

Maleny Planning Update

A review of the status and circumstances of planning affecting Maleny

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Introduction

- Dynamic circumstances of planning in Queensland
- Coping with constant change
- Assistance for the community to come to grips with these changes
- More importantly, arm you to influence and improve planning outcomes
- PSPS background
- Previous exercises in Maleny
- Presentation and other information can be found at: www.paulsummersplanning.com.au/ClientPage_files/Maleny.htm

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Agenda

- Introductory material
- Two sessions each followed by a question period
- Session 1
 - Maleny & Environs Development Control Plan
 - Caloundra City Plan
 - South East Queensland Regional Plan
 - Broad strategic outcomes for Maleny
 - Questions
- Session 2
 - Local Growth Management Strategies
 - City Plan amendments
 - Changing planning schemes
 - Improving the *Integrated Planning Act*
 - Questions
- General discussion at the end

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Acronymymania

- In the interests of keeping the text bigger in the presentation:
 - CCLGMS: Caloundra City Local Growth Management Strategy
 - DCP: Development Control Plan (a defunct term in Queensland)
 - IPA: Integrated Planning Act
 - LAP: Local Area Plan (a defunct term in Queensland and always was)
 - LGMS: Local Growth Management Strategy
 - SEQR: South East Queensland Regional Plan
 - and ...
 - PoQ: What I may need to do after the presentation

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Queensland Planning Dynamics

- May 2000: Maleny & Environs Development Control Plan - commenced
- Sept 2004: City Plan - commenced
- June 2005: South East Queensland Regional Plan - commenced
- Aug 2006: City Plan Round 1 amendments - public notification
- Aug 2006: Improving the *Integrated Planning Act* - public notification
- Oct 2006: South East Queensland Regional Plan Amendment #1 - commenced
- Oct 2006: Local Growth Management Strategy - public notification



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SE Queensland Planning Structure

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Maleny & Environs Development Control Plan


- Maleny & Environs DCP (spawned by the Local Area Plan) had a 4.3-year life commencing in May 2000
- Short life, but it is now resting away from the hurly-burly of 2006 planning
- Its life was cut short due to the commencement of Caloundra City Plan in Sept 2004
- But its spirit lives on in City Plan, which embodies many of the DCP's overall strategies
- For most purposes though, the LAP and the DCP are dead – they are no longer instruments guiding planning in your town

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Caloundra City Plan


- Caloundra City Plan commenced in Sept 2004 after a preparation process of around 3 years
- At adoption, it replaced most planning documents operating in Caloundra City, including other DCPs and policies
- The *Integrated Planning Act* allows applications to be made and assessed under the superceded planning scheme (the old plan – including the Maleny & Environs DCP) for a period of 2-years (i.e. to Sept 2006)
- This period has now passed and:
 - All new applications are now lodged and assessed under City Plan; BUT
 - There will still be some applications lodged before the expiry of the 2-year period that will be decided under the superceded plan
- City Plan is now the one document to which you refer to find out about **LOCAL** planning policy and regulation in Caloundra City
- Its life expectancy is around 8-years or until 2012
- We will examine some of its content and policy position shortly ...



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South East Queensland Regional Plan


- The SEQRP commenced in June 2005 after about a 16-month preparation period
- It was, and is, the only statutory regional plan operating in Queensland
- In fact there is not too much like it in the rest of Australia
- The SEQRP is the document to which you refer to find out about **REGIONAL** planning policy and regulation controls in Caloundra City and other areas of South-East Queensland
- The SEQRP is a 'superior' document to Caloundra City Plan and the SEQRP's regulations require that City Plan (2004) be brought into line with the SEQRP (2005)
- The SEQRP prevails if there is conflict with City Plan
- We will examine some of its content and policy position shortly ...



