

**Notice of Master Planned Area declaration
under the Sustainable Planning Act 2009, Chapter 4**

1. Short Title

This declaration may be cited as the Maroochydore Master Planned Area Declaration 2009.

2. Master Planned Area declaration

The Maroochydore Master Planned Area is a declared master planned area.

3. Identification of Master Planned Area

The Maroochydore Master Planned Area is identified by the boundaries shown on Map 1.

4. Coordinating agency for the structure plan, master plan applications and structure plan amendments

1. The coordinating agency for the structure plan, master plan applications and structure plan amendments for the master planned area is the chief executive of the entity stated in table 1, column 1 in this declaration.
2. The coordinating agency's jurisdiction for the structure plan, master plan applications and structure plan amendments for the master planned area is stated in table 1, column 2 in this declaration, but does not include either:
 - a. the referral agency jurisdiction stated in table 1, column 3; or
 - b. the referral agency jurisdiction for an area that, under the structure plan, does not require master planning.
3. Where the structure plan requires that an area undergo master planning, the referral agency's jurisdiction for development applications is confined to those triggers identified in table 1, column 3.
4. Where the structure plan does not require an area to undergo master planning, the coordinating agency's jurisdiction for development applications in that area is not affected by this declaration.

Table 1

Column 1 Coordinating Agency	Column 2 Jurisdiction for the structure plan, master plan applications and structure plan amendments	Column 3 Referral Agency jurisdiction
Department of Infrastructure and Planning	<ul style="list-style-type: none"> • Planning for and management of development under the Sustainable Planning Act 2009 (SPA) and the State Development and Public Works Organisation Act 1971 • Planning for and management of infrastructure under the SPA and the State Development and Public Works Organisation Act 1971 • Coordinated and integrated planning at the State, regional and local level as provided for under the SPA • Planning for and management of the effects of development (including planning for and managing the use of premises) as provided for under the SPA • Managing the process by which development occurs as provided for under the SPA • Ensuring planning and development meets the objectives of the South East Queensland Regional Plan and associated State Planning Regulatory Provisions • Planning for and management of koalas in an interim koala habitat management area under the SEQ Koala State Regulatory Provisions 	<i>SP Reg. sch 7, table 3, item 2d – where made on land outside a master plan unit in a structure plan or where a master plan is required, if the local government considers a section 242 application is inconsistent with an approved master plan</i>

	<ul style="list-style-type: none"> Referral agency jurisdiction stated in the <i>Sustainable Planning Regulation 2009 (SP Reg)</i>, with the exception of those matters mentioned in column 3 of this table 	
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5. Participating agencies for the structure plan, master plan applications and structure plan amendments

- The participating agency for the structure plan, master plan applications and structure plan amendments for the master planned area is the chief executive of the entity stated in table 2, column 1 in this declaration.
- The participating agency's jurisdiction for the structure plan, master plan applications and structure plan amendments for the master planned area is stated in table 2, column 2 in this declaration, but does not include either:
 - the referral agency jurisdiction stated in table 2, column 3; or
 - the referral agency jurisdiction for an area that, under the structure plan, does not require master planning.
- Where the structure plan requires that an area undergo master planning, the referral agency's jurisdiction for development applications is confined to those triggers identified in table 2, column 3.
- Where the structure plan does not require an area to undergo master planning, the participating agency's jurisdiction for development applications in that area is not affected by this declaration.

Table 2

Column 1 Participating Agency	Column 2 Jurisdiction for the structure plan, master plan applications and structure plan amendments	Column 3 Referral agency jurisdiction
Department of Education and Training	<ul style="list-style-type: none"> Planning for and management of development to meet the education needs of the community as provided for under the <i>Education (General Provisions) Act 2006</i> Planning for and management of development to meet the training and arts needs of the community 	<i>Nil</i>
Department of Community Safety	<ul style="list-style-type: none"> Planning for and management of development to provide ambulance, fire and rescue services as provided for under the <i>Ambulance Service Act 1991</i> and the <i>Fire Rescue Act 1990</i> Planning for and management of development as provided under the <i>State Planning Policy 1/03 Mitigating the Adverse Impacts of Bushfire, Flooding and Landslide</i> Planning for and management of development to mitigate the effects of disasters as provided for under the <i>Disaster Management Act 2003</i> 	<i>Nil</i>
Department of Health	<ul style="list-style-type: none"> Planning for and management of development to meet the health needs of the community 	<i>Nil</i>
Department of Communities	<ul style="list-style-type: none"> Planning for and management of development to meet the social service needs of the community Planning for and management of development to meet the housing needs of the community as provided for in <i>State Planning Policy 1/07 Housing and Residential Development</i> and the <i>Queensland Housing Affordability Strategy</i> 	<i>Nil</i>

