This Explanatory Statement is intended to summarize proposed amendments to The Noosa Plan released for community feedback in August 2015.

The draft amendments can be accessed by:

- **Going online to yoursay.noosa.qld.gov.au**
- **Visiting level 2 of Council Chambers in Pelican Street, Tewantin; or**
- **Viewing a hard copy of proposed amendments at Noosaville Library, Cooroy Library or the Mobile Library**

You can also contact Council's Strategic Planners on 5329 6212 or strategicplanning@noosa.qld.gov.au

Council welcomes your written comments on any aspect of the proposed planning scheme amendments by Friday 2 October 2015.

- **Post submissions to Noosa Council, PO Box 141, Tewantin QLD 4565**
- **Deliver to Council's level 2 counter, 9 Pelican Street Tewantin**
- **Email: strategicplanning@noosa.qld.gov.au**
- **Lodge online through Your Say Noosa at yoursay.noosa.qld.gov.au**

The Noosa Plan

Planning for sustainable outcomes

Planning Scheme Amendments

Introduction

Noosa Council is proposing various amendments to its 2006 Planning Scheme, "The Noosa Plan". The amendments are designed to correct a number of anomalies, reduce unnecessary regulation and reinforce the desired outcomes for Noosa Shire.

The proposed amendments have been drafted having regard to a number of references including:

- The observations of Councillors and officers about current anomalies, shortfalls and over regulation within the current planning scheme;
- Submissions made to the draft Sunshine Coast planning scheme in 2012 which related to Noosa;
- Submissions made during the preliminary consultation period in April/May 2014;
- State policy directions in the 2013 State Planning Policy and supporting guidelines; and
- The Queensland Planning Provisions (QPP) being the State's standard planning scheme provisions.

This process is not a comprehensive planning scheme review and matters relating to the zoning of private property, minimum lot size or the extent and density of urban development have largely been deferred for consideration as part of a new planning scheme. Early work on planning studies to inform the new planning scheme has commenced but it is likely to be mid 2016 before drafting of a new scheme commences.

Amendment Process

Noosa Councillors have spent considerable time deliberating the proposed amendments. The amendments have been considered by State Agencies and modified as a result of conditions required by State Agencies.

Council is now seeking community feedback on the proposed amendments. Council will then consider submissions and resolve how to proceed with amendments. Further changes may be made as a result of submissions. Once Council is satisfied with proposed amendments they will be forwarded back to the Minister for Infrastructure, Local Government and Planning for approval.

FREQUENTLY ASKED QUESTIONS

Will the zone of my property change?

In general zoning changes are few and are mostly either:

- applying an open space zone to land purchased through the conservation levy, or dedicated as park, or
- changing the zone of Council or State land to reflect the established use.

There are very few instances where the zone of private properties will be changed and these are almost exclusively in the newer residential estates of Elysium Noosa, Noosa Springs, Doonella Noosa, Beckmans Green or Noosa Northrise where development plans may not have been finalised when The Noosa Plan came into effect. In these instances it is proposed to match the zoning to the property boundaries so that house blocks are in a housing zone and open space is in an open space zone.

Are there other constraints on my property?

Overlay maps are used to show natural hazards, resources or values that may change the level of assessment for development.

The State has requested the following changes to overlay maps to reflect the State Planning Policy:

- Bushfire Hazard mapping has been updated and some properties may now be shown as having potential bushfire hazard of either very high, high or medium intensity or as being within a buffer. The Natural Hazard Overlay Code has been edited to reflect the change in mapping.

- SEQWater requested changes to the water supply catchment to protect State Interests in the quality of drinking water. This results in minor modification to the catchment mapping for Lake Macdonald and Cedar Pocket Dam but for the first time includes the buffer for the Mary River drinking water intake. Therefore some properties at the western edge of the Shire south of the Bruce Highway will become affected and land uses that were previously 'as of right' (such as agriculture) may now require planning approval.

The planning scheme flood mapping is proposed to be amended to include—

- new flood modelled areas of Pomona, Kin Kin, Cooroy, Six Mile Creek and Noosa Daintree
- modelling updates for the Noosa River
- latest climate change predictions.

