

Sunshine Coast Regional Council

Caloundra City Plan 2004 Round 3 Amendments

Round 3B – ‘Other’ Amendments (Moffat Beach Business Park, Maleny Community Precinct & Environmental amendments)

Table of Proposed Amendments

Section Reference	Proposed Amendment	Rationale for Amendment
Part 1 Introduction		
No amendments identified to date		
Part 2 Desired Environmental Outcomes		
Section 2.2 (Desired Environmental Outcome No. 1 – Economic Development)	Amend section 2.2.1(2)(b) as follows: “Allocated industry areas at Caloundra West, Kawana Waters, Moffat Beach , Beerwah and Landsborough are protected and further developed to meet changing industry and technology trends.”	DEO No. 1 does not currently refer to the allocated industrial area at Moffat Beach. Based on the confirmation of the preferred future direction of this area (via the Moffat Beach Industrial Area Investigation), it is considered appropriate to reinforce the business and industry role and function of this area in DEO No. 1.
Map DEO 1.1 (Business Centres and Other Economic Elements)	Amend Map DEO 1.1 by inserting the symbol “BI” (Business and Industry Area) in the location of the Moffat Beach Business Park.	Map DEO 1.1 graphically represents elements of DEO No. 1.1 in a spatial sense. The amendment to Map DEO 1.1 is considered necessary to support the amendment to the wording of DEO No. 1.1 which will now make specific reference to the Moffat Beach business and industry area.
Part 3 Interpretation		
Section 3.3.2 (Administrative Definitions)	Amend section 3.3.2 by inserting the following new administrative definitions in correct alphabetical order: <i>“biodiversity” means biological diversity including the “variety of all life forms” – the different plants, animals, fungi, seaweed and all micro-organisms, the genes they contain and the ecosystem they form.</i> <i>“environmental flow objective” has the meaning given in the Water Act 2000.</i> <i>“habitat” means the natural home or environment of a biological species. A habitat may be general, i.e. air, water, land, vegetation, the Regional Landscape or rocks or soil, or specific, i.e. a Regional Ecosystem type or a waterway or wetland, or krasnozem soil.</i>	The terms “biodiversity”, “environmental flow objective” and “habitat” are used in various sections of the Caloundra City Plan document. There is a need to provide consistent definitions for the use of these terms in the context of the planning scheme.

Section Reference	Proposed Amendment	Rationale for Amendment						
Part 4 Development in Planning Areas								
Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1)	Amend the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1) by identifying the area of Moffat Beach included in the Low Impact Industry Precinct as "Area A".	The identification of the Moffat Beach Business Park in such a manner provides an efficient and effective way to specifically reference this area in the remainder of the Caloundra City Plan document (for example, in the Development Assessment Table for the Low Impact Industry Precinct). This drafting technique is consistent with the way other specific areas are currently addressed in the Caloundra City Plan.						
Maleny Plateau Planning Area Precinct Map (Map MPP1)	Amend the Maleny Plateau Planning Area Precinct Map (Map MPP1) to change a portion (approximately 4000m ²) of the Maleny Community precinct (Lot 2 on SP163952) from the "Rural" Precinct to the "Rural Residential" Precinct.	<p>It is proposed that Map MPP1 (Maleny Plateau Planning Area Precinct Map) be amended to include approximately 4,000m² of land along North Maleny Road within a Rural Residential Settlement Precinct with minimum lot sizes of 1,500m².</p> <p>The location and size of this area (to accommodate two rural residential lots) was widely promoted during the public consultation period for the Maleny Community Precinct draft Concept Plan (19 August 2007-17 September 2007). During this consultation period, there was minimal objection to the provision of these two lots in the proposed location. The proposal satisfies a condition of sale of the Maleny Community Precinct to Council.</p>						
Section 4.2.2 Precinct Class Development Assessment Tables (Table 4.2.2(c) Industry Precinct Class Development Assessment Table)	<p>In relation to the Low Impact Industry Precinct, amend Table 4.2.2(c) Industry Precinct Class Development Assessment Table by inserting the following new line items under the relevant use class headings:</p> <table border="1" data-bbox="539 1078 1256 1331"> <thead> <tr> <th data-bbox="539 1078 779 1142">Defined Use</th> <th data-bbox="779 1078 981 1142">Assessment Category</th> <th data-bbox="981 1078 1256 1142">Applicable Codes</th> </tr> </thead> <tbody> <tr> <td data-bbox="539 1142 779 1331">Art and Craft Centre where: <i>(a) proposed in Area A on the Caloundra Eastern</i></td> <td data-bbox="779 1142 981 1331">Self-assessable</td> <td data-bbox="981 1142 1256 1331">Industry Code Parking and Access Code</td> </tr> </tbody> </table>	Defined Use	Assessment Category	Applicable Codes	Art and Craft Centre where: <i>(a) proposed in Area A on the Caloundra Eastern</i>	Self-assessable	Industry Code Parking and Access Code	This particular amendment seeks to facilitate a wider range of non-industrial uses (subject to limitations) within the Moffat Beach Business Park via code assessment which was an action identified in the Council adopted Moffat Beach Business Park Action Plan that was subject to consultation with landowners in the Business Park. Appropriate limitations have been placed on the type and scale of non-industrial uses to ensure that they are compatible with existing industrial uses within the Moffat Beach Business Park. Commentary on the various non-industrial uses that are proposed to be accommodated via code assessment in the Low Impact Industry Precinct Development Assessment Table is outlined below.
Defined Use	Assessment Category	Applicable Codes						
Art and Craft Centre where: <i>(a) proposed in Area A on the Caloundra Eastern</i>	Self-assessable	Industry Code Parking and Access Code						

