



Whitsunday Planning Scheme Major Amendment

Consultation & Submission Analysis Report

Author: Leonie Meurant - Strategic Planner
Consultation: 25 July 2022 to 31 October 2022
V1.3 May 2023

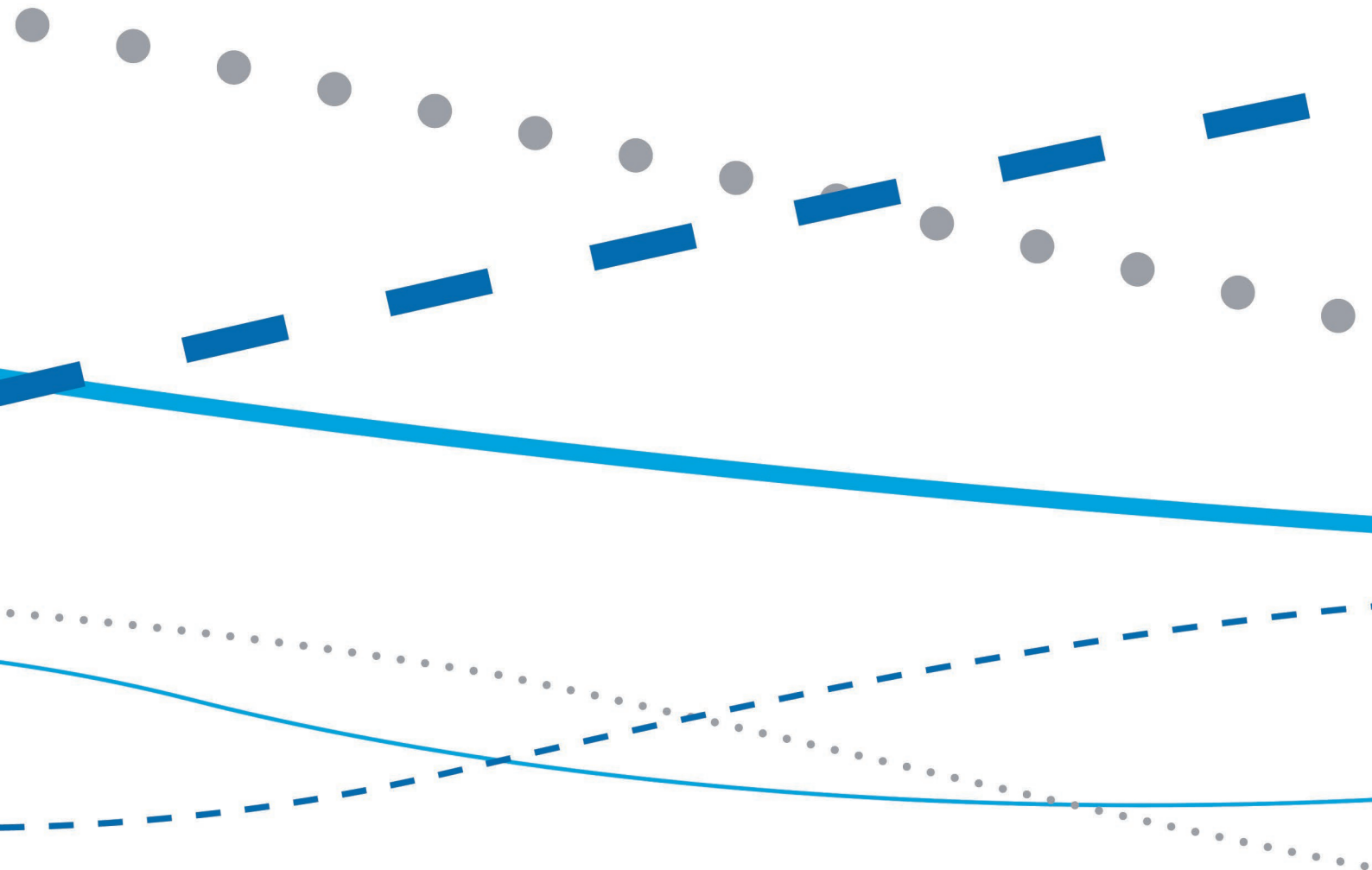


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1. Executive Summary

A Submission Analysis & Consultation Report has been developed in accordance with Chapter 2, Part 4, Section 18.4 & Section 21.3 c) of the *Ministers Guidelines and Rules 2020*.

The proposed Major Amendment of the Whitsunday Planning Scheme involves varied updates due to:

- issues raised in the rounds of consultation for the formation of the Planning Scheme (2015 – 2017);
- numerous minor workability problems identified by internal and external stakeholders during the past few years;
- updating of the different sections of the Scheme as required by State Planning Policy Guidance Materials;
- administration updates to the LGIP as a result of updates to components of the Planning Scheme; and
- zoning amendment requests (in and outside of the official consultation periods).

The Whitsunday Local Heritage Placecards were also updated in this consultation.

On 25 January 2022 Ordinary Meeting, Council resolved to undertake public consultation on the Major Amendment V4.3 & Local Heritage Placecards in accordance with the Community Engagement Plan V1.2 subject to Ministerial Approval.

Ministerial Approval was granted on 8 July 2022 to proceed with the Public Consultation, which ran from 25 July 2022 to 31 October 2022.

1331 Submissions were received by Council during the 3 month consultation. A summary is in Table 1 of this report. The consultation was undertaken in accordance with the Community Engagement Plan V1.2.

2. Background

The Whitsunday Planning Scheme was adopted on 30 June 2017 and has been amended five times to address various issues and remain compliant with the Planning Act 2016, the Planning Regulation 2017 and the State Planning Policy with subsequent guidance.

- July 2017 – Alignment Amendment with Planning Act 2016
- June 2018 – Addition of the LGIP
- June 2018 – Administrative Amendments to the Planning Scheme and Development Manual
- November 2020 – Interim LGIP Amendment
- December 2022 – Amendment to the Development Manual

3. Overview of the Public Consultation Process

3.1 Community Engagement Actions

The consultation process occurred over 3 months from 25 July 2022 to 31 October 2022, utilising various methods of engagement. The consultation period completed the satisfied requirements of the *Ministers Guidelines and Rules 2020* and the Community Engagement Plan V1.2, included the following engagement actions:

- a) The corporate website Yoursay Whitsunday was the central consultation hub for all public information pertaining to the consultation <https://yoursay.whitsundayrc.qld.gov.au/whitsunday-planning-scheme-major-amendment> (Figure 1),
 - a. The webpage included the following links or downloads:
 - i. V4.3 Whitsunday Planning Scheme with red edits clearly shown
 - ii. V4.3 Whitsunday Planning Scheme with all amendments incorporated
 - iii. A link to the online Major Amendment Mapping

- iv. A Submission form and guidance
- v. Fact Sheets
- vi. Local Heritage Placecard Amendments
- vii. The Public Notices x 2
- viii. Information about the Planning Scheme and how development assessment works
- ix. Studies informing the Major Amendment

The webpage remained live and access to all of the above content and documents were maintained until Monday 31 October 2022. From this date, the content of the website was changed to indicate that the public consultation period had closed. All documents and FAQ fact sheets remain accessible.

Our Online Engagement Portal Yoursay Whitsunday received **545** visitors during the consultation period.

- b)** advertisements via newspaper public notices and public notices at Council offices (**Figures 2 & 3**)
 - a. advertisements went in the local papers, these being the Whitsunday News and Whitsunday Life,
 - b. public notices were displayed at every Council office and online access to the Yoursay Whitsunday page was available via tablet for public use,
- c)** Fact Sheets
 - a. Fact Sheets were displayed on Yoursay Whitsunday Website and encompassed 7 factsheets, one Zone Amendment List and One Summary of the Major Amendment (Concise and Extended)

The Fact Sheets were developed from the Community Engagement Plan V1.2 and covered off all relevant subjects. Frequently Asked Questions that were anticipated were integrated into the Topic Fact Sheets, such as Building Heights.

- d)** Social Media Postings see **Figure 4**
 - a. Consultation included a total of six Facebook posts, with one video reaching over 2300 views. Facebook posts received a very high level of reach, including:
 - i. Post impressions - 67,225 - The number of times a post was on screen.
 - ii. Post reach - 18,850 - The number of people who saw posts at least once.
 - iii. Link clicks – 602 - The number of times people engaged with a link in a post

e) Meet a Planner

Planners were available to the public anytime during work hours from any of the Council offices, however phone or online meetings were preferred due to Covid. Council had one request for an online meeting from a Business Group after hours which Council attended via Zoom. This enquiry was found to be more relevant to another consultation Council was running concurrently with the Major Amendment, the Affordable Housing Consultation. All other enquiries were walk-ins, over the phone or via email.

f) Direct email to interested stakeholders and Zone Amendments Letters

Figures 5 & 6 are copies of the direct emails sent out to all interested stakeholders, and **Figures 7 & 8** are copies of the letters sent to landowners and neighbours for proposed zone amendments happening either on their land or next to their land. A total of 1371 letters were sent to adjoining landowners, along with the letters sent to landowners.

Council invited any interested community members to contact Council for any enquiries or meetings during the Public Consultation via the direct email and on the Yoursay Webpage.

There was one late request from a local community member on the Thursday 27th October for advice on when presentation or discussion workshops would be held. As there was no other indicated interest from other community members or groups Council has offered the individual a meeting subject to their available times.

Council had numerous phone and email communications through the course of consultation, these numbers were not recorded due to the volume.

All activities as outlined in the Community Engagement Plan V1.2 and the requirements under the Planning Act 2016 have been suitably completed.

All Figures are under **Appendix A – Evidence of Public Engagement Actions**.

4. Submission Breakdown

4.1. Number of Submissions

1331 Submissions were received by Council during the 3 month consultation on the Planning Scheme Major Amendment.

- 1120 submissions in petition type format of pre-typed forms with an individual signature,
- 163 submissions in template type format with individual comments on email, and
- 48 individual submissions.

No submissions were received in relation to the proposed Local Heritage Placecards.

4.2. Analysis of the Submissions

Appendix C is the analysis of all submissions that were received. The submissions are in full and every submission will receive an individual answer. 56 submissions had insufficient detail to be 'properly made' however they are included in the Submission Analysis and the total number.

The prevailing topic of choice was Building Heights. **1283** petition/template style submissions had indications of either a request to lower the current building heights over Precincts in Airlie Beach or maintain a general 'low rise feel' in Airlie Beach. 2 submissions were received seeking height increases in Airlie. One submission opposed the Hotel development in Funnel Bay approved by Council in 2019.

As there was no policy amendment to the prescribed heights within the Major Amendment, and Council does not have an appetite for an 'adverse planning change'¹ (Section 30 of the *Planning Act 2016*), changing building heights will not be further explored at this stage.

It is important to understand the rules regarding amendments to the Whitsunday Planning Scheme. The *Ministers Guidelines and Rules 2020* Chapter 2 Part 4, 18.3 states the '*local government must consider every properly made submission about the proposed amendment and consider other submissions*'. Council may only address concerns about modifications/wording alterations of the Major Amendment (V4.3). This was identified in the red edited copy of the Planning Scheme on Public Consultation.

This is not saying that any other concerns about other sections of the Planning Scheme were dismissed. If concerns have planning merit and are greater than minor administration corrections post exhibition, Council will be investigating them as they may form future targeted amendments (Future Investigations).

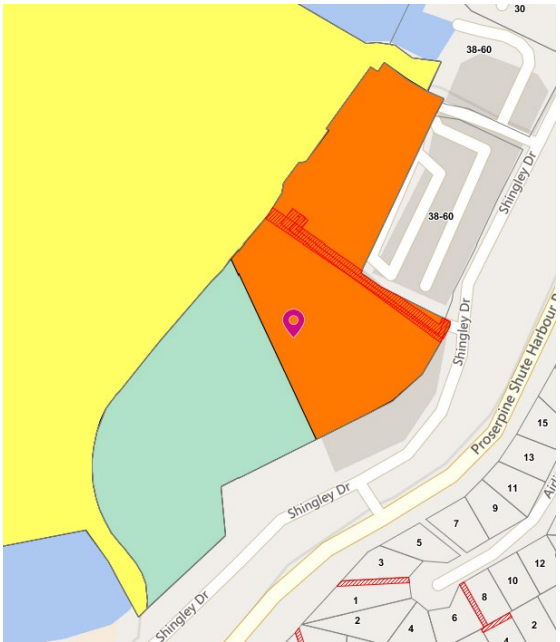
4.3 Update to Planning Scheme Version 4.3 to Version 4.4/4.5/4.6

A summary of recommended amendments to the Planning Scheme Major Amendment due to Public Consultation (Column 3 of **Appendix C**) include:

¹ 'adverse planning change' is a planning change that reduces the value of an interest in premises

Table 1 Summary of Amendments

Adjustments Explanation	Examples
The words 'maximum building heights' is causing confusion to the general reader, as building heights stipulated in the Planning Scheme are only the Code or Council accepted assessable heights. Under the Planning Act an applicant may apply for a greater building height. Delete 'maximum' and put in note to help general understanding.	Table 8.2.5.3.2 Maximum Building height of: (a) Bowen Precinct A—18m above ground level; (b) Bowen Precinct B—12m above ground level; or Bowen Precinct C—20m above ground level, if associated with manufacturing or repair of vessels, otherwise 12.5m. <i>Note: where a development exceeds the building height identified in Table ##, public consultation must be undertaken in accordance with the Planning Act 2016."</i> This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6.
Schedule 2 List of Maps Added a sentence to direct users to online mapping	All Whitsunday Planning Scheme mapping is on Council's website www.whitsundayrc.qld.gov.au under 'Planning' 'Online Mapping System'.
There were a number of submissions against higher density development in Airlie Beach. Airlie Beach Local Plan Outcome 2(a) talks about the 'compact main street form' which traditionally means higher density in planning terms. This statement was a last minute inclusion by Council as a result of community comment. The statement is deemed difficult to articulate clearly what it means as it can be contradictory (small scale / compact) and hard to quantify (visually penetrable) through performance criteria, of which it doesn't have any due to the last minute inclusion. It is recommended this clause be removed.	<u>Airlie Beach Local Plan</u> Overall Outcome: (2)a will be deleted: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i> This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. Subsequent renumbering of this clause has been undertaken.
6-8 Hinschen Street, Proserpine (Industry Zone) The landowner requested Residential, now wants to revert it back to Industrial. The address is next to the Railway Station in Proserpine.	Removed the Zone Amendment 

Coral Sea Marina Lot 103 on SP303770 Zone amendment was 'Mixed Use' The landowner has requested the larger portion of the site to be zoned to Recreation and Open Space, as per the long term use of the open space area. Council agrees to this.	 
Minor updates to the Tables of Assessment for ROLs, OPWs, Infrastructure Overlay Code where the wording did not work effectively. ROL – raising the level of assessment due to the adding of dimensions is unnecessary as the requirement of lot sizes is sufficient. The addition adds no value to the level of assessment and so will be removed. OPW – ensuring driveways do a Road Works Permit rather than expensive application as per the original Council Policy.	The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code Operational Works Undertaking roadworks on a local government road excluding driveways Infrastructure Overlay

Infrastructure Overlay Code – Ensuring the amendment only triggers new applications, not existing buildings with new uses. The additional wording is already used in most overlays and should have been added for consistency.	Material change of use if on land: (a) subject to the Infrastructure overlay as identified in the Infrastructure overlay map; and (b) where not wholly contained within an existing building; or (c) involving building work greater than 50m².
Deletions to proposed amendments in the Dwelling House Code where unforeseen consequences were pointed out in a submission making future applications difficult and onerous. The original intent was to make sure 'shed/houses' had a quality design and were properly articulated.	Acceptable Outcome (Dwelling House Code) (a) eaves at least 0.5m from the wall edge, along Street fronting walls; (b) roof pitch of at least 5 degrees; (c) large windows, openings and variations in building footprint or articulation, such that no unbroken wall fronting a street is greater than 5m, vertically or horizontally; and (d) front façade treatments that differentiate between upper and lower levels.
Wording updates to cross reference into another Act, like the Building Act. (Bushfire Hazard Overlay, Dwelling House Code)	Two times this was applicable: Non-flammable changed to non-combustible Transparent changed to penetrable
Mapping Updates Strategic Framework MNES (Matters of National Environmental Significance) update with New Coastline Zoning Maps Remove Zone Amendment 6-8 Hinschen Street Alter Zone Amendment Coral Sea Marina Update Cadastre Bushfire Hazard Overlay Fire danger Index layer - refined the layer to only trigger above the Bushfire Hazard risk layer Biodiversity, Waterways and Wetlands Overlay High Ecological Value Waters Area (Highly Disturbed area) - update the layer from State files	Old MNES  Updated MNES 

Airlie Beach Local Plan Cross utilisation is written into the Airlie Beach local plan through the overall outcomes, and it was intended to be referenced in the Acceptable Outcome's in accordance with the intent of Overall Outcome 2. Outcome wording: <i>car parking is located away from the primary road frontage or screened, at rates that recognise pedestrian and cycle accessibility and cross utilisation within Airlie Beach;</i> This will be rectified, and the Acceptable Outcome from Transport and Parking Code will be inserted.	Insert Acceptable Outcome <i>Mixed use development that demonstrates cross utilisation and a variation in temporal demand between uses on site can apply for a dispensation to reduce Business or Entertainment activity car parking rates by up to 30%, excluding office uses.</i> <i>Note – A Traffic impact assessment report prepared in accordance with PSP SC6.7 (Growth management) may assist in demonstrating compliance with the acceptable outcome.</i>
Three additional notes added to help clarity throughout Planning Scheme. (Biodiversity, Waterways and Wetlands Overlay Code, Building Heights Overlay Code)	<i>Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order</i> <i>Note: where a development exceeds the building height identified in Table 8.2.5.3.2, public consultation must be undertaken in accordance with the Planning Act 2016.</i> <i>Note: where a development exceeds the building height identified in Table 8.2.5.3.3, public consultation must be undertaken in accordance with the Planning Act 2016</i>
Administration Fixups	Minor Wording fixups Fixed up numbering where incorrect Updating versioning throughout entire scheme

4.4 Reasonings

All reasonings are in **Appendix B**. All amendments are considered administrative only and are not considered significantly different to the version released for Public Consultation.

No amendments as a result of the public consultation affect a state interest or alter the policy intents of the Planning Scheme Major Amendment, and thus no additional public consultation is triggered.

4.5 Future Investigations

As a result of this Public Consultation, Council has a list of future investigations for possible inclusion into the Planning Scheme, subject to future Council reporting and consideration. This list includes:

- Investigate the wording of the Strategic Intent in relation to multiple issues
- 8 Future Zone Requests (rezonings)

- Further guidance into Advertising Devices Code for signs such as roof/sky signs
- Levels of Assessment for 'Dual Occupancy'
- Requirements of Ecological Reports and Stormwater Management Plans for development applications
- Applicable benchmarks for 'overshadowing'
- Uses within the Hamilton Island local plan
- Alterations to Building Heights in the Hamilton Island Local Plan
- Promoting sustainable development
- Coastal Hazard Overlay duplication issues due to National Construction Code.

4.6 Current Investigations

Current investigations being undertaken and will be reported to Council in the short term, but the public most likely would not be aware of, are:

- Precinct Parking Plan for Airlie Beach
- MLES – Matters of Local Environmental Significance (an amendment to the Planning Scheme)

5. Significantly Different Statement

Significantly Different is a term defined in under **Schedule 2** of the *Ministers Guidelines and Rules 2020* (**Appendix B**).

Under Section 2.1 of the Community Engagement Plan V1.2, if Council makes changes to the Planning Scheme major amendment after public consultation and those changes result in the proposed planning scheme being significantly different to the version released for public consultation, then Council:

- Must repeat public consultation required for the proposed planning scheme and
- May limit the public consultation to only those aspects of the proposed planning scheme that have changed since public exhibition.

If Council believes the changes made are not 'significantly different' from the version that was publicly notified, Council must supply a significantly different statement.

Section 5 of this report has been prepared for the purpose to satisfy the requirement of Chapter 2, Part 4, Section 21.3 of *Ministers Guidelines and Rules 2020*.

21.3 If the proposed amendment has been changed since the state interest review, the notice under section 21.1 must include—

d) a statement whether the local government considers any proposed amendment is significantly different from the version for which public consultation has been undertaken, and the reasons why the local government formed this view.

This Significantly Different Statement has been prepared for the purpose of being used to satisfy the requirement d) above.

Table 2

Significantly different consideration	Assessment
A material planning issue, such as a policy position.	The changes do not meet this criterion. The changes made by Council do not affect or alter a material planning position. The changes have refined or improved the workability of the proposed planning scheme.

A significant proportion of the areas or landowners covered by the Planning Instrument	The changes do not meet this criterion. One zone amendment has been redacted by the owners who made the original request. Returning the land to the zoning prior to exhibition. The amendments to the mapping have been made to refine the layers for accurate use as per updated cadastre, top of dune lines or other relevant layers. See Table 1 and Appendix C for further clarification.
A matter which is of public interest	There have been no changes to a matter of public interest.
Levels of Assessment	There have been no changes to the levels of assessment, but administrative workability updates to ensure the levels work as they should.
the proposed instrument or proposed amendment, so that it is quite different to the version which was released for public consultation	A small number of changes have been made to the proposed Planning Scheme major amendment. All changes have very limited potential to impact on uses and development rights. Most are of an administrative, workability or minor nature.
Any other matters the local government considers relevant.	Council does not consider there are any other relevant matters which could cause it to determine the proposed planning scheme is 'significantly different' to the version released for public consultation. The Council has not altered any hazard mapping as per <i>Schedule 2, Section 3</i>.

Consequently, Council should form the view that it is not required to repeat the public consultation for the proposed planning scheme and proceed to request Ministerial approval to adopt the instrument under Chapter 2, Part 4, Section 21 of *Ministers Guidelines and Rules 2020*.

5. Conclusion

This report finds that thorough, effective and compliant public consultation of the Whitsunday Planning Scheme major amendment has been undertaken.

This report demonstrates that all submissions and other community feedback received during the public consultation has been considered by Council.

6. Recommendations

It is recommended that Council:

- Endorses the Submission Analysis Report;
- Adopts the proposed Major Amendment and Administrative Local Government Infrastructure Plan Amendment V4.6 of the Planning Scheme including mapping;
- Determines the proposed Planning Scheme major amendment V4.6 is not significantly different from the publicly consulted version for the reasons in this report;

- Adopts the Local Heritage Placecards;
- Notifies all submitters of the Submission Analysis Report;
- Gives notice to the Minister and requests approval to adopt the proposed planning scheme major amendment;
- Publishes all progress on the Major Amendment on Council's website, and
- Resolves not to alter building heights.

Appendix A - Evidence of Public Engagement Actions

Whitsunday Planning Scheme Major Amendment

Are you interested in shaping future land use planning in the Whitsunday Region?

The *Whitsunday Planning Scheme 2017* is undergoing its first Major amendment.

The Public Consultation Period for this project began on 25 July 2022 and has been extended to now conclude on 31 October 2022. This will ensure stakeholders have been contacted directly and the community has enough time to make a submission. **Please note: If you have already made a submission you do not need to resubmit, however you may make a further submission, if you would like to include additional points.**



Amendments

Amendments include [updated mapping](#), [requested zone amendments](#), amended overlay codes, amended development codes and [new local plans](#) for Bowen and Airlie Beach, that will guide future development. The Amendments respond to [local issues](#), promote [development incentives](#), enhance [environmental protections](#) and improve [natural hazard planning](#), in a manner that respects our community values.

An extensive summary of the amendments is listed [here](#). More information is available within Fact sheets accessible in the right hand tab.

Council is also undertaking public consultation on documents that support the Planning Scheme Major Amendment, including *Local Heritage Placecards* and the *Proserpine to Airlie Beach Growth Study and Structure Plan*. Note, the *Proserpine to Airlie Beach Growth Study and Structure Plan* public consultation has been extended to October 31. Please view the [Proserpine to Airlie Beach Growth Study and Structure Plan project page](#) to make a submission.

Local Heritage Placecards

Council has updated Local heritage placecards that support assessment of development in local heritage places, accessible in the right hand tab. Placecards include new photos and descriptions of each heritage place to better recognise and protect heritage significance.

Resources to assist the community to understand how proposed amendments and associated reports may impact on them, include:

- [Downloadable property overview reports including Major amendment mapping](#)
- [Major amendment](#) online mapping
- Major amendment Tracked changes (see right tab)
- [Fact sheets](#) (see right tab)

Key Dates

- State Interest Review
March 2021 → July 2022
- Public Consultation Open
25 July → 31 October 2022
- Submission Analysis
November → December 2022
- Estimated Minister Review
December 2022 → January 2023
- Estimated Adoption
February → March 2023

Documents

- Whitsunday Planning Scheme 2017 Major Amendment
- Whitsunday Planning Scheme 2017 Major Amendment (Tracked changes)
- Major Amendment Online Mapping

Figure 1 Extract of Yoursay Webpage



Figure 2 – Notice in Local Newspaper

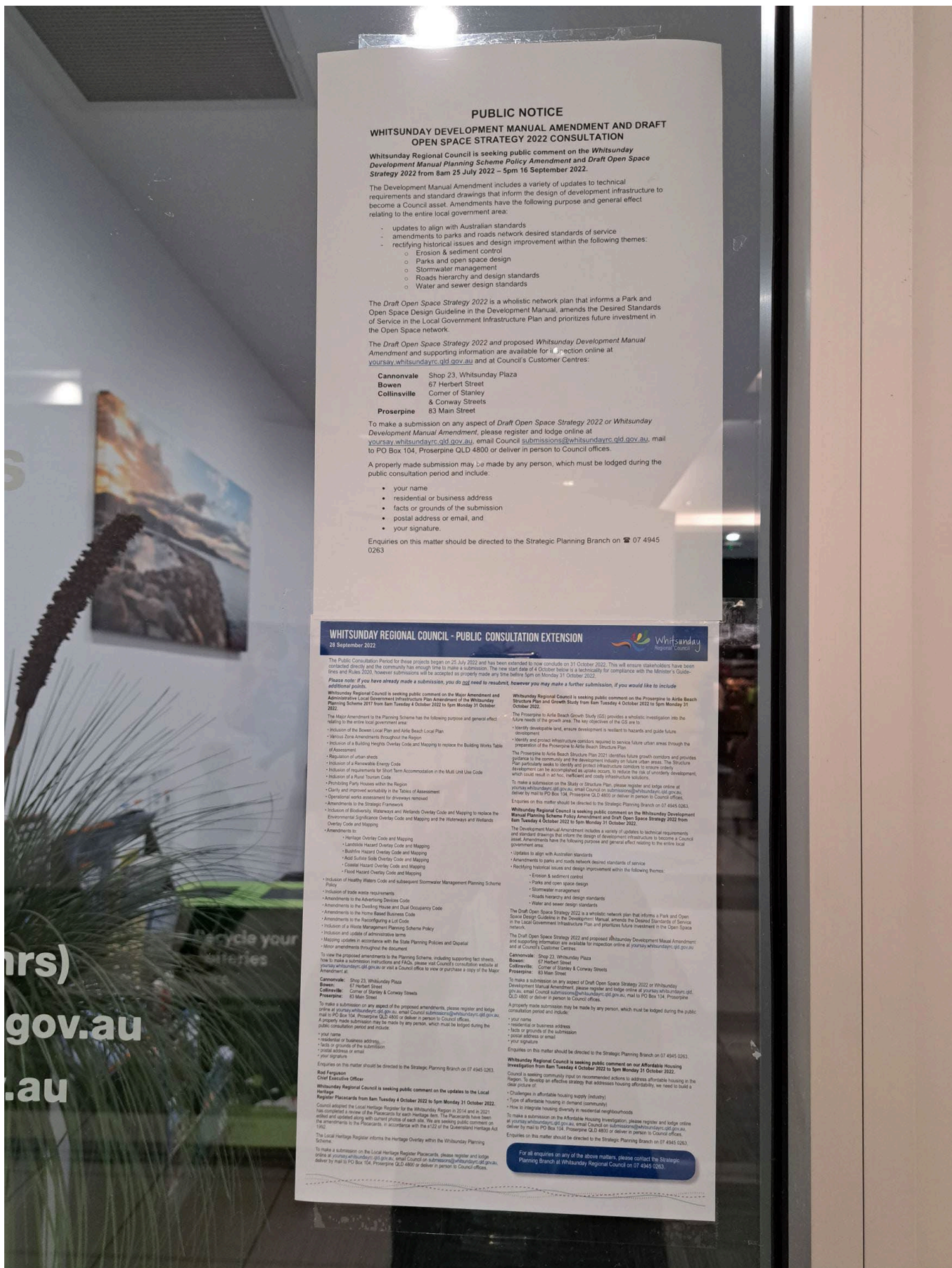


Figure 3 – Notice at Local Council Offices

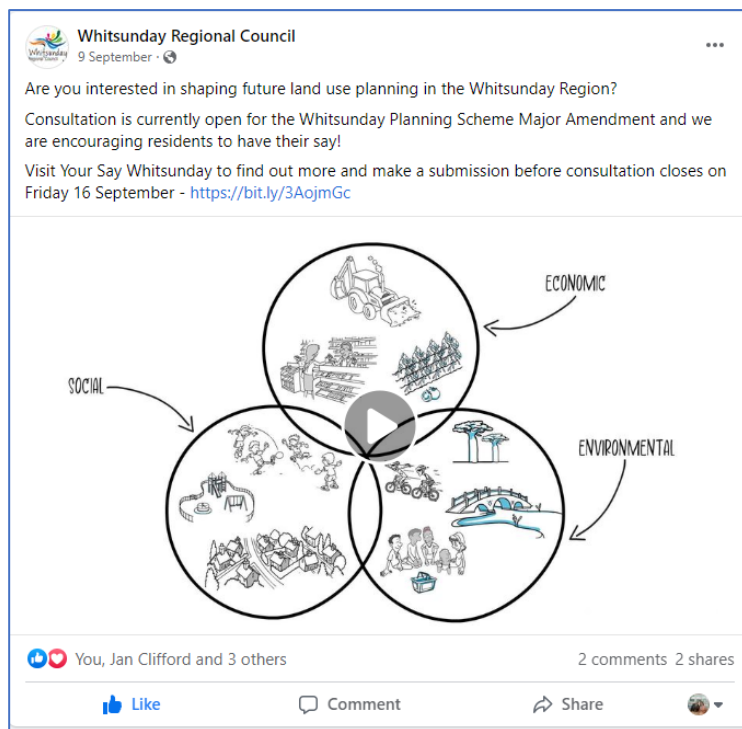
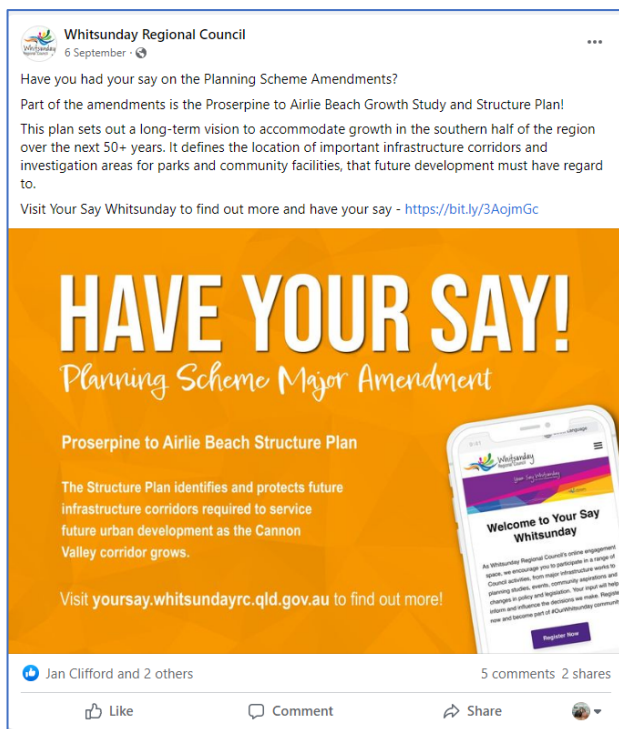


Figure 4 – Social Media Postings

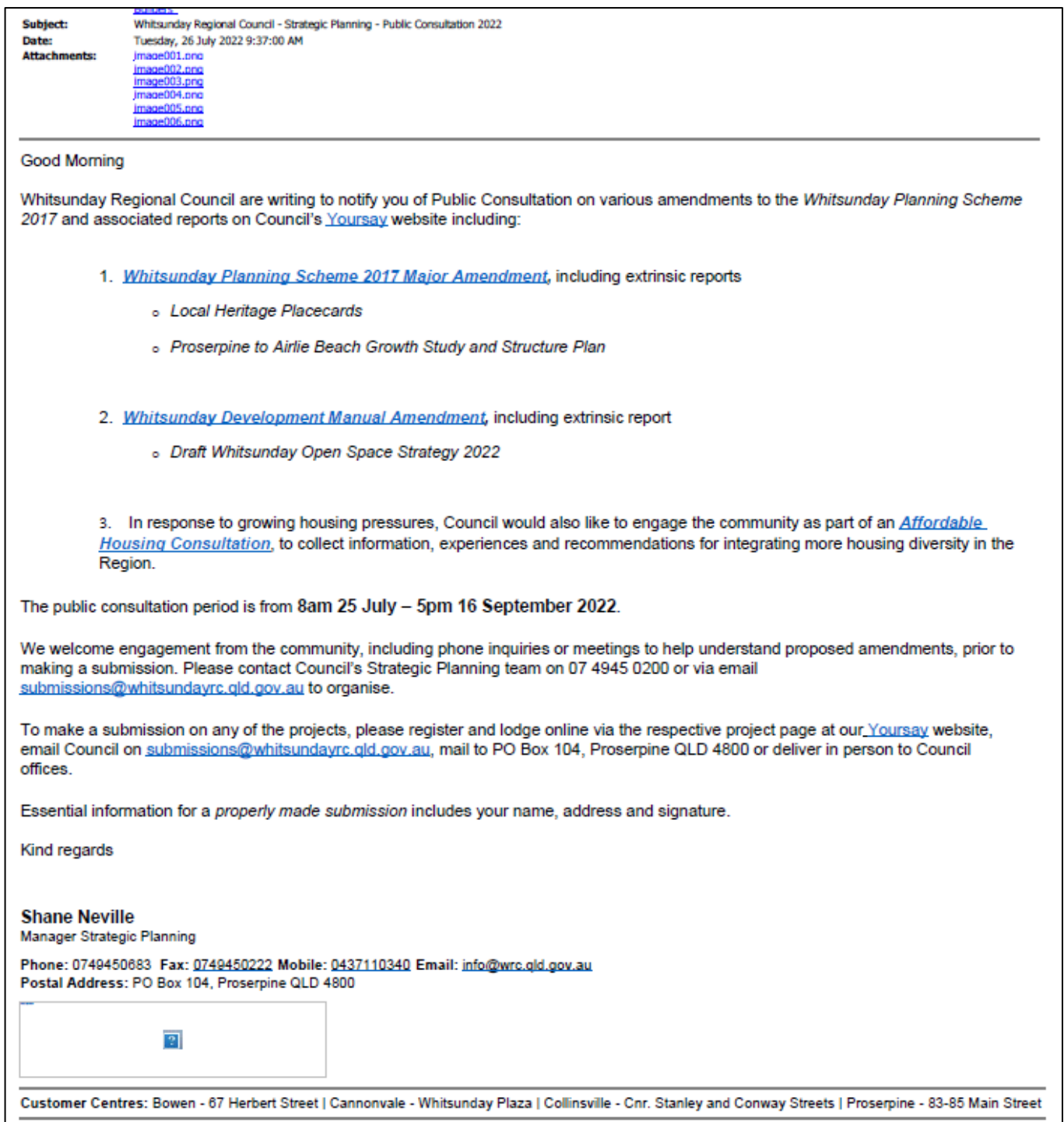


Figure 5 – 1st Email sent to stakeholders

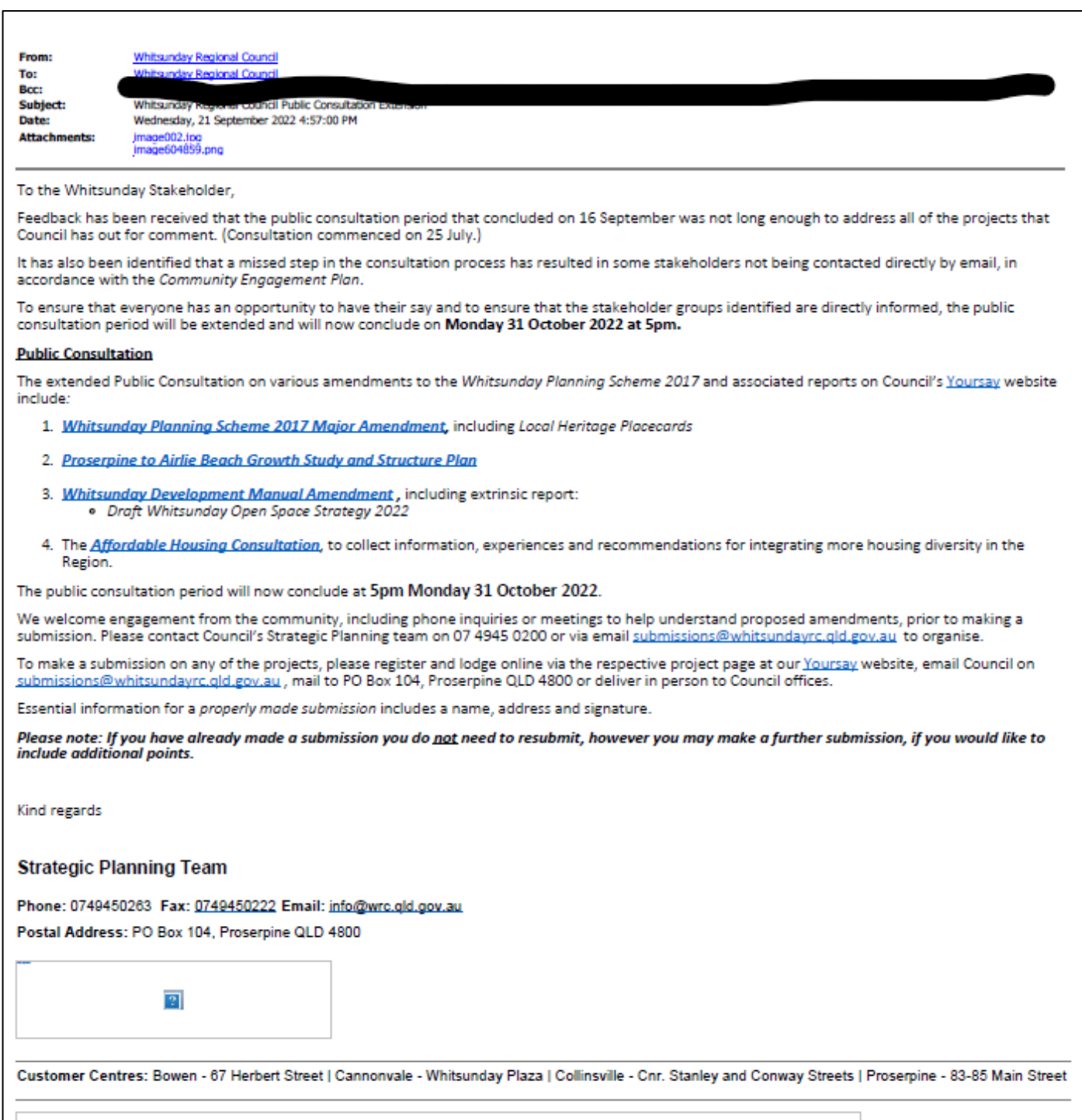


Figure 6 – 2nd Email sent to stakeholders



Contact: Nicole Lorraway
Phone no.: 4945 0263

1 August 2022



BD 044 4804

000168-0000



Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au
ABN 63 291 580 128

Dear Sir/Madam,

RE: WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT - PROPOSED ZONE AMENDMENT

Whitsunday Regional Council is writing to advise you of a zone amendment that may affect you, as it is adjoining your property at 4 Wattle Crescent, Bowen (L32 SP253091).

The zone amendment from Low Density Residential to Environmental Management and Conservation is at Crofton Street, Bowen (L900 SP237695). This zone amendment has been supported by Council for inclusion in the Whitsunday Planning Scheme Major Amendment.

The zone amendment and various other Planning Scheme Amendments are subject to public consultation from **8am 25 July – 5pm 16 September 2022**. To view Planning Scheme Amendments, Mapping and associated Fact sheets, please visit our online consultation platform yoursay.whitsundayrc.qld.gov.au or visit Council Customer Service Centres to inspect in person.

To make a submission on any aspect of the Planning Scheme Major Amendment, including the proposed zone amendment, please register and lodge online at yoursay.whitsundayrc.qld.gov.au, email Council submissions@whitsundayrc.qld.gov.au, mail to PO Box 104, Proserpine QLD 4800 or deliver in person to Council offices.

It is anticipated the proposed zone amendment will be formalised in late 2022/early 2023.

If you would like to discuss this further, please contact the Strategic Planning Department on 4945 0263 or email info@whitsundayrc.qld.gov.au.

Yours faithfully

Shane Neville
Manager Strategic Planning

Bowen
Cnr Herbert & Powell Streets
Bowen QLD 4805

Proserpine
83-85 Main Street
Proserpine QLD 4800

Collinsville
Cnr Stanley & Conway Streets
Collinsville QLD 4804

Cannonvale
Shop 23, Whitsunday Plaza
Shute Harbour Road, Cannonvale QLD 4802

Figure 7 – Letter sent to neighbours of zone amendments



Contact: Nicole Lorraway
Direct dial no.: 4945 0263

Chief Executive Officer,
Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au
ABN 63 291 580 128

27 July 2022

[Redacted address block]

Dear Sir/Madam

RE: WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT - PROPOSED ZONE AMENDMENT

Whitsunday Regional Council is writing to advise you that the zone amendment to your property from Low-medium density residential to Low density residential at 23 The Beacons Road, Airlie Beach (L5 SP172252) has been supported by Council for inclusion into the Whitsunday Planning Scheme Major Amendment.

The zone amendment and various other Planning Scheme Amendments are subject to public consultation from **8am 25 July – 5pm 16 September 2022**. To view Planning Scheme Amendments, Mapping and associated Fact sheets, please visit our online consultation platform yoursay.whitsundayrc.qld.gov.au or visit Council Customer Service Centres to inspect in person.

To make a submission on any aspect of the Planning Scheme Major Amendment, including the proposed zone amendment, please register and lodge online at yoursay.whitsundayrc.qld.gov.au, email Council submissions@whitsundayrc.qld.gov.au, mail to PO Box 104, Proserpine QLD 4800 or deliver in person to Council offices.

It is anticipated the proposed zone amendment will be formalised in late 2022/early 2023.

If you would like to discuss this further, please contact the Strategic Planning Department on 4945 0263 or email info@whitsundayrc.qld.gov.au.

Yours faithfully

Shane Neville
Manager Strategic Planning

Figure 8 – letter sent to property owners of zone amendments

Appendix B – Schedule 2

Schedule 2 — Determining if a proposed local planning instrument is significantly different

1. *A local government may make changes to a proposed local planning instrument or proposed amendment to a local planning instrument after the proposed instrument or proposed amendment is subject to public consultation under the Act or under the MGR.*
2. *In considering whether the proposed instrument or amendment is significantly different, consideration must be given to the change in terms of its intent, extent and effect on both the land use outcomes as well as assessment requirements on individuals, and if the change has affected or altered any of the following—*
 - a) *a material planning issue, such as a policy position;*
 - b) *a significant proportion of the area or landowners covered by the proposed planning instrument;*
 - c) *a matter which is of public interest;*
 - d) *levels of assessment;*
 - e) *the proposed instrument or proposed amendment, so that it is quite different to the version which was released for public consultation; or*
 - f) *any other matter the local government considers relevant.*
3. *If the local government makes a change to the proposed instrument or proposed amendment to include new or amended natural hazard mapping, the proposed instrument or proposed amendment is not significantly different if the local government advises each landowner who is affected by the new or amended natural hazard mapping about the meaning of the mapping and how to obtain further advice by—*
 - a) *sending a letter to each affected property owner when the number of affected owners is relatively low (for example, in the hundreds or less); or*
 - b) *sending a brochure to all property owners in the local government's area when the number of affected owners is high (for example, in the thousands or more).*

Appendix C - Submissions and Responses

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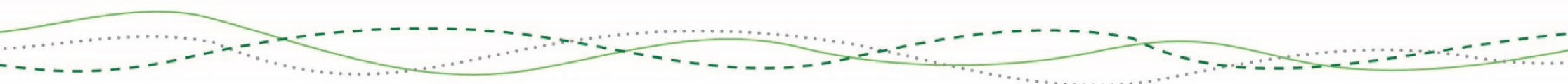
Submissions

Council responses in [Blue](#)

Submission Number	Written Feedback and Council Response	Summary of Action Required to Amend Planning Scheme Major Amendment
		No Action/ Actions/Future Actions
1	Lot 2 on SP 276378, 6 - 8 Hinschen Street, Proserpine Qld 4800 We are the owners of Lot 2 on SP 276378 6 - 8 Hinschen Street, Proserpine. Whitsunday Regional Council has advised us by writing that this Lot will be changed to residential zoning. We wish to request that this Lot remains as a Zoning of Low Impact Industry as the proposed use in the planning scheme as a Low Impact Residential Zoning is not consistent with the intent for the Lot. Basis Of Request: There is an existing house which is presently on Lot 2, it is of modular design made to be easily split in half to move. Lot 2's location is adjacent the railway station and sugar mill, on a rail corridor, situated on a busy street serviced by other busy streets. It is located next to Lot 1 which is Zoned Low Impact Industry. The location is ideally suited for Low Impact Industry use not a residential use. The house is easily transportable and can be moved to allow for future development constant with Low Impact Industry use for this Lot. We request that the zoning of Low Impact Industry remains on Lot 2 as its location is not ideally suited for Low Impact Residential and would be more suited to a Zoning of Low Impact Industry due to its location. Noted, Council will revert the zone amendment, Lot 2 will remain Low impact industry zone. Thank you for your submission.	Actions Mapping Alterations Zone Map Remove zone amendment on Lot 2 on SP276378
2 4 5 6	Please add the following amendments to the Planning Scheme: 1. Storeys must be included in measurement of maximum height. While the current definition of building height within the Planning Scheme includes both height in metres and storeys, height is more accurately controlled by being measured in metres. This is because in some developments, particularly commercial developments, one storey could be significantly more than the normal residential building height. Having building heights set in metres is a measurable outcome with clear guidance. For example, an industrial building's ground storey could be 12 metres in height and the building height limit is 2 storeys, typically no more than 8.5 metres. The building has a significantly greater physical imposition and visual impact, but it complies because there is no set height of a storey.	Action

	While both height in metres and storeys can be read together, height in metres provides a measurable definition of height. From a legal perspective it would be difficult for Council to defend against building heights that exceed the total height in metres requirement but meets the requirement for number of storeys. Whitsunday Regional Council is confident that the most appropriate way to regulate building height in the Planning Scheme is in metres, therefore no further action will be taken. See Figure 1 on the last page of this document. 2. All maximum heights (Metres & Storeys) remain an overall outcome. 'Generally in accordance' with heights is not acceptable for 'maximum'. Building height limits are identified in the Building Heights Overlay Code Table 8.2.5.3.2 and referenced in the Code. The <i>Planning Act 2016</i> does not allow Councils to prohibit development, so the building height limit stipulated in the Planning Scheme major amendment is only the maximum building height before public consultation is required. To avoid confusion, the word 'maximum' will be removed from Table 8.2.5.3.2 and Table 8.2.5.3.3 and other applicable areas in the Major Amendment, and a note added to the Building Height definition—"Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3.3, public consultation must be undertaken in accordance with the <i>Planning Act 2016</i>." This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. 3. The Strategic Intent supports low-rise development in Airlie Beach with no buildings over 18m/ 5 storeys placed in an Airlie Beach precinct. This request for inclusion into the strategic intent will be considered at the nearest available opportunity, please be advised this may take some time. <u>Building Heights</u> The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts. Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it. 4. Foreshore buildings have a maximum height of 10 metres above ground level and 3 storeys. 5. Main Street (Macca's side), Port of Airlie, Coral Sea Marina have a maximum building height of 14 metres above ground level and 4 storeys. 6. Waterson Way (Precinct C) has a maximum height of 18 metres above ground level and 5 storeys. Precinct A of the Airlie Beach local plan currently has a building height limit of 14 metres. Precincts B and D currently have a building height limit of 18 metres. Precinct E and F currently has a building height limit of 14 metres. Precinct C currently has a building height limit level of 21m. Refer to online mapping here - https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfq=Planning_Major_Amendments	Entire PS 'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added. "Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3, public consultation must be undertaken in accordance with the <i>Planning Act 2016</i>." Future Investigation Investigate the wording of the Strategic Intent
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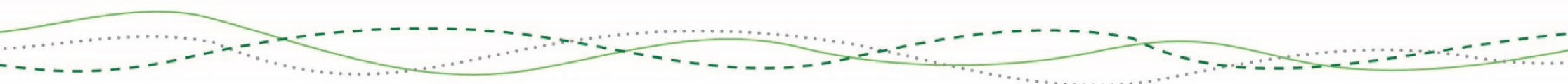
	The Ministers Guidelines and Rules 2020 Chapter 2 Part 4, 18.3 states the '<i>local government must consider every properly made submission about the <u>proposed amendment</u> and consider other submissions</i>'. The matter of variations to building height controls in Airlie Beach has been considered. The Major Amendment does not propose a change to the building height within the above Precincts, therefore no further action will be taken. No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it. 7. The 'T' intersections and motor vehicle access through town plaza is removed from Waterson Way road plan. The indicative internal road layout is indicative only but requires service access to the properties in Precinct B, facilitating the removal of service vehicles off Airlie Main Street improving pedestrian safety. It also provides a much-needed connection across Airlie Creek, to connect the two developable sections of Precinct C. Removal of the 'T' intersections would not preclude any future proposal from developing in that manner, only give less guidance on the most appropriate locations for egress and ingress. The intersections have also been reviewed and approved by the State Department of Transport and Main Roads. It is unlikely that a motor vehicle access would run 'through' a central plaza, hence the locations being indicative, just to identify that a town plaza should be provided. Council will assess any proposal over the land on its merits, which will be subject to pedestrian safety. For the reasons above, no further action will be taken. 8. A future public parking site is sized and location defined within the Airlie Beach Precincts. A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Planning Scheme. 9. The Airlie Beach Local Plan removes the support for "higher density development" along the foreshore. The Airlie Beach Local Plan 2 (a) states: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i> This statement was a last minute inclusion by Council as a result of community comment. It is difficult to articulate clearly what the statement means as it can be contradictory (small scale / compact) and hard to quantify (visually penetrable) through performance criteria. It is recommended this clause be removed. Higher density is generally only supported where there is a community benefit, such as a public laneway to improve accessibility, and there should be incentive for landowners to achieve a community outcome. This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. 10. Airlie Beach Local Plan incorporates a low-rise luxury hotel.	Ongoing Investigations outside of Planning Scheme Precinct Parking Plan Airlie Beach Local Plan (2)a will be deleted: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i>
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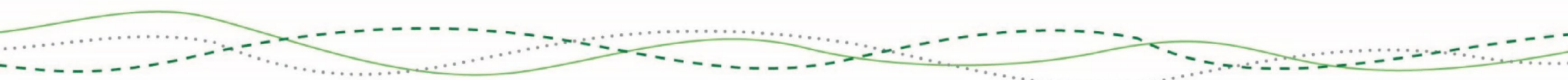
	The Airlie Beach local plan Overall Outcome 2(n) encourages a luxury hotel within Precinct D. No further action will be taken. 11. Short term accommodation should not be supported in low density residential zones. Each application for short term accommodation must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Council has also introduced the Local Law to include the regulation of the operation of short term accommodation in the Region. These controls are considered sufficient, and no further action will be taken. Thank you for your submission.	
2	Let's hope we get it right this time. Thank you for your submission.	No Action
3	Dittmer is a Rural Village with no zoning why make a major amendment? The blessing of no zoning and being recognized as the village we are, far outweighs the benefits of Rural or Residential zoning. Theft from each other in this community just doesn't exist, we all look out for each other. My thoughts are; due to the free and natural environment the children here enjoy a predominately drug free existence, whereas in the townships of this region many are on ice and do crime. The foyer of the Court House is full and out onto the Main Street on Mondays. The children here are free from unnecessary restrictions and respect their neighbour's yard whether fenced or not. The respect for boundary lines that are unfenced is amazing and it's an ideal environment to grow up in. Could it be it takes a village to grow a child to be a civil adolescent? This is what I've witnessed over the years here. This experiment of Dittmer is working wonderfully for us, why would anyone want to change it? Most visitors love our chalets, bamboo house, timber cabins, rock cabins, stone buildings, heritage huts, mine managers quarters, the old timber butchery, shipping containers and mud houses. Thank you for allowing them. By definition there is no zoning for the people we are and would be instantly homeless by the definition of zoning Dittmer as Rural or Rural Residential. Even without zoning none of the buildings in Dittmer were damaged during cyclone and the eye of Debbie passed over Dittmer while the damage to the rest of the Whitsundays was ginormous. I appreciate the grating of the road even though the same pot holes exist in the same place from year to year. As I think while I am writing; one of the narrow pipe crossovers is dangerous due to potholes from a Dittmer to town approach. The hill needs a wide bitumen seal with white line to make it safe; this is a non-complain, just an observation. The bins at the 4 ways are great too. The side of the road grass cut and tree trimming was maintained recently, thank you. Thank you for providing someone to talk over your thoughts but they provided me with no reasonable reason for zoning? I don't know what to make of the conversation except it was polite. I am busy for the rest of the year and my attempts to think about zoning without hard questions being answered is impossible. Fools rush in where angels fear to go! As regards to Lot 6 Thorogood Street I have decided not to zone it. The rest of the world may only imagine what we have here at Dittmer! Sometimes, the best strategic plan is to leave well alone. Please preserve our blessing as a Village. PS. This letter is made public as a formal exhibit to be read by any at any and all zoning consultations as my formal request to remain unzoned and recognized as such in the State of Queensland. Note: This is a separate issue to the previous. With no information given; I have decided against zoning and I don't wish to talk about it again this year. If you wish to talk about why I am paying 2 lots of rates for land that is side by side, albeit joined by 1 boundary peg. I was and still available for that discussion. I am using the 2 blocks as the 1. When I asked upon purchase, I thought it was just a formality as I know of similar situations in the region where the rates are 1. When denied no one was available to tell me why? They just told me (in short) I would have to pay money and the answer would still be no. My attempts and phone calls failed and everyone I spoke to was dull on	No Action

Planning Scheme Major Amendment Submission Analysis Post Consultation Report April 2023

