



SCENIC RIM REGIONAL COUNCIL

Planning & Development Committee

Agenda

Meeting to be held in the Council Chambers

82 Brisbane Street

Beaudesert

Tuesday, 8 December 2015

Commencing at the conclusion of the
Corporate & Community Services Committee Meeting

All correspondence to
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**SCENIC RIM REGIONAL COUNCIL
PLANNING & DEVELOPMENT COMMITTEE
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PLANNING & DEVELOPMENT COMMITTEE

AGENDA

ATTENDANCE

Cr J J Sanders, Chairperson
Cr J C Brent, Mayor
Cr N J Waistell
Cr N O'Carroll
Cr V A West, Deputy Mayor
Cr R J Stanfield
Cr D A McInnes

APOLOGIES

DECLARATIONS OF INTEREST BY MEMBERS

Reception of Deputations by Appointment / Visitors

Nil

Please note: Agenda Items where Subject Headings are followed by [CLOSED] are to be discussed in closed session in accordance with Section 275(1) of the Local Government Regulation 2012.

Section 275(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss-

- (a) the appointment, dismissal or discipline of employees; or
- (b) industrial matters, affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving it; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) other business for which public discussion would be likely to prejudice the interests of local government or someone else, or enable a person to gain financial advantage.

1. EXECUTIVE

Nil.

2. CHIEF FINANCE OFFICER

Nil.

3. REGIONAL SERVICES**3.1 Adoption of Beaudesert Shire Planning Scheme 2007 Amendment Package No.6**

Executive Officer: Director Regional Services

Item Author: Manager Planning

File Reference: 19/03/004

Executive Summary

The purpose of this report is to recommend the adoption of the Beaudesert Shire Planning Scheme 2007 Amendment Package No.6 and to propose a commencement date of 29 January 2016.

Previous Council Considerations / Resolutions

Planning & Development Committee Meeting held on 23 June 2015, Item 3.1 - The Committee recommended that Council:

1. Endorse the proposed changes to Beaudesert Shire Planning Scheme 2007 Draft Amendment No.6; and
2. Seek approval from the Minister for Local Government, Infrastructure and Planning to adopt the Beaudesert Shire Planning Scheme 2007 Draft Amendment No.6 in accordance with section 117(1) of the *Sustainable Planning Act 2009* and supporting Statutory Guideline 04/14 Making and Amending Local Planning Instruments.

This recommendation was adopted at the Ordinary Meeting held on 30 June 2015.

REPORT

The Beaudesert Shire Planning Scheme 2007 Draft Amendment No.6 proposes a number of changes to the Beaudesert Shire Planning Scheme 2007 (Planning Scheme), which primarily seek to increase certainty about the intended form and timing of urban development in the Beaudesert and Canungra Urban Footprints.

The amendment package has progressed through the statutory process for amending planning schemes specified under the Statutory Guideline 04/14 – Making and Amending Local Planning Instruments and has now reached the final adoption stage.

On 31 July 2015, Council wrote to the Minister for Transport, Infrastructure, Local Government and Planning and Trade (the Minister) seeking approval to adopt the amendments. On 11 November 2015, the Minister wrote to Council stating that the amendment package has been assessed in terms of the comments and changes made as a result of public consultation, the requirements of the *Sustainable Planning Act 2009* and whether or not State interests would be adversely affected by the proposed planning scheme amendment. The Minister was satisfied that the relevant State interests have been integrated and advised Council could now adopt the amendments. There were no conditions attached to this advice.

A commencement date of 29 January 2016 is proposed which allows for sufficient time to prepare a consolidated version of the Beaudesert Shire Planning Scheme 2007 for publication on Council's website and the necessary public notices for local newspapers and the Queensland Government Gazette.

Key Changes Proposed to the Planning Scheme

The key changes proposed to the Planning Scheme under draft Amendment No.6 are summarised below.