Section Reference	Proposed Amendment			Rationale for Amendment
	<p><i>Beaches Planning Area Precinct Map (Map CEB1); and</i> <i>(b) in an existing building</i></p>			<p><u>Art and Craft Centres</u></p> <p>An art and craft centre is defined in the Caloundra City Plan as follows:</p> <p><i>“...means a use of premises for the display and sale of a work of art or craft, such as handicrafts, pottery, paintings and sculptures. The term includes:</i></p> <p>(a) <i>the manufacture of a work of art or craft on the premises; and</i></p> <p>(b) <i>associated individual or small group instruction on the making of a work of art or craft, not exceeding 10 people receiving instruction at any time.”</i></p> <p>Under the current provisions of the Caloundra City Plan, an Art and Craft Centre is an impact assessable use in the Low Impact Industry Precinct and is identified as neither a consistent nor inconsistent use in this Precinct. In effect, this means that such uses need to be considered on their merits having regard to the City Plan as a whole.</p> <p>To achieve Council's vision for this area, it is considered appropriate that art and craft centres are promoted in the Moffat Beach Industry Park. To this end, it is proposed to nominate an Art and Craft Centre as self-assessable development where utilising existing building stock within the business park and code assessable where proposed in a new or extended building (which is the same approach currently used for “industry – general” and “industry – local service” uses in the Low Impact Industry Precinct).</p> <p><u>Office</u></p> <p>An office (where not ancillary to an industrial use on the same</p>
<p>Art and Craft Centre where: (a) <i>proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1); and</i> (b) <i>not in an existing building</i></p>	Code Assessable	Industry Code Civil Works Code Climate and Energy Code Design for Safety Code Filling and Excavation Code Landscaping Code Nuisance Code Stormwater Management Code Parking and Access Code		
<p>Art and Craft Centre <i>not otherwise specified</i></p>	Impact Assessable			
<p>Office where: (a) <i>proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map</i></p>	Self Assessable	Industry Code Parking and Access Code		

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	<p><i>CEB1); and</i> <i>(b) located above the ground storey; and</i> <i>(c) in an existing building.</i></p>			<p>site) is currently impact assessable in the Moffat Beach Business Park and is identified as an inconsistent use in the Precinct. For the majority of situations this is considered to be appropriate to protect the ongoing use of this area for predominantly industrial functions and to direct most office uses to the City’s business centres. However, certain office activities may be appropriate in the Moffat Beach Business Park, especially where they offer a service to the surrounding industries (e.g. an accountant’s office). In such cases, office activities should ideally be located above the ground storey to ensure that these uses do not adversely impact on the operations of existing industrial premises.</p> <p><u>Restaurant</u></p> <p>As outlined below, the Caloundra City Plan’s use definition for “Restaurant” takes in a broad range of food and catering functions:</p> <p><i>“...means a use of premises for providing meals or refreshments on a regular basis to the public for consumption on or off the site.....”</i></p> <p>Typical examples include a café, milk bar, coffee shop, take away shop, drive through food outlet and fast food outlet. A current example of such a use in the Moffat Beach Business Park is the take away component to the “N Class Fisheries” operation in William Street.</p> <p>At present, restaurants (all types) are impact assessable in the Moffat Beach Business Park and are identified as neither consistent nor inconsistent uses in the Precinct. It is considered appropriate that, in limited circumstances, such uses should occur via code assessment, particularly where they provide a service to the employees of the business park (e.g. a small take-away store).</p>
<p>Office where: <i>(a) proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1); and</i> <i>(b) located above the ground storey; and</i> <i>(c) not in an existing building.</i></p>	<p>Code Assessable</p>	<p>Industry Code Civil Works Code Climate and Energy Code Design for Safety Code Filling and Excavation Code Landscaping Code Nuisance Code Stormwater Management Code Parking and Access Code</p>		
<p>Office not otherwise specified</p>	<p>Impact Assessable</p>			
<p>Restaurant where: <i>(a) proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct</i></p>	<p>Code Assessable</p>	<p>Industry Code Civil Works Code Climate and Energy Code Design for Safety Code Filling and Excavation Code Landscaping Code</p>		

Section Reference	Proposed Amendment			Rationale for Amendment
	<p><i>Map (Map CEB1); and</i></p> <p><i>(b) having a gross floor area not exceeding 100m²; and</i></p> <p><i>(c) not involving a licensed restaurant, a drive through outlet, or fast food outlet.</i></p>		<p>Nuisance Code Stormwater Management Code Parking and Access Code</p>	<p><u>Shop</u></p> <p>The retail sale and display of goods resulting from an industrial use on the same premises is currently accommodated within the Caloundra City Plan.</p> <p>However, a stand-alone “Shop” not associated with an industrial use is impact assessable in the Moffat Beach Business Park and is an inconsistent use. This is generally considered to be appropriate in order to maintain the integrity and ongoing use of the Business Park for predominantly industrial uses and to reinforce the role of allocated business centres in the City for retailing functions.</p> <p>Under limited circumstances, retail uses (such as the sale of convenience goods) less than 100m² gross floor area which provide a service to other businesses in the Business Park are considered appropriate and should be identified as code assessable accordingly.</p> <p><u>Indoor Sport, Recreation and Entertainment</u></p> <p>The use definition for Indoor Sport, Recreation and Entertainment includes a broad range of sport and leisure activities where predominantly occurring indoors. At present, all of these activities are impact assessable in the Moffat Beach Business Park and are identified are neither consistent nor inconsistent uses in the Precinct.</p> <p>Whilst a merits-based approach to indoor sport, recreation and entertainment uses is generally considered appropriate, there are circumstances where code assessment may be acceptable for certain activities. Such circumstances include those sport and recreation activities which can utilise existing building stock and</p>
	<p>Restaurant <i>not otherwise specified</i></p>	<p>Impact Assessable</p>		
	<p>Shop <i>where:</i></p> <p><i>(a) proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1); and</i></p> <p><i>(b) involving one of the following activities:</i></p> <p><i>(i) retail sale of convenience goods</i></p>	<p>Code Assessable</p>	<p>Industry Code Civil Works Code Climate and Energy Code Design for Safety Code Filling and Excavation Code Landscaping Code Nuisance Code Stormwater Management Code Parking and Access Code</p>	