22	113		
23	115	See Response to Submission 2 on page 1 of this document.	
24	116		
25	117	See Figure 1 on the last page of this document.	
26	118		
27	119	6. All maximum heights (Metres & Storeys) remain an overall outcome. 'Generally in accordance' with heights is not acceptable for 'maximum'.	Entire PS
28	120		'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added.
29	121	See Response to Submission 2 on page 2 of this document.	
30	122		
31	123		
32	124	7. A future public parking site is sized and a location defined with-in the Airlie Beach Precincts.	"Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3, public consultation must be undertaken in accordance with the Planning Act 2016."
33	125		
34	126	A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme.	
35	127		
36	128		
37	129	8. The Airlie Beach Local Plan removes the support for "higher density development" along the foreshore.	Ongoing Investigations outside of Planning Scheme
38	130		
39	131	See Response to Submission 2 on page 3 of this document.	Precinct Parking Plan
40	132		
42	133	Thank you for your submission.	
43	134		
44	135		Airlie Beach Local Plan
45	136		(2)a will be deleted:
46	138		"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"
47	139		
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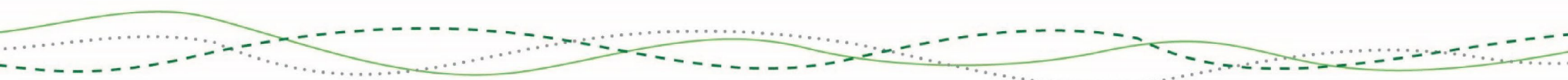


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7		More shade trees and seating. Mandatory requirements have been stipulated in new subdivisions by the state government, and this has been included in the Major Amendment, this includes more street trees for the enjoyment of the community. Schedule 12 and 12A of the <i>Planning Regulations 2017</i> have new mandatory benchmarks for street trees and open space. https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2017-0078#sch.12A Council has recently adopted Regional Master Plans for each major town, they have programs to include beautification, street tree planting and street furniture. For more information, please see Council's website - https://www.whitsundayrc.qld.gov.au/our-council/publications-and-media/plans-strategies-and-reports Thank you for your submission.	No Action
8		I would like our town to stay Low rise, with beautiful seaviews for all. The beauty of nature with the blue sea and green backdrop is what attracts most. All our overseas visitors loved the village atmosphere and beautiful nature of Airlie. Highrises can be admired on the gold coast... our roads and infrastructure are inadequate already, more highrises and people will kill this beautiful spot The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
10		We don't want Airlie Beach to look like the Gold Coast!	No Action

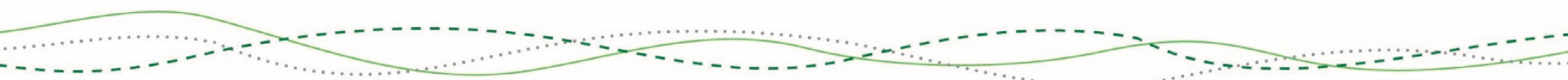


	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
11	Please keep restrict building heights to keep Airlie a pleasant site to look at and not another Gold Coast. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
12	No high rise ! Ever The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
13	Please no ugly high-rise in airle! Especially along the foreshore. It would absolutely spoil our village atmosphere! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
14	Airlie Beach must be protected from high rise development. WRC staff and Councillors do not have the right to change/increase building heights without the approval of the areas rate payers. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
15	Highrise does not belong on our Foreshore. Highrise blocks the prevailing breezes and absorbs & retains more heat. They are an eyesore. Lack of parking & more traffic causes congestion & exhaust fume pollution that we will all inhale. Please do NOT destroy the ambience, laidback vibe and soul of our little town, which is why the people come on mass to visit us. I object strongly to any Highrise along the Foreshore, we are not the Gold Coast and don't want to be. Please stop making idiotic decisions that the whole community will suffer for. Stop being greedy and just thinking about the cash. Lifestyle and Visual impacts are extremely important. If Bowen want it, let them have it in their Front yard. Wake up to yourselves! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area, however building heights are being increased within the Bowen local plan area. Thank you for your submission.	No Action
16	High rise will destroy the look feel and foreshore of Airlie Beach. No High rise in Whitsunday Shire.	No Action

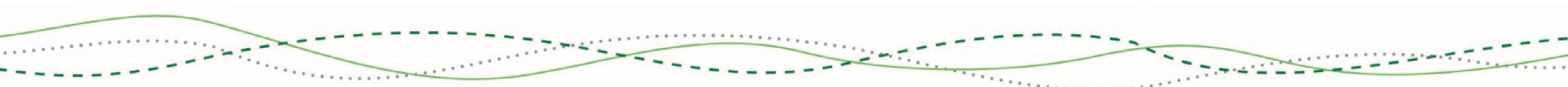
	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
17	More FREE parking and NO load music in pubs (one in particular !) It is not relaxing hearing all that load music all over town especially if it is only for the big dollars a few people make . Is the world going nuts ? Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. Council's Local Laws monitor noise complaints on a case by case basis. Thank you for your submission.	No Action
18	I wish all high rise development to continue up the hillsides so we don't block off the foreshore with high rise which is not in keeping with Airlie's unique image. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Council has also redefined building on slope to encourage hillside development. Thank you for your submission.	No Action
19	We do not want another Miami type town in this country! This town was such a pretty place. Don't destroy what's left with ugly high rise. This is not why people used to come here from all over the world to see. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
20	There is no point having an approved planning scheme if Council ignores it! Please do not let them turn Airlie Beach into another Mooloolaba The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
21	Stop the high rise building in Airlie beach The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
22	Ratepayers want Airlie Beach to be designed for residents not for developers and big businesses. Developments should not be considered unless they clearly demonstrate benefits to the community. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action



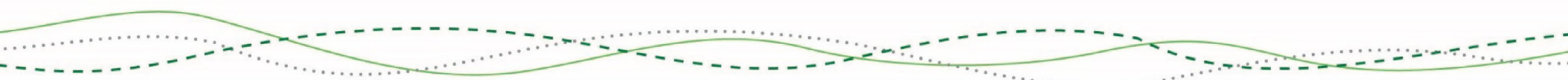
23	Height restrictions are needed to keep the character in check with the character and maintain the area as to the look the residence require. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
24	The reason we love Airlie Beach is the laid back, relaxed and low rise atmosphere. High rise developments are found in many other towns and cities along the Queensland coast and destroy the natural environment (eg mangroves) and amenity as high rise and marina after marina are built. We need to be proactive in protecting the open spaces and current low rise building limits while we can. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
25	Stop the high rise building in Airlie beach The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
26	Stop high rise buildings in Airlie beach The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
27	Do not build high rise in Airlie area Let's remain different to other areas Plant and nurture more shade trees in our parks and foreshore areas Obey the wishes of your constituents The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Council has recently adopted Regional Master Plans for each major town, they have programs to include beautification, street tree planting and street furniture. For more information, please see Council's website - https://www.whitsundayrc.qld.gov.au/our-council/publications-and-media/plans-strategies-and-reports Thank you for your submission.	No Action
28	We do not have the infrastructure to cope with highrise. Highrise will be an eyesore in our village community. The matter of variations to building height controls in Airlie Beach has been considered. While Council is not amending building heights within the Airlie Beach local plan, there is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017	No Action



	Thank you for your submission.	
29	Airlie Beach has that wonderful cosy style and charm that contributes to its appeal and winning the Best Small Tourism Town award. The Height limits were agreed and set for a reason. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
30	I believe that all development proposals should conform completely with the heights and maximum stories outlined in this submission. Airlie Beach is and should remain a low-rise seaside tourist destination. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
31	Just stick to the town plan and stop ruining our town. Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
32	I fully and wholeheartedly support this submission. Once clarified, the town plan should be fully implemented. Any subsequent alteration to the town plan should then be only made possible through agreement of the local electorate through a local referendum. The Planning Scheme may only be amended in accordance with the <i>Planning Act 2016</i> and the <i>Ministers Guidelines and Rules 2020</i>, including the requirements of Public Consultation. Thank you for your submission.	No Action
33	Airlie Beach's appeal is so special because of the vibrant village atmosphere and it could become "just another town" if the council fails to keep buildings heights as they are. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
34	Please keep Airlie Beach's building heights the same. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action

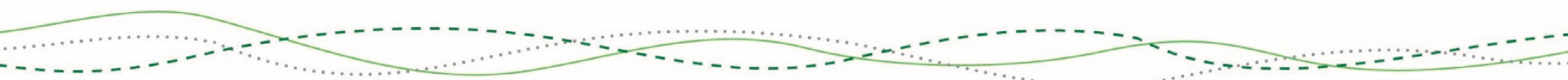


35	We urgently need to lock in enough green space to reduce the heat island effect which already keeps Airlie Beach about 2 degrees hotter than Cannonvale. No dark roofs/ paving which retain heat and more local native shade trees. Council's tree list has been updated to ensure native trees are preferred. Council has recently completed a Heat Study which will inform Council's future decision making. Refer here https://www.innovationhub.whitsundayrc.qld.gov.au/proserpine-heat-study Fulfil the long undelivered promise of closing Main Street to through traffic and direct parking to the Council parking area on Waterson Way. Council has recently undertaken Public Consultation on pedestrian movement in the Airlie Beach Main Street to inform future decision making about pedestrian vs vehicle priority. Refer to https://yoursay.whitsundayrc.qld.gov.au/airlie-beach-main-street-crossing-works Commission a multi level Carpark on this land with revenue to Council for use in Airlie Beach. Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. Create shaded walkways between this carpark and the Main Street. Airlie Beach local plan proposes numerous new and upgraded pedestrian laneways. Create some safe pedestrian crossings for Airlie Beach: pedestrians should have priority in Airlie Main Street. Council has recently undertaken Public Consultation on pedestrian movement in the Airlie Beach Main Street to inform future decision making about pedestrian vs vehicle priority. Refer to https://yoursay.whitsundayrc.qld.gov.au/airlie-beach-main-street-crossing-works Thank you for your submission.	No Action
36	When I first came to Airlie Beach the town was a whole lot smaller than it is today. Whitsunday Terraces was as far up the slope behind the town as the buildings went and we were told by council that they would never go any higher. Well haven't things changed! Now we have buildings all the way up to the ridge line above Airlie, yet somehow the town has managed to maintain an air of relaxed, low intensity development and that is the major attraction of the place. If the Whitsunday Regional Council (WRC) allows high rise or higher density development to go ahead anywhere in Airlie Beach that appeal will immediately be lost. The town will then look like a piece of the Gold Coast and it's unique attraction will be gone forever. There have been many "Town Plans" for Airlie Beach. Locals have contributed to the development of them over and over again and have made it very clear that we don't want any buildings above the limits set out in my submission. From now on WRC must abide by this plan and it must be incorporated in concrete terms in the planning scheme. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. The Planning Scheme may only be amended in accordance with the <i>Planning Act 2016</i> and the <i>Ministers Guidelines and Rules 2020</i>, including the requirements of Public Consultation. Planning Schemes and towns continually evolve over time to respond to changing community expectations. Planning Schemes are required to be reviewed every 10 years to meet State Planning interests. Currently, the Whitsunday Planning Scheme is guided by the State Planning Policy 2017. Thank you for your submission.	No Action
37	The official town planning department are not responding to the community's strong desire NOT TO HAVE HIGHRISE...especially on the foreshore. It kills the "Airlie brand" We have hills to build on, should a view be necessary.	No Action



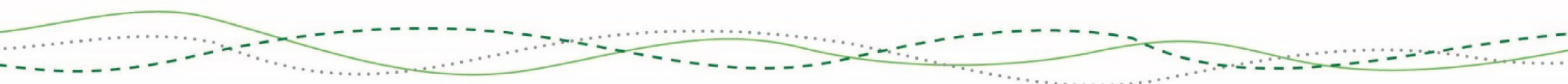
	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
38	We do NOT need high rises in Airlie Beach it will take away from the atmosphere we have in our beautiful town there is no place for them here and the horrible building at Port of Airlie proves it The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
41	See Attachment 1 The submission is a zone request for 77 Telford Road Strathdickie to alter the current zoning of 'Rural' to 'Rural Residential'. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site. Thank you for your submission.	Action Future Investigation of Rural Residential areas will be undertaken in 2023
42	We have a beautiful village style community here which is the main attraction for most residents and tourists. Noosa, Port Douglas have already demonstrated that we can have quality community-friendly developments which benefit everybody. The community has already told you we don't want high rise- no means NO. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
43	I would really like to see the town retain its character by keeping tall buildings back from the waterfront. Towns like, Noosa, Byron Bay and Port Douglas are great examples of how it can be done and still retain a thriving tourism business without high rise. The aesthetics of having buildings scale up from the waterfront back matches the lay of the land and enhanced the appeal for visitors and locals alike. The argument that development needs to go high to become economically viable is simply not true. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
44	Please keep the buildings low-rise. To allow anything more than the current levels would ruin the global reputation of Airlie Beach as a village style resort town. Tourism trends have veered away from the communist-bloc design of high rise buildings crammed with little rooms. Please save our region from this backward-thinking regression to ugly 1960s town planning. The beautiful Whitsundays deserve better than that.	No Action

	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
45	High rise units with multiple dwellings would be the overpopulated slums of tomorrow. If Council feels they are imperative for the region then put them in Bowen which is far more suited to this kind of development. Don't let greed, ugliness and overpopulated high rise dwellings ruin the unique atmosphere of Airlie Beach. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area, however building heights are being increased within the Bowen local plan area. Thank you for your submission.	No Action
46	We need two things to draw more tourist. 1. only low rise buildings 5 stories max. 2. parking we do not have enough now and council wants to approve more units with less parking. <u>Building Heights</u> The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts. Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). Please refer to https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. Thank you for your submission.	No Action
47	I am a resident of 33 years and came to Airlie Beach due to the beautiful village atmosphere. In that time, Councils have adopted various Town Plan schemes keeping the low rise within the CBD precinct. I support this amendment. NO to high rise.....the community do not want a Gold Coast skyline. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
49	Keep it down. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
50	Please don't make the building height any taller The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action

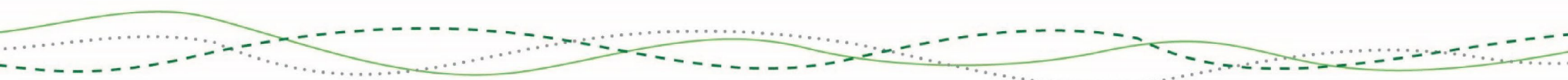


51	We have a town plan which the community has okayed. Can we please adhere to it!!!! It is very important for tourism appeal and the community well being that we maintain the low rise village atmosphere of the Airlie Beach CBD and foreshore . The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
52	As a long term ratepayer I am concerned about the future consequences of WRC's approval of higher density development that will be affected by the impacts of climate change, especially storm surge, higher seal levels, increased risk of severe weather events & what Council's liability will be by the development approvals proposed in WRC's amended planning scheme. Council adopted the Coastal Hazard Adaption Strategy (CHAS), which addresses coastal erosion, sea level rise and storm surge out to the year 2100. The Planning Scheme major amendment adopted the CHAS hazard mapping to ensure the safety of the community, and all affected development applications are required to address the Coastal Hazard & Flood Hazard Overlay Codes. These proposed amendments will increase the population & vehicle numbers beyond the current capacity and there will be a detrimental impact on the quality of the visitor experience. Airlie Beach particularly - with its single main access road to the inland, is extremely vulnerable. Please accept the Whitsunday Conservation Council's eight point submission to be included in the Whitsunday Planning Scheme to manage future development in a sustainable manner to ensure as this town grows it doesn't impact negatively on ratepayers, those that live here & visitors alike. The Planning Scheme major amendment seeks to sustainably manage growth, including necessary truck infrastructure upgrades such as roads, water and sewerage to meet the projected growth. Thank you for your submission.	No Action
53	I do not wish to see Airlie each turn into something like the Gold Coast. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
54	The new development near Shingley beach will be an eyesore removing the existing pleasant amenity. The existent traffic problems at the corner of Shingley Drive and Shute Harbour Road are already chaotic at times! The WSCouncils rules are evident and cannot be changed by Councillors without community approval. We will use every legal options to HALT this development. Council resolved to refuse the application at Shingley Beach in its current form. The intersection of Shingley Drive and Shute Harbour Road are under the jurisdiction of the Department of Transport and Main Roads. Thank you for your submission.	No Action
56	We should try to retain that 'village character' and not become another Gold Coast! Tourists who come here will not return, if Airlie Beach becomes a 2nd Gold Coast. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area.	No Action

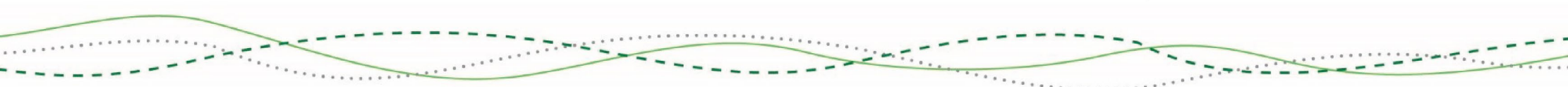
	Thank you for your submission.	
57	Please keep Airlie Beach pure and lovely! Thank you for your submission.	No Action
58	Limit development height to that proposed by Whitsunday Conservation council. Review council expenditure to keep the rate increases significantly below CPI (at least 2%) The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
59	Following the example of Byron Shire, rather than the Nusa community where the developers drove the shaping of the community at the expense on the members of the community. We have limited beaches and a fragile reef, and one road in and out. Thank you for your submission.	No Action
60	Please keep the beachside buildings low-rise. To allow anything more than the current levels would ruin the global reputation of Airlie Beach as a village style resort town. Tourism trends have veered away from the communist-bloc design of highrise buildings crammed with little rooms. Please save our region from this backward-thinking regression to ugly 1960s town planning. The beautiful Whitsundays deserve better than that today and into the future. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
61	This has been a long standing question for the people of the Whitsundays & must be continued, as there are a number of other towns that have gone that way & can NOT go back if this goes ahead. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
62	Keep building heights low! Airlie Beach will be made ugly if high rise buildings are constructed. Even now the trend in Surfers Paradise is to stop more high rise development. Let's look forward towards tasteful low rise development for future growth not backwards to ugly high rise buildings. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
63	Go as high as you want. Thank you for your submission.	No Action

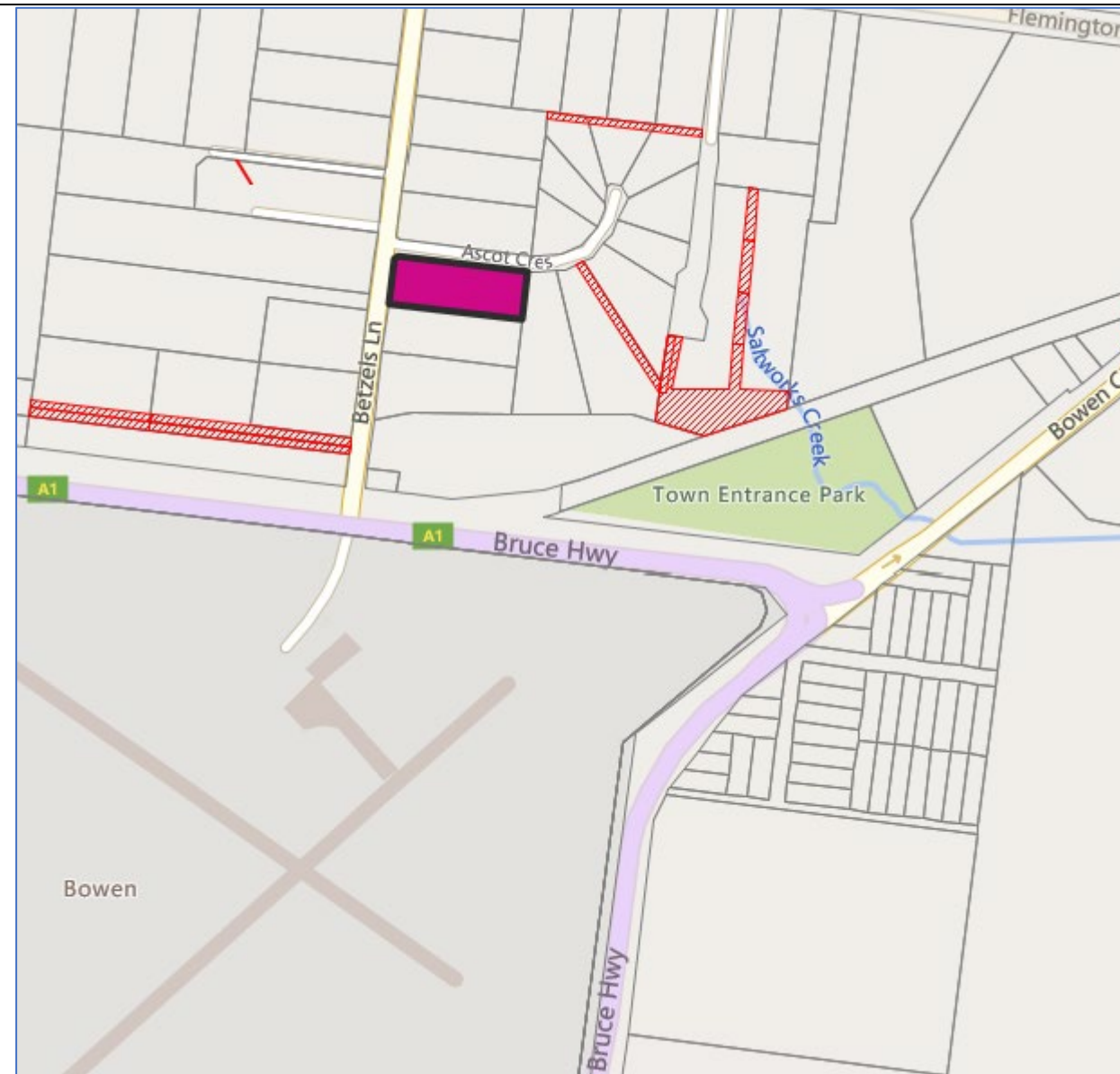


65	No of storeys should def be included. Lower density is much more in keeping with the feel of our town. We need honesty & transparency in the development of our beautiful part of Australia. See Response to Submission 2 on page 1 of this document. See Figure 1 on the last page of this document. Thank you for your submission.	No Action
66	It is imperative to maintain and enhance the natural beauty of Airlie Beach by minimising building height limits as indicated in this submission. If the ambience of our beautiful coastal village is destroyed, it's lost forever. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
67	Please do not destroy Tropical Airlie Beach. With your unsuitable structures. Please do not destroy the tropical feel from of Airlie Beach by building on our limited 'green space' Please 'do not destroy what you came to enjoy'. Bowen council should be caring for us. Airlie Beach is to crowded. The amount of traffic and visitors is wearing out the roads and sidewalks. So more buildings will only add to the problem. Please 'care for Airlie' The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action
68	No high rise for Airlie Beach There are concrete jungles elsewhere Stand alone on this issue The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
70	Stop trying to be Byron Bay or Noosa! Look where it got them. Thank you for your submission.	No Action
72	Low rise development promoted to retain the Airlie "village" atmosphere, not a Gold Coast high rise image. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
73	I refer to your letter dated 26 July 2022, advising that the requested zone amendment for my property at 32 Betzels Lane, Bowen (L12 RP745336), has been declined for the following reason: "There is no need for additional Rural Residential zoned land, also this area is identified on the flood mapping and increasing residential	Action No Action



	density could pose additional risk. Oversupply of Rural Residential land in Bowen up to 2036 - not related to an approval.” I submit that the declining is not justified on the following basis: The reason for the amendment was merely to zone the land in accordance with its current use. In this regard, it is noted that: (a) The area of the block is of an area suitable to rural residential purchases, e.g., keeping a horse, limited gardening etc. (b) The land area is such that it is not suitable for general rural purposes, such as grazing, agriculture, etc. The adjoining blocks, Lot 13 and Lot 14 on RP745336, and Lots 1 to 5 and Lots 8 to 10 on RP745328 on Betzels Lane, are of similar or lesser areas. The land at the back of this block, Lots 1 to 10 on SP211514, were zoned and subdivided as Rural Residential land. (c) I believe that when Plans RP745336 and RP745328 were registered in 1986, the lands were zoned for Rural Residential purposes (possibly described as Park Residential). The lands were obviously considered suitable for rural residential purposes at that time. There appears to be no justification when the lands were rezoned back to rural lands, when the area of the blocks made the lands more suitable for rural residential purposes than for general rural purposes. I do not recall having received any notice of the right to make a submission on the intended amendment of the Town Plan when this change of zoning occurred. Increasing residential density as an additional risk is insignificant, as the area of the block is such that if zoned Rural Residential, the maximum additional land would be one block. The statement of the oversupply of Rural Residential land in Bowen up to 2036 is not currently justified, due to the recent upsurge in the sale of both residential and rural residential land. There is a limited supply of both residential land and rural residential land on the market, and these details would be available to your Council. This submission does not purport to seek a rezoning of my land, Lot 12 on RP745336, separate from the adjoining lands, Lot 13 and Lot 14 on RP745336, and Lots 1 to 5 and Lots 8 to 10 on RP745328. It is submitted that all these blocks should be zoned Rural Residential to bring them into line with the adjoining Rural Residential blocks, Lots 1 to 10 on SP211514, to reflect their current use, and the uses for those lands which can be utilised.	
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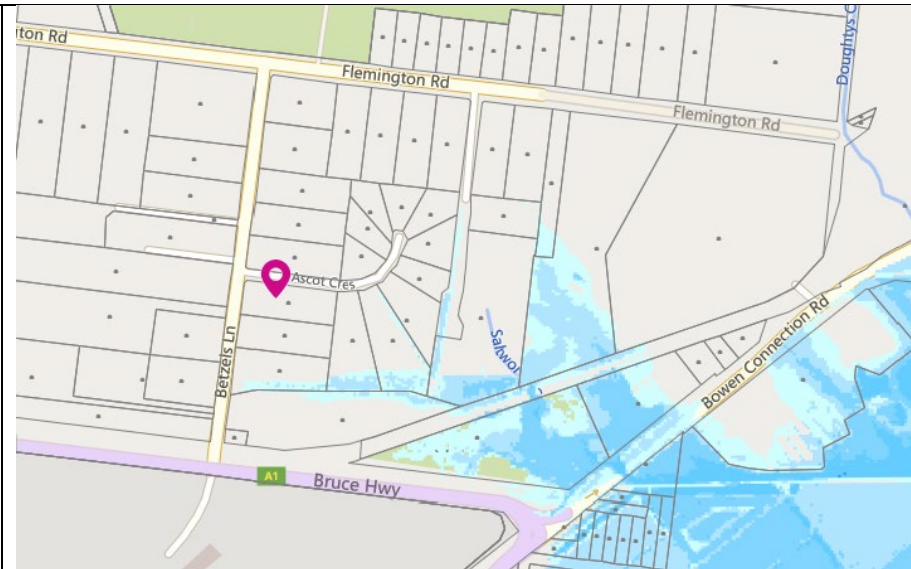




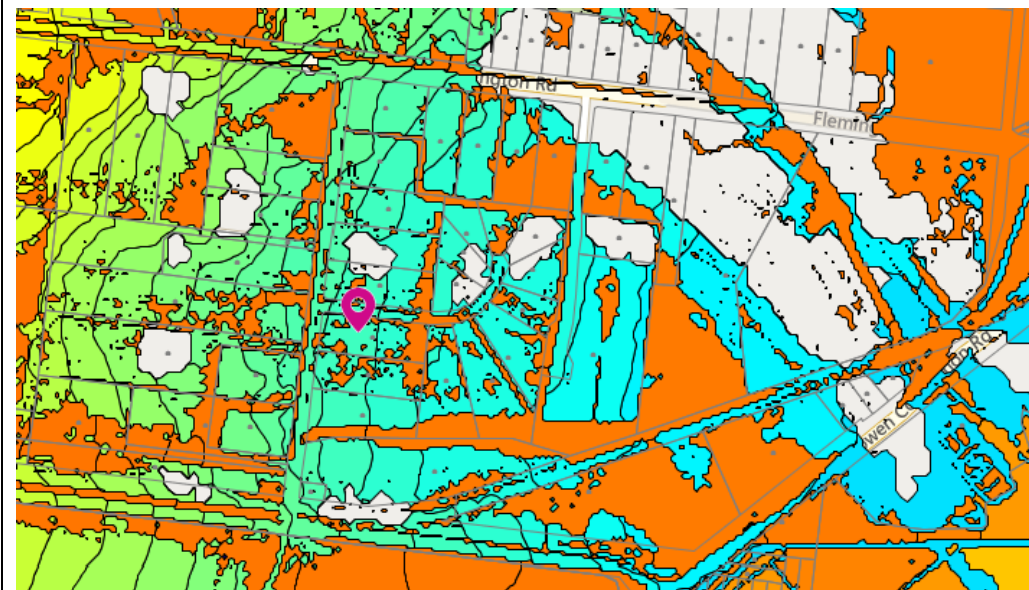
Subject Land

Correspondence:

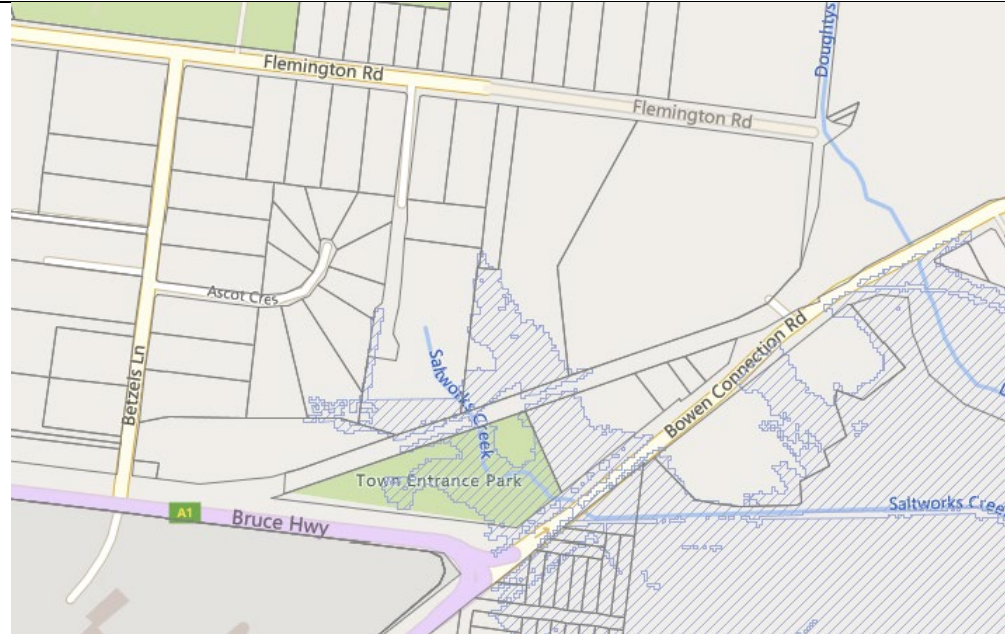
Chief Executive Officer,
Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au



Storm Tide Inundation

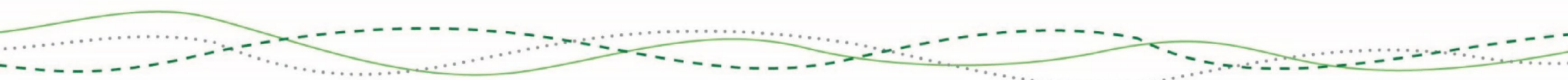


Flooding (Local – orange, Done River – blue/green)

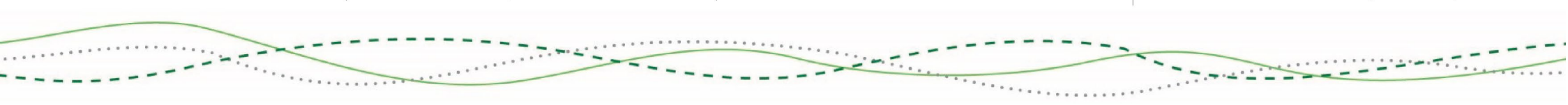
	 Permanent Stormwater Inundation by 2100 (Coastal Hazards Overlay) The original zone request was refused due to a significant flood risk within this area. This risk remains and while 'Rural' may not be the most appropriate allocation of a zone for the subject area 'Rural Residential' allows for a greater density within a Flood Risk area, of which Council has little appetite for. As such Council will not considering this request. Thank you for your submission.	
74	Airlie Beach's attraction lies in the qualities that have created the unique place that it is. It is not the Gold Coast or Noosa or anywhere else. What it does need is attention to the eyesores that detract from its uniqueness. The detractors are the dirty footpaths, the businesses that need maintenance such as Beaches, the lack of pedestrian footpaths etc. Council encourages maintenance on external facades of business through the Façade Improvement Policy, however it is up to the individual business owner to instigate this outcome. Council has adopted levels of service for footpath cleaning and maintenance; these comments have been forwarded onto the relevant department. Thank you for your submission.	No Action
75	The attraction of living here is the hills. We don't need to have high-rise buildings. We don't want to block out the views of the Whitsunday Islands. Some trees need trimming as they restrict the views on the main road in. Don't block the views like the Gold Coast. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
76	I am certain that not only locals but visitors as well do not want to see Airlie beach a town of high rise buildings. Tall buildings will change the spirit of the Whitsunday village which is a draw card. I can't understand what thinking is behind the need for high rise buildings in any area of the Whitsundays. Please accept the suggestions herein.	No Action

		The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area.	
		Thank you for your submission.	
77	545	Submission on the Major Amendment to the Whitsunday Planning Scheme.	Action
191	546		
192	547	The Scheme should include storeys in measurement of maximum height to stop pubic consultation of certain storey numbers and possible construction of more.	
193	548		Omit/Insert
204	553		
205	556	See Response to Submission 2 on page 1 of this document.	
228	559		
229	560	See Figure 1 on the last page of this document.	
230	561		
231	563	Airlie Beach Precinct A should be set at a maximum building height of 10 metres above ground level and 3 storeys.	
232	564		
233	567	Airlie Beach Precinct B, D, and F should be set at a maximum building height of 14 metres above ground level and 4 storeys.	
235	568		
236	569	Airlie Beach Precinct C should be set at a maximum building height of 18 metres above ground level and 5 storeys.	
237	570		
238	572	See Response to Submission 2 on page 2 of this document.	
239	574		
240	576	That Precinct G and surrounding over 14% sloped residential zones are set to a maximum building height of 10 metres above ground level. 8.5m lower slopes.	
241	580		
242	583		
243	586	Precinct G currently has a building height limit of 14 metres. Low Medium Density Residential Zone has a height limit of 12 metres and Low Density Residential Zone has a height limit of (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%. Buildings on slopes greater than 25% have additional provisions (PO2 & AO2.1, AO2.2) within the Building Heights Overlay Code.	
244	588		
245	589		
246	591		
248	592		
249	600	The Ministers Guidelines and Rules 2020 Chapter 2 Part 4, 18.3 states the 'local government must consider every properly made submission about the proposed amendment and consider other submissions'. The matter of variations to building height controls in Airlie Beach has been considered. The Major Amendment does not propose a change to the building height within the above Precincts, therefore no further action will be taken.	
250	604		
253	605		
254	606	No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it.	
255	608		
256	609		Entire PS
257	683	That all maximum heights are set as performance outcomes, not just acceptable outcomes.	
258	735		
259	741	See Response to Submission 2 on page 2 of this document.	'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added. Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3, public consultation must be undertaken in accordance with the Planning Act 2016."
260	742		
261	743		
262	744	That Low-medium density residential zone code (3) (a) is changed from "such as" to (exclusively townhouses, villas, terraces and row houses).	
263	745		
264	752		
265	753	These are illustrative examples of what 'multiple dwelling' could include to help the reader understand a more technical definition required by the Planning Act 2016. The words "such as" are used to infer that these examples are not definitive nor exhaustive, as a Planning Scheme is not able to override a definition provided in the Planning Act 2016 or Planning Regulation 2017.	
266	754		
267	755		
268	756		

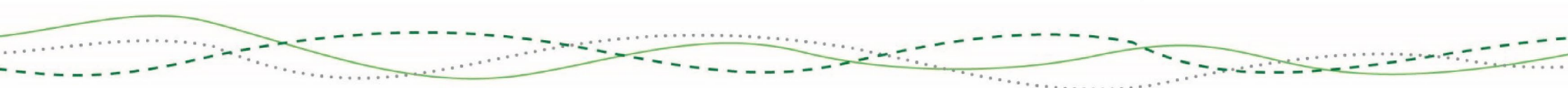
269	758	The Ministers Guidelines and Rules 202 Chapter 2 Part 4, 18.3 states the ' <i>local government must consider every properly made submission about the <u>proposed amendment</u> and consider other submissions</i> '. The Major Amendment does not propose any change to the wording of the Zone Code; therefore no further action will be taken.	
270	759		
271	770		
272	771		
273	772	That short term accommodation is impact assessable within the Low-medium density residential zone code.	
274	773		
277	774	Each application for short term accommodation must be assessed on its own merits in accordance with the <i>Planning Act 2016</i> . Council has also amended the Local Law to include the regulation of the operation of short term accommodation in the Region.	
278	775		
279	776		
280	778	That the tourist accommodation zone code includes impact assessment for any development above 10 metre maximum building heights.	
281	779		
282	780	The Major Amendment requires that development within the Tourist Accommodation Zone Code is impact assessable for any building exceeding 8.5 metres above ground level; or exceeding 10 metres above ground level, where the land slopes between 15% and 25%.	
283	781		
311	782		
312	784	As this part of the submission is already a requirement of the Planning Scheme, no further action will be taken.	
313	785		
314	786	The ROL maintains impact assessment for any application not meeting acceptable outcomes of the code to keep neighbours aware if new access may be proposed.	
315	787		
316	788		
318	789	The creation of an access easement is an agreement usually between the parties impacted, usually resolving historical or technical issues, such as encroachments. The benefit of public notification is low, and Acceptable Outcomes have been added to the Reconfiguration of a Lot Code to ensure sensitive uses are not impacted by dust and noise from any new access point. As such, no further action will be taken.	
319	867		
320	868		
322	869		
323	870	The 'T' intersections and any motor vehicle access to town plaza are removed from Waterson Way road plan. A future public parking site is sized and location defined.	Ongoing Investigations outside of Planning Scheme
324	871		
325	872		Precinct Parking Plan
326	873	See Response to Submission 2 on page 3 of this document.	
327	874		
329	875	A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme.	
330	876		
337	877		
338	878	For the reasons above, no further action will be taken.	
339	879		
340	880	The Airlie Beach Local Plan coordinates better with OA 2(a) by changing to:	
341	881	2 (j) redevelopment in the Main Street and or adjoining the Foreshore enhances existing laneways and develops future laneways.	
343	882	(m) development in Precinct D incorporates a low/medium rise luxury hotel, including major function facilities, designed to cater for a premium tourism market.	
344	890		
345	891		
346	892	The Airlie Beach Local Plan 2 (k) and (n) state:	
347	893		
348	895	<i>"redevelopment in the Main Street and or adjoining the Foreshore is encouraged at higher density to account for existing constraints and encourage further revitalisation, enhancement of existing laneways and development of future laneways"</i>	
349	905		
350	907		
351	913	<i>"development in Precinct D incorporates a luxury hotel, including function facilities, designed to cater for a premium tourism market."</i>	
361	914		
362	915	Higher density is generally only supported where there is a community benefit, such as a public laneway to improve accessibility, and there should be incentive for landowners to achieve a community outcome.	
	917		



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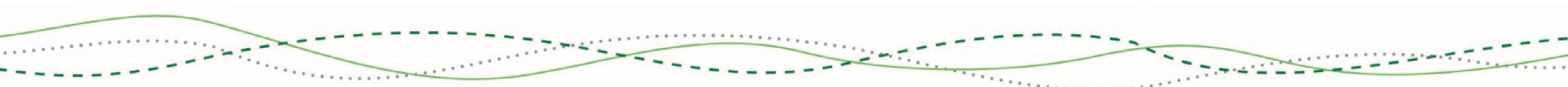


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544			
78		No sell off of public land. No high rise. Development must include green space The Planning Scheme major amendment has no effect on land tenure. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Subdivision and Residential accommodation development have benchmarks for open space areas, landscaping and maximum site coverage. A percentage of infrastructure charges for new development contribute towards future public open space.	No Action



	Thank you for your submission.	
79	Retain the 'village' character of Airlie Beach. We do not want or need another Gold Coast! The tourists loving this town come because it is NOT the Gold Coast! The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action
80	Population growth demands that we have multi storied /high density buildings, these could be located around the back of Airlie at the foot of the range, these could then be 20 stories plus as they wouldn't destroy any views, in fact they would have unsurpassed views. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
81	Airlie Beach and its surrounds should maintain its small country town vibe because this is what keeps a healthy community together and ensures visitors and tourists are able to share the opportunities offered by the beautiful Whitsunday Islands. Current infrastructure and health facilities do not allow for further overdevelopment with one road one road out. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. The matter of variations to building height controls in Airlie Beach has been considered. While Council is not changing the building heights within the Airlie Beach local plan, there is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 Thank you for your submission.	No Action
82	My wife and I retired to Airlie Beach because of the absence of high rise on the foreshore. We were shattered when the Bowen based Whitsunday Council agreed to developers having the right to 12 storeys on the foreshore. How could this decision be made when there were so many local people opposed to high rise? Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
83	Low rise development only. We have only one road in and out of Airlie Beach, Cannonvale and Shute Harbour. National parks and beautiful island views and World Heritage listed Great Barrier Reef protected waterways to protect and enjoy for locals and tourists alike. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
84	The benefits for people who live and work in Airlie of a low rise community are major	No Action

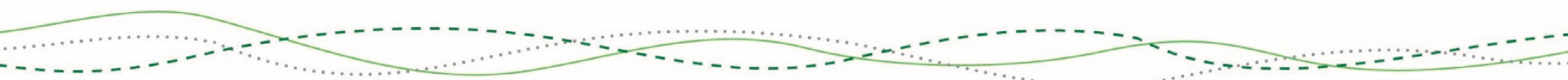
	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
85	I want to see Airlie Beach and surrounds keep what it already has to make it a unique and special place to live and visit. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action
89	Low rise bldgs with heaps more parking The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. Thank you for your submission.	No Action
90	I think the development code is looking fine. Following some noted: • PO1 and Po2 - fine • PO5 for waste water – this talks about a Waste Water Management Plan. Need to expand WWMP abbreviation. Abbreviations are in Appendix 1 of the Planning Scheme. - o It appears that this will be used for swimming pools in particular? - o Maybe need a footnote. Not enough information has been provided to respond to this part of the submission, please Contact Council if you wish to discuss this matter further. • Schedule 6 - o Refers out to the WRC stormwater guidelines – which can be updated or changed if necessary and holds the detail. - o Refers to the need to use MUSIC etc. All likes fit for purpose. Thank you for your submission.	No Action
91	I've been here for 35 years - if I wanted high-rise I'd go to the Gold Coast. Over-development has completely changed Noosa - for the worse! Don't destroy Airlie Beach! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action



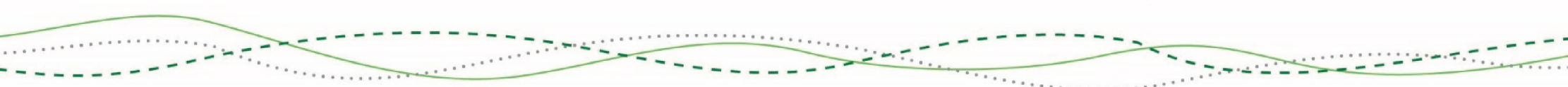
92	The village atmosphere in and around Airlie Beach must be maintained not only for the benefit of local residents but for the appeal it offers to tourists and visitors to our coast. Any development exceeding the above heights will present not only an eyesore but will contribute to ever increasing congestion. The community at large is absolutely opposed to any “high rise” development from the multitude of people I have spoken with. The council must listen to the community that they represent particularly on this issue. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
93	No high rise buildings anywhere near the foreshore. We don't want a Gold Coast look and feel here! Ignore the Victorians that move here! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
94	No high rises full stop destroying the look and feel of our so called coastal town The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
95	A majority of local residents have demonstrated time and time again that they wish to retain the village atmosphere of Airlie Beach. High Rise/ High Density Development is incompatible with this and the Council should bear this in mind with any changes to the Planning Scheme. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
96	I strongly object to the proposed development. Please refer to the 8 points listed here (submission other part above, search 96) Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
97	I strongly object to the proposed development. Please refer to the 8 points listed here (submission other part above) Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
101	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – 1 CARLO DRIVE, CANNONVALE – LOT 1 ON RP800715 – REQUEST FOR ZONE CHANGE – LOW IMPACT INDUSTRY TO CENTRE ZONING On behalf of the landowner, YPG Industries Pty Ltd as TTE, we hereby lodge a formal submission to be considered as part of the Whitsunday Planning Scheme 2017 Major Amendment. Council issued a Decision Notice Approval for Material Change of Use – Health Care Services, Food & Drink Outlet and Office, under reference 20200071 on the 10 March 2021. The approval contains 5 separate tenancies which can be utilised for the above, approved uses in addition to a reception/health care services tenancy.	No Action

	Health care services are a 'Community Activity', and Food & Drink Outlet and Office are 'Business Activities' per Table SC 1.1.1.2 – Defined Activity Groups. An industry activity could be commenced, as accepted development, while the zone remains Low impact industry. This would have negative impacts for the business uses approved on the site, and has the potential to create noise, emissions, dust, odours, and vibrations; inconsistent with a commercial/business centre and creating numerous issues for other tenants. Overall outcome 1 of the Industry activities code states: The purpose of the Industry activities code is to ensure Industry activities are designed and operated in a manner which meets the needs of the Industry activity, protects public safety and environmental values and appropriately responds to amenity considerations. The purpose of the Industry activities code will be achieved through the following overall outcomes: - the scale and intensity of an Industry activity is compatible with its location and setting; - an Industry activity incorporates a site layout and building design that provides for the efficient and safe conduct of industrial activities and contributes to a well organised development that is attractive when viewed from the street; - an Industry activity does not cause environmental harm or nuisance, including the contamination of land or water; - an Industry activity avoids or effectively mitigates adverse impacts on the amenity of adjoining and nearby non-industrial activity where these activities are located in a zone other than an industry zone; and - an Industry activity incorporates service areas and waste management processes that are efficient and maximise opportunities for reuse or recycling An industry use on this site could not meet the purpose and overall outcomes of the Industry Activities Code. The Centro Shopping Centre across the road, and Reef Plaza on the corner of Paluma and Shute Harbour Roads are zoned 'Major Centre', as are most of the properties fronting Shute Harbour Road in this location. It is reasonable to consider that a 'Centre' zoning is more appropriate for this site given the approval issued by Council. Please advise if you require any further information. Thank you for your zone amendment request however Council declines this request. Council has the following reasons: - The area is an established Industry Area in the Strategic Framework. - The zone change would erode the land available for current and future Industry Use. Thank you for your submission.	
102	High rise will ruin our towns unique village by the sea atmosphere forever! Never ever high rise! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
103	Stop the high rises that will spoil Airlie forever The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
104	Noosa shire allows no high-rise and has the highest land valuations on the Sunshine Coast. Coolum Beach allowed 2 high-rise apartment blocks in the 1980s which destroyed the views of everyone on the hillside behind them and became an eyesore. High-rise should only be constructed in areas where no-one's views will be interfered with.	No Action

	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
105	Airlie Beach needs to have the height limits in place, it goes with the nature of the town as a casual, relaxed place to visit. Adding high rise building will take away from all that is special about this place. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
107	NO high rise - it is not aligned with what has been built to date. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
108	Re PLANNING SCHEME PROPOSED AMENDMENT 194 BRUCE HIGHWAY, (L124 RP 806607) At our recent monthly Museum meeting it was agreed that the museum committee had no objections to the above proposed amendment. However, we do have concerns regarding our proposed building on the museum adjacent block (40 Gardenia Street, Proserpine). We request a meeting with council to clarify the conditions of this application. Please respond with times that staff & councillors would be available to meet with the museum executive. Thank you for your submission.	No Action
109	I am not against development but I want it on our terms not as Councillors seem to think we want. Thank you for your submission.	No Action
110	Do not want high rise buildings in Airlie beach precinct and would like to keep the village atmosphere, with a maximum height of 5 storeys. See Submission 2 on page 2 of this document. Thank you for your submission.	No Action
111	No highrise anywhere near foreshore. There are already too many towns destroyed by developers. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
112	No high rise buildings in Airlie Beach.	No Action

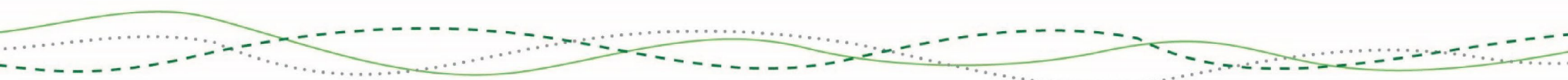


	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
114	Please find below my feedback on the proposed changes to the Planning Scheme. Part 1 - Introduction <i>Add:</i> This Planning Scheme represents a "contract" between the local community and the council. Only minor variations will be permitted. The Whitsunday Planning Scheme is a balance of five strategic principles of liveable communities and housing, economic growth, environment and heritage, safety and resilience to hazards and infrastructure. The Planning Scheme represents a local interpretation of the State Planning Policies. No further action will be taken on this matter. The Planning Scheme needs to remain flexible while compliant with the Planning Act 2016, the requested wording is contradictory to both and therefore no further action will be taken. Part 3.2 Strategic intent <i>Add:</i> The plan respects the communities desire for no high rise in the Airlie Beach area. The matter of variations to building height controls in Airlie Beach has been considered. The Major Amendment does not propose a change to the building height within the Airlie Beach area, therefore no further action will be taken. Part 3.2.5 Infrastructure <i>Add:</i> Increasing traffic is creating issues at the Shingley Drive / Shute Harbour road intersection that will need addressing. The intersection of Shingley Drive and Shute Harbour Road are under the jurisdiction of the Department of Transport and Main Roads. Part 4.4.3 Stormwater network Has the anticipated 10/50/100 year flood events been adjusted to take into account climate change and increasing severity and frequency of flood events? The Development Manual represents best practice for infrastructure design for the Region, this stipulates the built requirements of Stormwater pipes. This manual takes into account best practice for Australian Standards, the Queensland Urban Drainage Manual and has recently been updated by Council. The amendment included technical amendments to stormwater infrastructure, including expectations for flood and stormwater reports, interallotment drainage and managing overland flow. The Flood Hazard Overlay Code and Mapping consider climate change modelling within the Town of Whitsunday, and updated flood modelling (including climate change) is being completed for other towns within the Region.	Actions

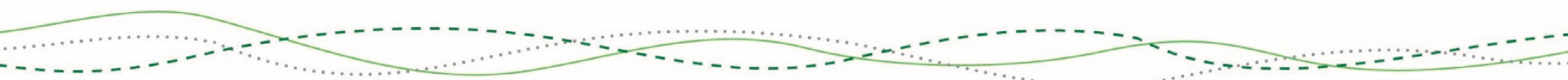


	Part 6 Zones One of the changes is to delete all reference to maximum building heights; instead you have to consult a map (missing from the documentation until I pointed it out) and a table to work them out. This is not a simplification but an obfuscation. <i>Change:</i> Reinstate definition of building heights so all information for a zone is in one place, instead of diffused through this massive document. Definition of maximum heights must also include maximum number of storeys. <u>Building Heights Overlay</u> The height limits were diffused throughout the Planning Scheme document, the major amendment has consolidated them into one Overlay Code (with Mapping online) for ease of use. The mapping is here https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments As a result of this submission Council recognised that Part 1 Table 1.2.1 and Part 7 Zone Code still displayed Precinct information under Section 6.1 (5) with a corresponding Table. This information has been integrated into the Building Heights Overlay Code or the Local Plans, is superfluous in this section and not needed. This will be rectified and is considered an administration amendment. <u>Mapping</u> An explanation will be added to Schedule 2 to address the internet link for the Planning Scheme mapping, as they are no longer PDF documents and found on Council's online mapping. Please refer to https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments <u>Maximum Building Height</u> See Response to Submission 2 on page 2 of this document. <u>Storeys</u> See Response to Submission 2 on page 1 of this document. See Figure 1 on the last page of this document. 6.2.10 Low-medium residential zone code <i>Add:</i> The scale of any development must be in keeping with neighbouring properties. The intent of the zone is to have a mix of residential products that are compatible while in keeping with the zone outcomes. Requiring identical scale is the opposite of the intent of the zone outcomes, therefore no further action will be taken. Part 7.2.1 Airlie Beach Local Plan The top theme in the feedback to the Greater Airlie Beach Masterplan was "NO HIGH RISE". The council response was the Airlie Beach local plan would address this. But there is no mention of high rise in the local plan released as part of the planning scheme changes. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. No further action will be taken. Email received on 14/09/2022 requesting the question be read out in Council meeting.	Administration Fix Part 1 Delete 'Precinct' from Table 1.2.1 and add to Table 1.2.2 Part 7 Zone Codes Delete Section 6.1 (5) and Table 6.1.1 relating to Precincts Schedule 2 Insert Internet Link to Council Online Mapping Entire PS 'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added. "Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3.3, public consultation must be undertaken in accordance with the Planning Act 2016."
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	Instead references to building heights have been removed from Part 6. Instead access to height limitations have been made more difficult to access, being diffused through this huge mass of documentation and requiring access to a map that is still missing from schedule 2 (even though this error was pointed out). This is another example of community feedback being ignored. We also saw this in the 1000+ submissions made on the 2 high rise developments the Director Development Services recommended for approval. My question is: What will the council do to ensure the Airlie Beach local plan pays respect to the views of the local community and explicitly states High Rise development (above 5 storeys) is not welcome. (This should be part of the section 7.2.1.2 Purpose and overall outcomes.) <u>Building Heights</u> The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts. Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). Whereas the Bowen local plan states "Development ... does not exceed the maximum building height defined" this does not appear in the Airlie local plan. Indeed the document authors seem to have gone to some length to hide details of building heights - removing them from Part 6 and not mentioned at all in the local plans and you have to access a map (missing from the document set) and a table to work out what the building height limits are. Also " development in Precinct D incorporates a luxury hotel, including function facilities, designed to cater for a premium tourism market." Where is the study that demonstrates a demand for this? Where are premium hotels knocking on the door wanting to build a luxury hotel? This is all supposition to provide an excuse for developers, rather than a clearly defined NEED. Let market forces determine an outcome and wait for a premium hotel to appear interested before creating rules to suit them. (Why would they want to locate in Airlie anyway - there are other places a luxury hotel could be sited within the Whitsundays.) Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>, and a Needs Assessment Report to justify such a development may be required to demonstrate demand. <i>Add:</i> Infrastructure limits development It should be noted although it is intended to provide a second road into Cannonvale there are no plans to upgrade the single road into Airlie Beach. This will be a constraining factor on development in Airlie Beach and beyond. It is one of the reasons why it is absurd to compare Airlie with the Gold Coast. There is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 No High Rise There is clear, consistent and widespread feedback the local community wants NO HIGH RISE DEVELOPMENTS. This would be in keeping with (2) (a) The character of Airlie Beach, which includes its vital, small town scale, As a Major Centre Zone a maximum building limit of 12m applies.	
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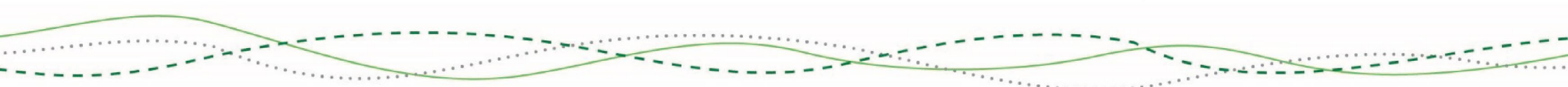
	The Major centre zone building height is 12m. Pedestrian Friendly Given the Waterson way provides a better route for traffic the Main St will be made pedestrian friendly (e.g. as per Cairns Esplanade). This is not a Planning Scheme issue. Acceptable outcomes <i>Add:</i> Development is compatible with the intended scale and character of the streetscape and surrounding area and does not exceed the maximum building height defined within the Building Heights Overlay Code. (as per the Bowen local plan). Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i> and the AO's and PO's of each individual Zone Code, Overlay and Development Code. PO1 of the Building Heights Overlay Code covers this requirement, and so not further action will be taken. <i>Delete:</i> 7.2.1.2 (n) Council's Economic Development Strategy identifies a gap in the tourism market in Airlie Beach for the luxury hotel that includes function facilities, the Planning Scheme major amendment reflects the Economic Development Strategy, therefore no further action will be taken. Part 8 Zones <i>Change:</i> - Reinstate all building heights, so they are part of the zone description. This has been addressed above. - Table 8.2.5.3.2 Local Plan Building Heights change all to 12m. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. 8.2.5.2 (a) <i>Replace:</i> development is generally in accordance with the maximum building heights with development is does not exceed the maximum building heights See Response to Submission 2 on page 2 of this document. Replacement of lost carbon sinks Not sure where this fits but in keeping with the climate change aspirations of the council: Where trees are removed they are replaced on a 2 from 1 basis on the site; or if not possible with proof of purchase at another site (e.g. carbon farming). Ditto marine grass or mangroves but 3 to 1.	
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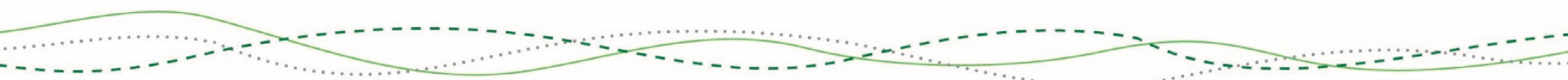
	Tree Clearing within the urban environment is regulated by the Planning Regulation, if you wish to pursue this matter any further, please contact the Department of Resources. Matters of Local Environmental Significance (MLES) MLES must be included in the new planning scheme. The Whitsundays covers 101,225 hectares and only 4.24% of that area is protected. Compared to Mackay with 14.14%, and nationally 19.75%. Matter of State Environmental Significance layers cover 35.5% of the entire Whitsunday LGA under the Planning Scheme major amendment, MSES is shown on the Biodiversity, Waterways and Wetlands Overlay mapping. MLES is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. Thank you for your submission.	Current Ongoing Projects MLES
115	Promise of NO High-rise now you want Beach Front blocked by High-rise Building NO TO HIGH RISE The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
116	Please keep our tropical village atmosphere without ruining it with unnecessary high rise buildings in inappropriate places The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
117	High density development in Airlie Beach should not be allowed. Airlie does not even have the basic infrastructure to support increased major development and increase in populations/tourists. There is still only 1 road in and out that is not even sufficient for current traffic - made even worse by the restriction to 1 lane each side where there used to be 2 in many places. If the road is blocked by anything eg. accident/roadworks etc. everything comes to a standstill as witnessed earlier in the year, without adequate training for emergency services in incident control. You struggle to get out of Coral Sea Marina at all with current traffic levels. The roads are a hazardous mess, the footpaths to support current pedestrian levels are non-existent on most streets and over the large hills. Pedestrians and increasing traffic is so dangerous - bike paths are required for the current massive increase in scooters and electric bikes that also increases with development. Definitely strict rules need to be in place to restrict development - the airy fairy "generally in accordance" needs to go - small town Airlie is what attracts people to come here. There is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Shute Harbour Road is owned and managed by the Department of Transport and Main Roads and not under Council control.	No Action

	The Development Manual provides guidance on footpaths and road standards, the Development Manual was out to Public Consultation concurrently with the Planning Scheme major amendment. The Department of Transport and Main Roads have developed a Principal Cycle Network Plan for the Mackay Isaac Whitsunday Region, refer to https://www.tmr.qld.gov.au/-/media/Travelandtransport/Cycling/Principal-Cycle-Network-Plans/PRM_MIW_2021.pdf?la=en The Ministers Guidelines and Rules 202 Chapter 2 Part 4, 18.3 states the '<i>local government must consider every properly made submission about the <u>proposed amendment</u> and consider other submissions</i>'. The Major Amendment does not propose any change footpaths standards, and no further action will be taken. Thank you for your submission.	
118	Stop this constant change of format or Corruption Mayors and Councillors must act with integrity and comply with legislation and the standards of behaviour set out in the Code of Conduct for Councillors in Queensland. Complaints can be made to either the Office of the Independent Assessor or the Crime and Corruption Commission depending on what the complaint is. Thank you for your submission.	No Action
119	Village. No high rises. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
121	We don't want/need high-rise building The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
122	The proposed QFES site on Macarthur drive should not be allowed. This is a residential area. There is no forward thinking in that proposal. The QFES site should encompass the QAS on the same site including training facilities. Industrial area near Whitsunday food service, Cannonvale. The closing of the QFES current station also shows little thought. For that area all the way to Shute Harbour to be serviced the QFES and QAS have to pass through Loop Road. We will be expanding in all directions. Look to the future. Combine our emergency services with training facilities in an industrial area. Not on a small residential block owned by the government. On 12 October 2022 at the Ordinary Council Meeting the Council resolved to: That Council delegate to the Chief Executive Officer to make a submission to the Deputy Premier and Minister for State Development Infrastructure, Local Government and Planning in response to the notice of proposed Ministerial Infrastructure Designation – Airlie Beach Fire and Rescue Station request the Minister to: 1. Defer approval of the MID to allow for Queensland Fire and Emergency Services to undertake a noise and light impact assessment and, if necessary, to adequately address the findings of these assessments in the design of the proposal before a decision is made. 2. Ensure the community are fully consulted and engaged on the proposal before any decision is made. 3. Investigate the retention of the Jubilee Pocket fire station as an auxiliary station aligned with population growth and increased bush fire risk.	No Action.

