest: <i>Mineral Resources Act 1989</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
43	Strategic Framework	<p>Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	<p>Have added the following Editor's Note within the section on Extractive Industries within 3.2. <i>Mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at the Department of Natural Resources, Mines and Energy's Mines Online Map.</i></p>

Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	Noted. Replaced terms
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. No change

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above “Key Challenges”	<p>Remove reference to “intensive factory farming”, and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	<p>Sentence now reads as “Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance.”</p>
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p> <p>DAF is simply seeking clarification so that users know what has been mapped. There is no longer any such thing as GQAL, therefore whatever term is used should be defined</p>	<p>Council are not going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands.</p> <p>In 3.3.1 we've changed to the phrase "quality farming land"</p> <p>In Rural Activities Code for aquaculture we've changed reference at PO18 to "agricultural land"</p>
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p>	<p>Mapping change done</p>

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	Part (u)	<p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says “pending” on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it’s unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p> <p>It’s noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	<p>Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.</p>
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	<p>Additional wording added</p>
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO’s or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	<p>Additional wording added to reference wildlife connectivity and fish passage</p> <p>For example PO11 of Table 6.8.3.3. says: <i>Development does not have a significant adverse impact on the natural values of the site including through:</i> <i>a) loss of biodiversity values, fauna habitat and fish passage;....</i></p> <p>In the local Area Plans wording has been amended to: <i>Development maintains and protects an integrated open space network throughout the locality to—</i> <i>a)...</i> <i>b)...</i> <i>c) provide habitat connectivity for wildlife and fish passage;</i></p> <p>Fish Passage is also referenced in both the overall outcomes and the performance outcomes of the Water Quality and Drainage.</p>
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development. The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	<p>We have included the Fish Habitats on the Biodiversity Overlay Maps</p>
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs were that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>We have removed these from the Rural Activities Code and put them in the Regional Infrastructure Overlay Code which is where the water supply catchments are addressed.</p>

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			As discussed agricultural uses will be assessable against this code where within the water supply catchment.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	<p>Remove these acceptable outcomes.</p> <p>Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1.</p> <p>These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.</p>	Refer previous discussion. There has been significant re-drafting within the Rural Activities Code and it is considered the provisions will work regardless of the use interpretation.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	<p>Remove this acceptable outcome (AO13.2).</p> <p>Reason: It does not relate to or demonstrate compliance with performance outcome PO13.</p>	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	<p>Amend AO18.2 to read, for example, '<i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i>'</p> <p>Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.</p>	OK change made
14	Biodiversity Overlay	<p>The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.</p> <p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>	Added an Editor's note above Table 8.2.2.3 regarding forestry
15	Agricultural Land Overlay, Agricultural Conservation Areas	The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.	The SPP guidelines specifically allows a Local Government to locally refine state mapping, which Council has done. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the

Noosa Council Responses to State Interest Review comments 21 September 2018

		<p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p> <p>Note that ALCA has been reinstated where it overlapped with the water catchment.</p> <p><u>On 12 September 2018 Council received a letter from Soil and Land Resources of Department of Environment and Science advising changes were being made to the Agricultural Land Classification (ALC) mapping that informs the State Planning Policy (SPP). Over the ensuing days our GIS officer has been in communication with the Soils team to ascertain how to access the correct layers however time has not allowed for the recreation of our Agricultural Land Conservation Area (ALCA) as it appears on the Strategic Framework Economy & Employment Map and on the Agricultural Land Overlay Maps.</u></p> <p><u>Council will rerun the ALCA mapping over the course of the next week and provide updates to the above maps once available. We would not anticipate State Interest concern with this process.</u></p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>This is not a planning scheme matter and is being considered separately by Council's Property and Environmental services Sections.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>Noosa Council acknowledges that coal, mineral petroleum and gas including coal seam gas resources are the property of the Queensland State Government and approval processes for the exploration and mining of these resources is governed by the State Government in accordance with its resources legislation</p>

Noosa Council Responses to State Interest Review comments 21 September 2018

		<p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	<p>Minerals Resources Act 1989, Mineral Resources Regulation 2013 and Petroleum and Gas Act 2004.</p> <p>However under the State's Regional Planning Interests (RPI) Act 2014, areas of regional interest are identified. All of the Noosa Shire is within an area of Regional interest known as a Priority Living Area (PLA). A Priority Living Area is an area that includes existing settled areas for living and is primarily protected for these purposes. Importantly the RPI Act generally restricts the carrying out of resource activities in Priority Living Areas. This Act also requires that, should an application for a resource activity such as a mining lease application be made to the State, it must be referred to the Council as an 'Assessing Agency'.</p> <p>Council has considered its position with regard to further permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire and within the context of its role as an Assessing Agency under the RPI Act 2014 does not support further permits for coal or coal seam gas exploration or mining based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle, and its designation as a Priority Living Area.</p> <p>A statement reflecting this policy has been added to the Strategic Framework as such: "Applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire are not supported based on significant concerns from council and the community regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle."</p>
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Planning for the environment and heritage

Biodiversity			
Ref. Number	Planning scheme reference	Advice	NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	MSES now integrated
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.	The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.

Noosa Council Responses to State Interest Review comments 21 September 2018

Water quality			
Ref. Number	Planning scheme reference	Advice	NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>	References have been replaced

Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	NSC response
21	--	<p>Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs.</p> <p>Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.</p>	Noosa Council has no opposition to Seqwater accessing the demand modelling UnityWater has prepared for us.

State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	<p>Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, <i>'Development provides a road hierarchy that supports effective freight connectivity.'</i></p> <p>Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities.</p> <p>Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities.</p> <p>It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.</p>	<p>The Multi-Combination Routes in Queensland Map really just shows the Bruce highway so not considered particularly useful.</p> <p>The following statements are in the Strategic Framework:</p> <p>Under Regional Context: <i>The Bruce Highway and North Coast Railway serve as the main transport access to Brisbane and serve an important function for the movement of freight. An improved railway network would enhance access to Brisbane for Noosa-based commuters, residents and visitors.</i></p> <p>Under Strategic Outcomes for Transport and Movement: <i>The role the highway and arterial roads serve in the movement of freight is protected with sensitive land uses avoided or buffered along these routes.</i></p> <p>The following overall outcome has been added to the Transport Code: <i>Development does not adversely impact on the role of the major road network, particularly the Highway, in the efficient movement of freight through the Shire.</i></p>
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	<p>Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road.</p> <p>Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.</p>	We've added an Editor's note below these AO's to read: Reference should be made to the Queensland Government's Development Assessment Mapping System to confirm which are state-controlled roads or limited access roads.
24	Part 9 – Table 9.4.1.3	<p>Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p> <p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design</p>	References have been replaced in the scheme and PSP.

Noosa Council Responses to State Interest Review comments 21 September 2018

		Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	
25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>	Noted
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>	Noted – will not be resolved through the scheme

RTI RELEASE - DSDMIP

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Subject: FW: HPE CM: State agency review - Noosa planning scheme - revised documents
Date: Monday, 8 October 2018 3:32:00 PM
Attachments: [Noosa Council Final Response to State Interest Review Comments.docx](#)
[image001.png](#)
[image002.png](#)
[image006.png](#)
[image007.png](#)

Hi Mathew, Daniel, Peter, Lara and Tom

I realise by now you should have received an alert via an email to your agency's registered email address, but just in case, I'm sending this extra email to you, to alert you to the revised Noosa planning scheme documents, that have been uploaded to the plan making portal.

As you have already completed comments on this instrument in the past, the plan making portal will likely have the scheme in the list of completed responses, so you may need to scroll down to find it – it's TP-00099.

If you have any issues please let me know.

Regards

Caroline Plank
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Subject: HPE CM: State agency review - Noosa planning scheme - revised documents

Hello State Agencies

You have previously been requested to participate in a state interest review (SIR) on the new Noosa Plan.

The council has revised the planning scheme, with changes in response to the SIR. This has been uploaded to the plan making portal. The new version is dated 28 September 2018 (please ignore the versions uploaded which are dated 21/9/18 as these don't show the changes adequately). Also uploaded is a table summarising the changes in response to the SIR - dated 21 September 2018.

I have uploaded (and also attached to this email) a word version of the council's response to the SIR - you can use this to add your comments - in the last column, add your comments underneath Noosa Council's response - use a different colour or a clear heading so I can easily recognise your comments from Noosa Council's.

Please provide your comments by 5pm Friday 12 October 2018. Please contact me if you are unable to meet this timeframe.

You can use the plan making portal to upload your document with comments, or you can email it to me.

Regards

Caroline Plank
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Subject: State agency review template - Noosa planning scheme

Hello All

Please find attached a template for you to use for your state interest review. You can upload this completed template to the ePlan Portal (ezischeme) or email it to me. I would actually prefer you email it to me at this stage, due to inadequacies in the ezischeme at our end.

Also, if you would like the GIS shapefiles for the planning scheme, bring a USB on Monday and I will transfer the files on to it for you.

If you still want the files and are not coming on Monday, please let me know and I will arrange to get them to you.

As we did not receive the files until Wednesday, we will be starting our review timeframe from this date – this will be updating in ezischeme.

I will recalculate the review timeframe for state agencies and let you know on Monday.

Regards

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Noosa Council Responses to State Interest Review comments 21 September 2018

Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Original Requirement and additional comments from State following NSC response	NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity</i> Policy 3 (1) (2) and (3) and <i>Development and Construction</i> (8).</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing</u>, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes; and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p> <p>ADDITIONAL COMMENTS: 1) Council’s representations in relation to their support for smaller units to encourage affordable housing is supported by DHPW. 2) Council’s concerns regarding confidence that affordable housing will be delivered if it amends its strategic framework are noted and the following comments are offered. Noosa SC being within the SEQ region is a priority Council (along with the Sunshine Coast Regional Council) for the Housing Construction Jobs Plan. The State Planning Policy- Housing Supply and Diversity (Policy 3 (c) aims to ensure that planning schemes are able to facilitate affordable and social housing outcomes through supportive planning provisions and suitably zoned land with the intent that this housing is able to be delivered when suitable sites and funding are available. In order to ensure this, inclusion in the strategic framework is sought to give high-level support for these housing outcomes by Council. It is noted that informal email between Council and DHPW planners indicates that an outcome could be provided.</p> <p>Suggested wording:</p> <p><u>In order to meet Policy 3(c) of the SPP (above), DHPW considers that the Strategic Framework should at the very least include a specific statement that references support for social and affordable housing:</u></p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p>e) <i>A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p>f) <i>Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>We’ve added another line to 3.2.4 as follows: “<i>The initiatives of Federal and State Government and community based not-for-profit entities in delivering more affordable housing for residents in need are likely to be an important component of new housing.</i>”</p> <p>We’ve added two additional lines to 3.3.3 as follows: “<i>Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.</i>”</p> <p>“<i>Major residential developments will be encouraged to incorporate a range of housing types including more affordable housing products for the entry buyer and low-income housing markets.</i>”</p>

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		<p><u>“Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.”</u> <u>If a supportive statement is not included, DHPW would not consider the planning scheme to fully integrate Policy 3 the state interest.</u> 3) Council’s comments in relation to MBRC are noted. It is emphasised that MBRC was only suggested as an approach undertaken by a local government; it was not intended to compare the two LGAs.</p>	
2	<p>Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.</p>	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p> <p>ADDITIONAL COMMENTS:- DHPW makes recommendations generally on items in the planning scheme which it feels could be amended to contribute towards introducing more flexibility in a planning scheme, thus contributing to housing diversity and eventually supply of more affordable housing.</p> <p>In this case, the issues that NSC raise and the potential implications have been noted, particularly in the Low density residential (LDR) zone. Council’s approaches to encourage affordable housing in other areas of the scheme and the code alterations for the medium (MDR) and high density residential (HDR) zone as outlined are acknowledged.</p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability.</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>

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		DHPW accepts Council's response on the code provisions and has no further requirements on this matter.	
Liveable communities			
Ref. Number	Policy Element	Requirement	NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times.</p> <p>In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>Rural fire brigades are now acceptable subject to requirements in the Rural or Rural Residential Zone.</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) Emergency Services are now accepted subject to requirements.</p> <p>We have made Emergency Services consistent (code) in all the centres zones and industrial zones (but not in every precinct).</p> <p>They are consistent (impact) in the two green zones. However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p> <p>Unlike to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low.</p>

Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>"Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible".</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the "clean/green" credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms are applauded and are gaining momentum as hoped through the local economic strategy and work of Country Noosa.</p> <p>The original sentence has been removed and replaced with:</p> <p>"Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance."</p>

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		<p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p> <p>FURTHER COMMENT: DAF would not object to the retention of a similar statement as long as it is re-worded. The term “intensive factory farming” should be removed, as it is an unnecessary singling out of a particular industry and is highly emotive.</p> <p>The phrase “disrespect ecosystem service functions” should also be removed for clarity – what does this phrase mean?</p> <p>DAF agrees that all development (including intensive agricultural activities) ensures that the environment is not significantly impacted and the statement should simply be: “Developments that have the potential to impact surrounding environments will only be supported where they are appropriately located and designed to avoid environmental harm and nuisance.”</p>	
5	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. <u>Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported</u>”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity...and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. <p>FURTHER COMMENT: DAF agrees that intensive agricultural land uses have the potential to cause environmental harm and nuisance, and need to be suitably located and designed to avoid environmental harm and nuisance.. DAF does not support the exclusion of these uses from the rural zone.</p> <p>DAFs position is that the term amenity is so subjective it is almost unworkable, particularly in the rural zone. What disturbs one person’s amenity may not worry another. For example, a rooster crowing or cows bellowing may disturb one person, yet it may take a tractor noise to disturb another. In both cases, these noises are intrinsic to a functioning rural zone. How will Council determine the impact of a development on the rural amenity?</p> <p>DAF suggests Council focuses on the suitable location and design of intensive agricultural land uses in appropriate locations of the rural zone.</p>	<p>Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p> <p>“Intensive or high impact rural uses can lead to environmental harm or nuisance through increased noise, traffic, lighting, use of chemicals or generation of dust or odour. Rural uses that pollute the air, groundwater and surface water are not likely to be supported.”</p>

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<p>6</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from 'Animal husbandry'.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p> <p>FURTHER ADVICE: <u>Intensive animal industry</u></p> <p>DSDMIP advises: The definition of 'intensive animal industry' is multi-layered – there's more than one criteria to meet – the use is for the intensive production of <u>animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or...</u></p> <p>The use needs to meet all of these for it to meet the definition. It will be up to council to ensure that animal husbandry really is animal husbandry and not intensive animal industry.</p> <p><u>Animal husbandry</u></p> <p>DAF's position is that animal husbandry should be accepted development in the rural zone. DAF accepts that Council would like to have some control over numbers to minimise impacts and at these thresholds determined by Council (whatever they might be), the use would become code assessable. DAF would accept this if the numbers of animals allowed as accepted development were increased. For example, DAF doesn't think it is reasonable for someone who wants a couple of head of cattle in the rural zone to have the use deemed assessable.</p> <p>DSDMIP advises that other councils in the region make animal husbandry accepted development (with or without requirements) and therefore Noosa Shire Council could look to these for guidance. MBRC use a local law to control certain animal keeping which is referred to in the tables of assessment for animal husbandry to be accepted development (without requirements) and otherwise, to be accepted development with requirements (rural zone code). SCRC makes animal husbandry accepted development with requirements (rural uses code).</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above</p>	<p>This is an interpretation problem – Council are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry. We have received legal interpretation on this matter, the upshot of which is that if animals or birds are free to range or graze in a field and are not in an enclosure requiring food and water to be provided mechanically or by hand, the use can only be animal husbandry. This legal advice has been provided to DSMIP and DAF.</p> <p><i>animal husbandry means the use of premises for—</i> <i>(a) producing animals or animal products on native or improved pastures or vegetation; or</i> <i>(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).</i> <i>Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</i></p> <p><i>intensive animal industry—</i> <i>(a) means the use of premises for—</i> <i>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</i> <i>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</i> <i>(b) does not include the cultivation of aquatic animals.</i> <i>Examples of intensive animal industry— feedlot, piggery, poultry and egg production</i></p> <p>Notwithstanding the above we are proposing to change the Table of assessment for the Rural Zone and the Rural Activities Code</p> <p>For Animal Husbandry there's still a table of animals that are just acceptable development (no planning scheme requirements)</p> <p>Then everything else is Accepted Subject to Requirements (self-assessable) with applicable AOs listed from the Rural Zone Code and the Rural Activities Code</p> <p>For Intensive Animal Industry we're listing a few thresholds that would be code assessable—if:</p> <ul style="list-style-type: none"> a) located on a site at least 20 hectares in area; and b) poultry farming (meat or egg production) not exceeding 999 birds; or c) emu or ostrich farming not exceeding 20 birds; or d) not exceeding 21 standard units of pig; or e) not exceeding 50 standard units of cattle <p>Outside of these circumstances Intensive Animal Industry will be impact assessable <u>but only consistent where it meets the following criteria:</u></p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area. <p>Within the Rural Activities code we have amended and rearranged provisions to address Animal Husbandry and Intensive Animal Industry in a closer manner and combined the same performance outcomes for both in instances.</p> <p>PO10 <i>Animal husbandry and Intensive animal industry is at a scale, intensity and stocking density that does not over-graze the property, lead to erosion or degradation, compromise the welfare of animals or cause environmental nuisance experienced on adjoining premises.</i></p> <p>AO10.1 <i>Livestock are free to graze or forage in pastures and rely on supplementary food for no more than 30% of their diet.</i></p> <p>AO10.2 <i>The lot used for Animal husbandry has a minimum area of 4 hectares.</i></p> <p>AO10.3 <i>The lot used for Intensive animal industry has a minimum area of 20 hectares.</i></p> <p>Pigs</p>
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			<p>AO10.4 For animal husbandry, livestock does not exceed a stocking density of 10 pigs per hectare.</p> <p>OR</p> <p>AO10.5 For Intensive animal industry, pigs are provided with a range area that does not exceed an average stocking density of 30 adult pigs per hectare and which offers continuous access to shelter provided that any property with over 50 pigs is at least 20 hectares in area.</p> <p>Poultry</p> <p>AO10.6 For animal husbandry livestock does not exceed 999 birds and a pasture stocking density of 250 birds per hectare, provided that buildings or structures used to house poultry at night do not exceed a stocking density of 28kgs of live birds per square metre of floor space.</p> <p>OR</p> <p>AO10.7 For Intensive animal industry livestock density does not exceed 2,500 birds per hectare of pasture with at least 8m² of overhead shade per 1,000 birds provided that any property with 1,000 birds or more is at least 20 hectares in area</p> <p>Editor's Note—The appropriate stocking rate (number of livestock on a paddock or a whole farm) can be calculated for each type of animal using tools published by Meat & Livestock Australia. "Grazing land types of the Gympie district" by Adam Logan, Graeme Elphinstone and Brad Wedlock, published by the Queensland Government in 2010 may also be of local relevance.</p> <p>PO113 Sufficient separation distance is provided between Animal husbandry and Intensive animal industry, public spaces and sensitive land uses on other premises.</p> <p>AO11 Irrespective of boundary setbacks for the relevant zone, area used to contain livestock intensively, whether temporarily or permanently, or waste and by-product disposal areas are located no less than—</p> <ul style="list-style-type: none"> a) 50 metres from a road reserve; b) 250 metres from land in a residential zone including the rural residential zone; c) 40 metres from another property boundary; and d) 150 metres from a sensitive land use. <p>provided that a mobile poultry shed housing no more than 200 birds can be as close as 40 metres to any property boundary provided it is within the setbacks specified above for no more than 2 days during any given week.</p> <p>PO12 Sufficient separation distance is provided between livestock and ecologically important areas including national parks, waterways, water bodies and wetlands.</p> <p>Editor's Note— The presence of an overlay over the site (for example indicating biodiversity values or water supply catchment) may change the level of assessment or add specific requirements.</p> <p>AO12.1 Buildings used to house animals, temporary holding yards, areas of waste or by-product disposal are not within 100 metres of adjoining land in the environmental management and conservation zone; or a waterway or wetlands as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</p> <p>AO12.2 Where livestock is located on land adjoining a natural waterway or wetland (as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2) fencing prevents livestock entering the waterway or riparian zone.</p> <p>PO13</p>
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			<p>Buildings and enclosures intended to house animals or birds are sited, designed and constructed:</p> <ul style="list-style-type: none"> a) to facilitate natural ventilation and ease of cleaning, ensuring effluent can be managed effectively; and b) with sufficient noise and odour mitigation measures so as to ensure that dispersion effectively limits odours to acceptable levels and frequencies under the expected range of atmospheric conditions. <p>AO13 Sheds and storage areas are designed and constructed with:</p> <ul style="list-style-type: none"> a) natural ventilation; b) easy to clean material; c) drains, pits or litter beds which can be easily and regularly cleaned out without excess waste or moisture build-up; d) noise mitigation measures for fans and pneumatic feed systems; and e) covers applied to stored manure or litter. <p>PO14 Intensive animal industries are sited, sized, designed, constructed and managed to protect:</p> <ul style="list-style-type: none"> a) the profile and productive qualities of soil; b) the water quality of groundwater, waterways and wetlands; c) the scenic and visual amenity of the Noosa hinterland; and d) the quality of life enjoyed by residents of Noosa Shire. <p>No acceptable outcome provided</p> <p>PO15 The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</p> <p>No acceptable outcome provided</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>FURTHER ADVICE: DAF does not support the exclusion of intensive animal industries or restricting the scale of the intensive animal industry within the rural zone. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>However, the suitable location and design of intensive animal industries to avoid environmental harm is supported.</p>	<p>We believe the strategy detailed above should satisfy the State on this comment as well.</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p> <p>Discussions with DAF suggests they would be happy with a threshold approach. We have looked at other schemes and the thresholds we have used are not dissimilar.</p>

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		<p>DAF does not accept any attempts by a local government to prohibit or make intensive animal uses inconsistent in the rural zone.</p> <p>DSDMIP advises: The Sunshine Coast Planning Scheme uses a scale (threshold) to determine code and impact for the rural zone for 'intensive animal industry': Code assessment if involving less than</p> <ul style="list-style-type: none"> • 21 standard units of pigs • 1000 birds or poultry • 50 standard units of cattle • 350 standard units of sheep <p>Impact assessment if not otherwise specified.</p> <p>DSDMIP doesn't consider this to be prohibition but rather, regulation. As such, DSDMIP is not against Noosa Shire Council regulating intensive animal industry in a similar way to Sunshine Coast Regional Council, by providing local context as the justification.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable.</p> <p>We have increased the threshold for accepted development subject to requirements to 2,000m² for both intensive horticulture and wholesale nursery.</p> <p>Above 2,000m² we continue to require code assessment but we have amended the AO of the code to specify it can be up to 10% of the site area.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>Council has made the following changes:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read "setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps". • Amend buffer widths in Table 6.8.1 AO18.1 to read "setback... a distance greater the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps". • Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".

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10	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>FURTHER ADVICE: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>All rural uses should be listed as consistent uses in the rural zone. Please amend any instances with rural uses are listed as inconsistent uses in the rural zone. Council can regulate the level of assessment through the tables of assessment.</p>	<p>Intensive Animal Industry is now considered consistent where it meets the following criteria:</p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area.
12	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>Done - Editor's note added below AO2.2 as follows: "Aquaculture is specifically permissible on Agricultural Land Conservation Area".</p> <p>(ALCA is a defined term)</p>
13	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. 2. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to "minimise" the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>6.8.3.3. PO7 remains however (b) has been amended to read "minimise the appearance of bulk to adjacent properties, roads or other areas in the vicinity of the site";</p> <p>The corresponding AOs now read as follows:</p> <p>AO7.1 Buildings are no more than two storeys in height.</p> <p>AO7.2 With the exception of Class 10 buildings or structures used exclusively for a rural activity, buildings and structures are no more than 8 metres in building height from ground level and no more than 8 metres above the finished surface level providing that they may be up to 9 metres where the pitched roof but no other part of the building or structure exceeds 8 metres.</p> <p>AO7.3</p>

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		<p>FURTHER ADVICE DAF is concerned that a boundary setback of twice the height of the building or structure is excessive, however given it is an AO, DAF will accept.</p> <p>However there doesn't appear to be any decision on PO7(b)</p> <p>DAF supports Councils endeavours to avoid "big barns" being converted to a dwelling.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of 'bulk'.</p>	<p><i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, individual buildings or roofed structures do not exceed 500m² gross floor area.</i></p> <p>A07.4 <i>Class 10 buildings used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry do not exceed 12 metres in height.</i></p> <p>A07.5 <i>A structure, not constituting a building, used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry does not exceed 15 metres in height.</i></p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings. DAF indicated it's OK.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p> <p>FURTHER ADVICE DAF agrees in part, however if an issue as subjective as "amenity" is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone's amenity if that person's perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses."</p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	<p>Reworded PO8 (a) to read "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;"</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p>	<p>PO9 is reworded to say "Development does not result in environmental harm or environmental nuisance to sensitive land uses."</p> <p>PO10b) is deleted.</p>


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		<p>FURTHER ADVICE DAF is concerned that a boundary setback of twice the height of the building or structure is excessive, however given it is an AO, DAF will accept.</p> <p>However there doesn't appear to be any decision on PO7(b)</p> <p>DAF supports Councils endeavours to avoid "big barns" being converted to a dwelling.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of 'bulk'.</p>	<p><i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, individual buildings or roofed structures do not exceed 500m² gross floor area.</i></p> <p>A07.4 <i>Class 10 buildings used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry do not exceed 12 metres in height.</i></p> <p>A07.5 <i>A structure, not constituting a building, used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry does not exceed 15 metres in height.</i></p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings. DAF indicated it's OK.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p> <p>FURTHER ADVICE DAF agrees in part, however if an issue as subjective as "amenity" is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone's amenity if that person's perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses."</p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	<p>Reworded PO8 (a) to read "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;"</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p>	<p>PO9 is reworded to say "Development does not result in environmental harm or environmental nuisance to sensitive land uses."</p> <p>PO10b) is deleted.</p>

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		<p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p> <p>FURTHER ADVICE: Development that is assessable will likely be assessed for traffic impacts, is there a need to single out haulage components – would like to discuss with NSC, given the majority of land uses currently in the rural zone, and fragmented nature of rural zone, what is the risk of large-scale agricultural enterprises locating in the region?</p>	
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>We've added an Editors note as follows:</p> <p>Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor's note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Reword PO15 2. <u>Consider</u> removing or rewording Editor's note <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor's note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>PO15 now reads as follows: The landscape character and visual amenity quality of hill slopes and ridgelines are retained and buildings and structures:</p> <ol style="list-style-type: none"> a) are visually responsive to the natural topography of the site, sitting within the landscape rather than dominating it; b) step down slopes or use suspended floor construction; and c) minimise cut and fill. <p>The Editor's note following AO15.5 is modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings.</i></p> <p>For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: 'maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and'</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	<p>8.2.4.3 PO3 (b) now reads as follows:</p> <p>"maintain or enhance coastal ecosystems and natural features such as coastal creeks and marine plants including mangroves, salt marshes and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and"</p>
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Overall outcomes for the Rural Zone are now:</p> <ol style="list-style-type: none"> a) Rural activities contribute to the economic strength of the Noosa hinterland and create opportunities for employment. b) Animal husbandry and cropping contribute to the heritage values of the Shire. c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged.

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		<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme I is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	<p>d) Rural activities directly and indirectly support the local production of food and beverage products.</p> <p>e) Development maintains and enhances rural landscapes and ecologically important areas.</p> <p>f) Development is managed to protect land and water resources to avoid diminished productivity.</p> <p>g) Rural activities are located and operated to protect and maintain water quality values of surface and groundwater.</p> <p>h) Rural activities are separated from sensitive land uses which might be adversely affected by the activity.</p>
20	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p> <p>FURTHER ADVICE: DAF acknowledges this, however the conundrum is that the rural zone is for growing food etc, and if that means intensively, then without a mechanism to remove that land use from being acceptable in the rural zone, it must be supported....or at least not unfairly constrained. It’s appropriate to require developments of this nature to reduce impacts on amenity and surely this could be achieved through appropriate buffering and landscape elements? Like housing and industry, agriculture must go somewhere – and the only place for it is the rural zone.</p> <p>DSDMIP considers that the inclusion of rural landscapes in the purpose and overall outcomes for the Rural Activities Code does not adversely impact rural activities from occurring and provides local context for the Noosa Shire.</p>	<p>See above, this is an overall outcome and does not actually preclude any particular development.</p> <p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.” It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped.</p> 
21	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>9.3.13 PO18 now reads as “Wherever possible, development does not permanently alienate good quality agricultural land.”</p>
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>The Rural Zone Code includes setback provisions as follows:</p> <p>PO8 Notwithstanding that intensive rural activities may need greater separation distances, buildings and other structures are appropriately sited and designed to:</p>

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		<p>Action: Amend the performance outcome to <u>focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</u></p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>FURTHER ADVICE: Agree with amended PO23.</p> <p>DAF agrees that development should not cause environmental nuisance to sensitive land uses.</p> <p>However, the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone, which is the appropriate location for all agricultural/rural uses and its development, including intensive agricultural uses.</p> <p>The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p>	<p>a) <i>avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;</i></p> <p>b) <i>avoid adverse impact on ecologically important areas including National Parks, watercourses, and wetlands;</i></p> <p>c) <i>mitigate risks associated with the use of chemicals or air pollutants;</i></p> <p>d) <i>avoid conflict with existing or future rural uses and activities on adjoining properties.</i></p> <p>AO8.1 <i>Buildings used to house animals, temporary holding yards, structures containing areas of animal waste or by-product disposal are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO8.2 <i>Buildings or structures which are used for the storage of chemicals or machinery, stockpiling of composting or organic fertilisers, or which support artificial lighting or irrigation sprayers are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>As detailed above within the <u>Rural Activities Code</u> we have somewhat merged provisions for animal husbandry and intensive animal industries. This code includes the following statements:</p> <p>PO11 <i>Sufficient separation distance is provided between Animal husbandry and Intensive animal industry, public spaces and sensitive land uses on other premises.</i></p> <p>AO11 <i>Irrespective of boundary setbacks for the relevant zone, area used to contain livestock intensively, whether temporarily or permanently, or waste and by-product disposal areas are located no less than—</i></p> <p>a) <i>50 metres from a road reserve;</i></p> <p>b) <i>250 metres from land in a residential zone including the rural residential zone;</i></p> <p>c) <i>40 metres from another property boundary; and</i></p> <p>d) <i>150 metres from a sensitive land use.</i></p> <p><i>provided that a mobile poultry shed housing no more than 200 birds can be as close as 40 metres to any property boundary provided it is within the setbacks specified above for no more than 2 days during any given week.</i></p> <p>PO12 <i>Sufficient separation distance is provided between livestock and ecologically important areas including national parks, waterways, water bodies and wetlands.</i></p> <p>AO12.1 <i>Buildings used to house animals, temporary holding yards, areas of waste or by-product disposal are not within 100 metres of</i></p> <p>a) <i>adjoining land in the environmental management and conservation zone; or</i></p> <p>b) <i>a waterway or wetlands as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO12.2 <i>Where livestock is located on land adjoining a natural waterway or wetland (as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2) fencing prevents livestock entering the waterway or riparian zone.</i></p> <p>PO15</p>
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			<i>The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</i>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>PO25 now reads as:</p> <p>“Development manages the risk of soil erosion or landslide and does not lead to sediments, nutrients and other chemicals flowing into drainage lines, waterways or wetlands.”</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	<p>AO26.3 now reads as “Unless spray is entirely contained within a structure without risk of escape...”</p>
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added an new AO that says: “Structures and covered areas associated with intensive horticulture or wholesale nurseries do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme. Rural activities should be able to be managed to reduce potential impacts on water storages.</p> <p>ADDITIONAL COMMENTS: The council can map the land as ALC, and then have appropriate planning scheme provisions to regulate development that could impact on the water supply catchment.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. In the current scheme agriculture would always be assessable in the water supply catchment and going back to the 1985 scheme it was actually prohibited.</p> <p>We have reinstated any ALC class A or B mapping to this area however in a water resource catchment or water supply buffer area agricultural uses will be code assessable against the overlay code if they are “a rural activity storing chemicals or keeping livestock on site”.</p> <p>Table 5.9.9 has been modified and catchment relevant benchmarks shifted from the Rural Activities Code to the Regional Infrastructure Overlay Code.</p>

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		Development in water resource catchments and water supply buffer areas should be appropriately sited and designed to avoid the risk of sediments, nutrients and contaminants compromising the quality of the drinking water supply.	
Development and construction			
Ref. Number	Policy Element	Requirement	NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AQ6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	<p>We have modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won't be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can</p>	<p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregrin Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings (<u>note there are no longer dual occupancies proposed in the Low Density Residential Zone</u>).</p> <p>DNRME has agreed environmental management and conservation is the 'best fit' zone, but wants a footnote to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area.</p> <p>We've edited 7.2.6.2 overall outcome (2) (q) to read: "Development in the local plan area is supported by an extensive network of open space and passive recreation opportunities offered by the foreshore parks, reserves and Noosa National Parks. A buffer between urban development and Noosa National Park facilitates regular fire fuel reduction burning."</p> <p>At the end of PO20 we've added an Editor's Note as follows: Regular hazard reduction activities occur in the fire fuel control buffer between the Noosa National Park and urban residential development. These activities are necessary to reduce risk to people and property and may have an unavoidable impact on biodiversity and habitat values.</p>

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		<p>also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that at the Whole of Government briefing, it was advised that council's vision for the scheme was to promote Secondary dwellings and particular "dual occupancies" (separate household). This is a form of infill development, and would therefore increase the amount of people living and visiting the area. Infill is not just occurring via up zoning.</p> <p>It is considered that environmental management and conservation is the 'best fit' zone, but a footnote should be used to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area. Furthermore, the use of this land should be acknowledged in section 7.2.6.2 Purpose and Overall outcomes for the Coastal Communities Local Plan Code, and PO20(c) should be amended to ensure fire risk management 'can' significantly impact the biodiversity values as the area will be periodically cleared and burnt.</p>	
29	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that this is not the present use or approved use of the land. DNRME understands there is no date for this closure to occur and council has not sought to surrender or amend the purposes of the reserve.</p> <p>Therefore, it was recommended that the zoning be amended to reflect the approved present use as previously suggested.</p> <p>Council could also include the future intent for the area in the scheme's Strategic Framework. This could be done by acknowledging the Great Sandy Management Plan outcomes.</p> <p>Council acknowledged that zone changes in this area previously have drawn significant community interest and opposition, in terms of a zone change from Environmental Management and conservation zone to community facilities zone.</p> <p>Previous attempts to change the purpose of the reserve have been difficult, due in part to the trustee lease. Council needs to liaise with the DNRME about possible solutions as the two trustee leases combined only covers less than 2000m2 of the entire 428Ha site.</p> <p>Council intend to acknowledge the existing uses of the reserve in the strategic framework of the planning scheme.</p> <p>DNRME support councils proposed zone in the draft scheme, but the strategic framework needs to acknowledge:</p> <ul style="list-style-type: none"> - the existing land use as an airstrip - the existing land use will not be expanded 	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes. Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection. In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space. Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p> <p>DA Approval was given for Transport Type 4 (aeronautical hanger) in 2010 with two extensions given – the latest granted Jan 2018. This is for hang gliders.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North Shore airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Within the Strategic Framework we have added a new Strategic Outcome under Transport and Movement as follows:</p> <p><i>The Noosa Aerodrome off Weyba Drive, Noosaville is retained and operated as the only commercial airstrip within Noosa Shire. Use of the Noosa North Shore airstrip will not be expanded and the airstrip will ultimately be closed and added to the Cooloola Section of the Great Sandy National Park.</i></p>

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		- the present land use will stop in the future as per the Great Sandy Management Plan outcomes.	
30 SAME PROPERTY AS ADDRESSED AT #44 BELOW	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been be changed to Rural.
31 SAME PROPERTY AS ADDRESSED AT #45	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
32 SAME PROPERTY AS ADDRESSED AT #46	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	Zone has been changed to Environmental Management and Conservation

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		<p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zone has been changed to Environmental Management and Conservation
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	All commercial leases in the Noosa River along Gympie Terrace have now been zoned Recreation and Open Space.
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p> <p>Additional Advice: There are examples of this property being previously used for helicopter joy rides and music festivals which has had significant impacts on amenity, safe traffic environment and character of the surrounding area.</p>	<p>Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held as well as the occasional circus. Apparently, there has been instances of inappropriate festival or concert events which have caused concern. DNRME suggest there's something lacking in the property management process for events.</p> <p>It is common for sports grounds and other areas of open space to host occasional events. For example at Tewantin sports ground a rodeo one night every year event occurs. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie Terrace foreshore and at the Woods near Hastings Street there are often one-day community events or festivals.</p> <p>PO7 now reads as "Temporary uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area."</p> <p>"Temporary uses" is a term defined by the Planning Regs and included in the administrative definitions of the scheme. It is suggested that it may be management problem if inappropriate events are being approved and that particularly loud events could not possibly meet that PO. Obviously temporary uses are not to be repeated on a regular (e.g. fortnightly or monthly) basis.</p> <p>That PO applies to the zone not one specific site. The table of development specifies the consistent uses.</p>

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		Without a definition of temporary or periodic events this PO is unmeasurable.	
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping has been changed and a footnote added.</p> <p>We note however that DNRME have completed consultation on a revised shape and are now preparing a consultation report that will be forwarded from the Minister for Natural Resources Mines and Energy to the Minister for State Development, Infrastructure and Planning recommending the proposed amendment for adoption in the State Planning Policy Guidelines.</p> <p>Should the proposed amendment to KRA57 be resolved prior to State sign off, Council will reflect the revised boundary in the scheme.</p>

Planning for the environment and heritage

Biodiversity			
Ref. Number	Policy Elements	Requirement	NSC response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says “ <i>In September 2007, Noosa Shire was declared a Biosphere Reserve under UNESCO’s Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development.</i> ”
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>ADDITIONAL COMMENTS: DES previously advised that the mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>DES and DSDMIP met with the council on 28/8/18, where the MSES requirements were explained.</p> <p>It was agreed that the council would provide the mapping methodology for the Koala Habitat Area map to DES and DSDMIP and DES could provide confirmation about the methodology being satisfactory. Council has provided this mapping.</p>	<p>Koala Habitat Map has been changed to show the Koala Assessable Development Area.</p> <p>Following discussions with the DES, council has added category C and A mapping and Legally secured offset areas to the Biodiversity Overlay ‘Area of Biodiversity Significance’.</p> <p>A new layer has been added to this biodiversity overlay map to show all the SPP MSES map layers as a separate layer (except for category R regulated veg which is now shown on the second biodiversity map). This will help distinguish the locally significant veg from the MSES. The following note has been added to the map to explain this:</p> <p><i>MSES environmental values represent the State Planning Policy Matters of State Environmental Significance (MSES) map layers. However, it does not include Category R regulated vegetation – this is shown on the Biodiversity, Waterways and Wetlands Overlay (ii) as part of the Riparian Buffer Area.</i></p> <p>The Category R regulated veg layer for the Great Barrier Reef regrowth watercourse veg is to be shown on the</p>

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		<p>DSDMIP advised that the SPP requires MSES to be identified and that development is located in areas that avoid adverse impacts, or where adverse impacts cannot be reasonably avoided, they are minimised (HOWEVER, the planning scheme must not include assessment criteria for MSES which duplicate a state assessment process – this includes MSES that is koala habitat) – see section 2 of the guidance material for biodiversity for guidance on how to appropriately integrate the policy for MSES. Council will revisit planning scheme provisions which rely on the biodiversity overlay to ensure there's no duplication of assessment with the state process.</p> <p>DSDMIP reminded the council that MSES is made up of lots and lots of different datasets – they are defined in Part G of the SPP, and spatially represented on the SPP interactive mapping system where possible. Part 3 of the guidance material for biodiversity also provides further guidance on mapping. It's worth noting that least concern REs are not MSES, but are still an environmental value that the local government could map. The guidance document provides a list of some of the other environmental values that aren't considered MSES.</p> <p>Additional action for council:</p> <ul style="list-style-type: none"> In regards to Matters of National Environmental Significance (MNES), the SPP requires local government planning schemes ensure development is located in areas to avoid significant impacts on MNES and considers the requirements of the Environment Protection and Biodiversity Conservation Act 1999. Given the way the planning scheme currently shows biodiversity in the overlay map, it's unclear if the council has complied with this policy. Currently, the only MSES for which a local government can require offsets, is non-juvenile koala habitat trees as defined in Schedule 24 of the Planning Regulation 2017. The Planning Regulation 2017, Schedule 11 has the assessment benchmarks for development in a koala habitat area that the local government, as assessment manager must assess against. The Noosa Shire contains Koala assessable development areas (KADA). The council could provide a note on the map and/or in the planning scheme about the assessment requirements under the Planning Regulation 2017. 	<p>second Biodiversity Overlay Map with the waterways and riparian buffers with the following note added to the map:</p> <p><i>The Riparian Buffer Area shows protective buffers for mapped waterways across Noosa Shire and incorporates the State Planning Policy Matters of State Environmental Significance (MSES) map layer for Category R Regulated Vegetation areas in the Mary River Catchment.</i></p> <p>Council has provided DES and DSDMIP with a copy of the methodology for the Koala Mapping from Healthy Land and Water, as well as map files for koala and riparian buffer areas and awaits state response.</p>
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p> <p>ADDITIONAL COMMENTS: Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.</p>	<p>Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles when this information is available from DES. References to turtles have been changed to 'marine turtles'.</p>
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p> <p>ADDITIONAL COMMENTS: DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.</p> <p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council is of the understanding that all of Schedule 11 would be relevant.</p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>

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			Council notes DES's comments about their policy review and we await the results. The 'exempt clearing' approach does not permit greater clearing than what is allowed under the Planning Regs. No further action required.
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot...</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	Council added new AO - AO8.3 "Bushfire management measures are carried out on the subject property and not any adjoining property."
44 SAME SITE AS ADDRESSED IN 30 ABOVE	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Rural
45 SAME PROPERTY AS ADDRESSED IN #31	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation
46 SAME PROPERTY AS ADDRESSED IN #32	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation.
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Split zoning has been reapplied so biodiversity values and MSES included in Environmental Management & Conservation.
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not</p>	Council believes this is inconsistent with how all other schools have been treated given Noosaville State School, Pomona State School, Noosa District High (both Pomona and Cooroy Campuses), Noosa Christian Collage at Cooroy and Sunshine Beach Primary School all contain MSES and yet are all entirely within the Community Facilities Zone.