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	<p><i>from premises not exceeding 100m² gross floor area.</i></p>			<p>uses which are compatible with industry areas such as activities involving instruction or coaching indoors, often after normal business hours.</p>
	<p>Shop <i>not otherwise specified</i></p>	<p>Impact Assessable</p>		
	<p>Indoor Sport, Recreation and Entertainment <i>where:</i> (a) <i>proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1); and</i> (b) <i>in an existing building; and</i> (c) <i>involving one of the following activities:</i> (i) <i>dance studio;</i> (ii) <i>gymnasi</i></p>	<p>Code Assessable</p>	<p>Sport and Recreation Code Nuisance Code Parking and Access Code</p>	

Section Reference	Proposed Amendment			Rationale for Amendment
	<i>um;</i> <i>(iii) health and fitness centre;</i> <i>(iv) indoor sport;</i> <i>(v) martial arts; or</i> <i>(vi) performing arts studio.</i>			
	Indoor Sport, Recreation and Entertainment <i>not otherwise specified</i>	Impact Assessable		
Part 5 Precincts and Other Elements Code				
Section 5.2.6 Overall Outcomes for the Industry Precinct Class	Amend Overall Outcome 5.2.6(2)(a) for the Low Impact Industry Precinct as follows: “(a) <i>The precinct provides for industrial uses (other than high impact industry uses) and, where located in the Moffat Beach Business Park, limited business and commercial uses which are allied and compatible with industrial uses; and</i> ”			As foreshadowed in the proposed amendments to the Low Impact Industry Precinct Development Assessment Table in Part 4 of the Caloundra City Plan, certain non-residential uses are intended to be facilitated by code assessment (subject to limitations) in the Moffat Beach Business Park. The proposed amendment in Part 5 to the overall outcomes for the Low Impact Industry Precinct acknowledges that uses other than industrial uses may potentially occur in the Moffat Beach Business Park under limited circumstances (which are proposed to be specified in the Specific Outcomes of the Code). Further, such uses need to satisfy the outcome that they are allied and

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<p>Section 5.2.7 Specific Outcomes for the Industry Precinct Class</p>	<p>Amend Table 5.2.7(c) Consistent Uses in the Low Impact Industry Precinct by inserting the following items under the Business and Commercial Use Class listing:</p> <ul style="list-style-type: none"> ➤ <i>Where proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1):</i> <ul style="list-style-type: none"> - <i>Art and Craft Centre</i> - <i>Office, where located above the ground storey</i> - <i>Restaurant (excluding a licensed restaurant, a drive through food outlet or fast food outlet) having a gross floor area not exceeding 100m²;</i> - <i>Shop, where involving the retail sale of convenience goods (from premises not exceeding 100m² gross floor area).</i> <p>Amend Table 5.2.7(c) Consistent Uses in the Low Impact Industry Precinct by inserting the following items under the Community, Sport and Recreation, and Other Use Classes listing:</p> <ul style="list-style-type: none"> ➤ <i>Indoor Sport, Recreation and Entertainment where:</i> <ul style="list-style-type: none"> (a) <i>proposed in Area A on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1); and</i> (b) <i>in an existing building; and</i> (c) <i>involving one of the following activities:</i> 	<p>compatible with industrial uses.</p> <p>For material changes of use, the Precincts and Other Elements Code is a fundamental code in the Caloundra City Plan to determine compliance with the planning scheme. In particular, the Code identifies those uses which are intended within each Precinct (i.e. consistent uses) and those uses which are not intended within each Precinct (i.e. inconsistent uses).</p> <p>At present, apart from industrial uses, the only business and commercial use identified as a consistent use in the Low Impact Industry Precinct is a “veterinary surgery”.</p> <p>Based on the rationale outlined above for the proposed amendments to the Low Impact Industry Development Assessment Table in Part 4 of the Caloundra City Plan, the proposed amendments to Table 5.2.7(c) of the Precincts and Other Element Code will:</p> <ul style="list-style-type: none"> • confirm the additional non-industrial uses which are considered to be consistent uses in the Moffat Beach Business Park; and • where appropriate, specify the criteria for being a consistent use. <p>Where not meeting these criteria, such non-industrial uses will remain either an inconsistent use (as per Table 5.2.7(d) Inconsistent Uses in the Low Impact Industry Precinct) or neither a consistent nor inconsistent use.</p>

