



Summary Response - Feedback on the proposed TLPI for Accommodation Hotel Incentives

The proposed TLPI overrides the SCPS for new hotel accommodation DAs, providing relaxations of building heights, rooftop use, reduced car parking spaces, unanticipated land use changes and reclassifying *Impact* to *Code* assessable development which removes community rights of appeal normally associated with *Impact* assessable development applications.

The proposed relaxations of the SCPS in the TLPI are additional to the substantial financial incentives approved under the Accommodation Hotel Incentives Strategic Policy at the OM in August 2024.

The proposed TLPI, in its current form, is NOT supported. Accordingly, we request Councillors REJECT adopting this TLPI, as outlined in the considerations discussed below.

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The proposed TLPI height increases and rooftop use, up to 12 metres - NOT supported

Council’s *Have Your Say* website suggests the proposed TLPI building height allowances¹ are unlikely to result in development that is substantially different to what is existing or planned for in the relevant areas. For the identified sites in the TLPI, the Building Heights are mapped in the SCPS to:

- 12 metres, an additional increase of 12 metres is a **100 % increase** to 24 metres; and
- 18 metres, an additional increase of 12 metres is a **67% increase** to 30 metres; and
- 25 metres, an additional increase of 12 metres is a **48% increase** to 37 metres
- 37.5 metres, an additional increase of 12 metres is a **32% increase** to 49.5 metres

These proposed height increases are, by definition *substantially different to existing* heights and community expectations of what is appropriate for planning in the relevant areas. Two sites also include undisclosed land use changes that are also *substantially different to* community expectations.

The Planning Scheme represents community expectations.

It is noted that additional height bonuses are currently available in selected locations under the SCPS, e.g. Bulcock Street at Caloundra which allows the 25 metre building height to be exceeded up to a maximum of 40 metres.

The TLPI proposed increases in height and rooftop use are NOT supported.

¹ TLPI page 3 and page 8

What additional height, in which zones, might be more palatable to the community?

Only within the Principal Centre and Major Centre zones, a minor increase is likely to be supported in the TLPI:

- 3 additional metres for 5 star hotel accommodation only, and **no** rooftop use other than for solar panels

Generally, height increases (with the 5 star exception noted above) and all rooftop use for accommodation hotels is not supported. Impact Assessment is the appropriate process for assessment of SCPS exceptions where the due process of amendments to the SCPS have not been undertaken.

The proposed TLPI minimum on-site car park rates - NOT supported

These are identified in Schedule 4 for accommodation hotels². By comparison to the current SCPS, the TLPI proposes a reduction greater than **60%** for on-site car parking rate to:

1 space per 3 *rooming units* + 1 visitor space per 10 *rooming units* = **0.433** car spaces per *rooming unit*

Replacing the Planning Scheme (Table 9.4.8.3.3) for short term accommodation of

1 space per 1 *rooming unit* + 1 visitor space per 10 *rooming units* = **1.1** car spaces per *rooming unit*

The proposed on-site car parking reductions are, by definition, *substantially different to existing rates* and community expectations of what is to be appropriate for planning in the relevant areas. Without quality public transport improvements, no car park rate concessions ought to apply. Even the Gold Coast specifies 1 car park space for the 1st 75 rooms for resort hotels, before any reduction for more than 75 rooms.

The TLPI proposed reduction in on-site car parking rates is NOT supported for the sites identified in Schedule 1.

What reduction in on-site car parking rates might be more palatable to the community?

None, noting the election commitment of *infrastructure before development*.

The proposed TLPI includes 2 incompatible, unanticipated land use changes - NOT supported

1. The inclusion of a site, currently zoned for *Tourism*, in the TLPI for Hotel Accommodation is an unanticipated land use change for the Sea Life/Mooloolaba Wharf zone. Under the SCPS, the purpose of the zone code is to protect (1) (a) this specified location (1) (b) protected for tourism purposes (2) (a) protects

2. The inclusion of a site, currently zoned for *High Density Residential* development, in the TLPI is an incompatible and unanticipated land use change for a residential zoning.

Under the current SCPS, land within High Density Residential zones is to *provide for residential activities, for permanent residents other non-residential activities which Do NOT have a significant detrimental impact on the amenity of surrounding residents ... development generally caters for a medium rise built form And is sympathetic to the existing and intended scale and character of surrounding development (6.2.3.2 SCPS)*. Table 6.2.3.2.1 includes short-term accommodation, however it does NOT include hotel bars, licenced restaurants, functions and the like; it merely allows for a shop (corner store).

Only one site at Alexandra Headland has been 'selected' for inclusion in the TLPI for hotel accommodation. It has a current DA approval for Multiple Dwelling and/or Short Term Accommodation. Although the present owner/s may wish to participate in the proposed Hotel Incentive scheme, this is an *incompatible and unanticipated land use change*. Selecting this single block within a residential zone whilst isolating others is likely to be seen as inappropriate, with a high risk this may be perceived as a special favour for a selected developer.

The TLPI proposed inclusion of any protected Tourism site or any zoned Residential site is NOT supported. Bypassing Impact Assessment for these types of significant unanticipated zone changes is NOT supported.

