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**6 POTENTIAL AMENDMENTS TO NOOSA PLAN 2020 RELATING TO HOUSING CHOICE AND AFFORDABILITY**

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**Index** ECM / Subject / Noosa Plan 2020  
ECM / Project & Contract / Amendments to Noosa Plan 2020

**Attachments** Nil

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**EXECUTIVE SUMMARY**

At its Special Meeting of 16 July 2020, Council adopted Noosa Plan 2020 and resolved to monitor, over the subsequent 2 year period, the effectiveness of its provisions to enable the delivery of housing choice and affordability. Specifically, monitoring if Noosa Plan 2020 is helping to meet the diverse housing needs of the community, including housing for those on low incomes, with special needs or in identified groups in need of community and affordable housing.

With the rapid change in the housing market through the second half of 2020 a more immediate review was required with specific consideration given to certain properties and planning scheme provisions in an effort to facilitate social housing outcomes.

As requested by Council in December 2020 staff have identified a range of amendments to Noosa Plan 2020 to accelerate the provision of social housing, including both public and community housing.

**RECOMMENDATION**

That Council note the report on Potential Amendments to Noosa Plan 2020 relating to Housing Choice and Affordability by the Principal Strategic Planner to the Planning & Environment Committee Meeting dated 9 March 2021 and

- A. Prepare amendments to Noosa Plan 2020 in line with the actions outlined in parts 2.1 to 12.1 of the report, in accordance with Division 2 of the Planning Act 2016; and
  - B. Update the Noosa Council Housing Needs Assessment prepared by Briggs & Mortar Pty Ltd in 2017 with regard to the provisions of Noosa Plan 2020 and the local housing situation and trends.
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**REPORT****1 State Policy Context**

The State Planning Policy (SPP) requires that diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes. State Interest policies for planning schemes in support of this position include the following:

- (a) *Land for housing development and redevelopment in areas that are accessible and well-connected to services, employment and infrastructure is identified.*
- (b) *The development of residential land is facilitated to address and cater for all groups in the current and projected demographic, economic and social profile of the local government area, including households on low to moderate incomes.*
- (c) *A diverse, affordable and comprehensive range of housing options in accessible and well-serviced locations, is facilitated through:*
  - *appropriate, responsive and proactive zoning*

- *supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living*
- *considering incentives to promote affordable and social housing outcomes, particularly in areas in close proximity to services and amenities*

The drafting of Noosa Plan 2020 was informed by a Housing Needs Assessment for Noosa Shire, prepared (by Briggs & Mortar Pty Ltd) in accordance with the requirements of the SPP 2016 State Interest Guideline, *Housing Supply and Diversity*. Statistical research and industry consultation undertaken as part of that study is now 5 years old and is considered due for some review.

In the preparation of Noosa Plan 2020, every effort was made to meet the State government's policy outcomes for housing affordability with the inclusion of social housing provisions on key development sites. Specifically, the draft planning scheme, placed on public notification in 2019, sought to require development on land at Noosa Business Centre and the former Noosa Bowls Club site in Noosa Junction, contribute towards the social housing needs of the Noosa community, in the order of 1 in 10 dwellings (distributed across the site) dedicated to a registered housing provider at no cost to the provider or Council. Unfortunately, a Ministerial Condition requested this outcome be redrafted to only require that "dwellings are provided to meet the needs of different households". Dedication of social housing and affordable housing is limited to an acceptable outcome.

Since mid-2018, when the draft scheme was submitted for first State Interest Review, housing has become more expensive and permanent rental accommodation in higher demand. The current housing climate has prompted staff to recommend Council initiate amendments to Noosa Plan 2020 to facilitate the development of further housing choice for residents with specific needs or lower incomes, close to employment, services and facilities they depend on.

A range of amendments are proposed to Noosa Plan 2020 to:

- (a) require small dwellings within close proximity of centres
- (b) change the land use zone of key sites within or in close proximity of centres
- (c) amend anomalies in planning provisions relating to housing
- (d) reflect development approvals

Proposed amendments are summarised below:

## **2 Definitions**

Noosa Plan 2020 includes the administrative definition of "affordable housing" as per the Planning Regulation 2017. However, while "social housing" is referenced and described via an editor's note, no Schedule 1 definition is included.