Section Reference	Proposed Amendment	Rationale for Amendment
	<ul style="list-style-type: none"> - <i>dance studio</i> - <i>gymnasium</i> - <i>health and fitness centre</i> - <i>indoor sport</i> - <i>martial arts</i> - <i>performing arts studio</i> 	
<p>Section 5.2.7 Specific Outcomes for the Industry Precinct Class</p>	<p>Amend Table 5.2.7(d) Inconsistent Uses in the Low Impact Industry Precinct by amending the listings for “Office” and “Shop” under the Business and Commercial Use Class as follows:</p> <ul style="list-style-type: none"> ➤ Office, <i>not otherwise specified as a consistent use in Table 5.2.7(c)</i> ➤ Shop, <i>not otherwise specified as a consistent use in Table 5.2.7(c)</i> 	<p>These additional qualifiers are required in this table to make it clear that where the circumstances listed in Table 5.2.7(c) are not satisfied, “shop” and “office” uses remain inconsistent uses in order to protect the ongoing use and development of the Moffat Beach Business Park as predominantly an industrial area. The following non-industrial uses will remain neither consistent nor inconsistent uses in the Moffat Beach Business Park:</p> <ul style="list-style-type: none"> • Function Room • Funeral Parlour • Garden Centre • Nightclub • Restaurant (where not otherwise identified as a consistent use via the proposed amendments) • Car Wash • Child Care Centre • Place of Worship • Indoor Sport, Recreation and Entertainment (where not otherwise identified as a consistent use via the proposed amendments) • Major Utility • Telecommunication Tower <p>In effect, these uses will be subject to impact assessment (including public notification) and will need to be assessed on</p>

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		their individual merits having regard to entire planning scheme. It is considered appropriate to maintain this merits-based approach for these particular non-industrial uses.
Part 6 Planning Area Codes		
Sections 6.2 to 6.17	<p>In each Planning Area Code, amend the Habitat and Biodiversity Specific Outcome and corresponding Probable Solutions and replace with the following:</p> <p><i>“OX Land Areas that has been investigated and confirmed to have significant vegetation, habitats for rare or threatened flora or fauna species or high biodiversity is are maintained-retained, protected, maintained, and rehabilitated where degraded and linked.¹</i></p> <p><i>SX.1 Development complies with Probable Solutions S1.2, S2.2, S2.3, S2.4, S3.2, S4.1, S4.2, S5.1 and S6.1 of the Habitat and Biodiversity Code.</i></p> <p><i>SX.2 Plant species do not include those species listed as environmental weeds in Table 9.4 11.B (Environmental Weeds) of the Landscaping Code Landscaping Planning Scheme Policy.”</i></p>	<p>The term “areas” is proposed to be used as opposed to the term “land” to ensure the Code provisions apply to terrestrial and aquatic environments.</p> <p>The wording of the Specific Outcome has been revised to confirm the correct sequence of management measures and to seek linking of vegetation and habitats.</p> <p>The proposed amendment is also seeking to clarify that habitat and biodiversity values may be present in areas that are not included in the Planning Scheme’s overlay mapping and, as such, site-specific investigation may be required as part of the development assessment process to confirm the presence and significance of these values. This ensures consistency with the approach that is already established in the Notes to the Planning Area Overlay Maps in Part 4 of Caloundra City Plan.</p> <p>Minor amendments are also proposed to achieve appropriate cross-referencing necessitated by proposed amendments to other sections of the Planning Scheme.</p>
Sections 6.2 to 6.17	<p>In each Planning Area Code, amend the footnote corresponding to the Habitat and Biodiversity Specific Outcome and replace with the following:</p> <p><i>¹ The Habitat and Biodiversity Overlay covers land applies to areas of the City which background studies indicate contains rare or threatened flora or fauna species, high biodiversity or critical habitat for all or part of the year significant vegetation, essential habitat and protected vegetation, habitat areas, and habitat corridors and links.</i></p>	<p>The proposed amendment to this existing footnote is to clarify that habitat and biodiversity values may be present in areas of the City that are not included in the Planning Scheme’s overlay mapping and, as such, site-specific investigation may be required as part of the development assessment process to confirm the presence and significance of these values.</p>

Section Reference	Proposed Amendment	Rationale for Amendment
	<p><i>Other land areas of the City not covered mapped by the Habitat and Biodiversity Overlay may contain these or other habitats and biodiversity attributes and therefore may require detailed investigation to confirm the extent and diversity of their habitat and biodiversity values. Section 11.6.11 of the Overlays Planning Scheme Policy and the Environmental Assessment and Management Planning Scheme Policy provide guidance for achieving Specific Outcomes for habitat and biodiversity. “Significant vegetation”, “habitat” and “biodiversity” isare terms defined in Part 3 Interpretation of the Planning Scheme.”</i></p>	
Section 6.6.1 Planning Area Context and Setting	<p>Amend the sixth paragraph of section 6.6.1 Planning Area Context and Setting as follows:</p> <p><i>“Local business centres are located at Moffat Beach, Dicky Beach, and at Buderim Street, Currimundi. A small industrial estate The Moffat Beach Business Park centred on Allen Street is located in the south-west part of the Planning Area.”</i></p>	<p>Whilst not part of the statutory planning scheme (extrinsic material), it is considered appropriate to revise the planning area context and setting statement for the Caloundra Eastern Beaches Planning Area to reflect the new name given to the Moffat Beach industrial area (i.e. the Moffat Beach Business Park).</p>
Section 6.6.2 Planning Area Overall Outcomes	<p>Amend Planning Area Overall Outcome 6.6.2(2)(j) as follows:</p> <p><i>“The Moffat Beach industrial area operates as a small scale, service industry orientated estate. Development within the Moffat Beach Business Park contributes to the creation of a vibrant, revitalised business and industry area and incorporates a range of low impact industrial uses and complimentary business and commercial uses. Such development avoids significant conflicts with surrounding</i></p>	<p>The proposed amendment to this overall outcome for the Caloundra Eastern Beaches Planning Area gives specific recognition to the Council’s adopted vision for the Moffat Beach Business Park.</p> <p>In particular, whilst being maintained as a low impact industry area, the amended overall outcome confirms that complimentary business and commercial uses may also be appropriate within the Moffat Beach Business Park, whilst protecting the amenity of the surrounding residential areas. The importance of achieving</p>