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		<p>up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: DSDMIP has recently added an infrastructure designation layer to the SARA DA Mapping System. A review of this layer shows that there is no infrastructure designation on this lot.</p> <p>The subject vegetation is least concern veg, and essential habitat (which makes it MSES). The subject vegetation is covered by the 'Area of biodiversity significance' overlay area on the proposed Biodiversity, Waterways and Wetlands Overlay map.</p> <p>This issue is not a matter of consistency with other school sites, but is about up-zoning (Current zone – Split community services / open space conservation. Proposed zone – Wholly community facilities).</p>	<p>The zoning of St Teresa's as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. For this reason Council has a biodiversity overlay that covers the vegetation.</p> <p>Council will reinstate the split zoning of St Teresa's school at Noosaville as requested.</p>
49	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: It is unclear why this change 'would prevent another sports ground' as suggested in Council's comment. As part of the development assessment of any proposal (e.g. a sporting field), the on-ground extent of the vegetation is assessed.</p> <p>DNRME's advice reflects the mapped values of the site and would set a level of assessment for any development on the site.</p> <p>Furthermore, there may be some confusion caused by the size and configuration of Lot 1 SP239726. DNRME's comments related to the proposed zoning change adjacent to the sports fields, and did not relate to changes adjacent to the Noosa Heads Police Station.</p> <p>The area adjacent to the Police Station has a small amount of land that was previously Open Space Conservation that is proposed to be zoned Community Facilities. However, DNRME acknowledges that overall the outcome will be a net reduction in Community Facilities zoning in this area via a reconfiguration of the zoning. Therefore, DNRME supports the proposed change adjacent to the Police Station.</p>	<p>DNRME supports the proposed change adjacent to the Police Station for the Shine Houses.</p> <p>In relation to the expansion of Girraween sports fields, Council will not pursue this right now. The LGIP still identifies a shortfall / broader need in the area generally but it may need to be met elsewhere depending on land constraints.</p>
Coastal environment			
Ref. Number	Policy Elements	Requirement	NSC response
50	The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p> <p>ADDITIONAL COMMENTS: <u>The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.</u></p>	<p>The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.</p> <p>DES is still reviewing the technical details on the Q100 report and will advise further if there are any technical matters requiring review.</p>
Cultural heritage			
Ref. Number	Policy Elements	Requirement	NSC response
51	The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p>	<p>The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review. This will be completed next calendar year as resources allow. If this review recommends changes to the listings, maps or</p>

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	community and future generations	<p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p> <p>ADDITIONAL COMMENTS: It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.</p>	provisions of the scheme, a scheme amendment will be pursued as a result.				
Water quality							
Ref. Number	Policy Elements	Requirement	NSC response				
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>				
NEW COMMENTS FROM SEQWATER							
a	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Strategic Framework 3.3.4 Biodiversity and Environment</p> <p>Action: Please insert the following to point (h) (h)The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p> <p>Also please make the following a separate point (...)Enhance opportunities for agriculture, fisheries, tourism and recreation where possible meeting (h).</p> <p>Reason: The SPP requires that water quality be maintained and improved in drinking water catchments. There are a few minor amendments that will improve the protection of drinking water quality. The importance of the protection of water quality and the water supply catchment areas are integral to the viability of a sustainable future. This change highlights the importance of buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p>	<p>3.3.4 (h) now reads:</p> <p><i>The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability. The high quality of waters also enhance opportunities for agriculture, fisheries, tourism and recreation.</i></p>				
b	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Cooroy Local Plan</p> <p>Action: Please insert a relevant Purpose statement and Overall Outcome to provide line of sight in the Local Plan.</p> <p>Reason: The Cooroy Local Plan contains two POs relevant to drinking water quality.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> PO23 Development does not adversely impact on the Lake Macdonald water supply. </td> <td style="width: 50%; padding: 5px;"> No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i> </td> </tr> <tr> <td style="padding: 5px;"> PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald. </td> <td style="padding: 5px;"> No acceptable outcome provided </td> </tr> </table>	PO23 Development does not adversely impact on the Lake Macdonald water supply.	No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i>	PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.	No acceptable outcome provided	<p>New Overall outcome has been added to Cooroy Local area Plan as follows:</p> <p><i>The protection of water quality within Lake Macdonald and waterways that drain to it is a paramount factor in consideration of development within the water supply catchment.</i></p>
PO23 Development does not adversely impact on the Lake Macdonald water supply.	No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i>						
PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.	No acceptable outcome provided						

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<p>c</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1" data-bbox="786 283 2033 577"> <tr> <td>Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.</td> <td>Development complies with the separation distances by stream order as specified in Table X.</td> </tr> </table> <table border="1" data-bbox="786 577 1454 1333"> <tr> <td>Intensive animal industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Extractive industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other industrial uses</td> <td>100m</td> <td>100m</td> </tr> <tr> <td>Motor sport facility</td> <td></td> <td></td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Major sport, recreation and entertainment facility</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other development types</td> <td>50m</td> <td>100m</td> </tr> </table> <p style="text-align: right;">Table X</p> <p>Reason: The addition of these items strengthens this code to meet the intent of the drinking water quality objectives. These items are not specifically picked up in the Water Quality and Drainage Code.</p>	Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided	Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided	Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.	Intensive animal industry	50m	100m	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50m	100m	Extractive industry	50m	100m	All other industrial uses	100m	100m	Motor sport facility			Outdoor sport and recreation	50m	100m	Major sport, recreation and entertainment facility			Service station	50m	100m	All other development types	50m	100m	<p>We have amended the table of development for the catchment area so agricultural uses are no longer exempt and will be code assessed against the overlay code.</p> <p>We've added the PO's and AO requested but have moved the catchment AOs from the Rural Activities use code to the Regional Infrastructure Overlay code so agriculture will have the relevant quantitative benchmarks in the overlay code (rather than in the use code) – upshot of this being that outside the mapped catchment there are no requirements.</p> <p>New table has been inserted and referenced as follows: Table 3.2.9.3A - Separation distances to waterways and water supply sources</p> <table border="1" data-bbox="2151 640 2760 976"> <tr> <td>Intensive animal industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Extractive industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other industrial uses</td> <td>100 metres</td> <td>100 metres</td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Major sport, recreation and entertainment</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other developments</td> <td>50 metres</td> <td>100 metres</td> </tr> </table>	Intensive animal industry	50 metres	100 metres	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50 metres	100 metres	Extractive industry	50 metres	100 metres	All other industrial uses	100 metres	100 metres	Outdoor sport and recreation	50 metres	100 metres	Major sport, recreation and entertainment			Service station	50 metres	100 metres	All other developments	50 metres	100 metres
Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided																																																																	
Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided																																																																	
Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.																																																																	
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<p>d</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Wastewater management and effluent disposal Table 9.4.9.3 Criteria for assessment</p> <p>Action: Consider adding more details to the note to strengthen the note for onsite effluent treatment and disposal</p> <p>Editor's Note—The Plumbing and Drainage Act 2003 sets out requirements for onsite effluent treatment and disposal. <u>The Queensland Plumbing and Wastewater Code and associated guidelines are used to confirm the suitability of each site to accommodate an on-site sewerage facility; or where a centrally located group collection treatment system is proposed, confirmation as to the suitability of the designated site to accommodate the on-site sewerage facility. Additionally, where the combined total peak design capacity of effluent treatment is less than 21 equivalent persons,</u></p>	<p>Editor's note expanded as requested.</p>																																																															

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	<p><i>the design of the system achieves a low to medium risk classification in accordance with Seqwater's Land Use Risk Tool for onsite sewerage facilities.</i></p> <p>Reason: This amendment provides clarity for onsite effluent treatment requirements. The Plumbing and Drainage Act and Queensland Plumbing and Wastewater Code do not have requirements regarding pathogens and other factors which can impact drinking water quality objectives. This is inbuilt into Seqwater's Land Use Risk Tool for onsite sewerage facilities. This tool will be available online soon.</p>	
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Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of acid sulfate soils is avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</p>
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 7468). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p> <p>ADDITIONAL COMMENTS: DNRME provided their preferred wording to align with the soon-to-be-released SPP guidance material.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p>“Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts. Information on abandoned mines can be obtained by visiting the Queensland Government website for more information www.qld.gov.au/environment/land/abandoned-mines/ and additional information on historic mining activities can be gained from the Minesonlinemaps https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/minesonlinemaps. Note: This mapping does not spatially represent all former mining activities in the Council area, and their extent. However, these mining layers do give an indication of where there is an increased risk of hazards from former mining activities so that further geotechnical investigations can be undertaken where necessary.”</p> <p>Additional strategic outcome 3.3.8 added: “Sensitive land uses are protected from the impacts of former mining activities and related hazards”.</p>
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p>	<p>Overall outcomes sought for the Regional Infrastructure overlay code include the following:</p> <p>For Major Energy Infrastructure:</p> <ol style="list-style-type: none"> Development provides for adequate separation from the Powerlink Transmission Line Corridor. Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. Development provides for adequate separation from the gas pipeline and corridor.

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		<ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> (b) For the gas pipeline corridor and buffer area: <ul style="list-style-type: none"> (i) Development provides for adequate separation from the gas pipeline corridor. (ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor. (iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor. (iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised. Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="789 573 1721 1115"> <tr> <td data-bbox="789 573 1130 1115"> PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor. </td> <td data-bbox="1130 573 1721 1115"> AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i> </td> </tr> </table> <p>Reason: While Petroleum Pipeline Licence 32 is authorised under the Petroleum and Gas (Production and Safety) Act 2004 and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. 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OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i>	<ul style="list-style-type: none"> (v) <u>Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</u> (vi) <u>Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</u> (vii) <u>The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</u> <p>Within Table 8.2.9.4 PO1 and AO1 read as follows:</p> <p>PO1 Development, including uses and works are constructed and operated to avoid: a) compromising the viability of the gas pipeline corridor; or b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note- should a lesser setback distance be proposed; it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>
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Natural hazards, risk and resilience					
Ref. Number	Policy Element	Requirement	NSC response		
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment</p>	<p>As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent.</p> <p>A bushfire risk assessment has since been prepared and provided to DSDMIP and QFES for review. Council wishes to work with QFES to make changes to the mapping as per the list of map recommendations in the risk assessment.</p>		

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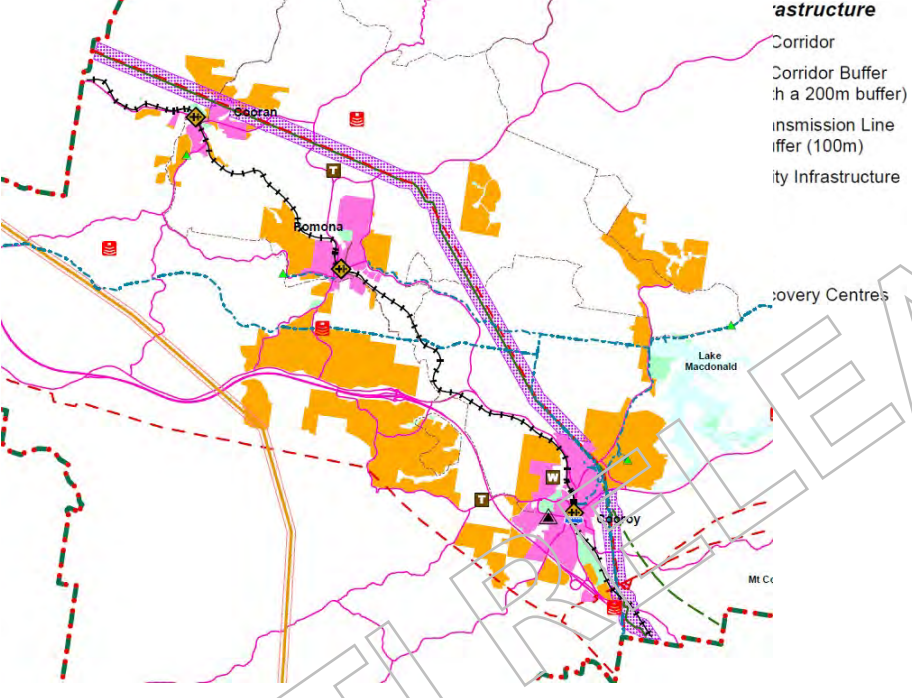
	has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.	
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Planning for infrastructure

Energy and water supply			NSC response
Ref. Number	Policy Element	Requirement	NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	<p>Property is 20 Grahams Rd Pomona 2SP216695 and zoning has been changed to Community Facilities (with substation annotation)</p>
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	<p>Table 5.5.14 for Rural Zone now lists substation as consistent but impact assessable.</p> <p>Table 5.5.10 for Low Impact Industry now lists substation as code assessable. However, note there are some higher amenity precincts within this zone where it is not considered appropriate.</p>
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>Council has now prepared a Regional Infrastructure Overlay that shows:</p> <ul style="list-style-type: none"> - The road hierarchy - Water resources including catchment & infrastructure - Major energy infrastructure (including gas and electricity) <p>Provisions regarding major electricity infrastructure have been incorporated according to the suggestions provided.</p> <p>Purpose statements: ... For major energy infrastructure:</p> <ol style="list-style-type: none"> a) ...; and b) ensure development is compatible with and does not adversely affect the operation of major electricity infrastructure, including the Powerlink Transmission Line. <p>overall outcomes: ...For major energy infrastructure:</p> <ol style="list-style-type: none"> (i) Development provides for adequate separation from the Powerlink Transmission Line Corridor. (ii) Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. (iii) The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. <p>Performance outcomes and acceptable outcomes include:</p> <p>Major Electricity Infrastructure</p>

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	<p>ADDITIONAL COMMENTS: EnergyQ reiterated the importance of including a Regional Infrastructure Overlay Code. It's understood that 'major electricity infrastructure' has been shown on Strategic Framework Map 3. However, to properly address the Energy and water supply - State interest policy 1 (protecting existing and approved major electricity infrastructure) there needs to be a Regional Infrastructure Overlay and an associated development Code. A specific Code will mean that issues such as reverse amenity and setbacks to protect the safety of people and infrastructure, can be assessed against in regard to targeted development and not just development that is required to address the strategic framework.</p> <p>EnergyQ provided a recent example of an overlay code that reflects the SPP guideline.</p>	<p>PO2 <i>Development does not increase risk to community health or safety, or the operation and reliability of major electricity infrastructure</i></p> <p><i>No acceptable outcome provided</i></p> <p>PO3 <i>Development involving a sensitive land use is sufficiently separated from major electricity infrastructure and substations to minimise the likelihood of nuisance or complaint.</i></p> <p>AO3.1 <i>With the exception of class 10 buildings, buildings associated with a sensitive land use maintain a setback of at least:</i> a) 50 metres from a transmission substation; b) 10 metres from any other substation; and c) 30 metres from a transmission line easement.</p> <p>AO3.2 <i>With the exception of class 10 buildings, buildings are not located within an easement for a distribution line.</i></p> <p>PO4 <i>Development is located and designed to avoid noise nuisance from infrastructure.</i></p> <p>AO4 <i>Noise emissions do not exceed 5db(A) above background noise level at the sensitive receptor of a building associated with a sensitive land use, measured in accordance with AS1055.</i></p> <p>PO5 <i>Wherever practicable new lots and buildings are orientated to avoid direct overlooking of electricity infrastructure.</i></p> <p>AO5 <i>Buildings are orientated so that the majority of outdoor living areas and windows of habitable rooms face away from towers or other major electricity infrastructure.</i></p> <p>PO6 <i>For sensitive land uses, there is sufficient space within the site to establish landscaping which substantively screens and softens poles, towers, or other structures and equipment associated with major electricity infrastructure and substations.</i></p> <p>AO6 <i>A minimum 3 metres wide densely planted landscaped buffer is provided along the boundary adjoining the electricity infrastructure, including provision for advanced trees and shrubs that will grow to a minimum height of 10 metres.</i></p> <p><i>Editor's note- Applicants may find guidance in Powerlink Queensland's brochure "Using Vegetation to screen transmission lines". Applicants should also note that vegetation will need to maintain statutory clearances.</i></p> <p>PO7 <i>Vegetation does not pose a risk to the safety or reliability of electricity infrastructure.</i></p> <p>AO7.1 <i>Vegetation planted within the easement of an overhead powerline or, where there is no easement, the area of influence of a powerline, has a mature height of no more than 3.5 metres.</i></p> <p>AO7.2 <i>Vegetation planted within an underground powerline easement does not have a mature root system in excess of 150 millimetres in depth and is not located directly over the powerline.</i></p> <p>AO7.3 <i>Regardless of the width of the easement, vegetation adjoining easements must be separated from the power pole or other infrastructure by a distance at least equal to the maximum mature height of the vegetation.</i></p> <p>PO8 <i>Any earthworks are undertaken in a way which: ensures stability of the land on or adjoining the electricity infrastructure; does not otherwise impact on the safety and reliability of the electricity infrastructure; and does not restrict the placement or use of the electricity infrastructure provider's equipment.</i></p> <p>AO8.1 <i>For overhead distribution infrastructure, no earthworks are undertaken within 10 metres of a tower, pole or stay.</i></p>
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60	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: State interest partially integrated</p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p> <p>ADDITIONAL COMMENTS: In regards to the gas pipeline buffer vs the electricity easement, EnergyQ requested adding some words into the AOs: Action: We recommend that AO1.1 be reworded so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>This doesn't conflict with the DNRME requirements to protect the gas pipeline corridor:</p>	<p>Table 8.2.9.4 amended to include following Performance Outcome and Acceptable Outcome:</p> <p>Gas pipeline corridor and buffer area PO1 Development, including uses and works are constructed and operated to avoid: compromising the viability of the gas pipeline corridor; or damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline license holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note- should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>

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		<p>Action: The focus of the Code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="528 674 1400 1192"> <tr> <td data-bbox="528 674 774 1192"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="774 674 1400 1192"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p> </td> </tr> </table> <p>EnergyQ previously requested that the council reword AO1.1 so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>The preference is that the DNRME suggested changes to the code (item 55) should be used, as opposed to the EnergyQ suggestion, given that EnergyQ can simply request written confirmation as per AO1.3 – this is the best way to ensure that the development doesn't impact on the future use, and doesn't stop EnergyQ from being able to locate structures within the buffer if appropriately designed.</p>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>	
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NEW COMMENTS FROM SEQWATER					
e	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Strategic Framework 3.2.8 Co-ordinated and efficient Infrastructure</p> <p>Action: Please amend reference to Seq Water with Seqwater.</p> <p>Reason: Please note correct name for Seqwater which commenced in 2013.</p>	Done		

<p>f</p>	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1"> <tr> <td data-bbox="528 310 943 594"> <p>Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</p> </td> <td data-bbox="943 310 1389 594"> <p>Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.</p> </td> </tr> <tr> <td data-bbox="528 594 943 724"> <p>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> </td> <td data-bbox="943 594 1389 724"> <p>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> </td> </tr> <tr> <td data-bbox="528 724 943 1012"> <p>Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> </td> <td data-bbox="943 724 1389 1012"> <p>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to:</p> <p>a. buildings or structures; 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For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply. 3 It is recommended that blasting provisions be included in an extractive industry code (or similar). 4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir. 5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</p> <p>PO7 Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> <p>A07 Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> <p>PO8 Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> <p>A08 Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to: a) buildings or structures; b) gates and fences; c) storage of equipment or materials; d) landscaping or earthworks or stormwater or other infrastructure.</p>	Bulk water supply infrastructure - asset type	Type of development	Recommended separation distance minimum	Pipelines and channels (1)	Buildings/Structures/Earthworks	20 metres from edge of pipe	Blasting(2,3)	200 metres from edge of pipe	Water treatment plants and water quality facilities	Sensitive Land Use	250 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Reservoir facilities	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Pump stations	Sensitive Land Use	100 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Dam structures and weirs (4)	Earthworks Dam/Weir Height(5) 0-5 metres	50 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 5-10 metres	100 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 10-15 metres	150 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 15-20 metres	200 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) > 20 metres	500 metres from the toe of the dam/weir		Blasting (2,3)	500 metres from dam wall/earth embankment/weir footprint
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<p>g</p> <p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	 <p>zoning in Zone Map ZM3 only partially covers the site area of the WTP. The extension of the Community Facilities zone to include all of Lot 1 RP800331 will cover the site area of the upgrade works. Please note, Lot 1 RP800331 is currently zoned Community Services in the Noosa Plan 2006.</p>	<p>Planning Scheme Reference: Zone Map ZM3</p> <p>Action: Please extend the Community Facilities Zone at the Noosa Water Treatment Plant so that it aligns with the current WTP upgrade. The proposed scheme splits Lot 1 RP800331 into two zones. Please retain the entirety of this lot as Community Facilities.</p> <p>Reason: The WTP is currently being upgraded. The proposed</p>	<p>OK. Lot 1 on RP800331 is currently entirely zoned Community Services. It will be zoned Community Facilities in its entirety.</p>
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State transport infrastructure			
Ref. Number	Policy Element	Requirement	NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p> <p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	<p>Road hierarchy is now shown on the Regional Infrastructure Overlay Map.</p>
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p>	<p>Framework & Character Plans only deal with the bigger town centres not the whole towns. They don't address inter-centre connections.</p> <p>We've added principal cycle network paths including priority routes as per the State's mapping and shown arrows at the edges where these connect to other areas. A disclaimer reads "routes shown are indicative only and exist to guide future investigation and planning and are not currently resourced".</p> <p>The new Regional Infrastructure Overlay map now includes all the Principal Cycle Network (including the Priority Routes) despite not all of them being included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Strategic Framework Point (g) of the Strategic Outcomes on transport and Movement now reads as follows:</p>

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		<p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p> <p>ADDITIONAL COMMENT:</p> <p><u>Active Transport</u> In order to provide sufficient information to guide development outcomes and promote active transport as an attractive alternative to private transport the Framework & Character Plans should be amended or an overall active transport strategic network plan developed. Planning is needed to ensure the delivery of a connected and cohesive cycle network across the shire. The existing and future primary cycle routes that have logical connections to key destinations within and between centres should be included and the Priority Routes as shown on the SEQ Principal Cycle Network Plan should be incorporated.</p> <p><u>7.2.4 Noosaville Local Plan Code – Figure 7.2.4.5 Noosa Business Centre – Transit Centre</u></p> <p>TMR does not support the identification of a Proposed Bus Interchange on this Framework and Character Plan. Identification of a Proposed Bus Interchange in this location may unduly raise expectation of State delivering transport infrastructure being delivered that is not planned or funded. DTMR is unaware of any associated studies or planning supporting a new bus interchange in this location. It is noted that draft PFTI in the draft LGIP do not nominate a new bus stop at this location.</p> <p>Whilst a 'Transit Bus Station' is nominated in this general location in the Strategic Framework mapping it is unclear if it relates to this proposed Bus Interchange or the existing Bus Station at the 'Noosa Civic' Centre.</p> <p>The inclusion of a proposed bus interchange in Strategic Mapping is supportable with the inclusion of an Editor's Note stating the following or similar, 'Editor's note: this Proposed Bus Interchange is not planned or funded State transport infrastructure'. The inclusion of a proposed bus interchange in the Part 7 - Framework & Character Plans is generally not supported.</p> <p>As a result of meeting, the following actions arose:</p> <ol style="list-style-type: none"> 1. Council to include editor's note saying the interchange isn't planned or funded by the State government (or similar eg ...is subject to further planning with the State government...) and is subject to further planning studies. 2. Council to include additional wording in codes to identify that interchange and its location is subject to further planning. 3. State to review final wording prior to final endorsement. <p>Further, TMR will discuss internally with TransLink (Network Planning and Infrastructure teams) with a view for a future discussion about the planning of the interchange with council's planning team and infrastructure team. (Lud (Oddbjorn Ludvigsen) is contact for Noosa Council.)</p>	<p><i>New development incorporates or supports active public transport infrastructure that connects with existing networks. Development takes into account the future planning of the State's Principal Cycle Network.</i></p> <p>Noosa Business Centre Transit hub Since the gazettal of the current 2006 planning scheme a Public Transport Node has been shown on the Noosa Business Centre site (Schedule 5 Map 1 Transport) and the Transit function has specifically been shown close to the Walter Hay Drive roundabout on the Shire Business Centre Precinct Plan (schedule 4). This is further qualified by the provisions in the current Noosa Plan for the Shire Business centre since 2006. It is the highest-order centre for the Shire, a Major Regional Activity Centre under the SEQ Regional Plan and considered vital to the successful functioning of public transport. It will necessarily be bigger than the existing bus stop at Noosa Civic. If we are to secure a land dedication from the land owner it remains important to show it.</p> <p>Council would like to stress that the exact location of the transit hub is not final and that development of the Noosa Business Centre will be subject to further master planning, of which TRM will be part.</p> <p>Wording has been added to the Noosaville Local Plan code to qualify:</p> <ul style="list-style-type: none"> - Development at the Noosa Business Centre occurs in a staged manner following the construction of the internal circulation road system, creation of an open aired activated village green space for significant community gatherings and the provision of land for a sub-regional transit centre that has the potential to function as an integrated public transport node, with pedestrian and bicycle paths linking with nearby urban areas. The further development of transit facility will be subject to further investigation and planning with the State Government; - The Framework and character Plan for Noosa Business Centre also has a disclaimer stating that the "Potential transit facility – indicative only and subject to further investigation and resourcing."
63	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <i>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</i></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>As discussed above the new Regional Infrastructure Overlay includes all the Principal Cycle Network (including the Priority Routes) despite not all of them are included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Obviously there are a great many other pathways and on-road cycle lanes that form part of the active transport network.</p>

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		<p>ADDITIONAL COMMENTS: DTMR appreciates the challenges Council faces in the form of a low density dispersed settlement pattern, the planning scheme has an aspirational target to reduce car usage and encourage walking and cycling. Planning is needed to ensure an active transport network develops that is logical and well-connected in order for active transport to be an attractive alternative to private transport.</p> <p>The existing and future active transport network, in particular the primary routes, should be reflected in the planning scheme to guide development. The active transport network should incorporate the cycle network identified in the SEQ Principal Cycle Network Plan, particularly the Priority Routes.</p> <p>At the meeting, the following action arose:</p> <p>Council suggested this could be shown on the new regional infrastructure overlay, and DTMR and DSDMIP agreed this option could work. This will be reviewed in a revised version of the planning scheme.</p>	
64	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. 	<p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>The Framework and Character plans have been amended to include location of existing taxi ranks as stated above as did not receive official taxi rank locations from DMR.</p> <p>We have amended PO11 and AO11.1 of the Transport Code to reference taxis, and shared and private vehicles as part of the range of travel modes and have added a new Acceptable outcome as follows:</p> <p>AO11.5 Taxi or shared vehicle infrastructure is provided parallel to the kerb, conveniently located to minimise passenger walking and designed in accordance with:</p> <ol style="list-style-type: none"> a) AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work; b) AS1742.11–1999 Parking controls – manual of uniform traffic control devices; c) AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities; d) Disability standards for accessible public transport 2002 made under section 31(1) of the Disability Discrimination Act 1992; and e) AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements.

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		<p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p> <p>ADDITIONAL COMMENTS: The scheme could be amended so that only specific uses likely to create taxi demand are required to determine if taxi infrastructure / facilities are required (this can include taxi ranks or taxi bays). Please refer to the initial DTMR comments for common land uses where taxi services are often provided and where demand for taxis is generated. These land uses could trigger the requirement to undertake an assessment to determine the need for a taxi facility. The Department of Transport and Main Roads' <i>Public Transport Infrastructure Manual 2015</i> Chapter 7 provides guidance on what an assessment should address.</p> <p>Taxi facilities should be designed and located in such a way as to minimise passenger walking distances and assist with passenger convenience and safety. General acceptable standard practice for a taxi rank location is a maximum of 400m walking distance to a major venue entrance and exit, this equates to approximately a five-minute walking journey. To maximise passenger convenience, if demand for taxi facilities is warranted, the facilities should be provided within the development or within a 400m walking distance.</p>	
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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>Council has considered this and decided to maintain the current arrangement where duplexes are not permitted in the detached housing neighbourhoods. As such any references to a dual occupancy being consistent in the Low Density Residential Zone has been deleted.</p>

		<p>Further Action required –</p> <p>Action: Remove the provisions which prevents a dual occupancy from being placed into a community title scheme: Table 5.5.1 – Low density residential – Dual occupancy, 6.3.1 Low density residential zone code (AO5.2, AO5.3), 9.3.1 Low density housing code (overall outcome (h), AO3, PO4 *Note: this may flow on to other areas of the planning scheme*</p> <p>Reason: The Planning Regulation 2017 defines a dual occupancy – (a) means a residential use of premises for 2 households involving – (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; (ii) any domestic outbuilding associated with the dwellings; and (b) does not include a residential use of premises that involve a secondary dwelling.</p> <p>The Planning Regulation 2017 defines reconfiguring a lot – (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is— (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997.</p> <p>As the planning scheme cannot regulate a community title scheme, as it does not require a development permit, the scheme cannot prevent a dual occupancy development from being separately titled through a community title scheme under the Body Corporate and Community Management Act 1997. Furthermore, a material change of use cannot restrict a reconfiguring a lot development as they are two separate development types.</p> <p>Action: Review the provisions in, and consider re-drafting, 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – dual occupancy requirements</p> <p>Reason: The term 'small dwellings' is defined in the administrative definitions as having a gross floor area of no more than 90m². However, AO5.4 states a dual occupancy only occurs where one dwelling is no more than 85m² (the small dwelling). Small dwellings are referenced for other types of development throughout the scheme and using this term for multiple meanings and provisions causes conflict and confusion.</p> <p>Action: Review the provisions in, and consider re-drafting, 1 Low density housing code AO3, PO4.</p> <p>Reason: PO4 contradicts the definition of dual occupancy and the provision seems to be mixing secondary dwelling and dual occupancy together. The provision needs to be clear which type of development it is regulating. Is it a dual occupancy or dwelling house with secondary dwelling? The use definitions would prevent you from having a dwelling house with a secondary dwelling (one household) already on site and then trying to develop a dual occupancy (two new households) on top of that, it would move into the multiple dwelling use definition.</p>	
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		Furthermore, AO4 is confusing and re-drafting should be considered. As it currently reads it is not clear on the intent of this AO4.	
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the Planning Regulation 2017) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p> <p>ADDITIONAL COMMENTS:-</p> <p>DHPW is supportive of NSC's proposals to address affordable housing, however it has advised that "public housing" should not be bound in the provisions of the planning scheme as it is not assessable development and, as it has specific requirements, it may not be able to be easily delivered through conditions of development. Therefore, references to public housing should be deleted.</p> <p>It may however be appropriate to reference affordable housing as well as other social housing (excluding public housing). Further discussion on this matter is envisioned with NSC once advice is received from DSDMIP.</p> <p>DSDMIP agrees with DHPW, that the planning scheme can not make particular development for public housing assessable development, as per section 30 of Schedule 6 of the Planning Regulation 2017. However DSDMIP also agrees with DHPW, that there could be opportunity to regulate other types of social/affordable housing (excluding public housing). As such, some amendment is required to PO19 to ensure that public housing is not regulated here.</p> <p>In terms of PO19 generally, and the requirement to provide a contribution towards the social housing needs of the Noosa community, this is not something that the planning framework specifically regulates (mandates or restricts), therefore council could regulate it. However, DSDMIP notes that it could be challenged by an applicant through appeal if the applicant considered a condition for the contribution to not be relevant or reasonable – this is a risk, and the council should seek its own professional/legal advice to inform its decision to include these provisions in the planning scheme.</p> <p>At this point, DSDMIP is not averse to the council going to public consultation with this provision in the planning scheme..</p>	<p>Noted. Wording to remain at this stage.</p> <p>Council is particularly concerned about the noticeable mismatch between the existing social housing stock, which includes a high proportion of detached houses in Tewantin and Cooroy. The Housing Needs Assessment Council commissioned in 2017 showed that (in 2015) of the 383 public housing rental dwellings:</p> <ul style="list-style-type: none"> - 131 dwellings had one bedroom (34%), - 71 dwellings had two bedrooms (19%), - 143 dwellings had three bedrooms (37%), - 33 dwellings had four bedrooms (9%) and - 5 dwellings had five bedrooms (1%). <p>In comparison:</p> <ul style="list-style-type: none"> - 196 households in public housing dwellings were lone person households (51%), - 100 households had 2 occupants (26%), and - 42 households had 3 occupants (11%). <p>The social housing waiting list is dominated by sole person households, who are not likely to qualify for a dwelling of three or more bedrooms.</p> <p>For this reason it is important that additional social housing be created in higher density areas, close to activity centres and transport where one and two bedroom units can be established and social housing mixed amongst other similar attached housing. Some level of regulatory intervention and incentive is necessary to make this occur.</p>
State Interest: Regulated requirements in the Planning Regulation 2017			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the Planning Regulation 2017. If a different administrative term is used, ensure this is done in accordance with section 8 of the Planning Regulation 2017.</p>	It's not used in the scheme so has been deleted from the definitions.


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		<p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Coorobah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p> <p>ADDITIONAL COMMENTS: Growth management <i>ShapingSEQ</i> identifies an additional 6,400 dwellings will be required in Noosa Shire to 2041. At this stage, the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, the following advice is to be provided to council for ongoing consideration.</p> <p>The dwelling capacities provided by council for dwelling growth to 2041 relate to all dwellings (resident and non-resident). Council should note the department's analysis of the planning assumptions which support the new Noosa Plan is based on resident dwellings only, as the <i>ShapingSEQ</i> dwelling supply benchmarks are for resident dwellings, i.e. dwellings required to accommodate the projected resident population (as opposed to visitor accommodation).</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Coorobah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Coorobah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village". At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>

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		<p>The department's analysis indicates that relative to the ShapingSEQ dwelling supply benchmarks for additional dwellings to 2041, the dwellings projected by the DMATT growth forecasts: fall approx. 400 dwellings short of the Consolidation benchmark; slightly exceeds the Expansion benchmark.</p> <p>While the projected Consolidation growth to 2041 falls below the ShapingSEQ benchmark, the DMATT growth forecasts indicate substantial additional capacity beyond 2041. The department acknowledges that part of this additional capacity may be able to be taken up by 2041 to address the relatively small shortfall for Consolidation growth.</p> <p>It is noted that the assumptions underpinning the dwelling supply estimates of the DMATT growth forecasts may change over time, e.g. as a result of implementing the recommendations of best practice research undertaken by the Growth Monitoring Program (GMP). Also, it is currently considered that secondary dwellings should not be counted separately from the primary dwelling as part of the dwelling supply, but it is unclear the extent to which secondary dwellings contribute to council's reported dwelling growth and capacity.</p> <p>The department does not have concerns regarding the new draft scheme's ability to accommodate the projected growth at this stage. However, any changes to the assumptions and resulting dwelling supply estimates may require future planning scheme amendments to accommodate ShapingSEQ dwelling supply benchmarks in the future. Council should note this is a matter for ongoing review based on the GMP's annual Land Supply and Development Monitoring reports.</p> <p>Additional urban areas – Kin Kin and Cooroibah In relation to the 'urban areas' at Kin Kin and Cooroibah (see Strategic Framework Map 1), the department notes these areas are shown as 'Urban' on the Strategy Map of the current Noosa Plan.</p> <p>The identification of these areas as 'urban areas' in the Strategic Framework does not incorporate these areas in the Urban Footprint under <i>ShapingSEQ</i>. <u>No change is required to the draft New Noosa Plan in relation to these areas.</u></p>	
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p> <p>ADDITIONAL COMMENTS: In accordance with the northern sub-regional direction, council will be encouraged to investigate the potential to identify limited additional longer-term urban growth opportunities, giving consideration to broader strategies for their long-term rural, environmental and landscape sustainability.</p> <p><u>In line with this, council are encouraged to investigate the potential to identify longer-term options to accommodate growth in the northern sub-region. Opportunities should be reflected in the</u></p>	<p>Council does not agree with this and considers it unrealistic to suggest further growth in the northern part of the Shire.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p> <p>Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).</p> <p>In terms of the broader Shire, Council is aware of a couple of areas which may have potential for urban growth in the future, however they are not without constraints and as there has been no meaningful investigation to date it is preferred these not be mapped in this planning scheme at this stage as it prematurely generates speculation. These areas will be investigated later and potential be part of future planning scheme amendments.</p>

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		strategic framework for future investigation. This is not required to be a commitment to development within a certain timeframe.	
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p> <p>ADDITIONAL COMMENT: As noted in response to item 4 above, <u>at this stage the department has no significant concerns with the capacity for additional dwelling growth to 2041</u> provided by council. However, council should note the advice provided in item 4 above, for ongoing consideration.</p> <p>Further, the department acknowledges council's Housing Needs Assessment which highlights a mismatch between dwellings being constructed and the needs of the Noosa community. It is noted particular needs relate to more affordable accommodation, smaller dwellings, additional aged care and special needs.</p> <p>The range of measures included by council in the draft New Noosa Plan to accommodate these needs are noted.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p> <p>ADDITIONAL COMMENTS: Including this lot in the Community Facilities zone (with no annotation) would not allow for the potential use of the site for residential care facilities, as intended by council. Community Facilities is not an urban zone and the development of a residential care facility with a GFA of more than 5,000m² on this site would be prohibited development under the Planning Regulation 2017.</p> <p>If the lot were included in an urban zone, future development on the site would be considered <i>excluded development</i> under the SEQ regulatory provisions. <u>However, council would need to undertake an assessment of the site against the Urban Footprint principles (see <i>ShapingSEQ</i>, Chapter 3) to determine the site's suitability for inclusion in an urban zone.</u></p> <p>The department invites further discussion with council about the potential options to facilitate council's intended use of this site.</p>	 <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint is surrounded on two sides by Urban Footprint and contains substantially unconstrained land.</p> <p>While the whole site has an area of 9.5ha, approximately one third was proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>Council will not pursue this at this stage and the site will be zoned Environmental Management and Conservation reflecting the current zone.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation</p>

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		<p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p> <p><u>The department is satisfied the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the proposed planning scheme.</u></p>	mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are considered to reflect and incorporate those values consistent with <i>ShapingSEQ</i> .
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.</p> <p><u>The department considers council's proposed and ongoing approach to Traditional Owner engagement to be a positive approach.</u></p> <p><u>Council should continue to demonstrate how feedback received during public consultation and through this targeted engagement has been reflected in the proposed New Noosa Plan for adoption.</u></p>	Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	<p>Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'</p> <p>Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.</p>	<p>Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we have deleted what was PO14 and corresponding AO14.</p> <p>Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy. However we have deleted what was PO25 and AO25</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2	<p>Action: <u>Remove requirements for 4kW photovoltaic solar power system.</u></p> <p>Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i>, specifies</p>	PO6 and the corresponding AOs have all been deleted and subsequent provisions renumbered.

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	<p>A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.</p>	<p>building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution.</p> <p>The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW.</p> <p>Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.</p> <p>Local government can't impose the requirement for 4kw system as the QDC MP 4.1 allows applicants to choose photovoltaic cells as an option to achieve part of their required star rating.</p>	
<p>12</p>	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: <u>Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</u></p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - Planning Act 2016 Section 8 (5).</p> <p>It is not clear why Council is concerned about addressing building provisions which are governed by the building assessment provisions such as those in the NCC. To clarify, the provisions in AO 7.1 and AO7.2 are in conflict with the scope of the building assessment provisions. Council may address building design to achieve particular aesthetic design outcomes but not for the energy efficiency purposes as prescribed in AO7.1 and AO7.2</p>	<p>Original Performance outcome has been deleted and replaced with the following:</p> <p>Roof design & articulation PO6 <i>Within the Local Plan Areas for Hinterland Villages, Cooroy, Tewantin or Noosaville, buildings contribute to the local character through buildings that incorporate:</i> a) pitched roof design; and b) eaves and/or awnings.</p> <p>AO6 <i>With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have:</i> a) a roof pitch no less than 5 degrees to 75% of the roof; and b) 600 millimetre eaves to 75% of the perimeter of the dwelling.</p> <p>Editor's Note — 450-millimetre eaves will achieve AO6 (b) provided a 150 millimetre gutter is used.</p>
<p>13</p>	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site.</p> <p>Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy.</p> <p>The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: <u>Remove requirements relating to rainwater tanks and other supplementary water supply systems.</u></p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Original PO8 and corresponding AO has been deleted.</p> <p>Council may apply to the Minister for an approval to require the mandatory application of QDC MP 4.2 to a building development application for a new class 1 building to be located within a reticulated town water area and that we can apply to vary the application of MP4.2. This will be considered outside of this Planning Scheme State Interest Review process.</p>

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14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p> <p>ADDITIONAL COMMENTS: It's acknowledged that council has amended the references to stormtide.</p> <p>By imposing a maximum 20m² GFA AO20.3 (1) Council is prescribing a structural design requirement in response to flood. This is in conflict with the building assessment provisions. Section 13 of the Building Regulation 2006 outlines what a local government may address in terms of building controls to mitigate flood impacts. Apologies for not making this clearer in our original comment.</p> <p>BLP is requested to provide the council with further advice on the applicability of QDC MP3.5 for alterations and additions in relation to extensions to existing buildings. For example Table 1 of QDC MP3.5 states this mandatory part is only applicable to additions to a class 1 building where the additions constitute 50% of more of the floor area of the existing building.</p>	<p>Provision has been deleted.</p>
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p> <p>Council may refer to the performance requirements in the Code to achieve alternative solutions.</p>	<p>AO21 has been removed and PO13 reworded as follows:</p> <p><i>"Underground car parking areas are drained to function safely during a flood event and power failure."</i></p> <p>No further action required</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard.</p>	<p>PO22 and AO22 have been removed</p>

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	Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	Reason: Refer <i>Planning Act 2016</i> Section 8 (5).	
17	9.3.1.3 Criteria for assessment AO22	Action: Amend provisions as per comment for AO20.3. Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).	PO22 and AO22 have been removed
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council to look further into this.	Acceptable outcome has been removed however, we still had concerns about this for reasons of both overland flow and amenity. Some properties in Noosaville for instance that need to meet a minimum floor height are filling their whole site to be the same level of the floor. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council has deleted the AO. An editor's note has been added to highlight the privacy and drainage issues that can arise when whole lots are filled to the boundary in urban areas: Editor's note— Development should ensure that filling does not impacts on: a) neighbouring privacy; b) the amenity and usability of neighbouring properties; or c) offsite drainage.
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	Action: Amend to align with MP 3.5. Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.5 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria— (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.	AO13 has been removed and PO13 reworded as follows: "Underground car parking areas are designed to drain and function safely during a flood event and power failure."
	Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.	Action: Remove provisions as these are contained in the building legislation. Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)

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		5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.	
20	Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6	Action: Amend provisions for consistency with QDC MP1.4. Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)
21	Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;	Action: Remove the requirement of width of awnings. Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.	References to awnings have been deleted.
22	Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)	Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.	Building Regulation 2006 Section 12 allows the Local Government planning scheme to nominate the designated bush fire prone area which we have done through the overlay. The provisions of the BCA and QDC apply for building assessment within that area. Items c) and d) have been deleted.
23	Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.	Action: Remove references to AS 2890.3 Bicycles Parking Facilities Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12. BLP confirms any provisions outside of the QDC and NCC can be considered in planning scheme.	This was something the community of Noosa is quite keen on and is carried forward from the existing scheme. It is acknowledged: <i>In accordance with the Sustainable Planning Act 2009 section 233(7) and section 86, the QDC and BCA override any similar provisions of a local government's planning instrument. The QDC and BCA regulate sustainable building designs and features, and local governments should not include additional or more stringent measures in a planning instrument. Where a planning scheme, local planning instrument or local law is inconsistent with a regulation, such as the Building Regulation 2006, the planning scheme, local planning instrument or local law is of no effect.</i> However in relation to end of trip facilities: Queensland Development Code Mandatory Part 4.1—Sustainable buildings guideline only applies to end of trip facilities requirements on commercial office buildings, shopping centres, hospitals and tertiary education facilities where they exceed 2,000 square metres (as defined by the QDC) and these where they are located in a designated local government area , as listed in schedule 1 of the Queensland Development Code (QDC) (Noosa is not listed as one) For local governments not listed in schedule 1 of the QDC, end-of-trip facilities can also apply where a council has published notice of a resolution to adopt the QDC provisions. The resolution will be published in a local newspaper and be available on the local government's website. It will outline the area considered a designated local government area (which may be all or part of the local government area). Noosa can obviously pursue this if necessary. Part 4.1 also says: <i>For the purpose of end-of-trip facilities, a local government <u>planning scheme may expand on the QDC requirements</u> by:</i> <i><u>requiring additional bicycle parking and storage facilities, locker facilities and change rooms higher than the QDC requirements</u></i> <i><u>expanding the definition of a major development to encompass a broader range of buildings.</u></i>

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			Therefore there would seem to be scope for NSC to control this and it is just a matter of following the procedure allowed for in the QDC Action: Have included an Editor's Note in the Driveways and Parking code stating that where there is an inconsistency between the scheme and the QDC, the QDC section 4.1 applies for what is considered major developments. Anything not listed as a major development is not covered by the QDC and therefore the planning Scheme can control.
24	Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE	Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor. Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.	Have deleted this from the code.
25	9.4.6.3 PO1	Action: Remove the reference to natural light and cross ventilation. Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions. ADDITIONAL COMMENTS: BLP considers this unnecessary red tape. While this provision might seem minor, if a planning instrument contains several redundant provisions (with no bearing as they are addressed by building legislation) than it creates a readability/clarity issue and may also cause unnecessary confusion. This provision may be more applicable to very specific sites to sites/uses which are owned by the council.	PO1 now reads as follows: <i>Development minimises energy consumption and the production of greenhouse gas emissions.</i> There is no AO provided.
26	Part 8 Overlays AO1.2	Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. FURTHER COMMENTS: BLP wants to ensure that Council removes other provisions in the planning scheme that feature the same principles as AO1.2 -- setbacks from hazardous vegetation (for class 1-3 buildings and associated 10a structures as per AS3959). Please note that the reference to hardstands or pumps was made in relation to AO 3.2. It was also stated that all reoccurring provisions of that nature need to be removed from the scheme. Please ensure the other provisions (with similar principles as AO1.2) are addressed as per our Further Comments (regarding bushfire).	References to hardstands and pumps in AO3.2 have been removed. Diagram showing the best place to build a house in bushfire areas has been removed. Council has removed references to building setbacks from hazardous vegetation. Other reoccurring provisions of this nature have been removed from scheme where they relate to building works. New provision requiring that bushfire management measures be carried out on the subject property and not any adjoining property has been added to Bushfire Overlay Code. Council awaits State agency response as to their acceptance of these changes.
27	Part 8 Overlays AO3.2 AO3.3 AO3.4	Action: Remove building requirements and cut/fill requirements that are already regulated. Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for	This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3. Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.