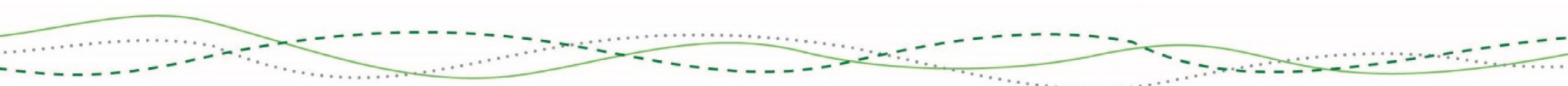
	This assessment is ongoing at the State Government level. Thank you for your submission.	
123	Our town is not and has never been open to high density high rise buildings to suit greedy developers. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
125	Keep building heights low, no high rises necessary. Ensure there's enough car parking & infrastructure for the growing region. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
126	No multi level high rises. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
127	No building should ever block the view of the sea from other existing buildings on the hill. Public parking and the foreshore needs to remain for public use only! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. The Airlie Beach foreshore state reserve is governed by the Airlie Beach Land Management Plan, endorsed by the Department of Resources. Thank you for your submission.	No Action
128	As a previous ratepayer, I can't believe this council is still trying to ruin the beautiful ambience of Airlie Beach The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
129	Stay in the guidelines that are meant to be adhered by.	No Action



	Thank you for your submission.	
130	Adhere by the guidelines that are meant to be Thank you for your submission.	No Action
131	Keep Airlie beautiful and about its gorgeous foreshore and surrounding forests. People don't want to see high rise buildings. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
132	Do not go against fluidlines that are set as will set a precedence The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
136	New developments on the hills should have one lot made available to the public as a lookout. Subdivision and Residential accommodation development have benchmarks for open space areas, landscaping and maximum site coverage. A percentage of infrastructure charges for new development contribute towards future public open space. Thank you for your submission.	No Action
137	Typed from Handwritten Submission 137 I am not computer literate and do not wish to miss out on an opportunity to comment on this scheme so hope you will accept this as my contribution. 1. I am in favour of change of land use from residential to parkland Noted 2. I am in favour of all pathways joining us so as to allow an unbroken path for all ages to exercise. This area should have wide paths to allow for prams, mobility scooters, children on bikes (2 & 3 wheel) and pedestrians to pass safely. These areas should be dog on a lead areas only. The Department of Transport and Main Roads have developed a Principal Cycle Network Plan for the Mackay Isaac Whitsunday Region, refer to https://www.tmr.qld.gov.au/-/media/Travelandtransport/Cycling/Principal-Cycle-Network-Plans/PRM_MIW_2021.pdf?la=en A dog off lead area should be created away from back fences of properties so as not to annoy residents dogs. The Council's dog off leash areas are found on the Council website refer here https://www.whitsundayrc.qld.gov.au/community-and-environment/pets-and-animals/pet-ownership/dog-off-leash-areas The lake needs to be cleaned of mud which has washed in over the years, this will deepen the catchment area in the wet and reduce risk of flooding of houses in Abell Road. The Waite Creek should also be cleaned out as it is virtually blocked in some areas. The pathway	No Action



	alongside the creek needs to be raised in some areas as it gets flooded each wet when water goes down path is left muddy and slippery (I know as I have fallen & I broke my leg!) The Cannonvale Lakes Management plan addresses these issues, for more information refer to https://yoursay.whitsundayrc.qld.gov.au/cannonvale-lake-management-plan-have-your-say 5. Weeds need to be removed from the lake - this was done by the developer quite some years ago. After he left my husband & I used to pull the weeds by throwing in an anchor each - we did not let the anchor touch the bottom but just skim the surface as we were aware there was a line and water pipes on the floor. This was successful and would last the season. See above. Thank you for your submission.	
138	Do not ruin the village atmosphere that has attracted millions of people over the years. The community does not want to live in another Mooloolaba! The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
139	we need development not highrise. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
140	Airlie beach is a small town not a city we don't need high rises The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
142	See Attachment 2. The submission is a zone request for Lot 18 on SP169625, Wrights Road Strathdickie, to alter the current zoning of 'Rural' to 'Rural Residential'. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site.	Action Future Investigation of Rural Residential areas will be undertaken in 2023



	Thank you for your submission.	
143	Typed from Written Submission We refer to the letter dated March 16th 2021, in regards to the request for zoning change for Lot 104 the Beacons, currently owned by the Whitsunday Sailing Club. The sailing club formally advise that the request for change in zoning to "Mixed Use" be withdrawn effective immediately. Please note this request is conditional upon the following: 1. The adjacent landowner at the Port of Airlie development (Meridien Airlie Beach Pty Ltd & Meridien AB Pty Ltd) formally withdrawing all objections submitted against DA20211136, currently being assessed by Council; and 2. The approval in full of DA20211136 by Council; and 3. The successful completion of all development permitted under DA20211136 (once approved) without intervention or interference from any parties related to or not related to this property. Please advise at the earliest convenience councils' position on this matter. The conditions of your request to withdraw the request, to amend the Zone to Mixed Use, cannot be lawfully met. As such, the original zone amendment request will not be withdrawn, and the Mixed Use Zone will be retained in the Whitsunday Planning Scheme major amendment. DA20211136 can be followed on Council's DA tracking system located here http://eplanning.whitsundayrc.qld.gov.au/Common/Common/terms.aspx Thank you for your submission.	No Action
149	SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – CHANGES TO TABLE OF ASSESSMENT – DISTRICT CENTRE ZONE AND AIRLIE BEACH LOCAL PLAN On behalf of ABH Hotel Pty Ltd we lodge a formal submission in support of the abovementioned changes proposed as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons: <u>Table of Assessment – Airlie Beach Local Plan</u> The change to the level of assessment for applicable entertainment activities to enable accepted development where there is no building works and minor building works. This allows for new tenants within similar uses to swap in and out of tenancies/buildings without the need for a planning application; and The inclusion of nightclub entertainment facility as a code assessable land use in this zone. This inclusion recognises the night life associated with the Main Street and its entertainment functions; We also acknowledge the clear intent by the changes which have been made in terms of the removal of specific uses which relate to more permeant accommodation and uses that are associated with this form of accommodation. We have noted, Home Based Business has remained in the Local Plan which would appear to be an administrative error as the Local Plan does not intend to provide for dwelling houses. Some home based businesses may operate out of existing residential accommodation within the local plan area. <u>Airlie Beach Local Plan Code</u> The inclusion of a paid parking scheme is also supported as part of the amendment package as this inclusion allows for further development of sites which are constrained therefore preventing them from further development of their sites to date.	Action

This change will encourage development in this precinct and encourage mixed uses within sites where car parking can be better utilised, and sites will not be overcrowded with mass car parks.

Noted.

Development Codes

Advertising Devices Code - The overall intent of the code states that 'roof signs' should be avoided. We recommend a submission on this aspect to seek a suitable standard of roof sign. Roof signage can be provided in a suitable manner so as to not to cause issues with the streetscape or driver distraction.

Refer to example from Townsville Regional Council:

Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.	One per roof surface.	10m ²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.
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Thank you for your request however, Council is firm on the requirements of Roof signs in terms of not supporting them within the Whitsunday Region. However Council will investigate requirements for further guidance into the Planning Scheme.

Another notable change to the advertising device code is A03.3 – 'The advertising device is not internally or externally illuminated'. This change is considered to be unreasonable for commercial businesses which rely on the illumination of their signage or where the signage is part of a corporate branding. Furthermore, the removal of the words 'internal' should occur as the internal use of illuminated signs does not cause a traffic hazard or interfere with the streetscape.

The following is an example from Townsville Regional Council which provides for a suitable outcome:

A01.9

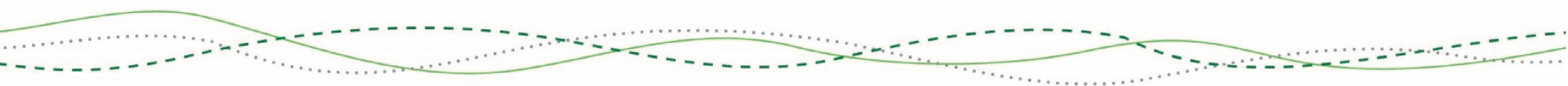
Advertising devices that are illuminated by an internal or external light source or contain a digital display component are only permitted in the following circumstances:

*if located within the;
District centre zone; or
Major centre zone; or
Principal centre (CBD) zone; or*

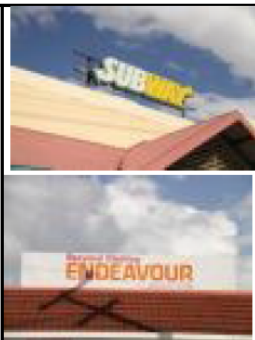
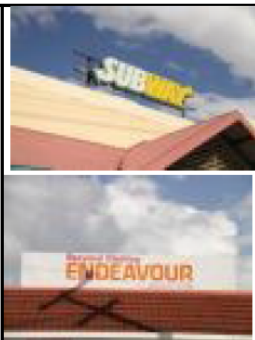
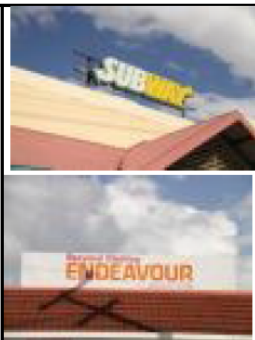
Future Investigation

Advertising Code

	<i>Specialised centre zone (Domain precinct only); or Community facilities zone; or Sport and recreation zone; or an industry zone; or not in the Flinders Street East precinct; not located within 100m of a sensitive land use; if a device containing a digital display, is not located within 500m of an existing digital display device; and ding the luminance value identified in Table 1 - Maximum average luminance of advertising devices.</i> AO3.3 is the starting point for the purposes of assessment, the Table of Assessment requires that all advertising devices are accepted development (doesn't require a Council application,) where they meet the acceptable outcomes, such as AO3.3. If the advertising device does not meet the acceptable outcomes, it becomes code assessable development (requires a Council application), the purpose of AO3.3 is for illuminated signs to be assessed by Council. Where the advertising device is illuminated it will require assessment against PO3, which allows for illumination, provided that it does not cause a nuisance. For clarity, internal and external illumination refers to the way a sign is illuminated, either lit up internally or from an external spotlight pointed at the sign. It does not refer to the position of a sign being internal or external to a building, signs internal to a building are not regulated. For the reasons above, no further action will be taken. <u>Overlays</u> Bushfire Mapping – The subject land is identified on the Bushfire Hazard Overlay Map as FDI 58. The Fire Danger Index does not require any additional reporting or additional attention where it relates to a Material Change of Use, however, is affected when applying for a reconfiguration of a lot, should an application be lodged over the site. The Table of Assessment pulls up any application on land subject to the overlay as identified on the overlay mapping, which covers the entire region. For clarity and easy of reading, perhaps the relevant trigger maps could be mentioned in the Table of Assessment. <i>Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping.</i> Biodiversity Mapping – The subject land is identified on the Biodiversity, Waterways and Wetlands Overlay Map as a 'High Ecological Value Water Area'. The High Ecological Value Water Areas. A review of the code has revealed no reference to what or how this map is to be used or what is required as part of any development. The Table of Assessment pulls up any works on land subject to the overlay, as identified on the overlay mapping, which covers the entire region. We are of the view it is a mapping error and recommend including this in the submission for the site. For clarity and easy of reading, perhaps the relevant maps could be mentioned in the Table of Assessment Overall, the amendments are supported for this location. <i>Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly.</i> Thank you for your submission.	Mapping Alterations Administration adjustments to • Bushfire Hazard ○ Fire Danger Index • Biodiversity, Waterways and Wetlands ○ High Ecological Value Water Areas
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150	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – 2-8 VALLEY DRIVE, CANNONVALE – BUSHFIRE HAZARD MAPPING, BIODIVERSITY WATERSWAYS AND WETLANDS MAPPING, ADVERTISING DEVICES CODE On behalf of RGH Hotels, we lodge a formal submission against the following changes as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons: <u>Overlays</u> Bushfire Mapping – The subject land is identified on the Bushfire Hazard Overlay Map as FDI 58. The Fire Danger Index does not require any additional reporting or additional attention where it relates to a Material Change of Use, however, is affected when applying for a reconfiguration of a lot, should an application be lodged over the site. The Table of Assessment pulls up any application on land subject to the overlay as identified on the overlay mapping, which covers the entire region. For clarity and easy of reading, perhaps the relevant trigger maps could be mentioned in the Table of Assessment as this mapping is not user friendly when reviewing for accepted development. <i>Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping.</i> Biodiversity Mapping – The subject land is identified on the Biodiversity, Waterways and Wetlands Overlay Map as a ‘High Ecological Value Water Area’. The High Ecological Value Water Areas. A review of the code has revealed no reference to what or how this map is to be used or what is required as part of any development. The Table of Assessment pulls up any works on land subject to the overlay, as identified on the overlay mapping, which covers the entire region. We are of the view it is a mapping error and recommend including this in the submission for the site. For clarity and easy of reading, perhaps the relevant maps could be mentioned in the Table of Assessment as this mapping is not user friendly when reviewing for accepted development. <i>Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly.</i> <u>Advertising Devices</u> The notable change to the advertising device code is A03.3 – ‘<i>The advertising device is not internally or externally illuminated</i>’. This change is unreasonable for commercial businesses which rely on the illumination of their signage or where the signage is part of a corporate branding. Furthermore, the removal of the words ‘internal’ should occur as the internal use of illuminated signs does not cause a traffic hazard or interfere with the streetscape. We respectfully request an amendment to this aspect of the code. The following is an example from Townsville Regional Council which provides for a suitable outcome: AO1.9 <i>Advertising devices that are illuminated by an internal or external light source or contain a digital display component are only permitted in the following circumstances:</i> <i>if located within the;</i> <i>District centre zone; or</i> <i>Major centre zone; or</i> <i>Principal centre (CBD) zone; or</i> <i>Specialised centre zone (Domain precinct only); or</i> <i>Community facilities zone; or</i> <i>Sport and recreation zone; or</i> <i>an industry zone; or</i> <i>not in the Flinders Street East precinct;</i> <i>not located within 100m of a sensitive land use;</i>	Action Mapping Alterations Administration adjustments to • Bushfire Hazard ○ Fire Danger Index • Biodiversity, Waterways and Wetlands ○ High Ecological Value Water Areas
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	if a device containing a digital display, is not located within 500m of an existing digital display device; and not exceeding the luminance value identified in Table 1 - Maximum average luminance of advertising devices. AO3.3 is the starting point for the purposes of assessment, the Table of Assessment requires that all advertising devices are accepted development (doesn't require a Council application,) where they meet the acceptable outcomes, such as AO3.3. If the advertising device does not meet the acceptable outcomes, it becomes code assessable development (requires a Council application), the purpose of AO3.3 is for illuminated signs to be assessed by Council. Where the advertising device is illuminated it will require assessment against PO3, which allows for illumination, provided that it does not cause a nuisance. For clarity, internal and external illumination refers to the way a sign is illuminated, either lit up internally or from an external spotlight pointed at the sign. It does not refer to the position of a sign being internal or external to a building, signs internal to a building are not regulated. For the reasons above, no further action will be taken. A further item is the overall intent of the code states that 'roof signs' should be avoided. We hereby made a submission to permit roof signage where is can be accommodated in a suitable manner. There is a lot of other Councils which allow for this form of signage and the following example is provided for Townsville Regional Council: <table><tr><td> Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign. </td><td></td><td>One per roof surface.</td><td>10m²</td><td>2.5m above roof level below the advertising device.</td><td>3m 500m if the sign face consists of a digital display.</td><td> - Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place. </td></tr></table> Thank you for your request however, Council is firm on the requirements of Roof signs in terms of not supporting them within the Whitsunday Region. However Council will investigate requirements for further guidance into the Planning Scheme. Overall we have no issues with any other aspects relating to this property. Thank you for your submission.	Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m ²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.	Future Investigation Advertising Code
Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m ²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.			
151	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – 106 SHUTE HARBOUR ROAD, CANNONVALE – LOT 2 SP106395 – PROPOSED ZONE CHANGE – LOW-MEDIUM DENSITY RESIDENTIAL TO LOCAL CENTRE AND BUSHFIRE OVERLAY, BIODIVERSITY WATERWAYS AND WETLANDS OVERLAY, ADVERTISING CODE On behalf of ABH Hotels we lodge a formal submission in support of the abovementioned changes proposed as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons: The subject site was zoned commercial under the 2009 Whitsunday Shire Planning Scheme and also previously planning schemes. The subject site has a history and continues to operate for commercial type uses such as shops and the like.	Action							

This development has been in existence well before the construction of the multiple dwelling units located at the rear of the site. The assessment of these two uses was therefore undertaken at the time of the approval of the multiple dwelling units. The use at the rear of this site was originally a caravan park and then converted to multiple dwelling units. Council issued a Decision Notice Approval for Material Change of Use – Bottle Shop, under reference 20200981 on the 24 March 2021. The approval contains a single tenancy which has undertaken the planning approval and been operating since. This application was only required to be lodged, due to the change in zoning, otherwise would have been accepted development. The site has been well established and it would be very unlikely that the site would be used for residential purposes due to the well-made construction of the buildings and their construction life. The only way a residential purpose could occur on this site would be to demolish the buildings and start again.

The Planning Scheme major amendment has completed this zone amendment request, please refer to Zone Amendment mapping https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#/main?mapcfg=Planning_Major_Amendments

Furthermore, we make the following submission against the proposed changes:

Overlays

Bushfire Mapping - The Fire Danger Index does not require any additional reporting or additional attention where it relates to a Material Change of Use however is affected when applying for a reconfiguration of a lot, should an application be lodged over the site.

Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping.

Biodiversity Mapping – The High Ecological Value Water Areas is included on the mapping. A review of the document has revealed no reference to what or how this map is to be used or required as part of any development. We are of the view it is a mapping error and recommend including this in the submission for the site.

Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly.

Advertising Devices

The advertising device code includes A03.3 – ‘The advertising device is not internally or externally illuminated’. This change is unreasonable for commercial businesses which rely on the illumination of their signage or where the signage is part of a corporate branding. Furthermore, the removal of the words ‘internal’ should occur as the internal use of illuminated signs does not cause a traffic hazard or interfere with the streetscape. We respectfully request an amendment to this aspect of the code.

The following is an example from Townsville Regional Council which provides for a suitable outcome: AO1.9

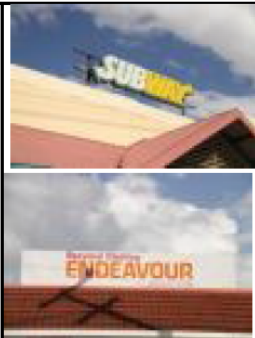
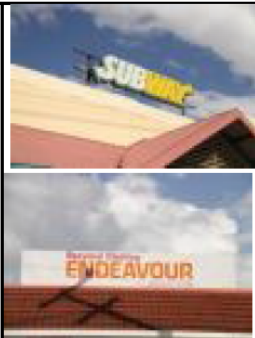
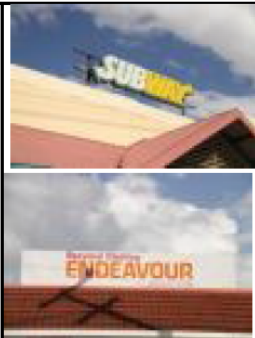
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Specialised centre zone (Domain precinct only); or
Community facilities zone; or
Sport and recreation zone; or
an industry zone; or
not in the Flinders Street East precinct;
not located within 100m of a sensitive land use;
if a device containing a digital display, is not located within 500m of an existing digital display device; and

Mapping Alterations

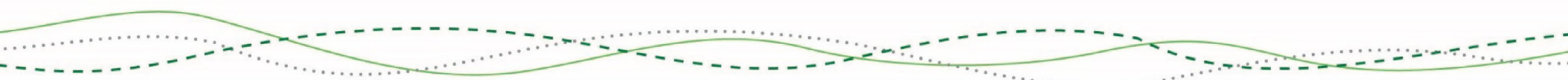
Administration adjustments to

- Bushfire Hazard
 - Fire Danger Index
- Biodiversity, Waterways and Wetlands
 - High Ecological Value Water Areas

not exceeding the luminance value identified in Table 1 - Maximum average luminance of advertising devices. AO3.3 is the starting point for the purposes of assessment, the Table of Assessment requires that all advertising devices are accepted development (doesn't require a Council application,) where they meet the acceptable outcomes, such as AO3.3. If the advertising device does not meet the acceptable outcomes, it becomes code assessable development (requires a Council application), the purpose of AO3.3 is for illuminated signs to be assessed by Council. Where the advertising device is illuminated it will require assessment against PO3, which allows for illumination, provided that it does not cause a nuisance. For clarity, internal and external illumination refers to the way a sign is illuminated, either lit up internally or from an external spotlight pointed at the sign. It does not refer to the position of a sign being internal or external to a building, signs internal to a building are not regulated. For the reasons above, no further action will be taken. A further item is the overall intent of the code states that 'roof signs' should be avoided. We hereby made a submission to permit roof signage where is can be accommodated in a suitable manner. There is a lot of other Councils which allow for this form of signage and the following example is provided for Townsville Regional Council: <table><tr><td> Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign. </td><td></td><td>One per roof surface.</td><td>10m²</td><td>2.5m above roof level below the advertising device.</td><td>3m 500m if the sign face consists of a digital display.</td><td> - Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place. </td></tr></table> Thank you for your request however, Council is firm on the requirements of Roof signs in terms of not supporting them within the Whitsunday Region. However Council will investigate requirements for further guidance into the Planning Scheme. Overall, we have no issues with any other aspects relating to this property. Thank you for your submission.	Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.	Future Investigation Advertising Code
Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.		

152	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – 38 SHUTE HARBOUR ROAD, CANNONVALE – REQUEST FOR ZONING CHANGE – NEIGHBOURHOOD CENTRE TO LOCAL CENTRE ZONING We act on behalf of RGH Hotels and lodge a formal submission for a zoning change to the subject site as a result of the proposed Whitsunday Planning Scheme 2017 Major Amendments. The reasons for our submission are detailed below. <u>Zone Change – Neighbourhood Centre to Local Centre</u> A review of the Neighbourhood centre zone and the permitted land uses does not accurately reflect the use being conducted on the site and therefore we request a change in zone to Local Centre as it would be more appropriate. The site operates as the Reef Gateway Hotel providing a liquor store, hotel and associated short term accommodation. The use for liquor store (shop) and restaurant and bars (food and drink outlet) is accommodated in the zone, the short-term accommodation aspects are not reflected in the Neighbourhood Centre zoning as a preferred use instead, referring to Multiple Dwelling Units. The Neighbourhood Centre zone would therefore trigger an impact assessable development application, should the development want to extend their short-term letting, however if they wanted to extend to multiple dwelling units, the level of assessment would be code. Given the location and existing uses, short-term accommodation is the most suitable form of accommodation for this site. Based on the above, we request consideration to a change in the zoning. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site. We would also like to note the following points in relation to the overlay and development codes <u>Overlays</u> Bushfire Mapping – The subject land is identified on the Bushfire Hazard Overlay Map as FDI 58. The Fire Danger Index does not require any additional reporting or additional attention where it relates to a Material Change of Use, however, is affected when applying for a reconfiguration of a lot, should an application be lodged over the site. The Table of Assessment pulls up any application on land subject to the overlay as identified on the overlay mapping, which covers the entire region. For clarity and easy of reading, perhaps the relevant trigger maps could be mentioned in the Table of Assessment Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping. Biodiversity Mapping – The subject land is identified on the Biodiversity, Waterways and Wetlands Overlay Map as a ‘High Ecological Value Water Area’. The High Ecological Value Water Areas. A review of the code has revealed no reference to what or how this map is to be used or what is required as part of any development. The Table of Assessment pulls up any works on land subject to the overlay, as identified on the overlay mapping, which covers the entire region. We are of the view it is a mapping error and recommend including this in the submission for the site. For clarity and easy of reading, perhaps the relevant maps could be mentioned in the Table of Assessment Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly. <u>Development Code - Advertising Devices</u>	Actions Future Investigation Zone Request Mapping Alterations Administration adjustments to • Bushfire Hazard ○ Fire Danger Index • Biodiversity, Waterways and Wetlands ○ High Ecological Value Water Areas
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	The advertising device code includes A03.3 – ‘The advertising device is not internally or externally illuminated’. This change is unreasonable for commercial businesses which rely on the illumination of their signage or where the signage is part of a corporate branding. Furthermore, the removal of the words ‘internal’ should occur as the internal use of illuminated signs does not cause a traffic hazard or interfere with the streetscape. We respectfully request an amendment to this aspect of the code. The following is an example from Townsville Regional Council which provides for a suitable outcome: AO1.9 <i>Advertising devices that are illuminated by an internal or external light source or contain a digital display component are only permitted in the following circumstances:</i> <i>if located within the;</i> <i>District centre zone; or</i> <i>Major centre zone; or</i> <i>Principal centre (CBD) zone; or</i> <i>Specialised centre zone (Domain precinct only); or</i> <i>Community facilities zone; or</i> <i>Sport and recreation zone; or</i> <i>an industry zone; or</i> <i>not in the Flinders Street East precinct;</i> <i>not located within 100m of a sensitive land use;</i> <i>if a device containing a digital display, is not located within 500m of an existing digital display device; and</i> <i>not exceeding the luminance value identified in Table 1 - Maximum average luminance of advertising devices.</i> AO3.3 is the starting point for the purposes of assessment, the Table of Assessment requires that all advertising devices are accepted development (doesn’t require a Council application,) where they meet the acceptable outcomes, such as AO3.3. If the advertising device does not meet the acceptable outcomes, it becomes code assessable development (requires a Council application), the purpose of AO3.3 is for illuminated signs to be assessed by Council. Where the advertising device is illuminated it will require assessment against PO3, which allows for illumination, provided that it does not cause a nuisance. For clarity, internal and external illumination refers to the way a sign is illuminated, either lit up internally or from an external spotlight pointed at the sign. It does not refer to the position of a sign being internal or external to a building, signs internal to a building are not regulated. For the reasons above, no further action will be taken. A further item is the overall intent of the code states that ‘roof signs’ should be avoided. We hereby made a submission to permit roof signage where is can be accommodated in a suitable manner. There are a lot of other Councils which all w this form of signage, and the following example is provided for Townsville Regional Council:	Future Investigation Advertising Code
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Planning Scheme Major Amendment Submission Analysis Post Consultation Report April 2023

Page 49 of 169

188	865	That the tourist accommodation zone code includes impact assessment for any development above 10 metre maximum building heights.	public consultation must be undertaken in accordance with the Planning Act 2016."
189	866		
190	886	See response to Submission 77 on page 20 of this document.	
206	887		
207	923	The ROL maintains impact assessment for any application not meeting acceptable outcomes of the code to keep neighbours aware if new access may be proposed.	
208	1010		
209	1011	See response to Submission 77 on page 20 of this document.	
210	1012		
211	1013	The proposed 'T' intersection and any motor vehicle access is removed from possible Waterson Way town plaza. A future public parking site is sized and location defined.	
212	1014		
213	1029	See Response to Submission 2 on page 3 of this document.	
214	1030		
215	1031	A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme.	
216	1033		
217	1034	For the reasons above, no further action will be taken.	
218	1035		
219	1036	The Airlie Beach Local Plan coordinates better with OA 2(a) by removing high density development and changing to: 2 (j) redevelopment in the Main Street and or adjoining the Foreshore enhances existing laneways and develops future laneways. (m) development in Precinct D incorporates a low/medium rise luxury hotel, including major function facilities, designed to cater for a premium tourism market. "	
220	1037		
221	1047	See response to Submission 77 on page 21 of this document.	
222	1051		
223	1052	Thank you for your submission.	
225	1053		
309	1054		
310	1055		
342	1056		
359	1061		
375	1064		
378	1066		
387	1070		
388	1072		
390	1074		
391	1079		
395	1080		
396	1082		
397	1083		
399	1084		
407	1087		
445	1090		
447	1091		
453	1093		
457	1094		
458	1095		
496	1096		
498	1097		
503	1098		
504	1100		
510	1102		

Ongoing Investigations outside of Planning Scheme

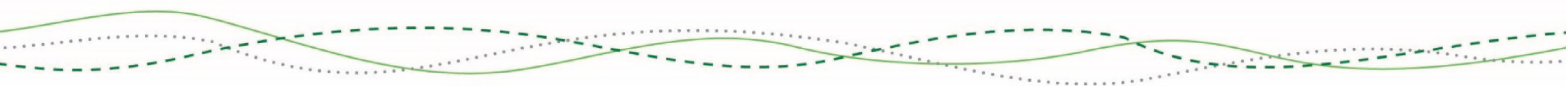
Precinct Parking Plan

Airlie Beach Local Plan

~~(2)a will be deleted:~~

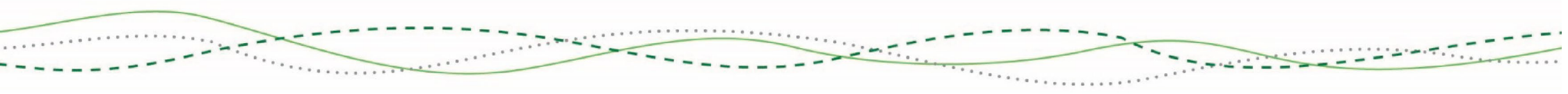
~~"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"~~

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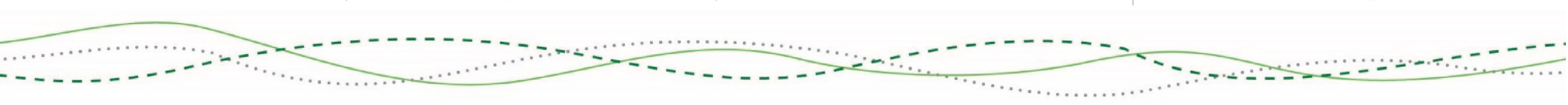


156	824	Submission on the Major Amendment to the Whitsunday Planning Scheme.	Actions
157	825		Omit/Insert
158	884	The Scheme should include storeys to stop low ceiling heights and unattractive flat roofs offering financial benefit to developers.	
159	885		
164	928	See Response to Submission 2 on page 1 of this document.	
194	929		
195	930	See Figure 1 on the last page of this document.	
196	931		
197	932	Airlie Beach Precinct A should be set at a maximum building height of 10 metres above ground level and 3 storeys.	
198	933	Airlie Beach Precinct B, D, and F should be set at a maximum building height of 14 metres above ground level and 4 storeys.	
199	934	Airlie Beach Precinct C should be set at a maximum building height of 18 metres above ground level and 5 storeys.	
200	935		
201	936	See Response to Submission 2 on page 2 of this document.	
202	937		
203	938	That Precinct G and surrounding residential zones should be set to a maximum building height of 10 metres above ground level.	
224	939		
226	940	See Response to Submission 77 on page 19 of this document.	
227	941		
285	942	That all maximum heights are set as performance outcomes, not just acceptable outcomes.	Entire PS
286	943		'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added.
287	944	See Response to Submission 2 on page 2 of this document.	
288	945		
289	946	That Low-medium density residential zone code (3) (a) is changed from "such as" to (exclusively townhouses, villas, terraces and row houses).	
290	947		
292	948	See response to Submission 77 on page 20 of this document.	"Note: where a development exceeds the building height identified in Table 8.2.5.3.2Table 8.2.5.3.3, public consultation must be undertaken in accordance with the Planning Act 2016."
293	949		
294	950		
295	951	That the tourist accommodation zone code includes impact assessment for any development above 10 metre maximum building heights.	Airlie Beach Local Plan
296	952		(2)a will be deleted:
297	953	See response to Submission 77 on page 20 of this document.	"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"
352	954		
353	955	The Airlie Beach Local Plan coordinates better with OA 2(a) by removing high density development and changing to:	
354	956	2 (j) redevelopment in the Main Street and or adjoining the Foreshore enhances existing laneways and develops future laneways.	
355	957	(m) development in Precinct D incorporates a low/medium rise luxury hotel, including major function facilities, designed to cater for a premium tourism market.	
356	958		
357	959	See response to Submission 77 on page 21 of this document.	
438	960		
439	961	Thank you for your submission.	
440	962		
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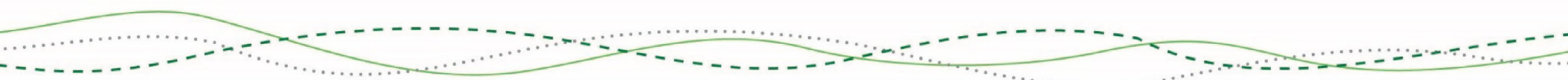
512	838		
513	839	That Low-medium density residential zone code (3) (a) is changed from "such as" to (exclusively townhouses, villas, terraces and row houses).	
514	840		
515	841		
525	842	See response to Submission 77 on page 20 of this document.	
527	843		
539	844	That the tourist accommodation zone code includes impact assessment for any development above 10 metre maximum building heights.	
551	845		
552	846	See response to Submission 77 on page 20 of this document.	
554	847		
557	848	The ROL maintains impact assessment for any application not meeting acceptable outcomes of the code to keep neighbours aware if new access may be proposed.	
558	849		
581	850		
620	851	See response to Submission 77 on page 20 of this document.	
621	852		
622	853	The 'T' intersections and motor vehicle access through town plaza are removed from Waterson Way road plan. A future public parking site is sized and location defined.	Ongoing Investigations outside of Planning Scheme
629	854		
638	855		
639	856	See Response to Submission 2 on page 3 of this document.	Precinct Parking Plan
640	857		
641	858	A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme.	
642	859		
643	860		
644	883	For the reasons above, no further action will be taken.	
645	888		
646	900	The Airlie Beach Local Plan coordinates better with OA 2(a) by changing to:	Airlie Beach Local Plan
647	903	2 (j) redevelopment in the Main Street and or adjoining the Foreshore enhances existing or creates laneways.	(2)a will be deleted:
684	909	(m) development in Precinct D incorporates a low-rise luxury hotel, including major function facilities, designed to cater for a premium tourism market.	<i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i>
685	916		
686	920		
687	922	See response to Submission 77 on page 21 of this document.	
688	925		
689	926	Thank you for your submission.	
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731	1152		
737	1177		
738	1193		
739	1231		
740	1239		
748	1249		
298	908	I wish to make a submission on the Major Amendment to the Planning Scheme.	Actions
299	910		Omit/Insert
300	911	Airlie Beach does not need unlimited building heights to ensure its prosperity in the future.	
301	912		
302	970	Airlie Beach Precinct A and E are set at a maximum building height of 9 metres above ground level.	
303	971		
304	972	Airlie Beach Precinct D,G and F are set at a maximum building height of 12 metres above ground level.	
305	973		
306	974	Airlie Beach Precinct C is set at a maximum building height of 15 metres above ground level.	
307	975		
308	976	That Precinct B and all residential zones are set to a maximum building height of 9 metres above ground level.	
331	977		
332	978	Airlie Beach Local Plan has set building heights that have not been altered in the Major Amendment.	
333	979		
334	980	Refer to online mapping here -	
335	981	https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments	
336	982		
623	983	The Ministers Guidelines and Rules 2020 Chapter 2 Part 4, 18.3 states the 'local government must consider every properly made submission about the proposed amendment and consider other submissions'. The matter of variations to building height controls in Airlie Beach has been considered. The matter of variations to building height controls in Airlie Beach has been considered. The Major Amendment does not propose a change to the building height within the above Precinct, therefore no further action will be taken.	
760	984		
761	985		
762	986		
763	987		
764	1057	No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it.	
765	1058		Entire PS
766	1060	That these are set as maximum building heights, not just maximum code assessable heights.	'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added.
889	1062		
894	1142	See Response to Submission 2 on page 2 of this document.	
896	1143		
897	1144	That Low-medium density residential zone code (3) (a) is changed from "such as" to (exclusively townhouses, villas, terraces and row houses).	
898	1145		
899	1250		
901	1251	See response to Submission 77 on page 20 of this document.	"Note: where a development exceeds the building height identified in Table 8.2.5.3.2, public consultation must be undertaken in accordance with the Planning Act 2016."
902	1252		
906	1253		

	1254	The Airlie Beach Local Plan reinstates in its overall outcomes - the character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained. The Airlie Beach Local Plan 2 (a) states: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i> This statement was a last minute inclusion by Council as a result of community comment. It is difficult to articulate clearly what it means as it can be contradictory (small scale / compact) and hard to quantify (visually penetrable) through performance criteria. It is recommended this clause be removed. This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. Thank you for your submission.	Airlie Beach Local Plan (2)a will be deleted: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i>
499		Submission on the Major Amendment to the Whitsunday Planning Scheme. The Scheme should include storeys in measurement of maximum height to stop pubic consultation of certain storey numbers and construction of more. See Response to Submission 2 on page 1 of this document. See Figure 1 on the last page of this document. Airlie Beach Precinct A should be set at a maximum building height of 10 metres above ground level and 3 storeys. Airlie Beach Precinct B, D, and F should be set at a maximum building height of 14 metres above ground level and 4 storeys. Airlie Beach Precinct C should be set at a maximum building height of 18 metres above ground level and 5 storeys. See Response to Submission 2 on page 2 of this document. That Precinct G and surrounding over 14% sloped residential zones are set to a maximum building height of 10 metres above ground level. 8.5m lower slopes. See Response to Submission 77 on page 19 of this document. That all maximum heights are set as performance outcomes, not just acceptable outcomes. See Response to Submission 2 on page 2 of this document. That Low-medium density residential zone code (3) (a) is changed from "such as" to (exclusively townhouses, villas, terraces and row houses).	Actions Omit/Insert Entire PS 'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added.

	See response to Submission 77 on page 20 of this document. That the tourist accommodation zone code includes impact assessment for any development above 10 metre maximum building heights. See response to Submission 77 on page 20 of this document. The ROL maintains impact assessment for any application not meeting acceptable outcomes of the code to keep neighbours aware if new access may be proposed. See response to Submission 77 on page 20 of this document. The proposed 'T' intersection and any motor vehicle access is removed from possible Waterson Way town plaza. A future public parking site is sized and location defined. See Response to Submission 2 on page 3 of this document. A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme. For the reasons above, no further action will be taken. The Airlie Beach Local Plan coordinates better with OA 2(a) by removing high density development and changing to: 2 (j) redevelopment in the Main Street and or adjoining the Foreshore enhances existing laneways and develops future laneways. (m) development in Precinct D incorporates a low/medium rise luxury hotel, including major function facilities, designed to cater for a premium tourism market. See response to Submission 77 on page 21 of this document. Thank you for your submission.	"Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3.3, public consultation must be undertaken in accordance with the Planning Act 2016." Ongoing Investigations outside of Planning Scheme Precinct Parking Plan Airlie Beach Local Plan (2)a will be deleted: "The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"
733	Due to having to try and deal with all these issues over the years, I have developed both Hypertension and Anxiety; also, my wife [REDACTED] suffers from trigeminal neuralgia aggravated with stress, which is very debilitating, and often occurs whilst trying to deal with all legal issues regarding, the internal and external compliance which is almost non-existent throughout both levels of Regional and Rural, Local Council and Queensland State Government. Trying to locate a Legal Firm or practice in the Whitsunday region, including Mackay to Townsville, is impossible due to a conflict of interest, which includes both [REDACTED] our Power of Attorney, and our accountants [REDACTED], who refuses to collate any past or present Compensation or Damages Claims. In my opinion, they are all not unlike a Systematic Cohesive Unit Cartel. In accordance with Section 19(1)(c) of the Survey and Mapping Infrastructure Regulation 2014, for cadastral plans signed by the surveyor on or after 1 July 2005, this form must be completed and lodged with each cadastral plan that is not endorsed by an accredited surveyor at (Proserpine) This is not relevant to the Planning Scheme and so no further action will be taken at this time. Thank you for your submission	No Action

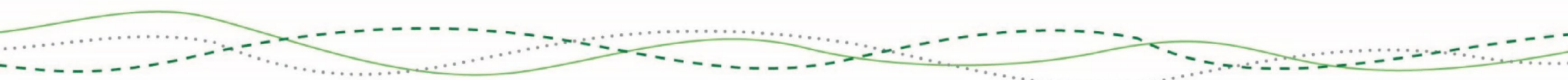
904	I wish to make a submission on the proposed Funnel Bay Hotel Development Application 20181026. I wish to submit that: The proposed building fails to be visually attractive or have a built form which integrates with surrounding development, nor design that responds to the character of the local area. The proposed heights are far in excess of any sort by any current or historic planning document for the area, the Preliminary Approval code height, or the overall Building Heights Plan by Funnel Bay Pty Ltd based on their vision of the site and should not be approved. It appears this plan fails to meet a number of the actual outcomes required by the Planning Scheme and the Preliminary Approval, it should therefore not be approved. I believe this development plan includes excessive reflective surfaces that could distract or confuse pilots. I propose that buildings should have a low-rise tropical design, have a stepped profile following the natural ground level and being on land steeper than a 15% slope, alternative construction methods to slab on ground are utilised. As the preliminary approval does not supply setbacks for buildings over 16m, these must be sort and complied with as required by the 2017 Whitsunday Planning Scheme. 3 metres between development and National Park is unacceptable. I believe a tropical low-rise design would find more local trades and builders that would be qualified to take part in the construction. This is a submission in relation to an old development application on the Flametree Hotel 20181026 that has since been approved (13 August 2019) and thus not relevant. No further action will be taken at this time.	No Action
1139	Whitsunday Major Planning Scheme 2017- Major Amendment Rezoning of the properties along Ecker Road, Preston, QLD, 4800 from rural to rural residential would cause multiple points of concern: • increased volume of traffic on a small & unsealed road (Ecker Road) as properties could be subdivided multiple times • Major increase of dust pollution from increased traffic and associated health and pollution issues on an unsealed road, i.e. Ecker Road • Increased danger from traffic accidents as turn off onto Ecker Road coming from Proserpine has no turning lane and a visible barrier due to the hill as well as danger of traffic accidents due to cane rail crossing at the same spot • Increased traffic on properties themselves due to potential multiple subdivisions on each property over time which in turn causes increased of dust, noise and not in keeping with rural character • Rural zoning allows the keeping of livestock which would be restricted under rural residential • Cattle property on the other side of Ecker Road would remain rural under the amendment which causes fragmentation of zones and potential neighbour conflicts as suburbia meets rural • Danger to wildlife and encroachment to Mt Marlow NP and fragmentation of wildlife habitat as more people would subdivide and build at the back of their block The Rural Residential zone more accurately reflects the current use of the land. In the event of a future subdivision application, the Planning Scheme major amendment development codes address amenity and traffic issues in a rural and rural residential context. The Biodiversity Waterways and Wetlands Overlay layers identify and protect our important environmental habitats in the event of subdivision applications. For the reasons above no further action will be taken. Thank you for your submission.	No Action
1243	The Airlie Beach Local Plan needs to be reviewed and changed to reflect the community's views against high rises. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. " Matters of Local Environmental Significance" should be included in the new planning scheme.	No Action Current Ongoing Projects MLES



	MLES is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme, subject to Council approval. We almost need an independent assessment done of the Planning Department's decisions and advice to the Council, as it has repeatedly ignored or broken the guidelines under which it is supposed to be operating. Any person affected by a proposed development that is publicly advertised may make a submission and will receive appeal rights to the Planning and Environment Court. The Court acts as the independent arbitrator for development assessment decisions made by Council. Thank you for your submission.	
1244	I wish the town to 12m Max building height & this to be enforced & a legal requirement. Lots of sustainable greenery & gardens. Parks. A spacious friendly town that caters to locals & visitors...& supports low income workers with low rental housing. Good supportive functioning infrastructure & public facilities Animal friendly Importantly ,locally available & affordable medical facilities. Encourage local fruit & veg markets...& stalls. Please make this happen The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Please refer to https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments Council recently consulted on the Open Space Strategy for the Whitsunday Region, refer here https://yoursay.whitsundayrc.qld.gov.au/whitsunday-development-manual-amendment-and-draft-whitsunday-open-space-strategy-2022 for the future of Council's Parks and Gardens. Council's Economic Development team continues to advocate to State Government for affordable housing solutions and affordable medical facilities within the Region, in accordance with the Economic Development Strategy, refer here https://www.whitsundayrc.qld.gov.au/our-council/publications-and-media/plans-strategies-and-reports. There is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 Council has always supported the local markets by making public land available as requested. Thank you for your submission.	No Action.
1245	Airlie Beach and surrounding areas need to be kept a coastal village feel as that is our point of difference and why most people come to the area as opposed to other tropical of Qld coastal holiday destinations. Any deviation from that with buildings higher than 5 storeys will in my opinion cause a detrimental impact on the regions tourism rather than benefit. Please preserve this regions special character. It's why we are all here and why people visit. <u>Building Heights</u> The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts.	No Action.

	Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). Please refer to https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	
1246	We do not want high rise. 5 stories is too much! Protect what we have...once it's gone it's too late. People come here for it's natural beauty. The nature side is what tourists and locals appreciate and come here for. There's hardly any place like it. Protect it. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts local plan area. Precinct C is the only precinct within the Airlie Beach local plan with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts local plan area has a height limit of 14 to 18 metres (4 to 5 stories). Please refer to https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action.
1247	Residents and visitors alike place a high value on our town NOT being like Noosa or teh Gold Coast. We celebrate teh difference. There is no need to build higher than 10 metres on our foreshore. It will reduce teh value of teh town The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action.
1248	Please can we follow the wishes of the community and stick to the town plan building heights for Airlie Beach. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action.
1270	This monstrous building will be a blight on an unspoiled and beautiful part of Airlie Beach. It does not meet with the community's expectations and vision and the Airlie Beach local plan needs major reconsideration. This development will kill the charm Airlie enjoys and will not benefit the community. I strongly object to the application. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action.
1271	██████████ formally objects to the proposed zone amendment to our property set zone as Mixed use at Shingley Drive, Airlie Beach (L103 SP303770) This submission has been superseded by Submission No 1330. Please see below for this submission.	No Action

1272	██████████ formally objects to the proposed zone amendment to our property set zone as Community facilities zone at 62 Shingley Drive, Airlie Beach (L 102 SP303770). Council identified that wet leases in the Region had no zone but require one. Communities Facilities was identified as the most appropriate zone; therefore no further action will be taken.	No Action
1273	██████████ formally objects to the proposed zone amendment to our property set zone as Community facilities zone at 2 Shingley Drive, Airlie Beach (L1 SP265779). Council identified that wet leases in the Region had no zone but require one. Communities Facilities was identified as the most appropriate zone; therefore no further action will be taken.	No Action
1274	██████████ formally objects to the proposed zone amendment to our property set zone as Mixed Use at 8 – 12 Shingley Drive, Airlie Beach (L3 SP265779). This submission has been superseded by Submission No 1330. Please see below for this submission.	No Action
1275	██████████ formally objects to the proposed zone amendment to our property set zone as Community Facilities at 4 – 6 Shingley Drive, Airlie Beach (L2 SP265779). Council identified that wet leases in the Region had no zone but require one. Communities Facilities was identified as the most appropriate zone; therefore no further action will be taken.	No Action
1276	Submission to Whitsunday Major Planning Scheme 2017- Major Amendment Rezoning of the properties along Ecker Road, Preston, QLD, 4800 from rural to rural residential would cause multiple points of concern: • Increased volume of traffic on a small & unsealed road (Ecker Road) as properties could be subdivided multiple times • Major increase of dust pollution from increased traffic and associated health and pollution issues on an unsealed road, i.e. Ecker Road • Increased danger from traffic accidents as turn off onto Ecker Road coming from Proserpine has no turning lane and a visible barrier due to the hill as well as danger of traffic accidents due to cane rail crossing at the same spot • Increased traffic on properties themselves due to potential multiple subdivisions on each property over time which in turn causes increased of dust, noise and not in keeping with rural character • Rural zoning allows the keeping of livestock which would be restricted under rural residential • Cattle property on the other side of Ecker Road would remain rural under the amendment which causes fragmentation of zones and potential neighbour conflicts as suburbia meets rural • Danger to wildlife and encroachment to Mt Marlow NP and fragmentation of wildlife habitat as more people would subdivide and build at the back of their block The Rural Residential zone more accurately reflects the current use of the land. In the event of a future subdivision application, the Planning Scheme major amendment development codes address amenity and traffic issues in a rural and rural residential context. The Biodiversity Waterways and Wetlands Overlay layers identify and protect our important environmental habitats in the event of subdivision applications. For the reasons above no further action will be taken. Thank you for your submission.	No Action.