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	<p><i>residential areas. Development on infill sites and refurbishment of existing premises occurs in an integrated manner and incorporates high quality building and landscape design themes. No expansion to this area's external boundaries or significant increase in the scale or intensity of activity occurs to maintain the amenity of surrounding residential areas.</i></p>	<p>consistent built form and landscape themes within the Park is also reinforced by the proposed amendment.</p>
<p>Section 6.6.2 Planning Area Overall Outcomes</p>	<p>Delete the note immediately following Overall Outcome 6.6.2(2)(j).</p>	<p>The non-statutory note following Overall Outcome 6.6.2(2)(j) of the Caloundra Eastern Beaches Planning Area Code refers to Council investigations regarding the future use of the Moffat Beach industrial area.</p> <p>Given that these investigations have now been completed and Council has adopted a vision and action plan for this area, the supporting note is no longer required.</p>
<p>Section 6.6.3 Planning Area Specific Outcomes</p>	<p>Amend the heading immediately preceding Specific Outcome O14 as follows:- <i>"Development in the Moffat Beach Low Impact Industry Precinct (Moffat Beach Business Park)"</i></p>	<p>This amendment is primarily editorial in nature to reflect Council's adopted name for the Moffat Beach industrial estate.</p>
<p>Section 6.6.3 Planning Area Specific Outcomes</p>	<p>Amend Specific Outcome O14 and corresponding Probable Solutions S14.2 and S14.3 as follows:-</p> <p><i>"O14 Development in the Moffat Beach Low Impact Industry Precinct Business Park protects the amenity of nearby residents.</i></p> <p><i>Note:</i></p> <p><i>Land included in the Moffat Beach Business Park is</i></p>	<p>These amendments are primarily editorial in nature to ensure these outcomes/solutions of the code specifically refer to the term "Moffat Beach Business Park".</p>

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	<p><i>identified as "Area A" on the Caloundra Eastern Beaches Planning Area Precinct Map (Map CEB1)."</i></p> <p>"S14.2 Industrial development in the locality <i>that part of the Moffat Beach Business Park</i> west of George Street, south of Nothling Street and north of Grigor Street occurs on amalgamated sites with:....."</p> <p>"S14.3 The layout and design of industrial <i>development in that part of the Moffat Beach Business Park</i> opposite land included in the Low Density Residential Precinct (along William and George Streets):....."</p>	
Section 6.6.3 Planning Area Specific Outcomes	<p>Insert a new Probable Solution S14.4 as follows:</p> <p><i>"S14.4 Notwithstanding the maximum building heights (in metres) specified on Map CEB3, that part of a building within 20 metres of a front boundary does not exceed 8.5 metres above ground level where located on a site opposite land included in the Low Density Residential Precinct (along William and George Streets)."</i></p>	<p>The proposed amendments to the Caloundra Eastern Beaches Planning Area includes increasing the maximum building heights within the Moffat Beach Business Park from the current 8.5 metres above ground level to 11 metres above ground level.</p> <p>New Probable Solution S14.3 has been inserted to recognise that a building height of 11 metres should not apply to sites within the Moffat Beach Business Park that are located opposite residential properties in George and William Streets.</p> <p>In this regard, a maximum building height of 8.5 metres has been nominated on these sites within 20 metres of a frontage to the above streets to ensure that new buildings or extensions to existing buildings at the interface to this residential area are sympathetic to the prevailing residential scale and character.</p>
Section 6.6.3 Planning Area Specific Outcomes	<p>Insert a new Specific Outcome O15 and corresponding Probable Solution S15.1 as follows:</p> <p><i>"O15 New buildings and refurbishments to existing buildings in the Moffat Beach Business Park:</i></p>	<p>These provisions recognise the need to achieve some consistency in building form and streetscape character within the Moffat Beach Business Park, as alluded to in the Council's adopted vision for this area.</p> <p>The new probable solution in turn calls up the proposed Moffat</p>

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	<p>(a) <i>achieve a coherent overall built form and streetscape character; and</i></p> <p>(b) <i>incorporate design features, building materials and/or colours to provide architectural interest and articulation to building facades visible from the street.</i></p> <p><i>S15.1 Development is in accordance with the Moffat Beach Business Park Planning Scheme Policy.”</i></p>	<p>Beach Business Park Planning Scheme Policy, which is intended to provide guidance to applicants for achieving Specific Outcome O15 (refer to separate discussion below on the proposed new planning scheme policy).</p>
<p>Section 6.6.3 Planning Area Specific Outcomes</p>	<p>Insert a new Specific Outcome O16 and corresponding Probable Solution S16.1 as follows:</p> <p><i>“O16 New buildings within the Moffat Beach Business Park are designed to provide for a range of potential users over the life of the building by allowing for adaptable floor plans and adequate floor to ceiling heights.</i></p> <p><i>S16.1 No probable solution prescribed.”</i></p>	<p>The Moffat Beach Business Park currently comprises mainly existing building stock being used for a range of business and industry uses. However, there are some sites which are either currently vacant, under-developed or have redevelopment potential.</p> <p>In order to facilitate a diverse mix of industry and business uses within the Moffat Beach Business Park, a relevant outcome should be that new buildings incorporate universal design principles. This will ensure that such buildings can be readily adapted for a range of uses over the lifespan of the building.</p> <p>Given that no probable solution is prescribed for this specific outcome, applicants will need to demonstrate innovative solutions which meet this outcome.</p>
<p>Section 6.6.3 Planning Area Specific Outcomes</p>	<p>Insert a new Specific Outcome O17 and corresponding Probable Solution S17.1 as follows:</p> <p><i>“O17 Non-industrial uses in the Moffat Beach Business Park are limited in scale and in type to those uses which:-</i></p>	<p>The proposed planning scheme amendments relating to the Moffat Beach Business Park are intended to more readily accommodate non-industrial uses (subject to appropriate limitations).</p> <p>Where non-industrial uses are proposed, O17 provides the rationale that will be used by the Council when determining the</p>