<p>Department of Transport and Main Roads</p>	<ul style="list-style-type: none"> • Planning for and management of the existing and future national and State road infrastructure under the <i>Transport Infrastructure Act 1994</i> • Planning for and management of safety and community access to the State road network under the <i>Transport Infrastructure Act 1994</i> • Integration of land use and transport in accordance with the objectives of Part 2 of the <i>Transport Planning and Coordination Act 1994</i> • Impact of development on the safety and operational integrity of railways and future railways, in accordance with section 258 of the <i>Transport Infrastructure Act 1994</i> • Impact on development from environmental emissions generated by existing and future transport infrastructure • Referral agency jurisdiction stated in the <i>SP Reg</i>, with the exception of those matters mentioned in column 3 of this table 	<ul style="list-style-type: none"> • <i>SP Reg, sch 3, part 1, table 4, item 5</i> • <i>SP Reg, sch 7, table 2, items 3 and 15</i> • <i>SP Reg, sch 7, table 2, item 33 for reconfiguring a lot completely or partly within a public transport corridor and the total number of lots increases</i> • <i>SP Reg, sch 7, table 2, item 33 for reconfiguring a lot completely or partly within a future public transport corridor</i> • <i>SP Reg, sch 7, table 2, item 33 for reconfiguring a lot on land abutting an existing or future public transport corridor and the total number of lots increases, or an easement abutting the corridor or land is created</i> • <i>SP Reg, sch 7, table 2, item 33 for reconfiguring a lot within 50m of a driven tunnel or 20m of a cut and cover tunnel</i> • <i>SP Reg, sch 7, table 2, item 34 for reconfiguring a lot completely or partly within a future public transport corridor</i> • <i>SP Reg, sch 7, table 2, item 34 for reconfiguring a lot completely or partly within future railway land or a railway tunnel easement</i> • <i>SP Reg, sch 7, table 2, item 34 for reconfiguring a lot on land abutting rail corridor land, commercial corridor land or future railway land and the total number of lots increases, or an easement abutting the corridor or land is created</i> • <i>SP Reg, sch 7, table 3, item 1(b)</i> • <i>SP Reg, sch 7, table 3, item 14, excluding the following:</i> <ul style="list-style-type: none"> - a material change of use within an airport's
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		<p><i>public safety area</i></p> <ul style="list-style-type: none"> - a material change of use resulting in work encroaching into the operational airspace of an airport - a material change of use for residential purposes, including tourist parks, educational establishments, hospitals and residential care facilities, within the 25 ANEF contour for an airport - a material change of use for hotel services, short-term accommodation or public buildings within the 30 ANEF contour for an airport - operational work that encroaches into the operational airspace of an airport • SP Reg, sch 7, table 3, item 15, excluding a material change of use completely or partly within a railway tunnel easement • SP Reg, sch 7, table 3, item 2, where items 22, 23, 24, 25, 26, 27, 29 in Schedule 11 of the SP Reg are for a material change of use • SP Reg, sch 7, table 3, item 2 for operational work not associated with a material change of use or reconfiguration of a lot
Department of Environment and Resource Management	<ul style="list-style-type: none"> • Planning for and management of vegetation under the <i>Vegetation Management Act 1999</i> • Planning for and management of the environment under the <i>Environmental Protection Act 1994</i> • Planning for and management of koalas under the <i>Nature Conservation Act 1992</i> • Planning for and management of water, dams, catchments and quarry material under the <i>Water Act 2000</i> • Planning for and management of land to control pests as provided for under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> • Referral agency jurisdiction stated in the <i>SP Reg</i>, with the exception of those matters mentioned in column 3 of this 	<ul style="list-style-type: none"> • SP Reg, sch 3, part 1, table 2, item 1 • SP Reg, sch 3, part 1, table 4, item 5 • SP Reg, sch 3, part 1, table 5, items 4 and 5 • SP Reg, sch 7, table 2, items 1, 13, 14, 22, 23 and 24 • SP Reg, sch 7, table 3, item 5