The State Interest guidance material on Housing Supply and Diversity states that an adequate supply of social housing is important to create social and economic diversity and productivity within local communities. It calls for incentives to promote affordable and social housing outcomes, particularly in areas in close proximity to services and amenities.

It is therefore recommended the definition of Social Housing within the Glossary of the State's guidance material form the basis of an administrative definition within Noosa Plan 2020.

Public Housing is defined in the *Planning Regulation 2017* and the definition should likewise be included in Noosa Plan 2020. For completeness Community Housing should also be defined.

### **2.1 Proposed amendment:**

- Include the following administrative definitions in Schedule 1 Table SC1.2.2:

*Social housing means housing for the residential use of vulnerable people on low incomes or with special needs, other than crisis accommodation, that is either provided by:*

- *the state as public housing; or*
- *an entity other than the state (e.g. a not-for-profit organisation) as community housing.*

*Public housing means housing—*

- *provided by, or for, the State or a statutory body representing the State; and*
- *for short or long term residential use; and*
- *totally or partly subsidised by the State or a statutory body representing the State.*

*Community housing means social housing that is not public housing.*

- Remove the editor's notes relating to Acceptable Outcome 21 within Table 6.3.3.3 and Acceptable Outcome 80 within Table 6.4.1.3 as the new definitions will make these redundant.

### **3 Small dwellings terminology**

Schedule 1 of Noosa Plan 2020 contains the following administrative definition of small dwellings: *Small dwelling means a dwelling that has no more than 100m<sup>2</sup> of gross floor area.*

When Noosa Plan 2020 was first drafted this was limited to 90m<sup>2</sup> but was increased to 100m<sup>2</sup> following consideration of submissions.

Various tables of assessment referenced a specific maximum gross floor area (GFA) for a dwelling or dwellings rather than applying the defined term of small dwellings. Some were updated and some were inadvertently missed and as a consequence still reference a maximum GFA of 90m<sup>2</sup>.

For clarity and consistency, it is preferable the defined term be used rather than individually nominating the maximum GFA. Therefore, references to 90m<sup>2</sup> or 100m<sup>2</sup> within the tables will be removed and instead it will refer to small dwellings as defined.

Notwithstanding the above, some dwellings, such as caretaker's accommodation within industrial estates, are deliberately limited to 65m<sup>2</sup> GFA. These specific limitations will remain.

#### **3.1 Proposed amendment:**

Amend the following Tables of Assessment for Material Change of Use so that under the Accommodation activities use categories, individual references to limitations of either 90m<sup>2</sup> or 100m<sup>2</sup> gross floor area are deleted and replaced with references to *small dwellings*:

- a. Table 5.5.4 Tourist Accommodation zone
- b. Table 5.5.5 Major Centre zone where not in a precinct
- c. Table 5.5.5.2 Noosa Junction Hospitality precinct
- d. Table 5.5.5.6 Noosa Business Centre – Village Mixed Use precinct
- e. Table 5.5.6 District Centre zone
- f. Table 5.5.6.1 Health and Wellbeing precinct
- g. Table 5.5.7 Local Centre zone
- h. Table 5.5.8 Neighbourhood Centre zone
- i. Table 5.5.11 Community Facilities zone

### **4 Small dwellings around centres**

Noosa Plan 2020 includes a Strategic Intent for housing to meet diverse needs of the community and particularly notes the intent for small dwellings close to centres. It is suggested given the nature of the local housing market that for this to be realised it is necessary to specifically require small dwellings where in close proximity to centres

As indicated earlier within this report it has been the intention of Council to require a proportion of new housing at the former bowls club in Noosa Junction and the Noosa Business Centre, the Shire's two major activity centres, to be affordable housing and specifically social housing. It is considered the performance outcome needs revision to clarify this.

#### 4.1 **Proposed amendment:**

Within Tables 6.3.3.3 (High Density Residential Zone) and Table 6.4.1.3 (Major Centre Zone) amend the Performance Outcome of each table that relates to Housing Diversity and Affordability so that it specifically refers to provision of affordable housing and social housing and not just dwellings that meet the needs of different households.