Section Reference	Proposed Amendment	Rationale for Amendment
	<p>(a) <i>are compatible with existing industrial uses;</i> (b) <i>do not compromise the ongoing operation and use of this area as a predominantly industrial area; and</i> (c) <i>avoid significant land use conflicts.</i></p> <p><i>S17.1 No probable solution prescribed."</i></p>	<p>suitability of such uses. In particular, the outcome sought is that non-industrial uses are compatible with and do not compromise the ongoing industrial functions of the Business Park.</p>
<p>Section 6.6.3 Planning Area Specific Outcomes</p>	<p>Insert a new Specific Outcome O18 and corresponding Probable Solution S18.1 as follows:</p> <p><i>"O18 Where conducted in association with an industrial use on the same premises, retail sales are ancillary to the industrial use.</i></p> <p><i>S18.1* The retail sale of goods complies with Acceptable/Probable Solution S22.1 of the Industry Code, except that where goods resulting from the industrial use are offered for sale, the area (including display areas) does not exceed 20% of the total gross floor area of the premises."</i></p>	<p>The Industry Code currently provides assessment criteria for the retail sale of goods associated with an industrial use. The probable solution indicates that the area used for the display and sale of goods (where resulting from the industrial use) does not exceed 10% of the GFA of the premises or 200m² whichever is the lesser.</p> <p>Given the intended role and function of the Moffat Beach Business Park as expressed by Council's adopted action plan, it is considered appropriate that the allowable proportion of retail sales area is increased to 20% of the total GFA of the premises (Example: An industrial premises with an overall GFA of 500m² could have a display/retail area of up to 100m² within this premises).</p>
<p>Map CEB4 (Caloundra Eastern Beaches Planning Area Code Map)</p>	<p>Amend Map CEB3 to identify the Moffat Beach Industry Park as having a maximum building height of 11 metres.</p>	<p>In effect, this proposed amendment to the Caloundra Eastern Beaches Planning Area Code increases the maximum building height within the Moffat Beach Business Park from the current 8.5 metres above ground level to 11 metres above ground level.</p> <p>This proposed increase in the maximum building height brings the Moffat Beach Business Park into line with other allocated industrial areas in the coastal urban area. This amendment will also facilitate a more flexible approach to the design, form and function of new buildings within the business park.</p>

Section Reference	Proposed Amendment	Rationale for Amendment
Maleny Plateau Planning Area Code Map (Map MPP3)	Amend Map MPP3 to identify the rural residential area proposed above, as having a minimum lot size of 1500m ² .	This proposed amendment to the Maleny Plateau Planning Area Code ensures a minimum lot size suitable to accommodate on-site sewerage disposal.
Part 7 Overlay Codes		
Section 7.5 (Bushfire Hazard Management Code)	Amend probable solution S7.1 of the Bushfire Hazard Management Code and replace with the following: <i>“Landscaping comprises fire retardant non-fire stimulant species identified in Table 9.311.A (Preferred Plant Species) of the Landscaping Code-Planning Scheme Policy.”</i>	As currently drafted, S7.1 of the Bushfire Hazard Management Code uses the term “fire retardant” which is not a technically correct term as no plant species actively repels a fire. More correctly, the term “non-fire stimulant” species is proposed to be inserted. In addition, the reference to the table of preferred plant species has been amended in response to the proposed relocation of this table from the Landscaping Code to the Landscaping Planning Scheme Policy.
Section 7.10 (Habitat and Biodiversity Code)	Amend the Habitat and Biodiversity Code in accordance with Track Changes Document .	It is a recommendation of the Council’s endorsed Biodiversity Strategy for the Habitat and Biodiversity Code to be amended as necessary to achieve consistency and alignment with the Strategy. The rationale for the amendments to the specific sections of the Code is outlined below. <u>7.10.1 Introduction</u> Minor amendments to the wording of the introduction to the Habitat and Biodiversity Code is proposed (which is extrinsic material) to clarify the context of the Code. <u>7.10.2 Overall Outcomes</u> The proposed amendments to the overall outcomes of the Habitat and Biodiversity Code seek to clarify the purpose and general effect of the Code and to achieve a consistency in the use of terminology. The amendment also seeks to include outcomes to achieve linking of habitat and ecosystems.

Section Reference	Proposed Amendment	Rationale for Amendment
		<p><u>7.10.3 Specific Outcomes</u></p> <p>Amendments are proposed to:</p> <ul style="list-style-type: none"> • Specific Outcomes O1, O2, O4, O5 and O6; and • Probable Solutions S1.1, S2.1, S2.2, S2.3, S.2.4, S3.1, S3.2, S4.2, S5.1, S5.2 and S6.1. <p>These amendments largely seek to consistently apply the terms “habitat” and “biodiversity”.</p> <p>A new probable solution (S1.2) corresponding to specific outcome O1 of the code is proposed to call up the updated and revised significant flora and fauna lists contained in the Environmental Assessment and Management Planning Scheme Policy.</p> <p>A new supporting footnote is also proposed to clarify the relationship between the measures contained in the Habitat and Biodiversity Code and the mapping included at the end of the Code.</p>
Part 8 Use Codes		
No amendments identified to date		
Part 9 Other Codes		
Section 9.7 (Landscaping Code)	<p>Delete probable solution S4.1 of the Landscaping Code and replace with the following:</p> <p><i>“Landscaping incorporates a planting design which:</i></p> <p><i>(a) provides for a framework of predominantly endemic native species (refer to Table 11.A – Preferred Plant Species of the Landscaping Planning Scheme Policy); and</i></p> <p><i>(b) avoids plant species that are:</i></p>	<p>As currently drafted, S4.1 of the Landscaping Code includes an incorrect reference to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> and should be amended to correctly reference this legislation.</p> <p>Further, in response to the proposed deletion of the various species lists tables from the Landscaping Code (and their proposed relocation to the Landscaping Planning Scheme Policy – see below for further details), the references to these tables</p>