- Separation of Canungra from the existing 'Beaudesert and Canungra Townships Zone' to create a separate 'Beaudesert Township Zone' and a 'Canungra Township Zone' and associated provisions;
- Removal of land from the Emerging Community Precinct and its inclusion in an appropriate zone (predominantly residential) provided that the land is:
 - in the Priority Infrastructure Area of Council's Priority Infrastructure Plan at Beaudesert; and
 - in the Urban Footprint of the South East Queensland Regional Plan 2009-2031 in Canungra.
- Revision of the assessment tables and associated code provisions for development in Beaudesert and Canungra in recognition of land use intents identified in the Canungra Local Planning Study and recent planning undertaken for Beaudesert, including the addition of a new Mixed Use Precinct, a Park Living Precinct and greater flexibility for certain uses such as Aged Persons Accommodation, Educational Establishments and Child Care Facilities;
- Inclusion of the requirement to undertake master planning for selected greenfield development sites as part of a Code Assessable Reconfiguration of a Lot application;

- Revision of minimum lot sizes at Canungra and Beaudesert to reflect the intended pattern of development identified in the planning studies including:
 - a minimum lot size at Beaudesert in the Residential Precinct (where land is identified as a master planned area) reduced from 600m² to 400m² and a maximum lot size of 1200m²;
 - a new average lot size at Canungra of 800m² with a minimum and maximum lot size of 600m² and 1200m² respectively for village residential development in the Residential Precinct (where land is identified in the Canungra Land Use Plan);
 - a new minimum lot size at Canungra of 2000m² for large lot residential development in the Residential Precinct (where land is identified in the Canungra Land Use Plan);
 - a minimum lot size of 5000m² in the new Park Living Precinct at Canungra; and
- Consequential amendments throughout the planning scheme as required, including the removal of several properties from the Character Places Overlay Map at Beaudesert where the buildings on site no longer reflect character values.

A further amendment is also proposed in this package to remove the former Laravale State School from the Community Facilities Precinct and include it within the Village Precinct of the Rural Zone. This amendment is in response to the disposal by Education Queensland of this public asset. This will recognise a wider range of uses as consistent development on the land when a new owner contemplates the re-use of the site.

Key Effects of Beaudesert Shire Planning Scheme 2007 Draft Amendment No.6 (Beaudesert and Canungra).

The inclusion of greenfield land within respective urban zones (primarily residential) will allow for the assessment of applications against the Planning Scheme without the need to submit a section 242 development application under the *Sustainable Planning Act 2009* to override the planning scheme. This will increase certainty about the intended form and timing of development in these areas and reduce the cost of submitting an application to Council.

Proposals for residential subdivisions on greenfield land will trigger the requirement to prepare a master plan to ensure that the proposed development will address housing needs and provide for a neighbourhood that is integrated with existing residential development and transport networks. These greenfield subdivisions will remain Code Assessable and not require public consultation. The land in the Beaudesert and Canungra localities proposed to be subject to the master planning mechanism is identified in specific land use maps within the zone codes of the draft Planning Scheme amendments.

Strategic Implications

Community Plan

The draft amendments support the priorities of the Community Plan in relation to supporting the development of Scenic Rim's towns and villages:

Theme: Vibrant Towns and Villages

Outcomes:

- Towns and villages are appealing, welcoming and serve their communities;
- Rural villages are strengthened, retain their heritage character and provide a range of basic services.

Priorities:

- Actively encouraging and supporting development which strengthens and adds appeal to our towns and villages;
- Limiting development which detracts from our town and village centres and main streets;
- Creating attractive, pedestrian friendly and engaging places and spaces in town centres;
- Supporting modest growth in the region's rural villages to sustain and reinstate local businesses and services.

Corporate Plan / Operational Plan

The amendments contribute to the achievement (in part) of the following strategy relevant to the 'Relaxed Living and Rural Lifestyle' theme of the Corporate Plan:

"Develop a planning vision and supporting planning instruments for the region which promotes community aspirations and clearly articulates the unique qualities of our natural assets and the identity of our towns, villages and communities."