Within the Dual Occupancy and Multiple Dwelling Code (Part 9.3.3) add a new overall outcome and performance outcome as below:

- *Overall Outcome: Multiple dwellings close to centres include small dwellings to cater for small households including those on low incomes.*
- *Performance Outcome: Where not in a centre zone but located within 200 metres of land within a centre zone, multiple dwellings consist substantially of small dwellings.*
- *Acceptable Outcome: Multiple dwellings within 200 metres of land within a centre zone have a ratio of at least one small dwelling to every other dwelling.*

#### 5 **Secondary dwellings**

The provisions within Noosa Plan 2020 relating to secondary dwellings may not be clear enough. Secondary dwellings are not to be a second dwelling house on the property and must remain subordinate to the primary house. In instances where the primary house is very large the extra qualifier is necessary to prevent quite sizable dwellings.

##### 5.1 **Proposed amendment:**

- Add a performance outcome to the Rural and Rural Residential zone codes to specifically address secondary dwellings, as below:

*Performance Outcome: A secondary dwelling is small and provides permanent housing for an extended family member or other member of the household resident in the dwelling house.*

*Acceptable Outcome 1: No more than one secondary dwelling is provided on any site regardless of site area.*

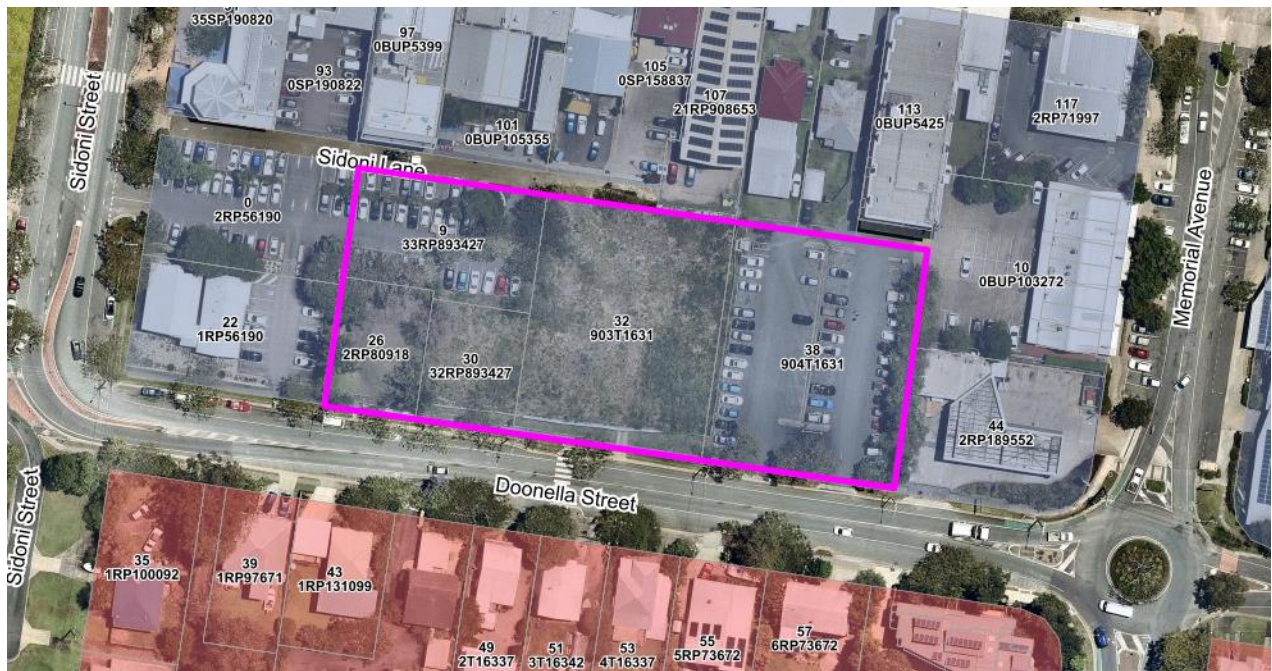
*Acceptable Outcome 2: A secondary dwelling:*

- *has a maximum gross floor area of 65m<sup>2</sup>; and*
- *has no more than two bedrooms.*
- In performance outcomes relating to secondary dwellings within the various residential zone codes specify that secondary dwellings are small.