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		<p>limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>ADDITIONAL COMMENTS: The Building Regulation 2006 Schedule 1 allows cut and fill to be self-assessable up to 1 metre. <u>Unless the council are trying to address aesthetic quality of building work or operational works requirements</u>, it should not be prescribing building provisions such as height of cut and fill. Refer definition of building work in the Building Act which includes excavation works.</p> <p>This provision is in various parts of the planning scheme. Amenity and aesthetics reasons can be incorporated which do not conflict with the building provisions. BLP confirms stability and erosion control are building provisions but aesthetics aren't.</p>	<p>The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p> <p>Amendments have been made to this Performance Outcome and Acceptable outcome to try to clarify it is about landscape character and aesthetics primarily rather than slope stability.</p> <p>Steep land, landscape character and scenic amenity PO3 Development, including associated access, is designed and constructed to:</p> <ul style="list-style-type: none"> a) be responsive to the natural topography and constraints imposed by the slope; b) retain the natural landforms, landscape character, vegetation, including the visual amenity of hill slopes and ridgelines; c) visually integrate into the streetscape and the natural surrounds; and d) ensure buildings and structures are not visually obtrusive, particularly from ridgelines, public open spaces, scenic routes and other critical vantage points, outside the site. <p>AO3.1 Buildings present no more than two storeys at any one point when viewed from the road or other public space.</p> <p>AO3.2 Buildings and associated accesses are not constructed on land with a slope greater than 25% (1 in 4).</p> <p>AO3.3 No additional lots intended to provide house sites are created on land with a slope of 25% or greater.</p> <p>AO3.4 Buildings are designed to follow the natural landform rather than modify it.</p> <p>Editor's note- Designs that step down the slope using split level construction or elevated construction on suspended floors are a preferred alternative to standard slab on ground construction reliant on cut and fill of sites.</p> <p>AO3.5 The extent of filling or excavation is revegetated immediately following completion of the works.</p> <p>AO3.6 Any building, including any associated car parking structure:-</p> <ul style="list-style-type: none"> a) has a maximum undercroft height at the perimeter of the building of 3 metres above ground level; or b) incorporates undercroft skirting or screening (such as timber battens) to the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building; or c) incorporates landscape screening for the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building. <p>AO3.7 On sites where slope gradients exceed 15% roof lines are generally parallel with contours of the land and roof pitch does not exceed 15 degrees.</p>
28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The original comment made informed the council that <u>unless</u> the building work was in a designated transport noise corridor, the planning scheme cannot implement noise mitigation construction or</p>	<p>This relates to the Extractive Resources Overlay and the acceptable outcomes for development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including insulation and sound resistant glazing materials. Reference is made to the State interest guidance material – Mining and extractive resources page 19, which specifically includes the following within model code provisions.</p>

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		<p>design techniques. A certifier will not assess sound insulation requirements in line with a planning scheme because the National Construction Code contains the relevant requirements for wall treatments and glazing. Council can't introduce building controls such as these due to the scope of the building assessment provisions and the application of the Section 8 (5) of the Planning Act 2016.</p> <p>The NCC may capture these issues – this needs to be revisited. BLP are requested to look into this further and provide some further comments/advice. The council may look into a PO addressing amenity for this provision to avoid conflict.</p>	<p><i>Suitable mitigation measures may include:</i></p> <ul style="list-style-type: none"> a) <i>locating buildings and structures the greatest distance practicable from the resource extraction and processing areas and associated transportation routes;</i> b) <i>designing buildings so the areas where people work or congregate are furthest from the resource extraction and processing area and associated transportation routes;</i> c) <i>minimising openings in walls closest to the sources of any current or potential adverse effects;</i> d) <i>providing mechanical ventilation to areas in which people work or congregate;</i> e) <i>utilising appropriate construction methods and materials including insulation, seals, ts and glazing that minimise the transmission of noise, vibration, dust, fumes and odours, and</i> f) <i>providing outdoor recreation space adjacent to a building façade that shields the recreation space from resource extraction and processing areas and associated transport routes.</i> <p>AO2.4 now reads as: Development within the extractive resource separation area incorporates design, orientation and construction materials that mitigate potential adverse effects from an existing or future extractive industry to acceptable levels by:</p> <ul style="list-style-type: none"> a) locating buildings and structures the greatest distance practicable from the resource processing area and associated transport route; b) designing buildings so that areas where people live, work and congregate (habitable rooms) are furthest from the resource/processing area and transport route; and c) design and construction of walls and openings that minimise noise entry.
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The below highlighted provisions are in conflict with the application of AS3959 to the extent these provisions apply to class 1-3 buildings (and Class associated 10a structures).</p> <p>AO7 (ii) achieves setbacks from hazardous vegetation for a distance of 1.5 times the height of the predominant mature tree canopy or 10 metres, whichever is greater; and (d) is designed so that buildings and structures are sited in locations of lowest hazard within the lot and elements of the development least susceptible to fire are closest to the fire hazard.</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>References to setbacks from hazardous vegetation in AO1.3 has been amended. The setbacks in AO7 have been retained as these relate to reconfiguring a lot and not building works. It is about the correct placement of a building envelope where a future house would be located.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p>	Figure 8.2.3.4 has been removed as has the reference to the figure in AO7.

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		This information should not be changed or repeated for inclusion in planning schemes. Refer Planning Act 2016 Section 8 (5).	
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p> <p>If you separate through the overlay code, will you also separate on the overlay?</p> <p>BLP: If the storm tide provisions don't reference or interfere with our flood code, there is no issue.</p>	<p>References to the Design Storm Tide Event has been removed throughout the overlay in most instances though where high frequency nuisance stormtide flooding needs to be considered as a result of climate change the reference to DSTE has been retained (AO5). Large parts of Noosaville are expected to be inundated by stormtide and frequent tidal inundation into the future.</p> <p>There is no need to distinguish between what is catchment flooding and stormtide inundation on the overlay mapping as in all instances stormtide areas are also affected by catchment flooding with catchment flooding being the more dominant hazard in terms of depth and extent of flood waters.</p>
32	<p>Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures: a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by: a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of</p>	<p>Action: <u>Amend provisions that are in conflict with the Building Assessment Provisions.</u></p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>FURTHER COMMENTS FROM BLP: We cannot determine what has been changed adequately based on the information provided. The terminology in the QDC and ABCB Flood Standard cannot be changed and this includes 'Finished Flood Level' and 'Probable Maximum Flood.' PMST is ok because it relates to storm tide inundation which the flood codes don't address.</p> <p>Regarding the exclusion of dwelling houses from the overlay, this is helpful but the flood codes applies to all building work and not just dwellings. The flood overlay may address op works and ROL however.</p> <p>Thank you for changing reference to overland flow for ponding to relate to op works.</p> <p>Please ensure that the highlighted provisions are addressed accordingly, in line with section 13 of the Building Regulation 2006.</p> <p>Council may address climate change, DSTE and overland flow by siting new lots or reconfiguring existing lots.</p>	<p>Terminology in Table 8.2.6.4 changed to minimum Finished Flood Level for the floor levels of buildings as distinct from the finished surface level of new lots. This resolves terminology issue.</p> <p>Tables of assessment have been changed to exclude dwelling houses from assessment against the overlay code.</p> <p>The overlay code does not apply to dwelling houses but it does include provisions for other building works, operational works and reconfiguring a lot. Wording has been added to PO4, PO5 and PO10 to clarify what type of development the PO relates to, eg. RAL or operational works.</p> <p>Reference to overland flow and ponding etc (PO10) relate to operational works (earthworks etc) not building works. Wording has been changed to clarify this.</p> <p>AO6.1 has been deleted: Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment</p> <p>An editor's note for flood resilient building materials has been amended and now reads: <i>Editor's Note—The use of flood resilient building materials is also encouraged for building works up to the probable maximum flood to reduce the consequences of flooding.</i></p> <p>Council would like to retain resilient building design requirements in PO6. Wording has been amended to avoid duplication with building regs. Can BLP please advise on any additional wording changes if necessary that allow Council to maintain the intent of the PO particularly for streetscape amenity? This is relevant to our commercial/tourist area along the riverfront that gets inundated by flood water and stormtide periodically. New development should consider quality streetscape appearance when designing for flood immunity given the large changes in floor level required to meet the DFE.</p> <p>AO6.6 Basements and underground car parking areas are designed to drain and function safely during a flood event and power failure.</p> <p><i>Editor's note—Basements for residential uses should have flood immunity above the 1%AEP defined flood event with alternative means to mechanical pumping used to achieve such immunity.</i></p> <p><i>Basements for non-residential uses should have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</i></p> <p>Reference in AO8 to "resist hydrostatic and hydrodynamic forces as a result of inundation" has been deleted.</p>

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<p>flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Non residential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for non-residential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p><u>Prevent building development approvals on those lots at the planning stage.</u></p>	
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	<p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>This AO has been deleted.</p>
<p>???</p> <p>33B</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%; roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We have re-written part of Table 6.3.1.3 (Residential Low Density Zone) now with the sub heading of Environment, heritage and scenic amenity to try to clarify these matters are tied to the landform and landscape</p> <p>PO19 Development:</p> <ul style="list-style-type: none"> a) has minimal impact on the natural landform and landscape of the site; b) does not lead to erosion or the transport of sediments off site; c) does not lead to the disturbance of natural features, buildings or structures of cultural heritage significance. <p>AO19.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO19.2 Development does not result in sediment or other material including building materials or waste products being deposited or released into the road reserve, stormwater drain or adjacent properties.</p> <p>AO19.3 Development on a site adjoining a local heritage place respects the cultural heritage significance of the place by mitigating any adverse impacts on the setting or integrity of the heritage values.</p> <p>Editor's Note—Local heritage places are identified on the Heritage and Character Area Overlay Maps in Schedule 2.</p> <p>PO20 Development on sloping sites:</p> <ul style="list-style-type: none"> a) is visually responsive to the natural topography and sits within the landscape rather than dominating it; b) steps down slopes or uses suspended floor construction, minimising Cut or fill and avoiding benching of the site; c) retains natural vegetation that assists in screening or visually softening development; and d) uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.

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	<p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>		<p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: a) roof lines are generally parallel with contours of the land; b) roofs do not exceed a pitch of 15 degrees; and c) buildings do not protrude above the height of prevailing vegetation.</p> <p><i>Editor's note—refer to Figure AP3-3B</i></p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings with small floorplates are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites.</p> <p><i>Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</i></p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and non-reflective with large expanses of solid colours avoided.</p> <p>Similar changes have been done in: Table 6.3.2.3 (Res Medium Density Zone) Table 6.3.3.3 (Res High Density Zone) Table 6.3.5.3 (Rural Residential Zone) Table 6.8.3.3 (Rural Zone)</p> <p>(We have also taken duplicated provisions out of the Local Area codes)</p>
<p>34</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>BLP: The provisions still don't state that they apply for operational works. Note that filling/excavation can be considered building work. Note the proposed changes in red.</p> <p>Council: Changes suggested in red have now been made</p>	<p>Changes have been made to zone codes to clarify that the provisions are for operations works (filling and excavation) not for building works</p> <p>PO21 Filling and excavation for operational works do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: a) causing ponding of water on the site or nearby land; b) increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or c) adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Filling and excavation for operational works is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties or downstream environments.</p>

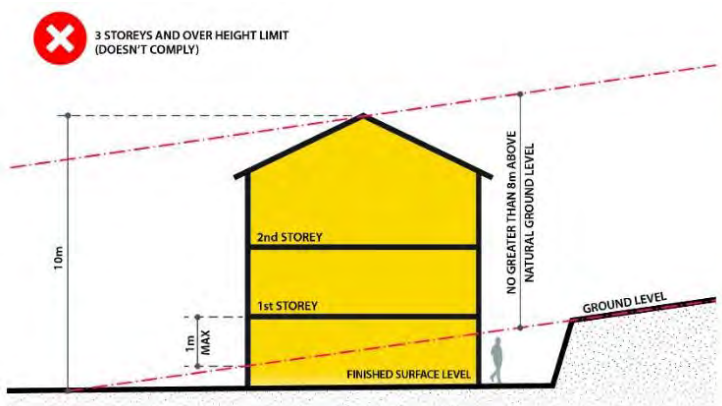
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	Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.		
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	<p>Changes have been made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance</p> <p>An editor's note has been added as suggested:</p> <p>Editor's note—Provisions for sill height, glazing, screening and window openings are to improve the residential amenity for occupants. Thermal performance requirements are contained in Queensland Development Code MP4.1 Sustainable Buildings. Energy efficiency requirements are contained in the National Construction Code.</p>
37	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>Offending words have been deleted</p>

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<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p> <p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	<p>The AO for cut and fill of no more than 1.5 m has been deleted from the various centre zones where under the heading of Environment & Heritage.</p> <p>The relevant AO in the remaining zones (Environment and Residential zones) has been changed to make it clear that the outcome is for landscape amenity reasons and not for meeting structural building design requirements that are already covered in the building regs.</p> <p>AO For landscape amenity reasons, cut or fill is less than 1.5 metres in depth relative to the ground level.</p>
<p>39</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigraffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Within Table 6.4.1.3 AO47 has been rewritten with: Buildings or structures that are visible and accessible from a public street or laneway: a) avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; b) with windows at ground level use measures that deter break and enters without obscuring views to shopfronts; and c) are constructed to be vandal and graffiti proof.</p> <p>Also fixed in: Table 6.4.2.3 Table 6.4.3.3 Table 6.4.4.3 Table 6.5.1.3 Table 6.5.2.3 Table 6.6.1.3 Table 6.7.1.3 Table 6.8.1.3</p>
<p>40</p>	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters; or c) if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood. Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor's note, which provisions under the Building Act does this refer to? Clarify that this isn't an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials— • a limitation on the use of finishes with fire hazard properties as defined under the BCA</p>	<p>These flood provisions have been deleted from the various zone tables.</p>

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		<ul style="list-style-type: none"> • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>	
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23</p> <p>Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through:</p> <p>buildings that maximise opportunities for natural ventilation and lighting;</p> <p>water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy.</p> <p>ALSO Part 6.7 PO12 and AO12</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>	<p>We note Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC</p> <p>For the Recreation and Open Space Zone we would like to leave in a Performance outcome because the likelihood is that development would be done by the State, Council or a community group and we'd like it to be exemplary development. For this reason the acceptable outcome has been deleted but we propose a Performance outcome that reads:</p> <p><i>“Development for the purpose of a community use or sport and recreation is located, designed and operated to be responsive to the sub-tropical climate and make the most of natural light, ventilation and on site rain water capture and reuse.”</i></p>
41B	<p>Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale</p> <p>PO7 AO7.1</p> <p>Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.</p>	<p>Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below.</p> <p>Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard.</p> <p>Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.</p> <p>BLP FURTHER COMMENTS: Please ensure your decision is informed by established terms in legislation: Building Regulation 2006: natural ground surface, for a building, device or structure, means the ground surface located at site of the building or structure on the day the first plan of survey showing the relevant allotment was first registered.</p>	<p>There are implications regarding flooding - Where filling of the site is required to meet flood immunity, the maximum building height is not measured from the finished surface level, it is measured from natural ground level.</p> <p>A development's building height is measured from both the ground level and the finished surface level, the building height is whichever height is the greater. Furthermore, “Finished surface level” is listed in the administrative definitions for reader clarity as “the level of ground specified in a current development permit”.</p> <p>Historically, if for example the building is in a flood hazard area a relaxation to the 4m building height may be considered. Further if backfilling did not occur around a basement garage the finished surface level would be lower than the natural ground level. The diagram below gives an example of how height is measured.</p>  <p>3 STOREYS AND OVER HEIGHT LIMIT (DOESN'T COMPLY)</p> <p>10m</p> <p>1m MAX</p> <p>2nd STOREY</p> <p>1st STOREY</p> <p>NO GREATER THAN 8m ABOVE NATURAL GROUND LEVEL</p> <p>FINISHED SURFACE LEVEL</p> <p>GROUND LEVEL</p>
42	<p>Schedule 1 Definitions</p> <p>Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation.</p> <p>The probable maximum flood defines the extent of flood prone land. Generally, it is not physically or financially possible to provide general protection against this event.</p> <p>PMF (as above)</p>	<p>Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.</p> <p>ADDITIONAL ADVICE:- BLP considers the use of this terminology will cause confusion with the Flood Code and QDC. BLP wondered if the terminology could be changed to make it clear that it applies to evacuation routes/refuge areas? The National Flood Code refers to annual probabilities of exceedance.</p>	<p>The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in 100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.</p> <p>With the exception of the definition, the only place this phrase is used is in the Flood Hazard Overlay and it has been clarified it is only relevant to reconfiguring a lot.</p> <p>The definitions themselves have not been changed.</p> <p>BLP: PMF may be used as a term for ROL only</p> <p>No further action required.</p>

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		DSMDIP notes that it appears the only reference to PMF is for determining evacuation routes and congregation and refuge areas for development.	
State Interest: <i>Mineral Resources Act 1989</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
43	Strategic Framework	<p>Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	<p>Have added the following Editor's Note within the section on Extractive Industries within 3.2. <i>Mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at the Department of Natural Resources, Mines and Energy's Mines Online Map.</i></p>

Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	Noted. Replaced terms
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. No change

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above “Key Challenges”	<p>Remove reference to “intensive factory farming”, and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	<p>Sentence now reads as “Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance.”</p>
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p> <p>DAF is simply seeking clarification so that users know what has been mapped. There is no longer any such thing as GQAL, therefore whatever term is used should be defined</p>	<p>Council are not going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands.</p> <p>In 3.3.1 we've changed to the phrase "quality farming land"</p> <p>In Rural Activities Code for aquaculture we've changed reference at PO18 to "agricultural land"</p>
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p>	<p>Mapping change done</p>

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	Part (u)	<p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says “pending” on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it’s unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p> <p>It’s noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	<p>Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.</p>
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	<p>Additional wording added</p>
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO’s or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	<p>Additional wording added to reference wildlife connectivity and fish passage</p> <p>For example PO11 of Table 6.8.3.3. says: <i>Development does not have a significant adverse impact on the natural values of the site including through:</i> <i>a) loss of biodiversity values, fauna habitat and fish passage;....</i></p> <p>In the local Area Plans wording has been amended to: <i>Development maintains and protects an integrated open space network throughout the locality to—</i> <i>a)...</i> <i>b)...</i> <i>c) provide habitat connectivity for wildlife and fish passage;</i></p> <p>Fish Passage is also referenced in both the overall outcomes and the performance outcomes of the Water Quality and Drainage.</p>
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development. The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	<p>We have included the Fish Habitats on the Biodiversity Overlay Maps</p>
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs were that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>We have removed these from the Rural Activities Code and put them in the Regional Infrastructure Overlay Code which is where the water supply catchments are addressed.</p>

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			As discussed agricultural uses will be assessable against this code where within the water supply catchment.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	<p>Remove these acceptable outcomes.</p> <p>Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1.</p> <p>These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.</p>	Refer previous discussion. There has been significant re-drafting within the Rural Activities Code and it is considered the provisions will work regardless of the use interpretation.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	<p>Remove this acceptable outcome (AO13.2).</p> <p>Reason: It does not relate to or demonstrate compliance with performance outcome PO13.</p>	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	<p>Amend AO18.2 to read, for example, '<i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i>'</p> <p>Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.</p>	OK change made
14	Biodiversity Overlay	<p>The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.</p> <p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>	Added an Editor's note above Table 8.2.2.3 regarding forestry
15	Agricultural Land Overlay, Agricultural Conservation Areas	<p>The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.</p>	<p>The SPP guidelines specifically allows a Local Government to locally refine state mapping, which Council has done. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the</p>

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		<p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p> <p>Note that ALCA has been reinstated where it overlapped with the water catchment.</p> <p><u>On 12 September 2018 Council received a letter from Soil and Land Resources of Department of Environment and Science advising changes were being made to the Agricultural Land Classification (ALC) mapping that informs the State Planning Policy (SPP). Over the ensuing days our GIS officer has been in communication with the Soils team to ascertain how to access the correct layers however time has not allowed for the recreation of our Agricultural Land Conservation Area (ALCA) as it appears on the Strategic Framework Economy & Employment Map and on the Agricultural Land Overlay Maps.</u></p> <p><u>Council will rerun the ALCA mapping over the course of the next week and provide updates to the above maps once available. We would not anticipate State Interest concern with this process.</u></p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Energy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>This is not a planning scheme matter and is being considered separately by Council's Property and Environmental services Sections.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>Noosa Council acknowledges that coal, mineral petroleum and gas including coal seam gas resources are the property of the Queensland State Government and approval processes for the exploration and mining of these resources is governed by the State Government in accordance with its resources legislation</p>

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		<p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	<p>Minerals Resources Act 1989, Mineral Resources Regulation 2013 and Petroleum and Gas Act 2004.</p> <p>However under the State's Regional Planning Interests (RPI) Act 2014, areas of regional interest are identified. All of the Noosa Shire is within an area of Regional interest known as a Priority Living Area (PLA). A Priority Living Area is an area that includes existing settled areas for living and is primarily protected for these purposes. Importantly the RPI Act generally restricts the carrying out of resource activities in Priority Living Areas. This Act also requires that, should an application for a resource activity such as a mining lease application be made to the State, it must be referred to the Council as an 'Assessing Agency'.</p> <p>Council has considered its position with regard to further permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire and within the context of its role as an Assessing Agency under the RPI Act 2014 does not support further permits for coal or coal seam gas exploration or mining based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle, and its designation as a Priority Living Area.</p> <p>A statement reflecting this policy has been added to the Strategic Framework as such: "Applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire are not supported based on significant concerns from council and the community regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle."</p>
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Planning for the environment and heritage

Biodiversity			
Ref. Number	Planning scheme reference	Advice	NSC response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment. Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	MSES now integrated
19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.	The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.

Noosa Council Responses to State Interest Review comments 21 September 2018

Water quality			
Ref. Number	Planning scheme reference	Advice	NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT</i> <i>Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969</i> <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>	References have been replaced

Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	NSC response
21	--	<p>Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs.</p> <p>Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.</p>	Noosa Council has no opposition to Seqwater accessing the demand modelling UnityWater has prepared for us.

State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	<p>Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, <i>'Development provides a road hierarchy that supports effective freight connectivity.'</i></p> <p>Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities.</p> <p>Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities.</p> <p>It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.</p>	<p>The Multi-Combination Routes in Queensland Map really just shows the Bruce highway so not considered particularly useful.</p> <p>The following statements are in the Strategic Framework:</p> <p>Under Regional Context: <i>The Bruce Highway and North Coast Railway serve as the main transport access to Brisbane and serve an important function for the movement of freight. An improved railway network would enhance access to Brisbane for Noosa-based commuters, residents and visitors.</i></p> <p>Under Strategic Outcomes for Transport and Movement: <i>The role the highway and arterial roads serve in the movement of freight is protected with sensitive land uses avoided or buffered along these routes.</i></p> <p>The following overall outcome has been added to the Transport Code: <i>Development does not adversely impact on the role of the major road network, particularly the Highway, in the efficient movement of freight through the Shire.</i></p>
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	<p>Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road.</p> <p>Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.</p>	We've added an Editor's note below these AO's to read: Reference should be made to the Queensland Government's Development Assessment Mapping System to confirm which are state-controlled roads or limited access roads.
24	Part 9 – Table 9.4.1.3	<p>Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p> <p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design</p>	References have been replaced in the scheme and PSP.

Noosa Council Responses to State Interest Review comments 21 September 2018

		Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	
25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>	Noted
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>	Noted – will not be resolved through the scheme

RTI RELEASE - DSDMIP

From: [Planning Support](#)
To: [Caroline Plank](#)
Cc: [Planning Support](#)
Subject: RE: State agency review - Noosa planning scheme - revised documents
Date: Monday, 15 October 2018 5:31:50 PM
Attachments: [image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[EDOCS-#7034557-v1-Noosa Council Final Response to State Interest Review Comments 11 Oct 2018.docx](#)

Hi Caroline,

Thanks for the extension on our comments. We've been in lengthy discussions with Noosa Council about the koala mapping. Please see our comments attached.

I'm happy to discuss these with you further tomorrow if required.

Cheers,
Alana

Alana Barry

Senior Policy Officer

Environmental Planning | Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

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From: Caroline Plank [mailto:Caroline.Plank@dsmip.qld.gov.au]

Sent: Friday, 5 October 2018 1:11 PM

To: judith.quirk@communities.qld.gov.au; jsb.correspondence@det.qld.gov.au; CAS_Correspondence@health.qld.gov.au; environmentalhazards@health.qld.gov.au; bcqstateinterest@hpw.qld.gov.au; QGAO.oed@hpw.qld.gov.au; SPP <SPP@dsmip.qld.gov.au>; Infrastructure Policy <InfrastructurePolicy@dsmip.qld.gov.au>; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>; EDQ <EDQ@dsmip.qld.gov.au>; PlanningNPSR <Planning@npsr.qld.gov.au>; parksandforestsEISassessments <parksandforestsEISassessments@des.qld.gov.au>; Planning&Performance@police.qld.gov.au; ministerial.designations@psba.qld.gov.au; sdainfo <sdainfo@dsmip.qld.gov.au>; DEP EA (DSITIA) <DEPEA@innovation.dsitia.qld.gov.au>; planningschemes@tmr.qld.gov.au; PlanningPolicy@tmr.qld.gov.au; DAF Planning <DAFPlanning@daf.qld.gov.au>; cultural.heritage@datsip.qld.gov.au; DNRMEEPan <DEWSEPlan@dnrme.qld.gov.au>; Planning Support <Planning.Support@des.qld.gov.au>; DPCPlanning@premiers.qld.gov.au; hicb@oir.qld.gov.au; TownPlanning@energex.com.au; townplanning@powerlink.com.au; Wet Tropics <wettropics@wtma.qld.gov.au>; dsrgidep.executivesupport@defence.gov.au; Planning Services South <PlanningServicesSouth@dnrme.qld.gov.au>; policycoordination@dsmip.qld.gov.au; DITID Planning <DITID.Planning@ditid.qld.gov.au>; HSCATownPlanning@hpw.qld.gov.au; SEQ Regional Plan <SEQRegionalPlan@dsmip.qld.gov.au>; chris.teitzel@unitywater.com; FOGARTY Chris (Energex) <chrisfogarty@energex.com.au>; YOUNG Gary <Gary.Young@des.qld.gov.au>; Correspondence,

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Subject: State agency review - Noosa planning scheme - revised documents

Hello State Agencies

You have previously been requested to participate in a state interest review (SIR) on the new Noosa Plan.

The council has revised the planning scheme, with changes in response to the SIR. This has been uploaded to the plan making portal. The new version is dated 28 September 2018 (please ignore the versions uploaded which are dated 21/9/18 as these don't show the changes adequately). Also uploaded is a table summarising the changes in response to the SIR - dated 21 September 2018.

I have uploaded (and also attached to this email) a word version of the council's response to the SIR - you can use this to add your comments - in the last column, add your comments underneath Noosa Council's response - use a different colour or a clear heading so I can easily recognise your comments from Noosa Council's.

Please provide your comments by 5pm Friday 12 October 2018. Please contact me if you are unable to meet this timeframe.

You can use the plan making portal to upload your document with comments, or you can email it to me.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)
Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 5352 9709

12 First Avenue, Maroochydore

www.dsmip.qld.gov.au

From: Caroline Plank

Sent: Friday, 8 June 2018 5:27 PM

To: judith.quirk@communities.qld.gov.au; isb.correspondence@det.qld.gov.au; CAS_Correspondence@health.qld.gov.au; environmentalhazards@health.qld.gov.au; bcqstateinterest@hpw.qld.gov.au; QGAO.oed@hpw.qld.gov.au; SPP@dilgp.qld.gov.au, Infrastructure Policy <InfrastructurePolicy@dsmip.qld.gov.au>; Natural Hazards <NaturalHazards@dilgp.qld.gov.au>; EDQ <EDQ@dsmip.qld.gov.au>; planning@npsr.qld.gov.au; parksandforestseisassessments@npsr.qld.gov.au; Planning&Performance@police.qld.gov.au; ministerial.designations@psba.qld.gov.au; sdainfo@coordinatorgeneral.qld.gov.au; depea@dsiti.qld.gov.au; planningschemes@tmr.qld.gov.au; PlanningPolicy@tmr.qld.gov.au; DAFFPlanning@daff.qld.gov.au; cultural.heritage@datsip.qld.gov.au; DEWSEPlan@dews.qld.gov.au; planning.support@ehp.qld.gov.au; DPCPlanning@premiers.qld.gov.au; hicb@oir.qld.gov.au; TownPlanning@energex.com.au; townplanning@powerlink.com.au; wettropics@wtma.qld.gov.au; dsrgidep.executivesupport@defence.gov.au; PlanningServicesSouth@dnrm.qld.gov.au; policycoordination@dsd.qld.gov.au; DTESB.Planning@dtesb.qld.gov.au; HSCATownPlanning@hpw.qld.gov.au; SEQRegionalPlan@dilgp.qld.gov.au; chris.teitzel@unitywater.com; FOGARTY Chris (Energex) <chrisfogarty@energex.com.au>; YOUNG Gary <Gary.Young@des.qld.gov.au>; Correspondence, ISB <ISB.Correspondence@qed.qld.gov.au>; NAIKER UtkatuBob <UtkatuBob.NAIKER@hpw.qld.gov.au>; HILL Jeremy <Jeremy.HILL@hpw.qld.gov.au>; ROBERTSON, Brett <Brett.ROBERTSON@qed.qld.gov.au>; Planning Support <Planning.Support@des.qld.gov.au>; Glanvill, Rob CAPT - RAN <rob.glanvill@defence.gov.au>; Grant Hastie <Grant.Hastie@oir.qld.gov.au>; BAXTER, Dave <Dave.BAXTER@qed.qld.gov.au>; DUNCAN, Bruce <Bruce.DUNCAN@qed.qld.gov.au>; DAF Planning <DAFPlanning@daf.qld.gov.au>; LEO Daniel <Daniel.Leo@dnrme.qld.gov.au>; Candace Mitchell <Candace.Mitchell@dsmip.qld.gov.au>; Thomas V Rowland <Thomas.V.Rowland@tmr.qld.gov.au>; Darryl R Kong <Darryl.R.Kong@tmr.qld.gov.au>; Lena M Hobson <Lena.M.Hobson@tmr.qld.gov.au>; PEARSON Scott (EnergyQ) <scott.pearson@energyq.com.au>; Sarah Doring <Sarah.Doring@dsmip.qld.gov.au>; glen.glanvill@defence.gov.au; andrew.rutch@datsip.qld.gov.au; HHS HPO Town Planning <HSHHPOTownPlanning@hpw.qld.gov.au>; John Schiavo <John.Schiavo@datsip.qld.gov.au>; FOGARTY Chris (EnergyQ) <chris.fogarty@energyq.com.au>

Subject: State agency review template - Noosa planning scheme

Hello All

Please find attached a template for you to use for your state interest review. You can upload this completed template to the ePlan Portal (ezischeme) or email it to me. I would actually prefer you email it to me at this stage, due to inadequacies in the ezischeme at our end.

Also, if you would like the GIS shapefiles for the planning scheme, bring a USB on Monday and I will transfer the files on to it for you.

If you still want the files and are not coming on Monday, please let me know and I will arrange to get them to you.

As we did not receive the files until Wednesday, we will be starting our review timeframe from this date – this will be updating in ezischeme.

I will recalculate the review timeframe for state agencies and let you know on Monday.

Regards

Caroline Plank
Principal Planning Officer
Planning and Development Services (SEQ North)

Department of State Development,
Manufacturing, Infrastructure and Planning

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Noosa Council Responses to State Interest Review comments 21 September 2018

Part A—State interests

Planning for liveable communities and housing

Housing supply and diversity			
Ref. Number	Policy Element	Original Requirement and additional comments from State following NSC response	NSC response
1	Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.	<p>Planning scheme Reference: Strategic framework</p> <p>Integration of state interest: Partially integrated – planning scheme could be strengthened in the Part 3 Strategic framework. State interest <i>Housing Supply and Diversity</i> Policy 3 (1) (2) and (3) and <i>Development and Construction</i> (8).</p> <p>Action: <u>The strategic framework can be amended to give stronger support to promoting affordable and social housing</u>, in accordance with the SPP. Some examples can be found in the wording of other planning schemes such as Moreton Bay Regional Council e.g.</p> <p>Moreton Bay Regional Council Planning Scheme 2016</p> <p>3.5 Strong communities (Page 60)</p> <p><i>Council also endeavours to support the initiatives of Federal and State Governments and the community and private sectors to more directly address the issues of housing affordability. Specifically, Council intends to encourage community and “not for profit” housing providers who deliver appropriate housing products in an acceptable manner to meet special needs and community housing purposes</i></p> <p>3.5.7 Strategic Outcomes- Housing Choice and Affordability <i>A variety of housing options is provided to meet diverse community needs, and achieve housing choice and affordability.</i></p> <p>4. <i>Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector;</i></p> <p>5. <i>All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix;</i></p> <p>6. <i>Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the opportunity for that land to be used for affordable housing purposes; and.....</i></p> <p>Reason: To give stronger support in the planning scheme to promote social and affordable housing outcomes.</p> <p>ADDITIONAL COMMENTS: 1) Council’s representations in relation to their support for smaller units to encourage affordable housing is supported by DHPW. 2) Council’s concerns regarding confidence that affordable housing will be delivered if it amends its strategic framework are noted and the following comments are offered. Noosa SC being within the SEQ region is a priority Council (along with the Sunshine Coast Regional Council) for the Housing Construction Jobs Plan. The State Planning Policy- Housing Supply and Diversity (Policy 3 (c) aims to ensure that planning schemes are able to facilitate affordable and social housing outcomes through supportive planning provisions and suitably zoned land with the intent that this housing is able to be delivered when suitable sites and funding are available. In order to ensure this, inclusion in the strategic framework is sought to give high-level support for these housing outcomes by Council. It is noted that informal email between Council and DHPW planners indicates that an outcome could be provided.</p> <p>Suggested wording:</p> <p><u>In order to meet Policy 3(c) of the SPP (above), DHPW considers that the Strategic Framework should at the very least include a specific statement that references support for social and affordable housing:</u></p>	<p>Strategic Framework already acknowledges one of the key challenges is “<i>diversity in housing choice to provide suitable residential accommodation for low income earners and key workers</i>”. Section 3.2.4 is focussed on housing to meet diverse needs of the community.</p> <p>Section 3.3.3 are Strategic Outcomes specifically for Housing Choice such as:</p> <p>e) <i>A wide range of housing is spread throughout the existing urban areas of Noosa Shire and responds to housing needs associated with factors such as changing demographics, changing composition of households, and lifestyle Choices.</i></p> <p>f) <i>Additional smaller dwellings on traditional house sites and small dwelling units in centres are provided so that the housing mix and Choice better reflects community needs.</i></p> <p>We’ve added another line to 3.2.4 as follows: “<i>The initiatives of Federal and State Government and community based not-for-profit entities in delivering more affordable housing for residents in need are likely to be an important component of new housing.</i>”</p> <p>We’ve added two additional lines to 3.3.3 as follows: “<i>Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options.</i>”</p> <p>“<i>Major residential developments will be encouraged to incorporate a range of housing types including more affordable housing products for the entry buyer and low-income housing markets.</i>”</p>

Noosa Council Responses to State Interest Review comments 21 September 2018

		<p><u>"Council will support the Federal and State Government and community based not-for-profit entities in delivering a diverse and comprehensive range of social and affordable housing options."</u> <u>If a supportive statement is not included, DHPW would not consider the planning scheme to fully integrate Policy 3 the state interest.</u> 3) Council's comments in relation to MBRC are noted. It is emphasised that MBRC was only suggested as an approach undertaken by a local government; it was not intended to compare the two LGAs.</p>	
2	<p>Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.</p>	<p>Planning Scheme Reference: Section 6.3 Residential zones category</p> <p>Integration of state interest: State interest Policy 3 - <i>A diverse affordable and comprehensive range of housing options in accessible and well service locations, is facilitated through (a) appropriate, responsive and proactive zoning and (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living.</i> This has been partially met.</p> <p>Action: Review the specific code provisions of the residential zones which aim to restrict development on residential zoned land with a view to ensuring that wider amenity and environmental requirements can still be met – see comments below.</p> <p>6.3.1 Low density residential zone code Table 6.3.1.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 – Site Cover and Gross Floor Area, acceptable outcome AO8.1 <p>It is recommended the low site cover proposals of AO8.1 be reviewed to allow low density development of residential sites to achieve streetscaping and landscaping objectives without being unduly restrictive and promoting inefficient use land.</p> <p>S 6.3.2 Medium density residential zone code Built form Table 6.3.2.3 – criteria for assessment (part)</p> <ul style="list-style-type: none"> PO8 Site Cover and Gross Floor Area <p>The establishment of 40% or 45% site cover of the site area in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of medium density forms of development which meets streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> PO9 Plot Ratio <p>The establishment of 0.4: or 0.5 :1 plot ratio in the medium density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range medium density forms of development (as appropriate in Noosa) which still meet streetscaping and landscaping objectives without being unduly restrictive. The plot ratio specified could be moved to the Acceptable Outcomes.</p> <ul style="list-style-type: none"> P10 Building setback <p>Acceptable outcomes – it is recommended that acceptable outcomes be reviewed to allow a degree of flexibility in terms of setbacks under reasonable requirements (e.g. to accord with streetscaping, where other landscaping/amenity, overlooking and overshadowing requirements are met).</p> <p>6.3.3 High density Built form - Table 6.3.3.3 Criteria for assessment (part)</p> <ul style="list-style-type: none"> PO5 Site cover <p>The establishment of 40% or 45% site cover of the site area in the high density zone as a performance outcome is discouraged. It is recommended that this be reconsidered to allow a range of high density forms of development which still meet streetscaping and landscaping objectives without being unduly restrictive. The site cover percentages specified could be moved to the Acceptable Outcomes.</p> <p>Reason: Restrictions on development of residential sites through low plot ratios and site coverage, impacts on densities and results in inefficient use of land, consequently affecting housing supply and diversity.</p> <p>ADDITIONAL COMMENTS:- DHPW makes recommendations generally on items in the planning scheme which it feels could be amended to contribute towards introducing more flexibility in a planning scheme, thus contributing to housing diversity and eventually supply of more affordable housing.</p> <p>In this case, the issues that NSC raise and the potential implications have been noted, particularly in the Low density residential (LDR) zone. Council's approaches to encourage affordable housing in other areas of the scheme and the code alterations for the medium (MDR) and high density residential (HDR) zone as outlined are acknowledged.</p>	<p>We dispute this and believe the scheme has taken positive action towards increasing the amount of land available for multiple dwellings, including high density residential, discriminating towards small dwelling units rather than large ones. Various sites have been zones specifically for aged care (including two previously unconsidered sites).</p> <p>This is particularly hard for Council to accept. Noosa Council has always had maximum site covers, GFA and plot ratios and since the 1980s at least they have been mandatory. The space between buildings is one of the things that sets us apart from other places and are values that were incorporated in the statutory iconic values under the iconic legislation.</p> <p>Further, we have already had preliminary consultation with the community in the form of a Discussion Paper on the draft scheme and the very clear message back through submissions is that this community likes the current built form & landscaping provisions and do not want them changed.</p> <p>Given the minimum lot size is 600m² having a bigger site cover just means a bigger (and less affordable) house. A greater site cover or GFA will do nothing to assist affordability.</p> <p>This is actually an improvement (more flexibility) than the current scheme which just specifies 40%. We are trying to incentivise a higher number of smaller units not just allow the building envelope on the site be maximised because that will just result in a smaller number of large luxurious units.</p> <p>Setbacks are considered important as they allow for space between buildings for landscaping, access to sunshine, protection of privacy, outdoor living etc. We have typically allowed relaxations to support good design outcomes and to allow for eaves, sunhoods, etc. Setbacks required are not unreasonable and the community is very used to them as they have been relatively consistent for some thirty years or more.</p> <p>As discussed above this is actually an improvement on the current scheme and allows an incentive for a larger number of smaller dwellings.</p>