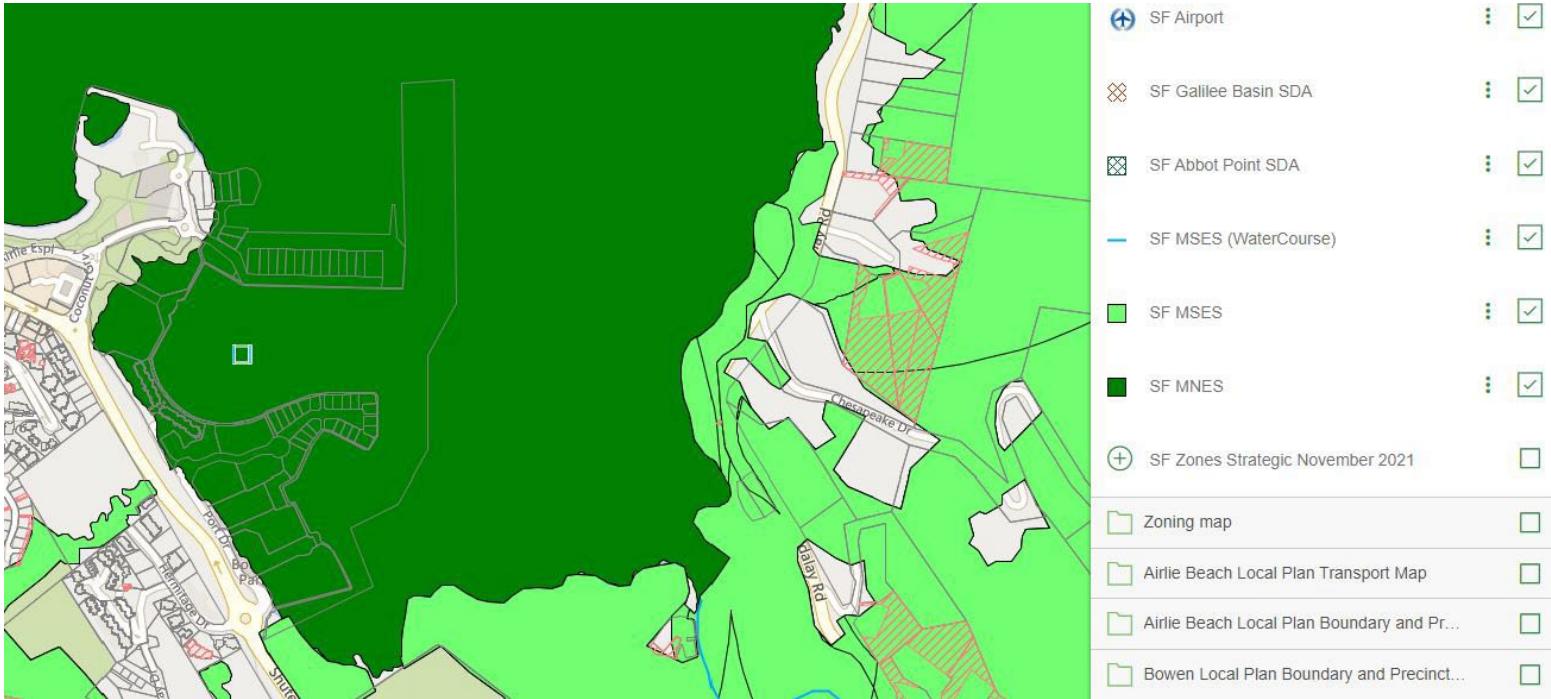


1277	My submission relates to: Whitsunday Planning Scheme Major Amendment/proposed zone amendment from rural zone to low density residential zone at 2667 Shute Harbour Road Mandalay (L5 SP149532). My submission focuses on planning issues such as: • Access from Stormvogel Drive creates potential traffic issues, including excess traffic flow. • Lack of infrastructure, such as no footpaths etc. with the current traffic flow it is already dangerous with no footpaths. • Access should be via Shute Harbour Road (similar to the recent Jungle Zoo access) not Stormvogel Drive (saving Council money by not having to add extra infrastructure e.g. footpaths). While the planning issues raised are relevant, any proposed development on the land will be required to address these issues through the Development Assessment process. Thank you for your submission.	No Action.
1278	We act for Meridien Airlie Beach Pty Ltd and Meridien AB Pty Ltd (Both Receivers and Mangers Appointed)(Both in Liquidation), and submit the attached correspondence detailing our clients' properly-made submissions in relation to the major planning scheme amendment currently on public notification. We act for Meridien Airlie Beach Pty Ltd and Meridien AB Pty Ltd (Both Receivers and Managers Appointed) (Both in Liquidation) ("Meridien"), proponents of the Port of Airlie development ("POA"), and make the submissions set out herein in relation to the proposed major amendment to the Whitsunday Planning Scheme 2017 ("the planning scheme"). The signed authority by the Receivers and Managers for Meridien in Appendix A authorises us lodge this submission on Meridien's behalf. All correspondence in relation to this submission is to be directed to the writer at the postal and/or email address set out above. The following provides a brief summary of Meridien's submissions (in no particular order), and the grounds for these are individually expanded upon thereafter: • The strategic framework mapping should be amended so as not to show the reclaimed land of POA as MNES (matters of national environmental significance). • The proposed rezoning of the POA Marina ("the marina") to Community Facilities Zone should be deleted. Alternatively, a material change of use for Port Services involving an existing marina should be made code assessable only within that zone (with relevant additions to the provisions of the applicable zone code, as necessary). • The zoning of Lot 104 on SP232115 should remain Community Facilities Zone. • The Recreation and Open Space zoning of the recently gazetted road reserve areas that were established within parts of Lot 187 on SP332711 should be deleted. • Section 8.2.5.2(2)(a) of the draft planning scheme, an overall outcome for the new Building Heights Overlay Code, should be revised to provide greater flexibility in the application of the maximum building heights provided under the overlay. • The Airlie Beach Local Plan Code and/or Table 9.4.8.3.3 of Transport and Parking Code ("TAP Code") should be amended to provide for a reduction in the specified on-site car parking rates for the local plan area, to better reflect the overall outcomes of the local plan code relating to accessibility (walkability) and car parking provision. • Table 9.4.8.3.3. (Minimum On-Site Parking Requirements) should be amended to require visitor parking for short-term accommodation uses to be provided at a rate of one space per 10 units.	Actions

Strategic Framework Mapping

The MNES mapping under the strategic framework (refer to Fig.1) follows the old shoreline of Pioneer Bay, that existed prior to the land reclamation that established POA. As such, the onshore land is mapped as MNES. This mapping does not impact any other onshore land areas of Airlie Beach.

Fig. 1 – Proposed MNES Mapping



The POA onshore land is not environmentally significant in any particular way, its reclamation and subsequent development having undergone a rigorous environmental impact assessment process, and its ongoing management and development being subject to a comprehensive environmental management regime.

Section 3.2.3.2(6) of the strategic framework provides that future urban development is to be planned and managed to avoid or mitigate adverse impact upon MNES. Whilst this strategy is laudable, and supported in relation to potential impacts on the bay itself, this should not apply to environmentally unremarkable land areas such as the onshore components of POA, in the same way that this mapping does not affect any other onshore land areas within Airlie Beach.

We therefore request that the MNES mapping be amended to exclude the onshore land areas of POA.

[Noted, this will be amended with an updated coastline for the Strategic Framework MNES overlay layer.](#)

2. Marina Zoning

Under the current version of the planning scheme, the POA marina is not zoned. The proposed amendment to the planning scheme includes the assignment of the Community Facilities zoning (refer to Fig. 2) to the marina (including the main marina basin, the southern basin and the entrance channel). Under Table 5.5.1 of the amended planning scheme, being the table of assessment for the Community

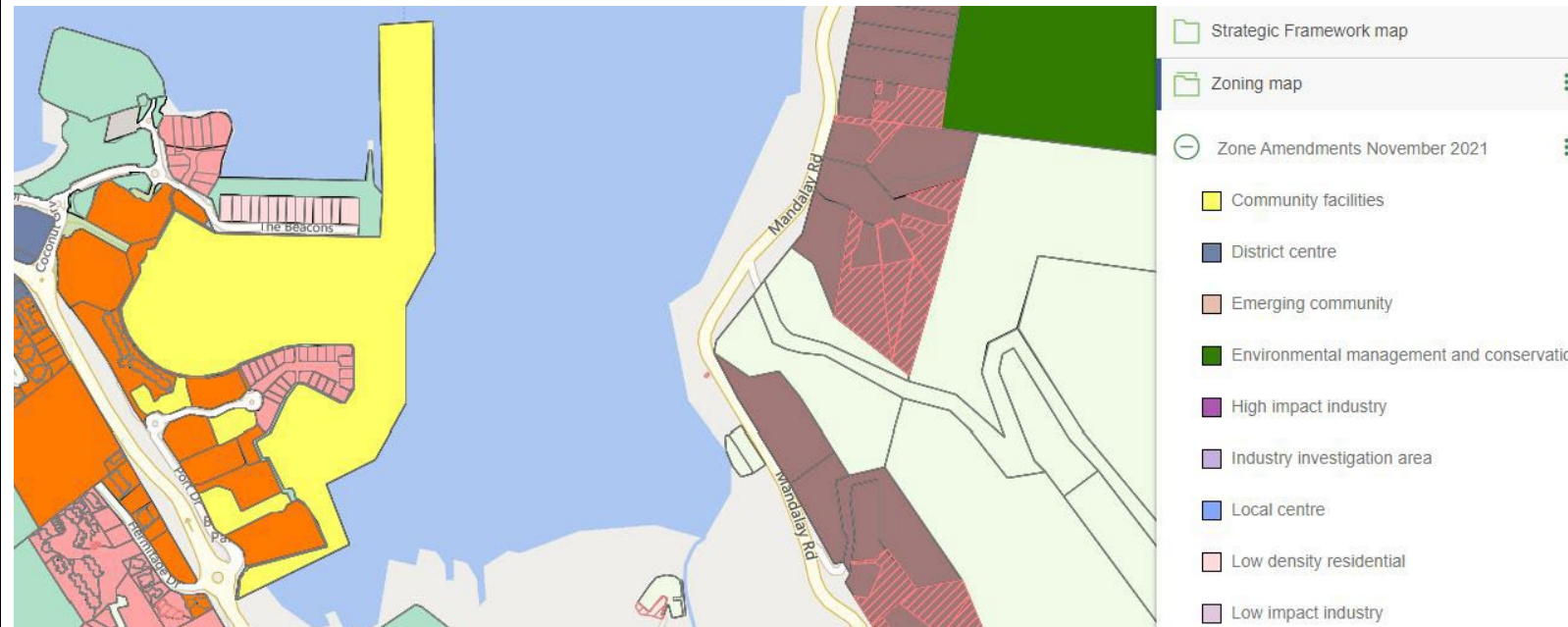
Mapping Alterations

Administration adjustments to

- Strategic Framework
 - MNES
- Zoning
 - Cadastre update

Facilities Zone, the use of land for Port Services (which covers a marina use) requires an impact assessable material change of use application and approval.

Fig. 2 – Proposed POA Marina Zoning



Whilst it is accepted that the existing and currently approved marina berths and maritime terminal infrastructure (including gangways, pontoons, piles, etc.) would remain protected by existing, lawful use rights, any further development of the marina (e.g. a proposal to install a new marina arm) would require an impact assessable material change of use application, in addition to the normal operational works (tidal works) approval. The same would apply to any future plans to expand or improve the existing maritime terminal infrastructure at POA.

Such an impost would restrict, or even prevent, future development or improvement of these key tourism assets, and runs counter to strategic objectives of the amended planning scheme; notably, Section 3.2.2.2(6), which promotes the operation of commercial tourism vessels from the POA marina, and Section 3.2.2.2(7), which identifies Airlie Beach as a key tourism area in general.

We therefore request the deletion of the Community Facilities Zoning from the POA marina as a whole. In this regard, Council is reminded that all residents and landowners of residential properties associated with the POA marina acquired these properties in full knowledge of the then prior existence of the marina and its associated activities, and have all formally accepted the potential for future development of the marina's facilities.

In the alternative, we request that the table of assessment for the zone be amended to categorise a material change of use for Port Services, where within an established marina, as accepted development subject to requirements (for which a Port Services Code would have to be prepared) or, at the most, as code assessable development.

[Appropriate uses are within Tables of Assessment for Community Facilities will ensure all uses are relevant \(including levels of assessment\) for all wet leases within Region.](#)

3. Zoning of Lot 104 on SP232115

The major amendment includes a proposal to rezone the above site ("Lot 104") from Community Facilities Zone to Mixed-Use Zone. We understand that this proposal arises from a request to Council by the current owner of Lot 104, the Whitsunday Sailing Club ("WSC"), for it be rezoned as now proposed.

Meridien strenuously objects to this proposed rezoning to Mixed-Use Zone. The grounds for this objection are that this valuable, marina-front lot that was established by Meridien at very substantial cost, was in effect gifted to the WSC exclusively and specifically for the purposes of establishing a community facility, in the form of a maritime academy.

In addition, a complete marina arm was constructed for the WSC by Meridien, again at a very substantial cost, specifically to serve the proposed maritime academy. These works were a requirement of the Queensland Coordinator-General's approval of POA as a state-significant, coordinated project, and were also a requirement of the current infrastructure agreement between Meridien and Council.

It is understood that the WSC's request for this rezoning arose from a maritime academy having been established elsewhere, on the WSC premises, and that the WSC now seeks to sell Lot 104 to a developer.

This proposal by the WSC would result in the loss of a major community benefit to the Airlie Beach and the region, and is in direct conflict with:

the Co-ordinator-General's approval of POA,

the infrastructure agreement between Meridien and Council,

the very purpose for which the land was transferred to the WSC in the first place, and

the interests of the wider community, including tourists, as it would result in the permanent loss of a site that could be put to use for some other form of community benefit or tourist feature, such as, for example, a landscaped waterfront park or picnic site, a marine interpretive centre, or some other form of maritime-related community amenity.

On the above basis, we request that the proposed rezoning of Lot 104 from Community Facilities Zone to Mixed-Use Zone be deleted from the planning scheme amendment, and existing zoning be retained.

[Council considered the community benefit when the request was put to Council and the impact was found to be negligible. The Mixed Use Zone will be retained in the Whitsunday Planning Scheme major amendment.](#)

4. Gazetted Road Reserves

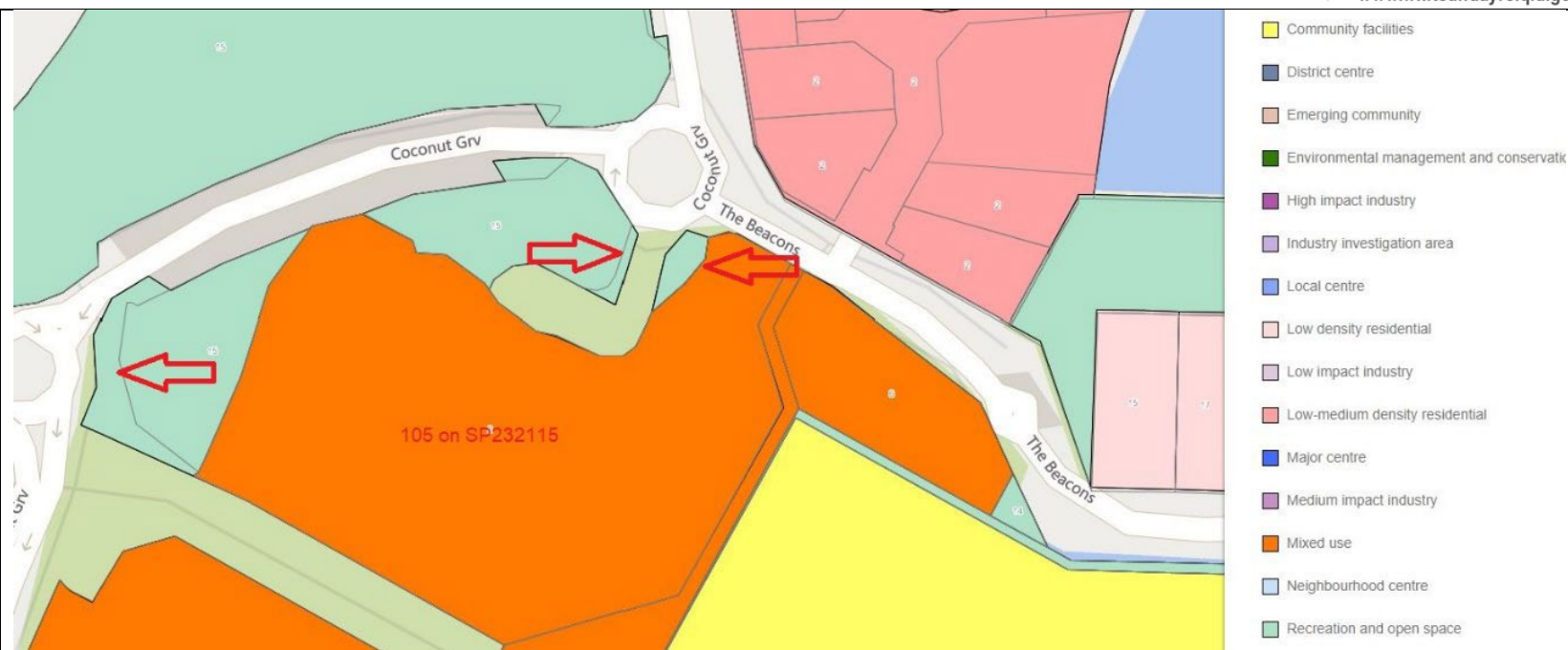
The amended zone mapping assigns the Recreation and Open Space Zone to recently gazetted road reserves, that previously formed parts of Lot 187 on SP332711 (Fig. 3) and were established to eliminate sub-standard road linkages and facilitate suitable road access to the approved subdivision over Lots 105 on SP232115 and 106 on SP172255.

Fig. 3 – Location of Gazetted Road Reserves

Mapping Alterations

Administration adjustments to

- Strategic Framework
 - MNES
- Zoning
 - Cadastre update



This mapping inaccuracy should be corrected.

[The Zone layer will be updated taking into account the latest cadastre.](#)

5. Building Heights Overlay Code

The assessment benchmarks for this code set the various maximum building heights for the local plan areas and zones (Table 8.2.5.3.2.) as acceptable outcomes (“AOs”) only. This initiative is welcomed, as it provides flexibility that in turn would help to promote visual variety in built forms and good architectural and urban design. The approach with respect to building height in the assessment benchmarks of the Airlie Beach Local Plan Code and the Building Heights Overlay Code appear to be somewhat at odds. The Airlie Beach Local Plan Code is drafted to provide helpful guidance for performance based outcomes, whereas the Overall Outcome (2)(a) of the Building Heights Overlay Code provides that development is generally in accordance with the maximum building heights identified for local plan codes, zone codes and building classes. Given the outcomes that Council seeks to achieve for Airlie Beach, it is submitted that performance based provisions would be more appropriate to achieving those outcomes.

We propose that the above-mentioned overall outcome be re-worded to provide that the height and bulk of buildings promotes visual variety and good architectural and urban design, and does not impact adversely upon the amenity of adjoining dwellings or streetscape character, or visually dominate the hillsides upon which they are located. An overall outcome drafted along these lines would improve the “line of sight” between itself and the relevant performance and acceptable outcomes relating to building heights.

[The requested requirements are included in the Airlie Beach local plan and as such are not required in the Building Heights overlay code.](#)

6. On-Site Car Parking Rates

Overall Outcome (i) of the Airlie Beach Local Plan Code reflects the need for on-site car parking provision rates to recognise the inherent pedestrian accessibility and walkability of Airlie Beach.

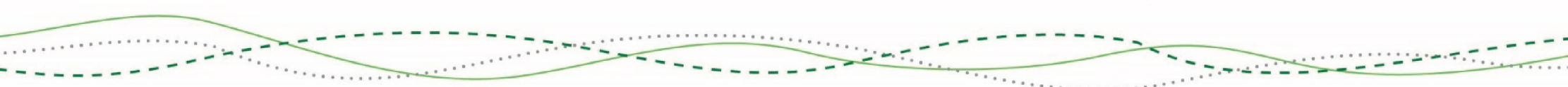
This aspect of the planning scheme amendment is laudable and supported by Meridien. However, this principle is not carried through to the assessment benchmarks of the local plan code.

Omit/Insert

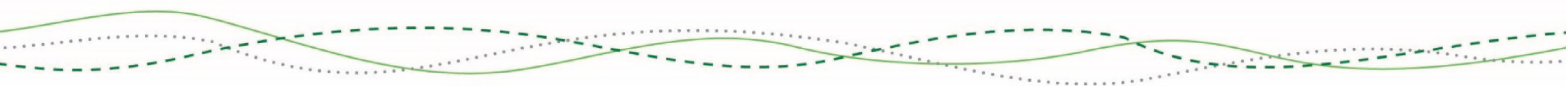
Insert AO for cross utilisation of car parking within Airlie Beach local plan as per Purposes Outcome 2(j) of ABLP.

	AO19.2 of the local plan code provides that on-site car parking is to be provided at the rates set out in Table 9.4.8.3.3 of the Transport and Parking Code ("TAP Code"). Neither the AOs of the code, nor the TAP Code table, reflect the principle espoused by the overall outcome, in that the car parking rates specified by the table do not provide for any adjustment to reflect the inherent walkability and accessibility of Airlie Beach. We propose that either the local plan code or the TAP Code table (or both) be amended to provide for a reduction in the specified on-site car parking rates for the local plan area, such as the 30% reduction provided by AO2.1 of the TAP Code for cross-utilisation of car parking within mixed-use developments. Cross utilisation is written into the Airlie Beach local plan through the overall outcomes, and it was intended to be referenced in the AO's in accordance with the intent of AO2(j). This will be rectified and is considered an administration amendment. 7. <u>Visitor Car Parking for Short-Term Accommodation</u> Table 9.4.8.3.3 of the TAP Code provides that short-term accommodation developments are to provide visitor car parking at a rate of one space per five short-term accommodation units. This rate of visitor car parking provision is the same as that specified in the table for multiple dwelling units (for permanent residential occupation). We submit that this is incorrect, and that a lower rate of visitor car parking provision should apply for short-term accommodation than that for multiple dwelling units. Intuitively, it is reasonable to expect that the rate of visitation to the occupants of short-term accommodation units would be lower than that expected for residents of multiple dwelling units. In this regard, it is to be noted that the Judgment given in Planning and Environment Court Appeal No. 460 of 2022, in relation to a development over Lot 105 on SP232115 and Lot 106 on SP172255 within POA, includes a condition requiring carparking for multiple dwelling or short term accommodation at a rate of 0.1 spaces per unit for visitors We therefore request that Table 9.4.8.3.3 be amended to provide that visitor car parking be provided for short-term accommodation developments at a rate of one space per 10 units. Council is comfortable with the current parking rates for short term accommodation. No further action will be taken on this request. Thank you for your submission.	AO - Mixed use development that demonstrates cross utilisation and a variation in temporal demand between uses on site can apply for a dispensation to reduce Business or Entertainment activity car parking rates by up to 30%, excluding office uses. Note – A Traffic impact assessment report prepared in accordance with PSP SC6.7 (Growth management) may assist in demonstrating compliance with the acceptable outcome. Future Investigation Visitor car parking rates for short term accommodation.
1279	I object to over height developments in both Airlie Beach and the Bowen Foreshore. The parking issue is a joke at Airlie Beach as we all wait for the longed talked about Traffic and Parking study The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. The height increase along the Bowen foreshore is intended to encourage development along the Foreshore, while being sympathetic to the Bowen character. Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. Thank you for your submission.	No Action.
1280	The Council must prioritise maintaining a village atmosphere in Airlie Beach as well as protecting all public foreshore and greenspaces. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action.

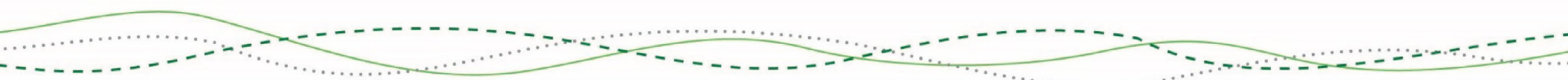
1281	RE: WHITSUNDAY PLANNING SCHEME 2017- MAJOR AMENDMENT Please see our submission to the above attached. In the interests of the community and public interest, we and members/supporters are concerned that in recent years the town plan has become overwhelmingly developer-driven. We understand the need to put 'roofs over people's heads' but when the primary driver is developer profit over the greater good, the longer-term outcomes for the community are not good. Therefore we have cc'd Mayor Hall and all Divisional councillors with this submission to add to their understanding of importance of these matters for the community. Save Our Foreshore Inc makes the following submission to the Draft Major Planning Amendment. The submission is a compilation of comments received from members and supporters. The bulk of comments are to do with proposed changes/increased building heights in the Airlie Beach precincts. These are consistent with over 2200 public submissions made against the proposed 42m/12 storey high-rise on the Port of Airlie foreshore, which proposal also requires the taking of public recreation reserve for road reserve to provide access to this proposal. Clearly, there is significant community, business, and tourist opposition to any high-rise development on the foreshores. This opposition has been consistent since the first high rise was proposed on the Airlie Beach foreshore in 2004 and earnestly continues to this day. Our community looks to the Whitsunday Regional Council (WRC) to ensure that building heights are kept to the reasonable limits of previous plans and to protect the unique low-rise atmosphere known and appreciated, not only by residents of Whitsunday, but by the multitudes of tourists who have expressed their admiration and enjoyment of Airlie Beach to members of Save Our Foreshore over the years. "If we wanted to see high-rise, we'd be at the Gold Coast and not here" is a frequent statement from visitors. Developer driven town plans which appear to be encouraged by some councillors and council staff are at odds with community expectations and as such, serve vested interests rather than planning the best outcomes for our community as a whole. COMMENT: SOF feels that it should be mentioned that our community has been subjected to an extremely burdensome time in the past months with four different planning schemes being released for public comment. These documents required careful consideration and examination, but these 650 pages of the Whitsunday Planning Scheme 2017 - Major Amendment are a masterpiece in obfuscation which probably dissuades many members of the general public from getting past the introduction, let alone making a submission. If we were inclined to be cynical it could be argued that WRC is deliberately attempting to wear down community opposition to high-rise developments by attrition. Council's public notification minimum requirement pursuant to the Minister's Guidelines and Rules 2020 is 20 business days, Council advertised the Major Amendment for approximately 3 months, far more than required. Council understands how complex the Planning Scheme amendments were, hence, Fact Sheets were developed to help the public understand the amendments in each context and Council was available for meetings or discussions anytime. Council is committed to undertaking smaller more targeted amendments in the future to assuage public concern regarding large amendments. AMENDMENTS: SOF suggests the following amendments to whichever section/part/table/overlay et al of the Whitsunday Regional Council Planning Scheme - February 2022 (V4.3) refers to the following:	Action Omit/Insert
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	Foreshore buildings - maximum building height - 10 metres above ground level and 3 storeys. Main Street (McDonald's side), Port of Airlie, Coral Sea Marina maximum building height - 14 metres above ground level and 4 storeys. Waterson Way (Precinct C) maximum building height - 18 metres above ground level and 5 storeys. See Response to Submission 2 on page 2 of this document. That the Strategic Intent supports low-rise development in Airlie Beach with no buildings over 18m - 5 storeys in any Airlie Beach precinct. This request for inclusion into the strategic intent will be considered at the nearest available opportunity, please be advised this may take some time. Building Heights The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts. Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it. That the number of storeys must be stated as well as a maximum height in metres. See Response to Submission 2 on page 1 of this document. See Figure 1 on the last page of this document. That all maximum heights (metres & storeys) remain an overall outcome. 'Generally in accordance' with heights is not to be acceptable as 'maximum'. See Response to Submission 2 on page 2 of this document. PARTICULAR AMENDMENTS: PART I-INTRODUCTION: That the following statement be included; <i>This Planning Scheme represents a "contract" between the local community and the council. Only minor variations will be permitted.</i> The Whitsunday Planning Scheme is a balance of five strategic principles of liveable communities and housing, economic growth, environment and heritage, safety and resilience to hazards and infrastructure. The Planning Scheme represents a local interpretation of the State Planning Policies.	Entire PS 'Maximum' will be removed from the Planning Scheme in relation to Building Heights, any other misc. references will be deleted and Note added. "Note: where a development exceeds the building height identified in Table 8.2.5.3.2/Table 8.2.5.3.3, public consultation must be undertaken in accordance with the Planning Act 2016."
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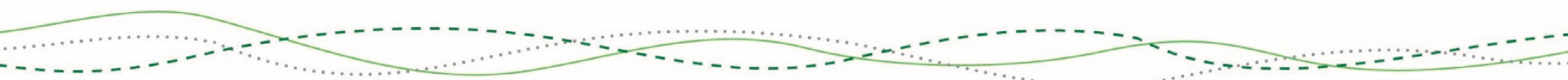


	The Planning Scheme needs to remain flexible while compliant with the Planning Act 2016, the requested wording is contradictory to both and therefore no further action will be taken. PART 3.2. STRATEGIC INTENT: That the statement "No high-rise development on foreshores" be incorporated into this statement of Strategic Intent of the Planning Scheme. This request for inclusion into the strategic intent will be considered at the nearest available opportunity, please be advised this may take some time. PART 3.2.S INFRASTRUCTURE That the following issues be included; Increasing traffic is creating issues at the Shingley Drive/ Shute Harbour Road intersection that will need addressing. That a future public parking site is considered, and a location defined within the Airlie Beach Precinct as a matter of urgency. The intersection of Shingley Drive and Shute Harbour Road are under the jurisdiction of the Department of Transport and Main Roads. Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. A Precinct Parking Plan (as per Table 7.2.1.3.1 AO19.1 Editor's Note) to address the perceived parking issues within Airlie Beach is being developed by Council outside of the Whitsunday Planning Scheme. PART 4.4.3 STORMWATER NETWORK Question: Has the anticipated 10/50/100 year flood events been adjusted to take into account climate change and increasing severity and frequency of flood events. The Development Manual represents best practice for infrastructure design for the Region, this stipulates the built requirements of Stormwater pipes. This manual takes into account best practice for Australian Standards, the Queensland Urban Drainage Manual and has recently been updated by Council. The amendment included technical amendments to stormwater infrastructure, including expectations for flood and stormwater reports, interallotment drainage and managing overland flow. The Flood Hazard Overlay Code and Mapping consider climate change modelling within the Town of Whitsunday, and updated flood modelling (including climate change) is being completed for other towns within the Region. PART 6 ZONES This draft amendment deletes all reference to maximum building heights; having to consult a map and a table to work them out does not simplify use and obstructs engagement. AMENDMENT: Reinstate definition of building heights so all information for a zone is in one place, instead of diffused throughout this massive document. Building Heights Overlay	Future Investigation Investigate the wording of the Strategic Intent
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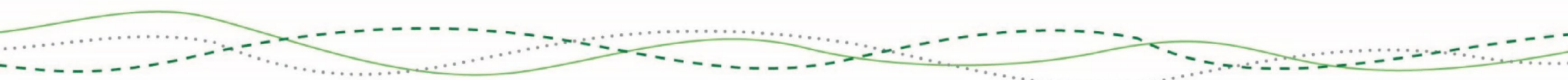


Planning Scheme Major Amendment Submission Analysis Post Consultation Report April 2023

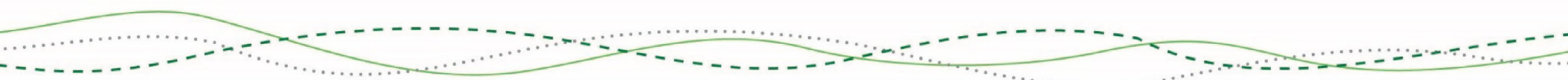
	MLES is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. And in addition; (2) <i>The purpose of the Emerging community zone code in the local government area is to ensure that development is designed and coordinated to achieve safe, healthy and sustainable new urban communities, which are well integrated with existing communities and provided with services and infrastructure</i> Urban parks and open spaces: There must be no reduction in current urban parks and open spaces. The Covid pandemic demonstrated the need for and importance of having such easily accessible spaces within higher density urban development. Not everyone has a car nor access to transport to be able to make use of further away parks and gardens. Council should ensure that allocations of urban green spaces are a requirement of all subdivisions. Subdivision and Residential accommodation development have benchmarks for open space areas, landscaping and maximum site coverage. A percentage of infrastructure charges for new development contribute towards future public open space 6.2.10 LOW-MEDIUM RESIDENTIAL ZONE CODE <i>Add:</i> The scale of any development must be in keeping with neighbouring properties. The intent of the zone is to have a mix of residential products that are compatible while in keeping with the zone outcomes. Requiring identical scale is the opposite of the intent of the zone outcomes, therefore no further action will be taken. PART 7.2.1 AIRLIE BEACH LOCAL PLAN: Administrative and councillor support for "higher density development" along the foreshore to be removed from the Airlie Beach Local Plan. The overwhelming response in the feedback to the Greater Airlie Beach Masterplan was "NO HIGH RISE". The council response was that the Airlie Beach local plan would address this. But there is no mention of high rise in the local plan released as part of the planning scheme changes. Whereas the Bowen local plan states; <i>"Development is compatible with the intended scale and character of the streetscape and surrounding area and does not exceed the maximum building height defined within the Building Heights Overlay Code"</i> This does not appear in the Airlie local plan. Indeed, the document authors seem to have gone to some length to hide details of building heights - removing them from Part 6 and not mentioning them at all in the local plans. Also, it is necessary to access a map (missing from the document set) and a table to work out what the particular building height limits are. <i>Change:</i> - Reinstate all building heights, so they are part of the zone description. The height limits were diffused throughout the Planning Scheme document, the major amendment has consolidated them into one Overlay Code (with Mapping online) for ease of use. The mapping is here https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments PART 7.2.1 AIRLIE BEACH LOCAL PLAN: <i>continued</i> This document also includes the following statement;	MLES
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	" development in Precinct D incorporates a luxury hotel, including function facilities, designed to cater for a premium tourism market." Where is the study that demonstrates a demand for this? Where are the premium hoteliers knocking on the door wanting to build a luxury hotel? Without evidence, this is just supposition providing an excuse for developers. Surely this Major Planning Amendment should only represent clearly defined NEED. WRC should let market forces determine an outcome and wait for a premium hotelier to approach them, rather than creating premature regulations which may or may not be suitable. Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>, and a Needs Assessment Report to justify such a development may be required to demonstrate demand. 7.2.1.2 Purpose and overall outcomes There is clear, consistent, and widespread feedback from the local community stating NO HIGH- RISE DEVELOPMENTS on our foreshore. This confirms that the following statement should be retained, and emphasised; (a) <i>The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained;</i> The Airlie Beach Local Plan 2 (a) states: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i> This statement was a last minute inclusion by Council as a result of community comment. It is difficult to articulate clearly what it means as it can be contradictory (small scale / compact) and hard to quantify (visually penetrable) through performance criteria. It is recommended this clause be removed. This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. IN ADDITION: INFRASTRUCTURE LIMITS DEVELOPMENT It should be noted although it is intended to provide a second road into Cannonvale there are no plans to upgrade the single road into Airlie Beach. This will be a constraining factor on future development in Airlie Beach and beyond. With such constraints it is absurd to compare Airlie Beach with the Gold Coast. The matter of variations to building height controls in Airlie Beach has been considered. While Council is not changing the building heights within the Airlie Beach local plan, there is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 Shute Harbour Road is owned and managed by the Department of Transport and Main Roads and not under Council control. PEDESTRIAN FRIENDLY	Airlie Beach Local Plan (2)a will be deleted: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i>
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	Given that Waterson Way provides a better route for traffic, the Main St should be made pedestrian friendly (e.g. as per Cairns Esplanade) Buses to be rerouted via Waterson Way. Stops established on Waterson Way at the Starfish roundabout end and adjacent to Woolworths at the other. By choosing the most appropriate stop to alight passengers will not have to walk any further along Main Street to access businesses and services than at present. Council has recently undertaken Public Consultation on pedestrian movement in the Airlie Beach Main Street to inform future decision making about pedestrian vs vehicle priority. Refer to https://yoursay.whitsundayrc.qld.gov.au/airlie-beach-main-street-crossing-works PARTS: 8.2.5.2 Purpose and Overall Outcomes (a) Replace: (a) development is generally in accordance with the maximum building heights With: development is does not exceed the maximum building heights This includes Table 8.2.5.3.3 Major Centre Zone where a maximum building limit of 12m applies. And Table 8.2.5.3.2 Local Plan Building Heights - change all to 12m. The Ministers Guidelines and Rules 2020 Chapter 2 Part 4, 18.3 states the '<i>local government must consider every properly made submission about the <u>proposed amendment</u> and consider other submissions</i>'. The matter of variations to building height controls in Airlie Beach has been considered. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. or the Major Centre Zone. The height increase along the Bowen foreshore is intended to encourage development along the Foreshore, while being sympathetic to the Bowen character. No further action will be taken for this request. SCHEDULE 6 - Planning scheme policies SCG.6 Third party advice or comment planning scheme policy It is noted that there is no requirement to put up a public notification if a development is code assessable. Previously we believe this was not the case and every development change had to put up a notification sign. This way people were informed of proposed changes to their neighbourhoods. Recommendation: That in the interests of transparency ALL applications whether code or impact assessable must erect a public notification on the site describing the proposal and where to find information. The <i>Planning Act 2016</i> Section 53 stipulates what assessable development must be publicly notified. Code assessable applications are not required for public notification; however all applications are on Council's website for public viewing at any time. Refer to https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning Track my DA. Council is required to follow legislative obligations under the Act, public notification requirements are determined at a State level. In conclusion, Save Our Foreshore Inc would like to thank Whitsunday Regional Council for this opportunity to comment on the Whitsunday Planning Scheme 2017 - Major Amendment Thank you for your submission.	
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1282	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – 98 SHUTE HARBOUR ROAD, CANNONVALE – LOT 43 RP715295 – PROPOSED ZONE CHANGE – LOW-MEDIUM DENSITY RESIDENTIAL TO LOCAL CENTRE On behalf of [REDACTED] as Trustee, we lodge a formal submission in support of the abovementioned changes proposed as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons: • The subject site was zoned commercial under the 2009 Whitsunday Shire Planning Scheme and also previous planning schemes. • The subject site has a history and continues to operate for commercial type uses such as shops, office and the like. • This development has been in existence well before the construction of the multiple dwelling units located at the rear of the site. The assessment of these two uses was therefore undertaken at the time of the approval of the multiple dwelling units. The use at the rear of this site was originally a caravan park and then converted to multiple dwelling units. • The site has been well established and it would be very unlikely that the site would be used for residential purposes due to the well-made construction of the buildings and their construction life. The only way a residential purpose could occur on this site would be to demolish the buildings and start again. • The subject site and its current use can be defined as an office and the activities undertaken are more suited for a site zoned Local Centre versus Low-medium density residential. Should you require any further information, please do not hesitate to contact us. Council acknowledges your support for the amendment. Thank you for your submission.	No Action
1283	A SUBMISSION TO WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT ON BEHALF OF SANCTUARY LIVING INVESTMENTS PTY LTD – WHITSUNDAY GREEN ESTATE Vision Surveys (QLD) Pty Ltd [VSQ] act on behalf of Sanctuary Living Investments Pty Ltd A.C.N 609 504 485 (Sanctuary Living) C/- VSQ, the owner of land identified as Lots 131 SP319675, 600 SP319675, 132 SP318469, 6 SP225070, 15 SP225070, 501 SP261042, 502 SP261042, 503 SP261043 and 16 SP178753. The Sanctuary Living landholding is generally located between Shute Harbour Road to the east and Dunning Road to the west, and on both sides of Riordanvale Road, Cannon Valley. The landholding makes up the Whitsunday Green Master Plan Area with two Preliminary Approvals in place, guiding all future development on the landholding. Preliminary Approval 20050619 (DA1) provides for the master planned area generally framed by Shute Harbour Road, Regatta Boulevard (part) and Riordanvale Road; and Preliminary Approval 2005622 (DA2) applies to all the remaining land within the landholding. The two preliminary approvals override the Council's Planning Scheme. Submission This submission is in relation to the proposed changes to Section 9.4.7 Reconfiguring a lot code (ROL code). The preliminary approvals set out lot sizes, dimensions etc. and the Planning Scheme ROL code provides Council will assessment benchmarks, where none is approved as part of the preliminary approvals i.e. DA1 or DA2, as relevant. In the event of any inconsistencies between the preliminary approvals and the ROL code, the preliminary approvals prevail. It is noted that the ROL code is being amended to include the ability for Council to request a structure plan as part of any development application for reconfiguring a lot. This is common practice within other Local Government areas and is generally supported. However, Sanctuary Living does not support the wording of PO7 and associated AO7.1(a) or PO8 and associated AO8.1(a).	Actions

	PO7 states: “Development provides for a lot layout and configuration of roads and other transport corridors that sensitively respond to surrounding environmental values, development and any structure planning undertaken by Council”. It is submitted that the wording <i>any structure planning undertaken by Council</i> is unreasonable and uncertain in its’ current wording and the PO should read as follows: <u>Development provides for a lot layout and configuration of roads and other transport corridors that sensitively respond to surrounding environmental values, development and any structure plan approved by Council whether or not forming part of an existing development approval.</u> Council acknowledges that the wording of the PO and AO require more clarity, however Council does not agree that the proposed wording provides further clarity. Council will achieve clarity by simplifying the wording of the PO and AO. The wording will be amended to: PO7 Development provides for a lot layout and configuration of roads and other transport corridors that sensitively respond to surrounding environmental values, and development and any structure planning undertaken by Council Structure plan. AO7.1(a) states: “any Structure Plans completed by Council” <i>It is submitted that the wording is also unreasonable and uncertain and should be amended to read as follows:</i> <i>any existing development and any structure plan approved by Council;</i> AO7.1 (a) will be amended to: any Structure plans completed by Councilany Council Structure plan; PO8 states: “Development is appropriately planned, encompassing structure planning undertaken by Council, best practice lot layout and neighbourhood/estate design, whilst providing efficient land use pattern and effectively connecting the site with existing or planned development”. <i>It is submitted that the wording encompassing structure planning undertaken by Council is uncertain and the PO should instead read as follows:</i> Development is appropriately planned, encompassing <u>any structure plan approved by Council or as part of an existing development approval</u>, best practice lot layout and neighbourhood/estate design, whilst providing efficient land use pattern and effectively connecting the site with existing or planned development. Council acknowledges that the wording of the PO and AO require more clarity, however Council does not agree that the proposed wording provides further clarity. Council will achieve clarity by simplifying the wording of the PO and AO. PO8 will be amended to: Development is appropriately planned, encompassing structure planning undertaken by any Council Structure plan, best practice lot layout and neighbourhood/estate design, whilst providing efficient land use pattern and effectively connecting the site with existing or planned development. AO8.1(a) states: “aligns with any Structure plans completed by Council”	Omit/Insert (red insert) PO7 Development provides for a lot layout and configuration of roads and other transport corridors that sensitively respond to surrounding environmental values, and development and any structure planning undertaken by Council Structure plan. AO7.1 (a) any Structure plans completed by Council any Council Structure plan PO8: Development is appropriately planned, encompassing structure planning undertaken by any Council Structure plan, best practice lot layout and neighbourhood/estate design, whilst providing efficient land use pattern and effectively connecting the site with existing or planned development. AO8.1: aligns with any Structure plans completed by Council Structure plan;
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	<i>It is submitted that the wording is unreasonable and that it should be amended to read as follows:</i> <i>aligns with any existing development or structure plan approved by Council whether or not forming part of an existing approval;</i> AO8.1: aligns with any Structure plans completed by Council; will be amended to: aligns with any Council Structure plan; <i>We look forward to receipt of Council's acceptance of this submission. If you require any additional information or wish lease do not hesitate to contact the undersigned.</i> Thank you for your submission.							
1284	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT-VARIOUS MATTERS Wynne Planning and Development Pty Ltd lodge a formal submission against the following changes as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons: <u>TABLE OF ASSESSMENT</u> <u>Low Impact Industry Zone</u> The table of assessment states an 'office' is code assessment. It seems unreasonable for a business to need a planning approval just to provide their administration office to run their business. We recommend the table of assessment be changed to allow for 'ancillary' office to be accommodated, even if this area is capped to say less than 100m2. The assessment could read: <table border="1"> <tr> <th>Use</th><th>Categories of Development and Assessment</th><th>Assessment Benchmarks for assessable developments for accepted development</th></tr> <tr> <td>Office</td><td>Accepted development if: complying with the acceptable outcomes of the applicable code(s); and involving no building work; or only minor building work; and ancillary to the industrial activity being conducted on the site; and not containing a GFA of more than 100m2.</td><td>Business Activities Code Transport and Parking Code</td></tr> </table> The definition of 'use' under the Planning Regulation 2017, states 'for premises, includes an ancillary use of the premises', therefore no further action will be taken. <u>Medium Impact Industry</u> The table of assessment states an 'office' is code assessment if ancillary to an Industry Activity on the premises. It seems unreasonable for a business to need planning approval just to provide their administration office to run their business.	Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development	Office	Accepted development if: complying with the acceptable outcomes of the applicable code(s); and involving no building work; or only minor building work; and ancillary to the industrial activity being conducted on the site; and not containing a GFA of more than 100m2.	Business Activities Code Transport and Parking Code	Actions
Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development						
Office	Accepted development if: complying with the acceptable outcomes of the applicable code(s); and involving no building work; or only minor building work; and ancillary to the industrial activity being conducted on the site; and not containing a GFA of more than 100m2.	Business Activities Code Transport and Parking Code						

We recommend the table of assessment be changed to allow for 'ancillary' office to be accommodated, even if this area is capped to say less than 100m2. The assessment could read:

Use	Categories of Developmentand Assessment	Assessment Benchmarks for assessable developments foraccepted development
Office	Accepted development if: complying with the acceptable outcomes of theapplicable code(s); and involving no building work;or only minor building work;and ancillary to the industrial activity being conducted on the site; and not containing a GFA of more than 100m2.	Business Activities Code Transport and Parking Code

The definition of ‘use’ under the Planning Regulation 2017, states ‘for premises, includes an ancillary use of the premises’, therefore no further action will be taken.

Low Density Residential

The demand for more affordable housing and accommodation in the region has restricted the ability for infill development, particularly areas where the site is large enough to accommodate dual occupancy. We therefore submit a request for consideration to enable dual occupancy to be provided (code assessable) subject to certain criteria.

Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development
Dual Occupancy	Code Assessment if complying with the acceptable outcomesof the applicable code(s)	Dual Occupancy Code

Council is currently exploring these options through Affordable Housing Consultation and has resolved to lower the minimum lot sizes for Dual Occupancy. This will form a separate amendment.

Reconfiguration of a lot

Future Investigation

Levels of Assessment for ‘Dual Occupancy’ within Tables of Assessment of Low Density Residential Zone



	The table of assessment triggers code assessment where the proposed lots comply with the minimum lot size and dimensions and A02.1 of the code. It is uncertain as to what could be gained by triggering impact assessment for a proposed reconfiguration that does not provide for the compliance with the applicable dimensions. The code provides for a suitable criteria to establish an acceptable building area and all the other parameters, making the application impact assessable will not change outcome particularly if compliance has been achieved within the remainder of the code. This change appears to just be adding another layer to the process including cost and timing for no real benefit. Noted and Council agrees with the reasoning of this request. The intention was to ensure sufficient land within a new lot for an adequate building footprint, however upon re-evaluation the impact assessment trigger for dimensions does not add sufficient benefit to the development assessment process. Currently the TOA for ROL reads: Residential Zones, Centre Zones, Industrial Zones, Emerging Communities Zone, Mixed Use Zone, Rural Zone and Rural Residential Zone. Code assessment (where not for an access easement or boundary realignment) if complying with: (a) The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. The TOA will be amended to: Code assessment (where not for an access easement or boundary realignment) if complying with: The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. Operational Works The table of assessment provides for the 'Undertaking roadworks on a local government road for a driveway' as accepted development. This also confirms a driveway has been dealt with under the Planning Scheme therefore in accordance with the Local Government Act and the Planning Act, applications under the Local Law cannot be required or enforced. Noted, the Table of Assessment will be amended to: 'Undertaking roadwork's on a local government road for a driveway' will be removed entirely. 'Undertaking roadwork's on a local government road, excluding driveways' will be added. The original intent of this amendment was to ensure all driveway constructions would require a Road Works Permit under the Local Government Act to reduce red tape and costs. Your submission outlined a deficiency in this intent which has been corrected through this amendment. Overlays Bushfire Mapping - The subject land is identified on the Bushfire Hazard Overlay Map as FDI 58. The Fire Danger Index does not require any additional reporting or additional attention where it relates to a Material Change of Use, however, is affected when applying for a reconfiguration of a lot, should an application be lodged over the site. The Table of Assessment pulls up any application on land subject to the overlay as identified on the overlay mapping, which covers the entire region. For clarity and easy of reading, perhaps the relevant trigger maps could be mentioned in the Table of Assessment as this mapping is not user friendly when reviewing for accepted development.	Omit/Insert (red alterations) TOA Reconfiguring a lot Code Code assessment (where not for an access easement or boundary realignment) if complying with: The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. TOA Operational Works Line 11 'Undertaking roadwork's on a local government road for a driveway' will be removed entirely. Line 10 'Undertaking roadwork's on a local government road, excluding driveways' will be added. Mapping Alterations Administration adjustments to - Bushfire Hazard - Fire Danger Index - Biodiversity, Waterways and Wetlands
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	<u>Biodiversity Mapping</u> - The subject land is identified on the Biodiversity, Waterways and Wetlands Overlay Map as a 'High Ecological Value Water Area'. The High Ecological Value Water Areas. A review of the code has revealed no reference to what or how this map is to be used or what is required as part of any development. The Table of Assessment pulls up any works on land subject to the overlay, as identified on the overlay mapping, which covers the entire region. We are of the view it is a mapping error and recommend including this in the submission for the site. For clarity and easy of reading, perhaps the relevant maps could be mentioned in the Table of Assessment as this mapping is not user friendly when reviewing for accepted development. In terms of the Overlay Code, we make the following comments: Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping. Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly. The accepted benchmarks for all development appear to be tailored around dwelling houses and the performance outcomes are written in the same manner. The issue in relation to the reference to buffers from waterways which requires clarification is: A03.I - If you run a property report, the waterway is only listed if it is located on your property and not an adjoining property. This provides for uncertainty in terms of compliance; Unfortunately, the property reports at this time are limited and are meant to be a guide only (see disclaimers), for a complete assessment please see Council's Mapping here https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments A03.I - The acceptable outcome refers to Table 8.2.4.3.3, this table then refers to Stream orders. How does a individual person determine without having to pay a professional, adding to their ongoing list of expenses to build a house, what the stream order of the waterway is? A plan should be added to include the stream orders to avoid additional costs on landowners. The Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order. A note will be added to the Code for clarity. Note: Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order The biodiversity code puts a lot of emphasis on providing an Ecological report to support development of a site. Council should not the cost of these reports are from \$5,000 plus to prepare which will impact on future development in the region due to the costs of more and more supporting professional reports. The code requires a stormwater quality management plan, except for a dwelling house. This code should be amended to only require the reports as per the State Planning Policy and not for all development. This request is onerous and should be amended. This code and the healthy waters code needs to be reviewed in its entirety, the whole document has not considered the real on the ground matters and how it can be achieved. We recommend these codes be removed and a workshop held with relevant parties and consultants to provide an input to improve, make user friendly and ensure the best outcomes.	○ High Ecological Value Water Areas Biodiversity, Waterways and Wetlands Overlay Code Add note to on where to find Stream Orders for Table 8.2.4.3.3 Note: Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order Requirements of Ecological Reports and Stormwater Management Plans for development applications will be discussed with this submitter. No changes recommended at this time.
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At a minimum to meet the SPP, Council must include Water Quality Requirements and the above requirements were considered best practice for the Whitsunday Region. However, Council is conscious of onerous requirements being put on applicants. Council will work with submitters at a later date to determine if further amendments need to be made.

Flooding

The code for accepted and assessable development provides for the relevant classes of buildings. A01.1 (c) does not include a class 7; this appears to be an oversight.

The exclusion of Class 7 (Buildings including carparks, warehouses or storage buildings) is deliberate, as they are not used for residential uses and thus not required to be above the DFL.

In terms of sheds, the maximum height is 5.5 metres, in areas where the land needs to be increased to accommodate the building 300 above the flood level, this will also increase the building height. The new building height provisions will make this impact assessment. The change in level of assessment for sheds just to accommodate additional protection from flood waters to protect their possessions is unreasonable. Provision should be made in the code for some form of allowance where the shed is raised to address the flooding issue.

This will be addressed on a case by case basis, dependant on the application's merits.

Advertising Devices

The notable change to the advertising device code is A03.3 - *'The advertising device is not internally or externally illuminated'*.

This change is unreasonable for commercial businesses which rely on the illumination of their signage or where the signage is part of a corporate branding. Furthermore, the removal of the words 'internal' should occur as the internal use of illuminated signs does not cause a traffic hazard or interfere with the streetscape. We respectfully request an amendment to this aspect of the code.

The following is an example from Townsville Regional Council which provides for a suitable outcome:

Advertising devices that are illuminated by an internal or external light source or contain a digital display component are only permitted in the following circumstances:

if located within the;

District centre zone; or

Major centre zone; or

Principal centre (CBD) zone; or

Specialised centre zone (Domain precinct only); or

Community facilities zone; or

Sport and recreation zone; or

an industry zone; or

not in the Flinders Street East precinct;

not located within 100m of a sensitive land use;

if a device containing a digital display, is not located within 500m of an existing digital display device; and

5. not exceeding the luminance value identified in Table 1 - Maximum average luminance of advertising devices.

AO3.3 is the starting point for the purposes of assessment, the Table of Assessment requires that all advertising devices are accepted development (doesn't require a Council application,) where they meet the acceptable outcomes, such as AO3.3. If the advertising device does not meet the acceptable outcomes, it becomes code assessable development (requires a Council application), the purpose of AO3.3 is for illuminated signs to be assessed by Council. Where the advertising device is illuminated it will require assessment against PO3, which allows for illumination, provided that it does not cause a nuisance.