Budget Implications

Sufficient funding has been made available in the current budget allocation to adopt and commence the amendment package.

Legal / Statutory Implications

The adoption of the amendment package must be undertaken in accordance with the *Sustainable Planning Act 2009* and the Statutory Guideline 04/14 – Making and Amending Local Planning Instruments (Statutory Guideline). Upon adoption of the amendment package, the Statutory Guideline requires Council to place a notice in the Queensland Government Gazette, a locally circulating newspaper and on Council's website about the commencement of the amendments and the amendment package will be available on Council's website. Copies of the amendment and notices are also required to be provided to the Department of State Development, Infrastructure and Planning.

In order to incorporate the amendments into the planning scheme in a user-friendly manner, it is also recommended that Council adopt a consolidated Beaudesert Shire Planning Scheme in accordance with section 122 of the *Sustainable Planning Act*.

*Risks*Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

- CE4 Failure to manage growth resulting in increased pressure on Council and State infrastructure and social amenity;
- CE3 Failure to adequately respond to international environmental issues (such as climate change or peak oil) through mitigation, adaptation and facilitation of broader community based initiatives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Environmental Planning Scheme amendments applies a risk management framework to development inconsistent with Council and community expectations.	Moderate	Possible	Medium	Communication as planning policy and associated planning scheme amendments progresses through the statutory process.	Low
Environmental Proposed growth scenario contemplated under the Planning Scheme amendments has implications on Council's financial sustainability and is inconsistent with the vision of the region.	Moderate	Possible	Medium	Ongoing communication as planning policy and associated planning scheme amendments progresses through the statutory process. Undertaking financial sustainability of proposed development scenarios under the Local Government Infrastructure Plan	Low

Conclusion

The Minister has advised Council that it may proceed with the adoption of the Beaudesert Shire Planning Scheme 2007 Draft Amendment Package No.6 in accordance with the *Sustainable Planning Act 2009* and the Statutory Guideline 04/14 – Making and Amending Local Planning Instruments. A resolution of Council to adopt the amendment package to have effect as part of a consolidated version of the Beaudesert Shire Planning Scheme 2007 on 29 January 2016 is therefore recommended.

Consultation

Consultation of the draft Planning Scheme amendments were undertaken in accordance with the requirements of the *Sustainable Planning Act 2009* and the supporting Statutory Guideline. Draft Amendment Package No. 6 was available for public consultation for 30 business days from 31 October 2014 to 11 December 2014. A public notice to inform the community of the consultation process was placed in the Beaudesert Times, Fassifern Guardian and Tamborine Mountain News on two separate occasions.

The consultation material was made available on Council's 'Have your say' web page during the consultation period and copies of the notices and amendment packages were on display at relevant Council customer service centres. Correspondence was also issued to 172 land owners identified as being potentially affected by the draft Planning Scheme amendments. A minor number of changes are proposed to the draft Planning Scheme amendments in response to the matters raised during the consultation period. However, it is considered that the changes proposed to the draft Amendment Package No.6 is not significantly different to the version released for consultation.

Internal consultation with relevant Council departments was ongoing during the preparation of the amendments.

Director's Recommendation

That:

1. Council resolve to adopt the Beaudesert Shire Planning Scheme 2007 Amendment Package No.6 as attached, in accordance with section 117(1) of the *Sustainable Planning Act 2009* and supporting statutory guideline with a commencement date of 29 January 2016;
2. Council resolve to adopt a consolidated Beaudesert Shire Planning Scheme in accordance with section 122 of the *Sustainable Planning Act* with a commencement date of 29 January 2016.

Attachments

1. Beaudesert Shire Planning Scheme 2007 Amendment Package No.6 (attached separately).

4. INFRASTRUCTURE SERVICES

Nil.