Noosa Council Responses to State Interest Review comments 21 September 2018

		DHPW accepts Council's response on the code provisions and has no further requirements on this matter.	
Liveable communities			
Ref. Number	Policy Element	Requirement	NSC response
3	Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.	<p>Planning Scheme Reference: Part 5 Tables of Assessment 5.5 Categories of development and assessment – Material change of use.</p> <p>Integration of state interest: Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p> <p>Action: Amend levels of assessment for emergency services (use) in all zones, to ensure the levels of assessment are not onerous – consider accepted development with requirements, and code assessment where appropriate benchmarks can be applied.</p> <p>Reason: The SPP states that the provision of sustainable, equitable and efficient access to a wide range of services and facilities underpins community wellbeing and liveability – which has major effects on safety, employment, health and access.</p> <p>The onerous planning scheme provisions for emergency services could deter emergency services from locating in particular locations. Restricting the location of emergency services (use) can increase emergency response times.</p> <p>In addition, Rural Fire Brigades are volunteer lead organisations with very limited resources. The infrastructure is very low impact and provides an essential service to the surrounding community.</p> <p>Ensuring that emergency services is accepted development throughout the local government area, allows for timely, cost effective emergency services infrastructure provision and enhances liveability and quality of life in the community.</p>	<p>Rural fire brigades are now acceptable subject to requirements in the Rural or Rural Residential Zone.</p> <p>Where they are annotated on the Community Facilities Zone (because they already exist) Emergency Services are now accepted subject to requirements.</p> <p>We have made Emergency Services consistent (code) in all the centres zones and industrial zones (but not in every precinct).</p> <p>They are consistent (impact) in the two green zones. However Council is not prepared to make them code assessable within residential zones because of the 24 hour nature of the use.</p> <p>Unlike to need any additional/new fire, ambulance or police stations in the future as not a lot of growth. For evacuation centres they are likely to rely on existing buildings (such as schools) so not a high chance of needing new ones. Considering this the risks are relatively low.</p>

Planning for economic growth

Agriculture			
Ref. Number	Policy Element	Requirement	NSC response
4	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 3 Strategic Framework; Section 3.2 Strategic Intent; Section 3.2.2 A well managed and sustainable Noosa Shire; paragraph 12</p> <p>"Noxious forms of industry, intensive factory farming and developments that disrespect the ecosystem service functions of the landscape, waterways and wetlands are not permissible".</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Provide justification about why intensive agricultural land uses can't be appropriately located in the Noosa Shire in the rural zone.</p> <p>Reason: This statement indicates that intensive agricultural land uses are not allowed anywhere in the local government area.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p>	<p>A very large proportion of Noosa Shire hinterland consists of small lifestyle blocks, many of which have been revegetated and are being conserved. Residents are typically passionate about the environment and the amenity of their surroundings. Agricultural producers tend to have a high regard for the environment and appreciate the "clean/green" credentials of the Noosa brand.</p> <p>We are not opposed to intensive agricultural uses as such, indeed some forms are applauded and are gaining momentum as hoped through the local economic strategy and work of Country Noosa.</p> <p>The original sentence has been removed and replaced with:</p> <p>"Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance."</p>

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		<p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses when in appropriate locations.</p> <p>FURTHER COMMENT: DAF would not object to the retention of a similar statement as long as it is re-worded. The term “intensive factory farming” should be removed, as it is an unnecessary singling out of a particular industry and is highly emotive.</p> <p>The phrase “disrespect ecosystem service functions” should also be removed for clarity – what does this phrase mean?</p> <p>DAF agrees that all development (including intensive agricultural activities) ensures that the environment is not significantly impacted and the statement should simply be: “Developments that have the potential to impact surrounding environments will only be supported where they are appropriately located and designed to avoid environmental harm and nuisance.”</p>	
5	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 3 – Strategic Framework, Part 3.2.6 – A diverse and resilient economy, Agriculture and rural-based activities, Paragraph 1</p> <p>“Livestock enterprises are generally limited to pasture fed, free range operations or aquaculture. <u>Industrial farming or high impact agricultural uses can reduce rural amenity through increased noise, traffic, lighting and signage. They have a high propensity to pollute the air, groundwater and surface water. For these reason, they are not supported</u>”.</p> <p>Integration of state interest: <i>Agricultural state interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove references to “industrial farming” and replace with “intensive rural activities” 2. Address the action in item 4 above, and then, if appropriate, delete “They have a high propensity...and surface water. For these reasons they are not supported.” or amend to focus on locating intensive agricultural land uses in appropriate locations in the rural zone. <p>Reason:</p> <ol style="list-style-type: none"> 1. “Industrial farming” is not a recognised land use in Queensland planning legislation or associated materials 2. The statement indicates that intensive agricultural land uses are not expected or consistent with the intent of the rural zone, and they all cause environmental harm or nuisance. The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations. <p>FURTHER COMMENT: DAF agrees that intensive agricultural land uses have the potential to cause environmental harm and nuisance, and need to be suitably located and designed to avoid environmental harm and nuisance.. DAF does not support the exclusion of these uses from the rural zone.</p> <p>DAFs position is that the term amenity is so subjective it is almost unworkable, particularly in the rural zone. What disturbs one person’s amenity may not worry another. For example, a rooster crowing or cows bellowing may disturb one person, yet it may take a tractor noise to disturb another. In both cases, these noises are intrinsic to a functioning rural zone. How will Council determine the impact of a development on the rural amenity?</p> <p>DAF suggests Council focuses on the suitable location and design of intensive agricultural land uses in appropriate locations of the rural zone.</p>	<p>Council ultimately wants the message to be the same. Uses that impact on either the rural amenity or the environment are not supported</p> <p>“Intensive or high impact rural uses can lead to environmental harm or nuisance through increased noise, traffic, lighting, use of chemicals or generation of dust or odour. Rural uses that pollute the air, groundwater and surface water are not likely to be supported.”</p>

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<p>6</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment; Section 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Animal Husbandry Use</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend the levels of assessment so that grazing of livestock and non-feedlot dairying (where keeping more than 1 head of cattle, sheep, goats etc.) in the rural zone is accepted development or code assessment, where appropriate.</p> <p>Amend references to pig keeping and poultry farming from 'Animal husbandry'.</p> <p>Reason: The rural zone is the appropriate place for all agriculture/rural uses. Grazing of livestock and non-feedlot dairying are uses that are expected and consistent with the intent of the rural zone.</p> <p>Pig keeping and poultry farming is an intensive animal industry not animal husbandry as defined in the use definitions in schedule 1.</p> <p>FURTHER ADVICE: <u>Intensive animal industry</u></p> <p>DSDMIP advises: The definition of 'intensive animal industry' is multi-layered – there's more than one criteria to meet – the use is for the intensive production of <u>animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or...</u></p> <p>The use needs to meet all of these for it to meet the definition. It will be up to council to ensure that animal husbandry really is animal husbandry and not intensive animal industry.</p> <p><u>Animal husbandry</u></p> <p>DAF's position is that animal husbandry should be accepted development in the rural zone. DAF accepts that Council would like to have some control over numbers to minimise impacts and at these thresholds determined by Council (whatever they might be), the use would become code assessable. DAF would accept this if the numbers of animals allowed as accepted development were increased. For example, DAF doesn't think it is reasonable for someone who wants a couple of head of cattle in the rural zone to have the use deemed assessable.</p> <p>DSDMIP advises that other councils in the region make animal husbandry accepted development (with or without requirements) and therefore Noosa Shire Council could look to these for guidance. MBRC use a local law to control certain animal keeping which is referred to in the tables of assessment for animal husbandry to be accepted development (without requirements) and otherwise, to be accepted development with requirements (rural zone code). SCRC makes animal husbandry accepted development with requirements (rural uses code).</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above</p>	<p>This is an interpretation problem – Council are of the view that if chickens or pigs are outside, free to range/forage they are not intensive animal industry. We have received legal interpretation on this matter, the upshot of which is that if animals or birds are free to range or graze in a field and are not in an enclosure requiring food and water to be provided mechanically or by hand, the use can only be animal husbandry. This legal advice has been provided to DSMIP and DAF.</p> <p><i>animal husbandry means the use of premises for—</i> (a) producing animals or animal products on native or improved pastures or vegetation; or (b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a). Examples of animal husbandry— cattle stud, grazing of livestock, non-feedlot dairy</p> <p><i>intensive animal industry—</i> (a) means the use of premises for— (i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or (ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but (b) does not include the cultivation of aquatic animals. Examples of intensive animal industry— feedlot, piggery, poultry and egg production</p> <p>Notwithstanding the above we are proposing to change the Table of assessment for the Rural Zone and the Rural Activities Code</p> <p>For Animal Husbandry there's still a table of animals that are just acceptable development (no planning scheme requirements)</p> <p>Then everything else is Accepted Subject to Requirements (self-assessable) with applicable AOs listed from the Rural Zone Code and the Rural Activities Code</p> <p>For Intensive Animal Industry we're listing a few thresholds that would be code assessable— if:</p> <ul style="list-style-type: none"> a) located on a site at least 20 hectares in area; and b) poultry farming (meat or egg production) not exceeding 999 birds; or c) emu or ostrich farming not exceeding 20 birds; or d) not exceeding 21 standard units of pig; or e) not exceeding 50 standard units of cattle <p>Outside of these circumstances Intensive Animal Industry will be impact assessable <u>but only consistent where it meets the following criteria:</u></p> <ul style="list-style-type: none"> a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area. <p>Within the Rural Activities code we have amended and rearranged provisions to address Animal Husbandry and Intensive Animal Industry in a closer manner and combined the same performance outcomes for both in instances.</p> <p>PO10 <i>Animal husbandry and Intensive animal industry is at a scale, intensity and stocking density that does not over-graze the property, lead to erosion or degradation, compromise the welfare of animals or cause environmental nuisance experienced on adjoining premises.</i></p> <p>AO10.1 <i>Livestock are free to graze or forage in pastures and rely on supplementary food for no more than 30% of their diet.</i></p> <p>AO10.2 <i>The lot used for Animal husbandry has a minimum area of 4 hectares.</i></p> <p>AO10.3 <i>The lot used for Intensive animal industry has a minimum area of 20 hectares.</i></p> <p>Pigs</p>
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			<p>Buildings and enclosures intended to house animals or birds are sited, designed and constructed:</p> <ul style="list-style-type: none"> a) to facilitate natural ventilation and ease of cleaning, ensuring effluent can be managed effectively; and b) with sufficient noise and odour mitigation measures so as to ensure that dispersion effectively limits odours to acceptable levels and frequencies under the expected range of atmospheric conditions. <p>AO13 Sheds and storage areas are designed and constructed with:</p> <ul style="list-style-type: none"> a) natural ventilation; b) easy to clean material; c) drains, pits or litter beds which can be easily and regularly cleaned out without excess waste or moisture build-up; d) noise mitigation measures for fans and pneumatic feed systems; and e) covers applied to stored manure or litter. <p>PO14 Intensive animal industries are sited, sized, designed, constructed and managed to protect:</p> <ul style="list-style-type: none"> a) the profile and productive qualities of soil; b) the water quality of groundwater, waterways and wetlands; c) the scenic and visual amenity of the Noosa hinterland; and d) the quality of life enjoyed by residents of Noosa Shire. <p>No acceptable outcome provided</p> <p>PO15 The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</p> <p>No acceptable outcome provided</p>
7	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 5.5 Categories of development and assessment—Material change of use; Table 5.5.14 Rural; Rural Activities; Intensive Animal Industry Use</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate, amend the level of assessment so that intensive animal industries that are environmentally relevant activities (ERAs) are assessable development – impact assessable and those below the ERA threshold are assessable development – code assessable.</p> <p>Reason: The levels of assessment prescribed indicate that pig keeping with more than 20 standard pig units of pigs, poultry farming more than 999 birds and intensive animal feedlotting in the rural zone are not consistent with the intent of the rural zone and are not supported.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>FURTHER ADVICE: DAF does not support the exclusion of intensive animal industries or restricting the scale of the intensive animal industry within the rural zone. The rural zone is the appropriate place for all agriculture/rural uses and its development including intensive agricultural uses in appropriate locations.</p> <p>However, the suitable location and design of intensive animal industries to avoid environmental harm is supported.</p>	<p>We believe the strategy detailed above should satisfy the State on this comment as well.</p> <p>We appreciate the State has a policy of protecting agriculture and food production but the economic point of difference to food production in Noosa Shire is the “clean/ green” credentials of growing food in this place and intensive animal industries go against that reputation and therefore risk the pasture fed / organic / boutique food businesses that are emerging.</p> <p>Discussions with DAF suggests they would be happy with a threshold approach. We have looked at other schemes and the thresholds we have used are not dissimilar.</p>

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		<p>DAF does not accept any attempts by a local government to prohibit or make intensive animal uses inconsistent in the rural zone.</p> <p>DSDMIP advises: The Sunshine Coast Planning Scheme uses a scale (threshold) to determine code and impact for the rural zone for 'intensive animal industry': Code assessment if involving less than</p> <ul style="list-style-type: none"> • 21 standard units of pigs • 1000 birds or poultry • 50 standard units of cattle • 350 standard units of sheep <p>Impact assessment if not otherwise specified.</p> <p>DSDMIP doesn't consider this to be prohibition but rather, regulation. As such, DSDMIP is not against Noosa Shire Council regulating intensive animal industry in a similar way to Sunshine Coast Regional Council, by providing local context as the justification.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	
8	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 5 Tables of assessment, Wholesale nursery, Accepted Development subject to requirements</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend (b) to allow for greater area of combined shed/greenhouse structures, for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: The allowable combined greenhouse/shed structure area is insufficient to provide for a commercial wholesale nursery operation. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>Currently it is all code assessable and we were trying to make smaller operations self-assessable.</p> <p>We have increased the threshold for accepted development subject to requirements to 2,000m² for both intensive horticulture and wholesale nursery.</p> <p>Above 2,000m² we continue to require code assessment but we have amended the AO of the code to specify it can be up to 10% of the site area.</p>
9	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6.7 Environmental zones category, Table 6.7.1.3 AO8.2, and; Part 6.8 Other Zone Categories, AO18.1 and; Rural Zone Code, Table 6.8.3.3 AO8.3</p> <p>Integration of state interest: <i>State interest partially integrated (Agriculture, policy 3)</i></p> <p>Action: Amend relevant AO in each code to include:</p> <ul style="list-style-type: none"> • Setback of 100m incorporating natural vegetation and other buffer elements from the level of Highest Astronomical Tide (HAT) in tidal areas. • A setback of 50 m (incorporating natural vegetation and other buffer elements) from freshwater habitats. <p>Reason: Setbacks are defined for a range of matters including erosion prone areas. They should be identified for significant waterways as well to ensure fisheries resources are protected.</p> <p>The recommendation is based on a generic policy position which recommends a minimum buffer width of 100 m (incorporating natural vegetation and other buffer elements) set back from the level of HAT in tidal areas. In freshwater areas a minimum 50-metre setback is recommended (incorporating natural vegetation and other buffer elements) from freshwater habitats. These generic buffer widths are considered a 'starting point' from which site-specific requirements can be negotiated. See the fish habitat guideline at https://www.daf.qld.gov.au/data/assets/pdf_file/0009/69786/FHG003-Fish-Habitat-Guideline.pdf</p>	<p>The following riparian buffers apply to waterways across Noosa Shire as part of the Biodiversity, Waterways and Wetlands Overlay:</p> <ul style="list-style-type: none"> - All major lakes, 200m buffer - Noosa River and lower Kin Kin Creek, 200m buffer - Unconfined / Partly confined and Alluvial based major waterways, 100m buffer - Confined major waterways, 50m buffer - All other waterways Stream Order 1 or greater, 10m buffer - For Cooroibah and Pomona rural residential areas, wider buffers applied to some streams where development impacts likely to be greater and connectivity functions or opportunities exist - For Lake Macdonald catchment, wider buffers applied to some 1st and 2nd order streams for protection of water quality functions and riparian connectivity consistent with previous 2006 Noosa Plan. <p>An assessment of waterways buffers has been provided to the State in the document Noosa Shire Waterways Assessment 2017.</p> <p>Council has made the following changes:</p> <ul style="list-style-type: none"> • Amend buffer widths in Table 6.7.1.3 AO8.2 to read "setback... a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterway and Wetland Overlay maps". • Amend buffer widths in Table 6.8.1 AO18.1 to read "setback... a distance greater than the riparian buffer area shown on Biodiversity, Waterways and Wetlands Overlay maps". • Amend buffer width in Table 6.8.3.AO8.4 for the Rural Zone. "a distance greater than the width of the riparian buffer area shown on Biodiversity, Waterways and Wetland Overlay maps".

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<p>10</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: 6.8.3 Rural Zone Code; 6.8.3.2; points 2(a) and 2(f)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Address the action in item 4 above, and if appropriate include intensive animal industries in both dot points.</p> <p>Reason: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>FURTHER ADVICE: The definition of agriculture in the SPP includes intensive animal industries.</p> <p>The rural zone is the appropriate place for all agriculture/rural uses including intensive animal industries in appropriate locations. All types of agricultural development are consistent with the intent of the rural zone.</p> <p>All rural uses should be listed as consistent uses in the rural zone. Please amend any instances with rural uses are listed as inconsistent uses in the rural zone. Council can regulate the level of assessment through the tables of assessment.</p>	<p>Intensive Animal Industry is now considered consistent where it meets the following criteria:</p> <p>a) located at least 100 metres from a sensitive land use; b) located outside the Water Supply Buffer or Water Resource Catchment; c) located outside the Flooding and Inundation area; d) located outside the Riparian Buffer Area.</p>
<p>12</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, PO2/AO2</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Include an Editor's Note advising that aquaculture is permissible on ALC Class A/B land (Agricultural Land Conservation Area)</p> <p>Reason: The SPP clearly articulates that planning schemes are to "promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.", and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>Done - Editor's note added below AO2.2 as follows: "Aquaculture is specifically permissible on Agricultural Land Conservation Area".</p> <p>(ALCA is a defined term)</p>
<p>13</p>	<p>The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.</p>	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Building height and scale, PO7 and AO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Remove provision that buildings and other structures are "low rise" if low rise means under 9 metres, or define what "low rise" means. 2. Amend PO7(b) to "minimise an appearance of bulk to adjacent properties etc. <p>Reason: Some agricultural buildings are not low rise (depending on definition) and are high through necessity (eg. silos) – some greenhouse structures need to be 9 metres high to get the best growing conditions for certain crops. Restricting the height of these structures in the rural zone does not represent support for agriculture and is therefore inconsistent with the SPP.</p> <p>Likewise, some agricultural buildings need to be bulky through necessity and it would support agricultural development to allow a proponent to "minimise" the bulkiness rather than straight out not supporting it. The rural zone is for rural activities and if that rural activity requires a bulky structure to be viable, then it should be supported through the planning scheme to comply with the SPP.</p>	<p>It's accepted silos and other agricultural structures/buildings could exceed 9 metres but not to an indefinite figure and Council should still see plans of anything particularly high especially if that structure is within a certain distance of property boundaries.</p> <p>6.8.3.3. PO7 remains however (b) has been amended to read "minimise the appearance of bulk to adjacent properties, roads or other areas in the vicinity of the site";</p> <p>The corresponding AOs now read as follows:</p> <p>AO7.1 Buildings are no more than two storeys in height.</p> <p>AO7.2 With the exception of Class 10 buildings or structures used exclusively for a rural activity, buildings and structures are no more than 8 metres in building height from ground level and no more than 8 metres above the finished surface level providing that they may be up to 9 metres where the pitched roof but no other part of the building or structure exceeds 8 metres.</p> <p>AO7.3</p>


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		<p>FURTHER ADVICE DAF is concerned that a boundary setback of twice the height of the building or structure is excessive, however given it is an AO, DAF will accept.</p> <p>However there doesn't appear to be any decision on PO7(b)</p> <p>DAF supports Councils endeavours to avoid "big barns" being converted to a dwelling.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address these issues, particularly a reword of PO7(b) to address the requirement around the appearance of 'bulk'.</p>	<p><i>With the exception of Class 10 buildings or structures used exclusively for a rural activity, individual buildings or roofed structures do not exceed 500m² gross floor area.</i></p> <p>A07.4 <i>Class 10 buildings used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry do not exceed 12 metres in height.</i></p> <p>A07.5 <i>A structure, not constituting a building, used exclusively for the purpose of animal husbandry, aquaculture, cropping, intensive animal industry, intensive horticulture or rural industry does not exceed 15 metres in height.</i></p> <p>This should not be onerous on genuine farming situations but we would prefer to avoid big "barns" that very quickly get converted to habitable buildings. DAF indicated it's OK.</p>
14	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Built form, Setbacks, PO8 Part (a)</p> <p>Integration of state interest: <i>State interest is partially integrated</i></p> <p>Action: Reword this PO to focus on not causing environmental harm and nuisance (as per EP Act) to sensitive receptors.</p> <p>Reason: Currently the performance outcome is too focussed on the amenity (amenity being highly subjective) of other users of the rural zone and is ultimately not supportive of agricultural operations in the appropriate zone. Agriculture is at times going to cause some noise/dust/odours – this is why it is constrained to the rural zone.</p> <p>FURTHER ADVICE DAF agrees in part, however if an issue as subjective as "amenity" is going to be continually used as a means of managing rural uses in the rural zone, then DAF would like to see recognition that the rural zone is for rural purposes and this land use will affect amenity to some degree, at some time, to some people. Even small-scale boutique enterprises have the potential to affect someone's amenity if that person's perception of the rural zone is different to what the zone is actually for.</p> <p>Suggest - "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts, over and above what could reasonably be expected in the rural zone, on amenity values, acknowledging that the rural zone is for rural uses."</p> <p>DAF and DSDMIP request that council reword, so that the PO is measurable. DSDMIP also suggest council do an audit of the planning scheme, to see if amenity is already covered off through other provisions, for instance, buffers etc.</p> <p>DAF and DSDMIP expect some revision of the planning scheme to address the above.</p>	<p>Reworded PO8 (a) to read "avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;"</p>
15	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Safety and amenity PO9 and PO10</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete PO9 and PO10(b)</p> <p>Reason: Impacts to amenity have been covered under the setbacks section – PO8 (a). Generally, the rural zone code is not particularly supportive of agriculture and is more focussed on protecting the lifestyle of people living in the zone. Inclusion of PO9 confirms this focus and does not support agricultural uses in the rural zone. If the focus in the rural zone is on lifestyle and environmental attributes, then the land in this zone needs to be zoned accordingly (ie not rural zone).</p>	<p>PO9 is reworded to say "Development does not result in environmental harm or environmental nuisance to sensitive land uses."</p> <p>PO10b) is deleted.</p>

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		<p>With regards to PO10(b), this provision is too open to interpretation and could constrain any agricultural development. Agriculture needs to be able to move goods both in and out of a property, and this PO seems aimed at reducing any agricultural related traffic along rural roads. This isn't supportive of the state interest for agriculture.</p> <p>FURTHER ADVICE: Development that is assessable will likely be assessed for traffic impacts, is there a need to single out haulage components – would like to discuss with NSC, given the majority of land uses currently in the rural zone, and fragmented nature of rural zone, what is the risk of large-scale agricultural enterprises locating in the region?</p>	
16	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Scenic amenity AO13</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: <u>Consider</u> removing or rewording AO13 (d)</p> <p>Reason: Some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>We've added an Editors note as follows:</p> <p>Editor's Note— Residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
17	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 6, Section 6.8.3 – Rural Zone Code, Table 6.8.3.3 - Criteria for assessment, Sloping sites and ridgelines PO15 and Editor's note under AO15.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action:</p> <ol style="list-style-type: none"> 1. Reword PO15 2. <u>Consider</u> removing or rewording Editor's note <p>Reason: PO15 could constrain agricultural development and appears to be more directed to structures – e.g. how would a proponent ensure that an avocado orchard sits in the landscape rather than dominates it?</p> <p>The Editor's note refers to the use of building material colours – as above, some agricultural operations require different colour shade cloth or materials to provide the best growing conditions for what they are producing. While it's acknowledged that these should be screened to reduce amenity impacts, it is onerous for a planning scheme to be determining the materials and colours that should fit with the sites visual character, particularly in a zone which should be supporting agricultural production.</p>	<p>PO15 now reads as follows: The landscape character and visual amenity quality of hill slopes and ridgelines are retained and buildings and structures:</p> <ol style="list-style-type: none"> a) are visually responsive to the natural topography of the site, sitting within the landscape rather than dominating it; b) step down slopes or use suspended floor construction; and c) minimise cut and fill. <p>The Editor's note following AO15.5 is modified to read: <i>On visually prominent hill slopes or ridgelines residential buildings should be predominantly finished in colours and materials that blend well with the colours and hues of the surrounding vegetation and landscape without causing glare or reflection. Broad expanses of a single colour are less desirable and where possible should be broken up by other colours or design elements. Shades in the violet, blue, green and yellow green side of the spectrum as well as greys or browns should be appropriate with whites or bright colours restricted to trimmings.</i></p> <p>For agricultural buildings, colours and textures that blend with the natural setting are preferred however if not practical, buildings should at least be well maintained and/or visually screened.</p>
18	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 8 Table 8.2.4.3, PO3(b)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO3 (b) to include all marine plants not just mangroves e.g.: 'maintain or enhance coastal ecosystems and natural features such as coastal creeks, marine plants including mangroves, salt marshes, and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and'</p> <p>Reason: Including the greater range of marine plants better complies with the legislative framework and the meaning of fisheries resources in the SPP (policy 3).</p>	<p>8.2.4.3 PO3 (b) now reads as follows:</p> <p>"maintain or enhance coastal ecosystems and natural features such as coastal creeks and marine plants including mangroves, salt marshes and coastal wetlands, to assist in protecting and buffering communities and infrastructure from sea-level rise and coastal inundation impacts; and"</p>
19	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (b) and (c)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>Overall outcomes for the Rural Zone are now:</p> <ol style="list-style-type: none"> a) Rural activities contribute to the economic strength of the Noosa hinterland and create opportunities for employment. b) Animal husbandry and cropping contribute to the heritage values of the Shire. c) Innovative and sustainable agricultural enterprises are particularly promoted and encouraged.

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		<p>Action: Remove term “traditional” and amend overall outcome to read “Agricultural practices are promoted and encouraged to locate in rural areas and contribute to the heritage values of the shire”. Reword (c) to ensure the scheme is being exclusive to particular agricultural uses.</p> <p>Reason: The term ‘traditional’ implies that some agricultural practices are not included as a rural activity and this could constrain certain rural activities from taking place in the appropriate zone. Further, what is a “traditional” agricultural practice? What is meant by “innovative and sustainable agricultural enterprises”?</p> <p>Additionally, (c) refers to encouraging innovative and sustainable agricultural enterprises to establish in rural areas and coupled with (b), it appears the scheme is promoting certain agricultural activities over others. This is not the intention for the rural zone and it could be argued that most agricultural operations are innovative and sustainable to some degree in order to be viable in a highly scrutinised and competitive sector.</p>	<p>d) Rural activities directly and indirectly support the local production of food and beverage products.</p> <p>e) Development maintains and enhances rural landscapes and ecologically important areas.</p> <p>f) Development is managed to protect land and water resources to avoid diminished productivity.</p> <p>g) Rural activities are located and operated to protect and maintain water quality values of surface and groundwater.</p> <p>h) Rural activities are separated from sensitive land uses which might be adversely affected by the activity.</p>
20	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Purpose and overall outcomes, Part (2) (e)</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Delete (e) or reword by removing reference to “rural landscapes”.</p> <p>Reason: In practice, how does a rural activity enhance the rural landscape? Is ploughing a field enhancing the rural landscape? To some it might be. Inclusion of this overall outcome is subjective and is likely to constrain agricultural activities in the rural zone which is contrary to the state interest for agriculture.</p> <p>FURTHER ADVICE: DAF acknowledges this, however the conundrum is that the rural zone is for growing food etc, and if that means intensively, then without a mechanism to remove that land use from being acceptable in the rural zone, it must be supported....or at least not unfairly constrained. It’s appropriate to require developments of this nature to reduce impacts on amenity and surely this could be achieved through appropriate buffering and landscape elements? Like housing and industry, agriculture must go somewhere – and the only place for it is the rural zone.</p> <p>DSDMIP considers that the inclusion of rural landscapes in the purpose and overall outcomes for the Rural Activities Code does not adversely impact rural activities from occurring and provides local context for the Noosa Shire.</p>	<p>See above, this is an overall outcome and does not actually preclude any particular development.</p> <p>The SEQ Regional Plan goes to great lengths to acknowledge and protect landscapes - “Our regional landscapes contain a wide range of values, including biodiversity, rural production, natural economic resources, scenic amenity, cultural landscapes and outdoor recreation.” It talks about regional landscapes as our greatest assets and details the role they play in cultural heritage, biodiversity and specifically mentions productive rural landscapes. Regionally significant scenic amenity is also mapped.</p> 
21	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Aquaculture, PO18</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Reword PO18 to state: Development does not permanently alienate good quality agricultural land (see comments on the use of this term under Part C - Advice) where possible.</p> <p>Reason: The SPP clearly articulates that planning schemes are to “promote hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture and intensive horticulture in appropriate locations.”, and the State Interest guidance material for Agriculture states that it is permissible for aquaculture to be located on ALC Class A/B land where the impacts can be minimised etc.</p>	<p>9.3.13 PO18 now reads as “Wherever possible, development does not permanently alienate good quality agricultural land.”</p>
22	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Intensive Animal Industries PO23</p> <p>Integration of state interest: <i>State interest partially integrated</i></p>	<p>The Rural Zone Code includes setback provisions as follows:</p> <p>PO8 Notwithstanding that intensive rural activities may need greater separation distances, buildings and other structures are appropriately sited and designed to:</p>

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		<p>Action: Amend the performance outcome to <u>focus on intensive animal industries not causing environmental harm or environmental nuisance to sensitive land uses. Consider adding an AO that provides setbacks.</u></p> <p>Reason: The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p> <p>Intensive animal industry should not cause environmental nuisance, however the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone.</p> <p>The SPP states - growth in agricultural production and a strong agriculture industry is facilitated by promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations.</p> <p>FURTHER ADVICE: Agree with amended PO23.</p> <p>DAF agrees that development should not cause environmental nuisance to sensitive land uses.</p> <p>However, the requirement to contain all noise, dust, light and odour within the boundary of the property is unreasonable and places unrealistic restrictions on the development of intensive rural uses in the rural zone, which is the appropriate location for all agricultural/rural uses and its development, including intensive agricultural uses.</p> <p>The focus should be on not causing environmental harm or environmental nuisance, as defined in the EP Act, to a sensitive land use, not at the property boundary.</p>	<p>a) <i>avoid environmental harm or nuisance to sensitive land uses, including adverse impacts on amenity values, over and above what could reasonably be expected in the rural zone;</i></p> <p>b) <i>avoid adverse impact on ecologically important areas including National Parks, watercourses, and wetlands;</i></p> <p>c) <i>mitigate risks associated with the use of chemicals or air pollutants;</i></p> <p>d) <i>avoid conflict with existing or future rural uses and activities on adjoining properties.</i></p> <p>AO8.1 <i>Buildings used to house animals, temporary holding yards, structures containing areas of animal waste or by-product disposal are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO8.2 <i>Buildings or structures which are used for the storage of chemicals or machinery, stockpiling of composting or organic fertilisers, or which support artificial lighting or irrigation sprayers are not within 100 metres of:</i></p> <p>a) <i>the boundary of properties in a residential zone including the rural residential zone;</i></p> <p>b) <i>a sensitive land use;</i></p> <p>c) <i>the boundary of adjoining properties in the environmental management and conservation zone; or</i></p> <p>d) <i>a waterway shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>As detailed above within the <u>Rural Activities Code</u> we have somewhat merged provisions for animal husbandry and intensive animal industries. This code includes the following statements:</p> <p>PO11 <i>Sufficient separation distance is provided between Animal husbandry and Intensive animal industry, public spaces and sensitive land uses on other premises.</i></p> <p>AO11 <i>Irrespective of boundary setbacks for the relevant zone, area used to contain livestock intensively, whether temporarily or permanently, or waste and by-product disposal areas are located no less than—</i></p> <p>a) <i>50 metres from a road reserve;</i></p> <p>b) <i>250 metres from land in a residential zone including the rural residential zone;</i></p> <p>c) <i>40 metres from another property boundary; and</i></p> <p>d) <i>150 metres from a sensitive land use.</i></p> <p><i>provided that a mobile poultry shed housing no more than 200 birds can be as close as 40 metres to any property boundary provided it is within the setbacks specified above for no more than 2 days during any given week.</i></p> <p>PO12 <i>Sufficient separation distance is provided between livestock and ecologically important areas including national parks, waterways, water bodies and wetlands.</i></p> <p>AO12.1 <i>Buildings used to house animals, temporary holding yards, areas of waste or by-product disposal are not within 100 metres of</i></p> <p>a) <i>adjoining land in the environmental management and conservation zone; or</i></p> <p>b) <i>a waterway or wetlands as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2.</i></p> <p>AO12.2 <i>Where livestock is located on land adjoining a natural waterway or wetland (as shown on the Biodiversity, Waterways and Wetlands Overlay maps in schedule 2) fencing prevents livestock entering the waterway or riparian zone.</i></p> <p>PO15</p>
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			<i>The haulage of animals does not result in environmental nuisance to surrounding sensitive land uses.</i>
23	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, intensive horticulture and wholesale nurseries, PO25</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Reword PO25 to “manages the risk of soil erosion” or “reduces the risk of soil erosion”.</p> <p>Reason: As it currently reads, any sort of cropping or agriculture which requires tilling of the land would not be able to meet this PO. As soon as ground is broken by a plough, the risk of soil erosion increases. As such, this provision effectively prohibits many forms of agriculture. This outcome is not consistent with the intentions of the SPP.</p>	<p>PO25 now reads as:</p> <p>“Development manages the risk of soil erosion or landslide and does not lead to sediments, nutrients and other chemicals flowing into drainage lines, waterways or wetlands.”</p>
24	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.3</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.3 to recognise that spray may be contained by intensive horticulture structures and covered areas and if this is achieved then separation distances are less relevant.</p> <p>Reason: The rural zone should support agricultural activities and by including more criteria and the spraying with the setback distances as an acceptable outcome in certain circumstances, agricultural development may be facilitated.</p>	<p>AO26.3 now reads as “Unless spray is entirely contained within a structure without risk of escape...”</p>
25	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Part 9, Section 9.3.13 – Rural Activities Code, Table 9.3.13.3 – Criteria for assessment, Cropping, Intensive Horticulture & Wholesale Nurseries, AO26.5</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Amend AO26.5 to allow for greater area of combined structures/covered areas that could be necessary for intensive horticulture and wholesale nursery activities for example, by stating the covered areas is ten per cent of the area of the lot.</p> <p>Reason: A limit of 1,000m² for intensive horticulture structures and covered areas would limit commercial viability of intensive horticulture and wholesale nursery businesses. Unjustified restrictions on the area of these structures has the potential to limit the activity below economic levels and thus constitutes a de-facto prohibition of the activity on a commercial-scale. This is inconsistent with the intent of the SPP Agriculture Policy 4 (a).</p>	<p>We have added a new AO that says: “Structures and covered areas associated with intensive horticulture or wholesale nurseries do not exceed 10% of the site.”</p> <p>We’ve removed any upper limit to size.</p>
26	The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.	<p>Planning Scheme Reference: Mapping, Agricultural Land Overlay, Agricultural Conservation Area, Maps 3 and 4</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Provide justification why a large area of land east of Cooroy to Tinbeerwah has been removed from the State ALC Class A/B land mapping</p> <p>Reason: It is noted that the Agricultural Conservation Area mapping has been derived by removing a number of conflicting land uses from the ALC Class A/B land mapping, however this area of land doesn’t appear to be in the Urban Footprint or Rural Living Area of the SEQ Regional Plan, in a residential zone or within the Biodiversity Overlay of the new Planning Scheme. Rural activities should be able to be managed to reduce potential impacts on water storages.</p> <p>ADDITIONAL COMMENTS: The council can map the land as ALC, and then have appropriate planning scheme provisions to regulate development that could impact on the water supply catchment.</p>	<p>This is the Water Resource Catchment and Water Supply Buffer as shown on the SPP mapping. Previous State Interest comments (from SEQ Water) advised agriculture was not the preferred use in that area and they wanted it to be subject to impact assessment. In the current scheme agriculture would always be assessable in the water supply catchment and going back to the 1985 scheme it was actually prohibited.</p> <p>We have reinstated any ALC class A or B mapping to this area however in a water resource catchment or water supply buffer area agricultural uses will be code assessable against the overlay code if they are “a rural activity storing chemicals or keeping livestock on site”.</p> <p>Table 5.9.9 has been modified and catchment relevant benchmarks shifted from the Rural Activities Code to the Regional Infrastructure Overlay Code.</p>

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		Development in water resource catchments and water supply buffer areas should be appropriately sited and designed to avoid the risk of sediments, nutrients and contaminants compromising the quality of the drinking water supply.	
Development and construction			
Ref. Number	Policy Element	Requirement	NSC response
27	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference:</p> <ol style="list-style-type: none"> Part 1, Table 5.5.5 Rural Residential – Roadside stall - Accepted development subject to requirements. Part 1, Table 5.5.14 Rural - Roadside stall - Accepted development subject to requirements. <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Include a requirement which ensures that infrastructure associated with the roadside stall is not located within a road. (i.e. roadside stalls are not accepted development if within the road). This should be included in the 'Categories of development and assessment' column in Table 5.5.5 and Table 5.5.14.</p> <p>Reason: Roads are State owned land and as the property owner of the road, the state usually doesn't support this type of development within the road. By making this accepted development it removes the requirement for owners' consent for the development. Roadside stalls within the road need to be code assessable development which will allow the State to consider proposals as part of providing owner's consent.</p> <p>Further, it is unclear if this is the intent of Accepted Development requirement AQ6.3(c) of the Rural residential zone code. It doesn't address construction of structures or buildings within the road as the requirement in the AO is only it has to be "10 metres from road frontage".</p>	<p>We have modified the Tables of Assessment for Rural and Rural Residential Zones to qualify that it won't be Acceptable Development subject to requirements if it is within a road reserve. (It will be code assessable).</p> <p>Added a new AO to the Rural Residential Zone code that specifies roadside stalls no larger than 9m² may be located adjacent to (inside) the front property boundary provided safe space for parking of vehicles is also within the property boundary.</p>
28	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone map - Map Code: ZM-14 and section 7.2.6.2 - Purpose and Overall Outcomes</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Recognition is required in the zone map and section 7.2.6.2 of the importance and primary use of the following lots as a fire fuel control buffer between National Park (147/NPW889) and residential development:</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 5 MCH842015 • lot 8 SP104270 • lot 7 M111117 • lot 6 M111116 • lot 7 MCH842016 • lot 1 AP8132 • lot 950 CP900487 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: <u>With the planning scheme seeking to have more people living in this area via infill</u>, there is a need for acknowledging the importance for a sufficient fire buffer and management regime for the area. The primary use of this land is for fire management and accordingly the land should be zoned or identified to reflect this purpose rather than relying on the 'Environmental Management and Conservation' zoning. Zoning of State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can</p>	<p>The planning scheme does not suggest there will be a significant increase people in the Sunshine Beach - Peregrin Beach strip. It is in fact an area with very little "upzoning" so there is little change from existing scheme other than the same provisions as elsewhere re secondary dwellings (<u>note there are no longer dual occupancies proposed in the Low Density Residential Zone</u>).</p> <p>DNRME has agreed environmental management and conservation is the 'best fit' zone, but wants a footnote to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area.</p> <p>We've edited 7.2.6.2 overall outcome (2) (q) to read: "Development in the local plan area is supported by an extensive network of open space and passive recreation opportunities offered by the foreshore parks, reserves and Noosa National Parks. A buffer between urban development and Noosa National Park facilitates regular fire fuel reduction burning."</p> <p>At the end of PO20 we've added an Editor's Note as follows: Regular hazard reduction activities occur in the fire fuel control buffer between the Noosa National Park and urban residential development. These activities are necessary to reduce risk to people and property and may have an unavoidable impact on biodiversity and habitat values.</p>

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		<p>also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that at the Whole of Government briefing, it was advised that council's vision for the scheme was to promote Secondary dwellings and particular "dual occupancies" (separate household). This is a form of infill development, and would therefore increase the amount of people living and visiting the area. Infill is not just occurring via up zoning.</p> <p>It is considered that environmental management and conservation is the 'best fit' zone, but a footnote should be used to refer to this area as being used for a fire fuel control buffer and is not a primary conservation area. Furthermore, the use of this land should be acknowledged in section 7.2.6.2 Purpose and Overall outcomes for the Coastal Communities Local Plan Code, and PO20(c) should be amended to ensure fire risk management 'can' significantly impact the biodiversity values as the area will be periodically cleared and burnt.</p>	
29	<p>Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.</p>	<p>Planning Scheme Reference: - Zone Map: ZM-4 – Lot 7 MCH4562</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The zoning of Lot 7 MCH4562 should be split zoned. The footprint of the airstrip should be zoned Community Facilities and the remainder of the lot should be zoned Environmental Management and Conservation.</p> <p>Reason: This would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Landing Ground for Aircraft. Only the areas which presently have landing and airstrip infrastructure are to be shown as to Community Facilities. The remaining areas contain Matters of State Ecological Significance and therefore should be zoned as Environmental Management and Conservation to reflect these values.</p> <p>Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p> <p>ADDITIONAL COMMENTS: DNRME previously advised, that this is not the present use or approved use of the land. DNRME understands there is no date for this closure to occur and council has not sought to surrender or amend the purposes of the reserve.</p> <p>Therefore, it was recommended that the zoning be amended to reflect the approved present use as previously suggested.</p> <p>Council could also include the future intent for the area in the scheme's Strategic Framework. This could be done by acknowledging the Great Sandy Management Plan outcomes.</p> <p>Council acknowledged that zone changes in this area previously have drawn significant community interest and opposition, in terms of a zone change from Environmental Management and conservation zone to community facilities zone.</p> <p>Previous attempts to change the purpose of the reserve have been difficult, due in part to the trustee lease. Council needs to liaise with the DNRME about possible solutions as the two trustee leases combined only covers less than 2000m2 of the entire 428Ha site.</p> <p>Council intend to acknowledge the existing uses of the reserve in the strategic framework of the planning scheme.</p> <p>DNRME support councils proposed zone in the draft scheme, but the strategic framework needs to acknowledge:</p> <ul style="list-style-type: none"> - the existing land use as an airstrip - the existing land use will not be expanded 	<p>The Teewah airstrip is now and has consistently been zoned for open space purposes. Council has objected to helicopter and fixed wing aircraft (other than emergency landings) on this site for some time and its use for commercial aircraft including pilot training has received significant community objection. In 2014 Noosa Council resolved to restrict use of the airstrip and sought to have the land tenure changed to open space. Showing it as an airstrip into the future is contrary to the views of Council and the community and adopted State policy.</p> <p>DA Approval was given for Transport Type 4 (aeronautical hanger) in 2010 with two extensions given – the latest granted Jan 2018. This is for hang gliders.</p> <p>The Great Sandy Management Plan first adopted by the State in 1994 and revised in 2005 states that "The Noosa North Shore airstrip will be closed and added to the Cooloola Section of the Great Sandy National Park, although continued use of the area by ultralight aircraft will be permitted."</p> <p>Within the Strategic Framework we have added a new Strategic Outcome under Transport and Movement as follows:</p> <p><i>The Noosa Aerodrome off Weyba Drive, Noosaville is retained and operated as the only commercial airstrip within Noosa Shire. Use of the Noosa North Shore airstrip will not be expanded and the airstrip will ultimately be closed and added to the Cooloola Section of the Great Sandy National Park.</i></p>

