

CAIRNSPLAN 2016 SCHEME SUPPLY FUND AMENDMENTS

PGS | 57/8/19 | #7890195

RECOMMENDATION:

That Council:

1. Decides to amend the CairnsPlan 2016 planning scheme in accordance with the Planning Act 2016 and the Minister's Guidelines and Rules (Version 3.0) for the Natural Hazards Amendment; and
2. Follows a streamlined amendment process for the Housing Supply and Development Assessment Efficiency Amendment.

INTERESTED PARTIES:

- Department of State Development Infrastructure and Planning
- Meridian Urban
- BMT
- SLR
- Rockhound Group
- MNG
- Pilot Places

Note: The identification of interested parties is provided on a best endeavours basis by Council Officers and may not be exhaustive.

EXECUTIVE SUMMARY:

The *CairnsPlan 2016* (**CairnsPlan**) is Council's planning scheme. It provides a framework for the regulation of development and sustainable growth within the region. It is important CairnsPlan remains a contemporary planning scheme that meets community needs and expectations while ensuring compliance with necessary statutory requirements.

Council was successful in securing funding through the State Government's Scheme Supply Fund (**SSF**) to deliver a two-part amendment package to the CairnsPlan. The amendments relate to:

- ensure that CairnsPlan reflects realistic supply of residential land that responds to the natural hazard risks facing the Cairns region; and
- initiatives to support well designed housing supply and diversity and to improve development assessment efficiency.

This report sets out the legislative pathways under the *Planning Act 2016 (the Act)* for facilitating the amendments to the CairnsPlan and seeks Council's resolution to amend the planning scheme. The amendments support the implementation of foundational elements of the Towards 2050 Growth Strategy (**Towards 2050**) and key policy outcomes of the Far North Queensland Regional Plan (**FNQRP**).

This report recommends a streamlined amendment process for the housing supply and development assessment efficiencies amendment and the major amendment process under the Ministers Guidelines and Rules (**MGR**) for the natural hazards amendment.

Under the MGR, the first step that a Local Government must take is to formally decide to make the major amendment, which is recommended by this report.

BACKGROUND:

The CairnsPlan is Council's planning scheme. It provides a framework for the regulation of development and sustainable growth within the region. Council has made seven amendments to the CairnsPlan since its original adoption.

In July 2025, Council was successful in securing funding through the State Government's Scheme Supply Fund to deliver a two-part amendment package to the CairnsPlan. The amendments relate to:

- ensure that CairnsPlan reflects realistic supply of residential land that responds to the natural hazard risks facing the Cairns region; and
- initiatives to support well designed housing supply and diversity and to improve development assessment efficiency.

The funding conditions require the draft amendments to be submitted to the State Government for the State Interest Review Phase by June 2027.

The amendments build on previous work completed as part of the Towards 2050, previous Risk Assessments for natural hazards and the typologies work commenced under the City Precincts Urban Regeneration project.

The Act sets out the requirements for amending planning schemes. Section 18 of the Act, establishes a tailored process for amending planning schemes that allow a Local Government to adapt steps within the process to streamline the process. This process is effective where there has been early and ongoing engagement with the State Government, stakeholders and the community. This process allows for the State Interest Review (**SIR**) and the community consultation to be undertaken at the same time for efficiency.

Section 20 of the Act, applies to amendments of a planning scheme that follow the process set out in the MGR. This process is effective especially where an amendment is complex in nature and there is a need to undertake the SIR and resolve state interests prior to engagement with stakeholders and the community. There are clear statutory steps which must be followed under the MGR.

The Planning Act 2016 establishes a range of other mechanisms to facilitate changes to a Planning Scheme and through the SSF project the most efficient and effective process will be considered and applied.

COMMENT:

The objective of the SSF project is to improve the function and operational efficiency of the CairnsPlan, to support and encourage safe, well-located and well-designed development and to keep the CairnsPlan up-to-date and operating effectively. Given the previous work and current grant funding, it is now appropriate to update the available information and provisions relating to natural hazards and residential infill in the CairnsPlan.

The amendments support implementation of three of the six foundational elements of the Towards 2050 in relation to:

- Diverse housing for our community (within the existing urban footprint)
- Proactively plan for natural hazards
- Create great tropical neighbourhoods

The amendments also support the implementation of a key strategy of the FNQRP that relates specifically to the Cairns Regional Council LGA which is to:

2.12 Facilitate infill development to increase the supply of a range of housing typologies to support the implementation of Tropical Urban Villages. This includes increased supply of attached dwellings in and around:

- (a) principal, major and district regional activity centres (e.g. Cairns City, Edmonton, Westcourt);*
- (b) strategic precincts (e.g. James Cook University Nguma-bada, Cairns Health and Innovation Precinct);*
- (c) public and active transport corridors (e.g. Mulgrave Road, Sheridan Street, Lake Street); and*
- (d) established suburbs where there is an acceptable or tolerable natural hazard risk, such as the Cairns inner suburbs, northern beaches (Smithfield to Palm Cove) and the Southern Growth Corridor (Edmonton to Gordonvale).*

Details of the two amendment packages and proposed legislative pathways are provided below:

Housing Supply and Development Assessment Efficiency

The proposed amendment will support a broader range of residential housing outcomes in well located areas, with a focus on improving housing supply, diversity and affordability. The amendments will also streamline the planning processes to support the delivery of housing by establishing a clearer, more efficient system that aligns built form expectations with streamlined approval processes, while maintaining a strong emphasis on high-quality, Cairns-specific design outcomes. The amendment package proposes to include:

- targeted changes to streamline assessment processes;
- improve the clarity and consistency of planning provisions; and
- reduce unnecessary regulatory complexity.