	For clarity, internal and external illumination refers to the way a sign is illuminated, either lit up internally or from an external spotlight pointed at the sign. It does not refer to the position of a sign being internal or external to a building, signs internal to a building are not regulated. For the reasons above, no further action will be taken. A <i>further</i> item is the overall intent of the code states that 'roof signs' should <i>be</i> avoided. <i>We hereby</i> made a submission to permit roof signage where is can be accommodated in a suitable manner. There is a lot of other Councils which allow for this form of signage and the following example is provided for Townsville Regional Council: <table><tr><td> Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign. </td><td></td><td>One per roof surface.</td><td>10m²</td><td>2.5m above roof level below the advertising device.</td><td>3m 500m if the sign face consists of a digital display.</td><td> - Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place. </td></tr></table> Thank you for your request however, Council is firm on the requirements of Roof signs in terms of not supporting them within the Whitsunday Region. However Council will investigate requirements for further guidance into the Planning Scheme. <u>Dwelling House Code</u> The dwelling house cade has been amended to include a maximum combined floor area for the provision on domestic outbuildings. A lot of residents in this area construct sheds larger than 72m2 to accommodate their vehicles and toys. This is a region where people relocate to work and play, hence have all the toys to add to their lifestyle. The Queensland Development Code provides for appropriate design and siting parameters, and this should not be duplicated by adding another aspect for consideration. The current regulations provide suitable controls and where noncompliance, a planning application is lodged. This added cost will result in either landowners finding other ways around this requirement or just not constructing a shed and leaving the vehicles in the street or in the frontage of their property adding to an unsightly streetscape. We are of the view is an unnecessary additional layer. Council deliberated this matter at multiple Council meetings, and it was resolved to be entered into the Planning Scheme major amendment. However since this time there have been Planning Regulation Amendments made that make these requirements null and void. Should you have any questions, please do not hesitate to contact us. Thank you for your submission.	Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m ²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.	Future Investigations Advertising Code
Roof sign A sign painted onto or otherwise affixed to the roof of a building. The term does not include an above awning sign.		One per roof surface.	10m ²	2.5m above roof level below the advertising device.	3m 500m if the sign face consists of a digital display.	- Is contained entirely within the roof line/profile whether seen in plan view or elevation. - Contains advertising material on all sign faces visible from a road or public place.			
1285	RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT- 6-12 THE BEACONS ROAD, AIRLIE BEACH - L 104 SP232115 - PROPOSED ZONE CHANGE - COMMUNITY FACILITIES TO MIXED USE We hereby make a formal submission against the abovementioned changes proposed as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons:	No Action							

	- The subject site was part of a Co-ordinator General's approval on behalf of the project proponent, Meridien Airlie Beach Pty Ltd for the Whitsunday Sailing Club and Transtate Limited Port of Airlie Marina Project (Port of Airlie Project); - The project was approved under the State Development and Public Works Organisation Regulation 1999 as a significant project; - One of the main components of the development was a maritime training academy or similar public purpose use which was proposed on the subject site; - The marina includes up to 20 berths to be owned by the Whitsunday Sailing Club of which are located adjacent to the subject site; - One of the conditions of approval required the subject site to be gifted to the Whitsunday Sailing Club for community purposes at free of charge; - Council was required as part of this process to undertake a Planning Scheme amendment to the 2009 Whitsunday Shire Planning Scheme to zone the land for community purposes, hence the community facilities zoning; - The subject site is located adjacent two residential developments. One Airlie (zoned low-medium density residential) and The Beacons (proposed to be zoned low density residential); - The proposed development is not reflective of the quality of its surroundings. The Beacons and One Airlie homes are all positioned on larger minimum 800 sqm lots, with values well upwards of \$5 million. To develop 6 small townhouses or the like will not be attractive. The development should adhere to "The Point Code", be ESG, and visually attractive for residents and visitors to Airlie Beach in general. There will be much of that product on the adjoining lots to the Port of Airlie already; - Beacons Road only contains a width of 5.0 metres therefore does not comply with the minimum widths to accommodate additional traffic or car parking which will arise from certain accepted and code assessable development in the mixed-use zone; - If the marine academy is no longer an option for the site, based on the size of the allotment and the nearby residential developments, the most appropriate zoning for the site is Low Density Residential; Based on the above, we strongly recommended that the subject site receives a zone change to low density residential. Council considered the community benefit when the request was put to Council and the impact was found to be negligible. The Mixed Use Zone will be retained in the Whitsunday Planning Scheme major amendment. No further action will be taken.	
1286	SUBMISSION TO WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT ON BEHALF OF LOT 7 SHUTE HARBOUR RD PTY LTD, WHITSUNDAY COMMERCIAL CENTRE PTY LTD AND WHITSUNDAY COMMERCIAL INVESTMENTS PTY LTD Vision Surveys (QLD) Pty Ltd [VSQ] act on behalf of Lot 7 Shute Harbour Rd Pty Ltd, Whitsunday Commercial Centre Pty Ltd and Whitsunday Commercial Investments Pty Ltd C/- VSQ, the owners of land identified as Lot 7 RP746329 and Lot 2 SP310407. Infrastructure Overlay The two lots are identified within the Major Centre Zone by the Whitsunday Regional Council Planning Scheme 2017 and has identified the two lots as being affected by the Infrastructure Overlay - Bulk water supply, Major Electricity Buffer and Road Noise Corridor. The proposed major amendment updates the Infrastructure Overlay and identifies the land within the Water Treatment Facility Buffer, affecting the same area as the currently named Bulk Water Supply. The land is maintained within the Major Electricity Buffer and the Road Noise Corridor. The Water Treatment Facility Buffer affects many lots along Shute Harbour Road including land zoned centre, residential and low impact industry where the bulk water supply pipeline is located. Most development for a Material Change of Use in the Major Centre Zone is Code or Impact Assessable. Some uses are considered Accepted Development if located within an existing building and involving no building work or only minor building work. The Table of Assessment for the Infrastructure Overlay Table 5.10.12 is proposed to be amended to read as follows:	Actions Omit/Insert (red are alterations) Tables of Assessment Infrastructure Overlay Code Material change of use if on land: (a) subject to the Infrastructure overlay as identified in the Infrastructure overlay map; and (b) where not wholly contained within an existing building; or (c) involving building work of greater than 50m².

Table 5.10.124140 Infrastructure overlay		
Infrastructure overlay		
Development	Categories of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Material change of use if on land subject to the Infrastructure overlay as identified in the Infrastructure overlay map	No change <u>if complying with acceptable outcomes of Table 8.2.11.3.1 (Benchmarks for accepted and assessable development) of the Infrastructure overlay code</u>	Infrastructure overlay code
	<u>Otherwise code assessment</u>	<u>Infrastructure overlay code</u>

The relevant acceptable outcomes in the amended Infrastructure Overlay code are as follows:

AO10.1 –

Buildings and structures are setback from water supply pipelines a minimum of:

(a) 20m; or

(b) 10m if for a dwelling house;

i. where habitable rooms are out of the drainage path of immediately adjoining water supply pipeline if it burst; or from a water supply pipeline.

ii. building footprint cannot be sited elsewhere on the premises.

It is acknowledged that the requirement for a 20m setback is relevant to any application for a Material Change of Use that involves a new building or major building works, where consideration to the water supply pipeline must be given to ensure the integrity of the pipe. However, the AO is considered too restrictive and development inhibitive when a new use is to be carried out within an existing building with no building works or only minor building works required for the change of use. Whereas new uses have been able to establish relatively simply within an existing building in the past, this new requirement for buildings to be located a minimum of 20m from a water supply pipeline will make any change of use code assessable, for no apparent benefit or reason.

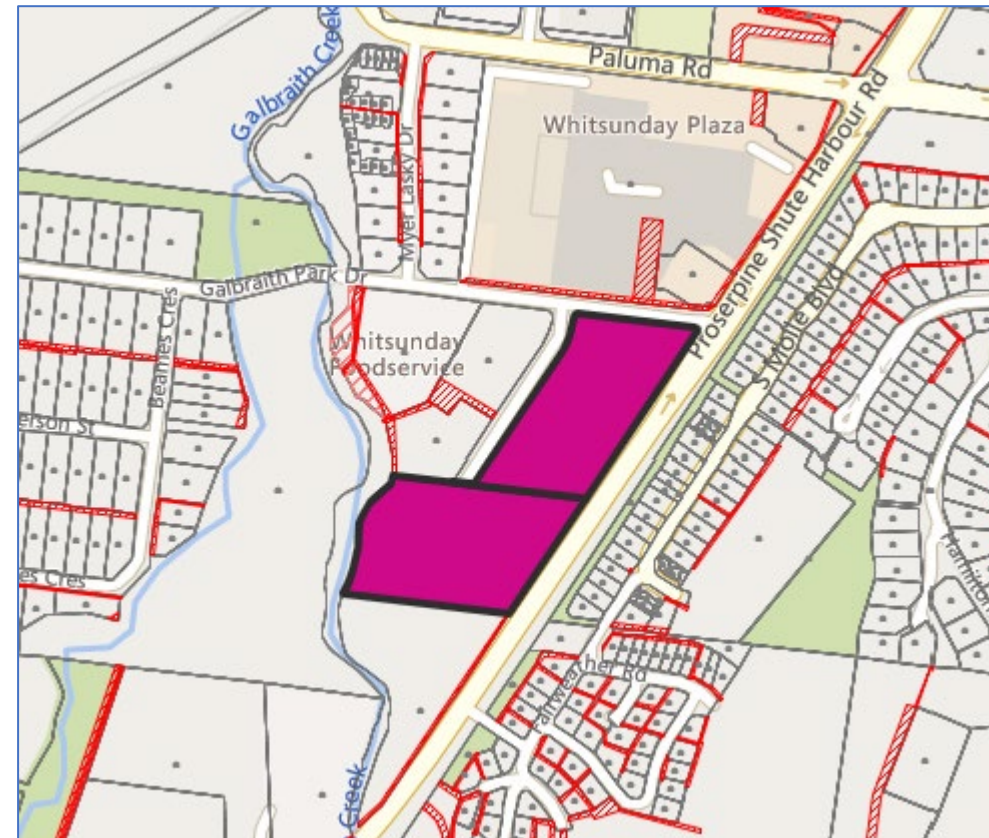
To this end, it is requested that the Development column in the Table of Assessment of the Infrastructure Overlay is revised to read as follows:

Material Change of Use if on land

(a) subject to the Infrastructure overlay as identified in the Infrastructure overlay map: and

(b) where not wholly contained within an existing building; or
(c) involving building work of greater than 50m²

We look forward to receipt of Council's acceptance of this submission. If you require any additional information or wish to discuss this matter further, please do not hesitate to contact the undersigned.



Subject Land

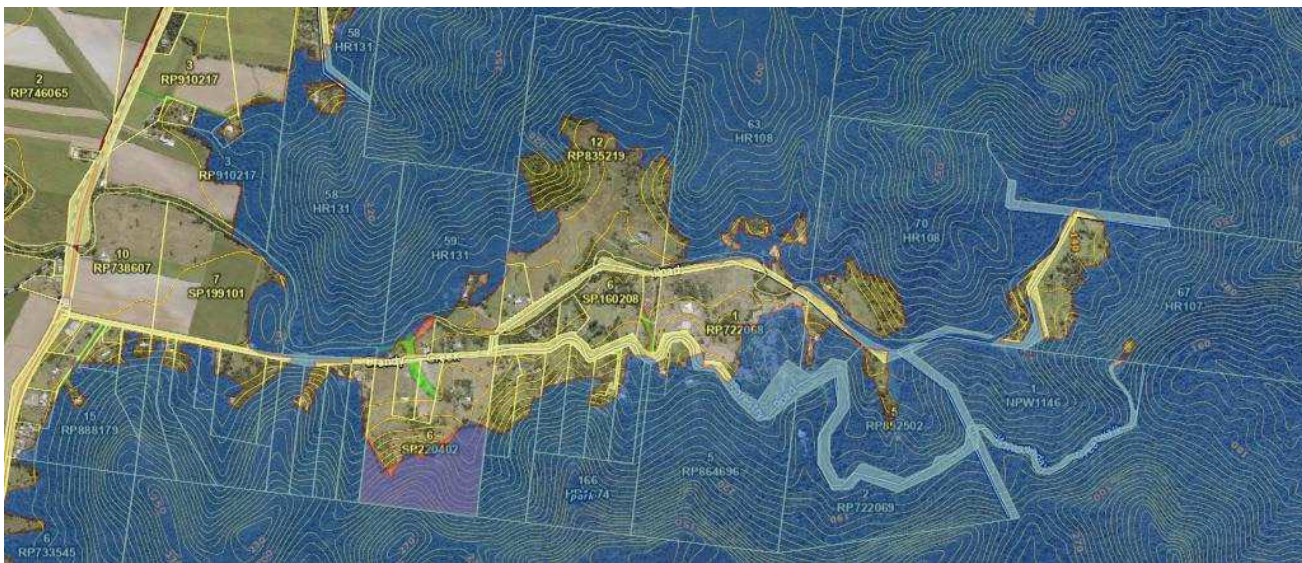
A provision for smaller buffers for dwellings houses adjoining water supply lines was put in to reduce red tape. Presently, structures require 20m buffers to adjoining bulk water supply pipes, however, it is proposed 10m buffers are accepted for a dwelling house located outside of a potential drainage path of an immediately adjoining bulk water supply pipe (in case it bursts), or buildings cannot be located elsewhere on the block. The intention was not to make a material change of use more onerous on existing buildings.

The higher level of assessment for existing building was unintended, therefore Council will amend the TOA to:

Material Change of Use if on land:

(a) subject to the Infrastructure overlay as identified in the Infrastructure overlay map; and
(b) where not wholly contained within an existing building; or
(c) involving building work of greater than 50m².

Thank you for your submission.

1287	SUBMISSION TO WHITSUNDAY PLANNING SCHEME MAJOR ADMENDMENT ON BEHALF OF LTD (TTE) • LOT 12 ON RP835219, • LOT 1 ON RP722068, AND • LOT 5 ON RP864696 Vision Surveys (QLD) Pty Ltd [VSQ] act on behalf of , the owners of land identified as Lot 12 on RP835219, Lot 1 RP722068 and Lot 5 RP864696, respectively. Background The three land parcels are located in Brandy Creek along Brandy Creek Road and Forestry Road. The parcels are identified within the Rural Zone and as agricultural land, however the small size of the usable land areas, in combination with the natural features (steep land and heavy vegetation) of the parcels, do not lend any of these land parcels to any meaningful agricultural pursuits. Brandy Creek is a rural residential node that consists of land zoned rural and rural residential, most only containing a dwelling house. The three land parcels are heavily constrained in terms of its' existing natural features, thereby resulting in any meaningful agricultural pursuits being significantly impacted by the topography, natural features including vegetation, the nearby National Park estate and adjoining rural residential development.  Figure 1 – Extent of mapped Category B vegetation in the Brandy Creek locality (Source: QLD Globe 07/09/22) It is noted that there is a gross disconnect between the State RVM mapping Council's current Environmental Significance and proposed Biodiversity Mapping. The extract from State mapping above shows the RVM mapping for Category B, leaving only small pockets of developable land in the Brandy Creek locality, not requiring significant clearing works.	Actions Future Investigation of Rural Residential areas will be undertaken in 2023
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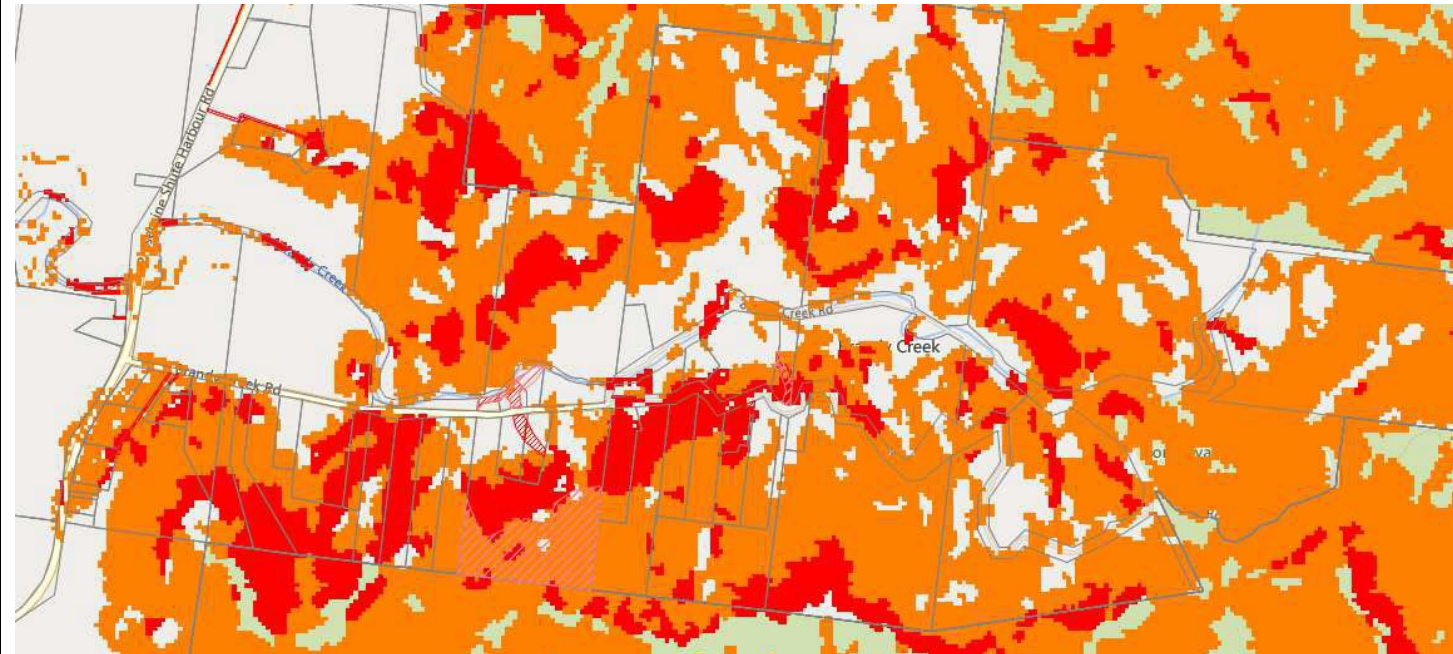


Figure 2 – Extent of mapped Landslide Hazard in the Brandy Creek locality – Proposed Overlay (Source: WRC 07/09/22)

Lots zoned for rural residential development in the Brandy Creek locality equates to approximately 91 hectares, giving a false confidence in the available land bank for rural residential purposes, as this does not account for steep (many exceeding 30 % slope) and heavily vegetated lots. It is noted that the Council mapping does not recognize this vegetation and that many of the affected lots are smaller than 5 hectares, thus not triggering referral to SARA as a result of a development application. Regardless, any meaningful rural residential use on these steep and vegetated lots is heavily constrained with development requiring extensive earthworks and clearing is expensive.

Request

While it would be ideal if Council introduced the concept of "rural hamlets" allowing rural residential development on smaller rural lots or larger rural residential lots into the Planning Scheme, we understand that this has not been contemplated as part of this proposed major planning scheme amendment.

The owners of the lots relevant to this submission, seek inclusion off all or part of their land into the Rural Residential Zone, generally in line with the RVM mapping and on the less steeper areas, as shown below. These areas are generally cleared from any regulated vegetation and adjoin lots used for rural residential development, regardless of the current zoning. The white areas shown below has an approximate combined area of 50 hectares.



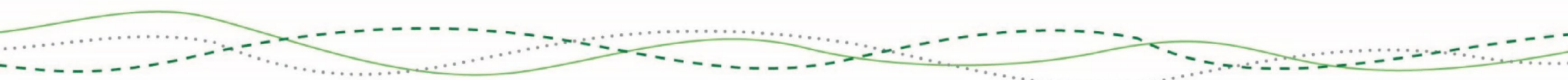
Figure 3 – Area proposed to be identified in as Rural Residential Zone

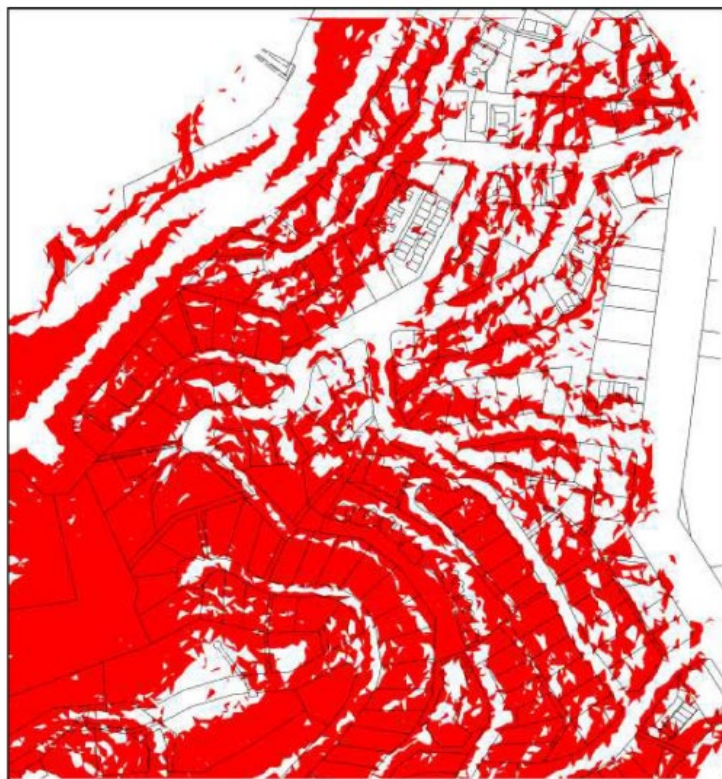
It is submitted that the split zoning would ensure that the scenic values of the vegetated slopes of the valley are maintained and protected, whilst ensuring an appropriate level of supply of developable rural residential land is provided in Brandy Creek. The identification of these areas for rural residential purposed will not remove valuable or usable agricultural land from the agricultural landbank.

In addition to the above grounds, our clients have provided the following personal views to support this submission:

- ▶ Kookaburra Drive, Stanley Drive, and Orchid Roads all have steeper terrain in their current developments compared to the subject land at Brandy Creek.
- ▶ small lot developments are terrible environmental outcomes, create social problems and potentially in the current virus focused situation, are unhealthy environments for people and pets. The lack of land for the owner or tenant to grow a fruit tree orchid or keep vegetable garden is often overlooked from a planning perspective. Small lots create built in fragility and dependency in our country. Small lots developments limit further opportunity for the buyer and environmental sustainability.
- ▶ Typically small lot developments have building covenant codes , while needed to protect all who buy into the neighbourhood, these are almost never geared towards green and sustainable building methods. Some of the best environmental outcomes can be people living in their self-built small shouses, this is an affordable path for an owner and massively less resource dependant. It can't be understated the enormous environment benefit to live in small dwellings in rural areas. Recently the cost of timber per home is reported to have increased by \$12,000 due to the federal government putting a levee of timber imports from Russia.

	► Undulating country makes for better rural Residential living, flat land has undesirable acoustic features, line of sight to others living areas requiring hard privacy fencing, furthering the reliance on timber. Based on the above justification, it is requested the Council include all or part of the land identified in Figure 3 as Rural Residential. We look forward to receipt of Council's acceptance of this submission. If you require any additional information or wish to discuss this matter further, please do not hesitate to contact the undersigned. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site.	
1288	SUBMISSION TO WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT ON BEHALF OF [REDACTED] [REDACTED] - 12 WATERSON WAY, AIRLIE BEACH - LOT 3 RP734156 Vision Surveys (QLD) have been requested by [REDACTED] am the owner of land formally known as Lot 3 RP734156 located at 12 Waterson Way, Airlie Beach, to prepare a submission to the Major Amendment. Major Amendment The proposed Major Amendment identifies the premises located within the Airlie Beach Local Area Plan - Precinct G -allowing a maximum building height of 14 metres, maintaining the maximum building height in the Planning Scheme. Land to the east across Waterson Way is identified within Precinct C -allowing a maximum building height of 21 metres. Land to the north of Precinct C, on the southern side of Airlie Main Street, is identified within Precinct B -allowing a maximum building height of 18 metres. The premises and all other land in Precinct G is situated between land designated having a maximum building height of 21 metres (Precinct C) and land to the west zoned Low-medium density residential having a maximum a building height of either 12 metres above ground level [Tables 8.2.5.3.1 (AO1.2) and 8.2.5.3.3] or, an average building height (ABH) not exceeding 10 metres [Table 8.2.5.3.1 (AO2.1)] where the land has a slope greater than 25%. A slope analysis has been prepared over all of the land on the western side of Waterson Way -refer below. This analysis has identified that a significant majority of the land (exclusive of land in Precinct G) can be developed under the ABH 10m provisions. This would allow for buildings on land which slopes down away from the road frontage to potentially have a maximum building height of 17 metres above ground level. Figure 1 -Slope Analysis -Land having slopes > 25%	No Action





Based on Council's building height provisions (existing and proposed) the following maximum building heights can be achieved in Precinct C (between Waterson Way and Airlie Creek), Precinct G and behind up to Lamond/Orana Streets. These building heights have been calculated using existing contour and detail survey data and LiDAR.

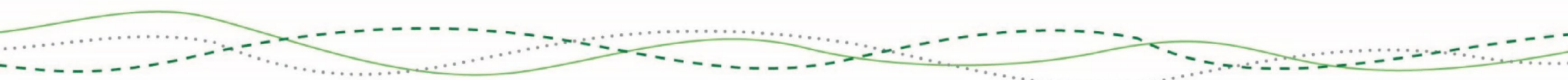
Table 1: Maximum Building Heights

	Current Planning Scheme requirement	Amended Planning Scheme requirement	Estimated Maximum RL building height – Amended Planning Scheme
Precinct C (between Waterson Way and Airlie Creek)	21 metres	21 metres	RL36 – RL40
Precinct G between Begley St and Orana St	14 metres	14 metres	RL34
Lamond Street (lower side)	12 metres	12 metres or ABH 10m	Between RL35 - RL47 or RL35 front & RL44 rear

The land in Precinct G between Begley Street and Orana Street is less than 25% slope, accordingly the maximum building height is 14 metres above ground level which gives a maximum building height to RL34. Land to the east (Precinct C) can develop between RL36 - RL40 and land to the west (Lamond Street) may develop up to RL36 - RL44. A maximum building height within Precinct G, between

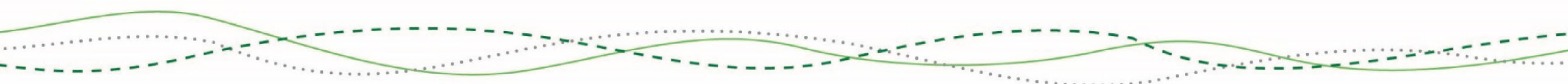
	Begley Street and Orana Street (as a separate sub-precinct) of 17 metres (an increase of 3 metres), would allow for a maximum building height of RL37 which would reflect the same built environment would is permitted in the immediate vicinity. The additional three metre building height would also enable an additional building level therefore allowing for a higher density development on land in close proximity to the Airlie Beach Main Street Request Mr [REDACTED] requests that Council further amend the draft Planning Scheme amendment to increase the maximum building height on my property as well as all other land in Precinct G between Begley Street to Orana Street, to a new maximum building height of 17 metres above ground level within a new precinct or sub-precinct. This additional three (3) metre building height increase will result in a smoother and natural building height transition between Precinct C to the properties behind Precinct G. It is submitted that the additional three (3) metre building height will not be detrimental from a visual amenity perspective, however the additional height will encourage higher density development on land fronting Waterson Way. We will await the receipt of Council's acceptance of this submission. If you require any additional information or wish to discuss this matter further, please do not hesitate to contact the undersigned. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Council is not in support of any building height increases within the Airlie Beach area, as such this request is not supported. Thank you for your submission.	
1289	The recent election win by a person against WCCs lack of public consultation and against the WCCs ongoing 1970's like destruction to the region's tourist attracting village feel, indicates how morally bankrupt councillors and WCC their dodgy town planners GOT it all WRONG. Corruption does that. Vote of No Confidence in the previous Mayor, and his bully boy Councillors who have absolutely no idea how to perform civic duties with any integrity. Mayors and Councillors must act with integrity and comply with legislation and the standards of behaviour set out in the Code of Conduct for Councillors in Queensland. Complaints can be made to either the Office of the Independent Assessor or the Crime and Corruption Commission depending on what the complaint is. Thank you for your submission.	No Action
1290	Dear WRC, I have tried my best, in the limited time given, to produce a submission on the major amendment (Attached). You could have at least allowed emails over the weekend as, unlike yourselves, we are not paid to do this in business hours. I would like to have more time, but feel it would be improper of Council to advance this draft against such overwhelming public opposition and expect it to return for further consultation. I have unfortunately not had time to submit on the Airlie/Prossy Growth strategy or housing affordability and officially request an extension on these proposals. Having any time to look at the development manual would appear a luxury far beyond the burden placed upon the public with so many consultations at once. Noting I have a video production deadline of 29/9/22, it is unlikely a 2 week extension would be enough and request to submit by 16/10/22? Submission on proposed major amendment draft V4.3	Actions

	I was thinking about asking for an extension on my submission, however investigations thus far have shown the draft needs significant changes to be a suitable amendment. Any necessary operational changes and maximum building heights in accordance with community expectations should be put in place as a temporary local planning instrument (TLPI) while proper community and stakeholder consultation is undertaken before re-writing the major amendment. <i>Under Section 23 of the Planning Act 2016</i> <i>A local government may make a TLPI if the local government and Minister decide—</i> <i>there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area;</i> <i>and</i> <i>the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk;</i> <i>and</i> <i>the making of the TLPI would not adversely affect State interests.</i> Council does not consider that a 'necessary operational changes and maximum building heights in accordance with community expectations' would meet the criteria of the Act, as such no further action will be taken. WRC Operational Plan Focus for 2019/2020 <i>An open relationship with the community and community groups will provide improved communication and understanding of current issues</i> WRC has failed to undertake appropriate consultation before drafting the amendment. Council's 2017 Economic Development Strategy said you would prepare a development capacity study for Airlie Beach to determine its full potential for development and the implications of different land use development scenarios. We are still waiting for it and our planning department keep trying to write the playbook without ever having set the proper goalposts to aim for. A capacity study needs to be completed as a first stage of ensuring sustainable growth for our region. The Whitsundays Tourism Opportunity Plan 2012–2016 5.7 Airlie Beach Development <i>Various statutory and non-statutory master plans, reports and related documents have already been completed for the Airlie Beach area. Each of these plans, urban studies and other documentation provides a very important component for the enhancing and updating of Airlie Beach. They need however to be consolidated into an action plan (implementation schedule) which offers a clear vision and staging process for development that aligns with the Whitsunday Regional Council Community Plan.</i> 10 years on and we do not have a combined, community approved, agreed vision for Airlie Beach. This is needed, as a priority, to stop the ever growing gap between WRC planning department and the community. <i>The above comments are not applicable to the Planning Scheme major amendment.</i> Insufficient Benchmarks State Government correspondence 15 October 2021 - ref: MC21/1407 MA-0005	
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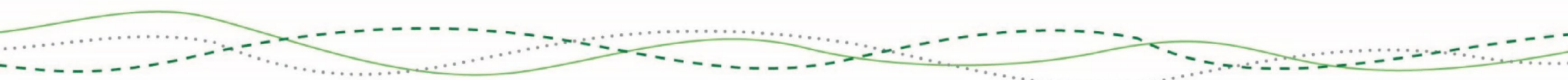


	<i>When drafting the Assessment Benchmarks, the Performance Outcomes (POs) should clearly and objectively establish what the local government seeks to achieve but they should not mandate how to achieve that desired outcome.</i> <i>An Accepted Outcome (AO) may specify a solution that achieves the desired outcome. This is the local governments' preferred way, but need not be the only way, of achieving the PO.</i> The current draft of the Planning Scheme does not “clearly and objectively establish what the local government seeks to achieve” <i>Terms such as ‘sufficient, adequate, desirable, unduly, intolerable, predominantly, limited circumstances’ do not “clearly and objectively” give the public, developers or Council assessment officers any benchmark of what the WRC are trying to achieve.</i> <i>Defined terms and specifics need to be incorporated into Performance Outcomes.</i> <i>E.g.</i> <i>8.2.5 Building heights overlay code</i> <i>PO1 The height of a building does not <u>unduly</u>: overshadow adjoining dwellings; or dominate the intended streetscape character.</i> <i>Why would a building be allowed to overshadow or dominate a streetscape at all?</i> <i>Council drafted the Planning Scheme major amendment in accordance with the State Planning Policy, which has subsequently been assessed and approved by the Minister.</i> <i>Failure to properly advise the public</i> <i>Building Heights Overlay Overview factsheet</i> <i>https://yoursay.whitsundayrc.qld.gov.au/79343/widgets/379385/documents/237921</i> <i>Fails to include any information about maximum heights overlay overall outcome being set as “generally in accordance” and maximums removed from the overall outcomes of the development codes to be replaced as just an acceptable outcome in the overlay code.</i> <i>Building Heights</i> <i>8.2.5 Building heights overlay code</i> <i>PO1 does not meet community expectations that development will be under maximum heights and must be changed.</i> <i>The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area.</i> <i>SAR 2016</i> <i>Building Heights / Design Elements / Airlie Beach Local Plan Removal:</i> <i>It is anticipated that the proposed building heights will facilitate the renewal of the Airlie Beach commercial district. Main St for example, has seen limited new buildings with the exception of the Heart Hotel, for over 20 years. Without the incentive for renewal, Airlie Beach may become stagnant, lose jobs and miss the opportunity to capitalise on tourism growth afforded by the expansion of the Whitsunday Airport and additional mainland tourist activities.</i> <i>The increase in building heights has not facilitated the renewal of the Airlie Beach commercial district. The only Main Street redevelopment since adoption of the 2017 Planning Scheme has been at two storeys. Height has proven not to be a facilitator and this error should be corrected.</i> AIRLIE BEACH STRUCTURE PLAN KEY DESIRED OUTCOMES	
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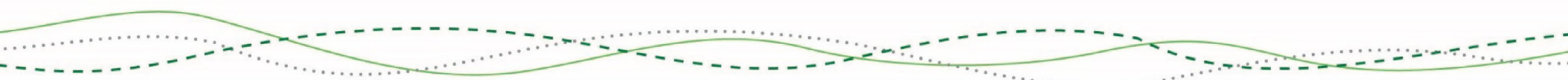
	<i>Building heights that preserve character and views Maximum heights should be lowered to preserve the character maintained by the 2009 Planning Scheme.</i> AIRLIE BEACH STRUCTURE PLAN BUILT FORM <i>Building heights are not seen to improve return on costs, in the market conditions of Airlie Beach. As such it is not considered a driver for development profit, and in fact scenarios that vary only height are seen to perform worse.</i> SAR 2016 <i>Whilst the Structure Plan states, 'building heights are not seen to improve return on costs', it also states that 'building heights may inspire existing land owners to develop and renew old sites where a sudden increase in potential could catalyse interest.'</i> <i>The outcomes of the proposed building heights seek to not only afford a boost in local employment, renew an aging town centre but also increase density to create a more energy efficient and walkable centre which is considered more sustainable planning than the alternative of urban sprawl, which results in inefficient expensive infrastructure and a greater environmental impact.</i> The current building heights have failed to boost local employment, or renew the town centre. It is well known that providing adequate space between higher buildings to maintain amenity does not increase density over low/mid-rise development. Air-conditioned towers are not more energy efficient and 90% to 100% site cover will not create an enjoyable walkable centre. Current market bias towards single dwellings shows the public's preference away from high-density and the Proserpine to Airlie Beach Structure Plan is meant to be actively preparing to meet urban sprawl, for those who enjoy having their backyards flooded. Council's claim that excessive heights will facilitate redevelopment or create a better town centre is flawed. SAR 2016 <i>Far fewer submissions were received regarding building heights in Airlie Beach, with a number of residents noting their support of (11) or requesting increases (3) to proposed building heights. It is considered from this Submission Analysis Report that Council has found the perfect middle ground in its proposed building heights</i> This information was accepted as false by Council in correspondence dated 12/10/2018 with 67 for reduction, only 8 in support, 3 for increase. The number of submissions received in the current round of consultation to lower building heights shows Council has not found the "perfect middle ground" and clear and decisive outcomes reducing maximum building heights to facilitate low and mid-rise development need to be placed at the highest order of the amended Planning Scheme. <i>Fraser Coast Council Building heights performance outcome https://www.frasercoast.qld.gov.au/downloads/file/2720/psr20-discussion-paper-final</i> <i>Note: where height limits are prescribed as performance outcomes, they are more determinative than acceptable outcomes. Acceptable outcomes describe the preferred way of achieving a performance outcome.</i> <i>Other Councils see the necessity for outcomes above acceptable. Therefore WRC maximum building height overall outcomes should be:</i> <i>Foreshore buildings have a maximum height of 10 metres above ground level and 3 storeys.</i> <i>Main Street (Macca's side), Port of Airlie, Coral Sea Marina have a maximum building height of 14 metres above ground level and 4 storeys.</i> <i>Waterson Way (Precinct C) has a maximum height of 18 metres above ground level and 5 storeys.</i>	
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	See Response to Submission 2 on page 2 of this document. <i>The Strategic Intent supports low-rise development in Airlie Beach with no buildings over 18m/ 5 storeys placed in any Airlie Beach precinct.</i> This request for inclusion into the strategic intent will be considered at the nearest available opportunity, please be advised this may take some time. Building Heights The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach precincts. Precinct C is the only precinct within Airlie Beach with a height limit above 5 stories, 21 metres (6 stories). The majority of land within the Airlie Beach precincts has a height limit of 14 to 18 metres (4 to 5 stories). No justification has been provided for a reduction in height, nor any advice regarding what impact that might flow from it. Storeys SAR2016 Council considers that specifying storeys and metres is too ambiguous where buildings of specific uses/types may require smaller or larger storey heights. Ultimately, specifying both storeys and metres will not change the visual impact of a development as the height of the building doesn't change whether it has four storeys or five storeys within an 18m height limit. <i>The idea that storeys are not needed to measure height has been shown to be problematic. The fact that Port of Airlie's 19m/4 storey budget hotel is asking for 3.6m storeys, while their 5 star hotel has 3.2m storeys seems ludicrous. It could be easily construed that the applicants are misleading the public with the initial request to then have a minor change raise the number of storeys after public consultation. The lack of storeys also lead to the 12 storey Shingley high-rise proposal being referred to as "11 levels". Bringing the Whitsunday Planning Scheme back into alignment with the State Planning regulation's definition of height has many benefits for the public's clear understanding of what is being proposed and what may one day be constructed. A lack of storeys has been proven to be too ambiguous, and must be corrected.</i> See Response to Submission 2 on page 1 of this document. See Figure 1 on the last page of this document. SAR 2016 <i>Aside from building heights, Council have identified a number of other issues that will require further investigation before being considered for the first amendment package estimated to be completed 12 months after adoption. These investigations will include several requests for zoning amendments, an Airlie Beach Local Plan, Bowen Local Plan, rewordings within the Strategic Framework, more flexibility for renewable energy uses and consideration of more flexibility within the Tourism Zone.</i> <i>12 months? So many failed KPIs and so little consultation.</i> Airlie Beach Local Plan SAR 2016	Future Investigation Investigate the wording of the Strategic Intent
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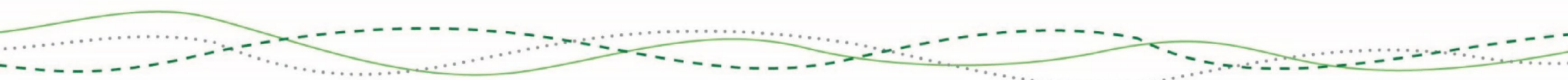


	Council will investigate an Airlie Beach Local Plan that will better capture Airlie Beach's tropical character with design elements that distinguish Airlie Beach as its own unique destination. <i>Agenda of Council's Ordinary Meeting to be held on Wednesday 21 May 2014</i> 14.3 CONFIDENTIAL MATTERS - PLANNING AND COMMUNITY SERVICES https://www.whitsunday.qld.gov.au/DocumentCenter/View/559 14.3.2 ENGAGEMENT OF CONSULTANT TO UNDERTAKE THE PREPARATION OF THE AIRLIE BEACH LOCAL AREA PLAN TO INFORM THE PREPARATION OF THE NEW WHITSUNDAY REGIONAL COUNCIL PLANNING SCHEME <i>This would be an interesting read. I wonder if it actually protects our unique character. AIRLIE BEACH STRUCTURE PLAN</i> A Local Plan for Airlie Beach has been determined as necessary in response to a number of potential, and significant, development influences, with key drivers including: a need to formalise key public infrastructure requirements required as part of future development of the precinct. <i>The ABLP needs to incorporate proposed public parking for the precincts.</i> Payments for parking in lieu should not be considered in Precinct A and B. Development should be only sized were able to incorporate required parking on site. If Council believes it can create a continuous deck along the foreshore with multiple property owners, it certainly should be able to prescribe for adjoining basement car parking along the Main Street. AIRLIE BEACH ACCESS AND MOVEMENT PLAN <i>Create a Healthy Communities Recreation Trail that connects Airlie Foreshore to Airlie Hill and links Port of Airlie to Abell Point Marina.</i> The Major pedestrian pathway described in the access plan down Canal Street must be given preference to a dead end street shared by vehicles and pedestrians. <i>The above matters completed or outdated, they are not relevant to the Planning Scheme major amendment and thus no further action will be taken.</i> Precinct D – Land Use <i>PO30 Where development is for a hotel in Precinct D, the hotel must include a function facility. AO30.1 A function facility associated with a hotel must be a minimum of 300m² GFA or 3% of the total GFA, whichever is greater.</i> WRC documents and reports call for a <u>major</u> function facility, this outcome for a minor function facility does not meet the needs of the community. <i>In a regional context a major function facility is considered 300m² or greater.</i> Airlie Beach internal road layout mapping for Waterson Way should minimise intersections by incorporating a roundabout at Orana Street for connection to planned roads. Proposed Waterson plaza should not be on a vehicular road, especially not on an intersection. A future laneway must join Airlie Creek's future pedestrian route to activate the route. <i>See Response to Submission 2 on page 3 of this document.</i>	Airlie Beach Local Plan
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	<i>2(a) The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained</i> The Councillors' vote to include the outcome above from the old ABLP sums up the communities wishes for the future of our town and the preference for "higher density development" along the foreshore must be removed from the proposed local plan. The Airlie Beach Local Plan 2 (a) states: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i> <i>was a last minute inclusion by Council as a result of community comment. It is difficult to articulate clearly what it means as it can be contradictory (small scale / compact) and hard to quantify (visually penetrable) through performance criteria. It is recommended this clause be removed.</i> This has not been accepted by Council. Please refer to Council resolution OM2023/05/10.6. ABLP Overall outcome 2(a) should be moved to the strategic intent of the Planning Scheme to give it the maximum weight possible. 3.2. (1) The Strategic Intent applies to the entire Local Government area, with each township having unique attributes. Specific townships are more appropriately addressed at a local plan level. SAR 2016 <i>Council will consider these points and seek to work with key stakeholders such as Port of Airlie in the formation of a new Airlie Beach Local Plan to be included within the first amendment to the draft Planning Scheme.</i> Did Council work with key stakeholders and forget to work with the community while drafting the new ABLP, or just fail to work with anyone? Council met all obligations to work with key stakeholders in accordance with SAR 2016. Matters of Local Environmental Significance <i>Correspondence from the State Government.</i> Since adoption of the Whitsunday Region Planning Scheme 2017, the Queensland Government has released the State Planning Policy – July 2017, which contains the biodiversity provisions you have outlined in your correspondence. As such, the way in which matters of local environmental significance is treated under the SPP has changed, but the onus lies with Councils to undertake the necessary studies to identify, spatially map and develop relevant assessment provisions for matters of local environmental significance that do not duplicate higher-order matters Operational Plan 2019/ 2020 https://www.whitsundayrc.qld.gov.au/downloads/file/109/amended-operational-plan-2019-2020 The First Major Amendment to the Planning Scheme will review zonings and introduce controls to encourage new investment and ensure compliance with the recently updated State Planning Policy <i>WRC has known of the errors in their MLES mapping for years and has still failed to include a corrected version in this draft. The requirements of the SPP to protect our environmentally significant areas must be added to the mayor amendment.</i>	(2)a will be deleted: <i>"The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained"</i>
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	Biodiversity The requirements of the SPP have been added to the Planning Scheme major amendment. Please read V4.3 for clarity or Council's Fact Sheets. Matters of National Environmental Significance (MNES) are recognised in the Strategic Framework mapping and intents. Matter of State Environmental Significance layers (MSES) cover 35.5% of the entire Whitsunday LGA under the Planning Scheme major amendment, MSES is shown on the Biodiversity, Waterways and Wetlands Overlay mapping. The Biodiversity, Waterways and Wetlands Overlay Code was written for the Planning Scheme major amendment, considering State Planning Policy Guidance for Biodiversity. This code was a compilation of the old Waterways and Wetlands & Environmental Significance Overlay Code, and State requirements. Matters of Local Environmental Significance (MLES) is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. This amendment will have its own separate Public Consultation. Scenic amenity SAR 2016 With regard to recommendation two, an Overall Outcome addressing preserving areas of high scenic amenity will not be incorporated as Council is presently undertaking a Scenic Amenity Study for future consideration. <i>Agenda of Council's Ordinary Meeting to be held on Wednesday 8 May 2019</i> 12.11 PLANNING SCHEME AMENDMENT - SCENIC AMENITY AMENDMENTS Following a review of a draft Scenic amenity overlay code, the following is recommended: <i><u>an overlay code is not required</u>, as high amenity areas (mostly on slopes) likely to see future urban development are already under development approval (i.e. Summit) or zoned Low density residential. Therefore, the overlay code would only accommodate small scale dwellings under 10m that don't require significant landscape integration controls compared to large multi-unit development; and proposed outcomes from the overlay code can be integrated into various sections of the Planning Scheme, such as:</i> <i>o identification of scenic corridors to be protected from undesirable development, such as Telecommunications towers and Advertising billboards; and improved integration of Multi-unit development on slopes within the natural landscape.</i> A Scenic amenity overlay code is required. The study showed how important it is to protect our scenic amenity and cannot be left to generalising what development might be occurring in important areas. E.g. Development Application for Reconfiguration of a Lot - One (1) Lot into Nineteen (19) Community Title Lots, 7 Mt Whitsunday Drive-Private, Airlie Beach QLD 4802 is different to Council's report above. Scenic amenity protection must be region wide through an overlay code and not reduced to minimal zones, spurious outcomes and certain development, such as renewable energy. <i>WRC Operational Plan</i> <i>Early land use planning was usually dictated by what the community's needs and requirements were at that time. However, as time has progressed, so too has the way we live and function. Aspects such as digital and web-based retail and commercial activities, climate change and connectivity have all had significant impact to the extent that some existing land uses are no longer applicable and do not reflect the current and future needs of our community. As such, a detailed review of land use planning across the region is required.</i> Areas such as the Summit include multi-unit development sites zoning and these potentially do not integrate with required scenic amenity and need to be protected by a Scenic amenity overlay code and appropriately rezoned.	Current Ongoing Projects MLES
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As per the quoted Council resolution, Council will not be adding a Scenic Amenity Overlay Code.

Removal of Impact assessments

There are numerous downgradings of assessment proposed in this draft that should be removed. The Council's objective to remove red tape for developers and staff is at a cost to the residents and ratepayers rights and is unacceptable.

E.g. ROL with access easement, etc.

Page 147 Reconfig a lot open space code assessable <https://www.whitsunday.qld.gov.au/documentcenter/view/4590>

Community Facilities, Environmental management and conservation, or Recreation and open space - Code assessment

It is proposed in the all zonings (except for open space and community facilities) for the assessment to be Code, if they meet the following requirements) the minimum lot size and dimensions set out in Table 9.4.6.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code, and) only one rear lot is permitted per lot.

2. Tables of Assessment for Community Facility & Open Space Zones

It is proposed to change the current level of assessment for Community Facilities Zone, Environmental Management and Conservation Zone, and Recreation and Open Space Zone from Impact to Code for subdivisions. The use of such lots is generally restricted to Public Entities and the range of use for such is limited. There is considered to be minimal risk to change the level of assessment for such zonings to Code.

This is usually public land and public money, the public must get their say and not be left to the questionable assessment of the Council, untested by those that should be benefiting, rather than losing out to developer profits.

Access Easements

The creation of an access easement is an agreement usually between the parties impacted, usually resolving historical or technical issues, such as encroachments. The benefit of public notification is low, and Acceptable Outcomes have been added to the Reconfiguration of a Lot Code to ensure sensitive uses are not impacted by dust and noise from any new access point. As such, no further action will be taken.

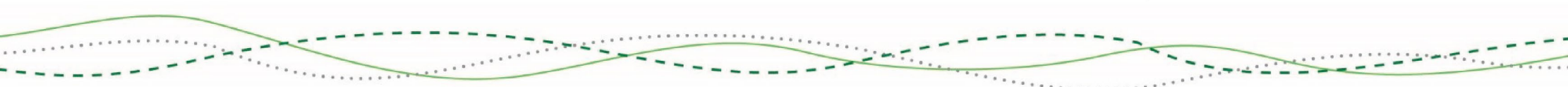
Community Facility and Open Space

It is Council's responsibility to manage community facilities and open space in the best interests of the community.

7.2.2 Bowen local plan code

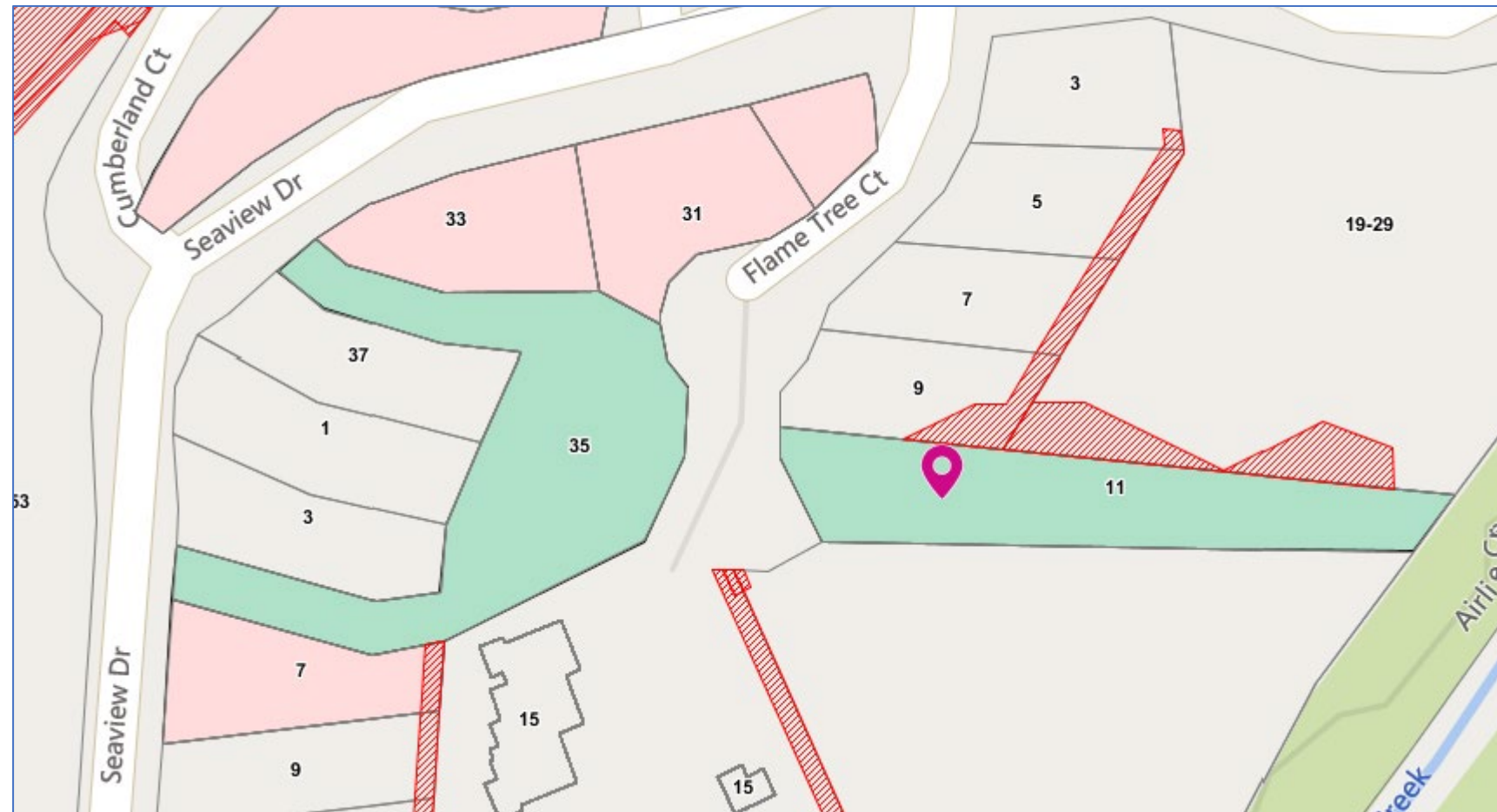
*PO5 Development does not dominate the intended streetscape character and, where development exceeds Bowen local plan building heights, the height is necessary for a functional marine industry use or:
provides high quality public space on the premises;
ensures sensitive building design that responds to view corridors and landscape elements;
provides high quality architectural design and building articulation, which reduces the bulk of the building; and
(d) avoids overlooking and overshadowing of adjoining uses or land.*

	This performance outcome invites over height development and does not support maximum height definition. Bowen Masterplan key viewpoints blocked by 18m building heights and should not be supported. The Bowen local plan supports the development of the township of Bowen as well as connectivity back to the CBD, and building heights are considered a key economic attractor. Heights overlay should not be over public parkland. The building heights overlay is relevant to the entire Region. However the Recreation and Open Space Zone protects against inappropriate uses. 6.2.10 Low-medium density residential zone code (h) multi-storey development ensures that there is no unreasonable loss of amenity for surrounding development, having regard to: (iii) impacts upon views and vistas; Clear outcomes that protect surrounding development are needed. “Unreasonable” must be removed from the outcome. Amenity is a subjective term, is hard to quantify and must be assessed on a case by case basis. 6.2.7 Local centre zone code 6.2.7.2 Purpose and overall outcomes (2) The purpose of the Local centre zone code in the local government area is to provide for a range of Business and Community activities that complement, but do not compete with, the role and function of higher order activity centres. The zone meets the convenience service needs of smaller rural, coastal townships or discrete residential areas and provides local employment opportunities. Local centres are developed as well-designed, safe and visually attractive centres, <u>predominantly</u> in a low-rise building format, where significant off-site impacts are avoided. Remove “predominantly”, this conflicts with overall outcome (3) (f) development has a low-rise built form that is compatible with the intended scale and character of the streetscape and surrounding area. Same for 6.2.2 District centre zone code Remove “predominantly” rather than leaving the flood gates open for more inappropriate development to get recommended for approval by Council officers. The Ministers Guidelines and Rules 2020 Chapter 2 Part 4, 18.3 states the ‘local government must consider every properly made submission about the <u>proposed amendment</u> and consider other submissions’. The Major Amendment does not propose a change to 6.2.7.2 (2), therefore no further action will be taken. Short term accommodation Amend land use definitions to differentiate between hosted and un-hosted accommodation. On-site managed and in home shared guest accommodation should be separated from whole house short term letting. A ‘home based business’ is hosted accommodation, while the administrative term ‘short term accommodation dwelling’ is for un-hosted accommodation.	
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	Overshadowing SAR 2016 <i>With regard to preserving amenity, privacy and overshadowing of neighbouring properties; the draft Planning Scheme’s Multi-unit Dwelling Code specifies requirements that development must comply with to minimise impacts. The requirements include setbacks to reduce overshadowing, regulation surrounding ‘light spill’ into adjacent sites and several design outcomes including screening for developments with windows or balconies that overlook neighbouring private open space. The assessment manager at Council will consider how each development complies with these requirements that preserve neighbouring amenity before considering an approval.</i> The Shingley high-rise being recommended for approval despite putting at least 6 neighbouring units into shadow by mid-afternoon shows the lack of “<i>clearly and objectively</i>” protecting the amenity of Whitsunday residents in defined terms. It is necessary to set real benchmarks, rather than leaving to the whim of the assessment manager. <i>The Ministers Guidelines and Rules 2020 requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This request will be considered at the nearest available opportunity.</i> Rezoning Proposed 20 – 26 proposed changes from Low-Medium Density Residential Zone to Local Centre Zone would increase traffic and crossovers onto our already busy road and the zoning should not be changed.  Subject Sites These zone amendments reflect the long term existing uses on these sites, the continuation of existing uses will not increase traffic.	Future Investigation Applicable benchmarks for ‘overshadowing’
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43 – 46 These lots should remain Recreation and Open Space Zoning to offset the loss of wildlife corridors, given up by Council's amendment to the original approval.



Proposed Zonings

These are corrections to administrative errors made when transitioning from the Whitsunday Shire and Bowen Shire Planning Schemes into the Whitsunday Planning Scheme 2017. They are private owned lots within the Summit Estate and should be zoned accordingly.