² TLPI page 12 (resort complex and/or short term accommodation)

[What option might be more palatable to the community for inclusion 2 incompatible land use changes?](#)

None. Changes that are effectively rezoning of land resulting in changes to land use ought to be dealt with via amendments to the Planning Scheme and transparently disclosed and not via a TLPI.

[No environmental considerations nor consultation have been incorporated into the TLPI - NOT supported](#)
Part 6 (2) of the proposed TLPI states *“To the extent of any consistency between the Planning Scheme and the TLPI or a Planning Scheme Policy and the TLPI, the TLPI prevails.”* What about inconsistencies? Is this a typo? If so, then the outcomes are seriously in conflict with the State Interests.

It may appear the intention is to remove all consideration of the environmental considerations in both the current and the new Planning Schemes plus the State Planning Policy updates for MSES. The mapping by DESI and the additional requirements to protect MSES are potentially removed by this TLPI *{the State Interest Review comments on the new SCPS are publicly available on their Dashboard}*.

Code Assessment will also effectively bypass the elevated level of the State Interests and State Planning Policy for MSES which would otherwise be highlighted by Impact Assessment and by reference to the new Planning Scheme.

Section 23 of the Planning Act 2016 identifies making a TLPI; this proposal does **not** appear to align with s23 (1) which identifies 3 inclusive elements, ALL of which must be satisfied. The conditions (a), (b), (c) are joined by “AND” rather than “OR”, so it’s not either/or. As upheld in previous Court decisions, “AND means AND”.

- (a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area; and
- (b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and
- (c) the making of the TLPI would not adversely affect State interests.

The TLPI proposed disregard for environmental considerations is NOT supported.

[What option might be more palatable to the community for environmental considerations](#)

Include appropriate references, noting that this TLPI does not override the Coastal Protection overlay code in the current SCPS nor override the State Interests relating to MSES in the new Planning Scheme (SPP directions).

[Community Consultation or merely Community Feedback?](#)

We note this “Have Your Say” project references Community feedback and NOT Community consultation. Although some may suggest are differences maybe minor, the outcomes are, very often, substantially different:

Community feedback assists in identifying opportunities, issues and needs of a group of stakeholders.

Community consultation involves engaging with community members, listening to their voices, and understanding their unique needs, challenges, and aspirations.

The difference: Feedback is simply a **collection** process of community views, whereas consultation **addresses** the issues faced by the community.

Let’s assume Council’s intention was to undertake genuine community consultation about the TLPI and that Council will **address** the issues faced by the community (today’s ratepayers) and that the TLPI will be adjusted accordingly. This assumption is based on that fact that Mayor Natoli moved the motion to engage with the community and the “10 point plan” promoted in the election campaign which included:

Transparent, accountable decisions – made with integrity, which stated: *“I will work tirelessly to restore community trust to the role of Mayor and the entire Council organisation by being transparent and accountable. I will demand community consultation is meaningful and listened to. I will demand Councillors and executive management commit to meeting the expectations of the community.”*

Feedback on the proposed TLPI for Accommodation Hotel Incentives

Review of the anticipated Accommodation Hotel Room 'Gap' by 2032 Olympics

- 2021 Hotel Demand Study identified a potential 1800 room gap
- 2022 SCRC presentation on Hotel Investment Attraction (SCBC Tourism conference) identified a current gap of 712 rooms and future gap of 1800 rooms
- 2022 Invest SC Hotel Prospectus identified 1800 business and leisure rooms + 250 boutique rooms
- 2024 Invest SC Hotel Prospectus identified 2150 business and leisure rooms + 300 boutique rooms

The suggested 'gap' numbers warrant a review, recalculation and update. The 'gap' appears to have expanded over 3 years, rather than reduced to reflect new accommodation hotels that have been either (1) built and opened, or (2) approved and under construction or (3) approved and pending commencement of construction and (4) DAs lodged and currently being assessed. There are also accommodation hotel options in the PDAs (Maroochydore CBD and Airport) which ought to be considered.

It is acknowledged the Council has invested heavily in preparing to attract upscale hotel accommodation through consultation with the Hotel Industry and Business Groups. Recommendations from those bodies ought to be balanced with community expectations which are reflected in the SCPS. Impact Assessment is the tool available to Council to bypass community expectations of the SCPS and we request Council respect that process.

Given the time frame since the 2021 Hotel Demand Study, multiple amendments to the SCPS have since been processed, approved and adopted. Why were the proposed amendments in the TLPI delayed for 3 years and not included in other SCPS amendments?

Hotel Industry Incentives

The approved Accommodation Hotel Incentives Strategic Policy, provides significant financial incentives for each accommodation hotel approval between 1 July 2024 and 30 September 2026, including:

- 100% reduction in [development application fees](#)
- 100% reduction in [operational works application fees](#)
- 100% reduction in [other application fees](#) for temporary works, interfering with a road, and verge permit
- 50% reduction in [rental fees](#) for temporary works, interfering with a road, verge permit
- 50% reduction in [infrastructure charges](#)
- [Deferred payment](#) of infrastructure charges up to 5 years
- [Free](#) personalised case management pre-lodgement service
- [Free](#) provision of a dedicated assessment team

Based on the ARIA MCU, if resubmitted, **the \$ value of the above benefits would likely exceed \$1m per hotel.**