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Department of Employment, Economic Development and Innovation	<ul style="list-style-type: none"> • Planning for and management of primary industries (excluding all matters under the <i>Fisheries Act 1994</i>) • Planning for and management of land to control pests as provided for under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> • Planning of and managing development for the generation and distribution of electricity as provided for under the <i>Electricity Act 1994</i> • Planning of and managing development for the purposes of electrical safety as provided for under the <i>Electrical Safety Act 2002</i>. • Referral agency jurisdiction stated in the <i>SP Reg</i>, with the exception of those matters mentioned in column 3 of this table 	<ul style="list-style-type: none"> • <i>SP Reg, sch 3, part 1, table 4, items 7 and 8</i> • <i>SP Reg, sch 7, table 2, items 28, 29, 30, 31 and 32</i>
Department of Justice and Attorney General	<ul style="list-style-type: none"> • Operation of major hazard facilities under the <i>Dangerous Goods Safety Management Act 2001</i> • Referral agency jurisdiction stated in the <i>SP Reg</i>, with the exception of those matters mentioned in column 3 of this table 	<ul style="list-style-type: none"> • <i>SP Reg, sch 7, table 2, item 8</i>
Powerlink and Energex	<ul style="list-style-type: none"> • Planning of and managing development for the generation and distribution of electricity as provided for under the <i>Electricity Act 1994</i>. • Planning of and managing development for the purposes of electrical safety as provided for under the <i>Electrical Safety Act 2002</i>. • Referral agency jurisdiction stated in the <i>SP Reg</i>, with the exception of those matters mentioned in column 3 of this table 	<ul style="list-style-type: none"> • <i>SP Reg, sch 7, table 2, item 21</i> • <i>SP Reg, sch 7, table 3, items 7, 8 and 9</i>

6. Timeframes for steps identified in Statutory Guideline 03/09 for the making of the structure plan and structure plan amendments

1. Column 1 of table 3 identifies milestones in the Statutory Guideline 03/09 process.
2. All of the requirements leading up to and including the identified milestone steps are to be completed in the timeframes stated in table 3, column 2.
3. In table 3, references to step numbers are references to the Statutory Guideline 03/09.

Table 3

Column 1 Steps identified in SPA, Statutory Guideline 03/09 for the making of the structure plan and structure plan amendments	Column 2 Timeframes
Minister declares master planned area	18 December 2009
The local government gives the Minister a copy of the proposed amended structure plan and request the Minister's approval to publicly notify the proposed structure plan (step 2)	Forty-five (45) business days from the date of this declaration
Minister advises local government to proceed to Public Notification (subject to conditions if necessary) (step 3)	Ten (10) business days from receipt of the amended structure plan
Public notice of, and access to, the proposed structure plan (as amended) (steps 3 and 4)	To commence within ten (10) business days after receiving advice from the Minister under step 3.1 for a period of thirty (30) business days in accordance with step 4.2
The local government considers all properly made submissions about the structure plan and gives the Minister the necessary items stated in steps 5-6 including the structure plan that has consideration for any reasonable and relevant public submissions.	Forty (40) business days after completing step 4
Minister reviews structure plan and advises Council to proceed to adoption (subject to conditions if necessary) (step 10)	Fifteen (15) business days from receipt of the amended structure plan
The local government adopts the structure plan (step 11)	Fifteen (15) business days

7. Other matters

1. The structure plan should provide that development applications for a preliminary approval seeking approval to vary the effect of any local planning instrument for the land are not permitted over areas for which the structure plan requires a master plan.
2. The structure plan should state that master plan applications are required to be assessed by the State and should identify the same coordinating agency and participating agencies with the same jurisdictions as those set out in tables 1 and 2 of this declaration for master plan applications.
3. The Minister may amend or extend the timeframes stipulated in this gazette notice.

Honourable Stirling Hinchliffe MP
Minister for Infrastructure and Planning