#### 6 **Doonella Street Tewantin**

The centre of Tewantin includes land which has a history of various zones and preferred land uses.

In Doonella Street, behind the main street are properties in the District Centre Zone however the Community Facilities zone is a more appropriate zone to facilitate social housing while still allowing for community uses such as medical centres or carparking. Two of these properties are the subject of a current development application for 19 residential units as well as other uses.



**6.1 Proposed amendment:**

- Amend Zone Map ZM-11 by including Lots 32 and 33 on RP893427, Lots 903 and 904 on T1631 and Lot 2 on RP80918, in Doonella Street Tewantin, in the Community Facilities Zone and annotating them for Multiple dwellings (small dwellings only), Rooming accommodation, Health care service, Office, Parking Station.
- Amend Tewantin Local Plan Code to reflect the intent these sites contribute to community outcomes including social housing and are no longer part of the Activity Centre zone. For instance:
  - (a) adding a new overall outcome as follows:
    - (u) *Housing choice in the form of residential care and social housing is enhanced through the Community Facilities Zone*
  - (b) adding a new performance outcome as follows:
    - PO12 Where sites in the Community Facilities zone adjoining or with access via Doonella Street are developed for multiple dwellings they take the form of small dwellings only and incorporate affordable housing and social housing for permanent residents.*

**7 Goodchap Street Noosaville**

At the time Noosa Plan 2020 was drafted, approval for the Arcare aged care facility had not yet been issued, however as the development is now complete and the use commencing, the zoning of the site should be updated to reflect the approved use to Community Facilities Zone.

**7.1 Proposed amendment:**

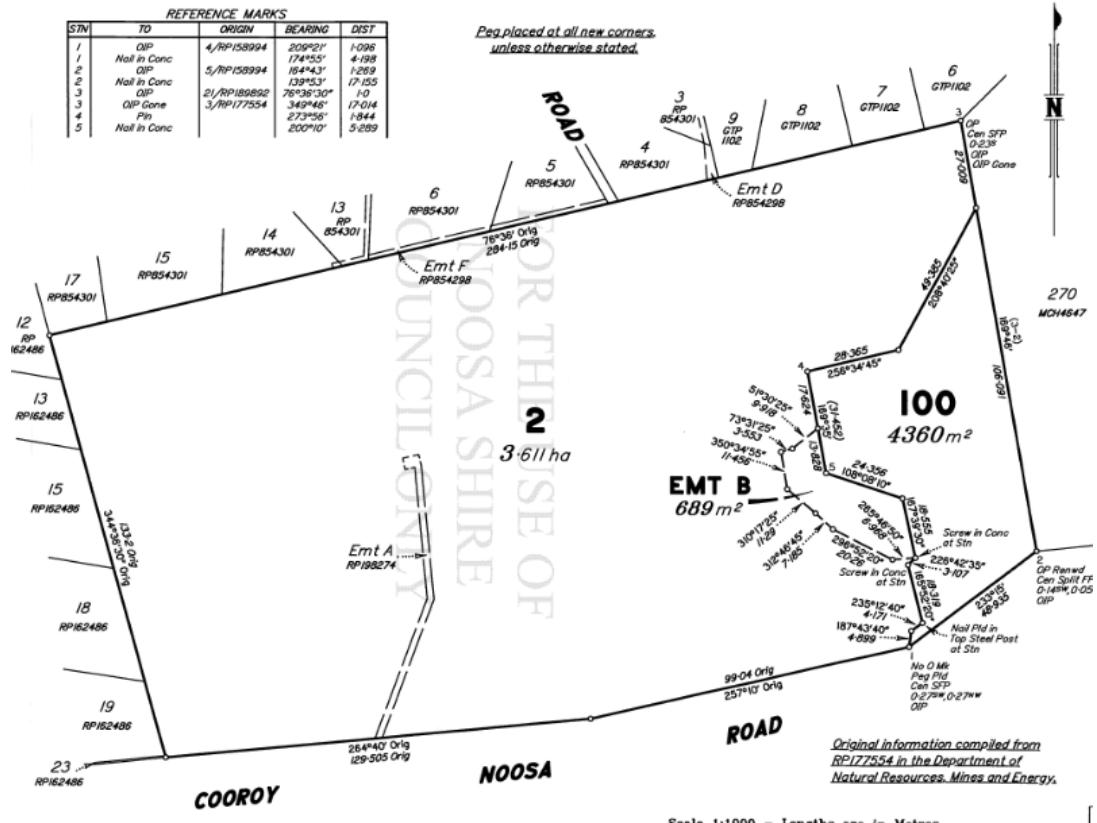
- Amend Zoning Map ZM-12 by including 52 Goodchap St, Noosaville, (described as Lot 1 SP308180) in the Community Facilities Zone annotated for Residential care.