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		- the present land use will stop in the future as per the Great Sandy Management Plan outcomes.	
30 SAME PROPERTY AS ADDRESSED AT #44 BELOW	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM-1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be rural.</p> <p>Reason: A rural zoning would more accurately reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve for Quarry—with Noosa Shire Council as the trustee. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been be changed to Rural.
31 SAME PROPERTY AS ADDRESSED AT #45	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Environmental Purposes. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
32 SAME PROPERTY AS ADDRESSED AT #46	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: This reflect the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve—with Noosa Shire Council as the trustee—for Gravel purposes. The present scheme has this area zoned as Open Space Conservation. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management & Conservation.
33	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 492 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 492 SP287419 should be zoned Rural or Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Quarry. The proposed zoning of community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	Zone has been changed to Environmental Management and Conservation
34	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 4 – lot 491 SP287419</p> <p>Integration of state interest: <i>State interest not integrated</i></p>	Zone has been changed to Environmental Management and Conservation

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		<p>Advice: Lot 492 SP287419 should be zoned Environmental Management and Conservation.</p> <p>Reason: This zoning reflects the present land use and the land's designated purpose under the <i>Land Act 1994</i> as a reserve with Noosa Shire Council as the trustee, for Environmental Purposes. The proposed zoning of Community facility zone does not contain an annotation for the intended use and does not fit with the purpose of the reserve. While this may have been the zoning under the present scheme, it no longer reflects the purpose of the reserve. Zoning State-owned land plays a role in addressing community needs and expectations. By local government undertaking appropriate consultation with the State, planning schemes can also deliver public benefits by appropriately zoning State-owned land to meet State and local government operational requirements and community needs.</p>	
35	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 5 - Lot 1 MCH842782</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: Lot 1 MCH842782 should be zoned Environmental Management and Conservation</p> <p>Reason: The lot is Unallocated State Land and is proposed to be included into the adjoining protected area estate. This reflects the State's future aspirations for the site. The site also contains areas of Matters of State Ecological Significance and these areas should be in a conservation zone.</p>	Zone has been changed to Environmental Management and Conservation
36	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Zone Map: ZM 12 – Noosa River area in Noosaville</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: The Noosa River Marine Facility Leases in the Noosaville locality are not zoned consistently; the majority are zoned Recreation and Open Space. There are two lots which are not zoned and should be zoned.</p> <p>Reason: While the Recreation and open space zone isn't a perfect fit for the marine facility leases, the zone code and local plan code provisions address Council's intentions for the Noosaville foreshore. For consistency, all leases should be zoned to ensure it is clear that further commercial development on or along the river is limited by the Performance Outcomes in the <i>Noosaville local plan code – Noosa River, PO23-27</i>.</p>	All commercial leases in the Noosa River along Gympie Terrace have now been zoned Recreation and Open Space.
37	Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.	<p>Planning Scheme Reference: Table 6.6.1.3 Criteria for assessment – PO7</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Advice: Define the use terms used in PO7: the recreation and open space zone code has a performance outcome (PO7) that relates to 'temporary.... outdoor entertainment events', yet this use term is not defined and has no criteria or guidance given for the intended meaning.</p> <p>Reason: Lot 92 MCH5166 is identified on Zone Map: ZM-12 as 'recreation and open space zone'. This lot is State-owned land with a land lease for the granted purpose of 'recreation'. Some types of outdoor entertainment, depending on the scale and impacts, could potentially conflict with the purpose of the lease. The lease plays an important role in serving the recreation needs of the community, and in turn, the neighbouring community has expectations regarding how the land is to be used. The community should have a clear understanding about the types of uses that are consistent with the leases purpose, and the types of uses that require development approval. Therefore, the planning scheme should include criteria or a definition regarding what constitutes a temporary outdoor entertainment event.</p> <p>Additional Advice: There are examples of this property being previously used for helicopter joy rides and music festivals which has had significant impacts on amenity, safe traffic environment and character of the surrounding area.</p>	<p>Lot 92MCH5166 is the Aussie Rules football field where the farmers markets are held as well as the occasional circus. Apparently, there has been instances of inappropriate festival or concert events which have caused concern. DNRME suggest there's something lacking in the property management process for events.</p> <p>It is common for sports grounds and other areas of open space to host occasional events. For example at Tewantin sports ground a rodeo one night every year event occurs. At a show ground you occasionally get some inflatable water world for a few days in summer school holidays. On Gympie Terrace foreshore and at the Woods near Hastings Street there are often one-day community events or festivals.</p> <p>PO7 now reads as "Temporary uses, such as markets or outdoor entertainment events, are supported by existing facilities and do not significantly impact on the amenity, safe traffic environment and character of the surrounding area."</p> <p>"Temporary uses" is a term defined by the Planning Regs and included in the administrative definitions of the scheme. It is suggested that it may be management problem if inappropriate events are being approved and that particularly loud events could not possibly meet that PO. Obviously temporary uses are not to be repeated on a regular (e.g. fortnightly or monthly) basis.</p> <p>That PO applies to the zone not one specific site. The table of development specifies the consistent uses.</p>

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		Without a definition of temporary or periodic events this PO is unmeasurable.	
Mining and extractive resources			
Ref. Number	Policy Elements	Requirement	NSC response
38	Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.	<p>Planning Scheme Reference: Overlay map – Extractive resources showing Key Resource Areas (KRA)</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Change the extent of the Wahpunga Range KRA 57 to be consistent with the current SPP mapping.</p> <p>Reason: Although it was envisaged that amendments to the extent of the Wahpunga Range KRA 57 would be made before the scheme was finalised for state interest review, this has not yet occurred and it would be premature to advertise the planning scheme with revised KRA boundaries when these have yet been approved by the Minister for Planning and therefore reflected in the SPP mapping. It is suggested that a footnote be included, noting that the KRA shown in the scheme is consistent with the SPP but that there are proposed changes to the boundary and directing the public to contact the council for further information.</p>	<p>Overlay mapping has been changed and a footnote added.</p> <p>We note however that DNRME have completed consultation on a revised shape and are now preparing a consultation report that will be forwarded from the Minister for Natural Resources Mines and Energy to the Minister for State Development, Infrastructure and Planning recommending the proposed amendment for adoption in the State Planning Policy Guidelines.</p> <p>Should the proposed amendment to KRA57 be resolved prior to State sign off, Council will reflect the revised boundary in the scheme.</p>

Planning for the environment and heritage

Biodiversity				
Ref. Number	Policy Elements	Requirement	NSC response	October 2018 DES response
39	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Strategic Framework</p> <p>Integration of state interest: Integrated</p> <p>Action: Identify the extent of the UNESCO Noosa Biosphere – does it encompass the whole local government area?</p> <p>Reason: It's unclear what the extent of the biosphere is.</p>	Yes it does encompass the whole Shire – 3.2.2 of the Strategic Framework says "In September 2007, <i>Noosa Shire</i> was declared a Biosphere Reserve under UNESCO's Man and the Biosphere Program in recognition of the commitment by the community to environmental excellence and the pursuit of ecologically sustainable development."	Supported.
40	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3. PO3 – Biodiversity Overlay Code, Biodiversity mapping layer</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Clearly identify locations subject to Koala Assessable Development Areas (KADA) requirements and areas of MSES and MLES.</p> <p>Reason: Acknowledgement is given to the work involved to map koala habitat within the local government area and for use within the Biodiversity Overlay. Support is given for the shire-wide avoidance requirement in the overlay code. For clarity, the mapping and code could clarify the extent of the KADA within the local government area and the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i> – this is necessary, because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>ADDITIONAL COMMENTS: DES previously advised that the mapping of the extent of the KADA is supported.</p> <p>However, further work is required to differentiate the extent of MLES and MSES for the purposes of clarifying the extent of MSES for offset requirements under the <i>Environmental Offsets Act 2014</i>. This is necessary because local government can only require offsets for MLES, and not MSES. The Department of Environment and Science offers assistance to work directly with the council to finalise mapping and code requirements, particularly where they relate to koalas and offsets.</p> <p>DES and DSDMIP met with the council on 28/8/18, where the MSES requirements were explained.</p> <p>It was agreed that the council would provide the mapping methodology for the Koala Habitat Area map to DES and DSDMIP and DES could provide confirmation about the methodology being satisfactory. Council has provided this mapping.</p>	<p>Koala Habitat Map has been changed to show the Koala Assessable Development Area.</p> <p>Following discussions with the DES, council has added category C and A mapping and Legally secured offset areas to the Biodiversity Overlay 'Area of Biodiversity Significance'.</p> <p>A new layer has been added to this biodiversity overlay map to show all the SPP MSES map layers as a separate layer (except for category R regulated veg which is now shown on the second biodiversity map). This will help distinguish the locally significant veg from the MSES. The following note has been added to the map to explain this:</p> <p><i>MSES environmental values represent the State Planning Policy Matters of State Environmental Significance (MSES) map layers. However, it does not include Category R regulated vegetation – this is shown on the Biodiversity, Waterways and Wetlands Overlay (ii) as part of the Riparian Buffer Area.</i></p>	<p>Changes to the Biodiversity Overlay are supported.</p> <p>Based on mapping data provided by council, DES supports the koala habitat mapping methodology and the inclusion of additional habitat as MSES koala habitat. However, DES seeks confirmation from council that these areas are mapped remnant under RE version 10, and do not include regrowth.</p> <p>DES can provide advice on a comparison of koala MSES - essential habitat for the koala and koala bushland.</p> <p>DES also acknowledges the KADA layers were included in the koala habitat map.</p>

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			<p>The Category R regulated veg layer for the Great Barrier Reef regrowth watercourse veg is to be shown on the</p>	
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RTI RELEASE - DSDMIP

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		<p>DSDMIP advised that the SPP requires MSES to be identified and that development is located in areas that avoid adverse impacts, or where adverse impacts cannot be reasonably avoided, they are minimised (HOWEVER, the planning scheme must not include assessment criteria for MSES which duplicate a state assessment process – this includes MSES that is koala habitat) – see section 2 of the guidance material for biodiversity for guidance on how to appropriately integrate the policy for MSES. Council will revisit planning scheme provisions which rely on the biodiversity overlay to ensure there's no duplication of assessment with the state process.</p> <p>DSDMIP reminded the council that MSES is made up of lots and lots of different datasets – they are defined in Part G of the SPP, and spatially represented on the SPP interactive mapping system where possible. Part 3 of the guidance material for biodiversity also provides further guidance on mapping. It's worth noting that least concern REs are not MSES, but are still an environmental value that the local government could map. The guidance document provides a list of some of the other environmental values that aren't considered MSES.</p> <p>Additional action for council:</p> <ul style="list-style-type: none"> In regards to Matters of National Environmental Significance (MNES), the SPP requires local government planning schemes ensure development is located in areas to avoid significant impacts on MNES and considers the requirements of the Environment Protection and Biodiversity Conservation Act 1999. Given the way the planning scheme currently shows biodiversity in the overlay map, it's unclear if the council has complied with this policy. Currently, the only MSES for which a local government can require offsets, is non-juvenile koala habitat trees as defined in Schedule 24 of the Planning Regulation 2017. The Planning Regulation 2017, Schedule 11 has the assessment benchmarks for development in a koala habitat area that the local government, as assessment manager must assess against. The Noosa Shire contains Koala assessable development areas (KADA). The council could provide a note on the map and/or in the planning scheme about the assessment requirements under the Planning Regulation 2017. 	<p>second Biodiversity Overlay Map with the waterways and riparian buffers with the following note added to the map:</p> <p>The Riparian Buffer Area shows protective buffers for mapped waterways across Noosa Shire and incorporates the State Planning Policy Matters of State Environmental Significance (MSES) map layer for Category R Regulated Vegetation areas in the Mary River Catchment.</p> <p>Council has provided DES and DSDMIP with a copy of the methodology for the Koala Mapping from Healthy Land and Water, as well as map files for koala and riparian buffer areas and awaits state response.</p>	
41	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: 8.2.2.3, AO4.3 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>Integrated</i></p> <p>Advice: The Department of Environment and Science is currently working with Bundaberg Regional Council regarding more detailed development codes for lighting impact on turtles. As this work progresses in 2018, further details can be provided to the council for incorporation into the draft planning scheme. Similarly, mapping can be provided to the council which confirms the extent of known turtle beaches for inclusion in the planning scheme.</p> <p>In regard to terminology, it's preferable to refer to turtles as marine turtles, no sea turtles.</p> <p>Reason: The proposed reference to lighting impact on marine turtles and nesting beaches is supported however refinement of these types of provisions may become available for inclusion in the planning scheme prior to its finalisation. Note that this code is likely to be associated with mapping of the relevant parts of the coastal zone to be subject to specific lighting requirements.</p> <p>ADDITIONAL COMMENTS: Regarding suggested turtle lighting policy, DES will be in a position to provide policy direction in late 2018 as work progresses at Bundaberg with DSDMIP. DES will advise when policy is available.</p>	Council is happy to incorporate any additional provisions and mapping in the planning scheme for marine turtles when this information is available from DES. References to turtles have been changed to 'marine turtles'.	No additional policy direction is available at this time. Change to wording is OK.
42	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Table 8.2.2.3, PO1, PO11 – Biodiversity Overlay Code</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Where in a KADA area, align clearing requirements in the PO1 and PO11 of the Biodiversity Overlay Code to reflect the koala habitat provisions of the Planning Regulation 2017, which limits clearing of high value koala habitat areas (ie limit total cleared areas associated with development to 500m2 and extractive industry and other areas to 5,000m2). Outside of KADA areas, consider applying the same provisions for consistency. Also, add an editor's note referring to the relevant parts of the Planning Regulation 2017 (koala habitat areas).</p> <p>Reason: Proposed AOs regarding clearing in koala areas are inconsistent with the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 regarding the KADAs in the Noosa Shire.</p> <p>ADDITIONAL COMMENTS: DES accepts council's 'exempt clearing' approach for koala habitat outside the PKADA and KADA areas if it does not permit greater areas of clearing than the current Planning Regulation 2017 requirements. The State has commenced reviewing the planning framework as it relates to koala habitat and this new policy may be implemented during the life of this scheme review. DES will keep DSDMIP and council informed on progress.</p> <p>DSDMIP comment – in regard to AO11.6, please make sure the wording is clear and specific about what part of Schedule 11 the AO requires.</p>	<p>The Biodiversity Overlay can reference the koala habitat provisions in the Planning Regulation for all clearing of koala habitat whether inside or outside a KADA. Wording changed to:</p> <p>AO11.6 <i>During construction, measures are incorporated to not increase the risk of death or injury to koalas, including koala requirements for native vegetation clearing set out in Schedule 11 of the Planning Regulation 2017.</i></p> <p>Council is of the understanding that all of Schedule 11 would</p>	Wording change is supported.

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			<p>be relevant.</p> <p>Council does not support the inclusion of any additional clearing exemptions for koala habitat beyond the proposed exemptions, defined as 'exempt clearing'. This allows for better protection of both local and state significant koala habitat as it does not set an arbitrary limit to the total cleared areas but ensures clearing that is only reasonably necessary for the development intended for that site. Other provisions in the code help ensure development impacts are minimised.</p>	
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RTI RELEASE - DSDM

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			Council notes DES's comments about their policy review and we await the results. The 'exempt clearing' approach does not permit greater clearing than what is allowed under the Planning Regs. No further action required.	
43	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Bushfire management Table 8.2.2.3 Criteria for assessable development</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the code to ensure that the bushfire management measures are carried out on the property subject to development, not any adjoining property. For example: PO12 Bushfire management measures are adopted on the subject lot..</p> <p>Reason: Clearing for bushfire management measures should be undertaken on the property subject to the development not adjoining property (this includes State owned land).</p>	Council added new AO - AO8.3 "Bushfire management measures are carried out on the subject property and not any adjoining property."	
44	SAME SITE AS ADDRESSED IN 30 ABOVE Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 1 - Lot 415 MCH366</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 415 MCH366 should be Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a rural zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Rural	
45	SAME PROPERTY AS ADDRESSED IN #31 Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 3 – Lot 78 MCH1046</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The zoning of lot 78 MCH1046 should be zoned Environmental Management and Conservation.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation	
46	SAME PROPERTY AS ADDRESSED IN #32 Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 4 – Lot 17 MCH3984</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Lot 17 MCH3984 should be zoned Environmental Management and Conservation or Rural.</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone or a rural zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Zone has been changed to Environmental Management & Conservation.	
47	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 11 – Lot 372 MCH3843</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 372 MCH3843 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space</p> <p>Reason: The lot contains areas of MSES and should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) by avoiding 'up-zoning' land. By retaining a conservation zone over MSES, this will prevent those areas being considered an 'urban area' under the <i>Planning Regulation 2017</i> and prevent 'exempt clearing work' (i.e. accepted development) from occurring.</p>	Split zoning has been reapplied so biodiversity values and MSES included in Environmental Management & Conservation.	
48	Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	<p>Planning Scheme Reference: Zone Map: ZM 12 - Lot 801 SP153455</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 801 SP153455 should be zoned Environmental Management and Conservation and the areas which are not MSES zoned Community Facilities.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not</p>	Council believes this is inconsistent with how all other schools have been treated given Noosaville State School, Pomona State School, Noosa District High (both Pomona and Cooroy Campuses), Noosa Christian Collage at Cooroy and Sunshine Beach Primary School all contain MSES and yet are all entirely within the Community Facilities Zone.	

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		<p>up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: DSDMIP has recently added an infrastructure designation layer to the SARA DA Mapping System. A review of this layer shows that there is no infrastructure designation on this lot.</p> <p>The subject vegetation is least concern veg, and essential habitat (which makes it MSES). The subject vegetation is covered by the 'Area of biodiversity significance' overlay area on the proposed Biodiversity, Waterways and Wetlands Overlay map.</p> <p>This issue is not a matter of consistency with other school sites, but is about up-zoning (Current zone – Split community services / open space conservation. Proposed zone – Wholly community facilities).</p>	<p>The zoning of St Teresa's as with the rest of the Doonella Noosa Estate was put in place before all the development occurred and there was an approved masterplan that indicated where eventual land uses would occur. It was important to assure development of the school respected the vegetation on site. For this reason Council has a biodiversity overlay that covers the vegetation.</p> <p>Council will reinstate the split zoning of St Teresa's school at Noosaville as requested.</p>	
49	<p>Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.</p>	<p>Planning Scheme Reference: Zone Map: ZM 13 - Lot 1 SP239726</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Advice: The areas of MSES in Lot 1 SP239726 should be zoned Environmental Management and Conservation, and the areas which are not MSES zoned Recreation and Open Space.</p> <p>Reason: The lot contains areas of Matters of State Ecological Significance and these areas should remain in a conservation zone as per the existing scheme. Significant adverse impacts on MSES can be minimised (mitigated) through the use of zones which are not up zoning. This also prevents the area being considered an 'urban area' under the <i>Planning Regulation 2017</i> and then being 'exempt clearing work' (i.e. accepted development).</p> <p>ADDITIONAL COMMENTS: It is unclear why this change 'would prevent another sports ground' as suggested in Council's comment. As part of the development assessment of any proposal (e.g. a sporting field), the on-ground extent of the vegetation is assessed.</p> <p>DNRME's advice reflects the mapped values of the site and would set a level of assessment for any development on the site.</p> <p>Furthermore, there may be some confusion caused by the size and configuration of Lot 1 SP239726. DNRME's comments related to the proposed zoning change adjacent to the sports fields, and did not relate to changes adjacent to the Noosa Heads Police Station.</p> <p>The area adjacent to the Police Station has a small amount of land that was previously Open Space Conservation that is proposed to be zoned Community Facilities. However, DNRME acknowledges that overall the outcome will be a net reduction in Community Facilities zoning in this area via a reconfiguration of the zoning. Therefore, DNRME supports the proposed change adjacent to the Police Station.</p>	<p>DNRME supports the proposed change adjacent to the Police Station for the Shine Houses.</p> <p>in relation to the expansion of Girraween sports fields, Council will not pursue this right now. The LGIP still identifies a shortfall / broader need in the area generally but it may need to be met elsewhere depending on land constraints.</p>	
Coastal environment				
Ref. Number	Policy Elements	Requirement	NSC response	DES response
50	<p>The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependant development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.</p>	<p>Planning Scheme Reference: 8.2.4 – Coastal Protection Overlay Code and Coastal Protection Overlay</p> <p>Integration of state interest: <i>State interest integrated however more information required</i></p> <p>Action: Provide coastal hazard area mapping</p> <p>Reason: The code provisions associated with development in relation to the coastal hazard area are supported subject to sighting the coastal hazard area maps.</p> <p>ADDITIONAL COMMENTS: <u>The technical details on the Q100 report are still being reviewed. Further advice will follow if there are any technical matters requiring review.</u></p>	<p>The Coastal Hazards Assessment Report March 2018 has been uploaded to eplanning portal.</p> <p>DES is still reviewing the technical details on the Q100 report and will advise further if there are any technical matters requiring review.</p>	<p>The coastal hazard report is accepted, however DES requests GIS data for the erosion prone area mapping for verification.</p> <p>The outcome of the erosion prone area assessment should be submitted to the State to support an amendment to the State-declared erosion prone area plans. DES advises that council should proceed with this soon as is practical to ensure that the State-declared plans can be amended in a timely manner.</p>
Cultural heritage				
Ref. Number	Policy Elements	Requirement	NSC response	DES response
51	<p>The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the</p>	<p>Planning Scheme Reference: 8.2.7 – Heritage Overlay Code</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: Revise by adding a statement about the local heritage significance of the local cultural heritage significance of the place or area (Noosa Local Heritage Register).</p>	<p>The Historical Cultural Heritage of Noosa Shire 2002 report has been uploaded to the eplanning portal. It includes an historical overview and context for approximately 180 local heritage places. The report and citations require updating and review.</p>	<p>As previously noted, DES acknowledge that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP</p>

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			This will be completed next calendar year as resources allow. If this review recommends changes to the listings, maps or	cultural heritage state interest.
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	community and future generations	<p>Reason: The SPP requires the identification of local heritage places including a statement of local cultural heritage significance. Whilst the character areas contain requirements for places within the character areas, there is a lack of statements of local heritage significance for local heritage places outside the character areas.</p> <p>ADDITIONAL COMMENTS: It is acknowledged that further work will proceed next year regarding the local heritage place statements of significance. This is an important element to satisfy the SPP cultural heritage state interest.</p>	provisions of the scheme, a scheme amendment will be pursued as a result.				
Water quality							
Ref. Number	Policy Elements	Requirement	NSC response				
52	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: 9.4.9.3 – Stormwater quality and protection of receiving waters PO6</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: AO6.2 to include reference to design objectives for gross pollutants (90% for >5mm) in accordance with Appendix 2 of the SPP.</p> <p>Reason: The contents of Appendix 2 are not fully reflected in the code.</p>	<p>The wording has been changed to include reference to the design objectives for gross pollutants as follows:</p> <p>AO6.2 <i>All stormwater runoff is treated to achieve maximum removal of nutrients, gross pollutants and suspended solids as determined by cost to efficiency ratios. (e.g. bioretention basins must be sized to achieve at least 80% reduction in total suspended solids, 60% reduction in total phosphorous, 45% reduction in total nitrogen and 90% reduction in gross pollutants >5mm).</i></p>				
NEW COMMENTS FROM SEQWATER							
a	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Strategic Framework 3.3.4 Biodiversity and Environment</p> <p>Action: Please insert the following to point (h) (h)The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p> <p>Also please make the following a separate point (...)Enhance opportunities for agriculture, fisheries, tourism and recreation where possible meeting (h).</p> <p>Reason: The SPP requires that water quality be maintained and improved in drinking water catchments. There are a few minor amendments that will improve the protection of drinking water quality. The importance of the protection of water quality and the water supply catchment areas are integral to the viability of a sustainable future. This change highlights the importance of buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability.</p>	<p>3.3.4 (h) now reads:</p> <p><i>The quality and quantity of groundwater, surface water and wastewater discharge is optimised to minimise impacts to receiving waters, maximise opportunities for reuse, recovery and groundwater recharge, protect drinking water supply through provision of appropriate buffers and setbacks for new development to waterways and drinking water storages to maintain the quality of urban water supplies and future catchment viability. The high quality of waters also enhance opportunities for agriculture, fisheries, tourism and recreation.</i></p>				
b	The environmental values and quality of Queensland waters are protected and enhanced.	<p>Planning Scheme Reference: Cooroy Local Plan</p> <p>Action: Please insert a relevant Purpose statement and Overall Outcome to provide line of sight in the Local Plan.</p> <p>Reason: The Cooroy Local Plan contains two POs relevant to drinking water quality.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> PO23 Development does not adversely impact on the Lake Macdonald water supply. </td> <td style="width: 50%; padding: 5px;"> No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i> </td> </tr> <tr> <td style="padding: 5px;"> PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald. </td> <td style="padding: 5px;"> No acceptable outcome provided </td> </tr> </table>	PO23 Development does not adversely impact on the Lake Macdonald water supply.	No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i>	PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.	No acceptable outcome provided	<p>New Overall outcome has been added to Cooroy Local area Plan as follows:</p> <p><i>The protection of water quality within Lake Macdonald and waterways that drain to it is a paramount factor in consideration of development within the water supply catchment.</i></p>
PO23 Development does not adversely impact on the Lake Macdonald water supply.	No acceptable outcome provided <i>Editor's Note— Section 8.2.9 (Water Resources & Gas Pipeline Overlay code) sets out requirements for the provision of the Lake Macdonald Water Supply catchment.</i>						
PO24 The number and location of access points to watercourses is controlled and managed to prevent adverse impacts on water quality in Lake Macdonald.	No acceptable outcome provided						

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<p>c</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1" data-bbox="786 283 2033 577"> <tr> <td>Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.</td> <td>No acceptable outcome provided</td> </tr> <tr> <td>Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.</td> <td>Development complies with the separation distances by stream order as specified in Table X.</td> </tr> </table> <table border="1" data-bbox="786 577 1439 1333"> <tr> <td>Intensive animal industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Extractive industry</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other industrial uses</td> <td>100m</td> <td>100m</td> </tr> <tr> <td>Motor sport facility</td> <td></td> <td></td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>Major sport, recreation and entertainment facility</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50m</td> <td>100m</td> </tr> <tr> <td>All other development types</td> <td>50m</td> <td>100m</td> </tr> </table> <p style="text-align: right;">Table X</p> <p>Reason: The addition of these items strengthens this code to meet the intent of the drinking water quality objectives. These items are not specifically picked up in the Water Quality and Drainage Code.</p>	Development within a Water supply buffer does not include the incineration or burial of waste and all other waste is collected and stored in weather proof, sealed waste receptacles, located in rooted and bunded areas, for disposal by a licenced contractor.	No acceptable outcome provided	Management, handling and storage of hazardous chemicals (including fuelling of vehicles) within a Water supply buffer, is undertaken in secured, climate controlled, weather proof, level and bunded enclosures.	No acceptable outcome provided	Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.	Development complies with the separation distances by stream order as specified in Table X.	Intensive animal industry	50m	100m	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50m	100m	Extractive industry	50m	100m	All other industrial uses	100m	100m	Motor sport facility			Outdoor sport and recreation	50m	100m	Major sport, recreation and entertainment facility			Service station	50m	100m	All other development types	50m	100m	<p>We have amended the table of development for the catchment area so agricultural uses are no longer exempt and will be code assessed against the overlay code.</p> <p>We've added the PO's and AO requested but have moved the catchment AOs from the Rural Activities use code to the Regional Infrastructure Overlay code so agriculture will have the relevant quantitative benchmarks in the overlay code (rather than in the use code) – upshot of this being that outside the mapped catchment there are no requirements.</p> <p>New table has been inserted and referenced as follows: Table 3.2.9.3A - Separation distances to waterways and water supply sources</p> <table border="1" data-bbox="2136 630 2760 987"> <tr> <td>Intensive animal industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Aquaculture</td> <td>Case-by-case basis</td> <td>Case-by-case basis</td> </tr> <tr> <td>All other agricultural or forestry land uses</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Extractive industry</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other industrial uses</td> <td>100 metres</td> <td>100 metres</td> </tr> <tr> <td>Outdoor sport and recreation</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>Major sport, recreation and entertainment</td> <td></td> <td></td> </tr> <tr> <td>Service station</td> <td>50 metres</td> <td>100 metres</td> </tr> <tr> <td>All other developments</td> <td>50 metres</td> <td>100 metres</td> </tr> </table>	Intensive animal industry	50 metres	100 metres	Aquaculture	Case-by-case basis	Case-by-case basis	All other agricultural or forestry land uses	50 metres	100 metres	Extractive industry	50 metres	100 metres	All other industrial uses	100 metres	100 metres	Outdoor sport and recreation	50 metres	100 metres	Major sport, recreation and entertainment			Service station	50 metres	100 metres	All other developments	50 metres	100 metres
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<p>d</p>	<p>The environmental values and quality of Queensland waters are protected and enhanced.</p>	<p>Planning Scheme Reference: Wastewater management and effluent disposal Table 9.4.9.3 Criteria for assessment</p> <p>Action: Consider adding more details to the note to strengthen the note for onsite effluent treatment and disposal</p> <p>Editor's Note—The Plumbing and Drainage Act 2003 sets out requirements for onsite effluent treatment and disposal. <u>The Queensland Plumbing and Wastewater Code and associated guidelines are used to confirm the suitability of each site to accommodate an on-site sewerage facility; or where a centrally located group collection treatment system is proposed, confirmation as to the suitability of the designated site to accommodate the on-site sewerage facility. Additionally, where the combined total peak design capacity of effluent treatment is less than 21 equivalent persons,</u></p>	<p>Editor's note expanded as requested.</p>																																																															

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	<p><i>the design of the system achieves a low to medium risk classification in accordance with Seqwater's Land Use Risk Tool for onsite sewerage facilities.</i></p> <p>Reason: This amendment provides clarity for onsite effluent treatment requirements. The Plumbing and Drainage Act and Queensland Plumbing and Wastewater Code do not have requirements regarding pathogens and other factors which can impact drinking water quality objectives. This is inbuilt into Seqwater's Land Use Risk Tool for onsite sewerage facilities. This tool will be available online soon.</p>	
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Planning for safety and resilience to hazards

Emissions and hazardous activities			
Ref. Number	Policy Element	Requirement	NSC response
53	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Acid Sulfate Soils</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: Amend the provision on Acid Sulfate Soils (ASS) to achieve the intent of the following: The disturbance of acid sulfate soils should be avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants.</p> <p>Reason: Avoiding disturbance of ASS should always be the management control applied in the first instance as stated in policy 7 of this state interest in the SPP.</p>	<p>Wording in Strategic Framework Strategic intent 3.2.9 has been changed as follows:</p> <p>Low lying areas across Noosa Shire contain acid sulfate soils that, if exposed, can result in damage to buildings, assets, infrastructure and the local environment. The disturbance of acid sulfate soils is avoided where possible. Where disturbance is unavoidable, the disturbance should be minimised or managed to prevent the mobilisation and release of acid, iron and other contaminants. Areas subject to potential acid sulfate soils are shown on the Acid Sulfate Soils Overlay Maps in Schedule 2.</p>
54	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference: Strategic framework – Abandoned mines</p> <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: In the strategic framework, acknowledge that the local government area contains hazards relating to former mining activities (i.e. Abandoned Mines including disused underground mines, tunnels and shafts)</p> <p>A footnote or link could be provided in the scheme that refers to the following information:</p> <ul style="list-style-type: none"> Historic information relating to abandoned mines is held by the Department of Natural Resources, Mines and Energy. Information about specific historic mining sites can be obtained from the Abandoned Mines Unit abandonedmines@dnrm.qld.gov.au or by contacting 13QGOV (13 7468). Visit the Queensland Government website for more information on abandoned mines www.qld.gov.au/environment/land/abandoned-mines/. <p>The strategic framework could also include a comment such as: “Sensitive land uses are protected from the impacts of these former mining activities and related hazards.”</p> <p>Reason: The scheme makes no reference to this hazard, as required by policy 4 of the state interest.</p> <p>ADDITIONAL COMMENTS: DNRME provided their preferred wording to align with the soon-to-be-released SPP guidance material.</p>	<p>Additional wording added to Strategic Intent 3.2.9:</p> <p>“Noosa Shire contains hazardous abandoned mines relating to former mining activity, including disused underground mines, tunnels and shafts. Information on abandoned mines can be obtained by visiting the Queensland Government website for more information www.qld.gov.au/environment/land/abandoned-mines/ and additional information on historic mining activities can be gained from the Minesonlinemaps https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/minesonlinemaps. Note: This mapping does not spatially represent all former mining activities in the Council area, and their extent. However, these mining layers do give an indication of where there is an increased risk of hazards from former mining activities so that further geotechnical investigations can be undertaken where necessary.”</p> <p>Additional strategic outcome 3.3.8 added: “Sensitive land uses are protected from the impacts of former mining activities and related hazards”.</p>
55	Community health and safety, and the natural and built environment are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.	<p>Planning Scheme Reference:</p> <ul style="list-style-type: none"> section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <p>Integration of state interest: <i>State interest not integrated</i></p> <p>Action: The focus of the code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p>	<p>Overall outcomes sought for the Regional Infrastructure overlay code include the following:</p> <p>For Major Energy Infrastructure:</p> <ol style="list-style-type: none"> Development provides for adequate separation from the Powerlink Transmission Line Corridor. Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. Development provides for adequate separation from the gas pipeline and corridor.

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		<ul style="list-style-type: none"> Section 8.2.9.2(2)(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> (b) For the gas pipeline corridor and buffer area: <ul style="list-style-type: none"> (i) Development provides for adequate separation from the gas pipeline corridor. (ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor. (iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor. (iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised. Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="789 573 1724 1115"> <tr> <td data-bbox="789 573 1130 1115"> PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor. </td> <td data-bbox="1130 573 1724 1115"> AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i> </td> </tr> </table> <p>Reason: While Petroleum Pipeline Licence 32 is authorised under the Petroleum and Gas (Production and Safety) Act 2004 and the associated easement exists within the planning scheme area, to date the pipeline has not been constructed. While the pipeline has not been constructed, the pipeline corridor should be protected from encroachment.</p> <p>The draft scheme provisions presently focus on an existing pipeline, which isn't correct and therefore may not protect a future pipeline from encroachment by development that would compromise its ability to operate safely and effectively.</p> <p>As the pipeline corridor passes through the Sunshine Coast Regional Council local government area too, it is recommended that similar provisions be utilised for the Noosa Shire.</p>	PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.	AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor. 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OR AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline Licence 32 that the setback distance and design of the development does not impact the future use of the gas pipeline. <i>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</i>	<ul style="list-style-type: none"> (v) <u>Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</u> (vi) <u>Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</u> (vii) <u>The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</u> <p>Within Table 8.2.9.4 PO1 and AO1 read as follows:</p> <p>PO1 Development, including uses and works are constructed and operated to avoid: a) compromising the viability of the gas pipeline corridor; or b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor.</p> <p>OR</p> <p>AO1.3 Written confirmation of the pipeline licence holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note- should a lesser setback distance be proposed; it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>
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Natural hazards, risk and resilience					
Ref. Number	Policy Element	Requirement	NSC response		
56	The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.	<p>Planning Scheme Reference: Bushfire risk assessment</p> <p>Integration of state interest: <i>State interest not integrated.</i></p> <p>Action: Provide a risk assessment for bushfire: To adequately integrate the state interests in natural hazards, risk and resilience, the council must undertake a fit for purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas, specifically addressing bushfire hazard. The risk assessment should be undertaken by a suitably qualified person.</p> <p>Reason: Policy 2 of the state interest in natural hazards, risk and resilience states that 'a fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas'. A flood risk assessment</p>	<p>As part of developing the new State Bushfire mapping council undertook a desktop peer review of high and medium risk areas shown on the new mapping to make sure that local conditions were appropriately reflected. The provisions in the planning scheme follow the state interest guidelines and model code and reflect the SPP intent.</p> <p>A bushfire risk assessment has since been prepared and provided to DSDMIP and QFES for review. Council wishes to work with QFES to make changes to the mapping as per the list of map recommendations in the risk assessment.</p>		

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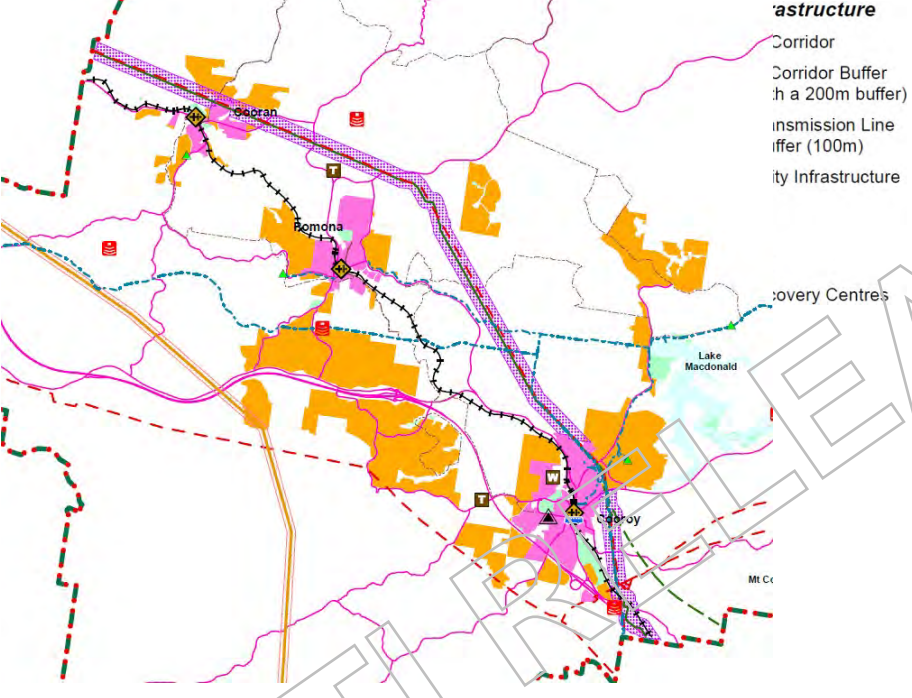
	has been provided by the council however there is no evidence of a risk assessment that considers bushfire risk being undertaken. It is noted that council were involved in the drafting of the state bushfire mapping for the Noosa Shire area, however this is only one part of the risk assessment process. A risk assessment should be used to inform the drafting of appropriate provisions in the planning scheme, which address the outcomes of the risk assessment.	
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Planning for infrastructure

Energy and water supply			NSC response
Ref. Number	Policy Element	Requirement	NSC response
57	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Most Energex sites across the Noosa Shire have been appropriately zoned as Community Facilities. However, the Cooran Substation on Grahams Road (Lot 2 on SP216695) has previously been approved and constructed, but the proposed zoning is still Rural.</p> <p>Integration of state interest: <i>State interest partially integrated</i></p> <p>Action: The zoning of Lot 2 on SP216695 should be Community facilities.</p> <p>Reason: To better align with the previous approval (Council ref: 2008/837) and current land use, being a Substation.</p>	<p>Property is 20 Grahams Rd Pomona 2SP216695 and zoning has been changed to Community Facilities (with substation annotation)</p>
58	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: The Material Change of Use Tables under Section 5.5 relating to Major Electrical Infrastructure, Renewable Energy Facilities and Substations are generally considered appropriate.</p> <p>Integration of state interest: <i>Given the above, the state interest has been appropriately integrated</i></p> <p>Action: However, it is recommended that the level of assessment for a Substation be changed under Table 5.5.10 Low Impact Industry – from Impact to Code assessable and in Table 5.5.14 Rural – change the Substation use from 'Impact Inconsistent' to just Impact assessable.</p> <p>Reason: The proposed level of assessment is considered to be more commensurate with the impacts associated with a substation and zoning expectations.</p>	<p>Table 5.5.14 for Rural Zone now lists substation as consistent but impact assessable.</p> <p>Table 5.5.10 for Low Impact Industry now lists substation as code assessable. However, note there are some higher amenity precincts within this zone where it is not considered appropriate.</p>
59	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Part 8 Overlays - There is no Regional Infrastructure Overlay. The Strategic Framework Map 3 provides broad information on major electricity infrastructure and more detailed information on how these assets are protected is scattered throughout various codes in the planning scheme. Furthermore, there is no mapping of Energex substation sites or differentiation between the 132kV and 33kV lines.</p> <p>Integration of state interest: <i>State interest is not integrated</i></p> <p>Action: Add an overlay for Regional Infrastructure that depicts each Substation site and Major Electricity Infrastructure across the Noosa Shire. It's noted that the proposed planning scheme already includes an Infrastructure Activities Code (9.3.11) which regulates setbacks to transmission lines, vegetation and structures within easements. However, the model code contained within the SPP - state interest guidance material on Energy and water supply should be a basis for the overlay code, which addresses development around electrical infrastructure in further detail. It will also provide a more succinct and direct alignment of planning provisions regarding electrical matters.</p> <p>EnergyQ offers to assist the council to further develop a code that is specific to the characteristics of Noosa, and provide current GIS data for this Overlay.</p> <p>Reason: To better align with the SPP state interest for energy and water supply.</p>	<p>Council has now prepared a Regional Infrastructure Overlay that shows:</p> <ul style="list-style-type: none"> - The road hierarchy - Water resources including catchment & infrastructure - Major energy infrastructure (including gas and electricity) <p>Provisions regarding major electricity infrastructure have been incorporated according to the suggestions provided.</p> <p>Purpose statements: ... For major energy infrastructure:</p> <ol style="list-style-type: none"> a) ...; and b) ensure development is compatible with and does not adversely affect the operation of major electricity infrastructure, including the Powerlink Transmission Line. <p>overall outcomes: ...For major energy infrastructure:</p> <ol style="list-style-type: none"> (i) Development provides for adequate separation from the Powerlink Transmission Line Corridor. (ii) Development avoids compromising the operation of major electricity infrastructure including the Powerlink Transmission Line. (iii) The number of people exposed to the potential adverse impacts of major electricity infrastructure is minimised. <p>Performance outcomes and acceptable outcomes include:</p> <p>Major Electricity Infrastructure</p>