Section Reference	Proposed Amendment	Rationale for Amendment
	<p>(i) <i>identified environmental weeds as listed in Table 11.B - Environmental Weeds of the Landscaping Planning Scheme Policy; or</i></p> <p>(ii) <i>“Declared Plants” under the Land Protection (Pest and Stock Route Management) Act 2002; or</i></p> <p>(iii) <i>poisonous plants (as listed in Table 11.C – Poisonous Plants to People of the Landscaping Planning Scheme Policy) in public areas, excluding the native/endemic species for significant vegetation areas to be retained, and/or Bushland Reserves or Conservation Parks.”</i></p>	<p>needs to be changed to be consistent with the new title references of these tables.</p> <p>Finally, the proposed amendment to S4.1 is intended to simplify and streamline the measures to achieve compliance with the corresponding Specific Outcome O4 of the Code.</p>
Section 9.7 (Landscaping Code)	<p>Delete the following tables from the Landscaping Code:</p> <ul style="list-style-type: none"> • Table 9.3 Preferred Plant Species; • Table 9.4 Environmental Weeds; and • Table 9.5 Poisonous/Noxious Plants. <p>Amend all cross-references to these tables in the Planning Scheme to reflect the deletion of these tables from the Landscaping Code.</p>	<p>The species lists included in Tables 9.3, 9.4 and 9.5 of the Landscaping Code need to be updated and revised from time to time to reflect emerging trends, best practice standards or legislative changes. To ensure that such species lists can be more efficiently and effectively amended, it is considered appropriate that these lists be located in a supporting planning scheme policy rather than in the Landscaping Code.</p>
Part 11 Planning Scheme Policies		
Planning Scheme Policies Relating to Part 6 – Planning Area Codes (insertion of new Planning Scheme Policy 11.5A)	Insert a new planning scheme policy, 11.5A Moffat Beach Business Park Planning Scheme Policy.	<p>Proposed new Specific Outcome O15 of the Caloundra Eastern Beaches Planning Area Code is seeking to achieve certain built form and streetscape outcomes for the Moffat Beach Business Park. Corresponding Probable Solution S15.1 in turn calls up the Moffat Beach Business Park Planning Scheme Policy.</p> <p>The proposed policy provides specific guidance on achieving these stated outcomes when developing new premises and refurbishing existing premises within the Moffat Beach Business</p>

Section Reference	Proposed Amendment	Rationale for Amendment
		<p>Park.</p> <p>In particular, the policy incorporates the ten key “design directives” contained in the adopted Moffat Beach Business Park Action Plan.</p>
Section 11.6 (Overlays Planning Scheme Policy)	Delete section 11.6.11 (Guidance Relevant to Habitat and Biodiversity Code) of the Overlays Planning Scheme Policy and replace with a new section 11.6.11 as shown in Track Changes Document .	The proposed amendment to the Overlays Planning Scheme Policy is intended to provide further guidance and assistance to development proponents in order to demonstrate compliance with certain specific outcomes of the Habitat and Biodiversity Code.
Section 11.10 (Landscaping Planning Scheme Policy)	<p>Amend the Landscaping Planning Scheme Policy by inserting the following new clause in section 11.10.3 Guidance Relevant to the Landscaping Code:</p> <p>“Guidance for Achieving Specific Outcome O4</p> <p><i>(x) Specific Outcome O4 of the Landscaping Code may be demonstrated by the submission of a Landscape Plan prepared by a competent person which incorporates the preferred species and avoids the use of non-preferred species (environmental weeds or poisonous plants to people) as identified in the following supporting tables to this policy:</i></p> <p><i>(a) Table 11.A Preferred Plant Species;</i></p> <p><i>(b) Table 11.B Environmental Weeds; and</i></p> <p><i>(c) Table 11.C Poisonous Plants to People.”</i></p>	This amendment is proposed to provide guidance as to how to achieve compliance with Specific Outcome O4 of the Landscaping Code, by making reference to the species lists that are proposed to be inserted in the Landscaping Planning Scheme Policy (see below for further details).
Section 11.10 (Landscaping Planning Scheme Policy)	<p>Amend the Landscaping Planning Scheme Policy by inserting the following new tables at the end of the policy:</p> <p>Table 11.A Preferred Plant Species;</p> <p>Table 11.B Environmental Weeds; and</p> <p>Table 11.C Poisonous Plants to People.</p>	To more efficiently and effectively respond to emerging trends, best practice standards or legislative changes, it is considered that the species lists currently contained in the Landscaping Code should be relocated to the Landscaping Planning Scheme Policy. This will ensure a more streamlined process for future amendments to these species lists.