**8 Carramar, Cooroy Noosa Road, Tewantin**

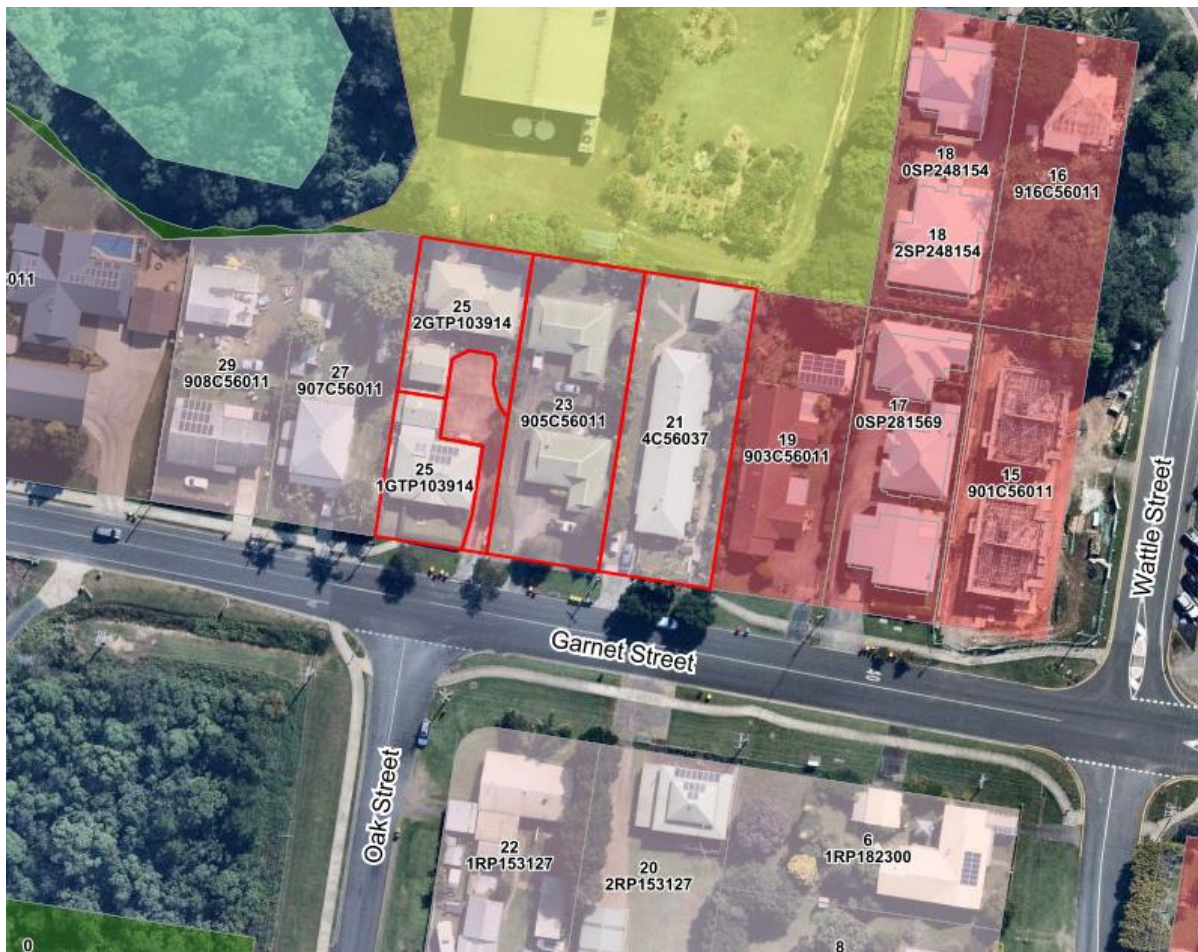
Carramar Noosa Care, located at 186 Cooroy Noosa Road Tewantin has development approval for expansion and construction is underway for an additional 32 beds. While most of the aged care site is within the Community Facilities Zone, annotated for residential care, the north eastern portion where the expansion is underway is currently zoned Environmental Management and Conservation and sits outside the Urban boundary and Priority Infrastructure Area.