Mapping amendments increase the extent of the area shown as being potentially affected by flooding for the 1% AEP flood event (meaning there is a 1% risk of this event occurring in any one year). In old terminology this relates to the 1 in 100 year event. Where property is affected by the flood overlay mapping there will be a minimum floor height for new buildings to comply with.

Will the amendments make it any easier to start or run a business?

More home-based businesses will become self-assessable. For instance in the Rural Settlement Zone & Rural Zone "Type 2 Evident" which includes such things as a professional office, health or fitness therapist, or salon with clients attending (but not industrial operations) will become self-assessable. In urban areas, in the Semi-attached or Attached Housing Zones, Type 2 Evident will change from requiring impact assessment to being consistent and code assessable where operated from a detached house. Within the Business Uses Code the limitations that only 3 persons are on site at a given time for business purposes and that there is no more than 1 employee are being removed to allow more flexibility to employ people. Allowance is also made for classes of up to 10 people no more than 4 times a week (such as a yoga class, cooking class or art class) – where on use is out of town.

Roadside stalls will become self-assessable in the Rural Zone and code provisions amended to allow a range of locally grown or manufactured goods. They will also be permitted adjoining the major road network, subject to meeting safety measures.

Home-hosted **B&Bs** will become self-assessable in the Rural Zone. These uses will also become consistent uses in the Detached Housing Zone on Noosa North Shore. New development criteria have been added to the Visitor Accommodation Code. Separate rural visitor accommodation such as cabins, cottages and guest lodges will remain impact assessable but new code provisions should provide some more certainty around such uses.

Caravan parks will be added as a consistent use in more areas such as the Open Space Recreation Zone, the Semi-attached Housing Zone at Cooroy & Pomona, the Community Services Zone, Attached Housing Zone and Village Mix Zone at Pomona and Cooran. New development criteria have been added to the Visitor Accommodation Code.

Camp grounds exclusively for up to 5 self-contained RVs will become self-assessable in the Rural Zone and code assessable in the Rural Settlement Zone at Tewantin & Doonan. Camp grounds more generally will be added as a consistent use in the Open Space Conservation Zone but still subject to impact assessment. Camp grounds won't be allowed in the water supply catchments.

Ancillary cafés and health & fitness classes or commercial galleries will become consistent uses in the Community Services Zone where in conjunction with a Community Use. Recreation, amusement and fitness businesses will also become consistent in the Open Space Recreation Zone subject to code assessment and the Visitor Mixed Use Zone subject to impact assessment.

Medical centres and vet surgeries will become code assessable in the Community Services Zone in Pomona (currently impact assessable). Vets will also become consistent uses in the Neighbourhood Centre Zone.

Traditional cultivation and traditional animal husbandry will no longer be inconsistent or assessable on lots less than 2 hectares in area in the Rural Settlement Zone (although intensive agricultural uses will be). The relevant self-assessment provisions in the Agriculture Code will specify minimum lot sizes (1 hectare for cultivation or varying sizes for different animal uses). For cultivation, if self-assessment criteria aren't met code assessment would be triggered but for animal uses non-compliance would trigger impact assessment. Agricultural uses will remain assessable on Noosa North Shore.

The land use definitions for agricultural uses have been modified to include harvesting, storage and packing of onsite produce as well as servicing of the farm machinery. Free range poultry up to a certain scale and density will be considered traditional agriculture just like grazing of larger animals. There are various amendments proposed to the Agricultural Use Code and the use definitions to try to provide certainty to farmers and their neighbours.

Along the **Noosa River**, new provisions have been added for the commercial use of jetties and lease areas to provide for appropriate marine facility uses while protecting amenity and pedestrian safety.

Minor modifications have been made to the Assessment Table for the **Shire Business Centre Zone** addressing in which precincts a medical centre or vet would be consistent; where industrial businesses would be consistent; where vehicle uses would be consistent; where hardware or garden and lifestyle centres would be consistent; and where childcare centres and adult education would be consistent.