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	<p>ADDITIONAL COMMENTS: EnergyQ reiterated the importance of including a Regional Infrastructure Overlay Code. It's understood that 'major electricity infrastructure' has been shown on Strategic Framework Map 3. However, to properly address the Energy and water supply - State interest policy 1 (protecting existing and approved major electricity infrastructure) there needs to be a Regional Infrastructure Overlay and an associated development Code. A specific Code will mean that issues such as reverse amenity and setbacks to protect the safety of people and infrastructure, can be assessed against in regard to targeted development and not just development that is required to address the strategic framework.</p> <p>EnergyQ provided a recent example of an overlay code that reflects the SPP guideline.</p>	<p>PO2 <i>Development does not increase risk to community health or safety, or the operation and reliability of major electricity infrastructure</i></p> <p><i>No acceptable outcome provided</i></p> <p>PO3 <i>Development involving a sensitive land use is sufficiently separated from major electricity infrastructure and substations to minimise the likelihood of nuisance or complaint.</i></p> <p>A03.1 <i>With the exception of class 10 buildings, buildings associated with a sensitive land use maintain a setback of at least:</i> a) 50 metres from a transmission substation; b) 10 metres from any other substation; and c) 30 metres from a transmission line easement.</p> <p>A03.2 <i>With the exception of class 10 buildings, buildings are not located within an easement for a distribution line.</i></p> <p>PO4 <i>Development is located and designed to avoid noise nuisance from infrastructure.</i></p> <p>A04 <i>Noise emissions do not exceed 5db(A) above background noise level at the sensitive receptor of a building associated with a sensitive land use, measured in accordance with AS1055.</i></p> <p>PO5 <i>Wherever practicable new lots and buildings are orientated to avoid direct overlooking of electricity infrastructure.</i></p> <p>A05 <i>Buildings are orientated so that the majority of outdoor living areas and windows of habitable rooms face away from towers or other major electricity infrastructure.</i></p> <p>PO6 <i>For sensitive land uses, there is sufficient space within the site to establish landscaping which substantively screens and softens poles, towers, or other structures and equipment associated with major electricity infrastructure and substations.</i></p> <p>A06 <i>A minimum 3 metres wide densely planted landscaped buffer is provided along the boundary adjoining the electricity infrastructure, including provision for advanced trees and shrubs that will grow to a minimum height of 10 metres.</i></p> <p><i>Editor's note- Applicants may find guidance in Powerlink Queensland's brochure "Using Vegetation to screen transmission lines". Applicants should also note that vegetation will need to maintain statutory clearances.</i></p> <p>PO7 <i>Vegetation does not pose a risk to the safety or reliability of electricity infrastructure.</i></p> <p>A07.1 <i>Vegetation planted within the easement of an overhead powerline or, where there is no easement, the area of influence of a powerline, has a mature height of no more than 3.5 metres.</i></p> <p>A07.2 <i>Vegetation planted within an underground powerline easement does not have a mature root system in excess of 150 millimetres in depth and is not located directly over the powerline.</i></p> <p>A07.3 <i>Regardless of the width of the easement, vegetation adjoining easements must be separated from the power pole or other infrastructure by a distance at least equal to the maximum mature height of the vegetation.</i></p> <p>PO8 <i>Any earthworks are undertaken in a way which: ensures stability of the land on or adjoining the electricity infrastructure; does not otherwise impact on the safety and reliability of the electricity infrastructure; and does not restrict the placement or use of the electricity infrastructure provider's equipment.</i></p> <p>A08.1 <i>For overhead distribution infrastructure, no earthworks are undertaken within 10 metres of a tower, pole or stay.</i></p>
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60	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Section 8.2.9 Water Resources and Gas Pipeline Overlay Code, specifically Table 8.2.9.4, AO1.1 refers to a 40m buffer for any structures, which is likely to conflict with the Energex line and easements from Cooran to Cooroy (see SFM3 below which shows the pipeline buffer overlapping the major electricity infrastructure line).</p>  <p>Integration of state interest: State interest partially integrated</p> <p>Action: It's recommended that the provisions proposed for the gas pipeline corridor and buffer area and amended – see comment 55 under 'Emissions and hazardous activities'.</p> <p>Reason: To protect Energex assets and ongoing development activities within Energex easements.</p> <p>ADDITIONAL COMMENTS: In regards to the gas pipeline buffer vs the electricity easement, EnergyQ requested adding some words into the AOs: Action: We recommend that AO1.1 be reworded so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>This doesn't conflict with the DNRME requirements to protect the gas pipeline corridor:</p>	<p>Table 8.2.9.4 amended to include following Performance Outcome and Acceptable Outcome:</p> <p>Gas pipeline corridor and buffer area PO1 Development, including uses and works are constructed and operated to avoid: compromising the viability of the gas pipeline corridor; or damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR</p> <p>AO1.3 Written confirmation of the pipeline license holder of Petroleum Pipeline License 32 that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note- should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>

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		<p>Action: The focus of the Code needs to be changed to focus on protecting the approved pipeline corridor rather than the pipeline. Below are recommended provisions.</p> <ul style="list-style-type: none"> Section 8.2.9.2(b) - Purpose and overall outcomes - Water Resources and Gas Pipeline overlay code <ul style="list-style-type: none"> <i>(b) For the gas pipeline corridor and buffer area:</i> <ul style="list-style-type: none"> <i>(i) Development provides for adequate separation from the gas pipeline corridor.</i> <i>(ii) Development avoids compromising the future operation of the gas pipeline within the gas pipeline corridor.</i> <i>(iii) Development avoids the storage of hazardous materials in proximity to the gas pipeline corridor.</i> <i>(iv) The number of people exposed to the potential adverse impacts of the future gas pipeline in the gas pipeline corridor is minimised.</i> Table 8.2.9.4 - Criteria for assessable development Gas pipeline corridor and buffer area <table border="1" data-bbox="528 674 1400 1192"> <tr> <td data-bbox="528 674 774 1192"> <p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p> </td> <td data-bbox="774 674 1400 1192"> <p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p> </td> </tr> </table> <p>EnergyQ previously requested that the council reword AO1.1 so that Energex buildings and structures are permitted within the Gas pipeline corridor and buffer area, where appropriately designed.</p> <p>The preference is that the DNRME suggested changes to the code (item 55) should be used, as opposed to the EnergyQ suggestion, given that EnergyQ can simply request written confirmation as per AO1.3 – this is the best way to ensure that the development doesn't impact on the future use, and doesn't stop EnergyQ from being able to locate structures within the buffer if appropriately designed.</p>	<p>PO1 Development, including uses and works are constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of a gas pipeline within the gas pipeline corridor.</p>	<p>AO1.1 Buildings and structures are setback a minimum of 40 metres from a gas pipeline corridor.</p> <p>AO1.2 The use does not involve the storage of flammable, explosive or other hazardous materials within 200 metres of the gas pipeline corridor. OR AO1.3 Written confirmation of the pipeline licence holder of <i>Petroleum Pipeline Licence 32</i> that the setback distance and design of the development does not impact the future use of the gas pipeline.</p> <p>Editor's note—should a lesser setback distance be proposed, it is recommended that the applicant consult with the relevant gas pipeline manager prior to the lodgement of a development application to determine how compliance with the performance outcome can be achieved.</p>	
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NEW COMMENTS FROM SEQWATER					
e	The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.	<p>Planning Scheme Reference: Strategic Framework 3.2.8 Co-ordinated and efficient Infrastructure</p> <p>Action: Please amend reference to Seq Water with Seqwater.</p> <p>Reason: Please note correct name for Seqwater which commenced in 2013.</p>	Done		

<p>f</p>	<p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>	<p>Planning Scheme Reference: Table 8.2.9.3 Criteria for assessable development- Water Resources</p> <p>Action: Please insert additional POs in table 8.2.9.3</p> <table border="1"> <tr> <td data-bbox="528 310 943 598"> <p>Development is set back from bulk water supply infrastructure to: (a) avoid safety risks to people and property (b) minimise noise and visual impacts to people and property (c) ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</p> </td> <td data-bbox="943 310 1389 598"> <p>Development is setback in accordance with Table X 'Recommended separation distances from bulk water supply infrastructure'.</p> </td> </tr> <tr> <td data-bbox="528 598 943 724"> <p>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</p> </td> <td data-bbox="943 598 1389 724"> <p>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</p> </td> </tr> <tr> <td data-bbox="528 724 943 1012"> <p>Development is located and designed to maintain required access to Bulk water supply infrastructure.</p> </td> <td data-bbox="943 724 1389 1012"> <p>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to:</p> <p>a. buildings or structures; 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b. gates and fences; c. storage of equipment or materials; d. landscaping or earthworks or stormwater or other infrastructure.</p>	<p><i>Additional provisions have been incorporated as follows;</i></p> <p>Bulk Water Infrastructure PO6 <i>Development is set back from bulk water supply infrastructure to:</i> a) <i>avoid safety risks to people and property;</i> b) <i>minimise noise and visual impacts to people and property; and</i> c) <i>ensure the physical integrity and operation, maintenance and expansion of the infrastructure is not compromised.</i></p> <p>AO6 <i>Development is setback in accordance with <u>Table 8.2.9.3B 'Recommended separation distances from bulk water supply infrastructure'</u>.</i></p> <p>Table 8.2.9.3B - Recommended separation distances from bulk water supply infrastructure</p> <table border="1"> <thead> <tr> <th>Bulk water supply infrastructure - asset type</th> <th>Type of development</th> <th>Recommended separation distance minimum</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Pipelines and channels (1)</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from edge of pipe</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 metres from edge of pipe</td> </tr> <tr> <td rowspan="3">Water treatment plants and water quality facilities</td> <td>Sensitive Land Use</td> <td>250 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="2">Reservoir facilities</td> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="3">Pump stations</td> <td>Sensitive Land Use</td> <td>100 metres from building footprint</td> </tr> <tr> <td>Buildings/Structures/Earthworks</td> <td>20 metres from building footprint</td> </tr> <tr> <td>Blasting (2,3)</td> <td>200 metres from building footprint</td> </tr> <tr> <td rowspan="5">Dam structures and weirs (4)</td> <td>Earthworks Dam/Weir Height(5) 0-5 metres</td> <td>50 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 5-10 metres</td> <td>100 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 10-15 metres</td> <td>150 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) 15-20 metres</td> <td>200 metres from the toe of the dam/weir</td> </tr> <tr> <td>Earthworks Dam/Weir Height(5) > 20 metres</td> <td>500 metres from the toe of the dam/weir</td> </tr> <tr> <td></td> <td>Blasting (2,3)</td> <td>500 metres from dam wall/earth embankment/weir footprint</td> </tr> </tbody> </table> <p><small>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances. 2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply. 3 It is recommended that blasting provisions be included in an extractive industry code (or similar). 4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir. 5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</small></p> <p>PO7 <i>Vegetation planted near pipelines does not pose any risk to the physical integrity and operation of the bulkwater pipelines.</i></p> <p>A07 <i>Planting near pipelines complies with the current Seqwater Network Consent Guidelines.</i></p> <p>PO8 <i>Development is located and designed to maintain required access to Bulk water supply infrastructure.</i></p> <p>A08 <i>Development does not restrict access to Bulk water supply infrastructure of any type or size, having regard to:</i> a) <i>buildings or structures;</i> b) <i>gates and fences;</i> c) <i>storage of equipment or materials;</i> d) <i>landscaping or earthworks or stormwater or other infrastructure.</i></p>	Bulk water supply infrastructure - asset type	Type of development	Recommended separation distance minimum	Pipelines and channels (1)	Buildings/Structures/Earthworks	20 metres from edge of pipe	Blasting(2,3)	200 metres from edge of pipe	Water treatment plants and water quality facilities	Sensitive Land Use	250 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Reservoir facilities	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Pump stations	Sensitive Land Use	100 metres from building footprint	Buildings/Structures/Earthworks	20 metres from building footprint	Blasting (2,3)	200 metres from building footprint	Dam structures and weirs (4)	Earthworks Dam/Weir Height(5) 0-5 metres	50 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 5-10 metres	100 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 10-15 metres	150 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) 15-20 metres	200 metres from the toe of the dam/weir	Earthworks Dam/Weir Height(5) > 20 metres	500 metres from the toe of the dam/weir		Blasting (2,3)	500 metres from dam wall/earth embankment/weir footprint
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	Blasting (2,3)	500 metres from dam wall/earth embankment/weir footprint																																																
	<p>Table X</p> <table border="1"> <thead> <tr> <th>Bulk water supply infrastructure – asset type</th> <th>Type of development</th> <th>Recommended separation distance minimum</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Pipelines and channels(1)</td> <td>Buildings/Structures/Earthworks</td> <td>20 m from edge of pipe</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 m from edge of pipe</td> </tr> <tr> <td rowspan="3">Water treatment plants and water quality facilities</td> <td>Sensitive Land Use</td> <td>250 m from building footprint</td> </tr> <tr> <td>Buildings/Structure/Earthworks</td> <td>20 m from building footprint</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 m from building footprint</td> </tr> <tr> <td rowspan="2">Reservoir facilities</td> <td>Buildings/Structure/Earthworks</td> <td>20 m from building footprint</td> </tr> <tr> <td>Blasting(2,3)</td> <td>200 m from building footprint</td> </tr> <tr> <td rowspan="2">Pump stations</td> <td>Sensitive Land Use</td> <td>100 m from building footprint</td> </tr> <tr> <td>Buildings/Structure/Earthworks</td> <td>20 m from building footprint</td> </tr> </tbody> </table>	Bulk water supply infrastructure – asset type	Type of development	Recommended separation distance minimum	Pipelines and channels(1)	Buildings/Structures/Earthworks	20 m from edge of pipe	Blasting(2,3)	200 m from edge of pipe	Water treatment plants and water quality facilities	Sensitive Land Use	250 m from building footprint	Buildings/Structure/Earthworks	20 m from building footprint	Blasting(2,3)	200 m from building footprint	Reservoir facilities	Buildings/Structure/Earthworks	20 m from building footprint	Blasting(2,3)	200 m from building footprint	Pump stations	Sensitive Land Use	100 m from building footprint	Buildings/Structure/Earthworks	20 m from building footprint																								
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		Blasting(2,3)	200 m from building footprint
Dam structures and weirs(4)	Earthworks Dam/Weir Height(5) 0-5m	50 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 5-10m	100 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	150 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	200 m from the toe of the dam/weir	
	Earthworks Dam/Weir Height(5) 10-15m	500 m from the toe of the dam/weir	
	Blasting(2,3)	500 m from dam wall/earth embankment/weir footprint	
<p>1 Channels are included in the pipelines and channels layer SPP IMS but are not differentiated from pipelines. Where an applicant identifies the bulk water supply infrastructure is a channel rather than a pipe, applicants should contact the utility provider to discuss appropriate separation distances.</p> <p>2 Refers to any type of development involving blasting <500 kg charge mass per delay, use of explosives, piling, and other vibratory/compaction machinery (over 20t centrifugal force) during construction and/or operation. For blasting over 500 kg, applicants are to contact the asset owner as a greater separation zone may apply.</p> <p>3 It is recommended that blasting provisions be included in an extractive industry code (or similar).</p> <p>4 For dam structures and weirs, applicants should contact the utility provider to determine the toe of the dam/weir.</p> <p>5 Dam/weir height is to be taken at the maximum section of the dam/weir (from dam/weir crest to dam/weir toe).</p> <p>Reason: The SPP requires that bulk water supply infrastructure be protected from development that would compromise the corridor integrity, and the safe, efficient delivery and functioning of the identified infrastructure. The indicated buffer distances are recommended as suitable triggers to identify when development should be assessed regarding its potential impact on bulk water supply infrastructure. This amendment provides clarity within the overlay code. By inserting these requirements in the overlay code, will reduce the need for duplication which would be created by inserting requirements into multiple zones.</p>			

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<p>g</p> <p>The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.</p>		<p>Planning Scheme Reference: Zone Map ZM3</p> <p>Action: Please extend the Community Facilities Zone at the Noosa Water Treatment Plant so that it aligns with the current WTP upgrade. The proposed scheme splits Lot 1 RP800331 into two zones. Please retain the entirety of this lot as Community Facilities.</p> <p>Reason: The WTP is currently being upgraded. The proposed zoning in Zone Map ZM3 only partially covers the site area of the WTP. The extension of the Community Facilities zone to include all of Lot 1 RP800331 will cover the site area of the upgrade works. Please note, Lot 1 RP800331 is currently zoned Community Services in the Noosa Plan 2006.</p>	<p>OK. Lot 1 on RP800331 is currently entirely zoned Community Services. It will be zoned Community Facilities in its entirety.</p>
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State transport infrastructure			
Ref. Number	Policy Element	Requirement	NSC response
61	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Strategic Framework Map – Infrastructure & SC2.3 – Zone Maps</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 5 - A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.</p> <p>Action: Provide map/s that show the road hierarchy which as identified in Schedule 1 – administrative definitions and include in the planning scheme.</p> <p>The road hierarchy should ensure that the function of state-controlled roads are appropriately reflected, to ensure that vehicular access for development is consistent with the function and design of state-controlled roads and development directs local traffic to the local road network.</p> <p>Preferably, road hierarchy mapping would identify which roads are arterial, distributor and collector roads to assist in interpretation of a number of codes, like the transport code.</p> <p>Reason: To ensure that the safety and efficiency of the state-controlled road network is maintained.</p>	<p>Road hierarchy is now shown on the Regional Infrastructure Overlay Map.</p>
62	The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.	<p>Planning Scheme Reference: Part 7 Local Plans</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: Provide high resolution Framework & Character Plans for review. In order to provide sufficient information to guide development outcomes, the Framework & Character Plans must clearly identify existing and future public passenger transport infrastructure. Cycle routes identified on the SEQ Principal Cycle Network Plan (particularly Priority Routes) are to be incorporated and ensure that the active transport strategic network is appropriately reflected. Provision of public passenger transport and active transport should also be supported by text in the Local Plans.</p>	<p>Framework & Character Plans only deal with the bigger town centres not the whole towns. They don't address inter-centre connections.</p> <p>We've added principal cycle network paths including priority routes as per the State's mapping and shown arrows at the edges where these connect to other areas. A disclaimer reads "routes shown are indicative only and exist to guide future investigation and planning and are not currently resourced".</p> <p>The new Regional Infrastructure Overlay map now includes all the Principal Cycle Network (including the Priority Routes) despite not all of them being included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Strategic Framework Point (g) of the Strategic Outcomes on transport and Movement now reads as follows:</p>

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		<p>Reason: To support public passenger transport and active transport as an attractive alternative to private transport, the infrastructure and network should be logically planned, well connected and clearly identified within the planning scheme.</p> <p>ADDITIONAL COMMENT:</p> <p><u>Active Transport</u> In order to provide sufficient information to guide development outcomes and promote active transport as an attractive alternative to private transport the Framework & Character Plans should be amended or an overall active transport strategic network plan developed. Planning is needed to ensure the delivery of a connected and cohesive cycle network across the shire. The existing and future primary cycle routes that have logical connections to key destinations within and between centres should be included and the Priority Routes as shown on the SEQ Principal Cycle Network Plan should be incorporated.</p> <p><u>7.2.4 Noosaville Local Plan Code – Figure 7.2.4.5 Noosa Business Centre – Transit Centre</u></p> <p>TMR does not support the identification of a Proposed Bus Interchange on this Framework and Character Plan. Identification of a Proposed Bus Interchange in this location may unduly raise expectation of State delivering transport infrastructure being delivered that is not planned or funded. DTMR is unaware of any associated studies or planning supporting a new bus interchange in this location. It is noted that draft PFTI in the draft LGIP do not nominate a new bus stop at this location.</p> <p>Whilst a 'Transit Bus Station' is nominated in this general location in the Strategic Framework mapping it is unclear if it relates to this proposed Bus Interchange or the existing Bus Station at the 'Noosa Civic' Centre.</p> <p>The inclusion of a proposed bus interchange in Strategic Mapping is supportable with the inclusion of an Editor's Note stating the following or similar, 'Editor's note: this Proposed Bus Interchange is not planned or funded State transport infrastructure'. The inclusion of a proposed bus interchange in the Part 7 - Framework & Character Plans is generally not supported.</p> <p>As a result of meeting, the following actions arose:</p> <ol style="list-style-type: none"> 1. Council to include editor's note saying the interchange isn't planned or funded by the State government (or similar eg ...is subject to further planning with the State government...) and is subject to further planning studies. 2. Council to include additional wording in codes to identify that interchange and its location is subject to further planning. 3. State to review final wording prior to final endorsement. <p>Further, TMR will discuss internally with TransLink (Network Planning and Infrastructure teams) with a view for a future discussion about the planning of the interchange with council's planning team and infrastructure team. (Lud (Oddbjorn Ludvigsen) is contact for Noosa Council.)</p>	<p>New development incorporates or supports active public transport infrastructure that connects with existing networks. Development takes into account the future planning of the State's Principal Cycle Network.</p> <p>Noosa Business Centre Transit hub Since the gazettal of the current 2006 planning scheme a Public Transport Node has been shown on the Noosa Business Centre site (Schedule 5 Map 1 Transport) and the Transit function has specifically been shown close to the Walter Hay Drive roundabout on the Shire Business Centre Precinct Plan (schedule 4). This is further qualified by the provisions in the current Noosa Plan for the Shire Business centre since 2006. It is the highest-order centre for the Shire, a Major Regional Activity Centre under the SEQ Regional Plan and considered vital to the successful functioning of public transport. It will necessarily be bigger than the existing bus stop at Noosa Civic. If we are to secure a land dedication from the land owner it remains important to show it.</p> <p>Council would like to stress that the exact location of the transit hub is not final and that development of the Noosa Business Centre will be subject to further master planning, of which TRM will be part.</p> <p>Wording has been added to the Noosaville Local Plan code to qualify:</p> <ul style="list-style-type: none"> - Development at the Noosa Business Centre occurs in a staged manner following the construction of the internal circulation road system, creation of an open aired activated village green space for significant community gatherings and the provision of land for a sub-regional transit centre that has the potential to function as an integrated public transport node, with pedestrian and bicycle paths linking with nearby urban areas. The further development of transit facility will be subject to further investigation and planning with the State Government; - The Framework and character Plan for Noosa Business Centre also has a disclaimer stating that the "Potential transit facility – indicative only and subject to further investigation and resourcing."
63	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Strategic Framework Map 3 Infrastructure, Part 6 Zone Codes & Part 9 Development codes</p> <p>Integration of state interest: <i>Additional information is required to determine if appropriately addressed, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</i></p> <p>Action: <i>Advise where in the scheme the existing and future planned active transport routes are shown? It is noted that the local area plan figures do identify active transport routes for specific defined areas.</i></p> <p>Reason: <u>The active transport network should appropriately reflect the SEQ Principal Cycle Network Plan and the active transport functional hierarchy should be detailed and logically planned</u> with sufficient information provided to guide development outcomes.</p> <p>The planning scheme has a focus on strong pedestrian and cycle provisions with several performance outcomes requiring development to connect to existing and provide for future active transport routes, however, <u>the proposed active transport network is unclear.</u></p> <p>To support active transport as an attractive alternative to private transport the active transport network should be logically planned, well connected and clearly identified within the planning scheme.</p>	<p>As discussed above the new Regional Infrastructure Overlay includes all the Principal Cycle Network (including the Priority Routes) despite not all of them are included in the LGIP mapping and may not be funded/constructed in the life of the scheme.</p> <p>Obviously there are a great many other pathways and on-road cycle lanes that form part of the active transport network.</p>

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		<p>ADDITIONAL COMMENTS: DTMR appreciates the challenges Council faces in the form of a low density dispersed settlement pattern, the planning scheme has an aspirational target to reduce car usage and encourage walking and cycling. Planning is needed to ensure an active transport network develops that is logical and well-connected in order for active transport to be an attractive alternative to private transport.</p> <p>The existing and future active transport network, in particular the primary routes, should be reflected in the planning scheme to guide development. The active transport network should incorporate the cycle network identified in the SEQ Principal Cycle Network Plan, particularly the Priority Routes.</p> <p>At the meeting, the following action arose:</p> <p>Council suggested this could be shown on the new regional infrastructure overlay, and DTMR and DSDMIP agreed this option could work. This will be reviewed in a revised version of the planning scheme.</p>	
64	<p>The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.</p>	<p>Planning Scheme Reference: Part 5 Tables of Assessment & Schedule 6 Planning Scheme Policies</p> <p>Integration of state interest: <i>State interest partially integrated</i>, in particular policy 3 - Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.</p> <p>Action: <u>Amend the assessment codes and planning scheme policy, to ensure that public passenger transport (PPT) taxi infrastructure/facilities are appropriately designed and located to service land uses that generate demand.</u></p> <p>Incorporate into the planning scheme provisions (or relevant section) requirements for PPT taxi infrastructure/facilities.</p> <p>The following list provides an indication of common land uses where taxi services are often provided and where demand is generated:</p> <ul style="list-style-type: none"> • Public transport facilities including rail stations, bus stations, busway stations, airports and ferry terminals • Major shopping centres (over 10,000m²) • Major sport, recreation and entertainment precincts • Medical facilities such as hospitals and medical centres • Bus park 'n' ride facilities • Commercial precincts • Food and drink precincts • Accommodation facilities (for example, motel) • Residential care facility (for example, nursing home) • Clubs, casinos • Tourist attractions • Hotels • Function facilities • Mixed use developments • Theatres • Local shops <p>The following list provides an indication of common information needed when determining capacity of any infrastructure:</p> <ul style="list-style-type: none"> • catchment demographics including: <ul style="list-style-type: none"> ▪ persons per household ▪ age profile of catchment ▪ household income ▪ private vehicle ownership • development type and operational hours • density and types of surrounding development • availability of car parking in the area • availability and frequency of other public passenger transport options • competing modes • number of taxi licences in each service area. 	<p>With the exception of the Noosa Business Centre there is not expected to be new activity centres or substantial growth to existing centres and the use of Taxis would seem to declining with the uptake of Uber. There are already taxi facilities in our centres as follows:</p> <ul style="list-style-type: none"> • Next to Noosa Fair Carpark, Lanyana Way Noosa Heads (Privately Owned). • Outside Noosa Junction Plaza, Sunshine Beach Rd Noosa Heads (Signs only, no shelter) • Outside Dan Murphys entrance, Mary St Noosaville (Bench seat only, no shelter) • Outside Royal Mail, Poinciana Ave, Tewantin • Noosa Drive near Hastings Street, Noosa Heads <p>The Framework and Character plans have been amended to include location of existing taxi ranks as stated above as did not receive official taxi rank locations from DMR.</p> <p>We have amended PO11 and AO11.1 of the Transport Code to reference taxis, and shared and private vehicles as part of the range of travel modes and have added a new Acceptable outcome as follows:</p> <p>AO11.5 Taxi or shared vehicle infrastructure is provided parallel to the kerb, conveniently located to minimise passenger walking and designed in accordance with:</p> <ol style="list-style-type: none"> a) AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work; b) AS1742.11–1999 Parking controls – manual of uniform traffic control devices; c) AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities; d) Disability standards for accessible public transport 2002 made under section 31(1) of the Disability Discrimination Act 1992; and e) AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements.

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		<p>When determining location of any infrastructure, it is intended that taxi infrastructure be located to conveniently service such needs (that is, minimise passenger walking distances and assist with passenger convenience and safety).</p> <p>Incorporate into the planning scheme policy (or relevant section):</p> <p>Infrastructure design requirements:</p> <ul style="list-style-type: none"> • A taxi facility infrastructure is provided parallel to the kerb and adjacent to the main entrance. • Taxi facilities are designed in accordance with: <ul style="list-style-type: none"> ○ AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work ○ AS1742.11–1999 Parking controls – manual of uniform traffic control devices ○ AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities ○ Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> ○ AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. <p>Reason: To achieve a high level of integration with transport infrastructure and to support public passenger transport and active transport as attractive alternatives to private transport, taxi provision should be appropriately addressed by development that generates demand for a taxi facility.</p> <p>ADDITIONAL COMMENTS: The scheme could be amended so that only specific uses likely to create taxi demand are required to determine if taxi infrastructure / facilities are required (this can include taxi ranks or taxi bays). Please refer to the initial DTMR comments for common land uses where taxi services are often provided and where demand for taxis is generated. These land uses could trigger the requirement to undertake an assessment to determine the need for a taxi facility. The Department of Transport and Main Roads' <i>Public Transport Infrastructure Manual 2015</i> Chapter 7 provides guidance on what an assessment should address.</p> <p>Taxi facilities should be designed and located in such a way as to minimise passenger walking distances and assist with passenger convenience and safety. General acceptable standard practice for a taxi rank location is a maximum of 400m walking distance to a major venue entrance and exit, this equates to approximately a five-minute walking journey. To maximise passenger convenience, if demand for taxi facilities is warranted, the facilities should be provided within the development or within a 400m walking distance.</p>	
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Part B—Legislative requirements

Legislative requirements are matters contained within legislation that directly require a planning scheme to respond in a certain way (i.e. a note, an exclusion, an exemption etc).

State Interest: <i>Planning Act 2016</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
1	6.3.1 Low density Residential zone code 9.3.1 Low density housing code	<p>Action: Review the following provisions: 5.5.1 Low Density Residential 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – secondary dwelling requirements. 9.3 Use codes, 9.3.1 Low density housing code, housing choice PO3 & AO3 (secondary dwellings)</p> <p>Reason: The <i>Planning Regulation 2016</i> defines a “dwelling house” as including a secondary dwelling and defines a <i>secondary dwelling</i> as being used in conjunction with and subordinate to a dwelling house. It is therefore unclear if s 6.3.1 Low Density Residential (Zone) code PO5 and its acceptable outcomes which aim to control the size and location of secondary dwellings are in accordance with the <i>Planning Regulation 2017</i>.</p>	<p>Council has considered this and decided to maintain the current arrangement where duplexes are not permitted in the detached housing neighbourhoods. As such any references to a dual occupancy being consistent in the Low Density Residential Zone has been deleted.</p>

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		<p>Further Action required –</p> <p>Action: Remove the provisions which prevents a dual occupancy from being placed into a community title scheme: Table 5.5.1 – Low density residential – Dual occupancy, 6.3.1 Low density residential zone code (AO5.2, AO5.3), 9.3.1 Low density housing code (overall outcome (h), AO3, PO4 *Note: this may flow on to other areas of the planning scheme*</p> <p>Reason: The Planning Regulation 2017 defines a dual occupancy – (a) means a residential use of premises for 2 households involving – (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; (ii) any domestic outbuilding associated with the dwellings; and (b) does not include a residential use of premises that involve a secondary dwelling.</p> <p>The Planning Regulation 2017 defines reconfiguring a lot – (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is— (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997.</p> <p>As the planning scheme cannot regulate a community title scheme, as it does not require a development permit, the scheme cannot prevent a dual occupancy development from being separately titled through a community title scheme under the Body Corporate and Community Management Act 1997. Furthermore, a material change of use cannot restrict a reconfiguring a lot development as they are two separate development types.</p> <p>Action: Review the provisions in, and consider re-drafting, 6.3 Residential zone categories, 6.3.1 Low density Residential zone code - PO5 – dual occupancy requirements</p> <p>Reason: The term 'small dwellings' is defined in the administrative definitions as having a gross floor area of no more than 90m². However, AO5.4 states a dual occupancy only occurs where one dwelling is no more than 85m² (the small dwelling). Small dwellings are referenced for other types of development throughout the scheme and using this term for multiple meanings and provisions causes conflict and confusion.</p> <p>Action: Review the provisions in, and consider re-drafting, 1 Low density housing code AO3, PO4.</p> <p>Reason: PO4 contradicts the definition of dual occupancy and the provision seems to be mixing secondary dwelling and dual occupancy together. The provision needs to be clear which type of development it is regulating. Is it a dual occupancy or dwelling house with secondary dwelling? The use definitions would prevent you from having a dwelling house with a secondary dwelling (one household) already on site and then trying to develop a dual occupancy (two new households) on top of that, it would move into the multiple dwelling use definition.</p>	
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		Furthermore, AO4 is confusing and re-drafting should be considered. As it currently reads it is not clear on the intent of this AO4.	
2	6.3.3 High Density Residential Zone Code Table 6.3.3.3 Criteria for assessment (part) Performance outcome PO19 Social Housing	<p>Action: Amend PO19 to ensure the code does not make development for public housing (as defined in the Planning Regulation 2017) assessable development; see Schedule 6 of the <i>Planning Regulation 2017</i>.</p> <p>Reason: Consistency with <i>Planning Regulation 2017</i>. NOTE – the provision of affordable housing is supported – DSDMIP will work with the council further on this, with the assistance of the Department Housing and Public Works.</p> <p>ADDITIONAL COMMENTS:-</p> <p>DHPW is supportive of NSC's proposals to address affordable housing, however it has advised that "public housing" should not be bound in the provisions of the planning scheme as it is not assessable development and, as it has specific requirements, it may not be able to be easily delivered through conditions of development. Therefore, references to public housing should be deleted.</p> <p>It may however be appropriate to reference affordable housing as well as other social housing (excluding public housing). Further discussion on this matter is envisioned with NSC once advice is received from DSDMIP.</p> <p>DSDMIP agrees with DHPW, that the planning scheme can not make particular development for public housing assessable development, as per section 30 of Schedule 6 of the Planning Regulation 2017. However DSDMIP also agrees with DHPW, that there could be opportunity to regulate other types of social/affordable housing (excluding public housing). As such, some amendment is required to PO19 to ensure that public housing is not regulated here.</p> <p>In terms of PO19 generally, and the requirement to provide a contribution towards the social housing needs of the Noosa community, this is not something that the planning framework specifically regulates (mandates or restricts), therefore council could regulate it. However, DSDMIP notes that it could be challenged by an applicant through appeal if the applicant considered a condition for the contribution to not be relevant or reasonable – this is a risk, and the council should seek its own professional/legal advice to inform its decision to include these provisions in the planning scheme.</p> <p>At this point, DSDMIP is not averse to the council going to public consultation with this provision in the planning scheme..</p>	<p>Noted. Wording to remain at this stage.</p> <p>Council is particularly concerned about the noticeable mismatch between the existing social housing stock, which includes a high proportion of detached houses in Tewantin and Cooroy. The Housing Needs Assessment Council commissioned in 2017 showed that (in 2015) of the 383 public housing rental dwellings:</p> <ul style="list-style-type: none"> - 131 dwellings had one bedroom (34%), - 71 dwellings had two bedrooms (19%), - 143 dwellings had three bedrooms (37%), - 33 dwellings had four bedrooms (9%) and - 5 dwellings had five bedrooms (1%). <p>In comparison:</p> <ul style="list-style-type: none"> - 196 households in public housing dwellings were lone person households (51%), - 100 households had 2 occupants (26%), and - 42 households had 3 occupants (11%). <p>The social housing waiting list is dominated by sole person households, who are not likely to qualify for a dwelling of three or more bedrooms.</p> <p>For this reason it is important that additional social housing be created in higher density areas, close to activity centres and transport where one and two bedroom units can be established and social housing mixed amongst other similar attached housing. Some level of regulatory intervention and incentive is necessary to make this occur.</p>
State Interest: Regulated requirements in the Planning Regulation 2017			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
3	Schedule 1 – Use and administrative definitions	<p>Action: Remove Minor Electricity Infrastructure from the Use terms. If Minor Electricity Infrastructure is defined as an administrative definition, use the definition from Schedule 4 of the Planning Regulation 2017. If a different administrative term is used, ensure this is done in accordance with section 8 of the Planning Regulation 2017.</p>	It's not used in the scheme so has been deleted from the definitions.


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		<p>Define 'Essential network infrastructure' in the administrative definitions, ensuring compliance with section 8 of the Planning Regulation 2017.</p> <p>Reason: There is no administrative definition for Minor Electricity Infrastructure or Essential Network Infrastructure.</p> <p>Minor Electricity Infrastructure is defined as a use term. However, section 7 of the Planning Regulation 2017 states that a local government may adopt only the use terms stated in Schedule 3, column 1. Minor Electricity Infrastructure is not listed in Schedule 3 as a use term.</p> <p>To clearly define electricity infrastructure and for consistency with the regulated requirements.</p>	
State Interest: <i>ShapingSEQ</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
4	Strategic Framework and all relevant sections	<p>Action: Provide evidence the council has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. This includes providing evidence of the work undertaken by the council with Unitywater (including modelling and methodology) to demonstrate the ability to accommodate all future urban growth within the Urban Footprint. Note: Years of supply should be measured in accordance with <i>ShapingSEQ</i>, Chapter 5, p.173, 'Measuring supply and triggering action to increase supply'.</p> <p>The planning scheme has also identified additional 'urban areas' at Kin Kin and Coorobah (see Strategic Framework Map 1). Provide justification for these additional urban areas in accordance with p. 152 of <i>ShapingSEQ</i>.</p> <p>Reason: While there is noted capacity within the Urban Footprint in certain locations, such as Cooroy and Pomona, the council has not provided evidence it has considered how growth will be dispersed appropriately and sustainably across its existing townships in order to meet <i>ShapingSEQ</i> projections. It is acknowledged that, given the extent of decentralised settlement across the Noosa Shire, a tailored approach to accommodating growth may be required in contrast to other councils in SEQ. This may include analysing different growth model scenarios and reviewing the distribution of growth in relation to infrastructure to strategically determine where future urban areas may be required.</p> <p>ADDITIONAL COMMENTS: Growth management <i>ShapingSEQ</i> identifies an additional 6,400 dwellings will be required in Noosa Shire to 2041. At this stage, the department has no significant concerns with the capacity for additional dwelling growth to 2041 provided by council. However, the following advice is to be provided to council for ongoing consideration.</p> <p>The dwelling capacities provided by council for dwelling growth to 2041 relate to all dwellings (resident and non-resident). Council should note the department's analysis of the planning assumptions which support the new Noosa Plan is based on resident dwellings only, as the <i>ShapingSEQ</i> dwelling supply benchmarks are for resident dwellings, i.e. dwellings required to accommodate the projected resident population (as opposed to visitor accommodation).</p>	<p>The DMATT model established its baseline of development at 2016 and makes 5 yearly growth projection forecasts up to 2041 and ultimate. Specifically growth has been projected for land within the urban boundaries which coincides with the LGIP projection areas and priority infrastructure areas. The model demonstrates growth to be dispersed across the coastal urban area and hinterland townships and meets the SEQRP dwelling projections for 2041 with further ultimate capacity beyond that timeframe.</p> <p>Growth in dwellings is both within the urban footprint and also within the rural settlement and rural areas with the take up of vacant lots and secondary dwellings.</p> <p>Specially, the DMATT model showed there is the following capacity for additional dwelling growth to 2041 for each of the Priority Infrastructure Areas (including hinterland towns) (within the urban footprint) and outside the urban footprint and PIA areas:</p> <p>Coastal urban Area (Tewantin, Noosaville, Noosa Heads, Sunshine Beach, Sunrise Beach, Marcus Beach, Castaways Beach and Peregian Beach): 4916 dwellings Cooroy: 1027 dwellings Boreen Point: 54 dwellings Cooran: 35 dwellings Pomona: 199 dwellings Kin Kin: 9 dwellings Coorobah: 2 dwellings Outside PIA: 438 dwellings</p> <p>The distribution of this growth is based on the ability to service the areas with infrastructure as identified in the LGIP.</p> <p>In relation to Kin Kin and Coorobah, these are very long established small settlements of urban density residential development with, in Kin Kin's case, some other town services. When the first Regional Plan was released as a draft around 2004 Council questioned why for example Boreen Point was given an urban footprint but Kin Kin was not and was just included as a "Rural Village". At any rate both have been shown as urban on the Strategy Map of the current Noosa Plan since 2006. The villages exist and are not going to be ignored. The urban footprint was not extended beyond the current scheme's town and village boundaries so no additional urban areas have been identified in the new planning scheme (see below).</p>

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		<p>The department's analysis indicates that relative to the ShapingSEQ dwelling supply benchmarks for additional dwellings to 2041, the dwellings projected by the DMATT growth forecasts: fall approx. 400 dwellings short of the Consolidation benchmark; slightly exceeds the Expansion benchmark.</p> <p>While the projected Consolidation growth to 2041 falls below the ShapingSEQ benchmark, the DMATT growth forecasts indicate substantial additional capacity beyond 2041. The department acknowledges that part of this additional capacity may be able to be taken up by 2041 to address the relatively small shortfall for Consolidation growth.</p> <p>It is noted that the assumptions underpinning the dwelling supply estimates of the DMATT growth forecasts may change over time, e.g. as a result of implementing the recommendations of best practice research undertaken by the Growth Monitoring Program (GMP). Also, it is currently considered that secondary dwellings should not be counted separately from the primary dwelling as part of the dwelling supply, but it is unclear the extent to which secondary dwellings contribute to council's reported dwelling growth and capacity.</p> <p>The department does not have concerns regarding the new draft scheme's ability to accommodate the projected growth at this stage. However, any changes to the assumptions and resulting dwelling supply estimates may require future planning scheme amendments to accommodate ShapingSEQ dwelling supply benchmarks in the future. Council should note this is a matter for ongoing review based on the GMP's annual Land Supply and Development Monitoring reports.</p> <p>Additional urban areas – Kin Kin and Cooroibah In relation to the 'urban areas' at Kin Kin and Cooroibah (see Strategic Framework Map 1), the department notes these areas are shown as 'Urban' on the Strategy Map of the current Noosa Plan.</p> <p>The identification of these areas as 'urban areas' in the Strategic Framework does not incorporate these areas in the Urban Footprint under <i>ShapingSEQ</i>. <u>No change is required to the draft New Noosa Plan in relation to these areas.</u></p>	
5	Strategic Framework and all relevant sections	<p>Action: Investigate the potential to identify longer-term options to accommodate growth in the northern area of the Noosa Shire. These should be reflected in the strategic framework for investigation.</p> <p>Reason: <i>ShapingSEQ</i> requires local government planning schemes to have at least 15 years supply of land (appropriately zoned and able to be serviced) available at all times. As such, and in accordance with the northern sub-regional direction, there must be longer-term growth opportunities proposed by council in the event additional urban land is required. Analysis carried out as part of responding to the item immediately above may also inform this response.</p> <p>ADDITIONAL COMMENTS: In accordance with the northern sub-regional direction, council will be encouraged to investigate the potential to identify limited additional longer-term urban growth opportunities, giving consideration to broader strategies for their long-term rural, environmental and landscape sustainability.</p> <p><u>In line with this, council are encouraged to investigate the potential to identify longer-term options to accommodate growth in the northern sub-region. Opportunities should be reflected in the</u></p>	<p>Council does not agree with this and considers it unrealistic to suggest further growth in the northern part of the Shire.</p> <p>The only SEQ Regional Plan Urban footprint in the northern half of the Shire is over Boreen Point and expansion or infill of this village is impractical and undesirable for various reasons including the sensitivity of the lakefront environment, the special character, the lack of water and sewerage, the fact it gets cut off in flood events etc.</p> <p>The rural village of Kin Kin does not have an urban footprint at all and its growth is neither Council's nor the State's intention. It is a long way from employment or services with little or no transport options.</p> <p>Land within the urban footprint of Cooran is largely developed. Lots are larger than other urban areas for reasons of character, flooding and effluent disposal (no water or sewerage).</p> <p>In terms of the broader Shire, Council is aware of a couple of areas which may have potential for urban growth in the future, however they are not without constraints and as there has been no meaningful investigation to date it is preferred these not be mapped in this planning scheme at this stage as it prematurely generates speculation. These areas will be investigated later and potential be part of future planning scheme amendments.</p>

