

Economic Development Amendment Regulation (No. 3) 2014

Explanatory Notes for Subordinate Legislation 2014 No. 155

made under the

Economic Development Act 2012

General Outline

Short title

The short title of the regulation is the *Economic Development Amendment Regulation (No.3) 2014*.

Authorising law

Section 64 of the *Economic Development Act 2012*.

Policy objectives and the reasons for them

The purpose of this regulation is to give effect to the Maroochydore City Centre Priority Development Area (PDA) Development Scheme.

The Maroochydore City Centre PDA Development Scheme will replace the existing Interim Land Use Plan that was introduced by regulation at the time of the declaration of the PDA and expires 12 months after commencement. Approval of the development scheme is required to allow Economic Development Queensland (EDQ) to facilitate economic development and development for community purposes within the PDA.

Achievement of policy objectives

To achieve the objectives of the *Economic Development Act 2012*, the *Economic Development Regulation 2014* will be amended to include the Maroochydore City Centre PDA Development Scheme.

The adoption of the Maroochydore City Centre PDA Development Scheme will assist EDQ and Sunshine Coast Council (SCC) to facilitate economic development and development for community purposes by planning and delivering urban development to service the Maroochydore Principal Regional Activity Centre and reflect the regional role of the city centre.

Consistency with policy objectives of authorising law

The declaration regulation is consistent with the main objective of the *Economic Development Act 2012*, which is to facilitate economic development, and development for community purposes, in the State.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of the *Economic Development Act 2012* that is a unique piece of legislation and specific to the State of Queensland.

Benefits and costs of implementation

The adoption of the Maroochydore City Centre PDA Development Scheme will assist in promoting opportunities for urban development. The costs of development will be recovered through the sale of land and infrastructure charges and agreements.

Consistency with fundamental legislative principles

The regulation gives effect to the Maroochydore City Centre PDA Development Scheme. The development scheme was made in accordance with the provisions of, and is consistent with, the purpose of the *Economic Development Act 2012*.

The subordinate legislation is consistent with the fundamental legislative principles of the *Legislative Standards Act 1992*.

Consultation

Extensive consultation was undertaken by SCC with state agencies, local community and stakeholders in the preparation of the development scheme. In accordance with the Act, the development scheme was publicly notified for a period greater than the required minimum of 30 business days and the local community and interested parties were invited to review the scheme and make a submission.

A number of submissions were received during the public notification period for the Maroochydore City Centre PDA Proposed Development Scheme. SCC has assessed all the submissions received during the submission period in accordance with the requirements of the ED Act. A summary of submissions, the merits of matters raised and the recommended responses to those matters are discussed in the submissions report.

The issue which received the highest number of submissions related to the development provisions for Precinct 7 – Residential Precinct. The submissions raised concerns regarding the impacts relating to the potential loss of vegetation, reduced green space, and impacts on the views of residents who share a property boundary with the PDA. Accordingly additional provisions are proposed to provide a 30m setback from adjoining residential areas and to reduce building heights to 2 storeys for areas closest to the shared boundary.

The second highest order of submissions related to the provision and design of open space in the PDA. Specifically submitters noted that the area of open space was insufficient and that the design and configuration of the open space areas was not appropriate. In response, Council notes that the provision of open space will not compromise the ability for the PDA to deliver key public infrastructure and facilitate short and long term economic development. Accordingly no changes to the development scheme are proposed.

In relation to building height, eight submissions were received in opposition to the proposed provisions with another 8 submission supporting the height or proposing a height increase. Accordingly no significant changes have been made to the height provisions. Other matters which received a number of submissions related to traffic concerns, active transport, flooding, infrastructure provisions and implementation. Comments from state agencies were received prior to the public notification period and were incorporated, where appropriate, into the proposed development scheme.

The development scheme has been amended, where appropriate, and adequately addresses issues identified in the submissions in accordance with the requirements of the *Economic Development Act 2012*.