Requirements for **advertising signs** have been 'called up' in the Assessment Table for instances where associated with a change of use and where not associated with a change of use. Changes to the Advertising Devices Code have been designed to be clearer, more consistent and better provide for premises with multiple tenancies.

How do the amendments affect housing?

The separate use of "Multiple Housing Type 1 Relative or Employee" (granny flat) has been deleted (in most instances these have been self-assessable anyway). Instead, the definition of a detached house has been

modified to include a **secondary dwelling** up to 65m^2 in area. The Detached House Code will continue to specify the self-assessable parameters for the secondary dwelling.

It is proposed to increase the minimum **rear boundary setback** for houses in an effort to protect the amenity of neighbours. While houses can be as close as 1.5 metres from the boundary now, depending on the size and dimensions of the lot, houses will be setback at least 3 metres with upper storeys setback further.

Small units for permanent residents have been made consistent in the **Shire Business Centre** Precincts E1 or E7, (to the southeast of the Noosa Civic shopping centre) where ancillary to community or business uses.

The Building Works Code has been amended to include maximum **site cover and plot ratio provisions** as per the locality codes. It has also been amended to ensure consistency with the Detached House Code in relation to works near the **Noosa Waters revetment wall**.

The requirement for an energy efficient hot water system has been deleted as it is not considered appropriate for the planning scheme to regulate this.

Clarification has been added to qualify that Attached Housing (e.g. unit development) is only supported in the **Business Centre Zone** where it is part of a mixed use development with non-residential uses. Additional code provisions have been provided in the Residential Uses Code.

What's the relationship with Building Codes?

Provisions addressing building work regulated under the planning scheme need replacement as they do not correctly address the relationship between the planning scheme, the Building Act and the Queensland Development Code (QDC). A new section 2.9 is proposed to be included in Part 2 – Interpretation (taken directly from the QPP) and the section in each locality plan addressing Alternative Provisions to the QDC is proposed to be deleted. Minor amendments to the Detached House Code and the Building Works Code are proposed to explain which provisions are alternative provisions to the QDC.

What's changing for provision of infrastructure?

The Water Supply & Sewerage Reticulation Code is proposed to be removed from the planning scheme because Council no longer controls water and sewerage (this is the responsibility of Unity Water). It would however be a requirement that development within a service area is connected to water and sewerage.

What else is changing?

To clearly define the extent of developable urban areas across the shire, it is proposed an Urban Growth Boundary be included on the zoning maps and referred to within the Strategic Framework in Part 1, in the Desired Environmental Outcomes (DEOs) in Part 3 and in each of the locality codes.

Various minor amendments are proposed to the Strategic Framework and Desired Environmental Outcomes in an effort to strengthen the statements and clarify preferred outcomes, including that urban uses are not to be located outside the Urban Growth Boundary. Likewise additional statements are proposed to be added to the overall outcomes within the locality codes, particularly in relation to the character and extent of towns and villages and to the role of rural lands in supporting agriculture and rural industries.

Some of the works codes are proposed to be updated to reflect current best practice; for instance substantial amendments are proposed to the Erosion and Sediment Control Code, the Water Sensitive Design Code and the Watercourses Works Code. These can all be found in Part 14 Codes.

There are various editorial amendments proposed which correct errors and omissions. For instance the Noosa Plan was previously modified to refer to the "former" Noosa Shire reflective of Noosa's component

part of the Sunshine Coast local government area. It is now proposed to revert these changes back to 'Noosa Shire'.

What's the relationship with the State Planning Framework?

Noosa's planning scheme was written under, and complies with, the repealed Integrated Planning Act (IPA) and now operates under the current relevant planning legislation for Queensland, the Sustainable Planning Act (SPA). The Queensland Government is currently proposing changes to the legislative framework that controls planning in Queensland.

The proposed Noosa Plan amendments have no connection to the proposed Queensland Government changes to the planning legislation. The amendments will, however, include statements that explain the relationship between the planning scheme and the current State planning legislation.