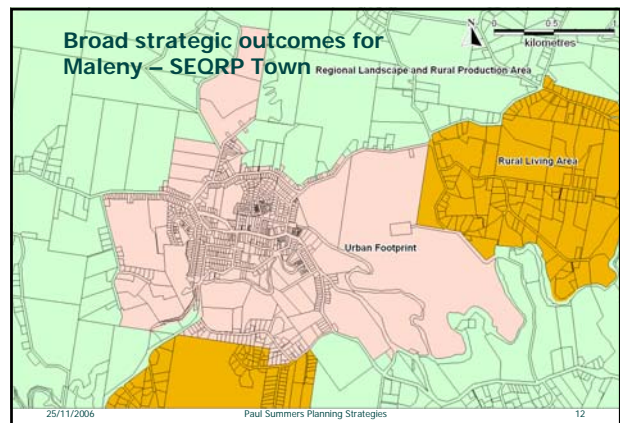
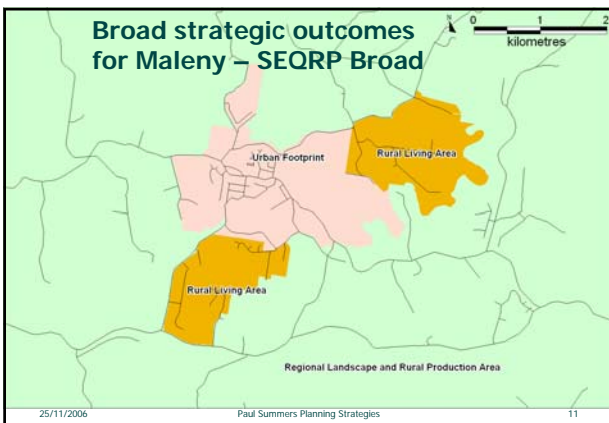
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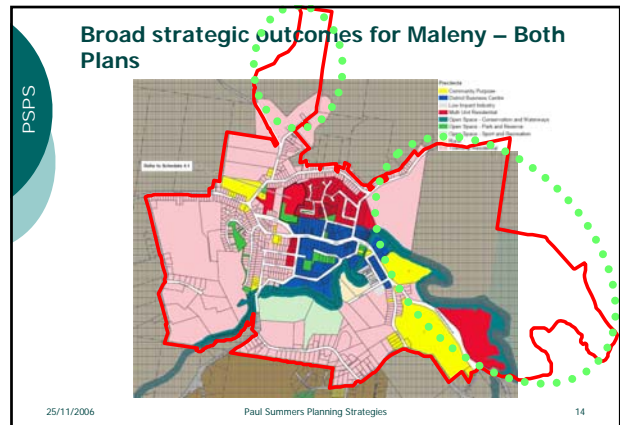
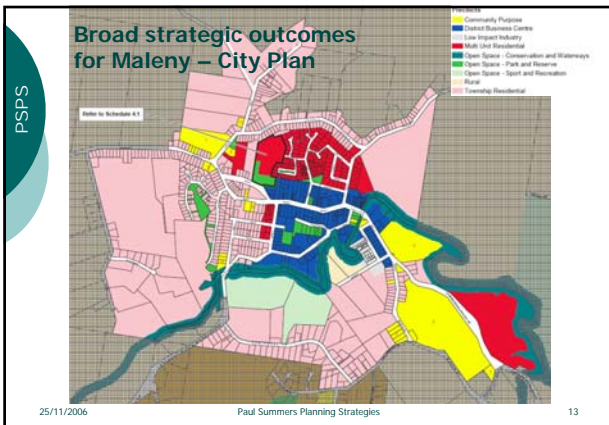
South East Queensland Regional Plan Amendments

- Life expectancy of the plan – 2026
- Required to be reviewed every 5-years
- Amendments to the SEQRP were proposed in March 2006
- The amendments were adopted in October 2006 - so have commenced
- The good news is that there is little change in the SEQRP that has effect on Maleny!



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- Broad strategic outcomes for Maleny – Conclusions**
- There is a finite commitment to development in Maleny and therefore a finite outcome in terms of population
 - There are also finite outcomes in terms of the amount of commercial and industrial land
 - Applicants cannot change the SEQRP or City Plan – so the mapped boundaries can only be altered by the State Government or the Caloundra City Council respectively
 - Reviews of the plans are due by 2010 and 2012 respectively
 - But before then, newly committed areas under the SEQRP will be considered via the Local Growth Management Strategy
 - More on this in the next session ...
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- Questions**
- Questions on:
 - Maleny & Environs Development Control Plan
 - City Plan
 - South East Queensland Regional Plan
 - Broad strategic outcomes for Maleny
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- City Plan amendments**
- The *Integrated Planning Act* (IPA) anticipates regular amendments to planning schemes
 - This is needed for a variety of reasons including the fact that the IPA itself is subject to regular amendments (72 times since 1998) and so too are its regulations
 - For Caloundra City Plan, Round 1 amendments have now completed public notification
 - While the amendments have significance, they are largely 'machinery' in nature comprising:
 - Correction of errors
 - Adjustments for unexpected outcomes
 - Reduction in 'red tape'
 - Reflection of changed policies at State or regional levels
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- Changing planning schemes**
- So is it easy to change City Plan?
 - As we saw previously applicants cannot do it
 - City Plan is:
 - An instrument under the *Integrated Planning Act*
 - A whole-of-government plan incorporating outcomes that affect, protect, control etc. various State interests
 - Integrated to fit with State Planning Policies, the South East Queensland Regional Plan and adjoining local government plans
 - An instrument that responds to community desires for the various places in the City of Caloundra
 - City Plan is therefore a complex instrument with many stakeholders
 - So it can only be changed by a process that involves engagement with those stakeholders. This process is defined by the IPA
 - So, easy is not a useful word that describes changing City Plan or any planning scheme
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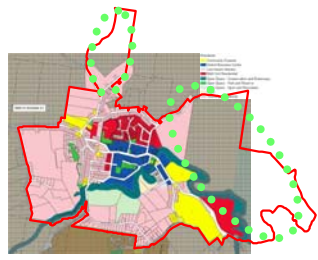
What is a Local Growth Management Strategy?