As part of site development, a newly created Lot 100 to the east was excised and dedicated to Council for environmental purposes, reflecting the conditions of the site. The realignment of mapping should occur to reflect the development approval and 2019 lot reconfiguration. Lot 2 contains a 689 square metres of land protected through an easement (shown as EMT B on the plan below). This portion only would remain in the Environmental Management and Conservation Zone.







**10.1 Proposed amendment:**

Amend Zoning Map ZM-10 by including properties at 21, 23 and 25 Garnet Street Cooroy within the Medium Density Residential Zone.

**11 Relocatable Home Parks**

Noosa Plan 2020 currently limits the zones where relocatable home parks are a consistent use.

The use of “relocatable home park”, as defined in the Planning Regulation 2017 is *the use of premises for—*

- (a) *relocatable dwellings for long-term residential accommodation; or*
- (b) *amenity facilities, food and drink outlets, a manager’s residence, or recreation facilities for the exclusive use of residents, if the use is ancillary to the use in paragraph (a).*

This is distinct to the use of “retirement facility” which is defined as follows:

*retirement facility means a residential use of premises for—*

- (a) *accommodation for older members of the community, or retired persons, in independent living units or serviced units; or*
- (b) *amenity and community facilities, a manager’s residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).*

Notably, neither of these definitions speak of property tenure or building materials.

A relocatable home park places no limit on the age or any other category of potential occupants, whereas if a property is to be developed for independent living for residents over a certain age (e.g. 55) it would more properly fall under the land use definition of retirement facility regardless of



how dwellings are designed or constructed. Retirement facilities can operate through either the *Retirement Villages Act 1999* or the *Manufactured Homes (Residential Parks) Act 2003*. These are distinguished by their different ownership and tenancy arrangements.

Both uses are consistent in the Medium Density Residential Zone, subject to impact assessment, with the exception that where an existing relocatable home park exists it has been protected for that purpose.

Retirement Facilities are listed as a consistent use in the Community Facilities Zone (subject to code assessment if specifically annotated, otherwise subject to impact assessment). It is considered appropriate to extend the same provision to Relocatable Home Parks, as there is no planning reason to facilitate one but not the other.

**11.1 Proposed amendment:**

Amend the Table of Assessment for Material Change of Use in the Community Facilities Zone (Table 5.5.11) by listing Relocatable Home Park as a consistent use subject to assessment as follows:

Categories of development and assessment		Assessment benchmarks for assessable development
Relocatable home park	Code assessment	
	If on a site specifically annotated for that use on a zone maps included in schedule 2.	Applicable Local Plan Code Community Facilities Zone Code Special Residential Code Works codes
	Impact assessment	
	If: (a) not otherwise code assessment; and (b) not located on Lot 3 SP246584.	

**12 Dwelling house on existing rural and rural residential blocks**

The State Interest Policy on Agriculture requires that growth in agricultural production and a strong agriculture industry is facilitated by locating new development (such as sensitive land uses) in areas that avoid or minimise potential for conflict with existing agricultural uses through the provision of adequate separation areas or other measures. The guidance material suggests a land use strategy that dwelling houses in rural areas are located so that adjacent existing and potential agricultural enterprises are not constrained.

Consequentially Noosa Plan 2020 contains acceptable outcomes in both the Rural and the Rural Residential Zone codes that specify sensitive land uses are separated from adjoining land mapped as Agricultural Land Conservation Area. The relevant specific acceptable outcomes called up as requirements for a dwelling house are as follows:

**Rural Zone Code:**

AO2.4

No sensitive land use is established closer than 200 metres from land on an adjacent property included in the Rural zone and mapped as Agricultural Land Conservation Area as shown in Agricultural Land Overlap Maps in schedule 2.

AND

AO8.5

On properties over 2 hectares in area, a distance of not less than 200 metres is provided between a sensitive land use and land on an adjacent rural zone property over 4 hectares in mapped Agricultural Land Conservation Area.

