

Development Watch Inc

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19 June, 2012

The Chief Executive Officer
Sunshine Coast Council
Locked Bag72
Sunshine Coast Mail Centre
QLD 4560

Dear Sir,

NOTICE OF SUBMISSION
REC12/0030– RECONFIGURATION OF A LOT
LOT 43 ON RP86149
14 SANTA MONICA AVE, COOLUM BEACH

Mr G.W.Dean c/o Cadcon Surveying and Town Planning has submitted a Reconfiguration of Lot application for land at Coolum Beach. The application describes the conversion of one residential lot into two residential lots. Development Watch objects to this proposal in its entirety because it conflicts with the planning scheme requirements for the area. Our grounds for objection are set out below.

THE PROPOSAL CONFLICTS WITH
MAROOCHY PLAN 2000

The land that is the subject of this application is located in Precinct 5 of Planning Area 11 in Maroochy Plan 2000 (MP2000). Precinct 5 is classified “Neighbourhood Residential”, which specifies a minimum lot size of 600 square metres¹. The proposed two new lots are 369 and 421 square metres respectively.

The Code for Reconfiguring Lots does allow for relaxation of the 600 square metre minimum, but only where:

- a) development is on a site which adjoins land in a Mixed Housing or Multi-storey Residential Precinct; or
- b) development is on a site which is wholly or mainly within 400 meters of a centre precinct.²

¹ See MP2000, Vol 4, Table 8.2, page 411.

² See MP2000, Vol 4, Code for Reconfiguring Lots, Acceptable Measure A2.1(b), page 406.

The subject proposed lots do not satisfy either of these requirements.

COUNCIL MUST COMPLY WITH THE PLANNING SCHEME

The Sustainable Planning Act (SPA) requires that Council's decision in this matter must not *"conflict with the planning scheme, unless there are sufficient grounds to justify the decision despite the conflict."*³ "Grounds" are defined as *"matters of public interest"* but do not include *"the personal circumstances of an applicant, owner or interested party."*⁴ Development Watch submits that there are no matters of public interest that would justify non-compliance with the Maroochy Plan involved in this application. However the interests of the local community in maintaining the local character is relevant.

Development Watch is mindful that if Council approves the application despite the conflict with MP2000, then Council must publish in its Decision Notice *"the reasons for the decision, including a statement of the sufficient grounds ..."*⁵

RECOMMENDATION

Development Watch recommends that this application be refused because the subject proposed lots do not meet the requirements for relaxation of the Code for Reconfiguring Lots and there is no matter of public interest that would justify relaxation of the requirements of Maroochy Plan 2000.

Yours faithfully,



Marian Kroon
President
Development Watch

³ See SPA s326(1)(b).

⁴ See SPA Schedule 3, Dictionary.

⁵ See SPA s335(1)(n).