35 Seaview Drive and 11 Flame Tree Court have been zoned Recreation and Open Space as they are reserves.

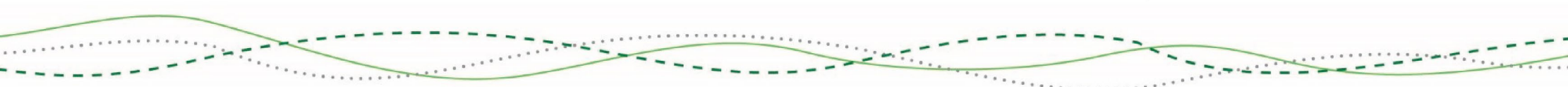
Shute Harbour Lot 801 S9461

Green space highly visual to walk and scenic amenity should be protected from development.

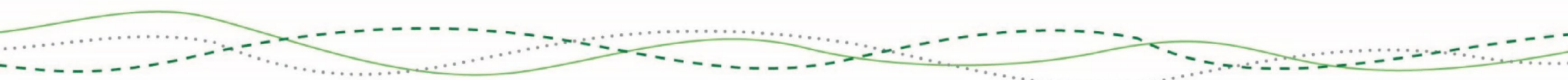
This lot is a reserve, and the zone is Recreation and Open Space.

Please have the belief that Airlie can thrive as a world quality destination without selling out to developer's wishes. I believe setting a clear directive of quality low-rise development for the town will bring the right sort of investment to provide for our sustainable long term future.

	Part 2 - Received 31/10/2022 Supplementary Submission on Major Amendment Flood hazard overlay code Our Current Scheme has acceptable outcomes excluding building or new lots in flood risk areas. Development of a habitable building: (a) is not located on land in a Flood hazard area For Reconfiguring a lot, additional lots are: (a) not located in a Flood hazard area; The Proposed Amended Scheme changes that. Where development is located in a Low risk flood hazard area or Identified flood hazard area: (a) For residential buildings (Class 1, 2, 3, 4, 9a & 9c) the finished floor level is a minimum of 300mm above the DFL No residential development should be allowed in flood zones of any risk as per Mackay. Mackay Planning Scheme The minimum finished ground level for new residential lots in the Emerging communities zone or on land outside the urban footprint is the higher of: (a) at or above the DFE (Defined Flood Event); or (b) at or above the DSTE (Defined Storm Tide Event); The unreasonable risk to people and property is being recognised far and wide in light of our recent flooding down south and our exposure to similar risk is well know. The above extracts from the Planning Schemes are partially complete. The Whitsunday Planning Scheme 2017 states: <i>Development of a habitable building:</i> (a) is not located on land in a Flood hazard area; (b) ensures the finished floor level of a new building is located at a minimum 300mm above the defined flood level (DFL) for all habitable rooms; or (c) is not less than the floor level of existing habitable room(s) where involving an extension for no greater than 75m² to an existing building. The Planning Scheme major amendment states: <i>Where development is located in a Low risk flood hazard area or Identified flood hazard area:</i> (a) For residential buildings (Class 1, 2, 3, 4, 9a & 9c) the finished floor level is a minimum of 300mm above the DFL; (b) Where Class 10a or Class 7 are not enclosed and do not build to the DFL, the structure allows for the unimpeded flow-through of water; (c) Where a Class 10a is enclosed, the finished floor level is a minimum of 300mm above the DFL; and (d) underground parking is designed to prevent the intrusion of flood waters by the incorporation of a bund or similar barrier with a minimum height of 300mm above the DFL. Under the current Flood Hazard Overlay Code, development within a flood plain must either build outside of the flood affected areas, or where within the affected areas build 300mm above the current Defined Flood Level (DFL).	
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	Under the amended Flood Hazard Overlay Code, building may only occur in Low Risk Areas or Identified Flood Hazard Areas. In these areas, habitable levels must be 300ml above the DFL (which considers climate change and the most up to date State Guidance on Flood Management within a Flood Plain). Areas of 'Identified Flood Hazard Risk' must be assessed against the Planning Scheme Policy 6.5.4, which takes into account climate change (DFL at year 2100, See SC6.5.4 Flood Hazard Assessment Report). Ban these planning disasters: PM wants to put a stop to building on floodplains https://inql.com.au/news/2022/10/28/ban-these-planning-disasters-pm-wants-building-on-floodplains-to-stop/ Any added cost of construction under the Queensland Development Code MP 3.5 – Construction of buildings in flood hazard areas and added cost of Council infrastructure clean up after events should stop this idea. Planning is about preparing for climate change, not pretending it is too far a way to worry about. Council is currently undertaking a Region wide Floodplain Management Plan, with grants from the State Government for Floodplain Management. Other reputable quotes: Brian Cook, associate professor at the University of Melbourne "We allow a system to go on where the people who profit from creating the risk aren't held accountable in any way, shape or form and largely they're protected by existing policies and practices, despite the fact that we can draw a very clear line between their profit-making actions and the production of risk," Federal Emergency Management Minister Murray Watt "That cohort who are playing Russian roulette with the weather is just going to get bigger," he says. "Then the next thing we'll see is properties decrease in value." Andrew Hall, chief executive of the Insurance Council of Australia "We get made aware frequently of new developments where you have a look on the map, and you then go and try to quote for insurance and the prices are coming back and they're not able to be quoted or they are very high, because they're in higher-risk flood zones," he says. "These mistakes are continuing to be made." Zones Coral Sea Marina boat ramp trailer parking and car park (lot 305SP303770) must be zoned community facility. These are necessary community infrastructure areas and must be zoned accordingly. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Short term accommodation We should follow Noosa model and STA not be supported in low density residential zoned areas. Each application for short term accommodation must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Council has also amended the Local Law to include the regulation of the operation of short term accommodation in the Region. Airlie Beach Local Plan I reserve the right to submit after the workshop or presentation promised in the major amendment community engagement plan. Noted, however a 'properly made submission' must be made during the public consultation period, which concluded on 31 October 2022.	Future Investigation Zone Request
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	Thank you for your submission.	
1291	Please don't accept developers' plans to build high rise buildings. High rise buildings are firstly not in-keeping with the whole esthetic of the town & secondly, are very unattractive. Low rise developments would ensure the continued popularity of Airlie to which people come to enjoy the seaside town atmosphere rather than an over-developed town which is proposed in the current draft amendment. The matter of variations to building height controls in Airlie Beach has been considered. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area and each application is assessed on its own merits, in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
1292	SUBMISSION TO WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT ON BEHALF OF HAMILTON ISLAND ENTERPRISES LIMITED AND HAMILTON ISLAND WEST PTY LTD Vision Surveys (QLD) Pty Ltd [VSQ] act on behalf of [REDACTED] and [REDACTED] collectively referred to hereafter as HIE C/- VSQ, being the head lessee of land identified as Hamilton Island (8 CP861993, 11 CP861993 and 10 HR1589) and Dent Island (5 SP245729 and 4 HR2019). HIE is the head lessee and operates Hamilton Island and Dent Island as a Resort Complex encompassing long-term residential accommodation, short-term tourist accommodation, staff accommodation, commercial, industrial and community uses as well as other uses essential for the management and successful operation of an island resort complex. Development on the island, all forming part of the Resort Complex, is of high quality and more often than not, of a grander scale than development on the mainland. To ensure a high standard of development, HIE has a robust design and assessment procedure, requiring HIE and State Government approval prior to a development application being lodged with the Council. SUBMISSION The proposed changes to the Whitsunday Regional Planning Scheme 2017 have been reviewed and tested against historical and recent development in the islands and a number of matters have been raised as a development impediment as follows: ▶ Table of Assessment - 5.9.3.3 Hamilton Island local plan categories of development and assessment - Tourist accommodation ▶ Business Activities code ▶ Building Heights These matters are further discussed in detail below. Table of Assessment- 5.9.3.3 Hamilton Island local plan - Tourist accommodation	Actions

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Building Heights

- **Hamilton Island Local Plan code**

The Hamilton Island Local Plan code states at AO2.1

Development has a maximum building height:

(a) consistent with that provided in Local plan - ~~Hamilton Island local plan boundary and precinct map HILP-01 (Hamilton Island local plan: Heights plan)~~; or

*(b) where not specified in the Local plan - ~~Hamilton Island local plan boundary and precinct map HILP-01 (Hamilton Island local plan: Heights plan)~~: (i) 8.5m above ground level; or
(ii) 10.0m above ground level where located on slopes exceeding 15%.*

The Hamilton Island local plan boundary and precinct map identifies precincts A to C, however does not specify building heights. It is noted that building heights are instead identified in the Building Heights Overlay Code, referencing precincts A to C as well as the heights are shown on the overlay map. Precincts are not identified or referenced for Hamilton Island in any other code. This is confusing to a user.

1. It is therefore requested that AO2.1 and AO2.2 of the Hamilton Island Local Plan Code are removed as this is essentially a duplication of the Building Heights Overlay that applies to Hamilton and Dent Islands, and replaced with a "no outcome provided". As no development within the Hamilton Island Local Plan area is accepted development, this will have no impact on development.
2. Alternatively, it is requested that the benchmarks should include a reference to Table 8.2.5.3.2 in the Building Heights overlay code.

Although the layout is not ideal, currently the mapping is the best way to identify building heights on Hamilton Island. AO2.1 is a duplication of the Building Heights Overlay Code, therefore AO2.1 will be deleted. AO2.2 is specific to HI and different to the rest of the Region, as HI does not allow regular vehicles, this policy requirement will remain.

- Building heights overlay code and map

The proposed Building heights overlay code and associated map, identifies building heights on Hamilton Island in Table 8.2.5.3.2

Local Plan building heights, referencing Precincts A to C. The overlay map also identifies the building heights but in colours not referencing the precincts. Whilst the reference to height is clear on the overlay map, it is confusing to a user who is looking for precincts A to C.

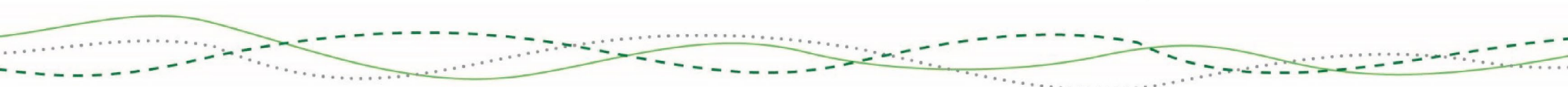
Noted, this will be amended for clarity.

Hamilton Island Local Plan

Delete AO2.1

~~Development has a maximum building height:
(a) consistent with that provided in Local plan -
Hamilton Island local plan boundary and precinct
map HILP-01 (Hamilton Island local plan:
Heights plan); or
(b) where not specified in the Local plan - Hamilton
Island local plan boundary and precinct map HILP-
01 (Hamilton Island local plan:~~

	- Building heights All residential development on Hamilton Island is required to be of a high-quality architectural design, at a grander scale than most residential development on the mainland. This does not only require a larger development footprint, it also generally results in additional building height. Where development on the island is currently guided by building height defined as 'storeys', the proposed Planning scheme amendment seeks to introduce building height defined as 'metres above ground level'. VSQ has reviewed all residential buildings approved for construction on Hamilton Island over the last five (5) years. A significant proportion of these residential buildings were constructed on land greater than 25% slope. The findings of this review has concluded that the majority of approved development does not exceed the 10m ABH requirement, and accordingly HIE supports this change to the Planning Scheme. There are a few tall buildings on Hamilton Island, generally on slopes less than 25%, that significantly exceed the maximum building height for the location, e.g. Whitsunday Apartments, Reef View and Yacht Harbour Tower. This is generally relevant to guest hotel accommodation. Some staff accommodation buildings and other guest accommodation buildings do exceed the maximum building height, however not to the extent of the afore-mentioned buildings. - HIE requests that an additional benchmark or notation is inserted into the Table of Assessment for the Building Height Overlay for existing buildings within the Local Plan area to the effect - where an existing building exceeds the maximum building height and the overall vertical height of the building is not increased, the development remains code assessable. This allows work on the lower levels to be carried out, e.g. new deck structures, enclosing under-croft areas, without the need for an impact assessable development application, due to the overall building already being over the maximum building height. The 'development' does not include any existing approved development, the 'development' would be the extension only. Although the assessment process may consider the existing approved development and the entire premises throughout the assessment process. - HIE requests that the maximum building height in Precinct B be lowered to 10 metres. The majority of the sub-lease lots in this Precinct have a slope greater than 25%, therefore an ABH of 10 metres will determine building heights, however 10 metres is desirable on land that is generally flat. Thank you for your request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This request will be considered at the nearest available opportunity, please be advised this may take some time. - HIE requests that a section along Catseye Bay is included in Precinct C - Pink - as this area is flat and it is HIE's preference to retain a lower building height of 8.5m above ground level in this location. The area to be amended is identified in Figure 1 below.	Heights plan): (i) 8.5m above ground level; or (ii) 10.0m above ground level where located on slopes exceeding 15% Mapping Alterations - Building heights overlay - Local plan building heights - Add Precincts in Legend for Hamilton Island Future Investigation Building Heights & Precinct of Hamilton Island Local Plan – Amendments as per Submission
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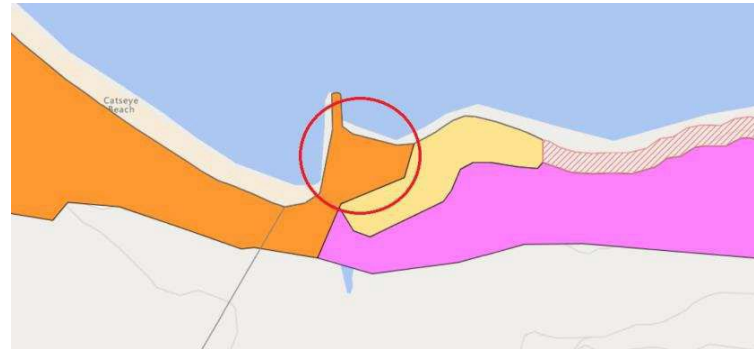


Figure 1 -Area to be included in Precinct C.

HIE requests that the two areas on Dent Island, currently identified as Precinct Bare included within Precinct A - 14m above ground level. These are the two major resort accommodation areas on Dent Island and HIE seeks to ensure that maximum development potential can be achieved in these precincts. The areas to be amended is identified in Figure 2 below.

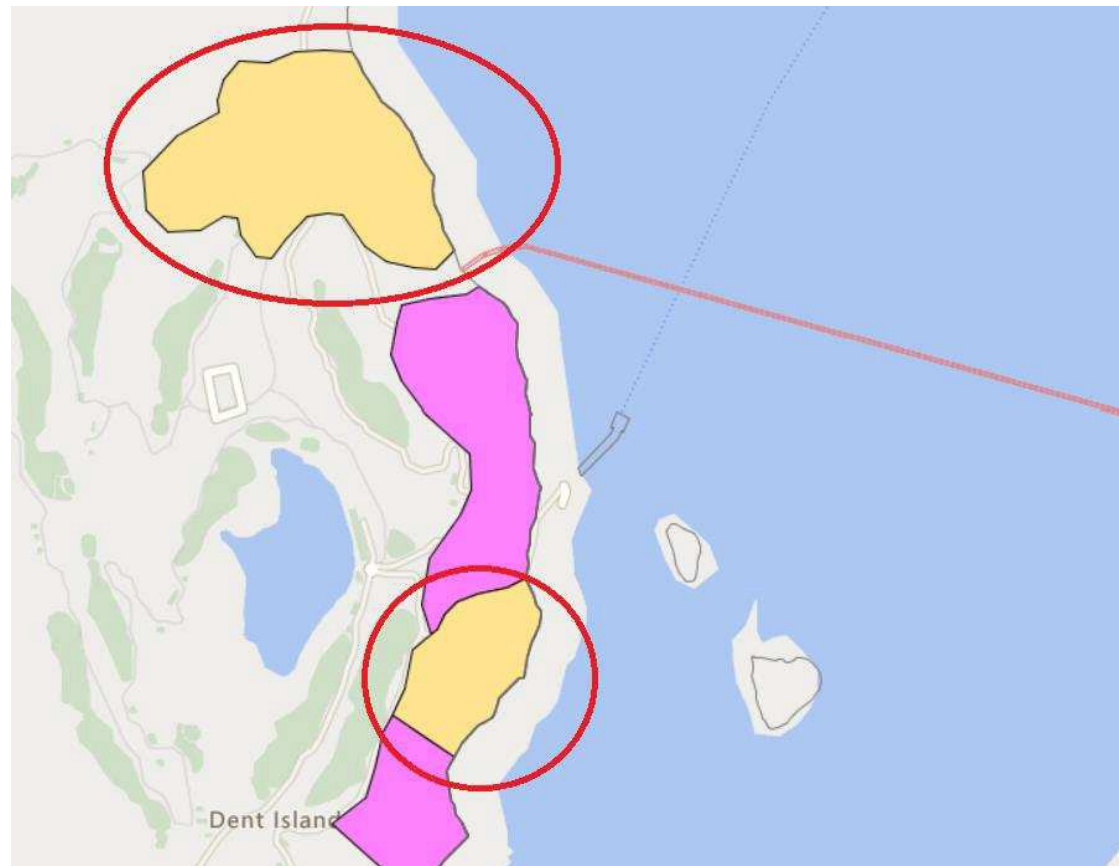
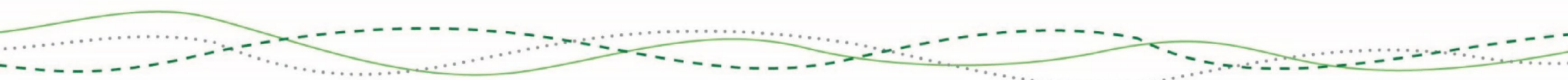


Figure 2 -Areas to be included in Precinct A-14m.

	Thank you for your request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This request will be considered at the nearest available opportunity, please be advised this may take some time. We look forward to receipt of Council's acceptance of this submission. If you require any additional information or wish to discuss this matter further, please do not hesitate to contact the undersigned. Part 2 of Submission In relation to our submissions on page 3, heading “building heights” item 3 – HIE no longer wants to revise the building height for a small area in Catseye Bay. HIE wishes for the current 4 storey / 14m limit to remain in place. Also, as discussed, we will liaise with HIE regarding a separate amendment / PA for Hamilton and Dent Islands. Thank you for your request, this will be added to the investigation above. Thank you for your submission.	
1293	<u>SUBMISSION: WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT</u> The Whitsunday Conservation Council (WCC) respectfully submits the following response to the proposed major amendment to the 2017 Whitsunday Planning Scheme. We would like to point out that there have been numerous documents put out by Whitsunday Regional Council (WRC) for public consultation at the same time, and that the demands on members of the community to read and respond to all this information is overwhelming. It has taken our group some time to ‘come to grips’ with the scale and complexity of this task, in addition to our regular lives and work. Some aspects of the proposed changes to the planning scheme were beyond our resources to assess in the time frame available, such as the 100+ re-zonings ostensibly due to ‘errors’. As a consequence, we propose that rather than waving through all of the changes as proposed, a Temporary Planning Instrument be adopted, while the WRC and the State Government properly sort out the problems with the current planning scheme to ensure that all of the changes made are genuinely in the public interest. During Public Consultation the Strategic Team within Council was available for requests for meetings or any other discussions with the Public for any enquiries. Council understands how complex the Planning Scheme amendments were, hence, Fact Sheets were developed to help the public understand the amendments in each context and Council was available for meetings or discussions anytime. <u>TLPI</u> Under Section 23 of the Planning Act 2016 <i>A local government may make a TLPI if the local government and Minister decide— there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area; and the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and the making of the TLPI would not adversely affect State interests.</i>	Action Current Projects Staff are currently reviewing sustainable development matters for inclusion in the Planning Scheme consistent with this request



Council does not consider that the perceived issues of a lack of understanding would meet the criteria of the Act, as such no further action will be taken.

The WRC Local Planning Scheme (LPS): What needs protection?

As a tourism destination, the most valuable asset this region has is its natural beauty, in the form of unique natural landscapes, native habitats and biodiversity of flora and fauna.

The Queensland State Planning Policy 2017 (QSPP 2017) recognises that if we want a strong tourism industry, we need to protect our natural assets. The QSPP 2017 also requires that Council implement protections for biodiversity, coastal environments, cultural heritage and water quality into its planning scheme.

It would appear that the adoption of the 2017 Planning Scheme resulted in the removal of existing environmental protections from the planning scheme.

This left important environmental values, landscapes and areas of land unprotected by planning policy.

WRC amalgamated in 2008 and has had 14 years to develop and implement protection for **Matters of Local Environmental Significance (MLES)** in the LPS, yet it has not.

Matters of Local Environmental Significance (MLES) is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. This amendment will have its own separate Public Consultation and Council looks forward to working with the WCC on this amendment in the future.

This has left MLES unprotected for all these years and we have lost a lot of natural assets and visual amenity as a result. No doubt we will regret the lost opportunities to have more sustainable, climate adapted and well-designed developments for much longer.

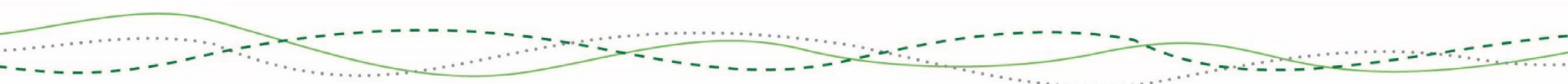
If well managed our natural assets will continue to support our livelihoods, inspire us and provide all of the ecosystem services that we take for granted: clean air, water, food, and natural beauty.

As the population grows, these things cannot be taken for granted: poor planning and management of development threatens to degrade or destroy the very things that draw people here and enable them to stay and live a healthy, happy life.

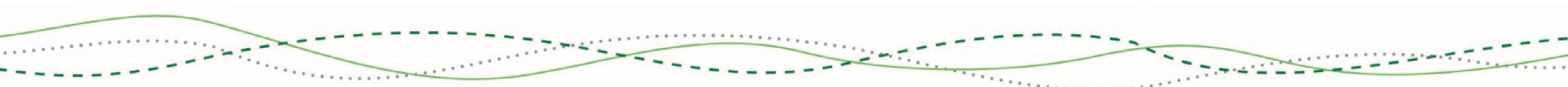
We are at a critical point right now.

Much of our natural wealth has already been lost, but much still remains to be protected and/or restored.
In order to maintain the natural assets, liveability and tourism appeal of the Whitsunday region, the Planning Scheme should have as its core value the preservation of the very things that draw people to the region:
the unique natural scenic beauty of the landscape: the vegetated rural landscapes, undeveloped coastlines, mountain ranges, riparian corridors, natural shorelines, hillsides, ridgelines and escarpments
the diverse range of habitats supporting a diversity of flora & fauna, including a significant number of species which are endemic to this locality.
intact, healthy, connected natural habitats that enable native wildlife and ecosystems to survive, function and relocate to suitable habitat as the climate changes.

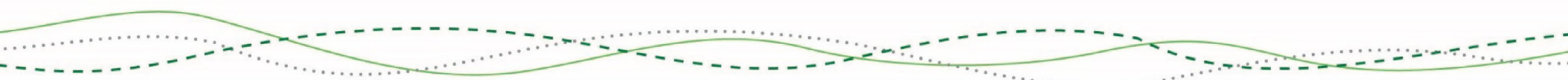
	keystone species which are critical to maintaining healthy habitats, such as bandicoots, which disperse soil fungi essential to plant health, and create holes where trees can germinate, or fruits bats, which are essential pollinators and dispersers of numerous tree species. the coastal waters, undeveloped natural shorelines, coral reefs, mangrove forests, seagrass meadows and cconnectivity to the islands the productivity of local industries such as tourism, fishing and agriculture which depend on ecosystem services such as clean air, water, habitat for beneficial species (including the 'good bugs': beneficial insects) and healthy soils the healthy waterways which support the diverse inshore marine environment, as well as recreational and commercial fishing the spectacular view corridors of natural land and seascapes, dominated by natural features. the small population densities & regional lifestyle, with easy direct access to undeveloped natural areas for recreation and mental health clean, unpolluted air and water, should not be taken for granted The local planning scheme needs to protect the values that attract people here The QSPP 2017 states that: <i>'Planning has a critical role to play in supporting the protection of our environment and heritage for current and future generations.'</i> WCC submits that it is the responsibility of the WRC to develop a comprehensive hierarchy of regulatory development controls, as part of the local planning scheme (LPS), that contribute to the preservation of a physical landscape that supports a high quality of life for all that reside here, and will ensure that: - the development that does occur is genuinely environmentally sustainable, by developing and including overlays of MLES in the approvals process to enable their protection at the planning stages of projects This has been answered above. - development is designed and planned to mitigate the impacts of climate change, including Water Sensitive Urban Design (WSUD) and maximises vegetated areas to decrease urban heat retention Water Sensitive Urban Design guidelines have been inputted into Council's Stormwater Quality Guidelines which are now mandated through the Planning Scheme major amendment. See Healthy Waters Code (Section 9.4.4) of the Planning Scheme major amendment that was drafted in accordance with the State Interest – Water Quality. - developments have minimal negative environmental impacts on water quality through implementation of best practice erosion control measures during development and use of WSUD in the design of projects As above - the visual amenity of the area which attracts people to live and holiday here is protected and not degraded by visually intrusive or poorly designed developments Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. - Where vegetation must be removed, protocols are in place to ensure that wildlife carers/catchers are present during the clearing process to prevent injury or death of native animals If the site is impacted by the Biodiversity, Waterways and Wetlands Overlay, an Ecological assessment report (SC6.2.5) may be required and the applicant must follow the requirements of this report.	
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	- Tree/ vegetation protection policies are developed and implemented to ensure that trees are not removed unnecessarily, and that significant/ established trees are retained as much as possible for their ecosystem services. Council's Natural Resources Management and Climate team is investigating this option, subject to Council approval and budget. - Replanting does not replace like with like: it is many decades before the replanted trees have the same value for habitat and cooling. Noted. Vegetation clearing is a complex and sensitive topic. Planning must balance both development, growth of the beautiful Whitsunday Region and protection of natural assets. The Vegetation Act of Queensland governs most vegetation clearing and this is done at a state level. For example, 'For an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) in an urban area' is exempt in most Regulated Vegetation areas within the urban footprint. Rural clearing has an exhaustive list of requirements. Refer here https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/exemptions Council has jurisdiction over clearing when applications are submitted to Council, dependant on the type of application and Council's mapping. To that end, Council has made the following amendments: Matters of National Environmental Significance (MNES) for recognised in the Strategic Framework mapping and intents. Matter of State Environmental Significance layers (MSES) cover 35.5% of the entire Whitsunday LGA under the Planning Scheme major amendment, MSES is shown on the Biodiversity, Waterways and Wetlands Overlay mapping. The Biodiversity, Waterways and Wetlands Overlay Code was written for the Planning Scheme major amendment, considering State Planning Policy Guidance for Biodiversity. This code was a compilation of the previous Waterways and Wetlands & Environmental Significance Overlay Codes, and the State Planning Policy. To back up the planning scheme, WRC needs to be pro-active about educating the community about the value and benefits of retaining and protecting native flora, fauna and habitat and the ecosystem services that they provide. The now abandoned Biodiversity Levy funded a range of community education projects about weeds, local native habitats and wildlife, water quality and much more. Council also needs to 'walk the talk': at present it is a case of 'take our advice, as we are not using it'. Council must model the responsible behaviour itself, which means they must implement good land management practices, weed control, biosecurity, herbicide usage and retention/ management of native vegetation within Council managed areas. This also means ensuring that they have staff with relevant qualifications overseeing what is being done, rather than just farming out the responsibility to contractors. The local planning scheme needs to protect the values that attract people here The implementation of the planning scheme must have at its core the values of transparency, social justice, access, equity and fairness to all members of the community.	
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	The rules should be applied equally whether it is a single suburban house or a multi-milliondollar development; there should be no shortcuts or exceptions for the wealthy/ powerful. NOW IS THE TIME TO GET THIS RIGHT The future we all face is a precarious and dynamic one. The impacts of climate change will continue to present challenges for our local communities at many levels. This region's high dependence on tourism, the building industry & agriculture, has been made glaringly obvious in the past 2 years. These industries have direct & substantial dependence on, as well as impacts on, the natural environment. The physical remoteness and the vulnerabilities of our supply chains of both people & goods, to& within our region have also been made clear by recent natural disasters and reinforced by the Covid-19 pandemic. WCC believes that this is an opportune time to look at the full impacts and drivers of continued growth within our communities and ask how much development can be sustained without the significant loss of the very values & attributes that attract people to live, work and holiday in this region. There is a natural carrying capacity in tourism destinations, beyond which the majority of people begin to feel that it is 'too crowded', 'overdeveloped', or 'spoiled'. This is subjective and often can only be seen after it is too late: tourism can 'kill the golden goose' if not constrained: once the critical point is reached the nature of the attraction is changed, forever. There is an opportunity cost here, as it becomes harder to attract demographics who value the natural environment in their tourism experience, resulting in a downward spiral in the value of the destination and in the margins that operators can charge for their tourism products. The value of the natural environment in tourist visitation should not be underestimated. The Tourism and Events Queensland Annual Consumer Demand Project interviews international visitors about the most important values that attract them to visit Queensland. Due to Covid-19, the last one was in 2019. Visitors from China, Germany, India, Indonesia, Japan, Malaysia, New Zealand, Singapore, South Korea, UK, USA and Hong Kong were interviewed. Across these main groups of international visitors, 48.9% rated 'world class natural beauty and wildlife' as one of their 'top 5 importance factors' in choosing Queensland. NOW IS THE TIME TO GET THIS RIGHT To put this into perspective, 54.58% of these visitors rated 'a safe and secure destination' as a 'top 5 importance factor' for choosing Queensland. This suggests that the unique, undisturbed natural environment is a very important drawcard for international visitors to Queensland; almost as important as their personal safety. https://teq.queensland.com/research-and-insights/international-research/international-market-research/consumer-demand-project An interesting case study is Kangaroo Island, where they have benefitted from managing tourism by protecting the values that brought people there in the first place using a system called the Tourism Optimisation Management Model (TOMM) https://smatourism.com/projects/tourism-optimisation-management-model-for-kangaroo-island/ http://www.utok.cz/sites/default/files/data/USERS/u28/TOMM%20Tourism%20optimisation%20management%20model.pdf The model uses annual surveys of visitors and locals, which have been developed by social scientists, to assess the impacts of tourism on key aspects of the quality of life for both the visitors and the local residents.	
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The survey questions assess the health of a pre-defined set of indicators which have been identified as critical to maintaining the value of the destination in previous studies, such as environmental values, visual appearance, quality of the experience, liveability indicators etc.

The ratings given to these key indicators by visitors and residents are used to maintain tourism below the 'carrying capacity', to protect the tourism assets/ experience as well as the quality of the lifestyle for the locals.

We need to look ahead and preserve as much of our natural assets as we can, and there needs to be consideration of what we are losing as well as what we are gaining whenever a development is considered. A system similar to the TOMM could be implemented to protect the future of vital assets that make the Whitsundays so attractive to visitors and residents.

THE SHORTCOMINGS OF THE CURRENT PLANNING SCHEME

The current planning scheme fails to adequately address local MLES as required in the SPP 2017. The most recent urban developments in the Cannonvale, Proserpine, Bowen and Collinsville areas demonstrate the short-comings in the current local planning scheme's ability to regulate the protection of MLES

For example: the Whitsunday Lakes Development, in Cannonvale. The approved small lot sizes with large lot yield, has resulted in significant housing density, property frontages with little room for gardens or street trees and narrow streets lined with overflow vehicle parking. Dark coloured roofs/ pavers/ concrete, all impact negatively on the local microclimate, storm-water runoff, and the local environment through loss of natural habitats.

In particular this kind of development adds to the retention of heat due to the large areas of dark, hard surfaces and to the volume of rainwater runoff due to the dominance of hard surfaces and lack of rainwater/ harvesting/ infiltration. The now failed developer left degraded/ damaged riparian corridors & poor quality community open space. As is usual, the cost of the rectification works has been foisted onto the public purse via government grants, implemented by local community environment groups.

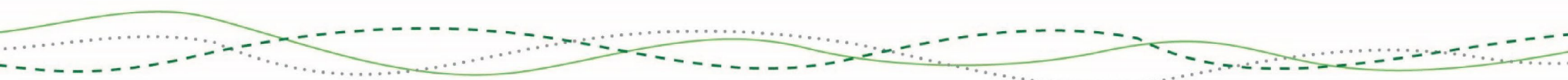
[Council has recently completed a Heat Study which will inform Council's future decision making. Refer here https://www.innovationhub.whitsundayrc.qld.gov.au/proserpine-heat-study](https://www.innovationhub.whitsundayrc.qld.gov.au/proserpine-heat-study)

The boom and bust cycles of local development that have occurred in the last 40 years within this LGA have wrought significant changes to the physical landscape, many of which could have been done better or better still, avoided altogether. The opportunity is lost forever to do 'something better' but the visual, environmental, and planning impacts of these developments stay with us long after the developers have moved on.

There is also an opportunity cost associated with poor planning decisions; we should be looking for the best project, not just the first in the door. The region is unique and beautiful and we should be looking for quality projects that enhance the attractiveness of the region as well as giving back to the environment and community.

Our Local Government Area (LGA) has a history of accommodating every development proposal regardless of its quality; this approach no doubt marks us out as a planning 'soft touch' and does not encourage high-quality, reputable developers to operate in the region.

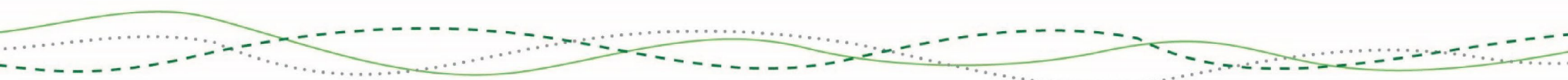
It has also left us with a litany of failed projects which have left the local community to clean up their mess, e.g. Laguna Quays, the Ansett land reclamation site which resulted in the unstable and unsightly cutting on Shute Harbour Road near Abell Point, and the Port of Airlie Marina with its unfinished public infrastructure to name just a few.



	It is the nature of entrepreneurs & developers to push the envelope of what is permitted by planning schemes. Time and time again we have witnessed developers who have come to town with “ideas & promised dollars”, if only they can do a deal on the planning regulations & codes. This usually means a loss to the environment or the public, most often both. It is time to ensure that Matters of Local Significance (MLES) are afforded greater value in an approval process that respects and protects them, while we still can. It is the responsibility of Local Government to protect the natural assets that matter locally. <i>‘Queensland is one of the most biologically diverse places on earth, home to a complex and varied coastal environment with outstanding natural values. The natural and built environments of Queensland also have international, national, state and local heritage significance. The recognition of these significant places strengthens the understanding of our environment, history and culture.’</i> A quote from the QSPP 2017. In order to fulfil its responsibility to protect MLES, the WRC needs to: - prioritise the protection of all Matters of Environmental Significance - Federal (MNES) State (MSES) , Local (MLES) that remain within the whole LGA Matters of National Environmental Significance (MNES) for recognised in the Strategic Framework mapping and intents. Matter of State Environmental Significance layers (MSES) cover 35.5% of the entire Whitsunday LGA under the Planning Scheme major amendment, MSES is shown on the Biodiversity, Waterways and Wetlands Overlay mapping. The Biodiversity, Waterways and Wetlands Overlay Code was written for the Planning Scheme major amendment, considering State Planning Policy Guidance for Biodiversity. This code was a compilation of the previous Waterways and Wetlands & Environmental Significance Overlay Codes, and the State Planning Policy. Matters of Local Environmental Significance (MLES) is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. - identify and map all MLES within the Council area and use this mapping to protect MLES when assessing development applications under the LPS This is a part of the MLES project. - be proactive in protecting MLES by identifying the values to be protected, and applying measures such as wildlife corridors, buffers and green space areas to protect them, as well as identifying areas for future habitat restoration. - ensure that developments first and foremost are designed to adapt to the local environment and to accommodate the protection of Matters of Environmental Significance - Federal, State & Local. - Include in the LPS clear criteria for development assessments that ensure that the inherent and intrinsic values of the MLES are protected. - Minimise the use of offsets, as they have proved to be problematic. If applied, offsets should be strictly regulated and should only be the last resort in negotiating approval for a project. Proponents should be required first to demonstrate that they have investigated alternative design options before considering offsets for development proposals that impact upon MLES (be that Federal, State or Local).	
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If applied, offsets must be assessed against a clearly stated set of criteria to ensure that the offset makes a meaningful contribution to the conservation of equivalent habitat and amenity. There also must be clear, enforceable conditions that ensure that offsets are fully implemented as described and have a funded, long term plan for their management and protection. We should consider public owned land as a Land Bank held in trust for future generations. There should also be a land buyback policy targeting areas that are unsuited to development. WRC should actively look for opportunities to buy strategic blocks of land as they become available to enhance and/or complement existing protected areas and ensure connectivity. THE PROBLEM WITH OFFSETS. WCC has particular concerns about the policy/procedure that will apply to development applications with regard to offsets, the criteria that will be applied in the negotiations and the value equation between the loss of MLES & the “accepted” offset. WCC concerns relate specifically to: The loss of the visual character and of the unique Whitsundays “sense of place” as urbanisation increases. Particularly the loss of natural vistas, local native plants, habitats and the wildlife that depends upon them. We should be protecting and presenting the best of the Whitsundays to visitors and future residents, not trying to be a second-rate version of somewhere else. The effectiveness and enforceability of some offset measures. Covenants that are placed over lands for the protection of native plants & animals need to be actively monitored and enforced to ensure that they have the intended protective value over the long term. There are existing examples in our Council area of covenants that were placed on development areas as part of the approval process, intended to protect Proserpine Rock wallaby habitat and protected tree species using vegetation clearing & domestic animal prohibitions. In practice these are not actively monitored or enforced by WRC and the impacts on wildlife and vegetation continue unabated. The longevity of offset measures. Once developments are completed and are ‘handed over’ to Council and the individual property owners, environmental conditions such as buffer plantings, riparian corridors and parkland vegetation currently have no protection at all. The result is often piecemeal (or even wholesale) loss over time. This represents a waste of the money and effort that went into protecting/ establishing them and negates any benefit that may have been intended for the environment and community. It also sends the message that these measures are not important. In light of the above, the use of Offsets in the planning approval process should be a genuine last resort. The expert on offsets is Martine Maron who has published on this subject: Maron, M., Gordon, A., Mackey, B. et al. Conservation: Stop misuse of biodiversity offsets. Nature 523, 401–403 (2015). https://doi.org/10.1038/523401a. In theory, biodiversity offsets should be such a costly option that the developer will want to avoid projects where they are required. In practice, that only applies to small sized developers and not to those with plenty of money and resources to cover the costs. Offsets frequently fail to deliver environmental benefits They are too often not completed as promised, are poorly designed/ implemented, lack a plan for protection over the long term, or they do not adequately compensate for the magnitude of the value of what has been lost. An intact, functioning ecological community cannot be easily 'rebuilt' once it is gone, even by experts, no matter how much money or time is spent. A complex, mature native habitat will not be successfully offset if the solution is designed and implemented by someone who is not qualified/ experienced or genuinely motivated! WCC believes that is far better, environmentally & economically, to protect the existing MLES, than to seek its replacement. If they are not very well planned, implemented and maintained to maturity, offsets do not mitigate a loss of established biodiversity and habitat. The	
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	public is then left to fund the management of degraded vegetation communities and the weed, pest, water quality and fire problems that they pose. The qualitative values applied to the negotiation of offsets should be a “like for better” ONLY equation. That is, as a minimum standard: If the MSES, MFES & MLES cannot be demonstrably replaced using an established and accepted current methodology that is known to be effective in our region and climate, then no offset should be granted. Offsets should be the last resort. The offset process should not be a cheap & easy compromise that enables development at the expense of the environment and the quality of life of those who live here now and in the future. The “Sense of Place” that is so important for the mental health and cohesion of the community must be preserved. If an offset is considered, the MLES must be adequately replaced and enhanced, and a long term commitment must be made to the professional re-establishment/ management/ preservation of the lost MLES, such as retained habitat or significant trees. This must be an enduring, enforceable requirement of the approval of the proposed development. If offsets are granted, there must be a guarantee in place (legal and financial) that they are fully funded and professionally managed/ maintained in perpetuity, not just during the development. Protection of the offset must extend beyond the development ‘hand- over’ stage to ensure that the offset is completed and protected long after the developer has ‘moved on’. Protected areas such as nature refuges should never be considered to be offsets as they are already required to be protected under the International Convention of Biological Diversity. Protection of locally significant wildlife corridors and riparian areas are as important as the shorebird habitats on the coast. The approach should be one of long-term overall planning and management to ensure what remains is preserved in a healthy state The inclusion of a MLES layer will open the opportunity for Council to explore offsets, until that time Council has no lawful way to charge offsets, nor explore them. We need an inventory & condition report for our natural assets before we can protect them. In some cases, Local Matters of Environmental Significance (LMES) are not currently in great biological condition due to historical impacts or they have become degraded due to the development process. Often by the time the project is completed, nothing remains. Mapping and identifying areas of vegetation for retention at the design stage and making this a condition of the development would ensure that something was left to restore. This is one of the intentions of MLES. Proposed developments should be required to professionally rehabilitate these areas, promoting and supporting community involvement in caring for them, as part of the development approval. Only qualified specialists should be engaged to rehabilitate natural areas: there has been a history in the LGA of ‘revegetation’ done by non-specialist contractors, these projects usually fail due to poor implementation/ maintenance and a failure to use local provenance plants. Frequently all that is left is weeds, or perhaps a few isolated trees which are lost to attrition. It is a truism that ‘if you can’t map it and measure it, then you can’t manage it.’	
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	It is therefore strongly recommended that Council carry out biodiversity condition assessments for the lands that they and the state manage in the region. This information could then be used in the development planning and approval process. Noted. It is Council's responsibility to manage development within the context of the various planning schemes, but in essence Council's responsibility is to manage the environment, both built & natural, as assets for the benefit of all of those that will live here, including future generations. There has been a tendency in this LGA for Council's to move heaven and earth to facilitate projects which have questionable local benefit for the community, in order to appear 'investor friendly'. This is all very well but the Council should be looking first at the quality of the development and the proponents, and the potential impacts of the development on the tourism destination as a whole and on quality of life (and expenses) for ratepayers, rather than cheerleading for every project that comes along regardless of its quality. The Whitsundays is a world class tourism destination and deserves better than the lowest common denominator. Addressing loss of biodiversity and habitat due to urbanisation & industrialisation The QSPP 2017 recognises that: <i>'Biodiversity, including plants, animals and the ecosystems of which they are a part, is integral to achieving healthy and liveable communities. Clean air, fertile soils, fresh water, food, and energy are just some examples of the benefits the natural environment provides. Biodiversity conservation also provides protection from natural hazards such as flooding and landslides.'</i> Addressing loss of biodiversity and habitat due to urbanisation & industrialisation Loss of biodiversity and habitat due to urbanisation & industrialisation could be more efficiently addressed by the LPS (Local Planning Scheme or Town Plan) requiring: - new urban development proposals to be considered in the context of the surrounding landscape values and developments adjoining them. Where the Biodiversity, Waterways and Wetlands Overlay is affected, the Code must be considered. - Development approvals should only be granted after holistic consideration of environmental impacts has been made. Development proposals that involve a loss of MLES should be required to provide an independent report that identifies and quantifies the impacts on surrounding natural values, as well as within the development site. This report should inform Council on whether or not to proceed or modify a proposal. If the site is impacted by the Biodiversity, Waterways and Wetlands Overlay, an Ecological assessment report (SC6.2.5) may be required and the applicant must follow the requirements of this report. - all new development proposals must respect existing riparian corridors and significant habitats by measures such as: adjustment of lot layout & yield and increased development setbacks or covenant areas to ensure that the inherent values of the MLES are protected in areas that are of sufficient size to be viable & sustainable into the future.	
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This may be addressed as a part of the MLES project. Currently, each application is subject to its own merits and Council has in the past requested covenants over important vegetation assets.

- proposed development costs associated with the protection of MLES or approved offsets should be 100% financially bonded with Council as part of the fees & charges made in the approval process. These fees should cover the cost of implementing to full establishment, all of the approved landscape and environmental plans submitted with the development proposal.

Noted.

- remnant native plants be retained within development sites as much as possible (especially mature native trees) or re-vegetated as a condition of the development approvals.

Each application must be assessed on its own merits in accordance with the *Planning Act 2016*.

- This should be a progressive landscape inspection process similar to the structural building approval process. Council should require native habitats be preserved as much as possible or re-established/ rehabilitated using local provenance native plants as a major part of any development approval. This should include control of recognised environmental and declared weed species.
- developer costs associated with public open space & streetscape approved plans should be bonded as an approval condition and used by Council to undertake the implementation of the approved public landscape development plans, at the completion of an advanced stage of the lot development.

Council already undertakes this practice.

- developers should be required to make financial contributions that are allocated to the ongoing maintenance of the MLES, remnant vegetation and riparian corridors.

This may be addressed as a part of the MLES project.

Measures that Council should implement to protect/ preserve and enhance MLES:

- completing the identification and spatial mapping of the biodiversity condition of the lands they and the State manage in the region, including the remnant vegetation within the current urban development footprints.
- Areas for preservation & enhancement should then be identified and actions planned and prioritised. This information must be made publicly available.
- Reinstate the 'Biodiversity Levy in the annual rates:
- This levy provided a valuable source of funds to employ specialist environmental management staff and programs. Environmental management cannot be just put off until a grant becomes available.
- where mature habitat trees are removed, especially those that provide feeding/ nesting habitat for wildlife, it should be Council policy to establish plantings of the same species in a suitable location nearby e.g. as street trees/ or in reserves
- tree removal contractors/ Council employees must be required to involve local wildlife rescuers before removal of mature habitat trees to avoid unnecessary deaths/ suffering of native species

- committing the Parks & Garden Section to establishing a specialist, qualified Bush Regeneration Team to implement management of these areas using established techniques that enhance and preserve the quality of the native habitat.
- engaging with and supporting Local community groups to adopt their local bushland reserves to undertake on-ground nature rehabilitation activities.
- implement the planting of local native plants species in public amenity landscapes; rehabilitation of urban green spaces including replanting of trees that have been lost due to storms/ natural aging.
- promote the planting of local native plants such as sponsoring the local Landcare Nursery to provide annual native plant promotions for rate payers and new residents;
- having a regional motto like "city in a garden" etc.
- Otherwise there will be little to no "point of difference" that gives theWhitsundays its "sense of place" and protects its biodiversity.

MLES overlays that WRC should include in the Local Planning Scheme:

WCC supports the inclusion of the MLES that were identified at the 2021 community consultation undertaken by WRC into the existing GIS environmental significance overlay and/or waterwaysand wetlands overlay.

New overlays should be developed that include the MLES:

- local wetlands,
- locally significant habitat for wildlife
- ridgelines and high slopes of hillsides: these areas are an important component of the scenic beauty of the area: there are enough millionaire McMansions on our ridgelines already.
- core habitat & wildlife movement corridors, to support connectivity and avoid local extinctions, including safe road crossings for wildlife
- vegetation retention for stream bank/ catchment/ water quality protection
- sites and values of significance to Traditional Owners
- areas at high risk of predicted impacts of climate change
- areas with the potential to negatively impact local water quality such as steep slopes and stream banks
- natural habitat for flora & fauna
- sites with significance for human health & wellbeing, including green spaces and shade plantings to mitigate urban heat retention
- definition and mapping of significant mature food/ habitat trees for wildlife

[Council also must follow the State Planning Policy guidance for development of the MLES.](#)

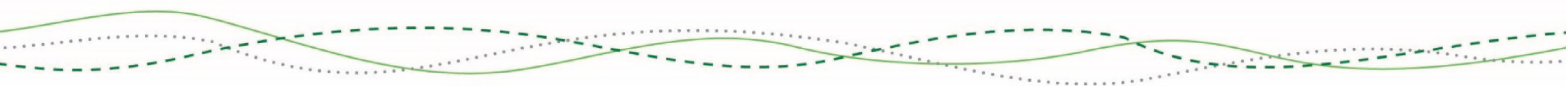
Existing relevant Reports, Plans & Community Consultations

It must be said that the local community has been 'consulted' with widely, thoroughly and over a long period of time. In each of the resulting documents there have been a consistent set of values (MLES) expressed, and preservation of the natural environment tops the list.

This is a quote from town planning consultants (Stender &Co.) in 1989 which shows that people valued the aesthetics of the undeveloped hillsides even back then, even if the vision was not realised:

'The guidelines are intended to assist in the retention of the Coast's natural attributes, throughthe conservation of the major visual and aesthetic features of the hillsides. It is recognised by Council that poorly designed and constructed developments in hillside areas can

	<i>frequently result in substantial public costs and can be a threat to public safety. Landslip, increased runoff and sedimentation can result in increased public expenditures, either for facility repairs or protective measures to avoid further damage. In view of these considerations, it is Council's intention to encourage development to locate in areas with slopes less than 20%... lands with slopes of 30% or greater are considered unsuitable for development and are to be retained in their natural state.'</i> Rather prophetic considering how much public money is spent trying to mitigate the effects of unsuitable development on water quality alone, and the amplifying effect of climate change is only just getting started. Existing relevant Reports, Plans & Community Consultations Our local environment provides for an enviable quality of life for those privileged to be able to live here. Long term residents have seen the significant losses of amenity and opportunity that 50 years of boom and bust development cycles have wrought, and are alarmed by: the ongoing and seemingly indiscriminate loss of natural habitats with no plan for retaining buffers, wildlife movement corridors or retention of natural habitats the long-held attitude that it is acceptable to demolish established natural habitat and then 'reinstall' it with grant-funded community revegetation projects, and consider it to be 'fixed'. Even the very best revegetated areas will take many decades to provide equivalent ecosystem services and resources for wildlife, if they ever do. the 'scorched earth' approach to housing developments which involves the total removal of all vegetation and even topsoil, leaving sites vulnerable to erosion and weed invasion the high density of urban development permitted under the planning scheme, with building footprints that leave no space for plants/ water infiltration the unmanaged boom & bust cycle driving the ongoing erosion of natural assets and public amenity the token nature of public consultation efforts since Council amalgamation: a 5 question survey on a website is not sufficient consultation for major changes to the local planning scheme or for major developments All of the WRC documents listed below have relevance to MLES. Recommendations from the WRC's Climate Change Innovation Hub (WCCIH) should also be acknowledged and incorporated, in order to minimise or avoid possible legal liability for damages when climate change impacts lead to loss of property or property value, or worse. Of course this would also assist in avoiding the negative impacts on local communities, industries and the natural environment and in building more resilient local communities. WCC recommends that these documents be reviewed, updated and developed into planning scheme policies & overlays that will inform the local planning and development approval process. These documents should be reviewed and updated as a priority in the context of: - climate change impact predictions from State and Federal authorities and with consideration of those impact predictions on current Federal, State and Local Matters of Environmental Significance and on the community as a whole - be updated to include water sensitive urban design instead of engineering creeks into drains. This has been answered above.	
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Existing documents relevant to MLES
Whitsunday Coast Tourism Development Concept Plan and Draft Planning Policies, Stenders & Partners, Architects, Urban Designers & Town Planners, January 1989
Queensland State Planning Policy 2017, Department of Infrastructure, Local Government and Planning
Whitsunday Regional Community Plan 2011-2021
Whitsunday Regional Council Disaster Management Plan
Whitsunday Regional Council Corporate Plan 2021-26
Whitsunday Regional Council Masterplans for Airlie Beach 2021, as well as for Bowen 2021, Collinsville 2021 and Proserpine Sustainability and future growth masterplan 2017.
Whitsunday Regional Council Economic Development Strategy 2017
Draft Whitsunday Urban Bushland Management Plan September 2005: The final draft of this document was produced in 2005 for the former Whitsunday Shire Council (pre-amalgamation) and was presented to Council and endorsed on the 6 March 2006.

This document is of significant value as it details all of the undeveloped Council managed reserves from Mandalay to Riordonvale and contains valuable information on the natural attributes, values, current and potential community use of each reserve.

WCC recommends that the Draft Whitsunday Urban Bushland Management Plan September 2005 document be resurrected and updated to include all townships in the LGA. The revised & updated version should be adopted by Council as a management tool for Council urban bushland reserves throughout the LGA, as a matter of urgency, as many of the values it describes have no protection at present.

The process of developing an LGA wide WRC Urban Bushland Management Plan should include other assessment values such as climate change mitigation, water quality, changing community needs and the value existing bushland reserves will have in flora and fauna conservation over the long term future in light of planned urban, industrial, agricultural, and tourism development expansion.

WRC GBRMPA Reef Guardian Council Action Plan, which outlines the measures proposed to be undertaken by Council to meet its obligations under this agreement <https://www.whitsundayrc.qld.gov.au/downloads/file/234/reef-guardian-council-action-plan-2020-2021>
These measures were originally to be funded by the Biodiversity Levy, which did not survive the Council amalgamations. Without this levy to supply funding, it is unlikely that Council will ever have the resources to implement any environmental management beyond the bare minimum that we have seen to date since the amalgamation.

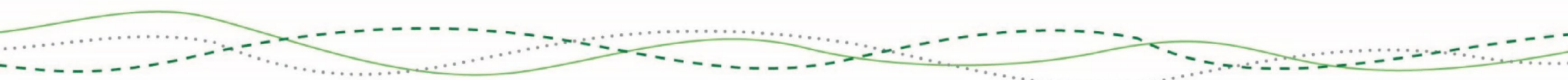
This is not a planning scheme matter. This will be forwarded onto Council's Natural Resource Management and Climate team.

Vision Airlie 1998 was a large and extensive public consultation exercise delivered by Kinhill Pty Ltd, examining community expectation and vision for the future of Airlie Beach, for the then Whitsunday Shire Council. It was most notable in the findings about local MLES and community aspirations to retain them, being ignored.

re Vision Airlie 1998: WCC has been unable to obtain a copy of the report, however enough of our members were involved in the whole process to remember that the community aspirations for retention of the outstanding natural beauty of the area: of green hills & blue seas visually dominating over human developments, with no high rise on the foreshore and development kept well below the ridgelines. Whitsunday Shire Council had a Significant Tree Register, a document which is rumoured to exist but may or may not have ever been populated. We consider that an instrument of some kind is urgently required to ensure that thought is given to retaining large/ significant trees in developed areas where possible. If we fail to do this now, we will lose the cooling/ shade benefit of established trees which will be essential in mitigating heatwaves from climate change.