**Rural Residential Zone Code**

## AO2

A distance of not less than 100 metres is provided between a sensitive land use and land within the Rural zone that:

1. is mapped as Agricultural Land Conservation Area on the Agricultural Land Overlay maps in Schedule 2; and
2. has a property area greater than 4 hectares.

While a dwelling house is generally accepted development (assessed by a building certifier) in these zones, non-compliance with these acceptable outcomes is forcing applicants to lodge a code assessable application for Material Change of Use with Council.

**12.1 Proposed amendment:**

- Amend Table 5.5.13, Table of Assessment for MCU in the Rural Zone so that AO2.4 and 8.5 of the Rural Zone code are not listed as requirements for accepted development for a dwelling house.
- Amend Table 5.5.14, Table of Assessment for MCU in the Rural Residential Zone so that AO2 of the Rural Residential Zone code is not listed as requirements for accepted development for a dwelling house

**Previous Council Consideration****Ordinary Meeting Minutes, 17 December 2020, Page 2, Item 1**

*That Council note the Mayoral Minute provided to the Ordinary Meeting dated 17 December 2020, and:*

- A. *Request the CEO to review existing Noosa Council land assets to determine if any such land would be appropriate for the development of social housing;*
- B. *Request the CEO to incorporate consideration of priority sector employee housing within the upcoming review of the Local Economic Plan;*
- C. *Request the CEO to bring forward a report to a future Council meeting identifying potential amendments to the planning scheme to accelerate the provision of suitable community housing;*
- D. *Council continue to negotiate with State and Local community housing providers in the development of an economically efficient model to achieve a mix of public, social and private affordable accommodation within community housing developments; and*
- E. *Council continue to work closely with State Member Sandy Bolton and her Housing Action Group.*

**Special Meeting 16 July 2020**

At its Special Meeting at which Council adopted the Noosa Plan 2020 it was also resolved Council would monitor over the next 2 years the effectiveness of the provisions of the Noosa Plan 2020 in enabling the delivery of housing choice and affordability to meet the diverse needs of the community, specifically housing for those in our community on low incomes, with special needs or in identified groups in need of community and affordable housing.

**Ordinary Meeting 20 April 2017**

Council resolved to note the report by the Principal Strategic Planner to the Planning & Environment Committee Meeting dated 11 April 2017 and endorse the Housing Needs Assessment prepared by Briggs & Mortar for the purpose of informing the drafting of the new planning scheme.

**Finance**

With the exception of staff time and associated costs of planning scheme amendments (such as advertising), there are no financial implications for ratepayers in general for scheme amendments. A review of the Housing Needs Assessment would benefit from the involvement of social planners and therefore would incur professional consultant fees.

**Risks & Opportunities**

The proposed amendments to Noosa Plan 2020 provide an opportunity to increase housing supply for smaller dwellings and housing affordability. Should Council not proceed with the amendments, development for additional smaller dwelling will be more limited.

**Consultation**

**External Consultation - Community & Stakeholder**

Community consultation will occur as a mandatory component of planning scheme amendments. Specific minimum requirements will be specified by the State but will include public notices, notifying landowners directly affected by zone changes and carrying out targeted consultation with housing providers and social networks.

**Internal Consultation**

Departments/Sections Consulted:

<input checked="" type="checkbox"/> <b>Chief Executive Officer</b> Executive Officer Executive Support	<input checked="" type="checkbox"/> <b>Community Services</b> Director X Community Development Community Facilities Libraries & Galleries Local Laws Waste & Environmental Health	<input checked="" type="checkbox"/> <b>Corporate Services</b> Director Financial Services ICT Procurement & Fleet X Property Revenue Services
<input type="checkbox"/> <b>Executive Services</b> Director Community Engagement Customer Service Governance People and Culture	<input checked="" type="checkbox"/> <b>Environment &amp; Sustainable Development</b> Director Building & Plumbing Services Development Assessment Economic Development Environmental Services Strategic Land Use Planning	<input type="checkbox"/> <b>Infrastructure Services</b> Director Asset Management Buildings and Facilities Civil Operations Disaster Management X Infrastructure Planning, Design and Delivery