Section Reference	Proposed Amendment	Rationale for Amendment
	<p>The above tables are included in Track Changes Document.</p> <p>Amend all cross-references to these tables in the Planning Scheme to reflect this proposed amendment (i.e. the changes to the numbering of the tables and the change of title for the Poisonous Plants to People table).</p>	<p>In doing so, the species lists contained within these tables have been revised and updated for consistency with the Council's Biodiversity Strategy and in response to amendments proposed elsewhere in the planning scheme. In particular:</p> <ul style="list-style-type: none"> • To provide for consistency with the proposed amendment to S7.1 of the Bushfire Hazard Management Code, the Preferred Plant Species table is proposed to be amended to incorporate the terminology "Non-fire stimulant species" in the Features column of the table. • The list of environmental weeds included in proposed Table 11.B (Environmental Weeds) has been updated to include important and significant species that can have a major impact on the City's natural assets, as identified in the Biodiversity Strategy. In this regard, 185 species are proposed to be added to the original list and 6 species are proposed to be removed from the original list. • The list of poisonous plants included in proposed Table 11.C (Poisonous Plants to People) has been updated to include 70 additional known poisonous plants to people. This proposed amendment is a recommendation from the Council's Biodiversity Strategy to ensure that species scheduled by Queensland Health and other government agencies as poisonous to people are included and to ensure Council has fulfilled its duty of care to fully inform development proponents of the dangers of planting these species.
<p>Section 11.15 (Environmental Assessment and Management Scheme Policy) and Planning</p>	<p>Amend section 11.15.5 (Information Requirements (Terms of Reference) for Ecological Assessment Reports), by inserting the following new clause (1)(a):-</p> <p><i>"(a) Considering applicable legislation in relation to natural environmental attributes and values, including, but not</i></p>	<p>This proposed amendment seeks to ensure that development proponent's are made aware of applicable State and Commonwealth legislation that may need to be taken into account when preparing ecological assessment reports for development projects.</p>

Section Reference	Proposed Amendment	Rationale for Amendment
	<p><i>limited to:</i></p> <ul style="list-style-type: none"> <i>(i) Environment Protection and Biodiversity Conservation Act 1999 (Cwlth);</i> <i>(ii) Environmental Protection Act 1994 (Qld);</i> <i>(iii) Land Protection (Pest and Stock Route Management) Act 2002 (Qld);</i> <i>(iv) Nature Conservation Act 1992 (Qld);</i> <i>(v) Vegetation Management Act 1999 (Qld);</i> <i>(vi) Water Act 2000 (Qld);</i> <i>(vii) Soil Conservation Act 1986 (Qld);</i> <i>(viii) Fisheries Act 1994 (Qld);</i> <i>(ix) Coastal Protection and Management Act 1995 (Qld);</i> <i>(x) Marine Parks Act 2004 (Qld); and</i> <i>(xi) Animal Care and Protection Act 2001 (Qld);”</i> <p>Renumber subsequent clauses in section 11.15.5 accordingly.</p>	
<p>Section 11.15 (Environmental Assessment and Management Planning Scheme Policy)</p>	<p>Insert the following new clause in section 11.15.8 (Environmental Management Plans (EMPs)) of the Environmental Assessment and Management Planning Scheme Policy:</p> <p><i>“(5) An EMP may also be used for the purpose of maintaining Significant Vegetation, including Core Habitat Areas, Broad Mosaic Areas, Major Corridors, Special Remnants, and Corridors and Environmental Links, to ensure appropriate and effective environmental management practices and procedures are implemented for retention, management, protection, enhancement and/or buffering of the Significant Vegetation, which the developer shall be required to manage until such time as the Significant Vegetation is</i></p>	<p>Through review of the Habitat and Biodiversity Code it has been identified that there is a need for greater certainty in the use of Environmental Management Plans (EMPs) for the purpose of maintaining significant vegetation to ensure appropriate and effective environmental management practices and procedures are used and that specific performance indicators are identified and are to be achieved prior to acceptance “off maintenance”.</p>

Section Reference		Proposed Amendment	Rationale for Amendment
		<i>accepted "off maintenance" by Council. The EMP shall also include specific performance indicators."</i>	
Section 11.15 (Environmental Assessment and Management Scheme Policy)	and Planning	Delete Table 11.12 (Significant Flora Species in Caloundra City) of the Environmental Assessment and Management Scheme Policy and insert in its place a new Table 11.12. Note: The above table is included at Track Changes Document .	Existing Table 11.12 (Significant Flora Species in Caloundra City) of the Environmental Assessment and Management Planning Scheme Policy does not align with the Council's adopted Biodiversity Strategy. As a result, this proposed amendment is seeking to achieve consistency with the Biodiversity Strategy. To this end, the existing Table 11.12 has been amended by the addition of a further 123 species to the original list and removal of 2 species from original list. The way of describing the significance of each species listed in the table has also been amended to reflect current legislation and agreements. The end notes to Table 11.12 have been amended to reflect revised terminology used in the Table to describe the significance of each listed species.
Section 11.15 (Environmental Assessment and Management Scheme Policy)	and Planning	Delete Table 11.13 (Significant Fauna Species in Caloundra City) of the Environmental Assessment and Management Scheme Policy and insert in its place a new Table 11.13. Note: The above table is included in Track Changes Document .	Existing Table 11.13 (Significant Fauna Species in Caloundra City) of the Environmental Assessment and Management Planning Scheme Policy does not align with the Council's adopted Biodiversity Strategy. The amendment to Table 11.13 is proposed to achieve consistency with the Strategy. To this end, the existing Table 11.13 has been amended by the addition of a further 124 species to the original list and removal of 4 species from the original list. The way of describing the significance of each species listed in the table has also been amended to reflect current legislation and agreements. The end notes to Table 11.13 have also changed to reflect revised terminology used in the Table to describe the significance of each listed species.