	MLES that should be included in the LPS Sites of significance to Traditional Owners: - Matters of local environmental significance to traditional owners must be identified and protected. There is a need for Traditional Owners to be consulted in order to identify and protect these areas. GIS overlays mapping of these site/locations must be developed and these sites must be preserved during the development approval process. This requirement is not under MLES, rather under the SPP Guidance for Cultural Heritage. Council conducted extensive discussions with traditional owners to update the Planning Scheme in accordance with the SPP, specifically to encourage cultural heritage mapping. The local traditional owners declined this option and were content with the current mapping is already under DATSIP. Habitat for flora and fauna & connectivity The uniqueness of the region's small-scale diversity of habitats and landforms should be reflected in high-resolution mapping of areas zoned for future development. This mapping should identify priority areas of MLES such as intact areas of habitat for protection, riparian corridors, wetlands and road reserves for retention as flora & fauna corridors which will be critical for the survival of species and will also protect natural areas for public amenity. As this part of the submission is already a requirement of the Planning Scheme, no further action will be taken. Risks from Climate Change The QSPP 2017 states that: <i>'Planning has a critical role to play in adapting to and minimising the impacts of climate change, while enhancing the sustainability and liveability of our state'</i> WCC urges WRC to be proactive and forward-looking in considering and mitigating the risks of climate change impacts for all: - development approvals - locations of new capital infrastructure and assets - vegetation management & retention requirement - locations of open space and water sensitive urban design for storm water management - management of soil erosion on development sites and Council managed areas in light of increasingly intense and unpredictable high rainfall events, such as the 'river in the sky' experienced in Townsville in 2019. This is necessary to reduce impacts on inshore water quality from sediment. Whitsunday Regional Council was the first Council to receive funding for the CHAS, the Coastal Hazard Adaptation Strategy, please refer here Coastal Management and Waterways – Whitsunday Regional Council (whitsundayrc.qld.gov.au). Council was able to update the Storm Tide, Erosion Prone and Permanent Inundation mapping from this project, all to the year 2100, in the Planning Scheme major amendment. Water Sensitive Urban Design guidelines have been inputted into Council's Stormwater Quality Guidelines which are now mandated through the Planning Scheme major amendment. See Healthy Waters Code (Section 9.4.4) of the Planning Scheme major amendment that was drafted in accordance with the State Interest – Water Quality. Soil and Sediment Control Plans are in accordance with the Development Manual. The Whitsunday Regional Council Climate Innovation (WCCIH) listed the following as threats faced by the region due to climate change: Species and ecosystem shifts, affecting biodiversity and ecosystem function Heat impacts on flora, fauna and biodiversity loss Human health & wellbeing impacts including the effects of heatwaves Costs associated with adaptation of infrastructure and buildings Negative impacts upon important industries such as tourism and agriculture	
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	Negative impacts on the liveability of the region According to the WRC Climate Innovation Hub, we can expect sea level to rise by 80cm above present levels, by 2100. WRC residents already face high rates and increasingly high insurance costs in our region. WRC should be doing all it can to mitigate the future costs to the community associated with rectification works, and potential legal liability for approval of developments if they are not designed to minimize known risk of natural disasters. The LPS should: - determine adequate buffer zones between new developments and associated coastal, riparian and/or wetland areas and implement measures to ensure their retention when properties change hands; at present they can be, and often are, removed by subsequent owners. - restrict building/ land clearing within floodplain/storm surge/ landslip zones to reduce WRC (ratepayers) liability for development in these zones. - Require designed-in mitigation measures for urban heat retention, to minimise the effects of higher temperatures and heatwaves on residents - consider the risks of increased storm and cyclone intensity on proposed developments and ensure that measures are implemented to ensure resilience in the face of such events, including not approving risky developments that will be a future liability to ratepayers - Mitigation of Urban heat retention The Planning Scheme major amendment adequately addresses the above points, to the satisfaction of the Minister, except urban heat. Council has recently completed a Heat Study which will inform Council's future decision making. Refer here https://www.innovationhub.whitsundayrc.qld.gov.au/proserpine-heat-study The current LPS does not address the increasing effects of high temperatures and heatwaves due to climate change, even though they have been identified by organisations such as the Australian Medical Association as posing significant threats to human health. https://www.ama.com.au/media/climate-change-health-emergency As it gets hotter, the ratio of hard-surfaced areas to green space, becomes an important factor in maintaining a safe and comfortable climate for residents and visitors. The safety and comfort of people undertaking work & outdoor recreational activities outdoors is already being impacted upon by heatwaves as they become more frequent and longer. If the LPS continues to allow large expanses of hard paving & dark surfaces such as bitumen carparks, small lot size/ large building envelope ratios, dark roofs and the unregulated removal of vegetation/ surface hardening in urban & commercial developments, the urban heat-sink impacts will increasingly affect the safety and quality of life for all life forms; human, plant and animal. The radiating heat from hard surfaces during the night reduces the capacity for night time temperature reduction. This can already be felt in the Airlie Beach main street, where the temperature in the early morning in summer is already around 2 degrees higher than it is in Cannonvale. See the research being undertaken at James Cook University: https://www.jcu.edu.au/TUDLab/research-projects/sensing-cities-smart-thermal-comfort-and-climate-adaption and the Co-operative Research Centre (CRC) for Water Sensitive Cities: https://watersensitivecities.org.au/urban-heat/ Combine the high temperatures with high humidity, which reduce the human body's ability to cool with sweat, and it becomes increasingly dangerous to work or recreate outside in summer. Humans have the luxury of air-conditioning. That is until cyclones or power grid failures, then many, if not most local homes become unliveable in hot conditions. But the impacts of ongoing high temperatures on	
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the plant and animal world are only just being discovered. The likelihood of the potential loss of local endemic and keystone wildlife species is very real when considering the impacts of climate change and the ongoing pressures of urban & industrial development.

For example; flying foxes begin to die from heat stress when their ambient temperature reaches 38 degrees; these species are critical for pollination and dispersal of rainforest trees and it is unclear whether our forests can survive long term without them.

It is vital that Council identify strategic areas within new subdivisions for the retention of remnant vegetation communities and ongoing planting required for re-establishing vegetation communities within already developed areas, as transpiration by trees and plants assists in decreasing heat retention effects.

Mature riparian communities must be protected, as they play a critical role in maintaining local water quality and wildlife corridors. Removal of these communities to enable 're-engineering' of waterways into drains, means the loss of their cooling effects and loss of the filtration that they provided which impacts on inshore water quality. This exposes the inshore marine environment to massive influxes of sediment and rubbish during rainfall events. This is an outdated practice which should be consigned to history. Re-establishment of these communities where they have been removed should be a priority.

Some ways that the LPS can promote the sustainable development of the LGA:

- reduced density of urban development, larger lot sizes & smaller building envelopes retention of strategically positioned green spaces,
- development controls which require heat reflective surfaces, rather than absorptive ones
- wider verges with street trees; locally sourced native species are more suited to the climate and better placed to survive with minimal support in a changing climate
- vegetation retention requirements for existing natural vegetation outside the building footprint
- preservation & protection of all riparian corridors
- open green spaces connected to residential areas (walking distance)
- building guidelines requiring designs that are well insulated and ventilated, and suitable for the tropics, with room for a cooling garden, will result in places that are healthier and cheaper to live in into the future

If we reflect on the current experiences resulting from inappropriate development controls that has been allowed in many Australian cities and towns, including in the Whitsunday region, the problem of urban heat sink is significant and is increasingly affecting human health. We can mitigate this if the WRC LPS regulates development to create liveable communities suited to living in a tropical zone in a warming climate. Much of the research has been done, it needs to be implemented.

WCC also suggests that the following measures be applied to all developments: Improving water quality starts with modern stormwater runoff management

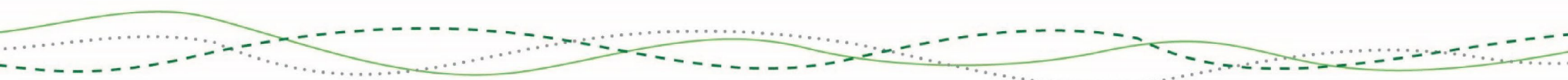
WCCIH predicts that as a result of climate change we can expect an increase in heavy rainfall events which will become more intense and our dry seasons are predicted to become drier.

This results in greater impacts upon water quality from extreme rainfall events, as we have seen in the recent floods in Lismore and Brisbane.

It also reinforces the need for water sensitive urban design to be required in all future development approvals in order to maintain water supply by reducing the need to use expensive potable water on gardens, to improve water quality by reducing and filtering runoff and thereby minimise the impacts upon the inshore marine environment.

See James Cook University research: <https://www.jcu.edu.au/TUDLab/research-projects/urban-water> and the CRC for Water Sensitive Cities <https://watersensitivecities.org.au/>

	Rain events are becoming increasingly unpredictable and intense. As more development occurs and more land area is hard surfaced, the volume and force of runoff to our creeks and waterways increases. The record-breaking rain events that we are seeing under climate change will exacerbate this problem. In the past this has been addressed solely by engineering approaches, which prioritise channelling water as quickly as possible to the sea. This has left us with a legacy of creeks that have been turned into ugly concrete drains that deliver muddy, polluted water laden with nutrients and plastic debris directly into the inshore marine environment. The few natural creeks that have been allowed to persist are degraded drains that are indiscriminately 'scraped' free of all weeds and native plants, silt and debris every year by a contractor with an excavator (not a specialist) to enable large volumes of stormwater to flow through them quickly. This process usually results in damage to riparian vegetation and erosion of the banks. On one occasion the contractor left all of the uprooted vegetation in the creek, in the dry season, which then turned anoxic and presumably killed all organisms in the creek. The banks of the creeks are also denuded of protective undergrowth by repeated chemical spraying and are left as largely bare soil, which contributes to the sediment/ toxin load during rain events. It should no longer be considered acceptable to continue to use riparian and creek-line habitats as stormwater drains. Channelling urban runoff straight to the sea is harmful to our coastal water quality, affecting habitats such as mangroves, seagrasses and corals, and directly undermining Airlie Beach as a tourist attraction. Council has signed on to GBRMPA's Reef Guardian Council program, which obliges Councils to develop a program of activities to minimise negative local impacts on the Great Barrier Reef World Heritage Area (GBRWHA). This commitment should be honoured by reviewing and improving all Council activities in light of impacts on climate and local water quality and implementing measures to reduce/ mitigate them. Water Sensitive Urban Design (WSUD) is being used successfully in tropical cities to creatively capture and use stormwater by increasing infiltration and reducing runoff of contaminated stormwater, using landscaping features such as swales and artificial wetlands. This is needed to reduce the soil, chemical and nutrient runoff from urban stormwater which is delivered into coastal habitats such as seagrass, mangroves and coral reefs during rain events. Good designs using suitable vegetation also help cool the local microclimate and also add to visual amenity and MLES. See: https://www.townsville.qld.gov.au/data/assets/pdf_file/0006/12210/WSUD-as-Best-Management-Practices-V3.pdf and https://watersensitivecities.org.au/ These areas also provide visual amenity, wildlife habitat and contribute to reducing the urban heat island effect. According to the Mackay-Whitsunday-Isaac Healthy Rivers to Reef Partnership, of which Council is a member, the Whitsunday inshore marine zone has remained in an overall 'poor' condition for the fifth consecutive year (2021 report card). https://healthyriverstoreef.org.au/report-card-results/ In light of the importance of water quality both to the environment, public amenity and the tourism industry, we consider it not unreasonable to expect that future development, both residential and commercial should be required to meet high water quality standards for storm water issuing from the development before, during and after construction. Water Sensitive Urban Design (WSUD) will improve the water quality impacts of all developments on the local GBR Marine Park and should be a high priority in the planning process. https://watersensitivecities.org.au/crcwsc-legacy/	
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[This has been answered above.](#)

Use of plastic erosion barriers should be discouraged in favour of sisal/ hemp products, as in practice, the barriers are never removed and the plastic eventually breaks up and washes away, adding to the marine plastic pollution problem.

There has been a great deal of public investment in encouraging canegrowers and other agricultural landholders to modify their practices and invest in measures to ensure that stormwater is retained and treated before leaving their properties and issuing into Great Barrier Reef Waters.

Future residential and commercial development within this LGA should have to follow the same requirements. These WSUD requirements should be incorporated into WRC planning and approvals.

Protection of wildlife and increased habitat connectivity to mitigate habitat loss and climate change
The region is home to a diverse range of habitats, regional ecosystems and landforms and lies in a zone of overlapping bioregions.

We also note that the region's biodiversity has not been comprehensively scientifically surveyed, and that it is likely that there are species present which have not been formally recorded.

This makes it important not to accept desktop surveys which rely on published lists of species; professional on-the-ground flora and fauna surveys and consultation with local flora/ fauna experts should also be carried out when assessing the biodiversity of an area.

Riparian corridors should be retained as MLES and protected from development to protect water quality, maintain habitat connectivity for flora and fauna in a warming climate and provide ecosystem services including cooling and provide access to natural areas for people. Setbacks along creek-lines should be sufficient to maintain a viable riparian vegetation community without major weed incursions and degradation from other such events as fire and cyclones.

Council should include the environment in their disaster recovery plans to enable them to apply for funding for the rehabilitation of severely impacted MLES.

Restoration of degraded riparian communities must include native understory species to retain soil on creek banks: indiscriminate herbicide spraying of banks must be phased out and dense plantings of species such as Lomandra spp. and Dianella sp. established in its place. If done properly, investment in efforts like this will reduce bank erosion and dramatically reduce herbicide usage over the long term.

Busy main roads form a barrier that prevents the dispersal and migration of wildlife, often lethally. This leads to a gradual loss of genetic diversity and local extinctions, and prevents species moving to adapt to climate change impacts. This impact will only increase, unless provision for wildlife to cross is designed into the planning from the outset.

Queensland Transport and Main Roads have trialed wildlife crossings of various kinds in SE Queensland and at Cardwell Range;
<https://www.unisq.edu.au/news/2021/04/wildlife-crossing>.

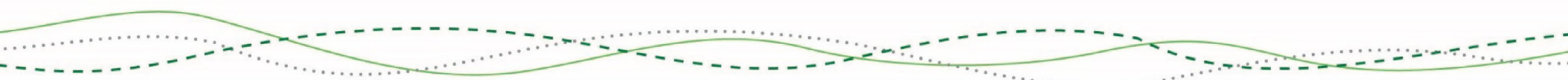
Some of these may be relatively easy to implement as roads are upgraded, such as wildlife- friendly under-road culverts in strategic positions near remnant habitat. The risk of car accidents due to incidents with wildlife on the road would also be reduced. Current Council management practices undertaken in Council managed road reserves focus on driver safety and infrastructure.

Council needs to broaden the role and skillset of their Parks & Gardens department to incorporate natural resource management and bush regeneration specialists to enable roadsides to be made safe for people and wildlife. Staff recruitment should prioritise skills and expertise in environmental management and knowledge of our local habitats and species.

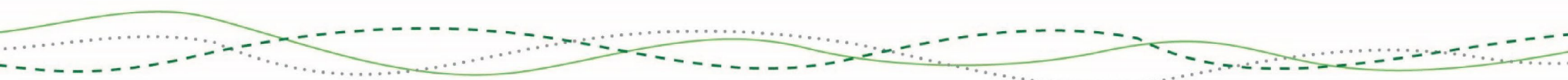
Protection of established mature trees

At present, no protection is afforded to mature trees from removal.

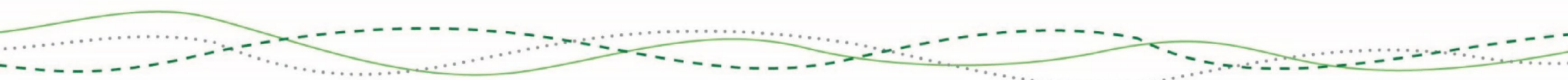
	Loss of large trees has a significant opportunity cost as it takes many years for a new planting to achieve even a little of the habitat and cooling value of an established tree. Prior to amalgamation, the then Whitsunday Shire Council initiated a significant tree register which existed until approximately 2014, but we have been unable to locate a copy. The task of documenting 'significant trees' throughout the LGA is enormous, and beyond the abilities of our group. Council also is unlikely to commit the level of resources that this task would require. Council's Natural Resources Management and Climate team is investigating this option, subject to Council approval and budget. We still firmly believe that it is in the public interest to prevent unnecessary removal of mature trees, as the benefits that they provide in shading and cooling urban areas and providing wildlife habitat, cannot be quickly replaced by new plantings. It is also important that mature specimens or trees that have social, environmental, historic, aesthetic or indigenous significance be protected, so we suggest that in addition to a register of trees that are significant to the community, some protection from thoughtless removal be afforded to trees which are over a certain basal diameter. For example adoption of development practices such as those outlined by the Department of State Development in the document below: https://www.statedevelopment.qld.gov.au/_data/assets/pdf_file/0023/33269/practice-note-06-tree-retention.pdf Another approach is to supplement the significant tree register with overlays identifying the presence of established native habitat and individual mature trees for protection. The mapping would enable some trees to be retained at the planning stage through exploration of different development design alternatives. Rockhampton Regional Council protects trees in public areas from removal for reasons other than safety: Their Tree Management Policy (Section 5.4 Removal and Replacement) recognizes the importance of the ecosystem services provided by established trees and generally does not approve removal for any of the following reasons; <i>The tree obscures or potentially obscures views;</i> <i>The tree species planted is disliked;</i> <i>The tree variety causes nuisance by way of leaf, fruit, bark shedding or other natural processes;</i> <i>The tree shades private gardens, solar panels, solar hot water installations or similar; or</i> <i>The tree is determined to have biodiversity values, such as a hollow, breeding place or 'habitat' tree</i> Brisbane City Council use the following approach: <i>All native vegetation in areas mapped as Significant Native Vegetation is protected under the NALL. Significant native vegetation includes native vegetation, from small ground covers and native grasses to large trees.</i> <i>This protection category includes:</i> <i>native vegetation that has ecological value and provides important habitat or is a food source for wildlife.</i> <i>native plant species that are unique to the region and state, such as hoop pines that were once part of rainforest communities that covered parts of Brisbane.</i> <i>native vegetation contributing to the preservation of natural landforms, bushlands, ridgelines and steep slopes.</i> <i>trees, shrubs, groundcovers and vines including dead trees or hollow logs, that collectively provide important habitat for wildlife.</i>	
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	<i>native vegetation communities such as Melaleuca wetlands and rainforests that provide unique and valuable habitat for fauna species.</i> Importantly, whatever approach is adopted, it has to be backed up with suitable penalties for breaches. In the case of poisoning/ felling trees on public land to 'improve' views, the most effective method seems to be placing a billboard where the tree was, with signage to the effect that it is there because someone killed the tree. A replacement tree is also planted, and the billboard is removed when the replacement tree matures. If they damage it again, the billboard remains. Whatever approach is adopted, it should be done by considering what other LGAs have done and what methods will be applicable here. Public consultation should be carried out with the community before any policy is finalised. Human Health & Wellbeing The retention of vegetated natural areas adjacent to residential developments has been shown to be important for people's mental and physical health. https://www.aihw.gov.au/reports/australias-health/natural-environment-and-health). This has become increasingly important in recent years as rates of depression and anxiety increase in the community. Our spectacular natural surroundings have attracted many new people to come and live and work in our region as climate change and Covid-19 are affecting the way we all live. Natural areas and open space within comfortable walking distance are increasingly needed for people's mental health. Not everyone has a car to travel, so well managed urban green spaces become ever more important, especially for the most vulnerable: the young and the elderly. This is undoubtedly a factor driving the current migration to our region, but ironically if this trend is not carefully managed it also threatens to erase the exact values that are attracting people to the Whitsunday region. Without forward-looking plans to retain mature trees and native vegetation, such as viable riparian corridors, keep the green hills that form a backdrop to the area intact and undeveloped, and retain sufficient healthy natural areas within or adjacent to new developments, for recreation, habitat, cooling and water infiltration, we risk losing these values forever. Council should be proactively planning to maintain walking-distance access to natural, vegetated areas as it plans new subdivisions, by encouraging the strategic retention of as many established trees as possible within developments, at the design stage. In the past, Council policy led to many small, unattractive parks being set aside at the whim of developers with little or no thought to their value either for wildlife or recreation. By the completion of the developments, these blocks often had all the vegetation significantly degraded or largely removed, necessitating public spending later on to restore the vegetation, or where this has not occurred, they have become dumping grounds for vehicles and garden waste, resulting in the establishment and spread of many invasive weeds. Many of these are now being sold on by Council, leaving people in these subdivisions with even less access to useable natural areas and open space than before.	
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	This mistake could be avoided in future if Council has strategically defined areas within lands that are earmarked for residential housing that are selected based upon sound criteria such as their habitat value, connectivity, recreational potential and visual amenity. These could then be prioritised as natural reserves at the planning stage and protected from damage from the beginning of the project. Retention of trees should be prioritised as established trees provide more benefit in terms of habitat and cooling than new plantings done by developers which tend to suffer from poor establishment practices and low survival rates. Even with the best practices it takes many years for them to mature to have an equivalent benefit. Broad-scale clearing followed by revegetation should be a last resort not standard practice. CONCLUSION: It is vital that Matters of Local Environmental Significance (MLES) are not only included in the Whitsunday Planning Scheme, but supported, implemented, and rigorously enforced. Whitsunday is undergoing yet another building boom and with every boom, we lose more of our precious natural areas, native vegetation and wildlife in a relentless death of a thousand cuts. We also lose the ecosystem services that they provide, such as clean air, water, cooling and the mental health benefits of being in a biodiverse, healthy environment. And we lose the opportunity to make it a better place to live now and in the future. To reiterate; The Whitsunday Conversation Council proposes that rather than waving through all of the changes as proposed, a Temporary Planning Instrument be adopted, while the Whitsunday Regional Council and the State Government rigorously review the problems with the current planning scheme and how they came to occur. This should be enacted to ensure that the public interest is maintained and preserved. Once a poor planning decision is made, the damage can't be undone. We all have to live with the consequences. Council thanks the Whitsunday Conservation Council for their in-depth submission on the environmental values of the Whitsunday region. Matters of Local Environmental Significance (MLES) is a current project that Council has been working on for some time in coordination with State Government. MLES will form part of a future amendment to the Planning Scheme subject to Council approval. This amendment will have its own separate Public Consultation and Council looks forward to working with the WCC on this amendment in the future.	
1294		No Action



Submission ①

For the safety of the Proserpine residents
and visitors alike

Attention was drawn to the inevitable construction
of the Shute Harbour Boat Ramp Pontoon to which
serious injuries have occurred.

Previously an E-Mail with this concern was
sent to and received by Whitsunday Regional Council
on 4th August 2022. 43 days ago. Since that date
up to and including 15th Sept 2022 no action has
been taken to insure the safety of the community
at this Pontoon at Shute Harbour.

I submit that the Whitsunday Regional Council
~~install~~ a warning sign to be placed immediately
until the responsible party take action to
remedy this infrastructure for the safety of
all concerned.

I also submit that the Whitsunday
Regional Council take further action to have
this concern dealt with before any more
accidents or fatal injuries are inflicted to
which ever jurisdiction it is under for a
satisfactory result.

P.S. This is our Shire and the
public residents rely on The Whitsunday Regional Council
to look after the safety of its Shire & People

	These matters are not relevant to the Planning Scheme and thus no action will be taken in the Planning Scheme major amendment. This submission has been forwarded onto the asset owner, MSQ (Marine Safety Queensland). Thank you for your submission.	
1295	See Attachment 3 Email 1- Zone amendments List Item 122. SP: 62SP211518 The owners of Botanica Estate, (119 Botanica Drive) thought that this motion was passed in Feb 2019 for the zoning to be changed to Rural Residential. I see yesterday that the matter is not final and is still going through the process (as told to me today by Shane Neville). This was to go to council on the 13/02/2019, it was postponed and then went to the next council meeting when councillors voted for the zoning to return to the original of Rural Residential. On that day (13/02/2019) the Chair of the Body Corp read a letter. (attached) Prior to this council meeting there was also many letters sent by residents of Botanica Estate. I was shocked to see yesterday that this matter has not been put to rest. I would sincerely hope that this is the final process and that 119B Botanica Drive will return to Rural Residential. If you require any of the letters that were sent to council and submitted by the residents, I was secretary of the Body Corp at that time and still have many copies that i can forward to you. I do not know what else to say as I and many other residents said it all at the time, prior to the vote. Below is a copy of my letter this was sent to council 19/02/2019. Thank You for taking the time to read my letter. Kindest Regards Older email 119B Botanica Drive, Woodwark. 4802 Amendment to Town Plan. Amend zone to Tourist accommodation zone from Emerging Communities I am writing to you in the hope that the councilors will vote to Decline this amendment to the town plan. As recommended by the Town Planning Department. Decline Amend zone from Emerging communities to Rural residential I would like to bring to your attention some of the wording of the Tourist Accommodation Zone (c) development may provide for limited Business, Community and Other activities, including food and drink outlets, shops, community uses, emergency services and utility installations, which: (i) directly support the day to day needs of the immediate visitors and residential community; Does not support the residential community. (ii) are small-scale and low intensity; That's what we were told about the weddings Only for 8 persons first wedding had 100 guests. (iii) are compatible with the local residential character and amenity of the area; This would not be compatible with the local residential character and amenity at all (iv) wherever possible, are co-located with similar activities within the zone; All neighboring properties are rural Res. (v) are accessible to the population they serve and are located on the major road network, rather than local residential streets; This is no where near a Major Road Network and the road is a private, small single lane rural residential road. (vi) do not undermine the viability of nearby centers 27; (vii) do not have a significant detrimental impact on the amenity of surrounding residents, having regard to hours of operation, generation of odours, noise, waste products, dust, traffic, electrical interference, lighting and visual impacts; This will definitely be detrimental to the impact on the amenity of surrounding residents, as with accommodation you can not tell people when to come and go, it will be 24/7. As it is now we have buses leaving at 11pm. g) development is designed and located in a manner which makes a positive contribution to the streetscape and is sympathetic to the intended scale and character of surrounding development; This would definitely not be in character of the surrounding development of	No Action

	single dwelling homes. h) development incorporates a high level of residential amenity, personal health and safety and protection for property; With the development we will lose our private gate, and therefore security, with visitors having 24/7 access to our private gated estate. The road is very narrow and this would put walking residents personal health and safety at risk. (i) development is located, designed and operated in a manner that does not unreasonably impact on the amenity of surrounding premises, having regard to matters such as traffic, noise, lighting, waste, fumes, odours, hours of operation, privacy, overlooking and public health and safety; This statement in itself traffic, noise, waste fumes, odours, hours of operation, privacy. The residents will have to endure these things and will not be able to avoid, 119B is at the end of the estate. I could write a comment on every point, and this would be a very long winded email. My main point is that 119B Botanica Drive, is at the end of a private gated residential estate, body corp, that maintains the grounds, roads, waterline and then has to on sell water to 119b only via an easement agreement which was set up before the estate was developed. The residents bought in to the rural residential promise and not on tourism accommodation being operated by the developers at the end of the estate. Thank you for taking the time to read my email. Owner of lot 31 Botanica Estate. Council thanks you for your positive comments and your submission.	
1296	More shade trees. Mandatory requirements have been stipulated for new subdivisions by the state government, which has been included in the Major Amendment, this includes more street trees for the enjoyment of the community. Council has recently adopted Regional Master Plans for each major town, they have programs to include beautification, street tree planting and street furniture. For more information, please see Council's website - https://www.whitsundayrc.qld.gov.au/our-council/publications-and-media/plans-strategies-and-reports Thank you for your submission.	No Action
1298	Submission 1298 RE: Proposed Whitsunday Planning Scheme Major Amendment The Urban Development Institute of Australia Queensland (the Institute) writes to Whitsunday Regional Council (council) to provide comment on the Whitsunday Planning Scheme Major Amendment. Thank you also for the extension of the time in which to comment that you provided. The Institute appreciates our ongoing relationship with council and continue to provide our expertise as the leading professional body for the property industry in Queensland. In general, the Institute supports the amendment to keep the scheme up to date. Some areas for improvement have however been identified. In reviewing the amendment, the Institute has been mindful of the present severe housing affordability and rental availability issues in the region. It has sought to ensure the scheme will be as user friendly as possible and avoid costs on development that flow through to the ultimate price of new homes. Such increases can exclude community members from being able to purchase their own home or invest in the area. Key areas in relation to the amendment that can assist to minimise additional costs include removing: costly impact assessment triggers for minor matters	Actions

- requirements for expert reports where possible, particularly where addressing the code's objective can be achieved in another way such as by specific guiding provisions.
- The Institute's specific comments are included below.

Ancillary office use in industry zones The Low Impact Industry Zone as proposed does not allow for or consider an ancillary office associated with a business. This excludes administration activities that can be critical for operation of land uses in the zone. We recommend the table of assessment be changed to allow for 'ancillary' office to be accommodated, even if this area is capped to say less than 100m². The assessment could read:

Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development
Office	Accepted development if: (a) complying with the acceptable outcomes of the applicable code(s); and (b) involving no building work; or (c) only minor building work; and (d) ancillary to the industrial activity being conducted on the site; and (e) not containing a GFA of more than 100m ² .	Business Activities Code Transport and Parking Code

The definition of 'use' under the Planning Regulation 2017, states 'for premises, includes an ancillary use of the premises', therefore no further action will be taken.

The Medium Impact Industry triggers a code assessment planning application for an 'ancillary' office. The table of assessment states an 'office' is code assessable, if ancillary to an Industry activity on the premises. It seems unreasonable to require planning approval for an administration office to run their business. We recommend the table of assessment be changed to allow for 'ancillary' offices to be accommodated, even if this area is capped to say less than 100m². The assessment could read:

Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development
Office	Accepted development if: (a) complying with the acceptable outcomes of the applicable code(s); and (b) involving no building work; or (c) only minor building work; and (d) ancillary to the industrial activity being conducted on the site; and (e) not containing a GFA of more than 100m2.	Business Activities Code Transport and Parking Code

The definition of 'use' under the Planning Regulation 2017, states 'for premises, includes an ancillary use of the premises', therefore no further action will be taken.

Low Density Residential

Meeting the demand for more affordable housing and accommodation in the region has been restricted by zone provisions. We note allowing for smaller lots and other infill opportunities is presently being considered in the Housing Affordability consultation, the Institute encourages inclusion into this amendment some modest changes to enable early additional housing opportunities. In particular, the Institute has identified that dual occupancies could be easily facilitated and meet a significant housing need. Dual occupancies could occur where the site is large enough without negative amenity impacts. We therefore recommend dual occupancy be made code assessable and subject to relevant criteria. A suggested table of assessment is provided below.

Use	Categories of Development and Assessment	Assessment Benchmarks for assessable developments for accepted development
Dual Occupancy	Code Assessment if complying with the acceptable outcomes of the applicable code(s)	Dual Occupancy Code

We note Dual Occupancy is an accepted development use within the Low Medium Density Zone, but point out that anyone who owns such land will likely develop it for projects with a higher yield than dual occupancy (as the zone permits), hence the lack of and even reducing number of dual occupancies in the region.

Council is currently exploring these options through Affordable Housing Consultation and has resolved to lower the minimum lot sizes for Dual Occupancy. This will form a separate amendment.

Reconfiguration of a lot The table of assessment in the proposed amendment triggers code assessment where the proposed lots comply with the minimum lot size and dimensions and Acceptable Outcome (AO) A02.1 of the code. In the practical design of subdivisions, it is not always possible or practical to meet all of the requirements and this results in the proposal requiring to be assessed as Impact

Future Investigation

Levels of Assessment for 'Dual Occupancy' within Tables of Assessment of Low Density Residential Zone

	assessment. Such designation requires substantially more costly assessment, face a longer assessment timeframe, and be subject to uncertainty that comes with public notification of the proposal. The Institute considers that there is little to be gained for the community by triggering impact assessment for a technical non compliance with the required dimensions. The code otherwise provides relevant suitable criteria to ensure an acceptable building area and other parameters will be achieved. This change that would trigger impact assessment will add another layer, complexity, delay, and cost to the process that can reduce housing supply and flow on to increase housing costs to the community. The Institute recommends only select critical criteria should trigger impact assessment. Noted and Council agrees with the reasoning of this request. The intention was to ensure sufficient land within a new lot for an adequate building footprint, however upon re-evaluation the impact assessment trigger for dimensions does not add sufficient benefit to the development assessment process. Currently the TOA for ROL reads: Residential Zones, Centre Zones, Industrial Zones, Emerging Communities Zone, Mixed Use Zone, Rural Zone and Rural Residential Zone. Code assessment (where not for an access easement or boundary realignment) if complying with: (a) The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. The TOA will be amended to: Code assessment (where not for an access easement or boundary realignment) if complying with: The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. Operational Works The tables of assessment provides for the 'Undertaking roadworks on a local government road for a driveway' as accepted development. This also confirms a driveway has been dealt with under the Planning Scheme therefore in accordance with the <i>Local Government Act 2009</i> and the <i>Planning Act 2016</i>. This is consistent with the ordinary approach for facilitating driveways and treatment of building matters. It is the Institute's view that applications under the local law should not be required and supports this change. Noted and so the Table of Assessment will be amended to read: 'Undertaking roadwork's on a local government road for a driveway' will be removed entirely. 'Undertaking roadwork's on a local government road, excluding driveways' will be added. The original intent of this amendment was to ensure all driveway constructions would require a Road Works Permit under the Local Government Act to reduce red tape and costs. Your submission outlined a deficiency in this intent which has been corrected through this amendment. Overlays Bushfire Mapping The Bushfire Hazard Overlay Map provides the Fire Danger Index (FDI) for the entire region. The FDI does not require any additional reporting or additional attention where it relates to a Material Change of Use. It is relevant however when applying for a reconfiguration of a lot application, for sites identified on the overlay mapping. At present the Table of Assessment is not user friendly when reviewing proposals for accepted development. The Institute recommends the relevant trigger maps be mentioned in the Table of Assessment for clarity and ease of reading.	Omit/Insert (red alterations) TOA Reconfiguring a lot Code Code assessment (where not for an access easement or boundary realignment) if complying with: The minimum lot size and dimensions set out in Table 9.4.7.3.2 (Minimum lot sizes and dimensions) of the Reconfiguring a lot code; and (b) AO2.1 of the Reconfiguring a lot code. TOA Operational Works Line 11 'Undertaking roadwork's on a local government road for a driveway' will be removed entirely. Line 10 'Undertaking roadwork's on a local government road, excluding driveways' will be added. Mapping Alterations Administration adjustments to • Bushfire Hazard ○ Fire Danger Index • Biodiversity, Waterways and Wetlands ○ High Ecological Value Water Areas
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Noted. The Fire Danger Index layer will be limited to the existing Bushfire Hazard Area layer in the Bushfire Hazard Overlay Mapping.

Biodiversity Mapping

The Biodiversity, Waterways and Wetlands Overlay Map includes a large area as 'High Ecological Value Water Area'. The Table of Assessment requires any works on land in the 'High Ecological Value Water Area', to address the code. A review of the code has revealed no reference to how this map is to be used or what is required as part of any development. We are of the view it is a mapping error. The Institute recommends the mapping be altered or the status of the 'High Ecological Value Water Area' be clarified in regard to the code. For clarity and ease of reading, the relevant maps should also be mentioned in the Table of Assessment.

Noted. The HEVWA layer will be updated with the most up to date data from Qspatial for this layer, and this has reduced the area significantly.

In terms of the Overlay Code, the accepted benchmarks and performance outcomes for all development appear tailored around dwelling houses and may require some reconsideration. Further clarification or improvement is also required in relation to the reference to buffers from waterways, and in particular the following:

- A03.1 - If you run a property report, the waterway is only listed if it is located on your property and not an adjoining property. Knowing the location of the waterway is important and reducing uncertainty for compliance is requested
- A03.1 – The acceptable outcome refers to Table 8.2.4.3.3, this table then refers to Stream orders. The Institute recommends adding a plan that includes the stream orders to clarify this for the community. This would avoid landowners having to pay a professional to understand what the stream order of the waterway is, adding to their ongoing list of expenses to build a house.

The Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order.

A note will be added to the Code for clarity.

The biodiversity code emphasises an ecological report to support development of a site. Council should note these reports start from \$5,000 to prepare which can discourage development being undertaken in the region because of the costs of more and more supporting professional reports. A report may not be relevant in all cases. The Institute recommends refining the circumstances in which an ecological report is required, or perhaps including clarifying provisions within the code, to avoid unnecessary costs.

The code requires a stormwater quality management plan, except for a dwelling house. Requiring stormwater quality management plans for so many developments is onerous and costly to the affordability of housing. The Institute recommends this code should be amended to only require the reports as per the State Planning Policy, which states:

For receiving waters, a development application for: (1) a material change of use for an urban purpose that involves premises 2500 metres² or greater in size and; (a) will result in six or more dwellings; or (b) will result in an impervious area greater than 25 per cent of the net developable area; or (2) reconfiguring a lot for an urban purpose that involves premises 2500 metres² or greater in size and will result in six or more lots; or (3) operational works for an urban purpose that involves disturbing a land area 2500 metres² or greater in size.

The Institute considers the biodiversity code and the healthy waters code have several practical implementation issues for the industry. We are aware of a number of on the ground matters that are not considered by or being effectively addressed by the codes. The Institute recommends council hold a workshop with relevant parties and consultants to seek input to make these codes more user friendly and ensure the best outcomes for the community and the environment. In the interim, these amendment codes should be removed.

At a minimum to meet the SPP, Council must include Water Quality Requirements and the above requirements were considered best practice for the Whitsunday Region. However, Council is conscious of onerous requirements being put on applicants. This request will be considered at the nearest available opportunity.

Biodiversity, Waterways and Wetlands Overlay Code

Add note to on where to find Stream Orders for Table 8.2.4.3.3

Note: Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order

	Flooding The Institute considers the Flooding code generally provides for relevant classes of buildings as accepted and assessable development. However, A01.1(c) does not include the class seven building type. This appears to be an oversight and should be corrected. <i>The exclusion of Class 7 (Buildings including carparks, warehouses or storage buildings) is deliberate, as they are not used for residential uses and thus not required to be above the DFL.</i> For sheds, the maximum height permitted is proposed to be 5.5 metres. In areas where the land level needs to be increased to ensure the building is 300mm above the flood level this will also increase the building height. In meeting the code requirement, the shed may exceed the building height provision and require the shed application to undergo impact assessment. The Institute considers it is unreasonable that sheds should face this more extensive and costly level of assessment to accommodate additional protection from flood waters. The Institute recommends including a provision in the code to not trigger impact assessment where the shed is raised to address flooding. <i>This will be addressed on a case by case basis, dependant on the application's merits.</i> Conclusion The Institute thanks you for the opportunity to provide a submission on the draft amendments to the Whitsunday Regional Planning Scheme. The Institute supports council's efforts in updating the scheme, development manual, and actions for housing affordability and local strategies. The Institute has identified some areas that can be improved to increase the effectiveness and useability of the planning scheme, and minimise the cost of new housing and development. These include: • Allowing for ancillary office use in industrial zones • Allowing for dual occupancies in the low density residential zone • Avoiding triggering impact assessment for reconfigurations of a lot for technical non compliance with AOs • Facilitating driveway approvals • Identifying Bushfire Hazard maps in the Tables of Assessment • Facilitating a workshop to further refine the Biodiversity and Healthy Waterways codes including: - o Clarification of High Ecological Value Water Areas - o Identification of waterways near a proposal and the meaning of stream orders - o Limiting the requirement for an ecological report or stormwater quality management plan • Including class seven building as accepted development under the flooding code and allowing ordinary sheds to not trigger impact assessment where height has been increased to meet the requirements of the code. We affirm our interest in further working with council on the Biodiversity and Healthy Waterways codes and other policy development. If you have any further queries, please contact Policy Manager, <i>Thank you for your submission.</i>	Future Investigation Requirements of Ecological Reports and Stormwater Management Plans for development applications.
1300	Allow a unit owner to buy without paying the outrageous body corporate fees (excluding common are liability insurance and a modest amount for lawn/pool maintenance) Most fees are from \$12,000 to \$18,000pa plus council rates. The fees cannot be justified and are absurd! <i>This matter is not governed by nor relevant to the Planning Scheme major amendment, therefore no further action will be taken.</i> <i>Thank you for your submission.</i>	No Action

1301	I am against changes to the WRC planning scheme that allow for higher building codes and denser population that makes the Whitsundays less of a suitable place to live. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. Thank you for your submission.	No Action
1303	1. No High Rise There is clear widespread feedback that the local community wants NO HIGH RISE DEVELOPMENTS. This would be in keeping with (2) (a), the character of Airlie Beach, which includes its vital, small town scale. As a Major Centre Zone a maximum building limit of 12m applies. Why is Council avoiding mention of this? - the Bowen local plan states "Development ... does not exceed the maximum building height defined" this does not appear in the Airlie local plan. One rule for Bowen and another for Airlie Beach? The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. 2. Removal of specific building heights in various sections. I find the omission of specific building heights leads to difficulty in finding the information, By all means, the zone map is relevant but the omission of heights information obscures relevant information. The height limits were diffused throughout the Planning Scheme document, the major amendment has consolidated them into one Overlay Code (with Mapping online) for ease of use. The mapping is here https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#/main?mapcfg=Planning_Major_Amendments 3. Listen to the Community When making Planning deliberations, the Council must listen to the wishes of the Community that elects its Councillors and pays the Council Rates that fund the salaries and wages of Councillors and Council staff. Mayors and Councillors must act with integrity and comply with legislation and the standards of behaviour set out in the Code of Conduct for Councillors in Queensland. Complaints can be made to either the Office of the Independent Assessor or the Crime and Corruption Commission depending on what the complaint is. 4. When the plan is agreed and in place Stick to it and not allow blatant disregard to matters clearly described in the plan - e.g. Port of Airlie and Shingley Drive proposed developments. Each application must be assessed on its own merits in accordance with the <i>Planning Act 2016</i>. Thank you for your submission.	No Action
1304	Objection to the Removal of Agricultural Land Overlay I am writing regarding zone amendment to Remove Agricultural land overlay at Cascara Street, Proserpine (L200 SP260203). I reside at 110 Hinschen Street, Proserpine and I am concerned about the new planning proposal, namely Cascara Street. Mark Erickson went into the Whitsunday Regional Council office in Proserpine to seek clarification on the proposal and the council representative stated that the nature strip is to remain along the fence line between Hinschen Street and the new Cascara Street development.	Actions Future Investigation Zone Request

	I am concerned why a plot in the nature strip plan is named 2 Cascara Street. I don't understand how a house can be situated on that block with restricted dimensions and access. I have concerns about the position of 2 Cascara Street and how it can be situated on a nature strip. I would like to know the plans for this block. Will it be a residential block or a block where trucks/vans will be parked or will it be part of the existing nature strip? I don't believe 2 Cascara Street should be marked on the plan or even considered as a residential block. The land in question is owned by an external party, however the parcel has a covenant covering the lot for vegetation. A zoning amendment would have to be investigated for this to change, which will be investigated at the nearest available opportunity. I am also concerned about the width of the streets and roads in the Whitsunday Gardens estate. The roads are not wide enough for existing traffic leave alone the increase in traffic with new easements and roads. Some of the roads have not been constructed safely for an increase in traffic and this will be a safety issue especially when vehicles are parked on the side of the road. I am unsure how delivery trucks or emergency services vehicles can access residences. The roads were constructed in accordance with the development approval and associated conditions relating to road construction at the time. Council's Development Manual stipulates Council's desired standard of service for roads, water, sewerage and parks and gardens. I am also concerned about the maintenance of fences, garden and "man made lakes or water ways" which are features in these new development areas like Whitsunday Gardens. It appears these features are not maintained. When some of the gardens are not maintained there is an increase in snakes and rodents. The fences around development sites are not maintained and are a safety and access issue. Council recently consulted on the Open Space Strategy for the Whitsunday Region, refer here https://yoursay.whitsundayrc.qld.gov.au/whitsunday-development-manual-amendment-and-draft-whitsunday-open-space-strategy-2022 for the future of Council's Parks and Gardens. Council strives to achieve a high level of service for open space maintenance, if you have a complaint about Council owned open space, please contact info@whitsundayrc.qld.gov.au. Some open space is privately owned, if it becomes overgrown please contact Council again and Council will contact the owner to rectify the issue. I am also concerned about the wildlife, namely the kangaroos that will be affected by the new zoning. There are kangaroos in the agricultural zone at the back on Honey Myrtle. I am not sure how they will fare with the increase in noise and traffic. The removal of the Agricultural Overlay for Lots 200 & 201 are reflecting both the existing approval over this land and the zone of the lots, which is Low Density Residential Zone. Thank you for your submission.	
1305	Dwelling House Code <i>A01.1 Dwelling houses, excluding domestic outbuildings, promote the local residential character, through variations in building façade and roof form, including:</i> <i>(a) eaves at least 0.5m from the wall edge, along Street fronting walls;</i> This acceptable outcome seems to be a bit to onerous, essentially means that anybody wanting to build a parapet style frontage to their dwelling will need to lodge an MCU. (red is submitter)	Actions Omit/Insert Dwelling House Code AO1.1 (a) will be deleted. AO1.1 (c) will be deleted.

	The submission has pointed out unforeseen consequences of these design requirements, this was originally intended to improve the aesthetics of 'liveable sheds', as such this amendment will be withdrawn. (blue is Council) (b) roof pitch of at least 5 degrees; This acceptable outcome is contradictory with the Building Assessment Provisions. The National Construction Code has a Deemed to Satisfy Solution contained in Volume 2 of the code allowing dwellings to have a roof pitch as low as 2 degrees, granted they use a particular profile of roof sheeting, i.e., Trimdeck. Council is requiring a standard above and beyond the National Construction Code. (c) large windows, openings and variations in building footprint or articulation, such that no unbroken wall fronting a street is greater than 5m, vertically or horizontally; This acceptable outcome is not very definitive. What is considered a large window?? 10m2, 5m2?? Will we have to consult Council's planners on every house to check that the proposed windows are 'Large'? What does the term 'unbroken' mean? This requirement is too restrictive on building designers, especially with the new Liveable Housing Provisions that have been approved with the NCC 2022, due to come into effect by 1 October 2023. The liveable housing provisions have requirements for wider door openings, wider minimum garage sizes, wider landings, wider hallways, wider sanitary compartments etc. The submission has pointed out unforeseen consequences of these design requirements, this was originally intended to improve the aesthetics of 'liveable sheds', as such this amendment will be withdrawn. A01.2 Domestic outbuildings within a Residential zone or Mixed-use zone are of a scale and size that adheres to the surrounding residential character, including: (a) maximum combined floor area equivalent to 9% of the site area or 72m², whichever is the least; (b) a maximum length of 12m in one plane; and (c) a maximum length-to-width ratio of 2:1. This is going to trigger an application to Council for 80% of the sheds built in the Whitsunday Region. Considering the QDC MP1.2 & MP 1.1 already contains a provision regarding lot coverage, and Council are consulted for any lot coverage over 50%. Wouldn't it be better to have a trigger in place to only get referrals where a shed is proposed to be built on a lot prior to the dwelling if the shed exceeds 72m for residential zones?? Council deliberated this matter at multiple Council meetings, and it was resolved to be entered into the Planning Scheme major amendment. No further action will be taken at this time. A01.3 The size and location of domestic outbuildings within a Residential zone or Mixed use zone does not compromise the on-going residential use of the site, ensuring: (a) where no dwelling house is on-site, adequate unencumbered area is provided for a dwelling house; (b) where reticulated water is not available, adequate unencumbered area is provided for water storage; and (c) where reticulated sewerage is not available, adequate unencumbered area is provided for effluent areas. What is considered an adequate unencumbered area? Is there a minimum size that is expected? The unencumbered area required will need to meet the Queensland Development Code, the National Construction Code and all other applicable legislation at the time. The unencumbered area required will likely change over time, as technologies advance, therefore a minimum size is not appropriate.	AO1.4 will be deleted. AO1.5 will be amended: AO1.5 Development involving pier and pole construction includes Queenslander architectural design elements to reduce visibility of the underside of the building and minimise building bulk from the Street, including decorative features that cast shadows, such as: (a) timber battens; (b) lattice screens; (c) landscaping; (d) verandahs; and (e) stairs fronting the street. Bushfire Hazard Overlay A013.1 Development ensures that: (b) where a reticulated water supply is not available, one tank that is below ground or of non-flammable non-combustible construction is located within 10m of each building, excluding a Class 10 building or structure, Coastal Hazard Overlay AO1.2(b) will be deleted. Flood Hazard Overlay Amend AO5.1: Development for a residential use in Low and Identified flood hazard areas ensure: (a) fences within drainage paths up to the DFL are at least 50% transparent penetrable to not impede overland flow; Future Investigation Coastal Hazard Overlay AO1.2(a) necessity of wording due to duplication from NCC.
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	A01.4 Where fencing is not provided, street frontages are adequately landscaped to visually define the boundary between private and public land. How is this economically possible on a 40-hectare Rural piece of land? And why is this needed? Land surveyors can be employed to confirm the exact location of a property boundary. The submission has pointed out unforeseen consequences of these design requirements, this was originally intended to improve the aesthetics of 'liveable sheds', as such this amendment will be withdrawn. A01.5 Development involving pier and pole construction includes Queenslander architectural design elements to reduce visibility of the underside of the building and minimise building bulk from the Street, including decorative features that cast shadows, such as timber battens or lattice screens and: (a) landscaping; or (b) verandahs or stairs fronting the street. This is not very definitive, at what point does a pier and pole construction trigger this requirement? a) When the underside of the floor is 400mm above ground level? b) When the underside of the floor is 800mm above ground level? c) When the underside of the floor is 4000mm above ground level? This AO is subjective and puts the obligation on the owner/developer to adequately meet this requirement. This would be assessed on a case by case basis. The wording will be amended as below: A01.5 Development involving pier and pole construction includes Queenslander architectural design elements to reduce visibility of the underside of the building and minimise building bulk from the Street, including decorative features that cast shadows, such as: (a) timber battens; (b) lattice screens; (c) landscaping; (d) verandahs; and (e) stairs fronting the street. Building Heights Overlay Code No maximum heights for the Rural Zone? There is no building height limit within the Rural Zone, except for 6.2.16.2 (3)(j), specifically being Business or Accommodation activities. Bushfire Hazard Overlay Code A013.1 Development ensures that: (b) where a reticulated water supply is not available, one tank that is below ground or of non-flammable construction is located within 10m of each building, excluding a Class 10 building or structure, Definition of non-flammable? Perhaps consider changing this term to non-combustible to align with the National Construction Code (NCC) and Australian Standards. Noted, this will be amended. Coastal Hazard Overlay Code Should be an 'Or' at the end of point (a)	
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Table 8.2.7.3.1 Benchmarks for accepted and assessable development			
Performance Outcomes		Acceptable Outcomes	
PO1	Development involving a building is: (a) located and designed to ensure the safety of all persons and buildings from coastal hazards; and (b) located to minimise amenity impacts, disruptions to residents, recovery time, rebuilding and restoration costs after a coastal hazard event.	AO1.1	Development of a habitable building: (a) is not located on land identified in a Coastal hazard area; (b) ensures the finished floor level of a new building is located at a minimum 500mm above the defined storm tide event (DSTE), if within the storm tide inundation - wave run-up area; or (c) where involving an extension no greater than 75m ² to an existing building, habitable room(s) are not less than the floor level of existing habitable rooms and non-habitable rooms at ground level below the DSTE allow for the flow through of water. Note – Where a premise is mapped by both flood and coastal hazards, the assessment benchmark that provides the highest level of protection from any source of inundation applies.

Noted, however the way to read the Planning Scheme is under Section 1.3.3 and the additional 'or' is not required.

A01.2 Structures are only located within a Coastal hazard – storm tide inundation area, if:

- (a) a Registered Professional Engineer Queensland (RPEQ) certifies that the development is structurally designed to be able to resist hydrostatic and hydrodynamic loads associated with flooding up to and including the DSTE; or
- (b) a non-habitable structure within an inundation area that is designed to allow the flow through of water up to the DSTE and suits class H soil classification with 100kpa bearing capacity.

This requirement is contradictory to the Building Assessment Provisions, in particular the NCC, Volume Two, Structural provisions. The Performance requirement for any building structure under the NCC is below:

It is the Building Certifier's obligation to ensure that any building or structure be that a class 1 or 10 is designed to withstand any and all expected structural loads for the proposed site. This does not need to be in the Planning Scheme.

Performance Requirements

P2.1.1 Structural stability and resistance

- (a) A building or structure, during construction and use, with appropriate degrees of reliability, must—
- (i) perform adequately under all reasonably expected design actions; and
 - (ii) withstand extreme or frequently repeated design actions; and
 - (iii) be designed to sustain local damage, with the structural system as a whole remaining stable and not being damaged to an extent disproportionate to the original local damage; and
 - (iv) avoid causing damage to *other properties*, by resisting the actions to which it may reasonably be expected to be subjected.
- (b) The actions to be considered to satisfy (a) include but are not limited to—
- (i) permanent actions (dead loads); and
 - (ii) imposed actions (live loads arising from occupancy and use); and
 - (iii) wind action; and
 - (iv) earthquake action; and
 - (v) snow action; and
 - (vi) liquid pressure action; and
 - (vii) ground water action; and
 - (viii) rainwater action (including ponding action); and
 - (ix) earth pressure action; and
 - (x) differential movement; and
 - (xi) time dependent effects (including creep and shrinkage); and
 - (xii) thermal effects; and
 - (xiii) ground movement caused by—
 - (A) swelling, shrinkage or freezing of the subsoil; and
 - (B) landslip or subsidence; and
 - (C) siteworks associated with the building or structure; and

AO1.2(a) cannot be altered as it was not part of the Major Amendment, however AO1.2(b) can be deleted as one of the intents of the Major Amendment was to ensure there are no duplications between the Building Act and the Planning Scheme, see 'Integrating Building Work in Planning Schemes' <https://planning.statedevelopment.qld.gov.au/planning-framework/plan-making/local-planning/assisting-local-government>.

The AO1.2(a) request will be considered at the nearest available opportunity.

Flood Hazard Overlay Code

A01.1 Where development is located in a Low risk flood hazard area or Identified flood hazard area:

(c) Where a Class 10a is enclosed, the finished floor level is a minimum of 300mm above the DFL;

People are not going to spend thousands of dollars on engaging an engineer to carry out a flood study report for a class 10a shed in areas that Council have not done any flood mapping just to determine the DFL.
This Acceptable Outcome is contradictory to it's Performance Outcome as PO1 (a) is not applicable as Class 10a's are non-habitable.
This acceptable outcome is going to achieve the complete opposite of PO1(b).

This requirement is considered a reasonable outcome, a higher standard of assessment is required if building within a flood affected area.
No further action will be taken.