There are several tranches of work that form the housing supply and development efficiency amendment. These include the outcomes of the housing typologies project, operational amendments to improve the efficiency and workability of the CairnsPlan in relation to development assessment, updated state mapping and outcomes from the State government housing code review.

Under the Act there are different mechanisms that can be used to facilitate these amendments including a tailored approach under Section 18, a minor amendment under the MGR or a temporary local planning instrument (TLPI). Council officers will consider the most efficient pathway for the different tranches of work to ensure the most efficient and effective approach is taken.

A package of amendments will be developed to ensure housing is delivered to the market in the most expedient timeframe. The amendment package will recognise and build on the engagement undertaken as part of Towards 2050, City Precincts Urban Regeneration and targeted development industry engagement. It is acknowledged that wider community engagement still needs to be undertaken as part of any amendment process.

Natural Hazards Amendment

The proposed amendment will prepare a suite of natural hazard amendments to CairnsPlan, integrating new natural hazard data to promote safe growth patterns of development whilst facilitating the realistic supply of developable land. Amendments will include new natural hazard overlay codes for flooding, coastal hazards, bushfire and landslide including new mapping and other consequential planning scheme amendments.

The proposed amendment will establish an integrated 'all hazards' approach within CairnsPlan, embedding tolerability, risk and resilience across all natural hazards ensuring statutory alignment.

It is proposed to undertake this amendment using Section 20 of the Act and follow the statutory process established under the MGR. Under the MGR the natural hazards amendment is defined as a Major Amendment. The first step that a Local Government must take is to formally decide to make the major amendment, which is recommended by this report.

Both amendment pathways will provide alignment with State Planning Instruments, including both the current State Planning Policy 2017 (**SPP**) and the FNQ Regional Plan 2026.

OPTIONS:

Option 1 (Recommended)

That Council:

1. Decides to amend the CairnsPlan 2016 planning scheme in accordance with the Planning Act 2016 and the Minister's Guidelines and Rules (Version 3.0) for the Natural Hazards Amendment; and

2. Proposes to follow a streamlined amendment process in accordance with Section 18 of the Planning Act 2016 for the Housing Amendment.

Option 2

That Council decide not to make the amendment.

CONSIDERATIONS:

Risk Management:

A key purpose of the SFF project is to consider and address the risk of natural hazards on land use, growth and development. This is proposed to be provided through an integrated hazards approach where all natural hazards are considered from an integrated and complete risk management perspective (relevant to land use and development).

Project risks are considered as part of the project planning for both the natural hazard and housing amendment projects.

Council Finance and the Local Economy:

The proposed amendments are predominantly grant funded with a council co-contribution. The project has an existing budget commitment and has significantly commenced.

A constructability and feasibility assessment and residential market analysis was undertaken as part of the housing supply and development assessment amendment. The analysis identified clear support for streamlined planning pathways, standardised design guidance, and reduced approval timeframes to help unlock supply, with improved feasibility and greater certainty identified as critical to enabling infill development and delivering more affordable and diverse housing outcomes in Cairns.

Outcomes from the amendments will improve certainty, consistency and clarity in planning provisions for natural hazards and housing delivery and will have a positive impact on the local economy.

Community and Cultural Heritage:

The CairnsPlan includes provisions relating to community and cultural heritage and any impact on these values will be considered as part of the amendment drafting process.

Natural Environment:

The existing CairnsPlan identifies and seeks to protect areas of environmental significance. These will be a consideration in proposed amendments to natural hazard policy and the facilitation of housing.

Corporate and Operational Plans:

The proposed amendments support Council's Corporate and Operations Plans through:

Values: Responsibility, Cairns-ness and Resilience

Focus Two: Natural Assets

Promoting, protecting and enhancing our iconic natural environment now and for generations to come

- Progressing in our management of blue and green networks and coastal resilience

Focus Three: Design for Liveability

A place-based approach that celebrates our community

- Deliver future focused planning that supports our tropical lifestyle
- Promote a vibrant community that supports wellbeing, safety and resilience

Focus Five: Focused Council

Delivering for community through strong governance and informed decision making

- Informed decision-making that is collaborative, transparent and accountable

Operational Plan 2026/27:

- Progress the amendments to the CairnsPlan under the Scheme Supply Fund

Statutory:

The proposed amendments will be prepared in accordance with the *Planning Act 2016* and the *Minister's Guidelines and Rules under the Planning Act 2016*. The proposed amendments will also ensure legislative alignment with other State Government Statutory Instruments including the *FNQ Regional Plan 2026* and the *State Planning Policy 2017*.

Policy:

CairnsPlan is Council's primary policy for regulating future of development and sustainable growth of Cairns. The proposed amendments will seek to ensure CairnsPlan remains contemporary and compliant with statutory requirements while providing for safe and appropriate future growth and development.

CONSULTATION:

The amendments recognise and build on the engagement undertaken as part of Towards 2050. Throughout a multi-phased approach, extensive engagement was undertaken with the community, key stakeholders, young people and First Peoples. Over the duration of three years a total of 205,500 engagement interactions were recorded with approximately 6,850 pieces of feedback received during the final phase of engagement on the draft Growth Strategy.

There have been regular and ongoing consultation with Council via a series of workshops on both the natural hazard and housing amendments. This process will continue through to completion of the scheme supply fund project.

There has been a high level of engagement with the development industry as part of the development of the housing typologies which form the basis for the housing amendment.

Public consultation will be undertaken on draft amendments in accordance with statutory requirements of the Planning Act 2016 and MGR. Further detail will be provided in engagement plans which will need to be prepared for each amendment package.

ATTACHMENTS:

Nil

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Sean Lisle
Executive Manager Growth & Sustainability

A handwritten signature in black ink, appearing to be 'MD', written in a cursive style.

Mark Davey
Director Planning, Growth & Sustainability