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		strategic framework for future investigation. This is not required to be a commitment to development within a certain timeframe.	
6	Strategic Framework and all relevant sections	<p>Action: Identify the number of additional dwellings to be provided through zone changes and assessment provisions, and where these will be located. Specifically, identify and provide evidence of how housing diversity will be achieved across the Noosa Shire and in particular where new land is proposed to be included in the Urban Footprint.</p> <p>Reason: <i>ShapingSEQ</i> seeks to accommodate the region's urban growth needs in the Urban Footprint in an efficient manner. <i>ShapingSEQ</i> also promotes housing diversity to meet the changing make-up of our population and community needs. The planning scheme provisions must align with the policy directions under <i>ShapingSEQ</i> which seek to plan for and deliver a greater range of 'missing middle' housing forms in suitable locations.</p> <p>ADDITIONAL COMMENT: As noted in response to item 4 above, <u>at this stage the department has no significant concerns with the capacity for additional dwelling growth to 2041</u> provided by council. However, council should note the advice provided in item 4 above, for ongoing consideration.</p> <p>Further, the department acknowledges council's Housing Needs Assessment which highlights a mismatch between dwellings being constructed and the needs of the Noosa community. It is noted particular needs relate to more affordable accommodation, smaller dwellings, additional aged care and special needs.</p> <p>The range of measures included by council in the draft New Noosa Plan to accommodate these needs are noted.</p>	<p>SEQ Regional Plan requires an additional 6400 dwellings between 2016 and 2041. This can be accommodated as outlined for point 4 above. Growth from the 2016 base year will be broken down into the following</p> <ul style="list-style-type: none"> • The take up of existing or newly created vacant lots with detached dwelling houses (eg vacant lots in existing urban areas and newer subdivisions at Noosaville, Noosa Heads, Tewantin, Cooroy) • Redevelopment of older housing stock for dual occupancies and units • New medium density multiple dwellings next to the Major Activity Centres • Mixed use developments, Shop-top or ancillary units within existing activity centres • New and expanded retirement villages (latter stage of Domain, Palm Lakes, Blue Care etc)
7	Zone Map ZM - 13	<p>Action: Remove the Community Facilities (Residential Care Facilities) zoning from Lot 15 SP177649 at Noosa Heads.</p> <p>Reason: The Planning Regulation 2017 (schedule 10, part 16) prohibits residential care facilities with a GFA or more than 5,000m2 outside the Urban Footprint. As the site is located in the RLRPA and has an area of 9.559ha, development of a residential care facility could be prohibited in this location.</p> <p>ADDITIONAL COMMENTS: Including this lot in the Community Facilities zone (with no annotation) would not allow for the potential use of the site for residential care facilities, as intended by council. Community Facilities is not an urban zone and the development of a residential care facility with a GFA of more than 5,000m² on this site would be prohibited development under the Planning Regulation 2017.</p> <p>If the lot were included in an urban zone, future development on the site would be considered <i>excluded development</i> under the SEQ regulatory provisions. <u>However, council would need to undertake an assessment of the site against the Urban Footprint principles (see <i>ShapingSEQ</i>, Chapter 3) to determine the site's suitability for inclusion in an urban zone.</u></p> <p>The department invites further discussion with council about the potential options to facilitate council's intended use of this site.</p>	 <p>This is a site which while outside of the SEQ Regional Plan Urban Footprint is surrounded on two sides by Urban Footprint and contains substantially unconstrained land.</p> <p>While the whole site has an area of 9.5ha, approximately one third was proposed to be put in the Environmental Management and Conservation Zone and should remain undeveloped). It does contain some MSES values but much of the site is very disturbed due to previous uses. It is very close to urban services and Council saw it as a potential site for residential care facilities, a use which our Housing Needs Assessment identified as being in significant demand in the coastal part of the shire.</p> <p>Council will not pursue this at this stage and the site will be zoned Environmental Management and Conservation reflecting the current zone.</p>
8	Strategic Framework and all relevant sections	<p>Action: Confirm whether the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the planning scheme.</p>	<p>Council prepared a Biodiversity Assessment Report for Noosa Shire and this is available on eplanning portal. The mapping from this report informed the Area of Biodiversity Significance on the Biodiversity Overlay maps and the connecting habitat areas and ecological linkages on the Strategic Framework Biodiversity & Environment map. Council's biodiversity mapping uses the state's RE mapping as well as finer vegetation</p>

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		<p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 2, Strategy 1) requires the protection of regional biodiversity values, and the ecological processes that support them, from inappropriate development (see <i>ShapingSEQ</i>, Map 5b and Table 11b).</p> <p><u>The department is satisfied the council has investigated and refined the <i>ShapingSEQ</i> regional biodiversity values for protection under the proposed planning scheme.</u></p>	mapping (some of which has been ground-truthed). These maps have been reviewed against the regional biodiversity values and are considered to reflect and incorporate those values consistent with <i>ShapingSEQ</i> .
9	Community Engagement Strategy	<p>Action: The department considers the approach to Traditional Owner engagement as part of the Community Engagement Strategy to be a positive approach. However, under <i>ShapingSEQ</i> councils are not only required to consult with Traditional Owners but to also consider and meaningfully integrate their feedback into planning documents in accordance with Goal 4, Element 1, Strategies 1 -3. As such, the council will need to demonstrate how the feedback received through this targeted engagement has been reflected in the new planning scheme.</p> <p>The Queensland South Native Title Services have offered to assist SEQ councils in connecting with local Traditional Owners, should the council need assistance. For further information, contact Kevin Smith, Queensland South Native Title Services, phone (07) 3224 1200, email kevin.smith@qsnts.com.au.</p> <p>Reason: <i>ShapingSEQ</i> (Goal 4, Element 1) seeks to ensure Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.</p> <p><u>The department considers council's proposed and ongoing approach to Traditional Owner engagement to be a positive approach.</u></p> <p><u>Council should continue to demonstrate how feedback received during public consultation and through this targeted engagement has been reflected in the proposed New Noosa Plan for adoption.</u></p>	Council has had various meetings with the Kabi Kabi First Nation native title claimants over the last few years and has made successful progress in identifying areas of shared interest and areas where council can support and work with Kabi Kabi people. While the planning scheme is part of this, there are other areas of council business that Kabi Kabi can participate in decision making and in onground work. Council will continue to build relationships with these contacts and share information on environment and river related projects, landscape/conservation planning and employment opportunities (ranger/bushcare programs). Council will directly engage with Kabi Kabi during the next phase of community consultation for the planning scheme. Council will look to incorporate any planning scheme suggestions wherever appropriate. Council is also party to the State government ILUA negotiations with Kabi Kabi First Nations. This includes detailed tenure analysis of individual parcels in Noosa Shire where council has a property interest to determine how these interests could coexist with native title interests. Council is keen to foster open and cooperative relationship building with Kabi Kabi into the future. Targeted engagement as part of the planning scheme consultation is an important part of this.
State Interest: <i>Building Act 1975</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
10	Part 9 – Table 9.4.8.3 Criteria for assessable development (part); Conflicting land uses Table 9.5.1.3 Criteria for assessable development (part)	<p>Action: Amend the performance and acceptable outcomes in Table 9.5.1.3, and AO14.1 in Table 9.4.8.3 to ensure consistency with the Building Act 1975 and QDC Code MP 4.4. Additionally, the scheme appears to introduce undefined terms in these tables, particularly, 'noise sensitive use'</p> <p>Reason: The QDC MP 4.4 requires that, 'Habitable rooms in residential buildings located in a transport noise corridor are adequately protected from transport noise to safeguard occupants' health and amenity.' The current draft scheme appears to be inconsistent with the intent and purpose of this code as it generally seeks to have no new uses included, rather than have those uses designed and adequately protected from noise. This matter may require further discussion with Building Codes Queensland and Department of Transport and Main Roads.</p>	<p>Within the Transport Code, PO14 has been carried across from the current scheme. The transport code is not called up for a dwelling house. As the Transport Code is about designing and building infrastructure rather than designing and constructing residential development we have deleted what was PO14 and corresponding AO14.</p> <p>Within the Reconfiguring a Lot Code, PO25 was also a carry-over from the existing scheme. Our approach has been to try to minimise or avoid residential development in those corridors we know will be noisy. However we have deleted what was PO25 and AO25</p>
11	Building design and services 9.3.1.3 Criteria for assessment (part) AO6.1 A minimum of 4kW photovoltaic solar power system is provided for the dwelling. AO6.2	<p>Action: <u>Remove requirements for 4kW photovoltaic solar power system.</u></p> <p>Reason: The Building Regulation 2006 in Part 3 <i>Prescribed matters or aspects for local laws or local planning instruments</i>, specifies</p>	PO6 and the corresponding AOs have all been deleted and subsequent provisions renumbered.

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	<p>A solar hot water system or electric heat pump is provided for water heating. Energy efficiency PO6 Dwellings minimise energy consumption by incorporating: (a) solar power or other non-polluting renewable energy sources to supply part or all of the dwelling's energy needs; and (b) energy efficient systems for water heating.</p>	<p>building matters a local planning scheme may designate for the Building Codes Australia (BCA) or Queensland Development Code (QDC) and aspects of, or matters related or incidental to, building work about which a local government makes or amends in a provision of a local law or planning scheme or a resolution.</p> <p>The provisions in this part do not include adding large photovoltaic systems. A local government cannot force households to adopt photovoltaic systems of a minimum of 4kW.</p> <p>Energy efficiency provisions are included in QDC MP 4.1 Sustainable Buildings, refer A1(2)(C): (c) 1 star where a building has a solar photovoltaic system of at least 1kW in capacity (maximum power output) is installed.</p> <p>Local government can't impose the requirement for 4kw system as the QDC MP 4.1 allows applicants to choose photovoltaic cells as an option to achieve part of their required star rating.</p>	
12	<p>9.3.1.3 Criteria for assessment AO7.1 With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have: a roof pitch no less than 5 degrees to 75% of the roof; and 600 millimetre eaves to 75% of the perimeter of the dwelling</p> <p>Editor's Note — 450 millimetre eaves will achieve AO7.1(b) provided a 150 millimetre gutter is used. AO7.2 With the exception of the reuse or renovation of existing buildings which do not already comply, the dwelling's roof colour achieves a maximum solar absorptance value of 0.5.</p> <p>Editor's Note— the solar absorptance value is included in colour selection brochures provided by companies that supply roof materials. The National Construction Code also provides some guidance on colours and their absorptance value.</p>	<p>Action: <u>Remove requirements about the provisions regarding roof pitch and the width of eaves, these both form part of the energy efficiency provisions of the National Construction Code (NCC).</u></p> <p>Reason: A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act - Planning Act 2016 Section 8 (5).</p> <p>It is not clear why Council is concerned about addressing building provisions which are governed by the building assessment provisions such as those in the NCC. To clarify, the provisions in AO 7.1 and AO7.2 are in conflict with the scope of the building assessment provisions. Council may address building design to achieve particular aesthetic design outcomes but not for the energy efficiency purposes as prescribed in AO7.1 and AO7.2</p>	<p>Original Performance outcome has been deleted and replaced with the following:</p> <p>Roof design & articulation PO6 <i>Within the Local Plan Areas for Hinterland Villages, Cooroy, Tewantin or Noosaville, buildings contribute to the local character through buildings that incorporate:</i> a) pitched roof design; and b) eaves and/or awnings.</p> <p>AO6 <i>With the exception of the reuse or renovation of existing buildings which do not already comply, dwellings have:</i> a) a roof pitch no less than 5 degrees to 75% of the roof; and b) 600 millimetre eaves to 75% of the perimeter of the dwelling.</p> <p>Editor's Note — 450-millimetre eaves will achieve AO6 (b) provided a 150 millimetre gutter is used.</p>
13	<p>9.3.1.3 Criteria for assessment AO8 Where premises are connected to reticulated water supply, a minimum 5,000 litres of rain water storage is provided on site which captures rainwater from a minimum of half the roof area and enables its reuse for nonpotable purposes on site.</p> <p>Editor's Notes— For clarification, a total of 5,000 litre rain water storage is required for a site that includes a secondary dwelling or a dual occupancy.</p> <p>The Queensland Development Code includes provisions for the installation of rain water tanks and the reuse of stormwater.</p>	<p>Action: <u>Remove requirements relating to rainwater tanks and other supplementary water supply systems.</u></p> <p>Reason: Rainwater tanks including the mandatory provision of them has been removed for some time. Under the QDC MP 4.2 – RAINWATER TANKS AND OTHER SUPPLEMENTARY WATER SUPPLY SYSTEMS, local governments must apply to the Minister to make a local government area with a building development approval mandatory to install a rainwater tank – 4 Approval to make Part mandatory for an area (1) A local government may apply to the Minister for an approval to require the mandatory application of this Part to a building development application for a new class 1 building to be located within a reticulated town water area.</p> <p>Refer Building Regulation 7 Additional water saving targets (1) This section applies for work (relevant work) that— (a) is the subject of building assessment work or is accepted building work; and (b) is for a class 1 building. (2) A provision of a local law or planning instrument or a local government resolution may impose a requirement (an additional requirement) for relevant work about the matters provided for under performance criteria 1 and 2 under QDC part 4.2. (3) However, an additional requirement may be imposed only if Noosa is not among the list of local governments listed in Schedule 2A of the BR therefore permission has not been sought or granted.</p>	<p>Original PO8 and corresponding AO has been deleted.</p> <p>Council may apply to the Minister for an approval to require the mandatory application of QDC MP 4.2 to a building development application for a new class 1 building to be located within a reticulated town water area and that we can apply to vary the application of MP4.2. This will be considered outside of this Planning Scheme State Interest Review process.</p>

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14	<p>9.3.1.3 Criteria for assessment AO20.3 Where involving a minor addition to an existing dwelling house that is situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area): the extension has a gross floor area not exceeding 20m²; and the finished floor level of any new habitable room is not less than the floor level of the existing habitable rooms.</p> <p>Editor's note—The QDC mandatory provisions MP3.5 also apply to the construction of buildings in flood hazard areas.</p>	<p>Action: Remove provisions for storm tide inundation level.</p> <p>Reason: The QDC MP 3.5 storm tides are not included in flood events. Storm tide events are very different in nature to a flood which is why they have not been included in the code. If building a minor addition, if no other planning provisions apply such as a for Ral, MCU or operational work, a building development approval can be done, however the level situated below the Defined flood level must be a non-habitable area. Under the Australian Building Codes Board's (ABCB), Construction of Buildings in Flood Hazard Areas Standard - 2.4 Floor Height Requirements Unless otherwise specified by the appropriate authority- (a) the finished floor level of habitable rooms must be above the FHL; and (b) the finished floor level of enclosed non-habitable rooms must be no more than 1.0 m below the DFL. Note: The structural provisions of this Standard are based on the DFL being a maximum of 1.0 m above the finished floor level of enclosed rooms. Therefore, if the appropriate authority permits more than 1.0m, additional structural analysis should be undertaken.</p> <p>ADDITIONAL COMMENTS: It's acknowledged that council has amended the references to stormtide.</p> <p>By imposing a maximum 20m² GFA AO20.3 (1) Council is prescribing a structural design requirement in response to flood. This is in conflict with the building assessment provisions. Section 13 of the Building Regulation 2006 outlines what a local government may address in terms of building controls to mitigate flood impacts. Apologies for not making this clearer in our original comment.</p> <p>BLP is requested to provide the council with further advice on the applicability of QDC MP3.5 for alterations and additions in relation to extensions to existing buildings. For example Table 1 of QDC MP3.5 states this mandatory part is only applicable to additions to a class 1 building where the additions constitute 50% of more of the floor area of the existing building.</p>	<p>Provision has been deleted.</p>
15	<p>9.3.1.3 Criteria for assessment PO21 Enclosed car parking and manoeuvring areas do not obstruct the drainage of flood waters or create a health hazard after flood and storm tide inundation events; and AO21 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.</p>	<p>Action: Amend throughout the scheme for consistency with MP 3.5.</p> <p>Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria- (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.</p> <p>Council may refer to the performance requirements in the Code to achieve alternative solutions.</p>	<p>AO21 has been removed and PO13 reworded as follows:</p> <p><i>"Underground car parking areas are drained to function safely during a flood event and power failure."</i></p> <p>No further action required</p>
16	<p>9.3.1.3 Criteria for assessment PO22</p>	<p>Action: Remove the provisions as they are already included in MP3.5 and ABCB's Construction of Buildings in Flood Hazard Areas Standard.</p>	<p>PO22 and AO22 have been removed</p>

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	Essential network infrastructure (e.g. on-site electricity, water supply, sewerage and telecommunications) maintains effective function during and immediately after flood and storm tide inundation events.	Reason: Refer <i>Planning Act 2016</i> Section 8 (5).	
17	9.3.1.3 Criteria for assessment AO22	Action: Amend provisions as per comment for AO20.3. Reason: Comment Refer <i>Planning Act 2016</i> Section 8 (5).	PO22 and AO22 have been removed
18	9.3.1.3 Criteria for assessment Page 10 PO23 Filling, other than accessways, does not extent more than 1.0 metre beyond the footprint of any building, measured from the outer walls of the building.	Action: Amend or remove acceptable outcome. Reason: Filling a distance of no greater than 1m from the building's footprint may require additional footing work in the form of drainage bollards and other structures such as retaining walls to hold back earthworks from a cut and fill site. This work would be classed as building work not operational work, due to requiring a concrete reinforced footing. Note: the acceptable outcome has been referenced in the scheme as a 'PO' rather than 'AO'. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council to look further into this.	Acceptable outcome has been removed however, we still had concerns about this for reasons of both overland flow and amenity. Some properties in Noosaville for instance that need to meet a minimum floor height are filling their whole site to be the same level of the floor. DSDMIP questions whether this is an operational works issue and should be dealt with through operational works requirements rather than the Low density housing code. Council has deleted the AO. An editor's note has been added to highlight the privacy and drainage issues that can arise when whole lots are filled to the boundary in urban areas: Editor's note— Development should ensure that filling does not impacts on: a) neighbouring privacy; b) the amenity and usability of neighbouring properties; or c) offsite drainage.
19	Table 9.3.3.3 AO13 Enclosed car parking and manoeuvring areas are constructed at a level that permits the parking area to drain from the site by gravity means, without the need for mechanical pumping.	Action: Amend to align with MP 3.5. Reason: MP 3.5 - A1 The building complies with sections 2.3, 2.5 - 2.5 and section 2.10 of the national flood standard, and— ABCB Flood Standard 2.6 Requirements for Enclosures Below the Flood Hazard Level (FHL) (a) Any enclosure below the FHL must have openings to allow for automatic entry and exit of floodwater for all floods up to the FHL. (b) The openings must meet the following criteria— (i) doors and windows must not be counted as openings, but openings can be installed in doors and windows; and (ii) there must be a minimum of two openings on different sides of each enclosed area; and (iii) the total net area of all openings must be at least 1% of the enclosed area; and (iv) openings must permit a 75 mm sphere to pass through; and (v) any opening covers must not impede the flow of water.	AO13 has been removed and PO13 reworded as follows: "Underground car parking areas are designed to drain and function safely during a flood event and power failure."
	Table 9.4.3.3 AO1.1 The footing of any structure or building is located clear of the zone of influence but no closer than 1.5m (measured horizontally) from stormwater structures.	Action: Remove provisions as these are contained in the building legislation. Reason: Refer Building Regulation 2006 (BR), Schedule 1, Part 3 – 3 Work for particular retaining walls (1) Building work for a retaining wall is prescribed if— (a) there is no surcharge loading over the zone of influence for the wall; and (b) the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's natural ground surface; and (c) the wall is no closer than 1.5m to a building or another retaining wall These provisions are also contained in the QDC MP 1.4 – Building over or near relevant infrastructure 4 Application	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)

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		5(b) the building or structure is located so the invert level for a pipe forming part of the infrastructure is at least 300mm above the point of the zone of influence of the building or structure that intersects the vertical plane along the centreline.	
20	Table 9.4.3.3 AO1.2 AO1.3 AO1.4 AO1.5 AO1.6	Action: Amend provisions for consistency with QDC MP1.4. Reason: This content has been covered in the Building Regulation under Schedule 1 Part 3 and MP 1.4. Building over or near relevant infrastructure.	All the Acceptable Outcomes AO1.1 to AO1.6 have been deleted and an editor's note added to stress development must comply with the QDC. (We want to make sure it is a matter that is remembered.)
21	Table 9.4.6.3 Building design PO8 (c) incorporates wide eaves and awnings for shading;	Action: Remove the requirement of width of awnings. Reason: The use and width of awnings are contained in the NCC as part of the energy efficiency provisions.	References to awnings have been deleted.
22	Table 9.3.1.3 Bushfire Hazard Management AO19 (c), (d)	Action: Remove provisions related to mitigation of bushfire, which are contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires.	Building Regulation 2006 Section 12 allows the Local Government planning scheme to nominate the designated bush fire prone area which we have done through the overlay. The provisions of the BCA and QDC apply for building assessment within that area. Items c) and d) have been deleted.
23	Table 9.4.1.4 Minimum parking requirements including end of trip facilities. AO6.2 Secure and convenient parking spaces for bicycles are designed and provided on site in accordance with— AS2890.3 Bicycle Parking Facilities; and AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.	Action: Remove references to AS 2890.3 Bicycles Parking Facilities Reason: Provisions for end of trip facilities are contained in the QDC MP 4.1 – Sustainable buildings, end of trip in End of Trip Facilities A12 & P12. BLP confirms any provisions outside of the QDC and NCC can be considered in planning scheme.	This was something the community of Noosa is quite keen on and is carried forward from the existing scheme. It is acknowledged: <i>In accordance with the Sustainable Planning Act 2009 section 233(7) and section 86, the QDC and BCA override any similar provisions of a local government's planning instrument. The QDC and BCA regulate sustainable building designs and features, and local governments should not include additional or more stringent measures in a planning instrument. Where a planning scheme, local planning instrument or local law is inconsistent with a regulation, such as the Building Regulation 2006, the planning scheme, local planning instrument or local law is of no effect.</i> However in relation to end of trip facilities: Queensland Development Code Mandatory Part 4.1—Sustainable buildings guideline only applies to end of trip facilities requirements on commercial office buildings, shopping centres, hospitals and tertiary education facilities where they exceed 2,000 square metres (as defined by the QDC) and these where they are located in a designated local government area , as listed in schedule 1 of the Queensland Development Code (QDC) (Noosa is not listed as one) For local governments not listed in schedule 1 of the QDC, end-of-trip facilities can also apply where a council has published notice of a resolution to adopt the QDC provisions. The resolution will be published in a local newspaper and be available on the local government's website. It will outline the area considered a designated local government area (which may be all or part of the local government area). Noosa can obviously pursue this if necessary. Part 4.1 also says: <i>For the purpose of end-of-trip facilities, a local government <u>planning scheme may expand on the QDC requirements</u> by:</i> <i><u>requiring additional bicycle parking and storage facilities, locker facilities and change rooms higher than the QDC requirements</u></i> <i><u>expanding the definition of a major development to encompass a broader range of buildings.</u></i>

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			Therefore there would seem to be scope for NSC to control this and it is just a matter of following the procedure allowed for in the QDC Action: Have included an Editor's Note in the Driveways and Parking code stating that where there is an inconsistency between the scheme and the QDC, the QDC section 4.1 applies for what is considered major developments. Anything not listed as a major development is not covered by the QDC and therefore the planning Scheme can control.
24	Table 9.4.8.3 AO14.2 AS ADDRESSED IN #10 ABOVE	Action: Remove noise attenuation requirements for buildings not in a designated Noise Corridor. Reason: This only applies to a mapped transport noise corridor, not an area within the vicinity of an arterial road.	Have deleted this from the code.
25	9.4.6.3 PO1	Action: Remove the reference to natural light and cross ventilation. Reason: The requirement for natural lighting and natural ventilation is contained in the NCC building provisions. ADDITIONAL COMMENTS: BLP considers this unnecessary red tape. While this provision might seem minor, if a planning instrument contains several redundant provisions (with no bearing as they are addressed by building legislation) than it creates a readability/clarity issue and may also cause unnecessary confusion. This provision may be more applicable to very specific sites to sites/uses which are owned by the council.	PO1 now reads as follows: <i>Development minimises energy consumption and the production of greenhouse gas emissions.</i> There is no AO provided.
26	Part 8 Overlays AO1.2	Action: Remove provisions related to mitigation of bushfire as contained in the Building Regulation section 12. Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. FURTHER COMMENTS: BLP wants to ensure that Council removes other provisions in the planning scheme that feature the same principles as AO1.2 -- setbacks from hazardous vegetation (for class 1-3 buildings and associated 10a structures as per AS3959). Please note that the reference to hardstands or pumps was made in relation to AO 3.2. It was also stated that all reoccurring provisions of that nature need to be removed from the scheme. Please ensure the other provisions (with similar principles as AO1.2) are addressed as per our Further Comments (regarding bushfire).	References to hardstands and pumps in AO3.2 have been removed. Diagram showing the best place to build a house in bushfire areas has been removed. Council has removed references to building setbacks from hazardous vegetation. Other reoccurring provisions of this nature have been removed from scheme where they relate to building works. New provision requiring that bushfire management measures be carried out on the subject property and not any adjoining property has been added to Bushfire Overlay Code. Council awaits State agency response as to their acceptance of these changes.
27	Part 8 Overlays AO3.2 AO3.3 AO3.4	Action: Remove building requirements and cut/fill requirements that are already regulated. Reason: The structural design of buildings located on slopes is the structural engineer's role and is a building requirement, as are the classification and stabilisation of fill batters and what method should be used to stabilise the soil which makes up the battering. As for	This comment is presumably referring to Landslide Hazard Code Table 8.2.8.3. Section 75 of the Building Act reads: 75 Earthworks and retaining walls If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood of building work— (a) retaining walls must be built, or other suitable methods used, to prevent soil movement; and (b) drainage of the land, buildings or structures must be provided.

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		<p>limiting the height of cut and fill levels – refer for cut and fill for earthworks and retaining walls, section 75 of the <i>Building Act 1975</i>. The classification of earthworks and cut and fill provisions are contained in the NCC refer Volume 2 Part 3.1 Site Preparation. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>ADDITIONAL COMMENTS: The Building Regulation 2006 Schedule 1 allows cut and fill to be self-assessable up to 1 metre. <u>Unless the council are trying to address aesthetic quality of building work or operational works requirements</u>, it should not be prescribing building provisions such as height of cut and fill. Refer definition of building work in the Building Act which includes excavation works.</p> <p>This provision is in various parts of the planning scheme. Amenity and aesthetics reasons can be incorporated which do not conflict with the building provisions. BLP confirms stability and erosion control are building provisions but aesthetics aren't.</p>	<p>The current and proposed scheme set a limit of 1.5m from natural ground to ensure buildings minimise modification to the natural topography for scenic amenity reasons.</p> <p>Amendments have been made to this Performance Outcome and Acceptable outcome to try to clarify it is about landscape character and aesthetics primarily rather than slope stability.</p> <p>Steep land, landscape character and scenic amenity PO3 Development, including associated access, is designed and constructed to:</p> <ol style="list-style-type: none"> be responsive to the natural topography and constraints imposed by the slope; retain the natural landforms, landscape character, vegetation, including the visual amenity of hill slopes and ridgelines; visually integrate into the streetscape and the natural surrounds; and ensure buildings and structures are not visually obtrusive, particularly from ridgelines, public open spaces, scenic routes and other critical vantage points, outside the site. <p>AO3.1 Buildings present no more than two storeys at any one point when viewed from the road or other public space.</p> <p>AO3.2 Buildings and associated accesses are not constructed on land with a slope greater than 25% (1 in 4).</p> <p>AO3.3 No additional lots intended to provide house sites are created on land with a slope of 25% or greater.</p> <p>AO3.4 Buildings are designed to follow the natural landform rather than modify it.</p> <p>Editor's note- Designs that step down the slope using split level construction or elevated construction on suspended floors are a preferred alternative to standard slab on ground construction reliant on cut and fill of sites.</p> <p>AO3.5 The extent of filling or excavation is revegetated immediately following completion of the works.</p> <p>AO3.6 Any building, including any associated car parking structure:-</p> <ol style="list-style-type: none"> has a maximum undercroft height at the perimeter of the building of 3 metres above ground level; or incorporates undercroft skirting or screening (such as timber battens) to the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building; or incorporates landscape screening for the full height of any undercroft higher than 3 metres above ground level at the perimeter of the building. <p>AO3.7 On sites where slope gradients exceed 15% roof lines are generally parallel with contours of the land and roof pitch does not exceed 15 degrees.</p>
28	Part 8 Overlays AO2.4	<p>Action: Amend to remove requirements for noise mitigation construction techniques/design.</p> <p>Reason: Note unless the dwelling or building is in a Transport Noise Corridor, can the planning scheme implement noise mitigation construction techniques or design techniques. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The original comment made informed the council that <u>unless</u> the building work was in a designated transport noise corridor, the planning scheme cannot implement noise mitigation construction or</p>	<p>This relates to the Extractive Resources Overlay and the acceptable outcomes for development within the resource processing and separation area such as minimising openings in walls and using appropriate construction methods and materials including insulation and sound resistant glazing materials. Reference is made to the State interest guidance material – Mining and extractive resources page 19, which specifically includes the following within model code provisions.</p>

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		<p>design techniques. A certifier will not assess sound insulation requirements in line with a planning scheme because the National Construction Code contains the relevant requirements for wall treatments and glazing. Council can't introduce building controls such as these due to the scope of the building assessment provisions and the application of the Section 8 (5) of the Planning Act 2016.</p> <p>The NCC may capture these issues – this needs to be revisited. BLP are requested to look into this further and provide some further comments/advice. The council may look into a PO addressing amenity for this provision to avoid conflict.</p>	<p><i>Suitable mitigation measures may include:</i></p> <ol style="list-style-type: none"> locating buildings and structures the greatest distance practicable from the resource extraction and processing areas and associated transportation routes; designing buildings so the areas where people work or congregate are furthest from the resource extraction and processing area and associated transportation routes; minimising openings in walls closest to the sources of any current or potential adverse effects; providing mechanical ventilation to areas in which people work or congregate; utilising appropriate construction methods and materials including insulation, seals, ts and glazing that minimise the transmission of noise, vibration, dust, fumes and odours, and providing outdoor recreation space adjacent to a building façade that shields the recreation space from resource extraction and processing areas and associated transport routes. <p>AO2.4 now reads as: Development within the extractive resource separation area incorporates design, orientation and construction materials that mitigate potential adverse effects from an existing or future extractive industry to acceptable levels by:</p> <ol style="list-style-type: none"> locating buildings and structures the greatest distance practicable from the resource processing area and associated transport route; designing buildings so that areas where people live, work and congregate (habitable rooms) are furthest from the resource/processing area and transport route; and design and construction of walls and openings that minimise noise entry.
29	Table 8.2.3.3 Lot design AO7	<p>Action: Remove provisions related to siting for mitigation of bushfire.</p> <p>Reason: The working building provisions are done by building certifiers on-site using AS 3959 Construction of buildings in bushfire prone areas. These provisions do not include the requirement for hardstands or pumps nor does the building legislation allow the local government to add building provisions for bushfires. Refer <i>Planning Act 2016</i> Section 8 (5).</p> <p>FURTHER COMMENTS: The below highlighted provisions are in conflict with the application of AS3959 to the extent these provisions apply to class 1-3 buildings (and Class associated 10a structures).</p> <p>AO7 (ii) achieves setbacks from hazardous vegetation for a distance of 1.5 times the height of the predominant mature tree canopy or 10 metres, whichever is greater; and (d) is designed so that buildings and structures are sited in locations of lowest hazard within the lot and elements of the development least susceptible to fire are closest to the fire hazard.</p>	<p>References to hardstands and pumps have been removed from AO3.2 as per #26 above.</p> <p>References to setbacks from hazardous vegetation in AO1.3 has been amended. The setbacks in AO7 have been retained as these relate to reconfiguring a lot and not building works. It is about the correct placement of a building envelope where a future house would be located.</p>
30	Figure 8.2.3.4 Lot Design	<p>Action: Remove Figure 8.2.3.4 Lot Design</p> <p>Reason: The provisions relating to the placement of a dwelling uphill or downhill of slopes is contained in AS 3959 Construction of buildings in bushfire prone areas.</p>	Figure 8.2.3.4 has been removed as has the reference to the figure in AO7.

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		This information should not be changed or repeated for inclusion in planning schemes. Refer Planning Act 2016 Section 8 (5).	
31	8.2.6 Flood Hazard Overlay Code Throughout the POs and AOs in Table 8.2.6.3	<p>Action: Please separate merging Defined Flood Event (DFE) provisions with Defined Storm Tide Event (DSTE)</p> <p>Reason: These are not included in the current flood provisions as outlined in MP 3.5 – Construction of buildings in flood hazard areas and the Australian Standard Construction of Buildings in Flood Hazard Areas, please remove all merged data and requirements.</p> <p>If you separate through the overlay code, will you also separate on the overlay?</p> <p>BLP: If the storm tide provisions don't reference or interfere with our flood code, there is no issue.</p>	<p>References to the Design Storm Tide Event has been removed throughout the overlay in most instances though where high frequency nuisance stormtide flooding needs to be considered as a result of climate change the reference to DSTE has been retained (AO5). Large parts of Noosaville are expected to be inundated by stormtide and frequent tidal inundation into the future.</p> <p>There is no need to distinguish between what is catchment flooding and stormtide inundation on the overlay mapping as in all instances stormtide areas are also affected by catchment flooding with catchment flooding being the more dominant hazard in terms of depth and extent of flood waters.</p>
32	<p>Table 8.2.6.3 AO1 The finished flood level is not less than the minimum design levels specified in Table 8.2.6.5</p> <p>AO2 The minimum area above flood level for each lot, is in accordance with Table 8.2.6.5</p> <p>AO4.2 Development provides for an area of sufficient size and dimensions on site above the PMF or PMST that allows for safe congregation and refuge.</p> <p>PO5 Development does not directly, indirectly or cumulatively alter the flood characteristics external to the development site for all flood events up to and including the DFE or DSTE based on: a) current climate conditions; and b) incorporating an appropriate allowance for the predicted impacts of climate change.</p> <p>AO5 In the Flood Hazard Overlay, or in areas otherwise determined to be subject to the defined flood event, development ensures: a) there is no loss of onsite flood storage capacity; b) all changes to level, depth, duration and velocity of floodwaters are contained within the site for all flood events up to and including the DFE or DSTE based on current climate and predicted impacts of climate change at 2100; and there is no acceleration or retardation of flows or any retardation in flood warning times elsewhere on the floodplain; and there is no increased stormwater ponding on sites upstream, downstream or in the general vicinity of the site.</p> <p>PO6 Development ensures that building design and building form accounts for potential flood risks and is resilient to flood events by: a) ensuring that building materials used have high water resistance and improve the resilience of a building during and after a flood or storm tide event; b) maintaining a functional and attractive street front address appropriate to the intended use; and c) where car parking and manoeuvring and basements areas are provided, ensuring these do not obstruct the drainage of</p>	<p>Action: <u>Amend provisions that are in conflict with the Building Assessment Provisions.</u></p> <p>Reason The provisions are in conflict with the Building Assessment Provisions. Refer s13 of the Building Regulation which outlines what a local government may prescribe in a planning instrument to address flood.</p> <p>The terminology used throughout these provisions is in conflict with terminology used in the building assessment provisions. For example, Minimum design level- surface level and minimum design level-flood level. Please review the QDC MP 3.5 and s13 of the Building Regulation 2006.</p> <p>Regarding overland flow and ponding, Refer P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>FURTHER COMMENTS FROM BLP: We cannot determine what has been changed adequately based on the information provided. The terminology in the QDC and ABCB Flood Standard cannot be changed and this includes 'Finished Flood Level' and 'Probable Maximum Flood.' PMST is ok because it relates to storm tide inundation which the flood codes don't address.</p> <p>Regarding the exclusion of dwelling houses from the overlay, this is helpful but the flood codes applies to all building work and not just dwellings. The flood overlay may address op works and ROL however.</p> <p>Thank you for changing reference to overland flow for ponding to relate to op works.</p> <p>Please ensure that the highlighted provisions are addressed accordingly, in line with section 13 of the Building Regulation 2006.</p> <p>Council may address climate change, DSTE and overland flow by siting new lots or reconfiguring existing lots.</p>	<p>Terminology in Table 8.2.6.4 changed to minimum Finished Flood Level for the floor levels of buildings as distinct from the finished surface level of new lots. This resolves terminology issue.</p> <p>Tables of assessment have been changed to exclude dwelling houses from assessment against the overlay code.</p> <p>The overlay code does not apply to dwelling houses but it does include provisions for other building works, operational works and reconfiguring a lot. Wording has been added to PO4, PO5 and PO10 to clarify what type of development the PO relates to, eg. RAL or operational works.</p> <p>Reference to overland flow and ponding etc (PO10) relate to operational works (earthworks etc) not building works. Wording has been changed to clarify this.</p> <p>AO6.1 has been deleted: Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment</p> <p>An editor's note for flood resilient building materials has been amended and now reads: <i>Editor's Note—The use of flood resilient building materials is also encouraged for building works up to the probable maximum flood to reduce the consequences of flooding.</i></p> <p>Council would like to retain resilient building design requirements in PO6. Wording has been amended to avoid duplication with building regs. Can BLP please advise on any additional wording changes if necessary that allow Council to maintain the intent of the PO particularly for streetscape amenity? This is relevant to our commercial/tourist area along the riverfront that gets inundated by flood water and stormtide periodically. New development should consider quality streetscape appearance when designing for flood immunity given the large changes in floor level required to meet the DFE.</p> <p>AO6.6 Basements and underground car parking areas are designed to drain and function safely during a flood event and power failure.</p> <p><i>Editor's note—Basements for residential uses should have flood immunity above the 1%AEP defined flood event with alternative means to mechanical pumping used to achieve such immunity.</i></p> <p><i>Basements for non-residential uses should have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</i></p> <p>Reference in AO8 to "resist hydrostatic and hydrodynamic forces as a result of inundation" has been deleted.</p>

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<p>flooding waters or create a health hazard after a flood or storm tide events.</p> <p>AO6.1 Buildings and materials and surface treatments used below the DFE or DSTE are resilient to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.</p> <p>AO6.5 Non residential buildings and structures are oriented to the street by activating the street frontage with appropriate uses and urban design treatments such as recessed wall treatments, screening or landscaping, whilst allowing for flow through of flood waters on the ground floor. Editor's Note— The use of flood resilient building materials is also encouraged in areas above the DFE (up to the probable maximum flood) to reduce the consequences of flooding associated with unforeseen events larger than the DFE.</p> <p>AO6.6 Enclosed car parking and manoeuvring areas situated below the DFE or DSTE (or below the highest recorded flood or storm tide inundation level where the DFE and DSTE has not been modelled for the area) are constructed at a level that permits the parking area to drain from the site by</p> <p>AO6.7 Basements for residential uses have flood immunity above the 1%AEP defined flood event and alternative means to mechanical pumping are used to achieve such immunity.</p> <p>AO6.8 Basements for non-residential uses have flood immunity above the 1%AEP defined flood event which may be achieved by means of mechanical pumping where the mechanical feature is installed with adequate holding tanks and an alternative back up power source.</p> <p>AO8 Essential network infrastructure that is likely to fail to function or may result in contamination when inundated by flood water (e.g electrical switch gear and motors, water supply pipeline air valves and the like) is: a) located above the DFE and DSTE level (or where the DFE or DSFE has not been modelled for the area, above the highest recorded flood or storm tide inundation level for the area); or b) designed and constructed to exclude floodwater or storm tide intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE or DSFE.</p> <p>PO10 Filling, excavation or retaining structures only occur where they: c) do not directly, indirectly or cumulatively cause adverse impacts external to the site; d) do not cause increased flooding, which adversely affects the safety or use of any land upstream or downstream; do not cause ponding of water on the site or nearby land; do not result in a reduction in flood storage capacity; do not adversely affect the flow of water in any overland flow path; and</p> <p>AO10 Filling, other than accessways, does not extend more than 1 metre beyond the footprint of any building, measured from the outer walls of the building.</p>	<p><u>Prevent building development approvals on those lots at the planning stage.</u></p>	
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	<p>AO11.1 Materials manufactured or stored on site are not hazardous or noxious, or do not comprise materials that may cause a detrimental effort on the environment if discharged in a flood event. OR AO11.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material are: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters;</p> <p>Table 8.2.6.5 Flood Levels and Flood Immunity Requirements</p> <p>Minimum design level – surface level</p> <p>Minimum design level flood Level</p>		
33	<p>Part 6.3 Residential Zones Category Part 6.3 Environment and Heritage Table 6.3.1.3 Criteria for assessment (part) AO19.3 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access. And AO12.3 of Table 6.3.5.3</p>	<p>Action: Include a note to clarify that the certifier will need to assess bushfire attack level with regards to distance from vegetation in line with requirements in the National Construction Code and AS3959.</p> <p>Applies to all reoccurrences throughout the planning scheme.</p> <p>Reason For consistency with NCC and AS3959.</p>	<p>This AO has been deleted.</p>
<p>???</p> <p>33B</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO20 is responsive to the natural topography and sits within the landscape rather than dominating it; steps down slopes or uses suspended floor construction; minimising cut and fill; and uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.</p> <p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%; roof lines are generally parallel with contours of the land; roofs do not exceed a pitch of 15 degrees; and buildings do not protrude above the height of prevailing vegetation. Editor's note—refer to Figure AP33B</p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites. Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and nonreflective with large expanses of solid colours avoided.</p>	<p>Action: Amend for clarity in all cases through the planning scheme in regards to aesthetic/visual character.</p> <p>Amend or remove any of the highlighted AO's if they are not strictly included for visual/aesthetic purposes.</p> <p>Remove Figure 6.9.1A and 6.9.1B unless it can be clarified in the relevant POs that the requirements are for visual/aesthetic reasons (as opposed to structural stability provisions which are captured by the building assessment provisions).</p> <p>Reason: It's unclear if these provisions are strictly for aesthetic/visual character purposes only. If so, please clarify in the PO. These provisions reoccur throughout the scheme (such as PO11 and AO11 on page 59 of Part 6.3). Please amend all in line with these comments. The same provisions reoccur with slightly different requirements in other parts of the scheme such as PO15 and AO15 on of Part 6.8. Please amend the corresponding POs for those provisions in line with this comment.</p> <p>These inclusions far exceed the level of detail in building design prescribed by most local governments.</p> <p>The NCC addresses the structural requirements for buildings on slopes. Refer NCC Volume 2 Part 3.1.1.1 Earthworks.</p>	<p>We have re-written part of Table 6.3.1.3 (Residential Low Density Zone) now with the sub heading of Environment, heritage and scenic amenity to try to clarify these matters are tied to the landform and landscape</p> <p>PO19 Development:</p> <ul style="list-style-type: none"> a) has minimal impact on the natural landform and landscape of the site; b) does not lead to erosion or the transport of sediments off site; c) does not lead to the disturbance of natural features, buildings or structures of cultural heritage significance. <p>AO19.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO19.2 Development does not result in sediment or other material including building materials or waste products being deposited or released into the road reserve, stormwater drain or adjacent properties.</p> <p>AO19.3 Development on a site adjoining a local heritage place respects the cultural heritage significance of the place by mitigating any adverse impacts on the setting or integrity of the heritage values.</p> <p>Editor's Note—Local heritage places are identified on the Heritage and Character Area Overlay Maps in Schedule 2.</p> <p>PO20 Development on sloping sites:</p> <ul style="list-style-type: none"> a) is visually responsive to the natural topography and sits within the landscape rather than dominating it; b) steps down slopes or uses suspended floor construction, minimising Cut or fill and avoiding benching of the site; c) retains natural vegetation that assists in screening or visually softening development; and d) uses materials, finishes and colours that complement the natural setting and integrate with the landscape and skyline.