	A05.1 Development for a residential use in Low and Identified flood hazard areas ensure: (a) fences within drainage paths up to the DFL are at least 50% transparent to not impede overland flow; Fences less than 2000mm are considered Accepted Development (Self assessable) under the Building Regulations 2021: Council are not going to see any applications for fences unless they exceed 2m. Schedule 1 Accepted development (self assessable) 1 Work for particular fences, barriers and gates (1) Building work for a fence, if the fence is— (a) no higher than 2m above the fence's natural ground surface; and (b) not for a regulated pool. This requirement is considered a reasonable outcome, a higher standard of assessment is required if building within a flood affected area. However, the wording will be altered. A05.1 Development for a residential use in Low and Identified flood hazard areas ensure: (a) fences within drainage paths up to the DFL are at least 50% transparent penetrable to not impede overland flow; Thank you for your submission.	
1306	I would like to suggest that before this plan is finalised that Wrc actually hold public meetings in each town during which people can ask questions and receive answers/explanations/reasoning at the same meeting. During Public Consultation the Strategic Team within Council was available for requests for meetings or any other discussions with the Public. They received many enquiries during this time, both over the phone and face to face. Your suggestion is welcomed however Council officers have found one on one meetings with concerned individuals allow Council officers more time to adequately respond to customers concerns. Thank you for your submission.	No Action
1307	As a recent purchaser of a property in Airlie Beach we took into account the current Town Planning by laws. To change the by laws we feel will be detrimental to Airlie beach and also to us as an owner of property overlooking the Town. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
1308	We plan to settle here. From both a tourist and resident perspective- leave it as it is. Don't make it another eye sore - we can go to Gold Coast or cats eye bay if we want to be surrounded by high rise. It's the village feel that makes Airlie so special. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area.	No Action

	Thank you for your submission.	
1309	Airlie is not a place for "high" density development" I support the 8 statements put forward by Whitsunday conservation	No Action
1310	Thank you for your submission. Trees: it is worrying to witness new areas of development where large growths of trees have just been mowed down with scant regard for their effect on ambient temperature, carbon emission absorption and scenery. Council should strictly control this practice and initiate reforestation or ensure that the developers do. Have the council got the teeth to force this to happen? Vegetation clearing is a complex and sensitive topic. Planning must balance both development, growth of the beautiful Whitsunday Region and protection of natural assets. The Vegetation Act of Queensland governs most vegetation clearing and this is done at a state level. For example, 'For an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) in an urban area' is exempt in most Regulated Vegetation areas within the urban footprint. Rural clearing has an exhaustive list of requirements. Refer here https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/exemptions Council has jurisdiction over clearing when applications are submitted to Council, dependant on the type of application and Council's mapping. To that end, Council has made the following amendments: Matters of National Environmental Significance (MNES) for recognised in the Strategic Framework mapping and intents. Matter of State Environmental Significance layers (MSES) cover 35.5% of the entire Whitsunday LGA under the Planning Scheme major amendment, MSES is shown on the Biodiversity, Waterways and Wetlands Overlay mapping. The Biodiversity, Waterways and Wetlands Overlay Code was written for the Planning Scheme major amendment, considering State Planning Policy Guidance for Biodiversity. This code was a compilation of the previous Waterways and Wetlands & Environmental Significance Overlay Codes, and the State Planning Policy. Houses that need less power: Houses should be built with coolness in mind as far as colour[white rooves] design and alignment are concerned. Solar panels would make up a very small proportion of the cost of a new building. Could it be made obligatory for new buildings [houses, supermarkets, car parks] to have solar panels. Unfortunately this is outside of the powers of the Whitsunday Planning Scheme. Transport: the road between Cutuli's corner and Paluma Road below Centro is coded future sub arterial on the map. If the Shute Harbour Road between Riordanvale and Paluma Road is blocked as it was earlier this year then traffic is blocked completely between town and beach. It must be a priority for that road to be built. The way is in an awful condition at the moment. My wife used to cycle to school down it in the 1950s. Development of Cutuli road is identified in the Local Government Infrastructure Plan, being from 2027 onwards. Refer here https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017	No Action

General Plan: in view of the apparent future shortage of space dual use of playing fields and sporting facilities by community and schools would be a more economical use of space. High School At The Beach. Proserpine State high School is approaching 1300 students today[teachers and students are becoming more and more separated], much more than your predicted figures for 2036, with a size of 6.5Ha [much smaller than St.Caths]. Cannonvale Primary School has over 800students already. There are at least 22 buses ferrying students back and forth daily at a cost of \$????? and up to 2 hours a day of student's lives. In your plan it claims" it is noted that Proserpine High School has capacity for expansion" THIS IS NOT TRUE. It is essential that a new high school be built at the beach right now. Priority LOBBY EDUCATION DEPT. I will send you an email attaching some historical back ground to help you to lobby for this essential High School.

Transport – electrification of Council vehicles, hybrid still release CO2, perhaps 50% not good, need to gradually build up EV.

High School At The Beach?
Recent population growth in Cannonvale and Airlie Beach has led to an obvious imbalance of infrastructure. To attend State High School or go to the hospital requires a twenty five kilometre each way journey down The Shute Harbour Road which has increased both the traffic flow and the size of the Proserpine State High School considerably. Numbers at the High School have risen to a worrying 1300 students. The High School bus number 22 has been observed making the journey. This situation was highlighted when a traffic accident closed the road in April this year with the result that students who lived at the Beach did not get home until 10.30 pm that night. Has there been a lack of infrastructure planning? Perusal of the Proserpine Guardians and Whitsunday Times of the 1980s does show some concern even then.
6/8/80 Newly chosen National Party candidate Geoff Muntz spoke of the need for a high school at The Beach, noting that there were 24 acres of Education Department land which should be reserved for this purpose.
N.B. this was at a time when Cannonvale Primary School students numbered about 200. The school has now risen to in excess of 800.
7/11/80 During his visit to Proserpine on Wednesday the State Education Minister Mr. Val. Bird raised the possibility of a future High School at Cannonvale. He told the Guardian that development taking place at the coast strongly indicated that there would be a need for secondary education thereabouts in time to come and it is necessary now to look around for a suitable site near the beachfront.
26/8/81[WT]Portion 81, a section of Crown Land next to Cannonvale School which had been fondly assumed by school authorities and the community to have been set aside for a high school. Land Commission had sub-division plans in hand for some years.
25/3/82 Frank Turvey, in a speech to back his candidature for Division Two. "Again speculation has been evident as to a possible location of a secondary school for Division Two. The most logical site must surely be on Crown Land already 'earmarked' for that purpose adjacent to the existing school. I will work most fervently to that endeavour.
Cannonvale State School Parents and Citizens Association Minutes 14/11/86 Concern was expressed that the new T.A.F.E .had been opened on land thought to have been earmarked for a future high school. The committee approached State Member, Geoff Muntz.
12/5/87 The P. and C. received a visit from Mr. Noel Christie, the Assistant Director of Secondary Sites for the Education Department. At a special meeting of the P. and C. Mr. Christie reported that he had identified six suitable sites and would be visiting the Shire Council on the next day 13/5/87.
The Department was then somewhat dilatory in taking action on Mr. Christie's recommendations and within 9 months all six suitable sites had been built on. Two of the sites by then were occupied by Club Croc and by the Milk Depot.

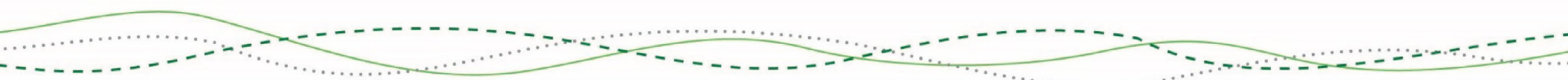
[Part of this submission for a high school was received against the Proserpine to Airlie Beach Structure Plan and Growth Study, please refer to Submission Response No 3 in the Proserpine to Airlie Beach Growth Study and Structure Plan Consultation Submission Analysis Report.](#)

[Extract from that Submission Analysis Report:](#)

'On 24 November 2021 Council endorsed the Proserpine to Airlie Beach School Needs Analysis (School Needs Analysis) as an outcome from the Airlie Beach to Proserpine Growth Study. The School Needs Analysis defines demand for schools necessary to service the growing population and to inform Queensland Department of Education (DoE) decision making.

	<i>Council advocated the recommendations of the School Needs Analysis to DoE. The Analysis was provided to the DoE for consideration and has been passed on to their Strategic Planning, growth and new schools planning team. DoE intends to update their data after the release of population projections in late 2022.</i> <i>Council also recently endorsed the Regional Economic Development Strategy 2022-2025, Action Plan Task 1.2.1 states 'Lobby the Department of Education for a public high school in Cannonvale.' This is an ongoing action for Council.'</i> <i>Thank you for your submission.</i>	
1311	Definitely needs to keep low building heights and maintain beautiful natural environments. Preserving the beauty of the Whitsundays. Utilising spaces for parking so more visitors can stay and utilise the facilities all ready here. The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Council has recently provided the free carpark on Waterson Way and continues to investigate carparking options. <i>Thank you for your submission.</i>	No Action
1312	People come to an area for a certain vibe. Don't muck it up. There is not enough infrastructure for this type of development. One road in I have recently moved from SEQ to avoid this type of disaster. The roads around Brisbane, Ipswich and the Gold Coast are a nightmare because developers have been given free rein with little consideration for supporting infrastructure. Please don't don this for beautiful Airlie. No local agrees with this. Only the money hungry developers. Thanks for listening! The Airlie Beach local plan introduces design guidelines to respond to residents' and community's preferences. The matter of variations to building height controls in Airlie Beach has been considered. While Council is not changing the building heights within the Airlie Beach local plan, there is sufficient infrastructure to accommodate further growth, please refer to Council's Local Government Infrastructure Plan - https://www.whitsundayrc.qld.gov.au/economic-development-business-and-planning/building-and-development/planning/whitsunday-planning-scheme-2017 <i>Thank you for your submission.</i>	No Action
1313	See Attachment 4. The submission is a zone request for (13RP734153) 30 Wrights Road Strathdickie, to alter the current zoning of 'Rural' to 'Rural Residential'. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site.	Actions Future Investigation of Rural Residential areas will be undertaken in 2023
1314	We have a unique seascape and we certainly don't need it to be spoilt by high rise buildings. Please see sense and don't allow high rise buildings.	No Action

	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
1315	Please do not rezone the Coral Sea Marina trailer parking as it should remain a COMMUNITY FACILITY, not a development lot. The Coral Sea Marina trailer parking lots zones have not been amended in this Major Amendment and were zoned Mixed Use in 2017 under the adoption of the Whitsunday Regional Council Planning Scheme 2017. However, the zone amendment request will be investigated. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Thank you for your submission.	Action Future Investigation Zone Request
1316	Airlie Beach, jubilee Pocket, Mandalay through to Shute Harbour are constrained by the geography of the area, with only a single lane road, each way, in and out of the town, and with it being inundated/flooded during seasonal rain/severe weather events, like cyclones that frequent the region quite regularly. This is a serious bottleneck and restricts movement in and out of the area, which, during any of the regular serious weather events could have a devastating effect on the local communities in this area if emergencies arise. So developments must be restricted in these areas, so as not to cause catastrophic emergencies during such weather events, because of the very limited road infrastructure and constraints the area has. With the only built for purpose emergency evacuation facility and hospital being in Proserpine, some 24km's away, on a road that is subjected to flooding during seasonal weather events in numerous places, excessive development must be restricted to prevent and mitigate a catastrophic emergency. A single lane road in and out of the area is not adequate, or acceptable and is a major hazard to the current population, as it is now, so development and population growth must be restricted in the area, until such times as a better road network, to our emergency centres and escape routes is rectified beforehand. Examples of this has well been shown with traffic accidents west of the Paluma Rd traffic lights that brought the traffic on the road to a standstill on a number of occasions for hours on end on normal traffic conditions, let alone a weather emergency. This is also the case that emergency vehicles, (police, ambulance and fire brigade) are also prevented from traversing many flooded roads in and around the area, in several places between Shute Harbour and Proserpine, even the highway exists north and south of the region, this has the potential to create a serious life and death situation with an ever increasing population in these heavily restricted areas, with regards to the poor and limited road infrastructure and must be taken into account with every new development application. Failure to do so could be seen as liable in the case of injury and/or death in such events if not addressed. Shute Harbour Road is under the jurisdiction of the Department of Transport and Main Roads, Council continues to advocate for upgrades to capacity and hazard immunity. The Proserpine to Airlie Beach Structure Plan was adopted by Council on 23 November 2022, which seeks to protect the future road network in the growth corridor, providing hazard resistance through multiple evacuation routes. Thank you for your submission.	No Action.
1318	Please do not proceed with high rise buildings as this will fundamentally change the look and feel of the foreshore. In addition the proposal will remove a valuable trailer parking area near the boat ramp.	No Action



	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	
1319	We need more parking for cars with boat trailers at Coral Sea Marina There is limited space at Coral Sea Marina, Council has currently utilised all the reserve land for carparking and boat trailer parking. Thank you for your submission.	No Action
1320	See Attachment 5. This submission is a zone request for 12596 Bruce Highway Hamilton Plains to alter the current zoning of 'Rural' to 'Low Impact Industry'. Thank you for your zone amendment request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This would significantly delay this major amendment however, your zone request will be considered at the nearest available opportunity, please be advised this may take some time. Alternatively, you may follow the development assessment process as outlined in the <i>Planning Act 2016</i> to pursue development options on your subject site.	Action Future Investigation Zone Request
1321	Part 1 About the Planning Scheme 1.1 Introduction Add at (7) The Planning Scheme shall be a contract between the WRC and the local community and as such only minor changes or variations to the Planning Scheme shall be permitted. The Whitsunday Planning Scheme is a balance of five strategic principles of liveable communities and housing, economic growth, environment and heritage, safety and resilience to hazards and infrastructure. The Planning Scheme represents a local interpretation of the State Planning Policies. The Planning Scheme needs to remain flexible while compliant with the Planning Act 2016, the requested wording is contradictory to both and therefore no further action will be taken. Part 3.2 Strategic intent Add: The plan respects the communities desire for no high rise in the Airlie Beach area. 3.2.1.1 Strategic outcome Add to (1) In particular building heights are not to exceed those heights stated in the Planning Scheme and shall maintain the heights of neighbouring properties. <u>Strategic Intent</u> Thank you for your request. The <i>Ministers Guidelines and Rules 2020</i> requires additional public consultation where a significant change is made in response to a Planning Scheme major amendment submission. This request will be considered at the nearest available opportunity, please be advised this may take some time. 3.2.2.2 Land use strategies	Action Future Investigation Investigate the wording of the Strategic Intent

(6) Change “Abel Point Marina” to “Coral Sea Marina” in two places

[The Major amendment has already achieved this outcome and so no further actions will be taken.](#)

3.2.5.2 Land use strategies

(2) The statement “Existing road and rail corridors are protected and operate efficiently.” Needs to be changed to reflect the various bottle necks/issues such as the WMD/SHS and Shingley Drive/SHR intersections which do not operate efficiently.

The major issue of one road in and one road out needs to be addressed and resolved as we saw the major hold ups this year with a vehicle accident, where school children did not get home until late in the evening.

[Shute Harbour Road is owned and managed by the Department of Transport and Main Roads and not under Council control.](#)

4.2 Planning assumptions

Part of the planning assumptions should include consideration of climate change and increased severity of weather events.

[As Council updates hazard overlays based on engineering studies, the effects of climate change are incorporated.](#)

Part 4.4.3 Stormwater network

The 10/50/100 year flood events need to be reviewed to take into consideration climate change and the potential increase, severity and frequency of flood events and cyclones.

[The Development Manual represents best practice for infrastructure design for the Region, this stipulates the built requirements of Stormwater pipes. This manual takes into account best practice for Australian Standards, the Queensland Urban Drainage Manual and has recently been updated by Council.](#)

[The amendment included technical amendments to stormwater infrastructure, including expectations for flood and stormwater reports, interallotment drainage and managing overland flow.](#)

[The Flood Hazard Overlay Code and Mapping consider climate change modelling within the Town of Whitsunday, and updated flood modelling \(including climate change\) is being completed for other towns within the Region.](#)

Part 6 Zones

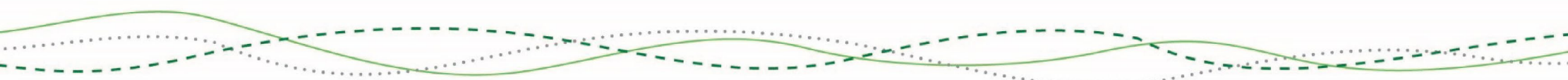
The way this part is set up makes it difficult to clearly establish what the building are and appears to be made more complicated by the references to maps and gives the impression that this important area of community concern is being made more difficult to follow than it need be.

Reinstate definition of building heights so all information for a zone is in one place, instead of diffused through this massive document and include the maximum number of stories in the definition.

[Building Heights Overlay](#)

[The height limits were diffused throughout the Planning Scheme document, the major amendment has consolidated them into one Overlay Code \(with Mapping online\) for ease of use. The mapping is here \[https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments\]\(https://mapping.whitsundayrc.qld.gov.au/connect/analyst/mobile/#!/main?mapcfg=Planning_Major_Amendments\)](#)

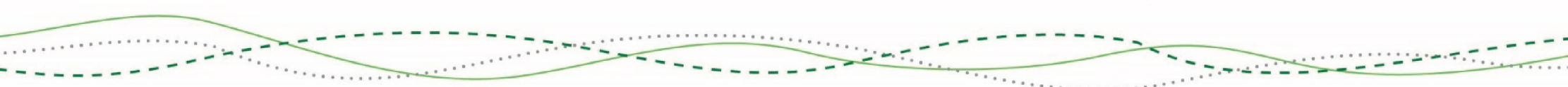
[Building Heights Definition](#)



	The definition of building height is found in the <i>Planning Regulation 2016</i>: <i>“Building height, of a building, means: (a) the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna”</i> Any change to this definition would require support from the State Planning Department, therefore no further action will be taken. 6.2.10 Low-medium residential zone code (LMRZC) Add: The scale of any development must be in keeping with neighbouring properties and shall not exceed the LMRZC. The intent of the zone is to have a mix of residential products that are compatible while in keeping with the zone outcomes. Requiring identical scale is the opposite of the intent of the zone outcomes, therefore no further action will be taken. Thank you for your submission.	
1322	Really don't think high rises are necessary. If people want that they can go the SE Qld. No high rises in Airlie!!!! Thank you The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.	No Action
1324	Housing should NOT be put into known flood areas. The insurance in these houses would be through the roof and nobody would be able to afford to live in them anyway. Under the amended Flood Hazard Overlay Code, building may only occur in Low Risk Areas or Identified Flood Hazard Areas. In these areas, habitable levels must be 300ml above the Defined Flood Level (which considers climate change and the most up to date State Guidance on Flood Management within a Flood Plain). Areas of 'Identified Flood Hazard Risk' must be assessed against the Planning Scheme Policy 6.5.4, which takes into account climate change (Defined Flood Level at year 2100, See SC6.5.4 Flood Hazard Assessment Report). Thank you for your submission.	No Action
1325	NSW government is paying millions of \$\$'s to buy back homes built in flood zones Don't allow development in flood areas in the Whitsunday area to satisfy developers Under the amended Flood Hazard Overlay Code, building may only occur in Low Risk Areas or Identified Flood Hazard Areas. In these areas, habitable levels must be 300ml above the Defined Flood Level (which considers climate change and the most up to date State Guidance on Flood Management within a Flood Plain). Areas of 'Identified Flood Hazard Risk' must be assessed against the Planning Scheme Policy 6.5.4, which takes into account climate change (Defined Flood Level at year 2100, See SC6.5.4 Flood Hazard Assessment Report). Thank you for your submission.	No Action
1326	We want our town to maintain our distinctive village atmosphere and not become another nameless high rise blot on the landscape.	No Action

	The matter of variations to building height controls in Airlie Beach has been considered. There is no proposal to amend building heights in the Airlie Beach local plan area. Thank you for your submission.																
1327	Please don't build anything in flood zones Just look at all the people that have been flooded lately Under the amended Flood Hazard Overlay Code, building may only occur in Low Risk Areas or Identified Flood Hazard Areas. In these areas, habitable levels must be 300ml above the Defined Flood Level (which considers climate change and the most up to date State Guidance on Flood Management within a Flood Plain). Areas of 'Identified Flood Hazard Risk' must be assessed against the Planning Scheme Policy 6.5.4, which takes into account climate change (Defined Flood Level at year 2100, See SC6.5.4 Flood Hazard Assessment Report). Thank you for your submission.	No Action															
1328	Keep it country style Thank you for your submission.	No Action															
1330	RE: Whitsunday Planning Scheme: Major Amendment Submission by Emprja Pty Ltd Further to our meeting with Council officers Mr Neil McGaffin and Mr Shane Neville on Friday October 22nd, Emprja Pty Ltd formally requests that the following zones apply to the lots identified: <table border="1"> <thead> <tr> <th>Lot on plan</th><th>Current zoning</th><th>Zoning requested under the Major Amendment</th></tr> </thead> <tbody> <tr> <td>Lot 103 on SP303770</td><td>Not zoned</td><td>Partially 'Open Space' (over the extent of this lot currently utilised as the public park) Partially 'Community Facility' (over the extent of this lot currently utilised as the public carpark)</td></tr> <tr> <td>Lot 3 on SP265779</td><td>Not zoned</td><td>'Community Facility'</td></tr> </tbody> </table> Emprja Pty Ltd understands that the above requested zones for these lots, is more specific (and in many respects, more restrictive) than the 'mixed use zone' presently contemplated under the draft Major Amendment. However, Emprja is comfortable that the above requested mixture of 'Open Space' and 'Community Facility' zoning, more accurately reflects the uses undertaken on these lots (being public car parking and public park). Furthermore – the more specific zoning as requested above, will operate to give Council and the community, more certainty that: - the land presently used as public park, will logically continue to be used as public park; and - the land presently used as a public car park, will logically continue to be used as a public car park;	Lot on plan	Current zoning	Zoning requested under the Major Amendment	Lot 103 on SP303770	Not zoned	Partially 'Open Space' (over the extent of this lot currently utilised as the public park) Partially 'Community Facility' (over the extent of this lot currently utilised as the public carpark)	Lot 3 on SP265779	Not zoned	'Community Facility'	Actions Zone Request <table border="1"> <thead> <tr> <th>Lot on plan</th><th>Major Amendment V4.3</th><th>Zone Amendment V4.4</th></tr> </thead> <tbody> <tr> <td>Lot 103 on SP303770</td><td>Mixed Use</td><td>Partially 'Open Space' (over the extent of this lot currently utilised as the public park) Partially 'Mixed Use' (over the remaining area)</td></tr> </tbody> </table> Mapping Alterations Zoning Map	Lot on plan	Major Amendment V4.3	Zone Amendment V4.4	Lot 103 on SP303770	Mixed Use	Partially 'Open Space' (over the extent of this lot currently utilised as the public park) Partially 'Mixed Use' (over the remaining area)
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Lot on plan	Major Amendment V4.3	Zone Amendment V4.4															
Lot 103 on SP303770	Mixed Use	Partially 'Open Space' (over the extent of this lot currently utilised as the public park) Partially 'Mixed Use' (over the remaining area)															

	in that, the extent of uses otherwise allowed in either the 'Open Space' and 'Community Facility' zones, is much more restrictive than the 'mixed use zone'. As discussed, Empria Pty Ltd as the owner of the above-described lots, and others surrounding them – is open to exploring with the Council, the development and entrenchment of a specific Local Plan for the Coral Sea Marina precinct, in due course. Should you like to discuss this request further, please do not hesitate to contact us on 07 4946 2414. The suggested zone of Open Space more accurately reflects the current 'park' use of the land and so Council partially supports the proposed amendments. Council is unwilling to alter the Mixed Use Zone over the parking areas as the zoning is not too restrictive. Thank you for your submission.	
1331	Stop planning to destroy this place in order to pander to outsiders, tourists and developers. This is OUR town. You are employed by the locals, to represent and support locals. If you go ahead with some of the crap you are planning to upsize and overpopulate this area, you will be arbitrarily sacked at the next election. I have seen too many beautiful little places like this destroyed by two things, developers and too much tourism. DO NOT LET IT HAPPEN HERE. Just because all these blow ins want to move here, doesn't mean we have to let them. We don't have a housing crises....we have a too many people crises Don't sell us out!!!! Thank you for your submission.	No Action



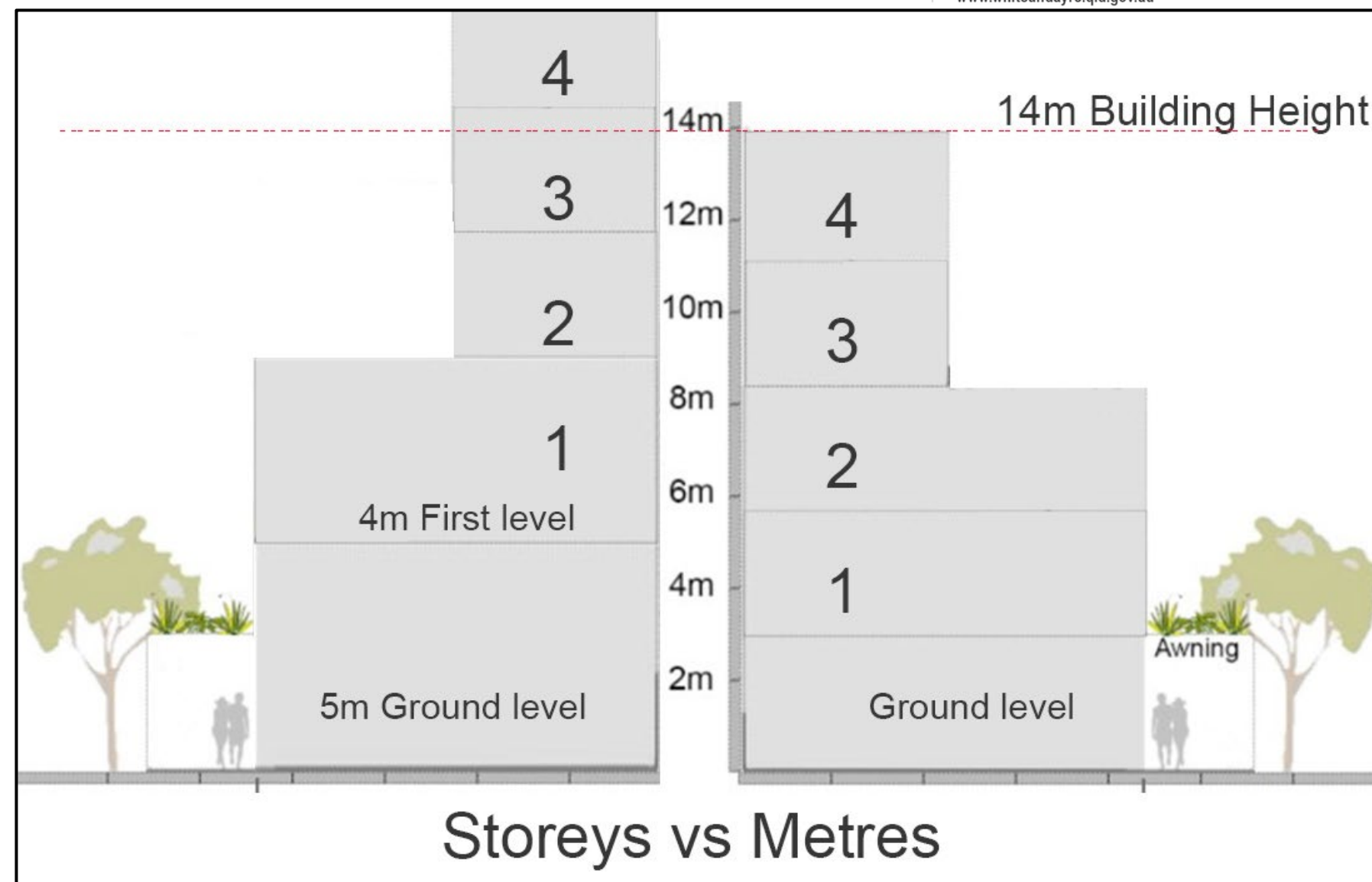


Figure 1

Attachments

Appendix C - Attachment 1
[Whitsunday Planning Scheme Major Amendment](#)
Submission – [REDACTED]

Your details (Required)	Title: [REDACTED]	First name: [REDACTED]	Last name: [REDACTED]
	Postal address: [REDACTED]		
	Suburb: [REDACTED]	State: QLD	Postcode: 4802
	Email address: [REDACTED]		
(Optional)	Are you completing this survey as a private individual or as representative of an organisation? ☒ Individual		
	Organisation: N/A		
(Required)	Submitting your comments Your completed submission must be received by 5pm, 16 September 2022 via: Mail: Whitsunday Regional Council, PO Box 104, Proserpine, QLD, 4800; Email: info@whitsundayrc.qld.gov.au ; Online: yoursay.whitsundayrc.qld.gov.au ; or In person: to a Customer Centre: Cannonvale Shop 23, Whitsunday Plaza Bowen 67 Herbert Street Collinsville Corner of Stanley & Conway Streets Proserpine 83 Main Street		
	If you require more space than this form provides, please attach additional [REDACTED]		
	[REDACTED]		
	[REDACTED] are more than two submitters, please provide these details as an attachment. If using this form electronically, typing your full name is taken to be your signature.		

Submission

As part of the Whitsunday Planning Scheme Major Amendment, we would like to request that the 22 ha property at 77 Telford Rd, Strathdickie (L: 42 SP: 232112), be rezoned from "Rural", to "Rural Residential".

Our grounds for this are as follows:

1. The property is surrounded by rural residential dwellings on 2-3 sides - Telford Road, Telford Rise and Bluebird Drive (see arial image below)
2. The land is broken - the property is separated into 3 by a private road and an unformed road, making it unconducive to farming (see aerial image below).
3. Over the past 12 years, we have tried 3 forms of farming - Sugar Cane (only returns approx \$20k per year), Free Range Egg Farming (could not expand to be viable due to proximity to encroaching new homes) and Cattle (land can only support approx 30 cows) but none are viable. Hence we believe the land is extremely restricted in regards to 'rural' enterprises.
4. A significant portion of our block has slope, causing it to be less feasible as good quality agricultural land (see Strategic Cropping Land Decision 2014 attached to this email).
5. The property has 2 vehicle accesses - one sealed road (Telford Rd) and one dirt road (off Bluebird Drive), making emergency access always possible.
6. The land is already cleared, which makes it immediately useable as Rural Residential without major environmental impacts.
7. There are no wildlife or other such covenants on the land.
8. The land adjacent to the north has steep vegetation and would be hard to develop, but our property is gently sloping and already cleared.
9. Residential property in Strathdickie is highly sought after. The strong demand for rural lifestyle living lots is evident in the fact that they are quickly snapped up when new lots are released to the market. Importantly, in addition, creating more Rural Res would contribute to easing the housing crisis in the more populated areas - there are many people currently living in Cannonvale (for example) who would prefer to live on a rural lifestyle property, still within 10-15 mins of shops/schools etc.



Information notice

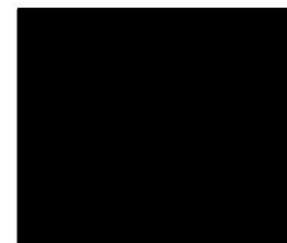
Strategic Cropping Land Act 2011

Zonal criteria and final validation decision

Issued under s. 71 of the *Strategic Cropping Land Act 2011* (SCL Act)

Delegated officer: Errol Sander
Office address: PO Box 63, Mackay QLD 4740
Telephone: 07 4999 6969
File number: SCLVA2013/000104

24 April 2014



Re: Zonal Criteria validation application for land on Lot 42 on SP232112, Telford Road, Strathdickie, Whitsunday Regional Council.

I refer to your application made on 16 October, 2013 seeking a Zonal Criteria validation for part of your property identified as Lot 42 on SP232112 located at Strathdickie.

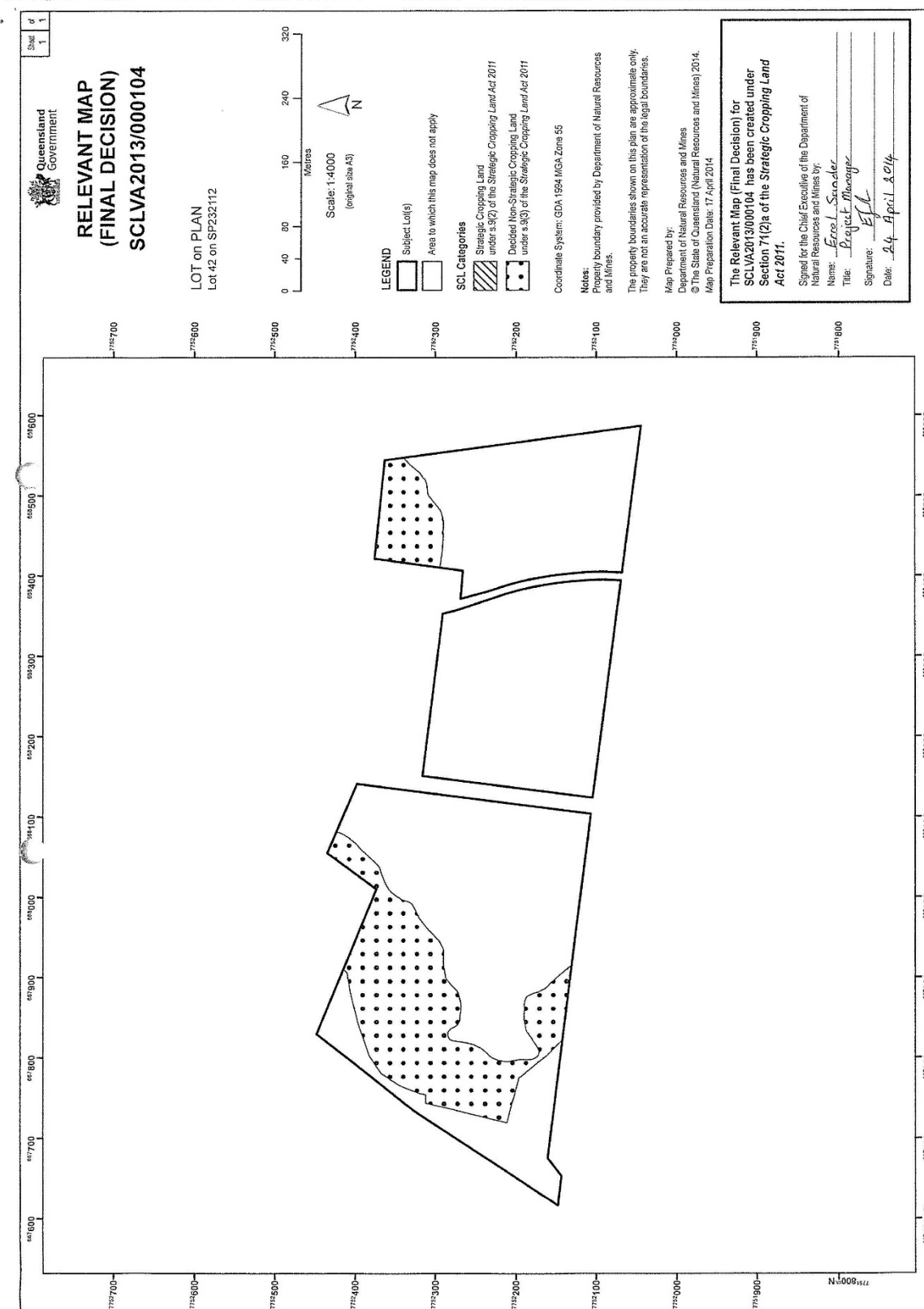
Your application has been assessed and it has been decided that the slope of part the land subject to your application exceed the slope criterion for Strategic Cropping Land (SCL) in the Coastal Queensland Zone (SCL Act Schedule 1 Part 2 Div 4). Based on this assessment, two areas of potential SCL on Lot 42 on SP232112, identified as meeting the minimum requirements set out in the relevant zonal criteria guidelines and which have a slope exceeding 5%, have been decided as non-strategic cropping land. All other land mapped as Potential SCL on the property will remain as Potential SCL.

Section 73 of the *Strategic Cropping Land Act 2011* provides rights of appeal in respect of this Validation Decision. Any appeal is to be made to the Planning and Environment Court. Under Section 266 of the Act that appeal must be started within 28 days of you receipt of this Information Notice. Please note this validation decision does not take effect until the end of that 28 day period.

Should you require further information in respect to this information notice, please contact Neil Enderlin by phoning 07 4048 4732.

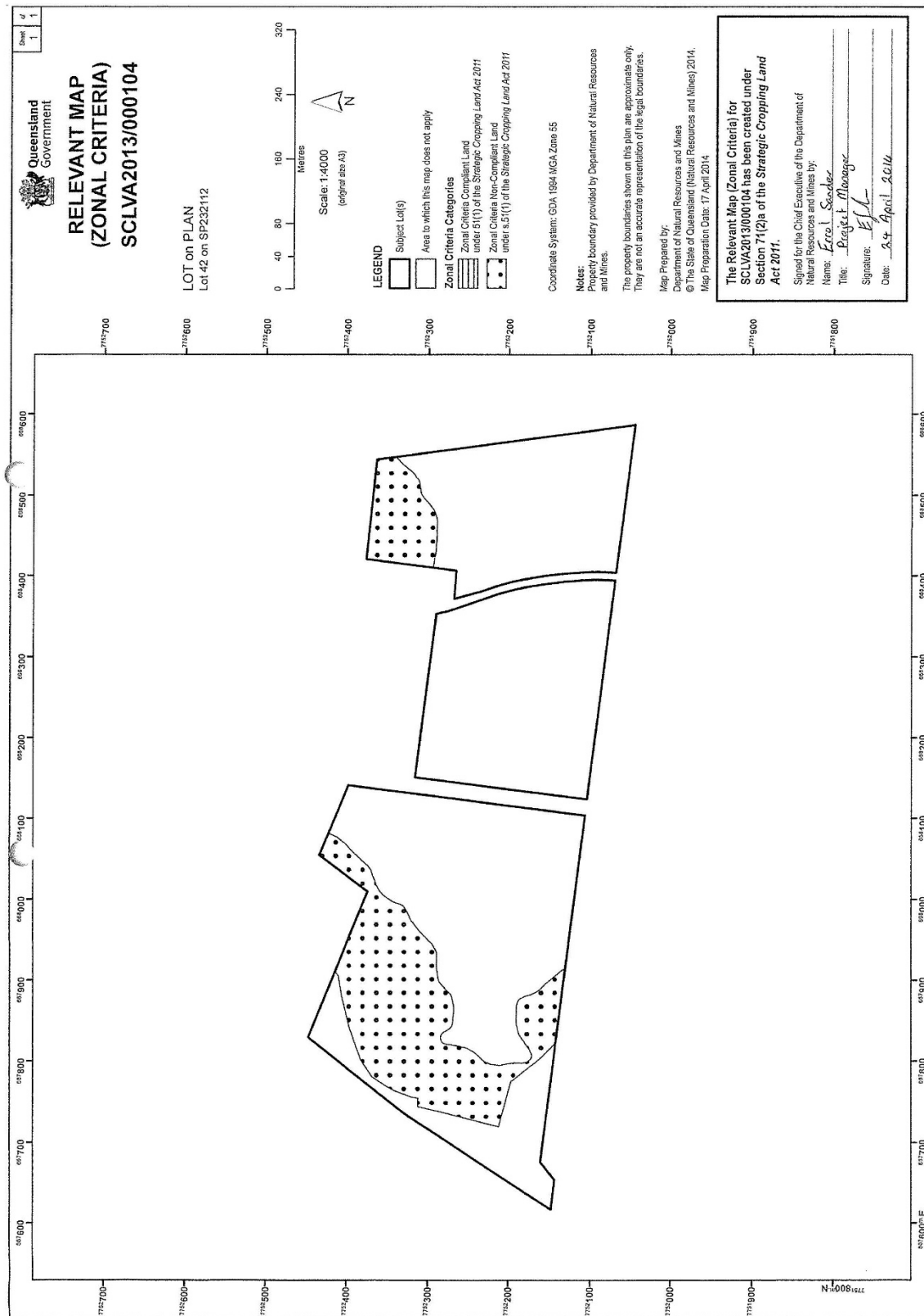
Yours sincerely


Errol Sander
Project Manager, Property Planning and Assessment
Central Region
Department of Natural Resources and Mines



Correspondence:

Chief Executive Officer,
Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au



Appendix C - Attachment 2

Your details (Required) This information must be provided to be considered a 'properly made' submission	Title:	First name:	Last name:
	[Redacted]		
	[Redacted]		
	[Redacted]		
(Optional)	Are you completing this survey as a private individual or as a representative of an organisation? ☒ Individual ☐ Organisation – Please specify the name of the organisation below. Organisation:		
(Required) This information must be provided to be considered a 'properly made' submission	Submitting your comments Your completed submission must be received by 5pm, 16 September 2022 via: Mail: Whitsunday Regional Council, PO Box 104, Proserpine, QLD, 4800; Email: info@whitsundayrc.qld.gov.au ; Online: yoursay.whitsundayrc.qld.gov.au ; or In person: to a Customer Centre: Cannonvale Shop 23, Whitsunday Plaza Bowen 67 Herbert Street Collinsville Corner of Stanley & Conway Streets Proserpine 83 Main Street If you require more space than this form provides, please attach additional pages. Thank you for your submission. Signature [Redacted] Date: 9/9/22 Please provide signatures for all submitters. If there are two submitters, please provide these details as an attachment. If using this form electronically, typing your full name is taken to be your signature.		

9 September, 2022

The Assessment Manager
Whitsunday Regional Council
PO Box 104
PROSERPINE QLD 4800

RE: SUBMISSION TO WHITSUNDAY PLANNING SCHEME 2017 MAJOR AMENDMENT – LOT 18 WRIGHT ROAD, STRATHDICKIE – L: 18 SP169625 – REQUEST FOR ZONE CHANGE FROM RURAL TO RURAL RESIDENTIAL

Address	Wrights Road, Strathdickie	
Lot/Plan	Lot 18 on SP169625	
Size	5.66ha	
Tenure	Freehold	
	Current Planning Scheme	Proposed Planning Scheme
Zone	Rural	Rural
Local Plan	NA	NA
Local Plan Precinct	NA	NA
Overlays	Acid sulfate soils Agriculture land Bushfire hazard Environmental significance Flood Landslide	Acid sulfate soils Agriculture land Airport environs Bushfire hazard Building heights Biodiversity, waterways and wetlands Flood Landslide
DAMS Mapping	Water resource planning area boundaries Regulated vegetation management map (Cat A & B extract)	

We, [Redacted] lodge a formal submission to propose the abovementioned change be strongly considered as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons:

- The subject land contains a dwelling house with access via an easement from Wrights Road, burdening Lot 173 on SP201414, has a site area of 5.66ha and is incumbered by a covenant
- The subject site adjoins rural residential to the north and south
- There is extensive rural residential development in the locality
- The site is not currently used for rural purposes as is not suitable for agricultural production. It is not of sufficient size to accommodate the uses intended for the Rural zone, including cropping, intensive horticulture, intensive animal husbandry, animal keeping and primary production activities, inconsistent with the 'purpose and overall outcomes' of the Rural zone code
- Re-zoning the subject site to rural residential would provide for logical infill/consolidation of existing rural residential surrounding the subject site
- Error identified: The 'Building Heights overlay' identifies the site as Rural Residential

- Our land is on a hill and has a steep incline, high elevation and rocky therefore is not suitable for agricultural purposes more suited to residential
- Based on the above we respectfully request consideration for a rezoning to Rural Residential
- We have owned this land for over 15years and it has never been used for any other purpose besides our residential home

9/9/2022 Date

RATES NOTICE

Appendix C - Attachment 3

I stand here as the chair person of the Botanica estate body corporate committee and as such I speak on behalf of the body corporate.

Botanica estate is a small private rural gated estate consisting of 45 lots

The current owners of lot 62, the property requesting the rezoning. Are in fact the original developers of Botanica estate. As the original developers, the Hogans orchestrated that lot 62, containing their private family home to sit outside the body corporate.

As the developers the Hogens created an easement agreement allowing their property sitting outside the body corporate; access along the narrow, single laned Botanica Drive. The agreement also states that they have access to mains water via a private waterline maintained and paid for by the body corporate.

The body corporate operates under a Community Management Scheme, that outlines, no commercial activity, no excessive noise and supports maintaining the natural environment and nature conversation. This Community Management Scheme was originally put together; with Janet and Ralph Hogen as the major contributors. During this period the Hogans where the developers of the estate, represented the body corporate and where private family home residents.

Over time lot 62 has gone from a private family home to a commercial property; now approved as a function facility with the capacity to hold 160 events per year consisting of 100 people per event.

The body corporate has either been unaware, unadvised or objected to all of these previous developments applications.

These are the body corporates major concerns in relation to the rezoning

1. The impact on the peaceful, secure environment. If turned into accommodation it would not be possible to keep the estates coded security gate closed.
2. The impact on the natural environment. The bay is home to mangroves, turtles, dugongs and many other wildlife. Currently this bay is only accessed via land by local residents; imagine what large numbers of tourist could do.
3. The impact on the narrow road. The road is not designed to carry large numbers or heavy loads of traffic. The proposed rezoning would require more that the 65 traffic movement allocation, already approved. Large Triangle Palms line each sides of Botanica drive and these potentially would be destroyed.
4. The impact to pedestrians. There are no walk ways along Botanica Drive and increased traffic would result in putting walking residents at increased risk.
5. The impact on the mains waterline. Botanica estate is currently experiencing difficulties with the waterline, with leaks and pressure issues. I think that any increased demand on it would be detrimental. The future of the waterline is unknown.

Appendix C - Attachment 4

Your details (Required)	Title: Mr [REDACTED] [REDACTED]		
	Mrs [REDACTED]		
This information must be provided to be considered a 'properly made' submission	Suburb: Strathdickie	State: Qld	Postcode: 4800
	Email address: [REDACTED]		
[REDACTED]	[REDACTED] as a private individual or as representative of an organisation?		
	☒ Individual ☐ Organisation – Please specify the name of the organisation below. Organisation: n/a		
(Required)	Submitting your comments Your completed submission must be received by 5pm, 16 September 2022 via: Mail: Whitsunday Regional Council, PO Box 104, Proserpine, QLD, 4800; Email: info@whitsundayrc.qld.gov.au ; Online: yoursay.whitsundayrc.qld.gov.au ; or In person: to a Customer Centre: Cannonvale Shop 23, Whitsunday Plaza Bowen 67 Herbert Street Collinsville Corner of Stanley & Conway Streets Proserpine 83 Main Street		
	If you require more space than this form provides, please attach additional pages. Thank you for your submission.		
This information must be provided to be considered a 'properly made' submission	Signature: [REDACTED] Date: 13/9/22		
	Please provide signatures for all submitters. If there are more than two submitters, please provide these details as an attachment. If using this form electronically, typing your full name is taken to be your signature.		

Submission

RE: L13 RP734153 TN 1150/224, 30 WRIGHT ROAD,
STRATHDICKIE QLD 4800.

We, [REDACTED] have been owners of this block for 30 years now.

We received a letter from the council dated 1st August 2022 stating that the council has supported changing L14 RP734153 to rural residential zoning and that this adjoins our block.

After trying to find this property on your maps available to us on your web site we were unable to find this property.

The main reason for this letter is that we also found 30 Wright Road was zoned as rural land. When we bought this property we were advised it was rural residential as it is a residential block and does not fall under the rural zoning. It also states on our rates that we are residential owner of 30 Wright Road.

We ask if 30 Wright Road can also be bought in line with all the surrounding properties which are zoned rural residential and the Lot 14 that you now supported the change to rural residential.

We, [REDACTED] of 30 Wright Road would like to request that 30 Wright Road be changed to rural residential to be the same zoning as the surrounding bordering properties to our block.

Regards

[REDACTED]
[REDACTED]
[REDACTED]

Correspondence:
Chief Executive Officer,
Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au

Correspondence:
Chief Executive Officer,
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F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au
ABN 63 291 580 128

Contact: Nicole Lorraway
Phone no: 4945 0263

1 August 2022

UR QLD 4802

083166-01359

4802

Changed your Postal address? Please notify the Council in writing (See Reverse)

Property Location and Description
30 Wrights Road STRATHDICKIE QLD 4800

L 13 RP 734153 T N1150/224

Area	Valuation
3.9980 HECTARES	\$202500

[illegible]

Dear Sir/Madam,

RE: WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT - PROPOSED ZONE AMENDMENT

Whitsunday Regional Council is writing to advise you of a zone amendment that may affect you, as it is adjoining your property at 30 Wright Road, Strathdickie (L13 RP734153).

The zone amendment from no zoning to Rural residential zone is at Wrights Road, Strathdiekie (L14 RP734153). This zone amendment has been supported by Council for inclusion in the Whitsunday Planning Scheme Major Amendment.

The zone amendment and various other Planning Scheme Amendments are subject to public consultation from **8am 25 July – 5pm 16 September 2022**. To view Planning Scheme Amendments, Mapping and associated Fact sheets, please visit our online consultation platform yoursay.whitsundayrc.qld.gov.au or visit Council Customer Service Centres to inspect in person.

To make a submission on any aspect of the Planning Scheme Major Amendment, including the proposed zone amendment, please register and lodge online at yoursay.whitsundayrc.qld.gov.au, email Council submissions@whitsundayrc.qld.gov.au, mail to PO Box 104, Proserpine QLD 4800 or deliver in person to Council offices.

It is anticipated the proposed zone amendment will be formalised in late 2022/early 2023.

If you would like to discuss this further, please contact the Strategic Planning Department on 4945 0263 or email info@whitsundayrc.qld.gov.au.

Yours faithfully

Wills

Shane Neville
Manager Strategic Planning

Bowen
Cnr Herbert & Powell Streets
Bowen QLD 4805

Proserpine
83-85 Main Street
Proserpine QLD 4800

Collinsville
Cnr Stanley & Conway Streets
Collinsville QLD 4804

Cannonvale
Shop 23, Whitsunday Plaza
Shute Harbour Road, Cannonvale QLD 4802

Bower
Cnr Herbert & Powell Streets
Bowen QLD 4805

00-00 Main Street
Proserpine QLD 4800

Unit Stanley & Conway Streets
Collinsville QLD 4804

Shop 23, Whitsunday Plaza
Shute Harbour Road, Cannonvale QLD 4802

Appendix C - Attachment 5

Wynne Planning & Development PTY LTD
TOWN PLANNING SPECIALIST

24 October, 2022

Director of Planning
Whitsunday Regional Council
PO Box 104
PROSERPINE QLD 4800

ATTN: Director of Planning - Neil McGaffin

RE: REQUEST FOR CHANGE OF ZONING – RURAL TO LOW IMPACT INDUSTRY – 12596 BRUCE HIGHWAY, HAMILTON PLAINS – L: 10 HR: 1082

Address	12596 Bruce Highway HAMILTON PLAINS	
Lot/Plan	Lot 10 on HR1082	
Size	1,753sqm	
Tenure	Freehold	
	Current Planning Scheme	Proposed Planning Scheme
Zone	Rural	Rural
Local Plan	NA	NA
Local Plan Precinct	NA	NA
Overlays	Acid sulfate soils Agriculture land Flood Infrastructure	Acid sulfate soils Agriculture land Airport environs Bushfire hazard Biodiversity, waterways and wetlands Flood Infrastructure
DAMS Mapping	Water resource planning area boundaries State-controlled road Area within 25m of a state-controlled road	

Wynne Planning and Development, on behalf of our client [REDACTED], lodge a formal request proposing a zone change, from rural to low impact industry, be strongly considered as part of the Whitsunday Planning Scheme 2017 Major Amendment, for the following reasons:

- The subject site is 1,753sqm and is accessed directly from the Bruce Highway;
- The site is not currently used for rural purposes and is not suitable for agricultural production. It is not of a sufficient size to accommodate the uses intended for the Rural zone, including cropping, intensive horticulture, intensive animal husbandry, animal keeping and primary production activities, and therefore is inconsistent with the 'purpose and overall outcomes' of the Rural zone code;
- The site has historically been used for industrial purposes (manufacturing of concrete tanks, manufacturing concrete sculptures, nursery/landscape supplies and garden centre uses and currently an agricultural supplies store);

Wynne Planning & Development PTY LTD
TOWN PLANNING SPECIALIST

- The subject site is currently occupied by Hoof and Horn Produce and Saddlery, which has been in operation in this location for many years;
- Hoof and Horn Produce and Saddlery stocks various supplements, stock feed, rural supplies, vet supplies, Bridles and Saddles and apparel;
- This use is defined by the planning scheme (both current and proposed major amendment), as an agricultural supplies store, and categorised as a business activity in the respective 'defined activity groups' tables;
- The site has a demonstrated history of uses (industry, bulk landscape supplies and agricultural supplies store) which are better suited to Low Impact Industry zoned land, most recently being agricultural supplies store, as determined by a review of the Tables of Assessment

Rural zone			Proposed major amendment		
Current scheme (v3.7)			Business activities		
Veterinary services	Code assessment	Rural zone code Infrastructure code Landscaping code Transport and parking code	Bulk landscape supplies	Code assessment	Rural zone code Healthy waters code Infrastructure code Landscaping code Transport and parking code
All other Business activities	Impact assessment	The Planning Scheme	All other Business activities	Impact assessment	The Planning Scheme
Industry activities			Business activities		
Bulk landscape supplies	Code assessment	Industry activities code Rural zone code Infrastructure code Landscaping code Transport and parking code	Low impact industry	Code assessment for a micro-brewery or coffee roasting, only where associated with a Food and drink outlet	Industry activities code Rural zone code Rural tourism code Infrastructure code Landscaping code Transport and parking code Healthy waters code
All other Industry activities	Impact assessment	The Planning Scheme	All other Industry activities	Otherwise impact assessment	The Planning Scheme
Low impact industry zone			Proposed major amendment		
Current scheme (v3.7)			Business activities		
Agricultural supply store	Accepted development if complying with the acceptable outcomes of the applicable code(s) Otherwise code assessment	Business activities code Transport and parking code Business activities code Low impact industry zone code Infrastructure code Landscaping code Transport and parking code	Agricultural supply store	Accepted development if complying with the acceptable outcomes of the applicable code(s) Otherwise code assessment	Business activities code Transport and parking code Business activities code Low impact industry zone code Healthy waters code Infrastructure code Landscaping code Transport and parking code
Bulk landscape supplies	Accepted development if complying with the acceptable outcomes of the applicable code(s) Otherwise code assessment	Industry activities code Transport and parking code Industry activities code Low impact industry zone code Infrastructure code Landscaping code Transport and parking code	Bulk landscape supplies	Accepted development if complying with the acceptable outcomes of the applicable code(s) Otherwise code assessment	Industry activities code Transport and parking code Industry activities code Low impact industry zone code Healthy waters code Infrastructure code Landscaping code Transport and parking code
Low impact industry	Accepted development if complying with the acceptable outcomes of the applicable code(s) Otherwise code assessment	Industry activities code Transport and parking code Industry activities code Low impact industry zone code Infrastructure code Landscaping code Transport and parking code	Low impact industry	Accepted development if complying with the acceptable outcomes of the applicable code(s) and on a premise less than 1,500m ² Otherwise code assessment	Industry activities code Transport and parking code Industry activities code Low impact industry zone code Healthy waters code Infrastructure code Landscaping code Transport and parking code

The above therefore demonstrates the site has never been used for a rural purpose and continuously been used for industrial purposes.

Correspondence:

Chief Executive Officer,
Whitsunday Regional Council,
PO Box 104, Proserpine QLD 4800
P: 1300 WRC QLD (1300 972 753)
F: (07) 4945 0222
E: info@whitsundayrc.qld.gov.au
www.whitsundayrc.qld.gov.au

Wynne Planning & Development PTY LTD
TOWN PLANNING SPECIALIST

Should you have any questions regarding the above, please do not hesitate to contact us.

[Redacted]
[Redacted]
[Redacted]
Director

Telephone: (07) 4945 1976
Email: info@wynneplanninganddevelopment.com
Address: Shop 5 Deickie Arcade, 38 Main Street, Proserpine Qld 4800

Bower
Cnr Herbert & Powell Streets
Bowen QLD 4805

38-38 Main Street
Proserpine QLD 4800

Cnr Stanley & Conway Streets
Collinsville QLD 4804

Cannonvale
Shop 23, Whitsunday Plaza
Shute Harbour Road, Cannonvale QLD 4802