- Under the *Integrated Planning Act* **local growth management strategy** means a document:
 - prepared by a local government; and
 - that the regional planning Minister is satisfied—
 - demonstrates how the SEQ regional plan will be implemented at the local level; and
 - has been subject to adequate public consultation.
- The SEQRP indicates that a **local growth management strategy** must:
 - investigate the projected housing need and the diversity and affordability of housing types required for future communities;
 - demonstrate how dwelling targets and associated jobs and infrastructure will be accommodated, including opportunities for infill and redevelopment;
 - set priorities for investigating and planning for higher densities, including identifying transit oriented communities;
 - review land and infrastructure availability in regional activity centres to ensure they perform their intended function;
 - ensure measures are in place to prevent inappropriate out-of-centre development;
 - identify available greenfield and redevelopment areas which require structure planning or master planning; and
 - identify planning scheme amendments required to implement the Local Growth Management Strategy.

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LGMS: Timing & Some Regulatory Controls

- Under the IPA, an LGMS must be approved by the regional planning minister
- The LGMS is a statutory and whole-of-government instrument
- Under the SEQRP:
 - All Councils are required to submit completed Local Growth Management Strategies for approval by the regional planning Minister by 30 June 2007
 - For all new major development areas of 100 hectares or more, structure plans must be prepared prior to development



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LGMS: Structure Plans

- Under the IPA structure plan means a document:
 - prepared by a local government; and
 - that the regional planning Minister is satisfied—
 - is an integrated land use plan setting out the broad environmental, land use, infrastructure and development intent to guide detailed site planning for major development areas in the local government's area; and
 - has been subject to adequate public consultation.
- Under the IPA, a structure plan must be approved by the regional planning minister
- A structure plan is a statutory and whole-of-government instrument

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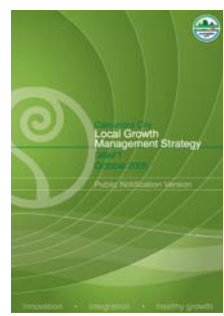
LGMS: Structure Plan Content

- The SEQRP is relatively silent on exactly what constitutes a structure plan; however
- The Department of Local Government, Planning, Sport & Recreation has released draft guidelines (April 2006)
- These indicate that a structure plan will (at a minimum) document a number of key elements as follows:
 - Environmental constraints
 - Residential development proposals
 - Economic development proposals
 - Infrastructure proposals
 - Open space proposals
 - Development intent and development assessment criteria
- The structure plan must be accompanied by two associated non-statutory documents:
 - An infrastructure programme; and
 - An implementation schedule

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Caloundra City Local Growth Management Strategy

- Caloundra City's LGMS was released in October 2006
- Submissions on the LGMS can be made until Friday 08 December 2006



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CCLGMS: Policy Content for Maleny

- In essence apart from one aspect, the outcomes for Maleny are pretty much 'business as usual'
- The LGMS does not suggest major change or direction for Maleny and thus City Plan will provide the major guidance
- The 'community precinct', because it lies within the Urban Footprint of the SEQRP and comprises more than 100ha., is a major development area and thus requires preparation of a structure plan
- The LGMS defines a process for preparation of the structure plan
- The LGMS indicates that the structure plan process will commence in 2006 and complete in 2008

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Maleny Structure Plan Process 1

- By piecing together the related parts of the LGMS (from page 101 of the document):
 - **Summary Development Intent:**
 - It is further intended that the Maleny Community Precinct Major Development Area be investigated for its potential to support the future social, economic, environmental and infrastructure needs of Maleny township.
 - **Area Overall Outcomes**
 - The relationship of the Maleny Community Precinct Greenfield Major Development Area to the wider Maleny township and its potential to support the future social, economic, environmental and infrastructure needs of Maleny is investigated in close consultation with the local community and relevant stakeholders.
 - **Development Timing**
 - Development timing for Maleny Community Precinct to be determined by a Structure Plan.