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	<p>Figure 6.9.1A and 6.9.1B in Part 6.9</p>		<p>AO20.1 Buildings and structures are not constructed on land with a slope greater than 25%.</p> <p>AO20.2 On properties located on ridgelines or where slope gradient exceeds 15%: a) roof lines are generally parallel with contours of the land; b) roofs do not exceed a pitch of 15 degrees; and c) buildings do not protrude above the height of prevailing vegetation.</p> <p><i>Editor's note—refer to Figure AP3-3B</i></p> <p>AO20.3 Where slope gradients exceed 15%, split level buildings with small floorplates are used as an alternative to standard single or double storey construction to minimise building bulk and benching of the sites.</p> <p><i>Editor's note—refer to Figure 6.9.1A and Figure 6.9.1B</i></p> <p>AO20.4 External building materials are lightweight (such as timber or board, stainless steel, glass, and corrugated iron) and non-reflective with large expanses of solid colours avoided.</p> <p>Similar changes have been done in: Table 6.3.2.3 (Res Medium Density Zone) Table 6.3.3.3 (Res High Density Zone) Table 6.3.5.3 (Rural Residential Zone) Table 6.8.3.3 (Rural Zone)</p> <p>(We have also taken duplicated provisions out of the Local Area codes)</p>
<p>34</p>	<p>Part 6.3 Residential Zones Category Part 6.3 Sloping sites Table 6.3.1.3 Criteria for assessment</p> <p>PO21 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: causing ponding of water on the site or nearby land; increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Part 6.4 Earthworks and Drainage</p> <p>PO50 Development and associated site works including filling, excavation and retaining structures do not directly, indirectly or cumulatively cause adverse impacts external to the development site by— causing ponding of water on the site or nearby land; causing erosion or the transport of sediment off the site; increasing flooding, which adversely affects the safety or use of any land upstream and downstream; or adversely affecting the flow of water in any overland flow path.</p> <p>AO50</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: Are these provisions strictly only intended to address operational works? If so, please clarify in the PO and AOs. If the word 'development' is intended to address planning decisions and not building work, please also clarify.</p> <p>Please note that these or similar provisions reoccur throughout the scheme and all will need to be addressed in line with this comment (such as PO20 and AO20 in Table 6.3.2.3, PO18/AO18 Table 6.3.3.3 AND PO54/AO54 in Part 6.4, Table 6.4.2.3).</p> <p>If PO21 and AO21 (and PO50 AO50 above) are intended to apply to building work, this conflicts with P 2.2.1 and 3.1.1 Earthworks – 3.1.2 Drainage of the NCC V2 which addresses ponding, and impact of building work on surface water including onto adjoining sites.</p> <p>BLP: The provisions still don't state that they apply for operational works. Note that filling/excavation can be considered building work. Note the proposed changes in red.</p> <p>Council: Changes suggested in red have now been made</p>	<p>Changes have been made to zone codes to clarify that the provisions are for operations works (filling and excavation) not for building works</p> <p>PO21 Filling and excavation for operational works do not directly, indirectly or cumulatively cause adverse impacts external to the development site by: a) causing ponding of water on the site or nearby land; b) increasing flooding, which adversely affects the safety or use of any land upstream or downstream; or c) adversely affecting the flow of water in any overland flow path.</p> <p>AO21 Filling and excavation for operational works is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties or downstream environments.</p>

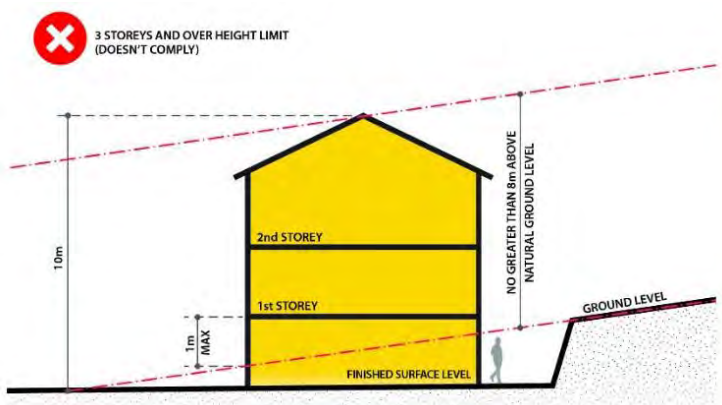
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	Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.		
35	<p>Part 6.3 Residential Zones Category Environment, heritage and scenic amenity Table 6.3.2.3</p> <p>PO19 AO19.2 Development and associated site works, including filling and excavation is designed and constructed to ensure overland flow and/or flooding is not worsened, impeded, or otherwise diverted to adversely affect other properties.</p> <p>Environment and heritage Table 6.3.3.3 Criteria for assessment (part)</p>	<p>Action: Clarify provisions as per the reasoning below.</p> <p>Reason: This provision appears to be a flood/overland flow provision but it is located amongst other provisions to mitigate environmental impacts (transport of sediments, pollution etc). Please amend appropriately to clarify how this provision is relevant to environmental, heritage or scenic amenity. If intended as building provisions, it conflicts with the performance requirement contained in the NCC Volume 2 P 2.2.1.</p> <p>Please note that this provision reoccurs in throughout the planning scheme. Please address all as per above comment.</p>	<p>Changes have been made to clarify that the provisions relate to operational works for Earthworks and Drainage.</p>
36	<p>Part 6.3 Residential Zones Category</p> <p>Part 6.3 Safety and amenity Table 6.3.3.3 Criteria for assessment (part)</p> <p>PO14 AO14.4 Where windows, balconies, terraces, verandas or decks overlook or have the potential to overlook the private open space of nearby properties or view into habitable room windows within 10 metres—</p> <p>windows have a sill height of not less than 1.7m above finished floor level; windows and other openings are permanently screened to a minimum height of 1.7 metres to avoid overlooking; windows and doors use translucent glazing to obscure views; or windows or balconies are offset by 45 degrees or more.</p> <p>Editor's note—refer to figure AP31C AO14.5 Planter boxes, screens, pergolas, landscaping and architectural design of balconies are used to screen the ground floor private open space of dwellings from separate upper level dwellings. AO14.6 Permanently fixed external screening devices complement the building's external materials and finishes and may incorporate solid translucent screens, shutters, perforated panels or trellises which have a maximum of 50% openings. Editor's note—refer to figure AP31B</p>	<p>Action: Include a note under AO14.4 and AO14.6 for the provision of sill height, glazing and openings to be made for amenity reasons but in consideration of the thermal performance requirements contained in the QDC MP 4.1 Sustainable Buildings as well as the energy efficiency requirements in the National Construction Code.</p> <p>Reason: Refer NCC V2 Part 3.12 and Section J of Part 1.</p> <p>Please note that these requirements reoccur throughout the scheme (such as PO20/AO20 of Part 6.3) and these provisions will also need to be addressed in line with the above comment.</p>	<p>These provisions are about amenity (principally privacy but also access to natural light). It is not meant to address energy efficiency or thermal performance</p> <p>An editor's note has been added as suggested:</p> <p><i>Editor's note—Provisions for sill height, glazing, screening and window openings are to improve the residential amenity for occupants. Thermal performance requirements are contained in Queensland Development Code MP4.1 Sustainable Buildings. Energy efficiency requirements are contained in the National Construction Code.</i></p>
37	<p>Part 6.3 Residential Zones Category Part 6.3 Tourist Accommodation Zone Code Design Table 6.3.4.3 Criteria for assessment</p> <p>Streetscape PO14 AO14.4 Where floor levels are raised to accommodate flooding or projected sea level rise the building design must be designed to provide non-discriminatory access at the front of the development and engage with the footpath by having an external terrace within the front setback area that is set at an intermediate level between the footpath and the main ground floor that is suitable for outdoor trading, dining, seating or display of goods. An example is shown in Figure 6.3.4.5</p>	<p>Action: Remove highlighted text in AO14.4.</p> <p>Reason: Is this provision intended to apply to shopfronts or accommodation buildings (not residential homes)? If this is the case, a certifier will need to assess a raised floor level in line with the NCC Volume 1. Part D3 – Access for people with a disability outlines the relevant access requirements.</p>	<p>Offending words have been deleted</p>

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<p>38</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Environment and heritage Table 6.4.2.3</p> <p>PO57 AO57.1 Cut or fill is less than 1.5 metres in depth relative to the ground level.</p> <p>AO57.2 Where there is a nominated building envelope on the lot, clearing of native vegetation and building works do not extend beyond the building envelope, except for the purposes of a driveway access.</p> <p>AO57.3 Development on a site adjoining a heritage site respects the cultural heritage significance of the site by mitigating any adverse impacts on the setting or integrity of the heritage.</p>	<p>Action: Clarify to ensure provisions only apply to designated environment or heritage areas.</p> <p>Reason: These provisions should only apply to designated environment or heritage areas otherwise the requirement will be in conflict with the NCC earthworks requirements (NCC Volume 2 Part 3.1.1 and the Structural Provisions in Part B1 of the NCC Volume 1).</p> <p>These provisions reoccur throughout the scheme. Please address all accordingly.</p>	<p>The AO for cut and fill of no more than 1.5 m has been deleted from the various centre zones where under the heading of Environment & Heritage.</p> <p>The relevant AO in the remaining zones (Environment and Residential zones) has been changed to make it clear that the outcome is for landscape amenity reasons and not for meeting structural building design requirements that are already covered in the building regs.</p> <p>AO For landscape amenity reasons, cut or fill is less than 1.5 metres in depth relative to the ground level.</p>
<p>39</p>	<p>Part 6.4 Centre Zones Category Part 6.4 Mixed Use Development Table 6.4.4.3 Criteria for assessment (part) Vandalism PO43 AO43 Buildings or structures that are visible from a public street or laneway: avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows at ground level, to deter break and enters; and use hardy vandal proof materials and antigrffiti paint in the construction of buildings.</p>	<p>Action: Amend to remove conflict with building legislation as per reasoning below.</p> <p>Reason: While local governments may prescribe requirements for visual/character and some amenity matters, these provisions conflict with the building legislation. The NCC and QDC address requirements regarding the use of materials for considerations such as glazing and thermal construction (to enhance energy efficiency). Unless local government can qualify the requirements in (b) and (c), please remove. It is considered that it would be more appropriate to address vandalism via a more generalised list of performance outcomes and not specific building design requirements.</p> <p>Please note that these provisions regularly reoccur throughout the scheme. Please amend all accordingly.</p> <p>Refer QDC MP 4.1 and the NCC Volume 1 Part J.</p>	<p>Within Table 6.4.1.3 AO47 has been rewritten with: Buildings or structures that are visible and accessible from a public street or laneway: a) avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable, measures in the form of landscaping, creepers, murals, vandal resistant paint, etc. are used; b) with windows at ground level use measures that deter break and enters without obscuring views to shopfronts; and c) are constructed to be vandal and graffiti proof.</p> <p>Also fixed in: Table 6.4.2.3 Table 6.4.3.3 Table 6.4.4.3 Table 6.5.1.3 Table 6.5.2.3 Table 6.6.1.3 Table 6.7.1.3 Table 6.8.1.3</p>
<p>40</p>	<p>Part 6.5 Industry Zones Category Part 6.5 Environment and Heritage Table 6.5.1.3 Benchmarks for assessable development PO41 AO41.2 If a DFE or DSFE is adopted, structures used for the manufacture or storage of hazardous material area: a) located above the DFE level; or b) designed to prevent the intrusion of floodwaters; or c) if a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of flood waters.</p> <p>Editor's Note— Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements relating to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemical.</p> <p>Also reoccurs in PO33 and AO33 of Part 6.5.</p>	<p>Action: Remove AO41.2 (b) which addresses building design; please refer section 13 of the Building Regulation 2006 for building matters a local government may prescribe to address flood.</p> <p>Clarify provisions as per reasoning below.</p> <p>Reason: Regarding the highlighted part of the editor's note, which provisions under the Building Act does this refer to? Clarify that this isn't an error. Also on Page 30 of Part 8. Section 103(f) of the Building Act 1975 briefly mentions hazardous materials in relation to Certificate requirements but this is just included as an example:</p> <p>Building Act 1975: 103 Certificate requirements</p> <p>A certificate of classification must: (f) if the development uses alternative solutions—state the materials, systems, methods of building, management procedures, specifications and other things required under the alternative solutions. Examples of possible alternative solution requirements relating to materials— • a limitation on the use of finishes with fire hazard properties as defined under the BCA</p>	<p>These flood provisions have been deleted from the various zone tables.</p>

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		<ul style="list-style-type: none"> • a prohibition on storing hazardous materials above a stated height • a limitation on storing or using stated materials <p>Examples of possible alternative solution requirements relating</p> <p>Please note that this provision reoccurs throughout the scheme therefore please address all instances.</p>	
41	<p>Part 6.6 Recreation Zones Category Table 6.6.1.3 PO23 AO23</p> <p>Development incorporates design features and elements to manage resources of water and energy efficiently and effectively through:</p> <p>buildings that maximise opportunities for natural ventilation and lighting;</p> <p>water sensitive urban design allowing for the reuse or rainwater and storm water on the site; and on site generation of renewable energy.</p> <p>ALSO Part 6.7 PO12 and AO12</p>	<p>Action: remove the highlighted provisions which address energy efficiency provisions covered by the scope of assessment criteria contained in the Building Assessment Provisions. Clarify what measures apply to AO23 (c).</p> <p>Reason: Refer to the QDC MP 4.1 – Sustainable Buildings, Section J of the NCC Volume 1 and Part 3.12 of the NCC Volume 2.</p>	<p>We note Certifiers will use the energy rating computer system to satisfy the energy efficiency requirements in the NCC</p> <p>For the Recreation and Open Space Zone we would like to leave in a Performance outcome because the likelihood is that development would be done by the State, Council or a community group and we'd like it to be exemplary development. For this reason the acceptable outcome has been deleted but we propose a Performance outcome that reads:</p> <p><i>“Development for the purpose of a community use or sport and recreation is located, designed and operated to be responsive to the sub-tropical climate and make the most of natural light, ventilation and on site rain water capture and reuse.”</i></p>
41B	<p>Part 6.7 Environmental Zones Category Table 6.7.1.3 Height and Scale</p> <p>PO7 AO7.1</p> <p>Buildings and structures are no more than 4 metres in building height from the ground level and no more than 4 metres above the finished surface level.</p>	<p>Action: Clarify provisions and ensure no conflict with building legislation – see reasoning below.</p> <p>Reason: Is the provision in AO7.1 intended to be an and or for building height being either 4 metres above the ground level or 4 metres above the finished surface level? If the building must be no more than 4 metres in height from ground level, how could it be less than 4 metres from surface/finished floor level? Please clarify the provision to avoid confusion. Please also ensure there is no conflict with requirements under s13 of the Building Regulation 2006 and the QDC MP 3.5 regarding finished floor levels to address flood hazard.</p> <p>Please note that this wording with regard to height from ground level and surface level reoccurs throughout the scheme and all other instances will need to be addressed accordingly.</p> <p>BLP FURTHER COMMENTS: Please ensure your decision is informed by established terms in legislation: Building Regulation 2006: natural ground surface, for a building, device or structure, means the ground surface located at site of the building or structure on the day the first plan of survey showing the relevant allotment was first registered.</p>	<p>There are implications regarding flooding - Where filling of the site is required to meet flood immunity, the maximum building height is not measured from the finished surface level, it is measured from natural ground level.</p> <p>A development's building height is measured from both the ground level and the finished surface level, the building height is whichever height is the greater. Furthermore, “Finished surface level” is listed in the administrative definitions for reader clarity as “the level of ground specified in a current development permit”.</p> <p>Historically, if for example the building is in a flood hazard area a relaxation to the 4m building height may be considered. Further if backfilling did not occur around a basement garage the finished surface level would be lower than the natural ground level. The diagram below gives an example of how height is measured.</p>  <p>The diagram shows a cross-section of a building with three storeys. The ground level is shown as a dashed line sloping upwards from left to right. The finished surface level is shown as a solid line below the ground level. The building's height is measured from the natural ground level (indicated by a vertical line and the text 'NO GREATER THAN 8m ABOVE NATURAL GROUND LEVEL'). A red 'X' in a circle is placed above the building with the text '3 STOREYS AND OVER HEIGHT LIMIT (DOESN'T COMPLY)'. A vertical dimension line on the left shows a 10m height from the finished surface level to the top of the building. A smaller vertical dimension line shows a 1m maximum height from the finished surface level to the top of the building. The ground level is labeled 'GROUND LEVEL' and the finished surface level is labeled 'FINISHED SURFACE LEVEL'.</p>
42	<p>Schedule 1 Definitions</p> <p>Probable maximum flood (PMF): probable maximum flood (PMF) means the largest flood that could reasonably occur at a particular location, resulting from the probable maximum precipitation. The probable maximum flood defines the extent of flood prone land. Generally, it is not physically or financially possible to provide general protection against this event.</p> <p>PMF (as above)</p>	<p>Advice: Consider removing reference to PMF as this is not an established method for determining flood risks under the National Flood Standard or the QDC MP 3.5.</p> <p>ADDITIONAL ADVICE:- BLP considers the use of this terminology will cause confusion with the Flood Code and QDC. BLP wondered if the terminology could be changed to make it clear that it applies to evacuation routes/refuge areas? The National Flood Code refers to annual probabilities of exceedance.</p>	<p>The Queensland Flood Commission of Inquiry from the 2011 Brisbane Floods emphasised the importance of planning for flooding risk beyond the standard 1%AEP event (1 in 100 year event). The reference to PMF relates to providing areas of safe refuge for new communities that may otherwise be isolated in an extreme event. This is considered appropriate for the remaining developable flood affect areas in Noosa Shire.</p> <p>With the exception of the definition, the only place this phrase is used is in the Flood Hazard Overlay and it has been clarified it is only relevant to reconfiguring a lot.</p> <p>The definitions themselves have not been changed.</p> <p>BLP: PMF may be used as a term for ROL only</p> <p>No further action required.</p>

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		DSMDIP notes that it appears the only reference to PMF is for determining evacuation routes and congregation and refuge areas for development.	
State Interest: <i>Mineral Resources Act 1989</i>			
Ref. Number	Planning Scheme Reference	Requirement	NSC response
43	Strategic Framework	<p>Action: Include a section in the strategic framework which indicates that mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at Mines Online Map. Refer to the Department of Natural Resources, Mines and Energy's Mines Online Maps for information on mines and mineral occurrences.</p> <p>Reason: Section 4B of the <i>Mineral Resources Act 1989</i> requires planning schemes to notate the location of mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases.</p>	<p>Have added the following Editor's Note within the section on Extractive Industries within 3.2. <i>Mining tenements, specifically Mining Claims, Mineral Development Licences and Mining Leases can be found at the Department of Natural Resources, Mines and Energy's Mines Online Map.</i></p>

Part C—Advice

The guiding principles

Efficient			
Ref. Number	Planning scheme reference	Advice	NSC response
1	3.2.2 - Accessible, diverse and affordable communities	<p>Strategic Framework (section Accessible, diverse and affordable communities) refers to 'Local Area Plan Codes'. Suggest this is meant to be 'Local Plan Codes'.</p> <p>Reason: The term 'Local Area Plan Codes' do not appear to exist under the scheme other than in the Strategic Framework; remainder of the scheme refers to Local Plan Codes.</p>	Noted. Replaced terms
2	Part 5	<p>Explain what is meant by impact assessment - inconsistent use.</p> <p>Reason: There could be confusion as to what level of assessment there is for a use as opposed to whether the planning scheme considers a use to be consistent or inconsistent.</p>	Don't believe there is confusion. No change

Planning for economic growth

Agriculture			
Ref. Number	Planning scheme reference	Advice	NSC response
3	Part 3 – Strategic Framework, Part 3.2.2 – a well managed and sustainable Noosa Shire, Second last paragraph above “Key Challenges”	<p>Remove reference to “intensive factory farming”, and replace with intensive rural activities.</p> <p>Reason: Ensure consistency with use terms defined under the Planning Regulation 2017, and to remove emotive language.</p>	<p>Sentence now reads as “Any form of development that has the potential to adversely impact on surrounding natural resources and environmental values will not be supported unless it can be located and designed to avoid environmental harm or nuisance.”</p>
4	Part 3 – Strategic Framework, Section 3.3.1 Settlement Part (b)	<p>Remove reference to good quality agricultural land (GQAL) and replace it with ALC Class A/B land or include the term as an administrative definition and define what land is considered GQAL, i.e. ALC Class A, B and C land/ALC Class A/B land and Important Agricultural Areas etc</p> <p>Reason: Good Quality Agricultural Land has been replaced as a definition by ALC Class A and B land.</p> <p>DAF is simply seeking clarification so that users know what has been mapped. There is no longer any such thing as GQAL, therefore whatever term is used should be defined</p>	<p>Council are not going to use ALC Class A and B because that does not reflect what we have mapped as our Agricultural Lands.</p> <p>In 3.3.1 we've changed to the phrase "quality farming land"</p> <p>In Rural Activities Code for aquaculture we've changed reference at PO18 to "agricultural land"</p>
5	Part 3 – Strategic Framework Section 3.3.5 Economy and employment	<p>Clarify if it is indeed Important Agricultural Areas (as per SPP mapping) that are referred to in Part (u) and is there an Agricultural Land Map in Schedule 2 as suggested?</p>	<p>Mapping change done</p>

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	Part (u)	<p>Additionally, please clarify if the Strategic Framework Map 2, Economy and Employment should include Agricultural Land Conservation Area mapping – says “pending” on the map itself.</p> <p>Reason: Part (u) refers to Important Agricultural Areas (IAAs) and it’s unclear if this refers to IAAs as mapped on the DSDMIP interactive mapping or Agricultural Land Conservation Area as mapped in the Agricultural land overlay.</p>	
6	Part 5 Tables of assessment Rural Zone Code Rural Activities Code	<p>The council may wish to consider that dust, odour and other emissions or contaminants generated from an appropriately managed intensive horticulture or wholesale nursery may be of a level lower than that of an equivalent non-intensive operation.</p> <p>It’s noted that the council recognises that visual amenity may be protected by soft landscaping / screening in certain situations.</p> <p>Soft landscaping is supported as a solution to reducing setbacks and there is value in its use to allow coexistence between potentially conflicting land uses, especially when the conflict is related to perceived issues with visual amenity.</p> <p>Reason: There is concern that the planning scheme is explicitly unsupportive of intensive agricultural activities without considering many of the benefits of intensive operations. Intensive agricultural operations often produce high value product, take up less land, are closer to markets, require less chemicals and produce less nuisance impacts than non-intensive rural uses. This differs depending on what is being produced and intensive rural activities can pose other impacts that need to be managed, however this is possible and consequently the use should be offered more support in the planning scheme.</p>	<p>Have made some adjustments to treat all cropping and intensive horticulture the same in the Rural Activities code and put the onus back on the component activities such as chemical spray, fertilisers etc.</p>
7	Part 6.7 Environmental Management and Conservation Zone Code Table 6.7.1.3 PO 5	<p>Amend PO5 to read: Development maintains the primary function of the zone and protects ecologically important areas, water catchments, waterway connectivity, marine plants, beach protection and coastal management areas and land with historical or cultural values.</p> <p>Reason: Recognition is needed of the connectedness of habitats by and along waterways – SPP – biodiversity policy 4.</p>	<p>Additional wording added</p>
8	Part 6.8 Other Zone Categories Rural Zone Code Table 6.8.3.3 PO11 Part 7 Local Plans Table 7.2.1.3 (PO14 & PO15) Table 7.2.2.3 (PO21 & PO22) Table 7.2.3.3 (PO26 & PO27) Table 7.2.4.3 (PO31 & PO32) Table 7.2.5.3 (PO26 & PO27) Table 7.2.6.3 (PO20 & PO21) Part 8 Table 8.2.2.3 (PO1, PO5, PO6) Part 9 Development Codes Table 9.3.11.3 (PO13) Table 9.3.13.3 (PO9 & PO20) Table 9.4.8.3 (PO12) Table 9.4.9.3 (PO11) Table 9.4.10.3 (PO7)	<p>Consider adding an additional point to the identified PO’s or overall outcomes section where relevant</p> <ul style="list-style-type: none"> Maintain or enhance fish passage. <p>Reason: Contributes to avoiding adverse impacts on MSES.</p>	<p>Additional wording added to reference wildlife connectivity and fish passage</p> <p>For example PO11 of Table 6.8.3.3. says: <i>Development does not have a significant adverse impact on the natural values of the site including through:</i> <i>a) loss of biodiversity values, fauna habitat and fish passage;....</i></p> <p>In the local Area Plans wording has been amended to: <i>Development maintains and protects an integrated open space network throughout the locality to—</i> <i>a)...</i> <i>b)...</i> <i>c) provide habitat connectivity for wildlife and fish passage;</i></p> <p>Fish Passage is also referenced in both the overall outcomes and the performance outcomes of the Water Quality and Drainage.</p>
9	8.2.2 Biodiversity, Waterways and Wetlands Overlay Code Zone MAP: ZM-2 Zone MAP: ZM-4 Zone MAP: ZM-5 Zone Map: ZM-11 Zone Map: ZM-12 Zone Map: ZM-13	<p>Include the Noosa River declared FHA (A) and Noosa River declared FHA (B) in the mapping of environmental values (and on all other relevant mapping). Note the constraints of FHA management on development. The requirements from the State perspective for accepted development in this area is described in https://www.npsr.qld.gov.au/managing/pdf/accepted-development-requirements.pdf <i>Accepted development requirements for operational work that is completely or partly within a declared Fish Habitat Area.</i></p> <p>Reason: The mapping does not recognise the Noosa River declared Fish Habitat Area. As MSES, this should be included and considered in the documents. The FHA protects fishery resources. The recognition of it as an environmental value and as an area requiring special consideration during development is important.</p>	<p>We have included the Fish Habitats on the Biodiversity Overlay Maps</p>
10	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Environmental Management; AO10.2 and AO10.3	<p>Consider rewording or removing these acceptable outcomes.</p> <p>Reason: On site reuse of waste as soil conditioners and fertiliser and composting of waste are appropriate ways of managing waste generated by the activity and can be managed in way that complies with performance outcome PO10.</p>	<p>The offending AOs were that <i>The reuse of waste litter, manure and other organics as soil conditioners or fertilizers is not undertaken on-site; and that Composting activities are not undertaken on-site.</i></p> <p>We have removed these from the Rural Activities Code and put them in the Regional Infrastructure Overlay Code which is where the water supply catchments are addressed.</p>

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			As discussed agricultural uses will be assessable against this code where within the water supply catchment.
11	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO12.3, AO12.4, AO12.5 and AO12.6	<p>Remove these acceptable outcomes.</p> <p>Reason: The acceptable outcomes relate to pig keeping and poultry farming which are an intensive animal industry not animal husbandry, as defined in the use definitions in schedule 1.</p> <p>These acceptable outcomes also place unrealistic restrictions on intensive animal industry development in the rural zone.</p>	Refer previous discussion. There has been significant re-drafting within the Rural Activities Code and it is considered the provisions will work regardless of the use interpretation.
12	Part 9 Development Codes; Section 9.3 Use Codes; 9.3.13 Rural Activities Code; Table 9.3.13 – Criteria for Assessment; Animal Husbandry; AO13.2	<p>Remove this acceptable outcome (AO13.2).</p> <p>Reason: It does not relate to or demonstrate compliance with performance outcome PO13.</p>	Fair comment operational rather than separation issue – it's deleted.
13	Part 9 Development codes Aquaculture Table 9.3.13.3 AO18.2	<p>Amend AO18.2 to read, for example, '<i>Upon cessation of aquaculture production the soil profile within the aquaculture development developed area is rehabilitated, as close as practical, to predevelopment conditions.</i>'</p> <p>Reason: The Queensland Government is currently in the process of identifying 'Aquaculture Development Areas' (ADAs) in Queensland. It is proposed to recognise ADAs in the SPP. To avoid confusion where ADAs have or have not been identified, it is recommended that another term be used rather than 'aquaculture development area'.</p>	OK change made
14	Biodiversity Overlay	<p>The planning scheme could note that the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> allow for native forest timber production authorised under the <i>Forestry Act 1959</i> and the <i>Vegetation Management Act 1999</i> to generally be conducted without being subject to the provisions of a planning scheme. Additionally, operational work authorised by the <i>Forestry Act 1959</i> for removing quarry material cannot be made accessible development.</p> <p>Reason: The <i>Forestry Act 1959</i> provides the authority for the State to sell forest products and quarry material from forest tenures, applicable Crown holdings and some freehold land.</p> <p>Forest tenures are State forests, timber reserves, forest entitlement areas and forest consent areas. Applicable Crown holdings are parcels of State land leased under the <i>Land Act 1994</i> (e.g. grazing leases such as pastoral holdings, grazing homestead perpetual leases, term leases, etc.). Freehold tenure with forest products and quarry material belonging to the State is that recently converted from leasehold with forest consent areas (mentioned above) and/or an issued deed of grant for the State's continued ownership or reservation of quarry material.</p> <p>Continued access to State-owned log timber, forest products or quarry material on these tenures or areas is required for the State to meet contracted obligations under long term supply agreements, to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>The <i>Forestry Act 1959</i> is administered by the Department of Agriculture and Fisheries.</p> <p>The <i>Vegetation Management Act 1999</i> allows for native forest timber production on freehold land. Continued access to log timber on freehold is required to help meet local and regional demand and to help underpin regional infrastructure development and maintenance.</p> <p>Native forest harvesting authorised under the <i>Forestry Act 1959</i> maintains environmental and heritage values through adherence to codes of practice and other instruments, and is certified under the Sustainable Forest Management (AS 4708) standard.</p> <p>Native forest harvesting authorised under the <i>Vegetation Management Act 1999</i> maintains environmental and heritage values through adherence to the <i>Managing a native forest practice: a self-assessable vegetation clearing code</i>.</p>	Added an Editor's note above Table 8.2.2.3 regarding forestry
15	Agricultural Land Overlay, Agricultural Conservation Areas	The mapping of Agricultural Conservation Land is generally satisfactory (apart from the issues raised in Part A), there is some concern that this mapping is very different to the ALC Class A and B mapping on the SPP interactive mapping system, and given that it doesn't just represent ALC Class A/B land, there is no way for the custodian (Department of Environment and Science) of the ALC Class A/B land data to amend the SPP mapping.	The SPP guidelines specifically allows a Local Government to locally refine state mapping, which Council has done. DAF was well informed of us doing this at the time. The only instances where ALC Class A&B mapping was removed was where it conflicted with other State mapping that made it a nonsense (such as SEQ Regional Plan Urban Footprint, protected remnant veg or water catchment). C class lands were added into the

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		<p>Reason: This may cause uncertainty for proponents due to consistency issues.</p>	<p>mapping because pasture fed protein has considerable potential to contribute to rural economies within Noosa Shire. Nowhere in the scheme is ALC Class A and B referred to so we do not believe it will cause confusion.</p> <p>Note that ALCA has been reinstated where it overlapped with the water catchment.</p> <p><u>On 12 September 2018 Council received a letter from Soil and Land Resources of Department of Environment and Science advising changes were being made to the Agricultural Land Classification (ALC) mapping that informs the State Planning Policy (SPP). Over the ensuing days our GIS officer has been in communication with the Soils team to ascertain how to access the correct layers however time has not allowed for the recreation of our Agricultural Land Conservation Area (ALCA) as it appears on the Strategic Framework Economy & Employment Map and on the Agricultural Land Overlay Maps.</u></p> <p><u>Council will rerun the ALCA mapping over the course of the next week and provide updates to the above maps once available. We would not anticipate State Interest concern with this process.</u></p>
Development and construction			
Ref. Number	Planning scheme reference	Advice	NSC response
16	Infill in Coastal Communities Zone map - Map Code: ZM-14 B (South).	<p>The council agree to be the trustee of reserves for the purpose of buffer, for the following land parcels;</p> <ul style="list-style-type: none"> • lot 3 MCH842013 • lot 1 AP8130 • lot 1 AP8129 • lot 10 MCH5425 • lot 8 SP104270 • lot 1 AP8132 • lot 9 MCH842018 • lot 1 AP8133 <p>Reason: Department of Natural Resources, Mines and Energy currently maintains the Unallocated State Land for fire buffer protection for the neighbouring residential community. With the planning scheme seeking to have more people living in this area via infill, there will be an increase in pressure on the area for management of the fire buffer. As the council has control of the rate and distribution of infill development in this area, it is considered that the buffer is most appropriately managed by the council to ensure the maintenance program aligns with community expectations. Please contact the Department of Natural Resources, Mines and Enregy to discuss this matter further: Andrew McLaughlin, Senior Natural Resource Management Officer, Planning Services on 5352 4236.</p>	<p>This is not a planning scheme matter and is being considered separately by Council's Property and Environmental services Sections.</p>
Mining and extractive resources			
Ref. Number	Planning scheme reference	Advice	NSC response
17	Strategic Framework and all other relevant sections	<p>It is noted that at the State Agency briefing for the proposed planning scheme, the council requested guidance on whether a planning scheme could include a position on the matter of coal seam gas extraction within the Noosa Shire.</p> <p>The approval process for exploration and development of coal, mineral, petroleum and gas resources is governed and decided by the State in accordance with the State's resources legislation. These proposals are not assessed against the local government's planning scheme.</p> <p>A local government planning scheme cannot regulate resource activities carried out on resource tenure and is not intended to consider exploration activities. However, local governments should seek to understand and consider the mineral, coal, petroleum and gas resources within or affecting their local area including current and proposed development of those resource activities.</p>	<p>As of June 2018: "Noosa Council does not support any further applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle".</p> <p>Noosa Council acknowledges that coal, mineral petroleum and gas including coal seam gas resources are the property of the Queensland State Government and approval processes for the exploration and mining of these resources is governed by the State Government in accordance with its resources legislation</p>

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		<p>Where applicable, local governments should seek to include measures that minimise conflicts between resource development or activities and land uses regulated under the planning scheme. This requires considering the likely impacts and interrelationships resource development may have on factors the planning scheme regulates (such as demand for housing, service industry development and out of sequence infrastructure requirements).</p> <p>A particular position about coal seam gas extraction, if included in the scheme, could lead to the perception that Coal Seam Gas (CSG) would be prohibited in the Noosa Shire, whereas the <i>Regional Planning Interest Act 2014</i> provides the head of power for State-determined regional interests to be considered when assessing CSG proposals.</p> <p>Note: CSG is unlikely to be located within the Noosa Local Government Area.</p>	<p>Minerals Resources Act 1989, Mineral Resources Regulation 2013 and Petroleum and Gas Act 2004.</p> <p>However under the State's Regional Planning Interests (RPI) Act 2014, areas of regional interest are identified. All of the Noosa Shire is within an area of Regional interest known as a Priority Living Area (PLA). A Priority Living Area is an area that includes existing settled areas for living and is primarily protected for these purposes. Importantly the RPI Act generally restricts the carrying out of resource activities in Priority Living Areas. This Act also requires that, should an application for a resource activity such as a mining lease application be made to the State, it must be referred to the Council as an 'Assessing Agency'.</p> <p>Council has considered its position with regard to further permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire and within the context of its role as an Assessing Agency under the RPI Act 2014 does not support further permits for coal or coal seam gas exploration or mining based on Council's significant concerns regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle, and its designation as a Priority Living Area.</p> <p>A statement reflecting this policy has been added to the Strategic Framework as such: "Applications for permits for coal exploration, coal mining, coal seam gas exploration or coal seam gas production within the Shire are not supported based on significant concerns from council and the community regarding associated environmental and social impacts and the incompatibility of such activities with Noosa's natural assets and lifestyle."</p>
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Planning for the environment and heritage

Biodiversity				
Ref. Number	Planning scheme reference	Advice	NSC response	DES response
18	Biodiversity, Waterways and Wetlands Overlay	<p>Confirm the proposed Biodiversity, Waterways and Wetlands overlay map has integrated the mapping for MSES – legally secured offsets under the <i>Environmental Offsets Act 2014</i> and the MSES - regulated vegetation (in particular R and C on the regulated vegetation management map (RVMM)) in accordance with the SPP requirements.</p> <p>Reason: It has been identified that there are areas of the SPP Mapping for MSES – Regulated vegetation (Category C and R areas) that are not reflected in the 'Area of Biodiversity Significance' layer found in the council's proposed Biodiversity, Waterways and Wetlands overlay map. Also, Category A areas under the <i>Vegetation Management Act 1999</i> are generally associated with Offsets under the <i>Environmental Offsets Act</i> and are therefore MSES, and need to be reflected (as mapped on the RVMM) within the overlay.</p> <p>As detailed in the SPP, Category R areas and Category C areas can be locally refined by Local Government (subject to approval by the Planning Minister). Category R vegetation is significant for maintaining water quality within Great Barrier Reef catchments. Category R vegetation exists in the western part the Noosa Shire within the Mary River catchment.</p> <p>Section 5.1.1 of the Biodiversity Assessment Report provided by the council indicates that riparian vegetation was considered as a factor when scoring the biodiversity value of vegetation, however it is not known whether any additional weighting was applied to Category R riparian vegetation within Great Barrier Reef catchments (i.e. the Mary River catchment).</p> <p>Note: some of these mapping issues may be associated with the significant changes to the RVMM that occurred with the passing of the <i>Vegetation Management and Other Legislation Bill 2018</i></p>	MSES now integrated	DES supports changes.

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19	Biodiversity, Waterways and Wetlands Overlay and zone maps	Ensure that any protected areas (eg under the <i>Nature Conservation Act 1992</i>), and future/proposed areas are incorporated into the overlay, and zoned consistently with other protected areas.	The Biodiversity Overlay maps significant vegetation by RE and is 'tenure blind'. It does not map vegetation for its protected area status. The zoning map however, does zone all the protected area estate 'Environment Management and Conservation' to help support the protection of environmental values in these areas.	
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Water quality			
Ref. Number	Planning scheme reference	Advice	NSC response
20	Acid Sulfate Soils Overlay Code	<p>The Qld Sampling Guidelines and Laboratory methods guidelines will shortly be replaced with the following documents;</p> <ul style="list-style-type: none"> Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra, ACT Sullivan et al, 2018, National acid sulfate soils guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT; and the Australian Standard 4969 <p>These documents should be released later in July 2018. They will be available from the Water Quality Australia web site. It is recommended that the ASS Overlay code acknowledge the National Acid Sulfate Soils Guidance.</p>	References have been replaced

Planning for infrastructure

Energy and water supply			
Ref. Number	Planning scheme reference	Advice	NSC response
21	--	<p>Noosa Shire Council should inform Seqwater of the planned demand growth in the area. This will allow Seqwater to integrate new growth forecasts with its infrastructure planning programs.</p> <p>Reason: This is important given the water supply constraints that exist in northern SEQ for its standing Level of Service arrangements.</p>	Noosa Council has no opposition to Seqwater accessing the demand modelling UnityWater has prepared for us.

State transport infrastructure			
Ref. Number	Planning scheme reference	Advice	NSC response
22	9.4.8.2 Purpose and Overall Outcomes – Transport Code	<p>Include an additional purpose in the Transport Code similar to outcome (e) that supports freight. This would be similar or the same as the following, 'Development provides a road hierarchy that supports effective freight connectivity.'</p> <p>Reason: The scheme contains limited references and outcomes related to freight/goods links that support growth in local communities.</p> <p>Ensuring communities can grow requires provision of suitable freight links as well as freight distribution sites within those communities. The ability to move freight as, when and where required is paramount to industries including tourism that usually operate under JIT (Just In Time) delivery models. There is also shift toward greater volumes of small-package freight due to on-line purchasing activities.</p> <p>It is also relevant to consider freight links that are 'Life Line' routes to these communities – that is, those that link the community in times of emergency (cyclone, fire). Aside from emergency services access, communities require freight access to replenish stock and provide emergency rations, etc.</p>	<p>The Multi-Combination Routes in Queensland Map really just shows the Bruce highway so not considered particularly useful.</p> <p>The following statements are in the Strategic Framework:</p> <p>Under Regional Context: The Bruce Highway and North Coast Railway serve as the main transport access to Brisbane and serve an important function for the movement of freight. An improved railway network would enhance access to Brisbane for Noosa-based commuters, residents and visitors.</p> <p>Under Strategic Outcomes for Transport and Movement: The role the highway and arterial roads serve in the movement of freight is protected with sensitive land uses avoided or buffered along these routes.</p> <p>The following overall outcome has been added to the Transport Code: Development does not adversely impact on the role of the major road network, particularly the Highway, in the efficient movement of freight through the Shire.</p>
23	Infrastructure and services Table 9.5.1.3 Criteria for assessable development (part) – A013.2	<p>Include an editor's note that advises scheme users to view the DSDMIP Development Assessment Mapping System to determine what is a limited-access road and what is a state-controlled road.</p> <p>Reason: The scheme does not currently identify what is a limited-access road or state-controlled road. This note would increase the useability of the planning scheme.</p>	We've added an Editor's note below these AO's to read: Reference should be made to the Queensland Government's Development Assessment Mapping System to confirm which are state-controlled roads or limited access roads.
24	Part 9 – Table 9.4.1.3	<p>Refer to Cycling Aspects of Austroads Guides (AP-G88-14) instead of the AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10.</p> <p>Reason: Table 9.4.1.3 refers to the Austroads Guide to Traffic Engineering Practice, Part 14 – Bicycles, Section 10, which has been superseded by the Cycling Aspects of Austroads Guides (AP-G88-14), Guide to Road Design</p>	References have been replaced in the scheme and PSP.

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		Part 4: Intersections and Crossings – General (AGRD04-09), Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (AGRD06A-09), plus other various parts of Guide to Road Design and Guide to Traffic Management.	
25	Schedule 6 Planning scheme policies	<p>It is recommended that the planning scheme policies reflect that the Department of Transport and Main Roads performance and design standards apply where development is located on a state transport corridor.</p> <p>Reason: To ensure that development in areas surrounding the state transport network does not adversely impact upon the safety and efficiency of the state transport network.</p>	Noted
26	Queensland Policy Services	<p>QPS recommends a detailed Traffic Management Plan to be developed to decrease the use of vehicles in the business centre by creating suitable bypasses and alternate transport routes. Consideration could be given to closing some shore-front streets to all motor vehicles, particularly at particularly times.</p> <p>Creating more capacity on the road network and more car parking spaces in key destinations can attract more people than the destinations can reasonably accommodate. Reduce the interaction between pedestrians and motor vehicles (Road Safety).</p>	Noted – will not be resolved through the scheme

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