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Maleny Structure Plan Process 2

- **Implementation and Succession of Actions:**
 - consultation with local community and stakeholders;
 - development of draft Structure Plan;
 - exhibition, consultation and refinement of draft Structure Plan;
 - endorsement of draft Structure Plan;
 - adoption of consequential planning scheme amendments including infrastructure planning and charging arrangements; and
 - lodgement of development applications.

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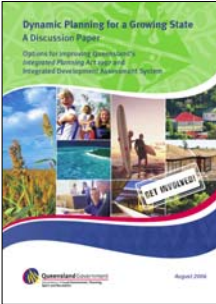
PSPS Views on Structure Plan Process

- Very open process and starts with the community
- Does not define land use outcomes or even hint at them – very important
- Seems a real clean sheet is involved - unburdened by past circumstances
- Could be improved by having a proper and full land-based constraints and opportunities analysis carried out (previous exercises did not do this fully or properly)

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Improving the Integrated Planning Act

- Now if you thought everything wasn't complicated enough ...
- The State Government has acknowledged that there are problems with the IPA and has issued a discussion paper with 86 strategies for improving the legislation
- The result will be a series of short-term, medium-term and long-term changes to the IPA
- These will flow on to changes in the SEQRP, City Plan, the LGMS ...



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Final Thoughts on the Structure Plan

- Maleny has been here before:
 - Confronted by a skewed process and perhaps a pre-defined outcome – you tore yourselves apart
- Caloundra City Council has offered another chance and this time it appears using a properly designed process:
 - The challenge for Maleny is to unite and work together to achieve an outcome that is suited to the constraints and opportunities of the land and the whole-of-community needs
- Not uniting and grasping this opportunity exposes you to two things:
 - Whatever Caloundra City Council wants; and
 - Higher population and development levels – already there are coastal communities complaining that the hinterland towns are not taking their share
- Finally, and for those that are thinking that the LGMS process can be used to reduce development potential in Maleny:
 - Well, it can, but due to the highly integrated set of circumstances that now exist in planning in south-east Queensland, prospects for this type of action are very low and could only be used legitimately where there are extreme hazards or extreme infrastructure shortfalls.
 - There is no pot of gold sitting in Caloundra City Council waiting to be spent at Maleny, so in order to get the goodies you want in the community precinct, there will have to be some level of income generated from the land to pay for it.
 - You cannot morally succeed with a proposal to reduce development potential in one part of Maleny and add it to another.

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So what do you do??

- First, you must unite and start working together
- Second, you should avoid pushing for particular land uses on the community precinct - it is not about winners and losers – it is about what the land can and should support and what you need overall in the community
- Third, you must let Caloundra City Council know that it is heading in the right direction on this matter – to do this you might like to use the submission that has been prepared by PSPS for the following groups:
 - Maleny District Green Hills Fund
 - Barung Land Care
 - Lake Baroon Catchment Care Group
 - Maleny Voice
 - Hinterland Business Centre
 - Maleny Garden Club
 - Collaboration of Maleny Artists

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PSPS

Submission

- Closing date Friday 08 December 2006
- Access the PSPS submission at:
www.paulsummersplanning.com.au/ClientPage_files/Maleny.htm


Underscore

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PSPS

Questions

- Questions on:
 - Local Growth Management Strategies
 - City Plan amendments
 - Changing planning schemes
 - Improving the *Integrated Planning Act*



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PSPS

Discussion & Further Information

- General discussion
- Presentation and other information can be found at:
www.paulsummersplanning.com.au/ClientPage_files/Maleny.htm
- www.caloundra.qld.gov.au/website/cityCouncil/strategies/plans/lgms.asp
- www.ipa.qld.gov.au/main/default.asp
- www.oum.qld.gov.au

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25/11/2006 Paul Summers Planning Strategies 33