

Submission on Proposed Blackall Range -Maleny Local Plan Area

A. Proposed Boundaries of Local Plan Area - issues arising

1. Further consultation requested

BRLUPA thanks SCRC for retaining Local Area Planning as a major element of the proposed new Scheme. The oft stated characteristic of the Coast as a “community of communities” can in part be reinforced by Council through identifying appropriate planning and development directions according to discrete communities and localities. The majority of the Coast features Urban Footprint areas with adjoining rural and rural residential land uses that interact with the urban areas. It makes sense that planning recognises those interactions.

However, we are concerned that consultation with the communities of the northern Blackall Range and the Maleny plateau about the proposed LPA and its boundaries did not occur prior to undertaking this present public consultation stage, and we suggest that Council needs to do that after the public consultation period to identify and address any issues that have been identified by the Range communities. BRLUPA is interested in being engaged in such a dialogue, as well as MADCA, MVA and representatives the Maleny plateau community.

2. Distinguishing Maleny township from the rest of the proposed LPA

The inclusion of the Maleny plateau came as a surprise to many. While on balance this makes sense and is supported, it makes it more difficult to draft a new LPA code that perpetuates the “iconic” status of the northern Range and continues to reflect the unique characteristics and planning and development aspirations of different localities within the proposed LPA boundaries. E.g. Maleny township has water and sewerage infrastructure, a public hospital, aged accommodation, high school, swimming pool and other “urban” characteristics and services that do not exist elsewhere on the Range. It has some medium and higher density residential zoning with building heights and densities that greatly exceed those found everywhere on the Range, and indeed would not be supported by communities elsewhere on the Range, especially the northern Range.

The lack of water and sewerage infrastructure on the rest of the Range, the steep and unstable landforms, and the various river and water supply dam catchments remain the major constraints to the residential, commercial and tourist-related development in areas outside Maleny. These constraints emphasise the need for planning and development directions for the Maleny district township to be very clearly distinguished from those applying to the villages, rural residential and rural areas in the rest of the proposed LPA (e.g. through provisions in the LPA Code, Zone Codes, overlay maps etc).

3. Proposed amendments to the boundaries of the LPA

On the basis of transport infrastructure linkages, community interactions, and river and dam catchment considerations BRLUPA proposes:

* Inclusion of all of the Mapleton National Park currently included in the Mary Valley LPA as far North as the end of Mapleton Forest Rd. Access to the National Park and its trail bike areas and its walks, including the Range Great Walk, is primarily via Mapleton. Mapleton services the needs of the tourists and active recreation users.

* Inclusion of Delicia Rd to its end and all the adjoining properties, including Braehead Nature Reserve, and also include all properties adjoining Daymar Rd (All of this area to W of Mapleton is

currently in Mary Valley LPA). Residents on these roads have to travel via Mapleton to go anywhere and are regarded as part of Mapleton community.

* Inclusion of the Susses Pocket section of Baxter Creek valley as far as the point that the down section of Obi Obi Rd meets the up section (currently in Mary Valley LPA) . The Baxter Ck valley is potentially important from a Range biodiversity and catchment management strategic point of view and the residents of the locality are more likely to travel to and relate to Mapleton than they are to Kenilworth.

*Inclusion of land from the western edge of the Urban Footprint at Highworth currently in the Nambour LPA to the eastern edge of the currently proposed Blackall Range LPA at the Kureeelpa/Dulong escarpment. This is a visual Gateway marking the entrance to the northern Range as the road climbs out of urban Nambour into the rural lower Range escarpments, which can be seen adjoining the road. It will delineate urban Nambour from the scenic rural Range.

*Include a similar delineation of the Nambour LPA Urban Footprint at Perwillowen and Burnside by including some part of the steep lower flanks of the Range escarpment in the Range LPA. This will assist maintain the integrity of the Range landscape as seen from above and below the Range and provide a buffer to the expanding Nambour suburbs.

* Similarly, include a section of the steep lower flanks of the Range below Kureeelpa escarpment as far as Kiamba and above Image Flat (currently in Nambour LPA).

* Inclusion of an area to the south of the proposed area. The area comprising North and North West of Ewen Creek South Branch, North from Ewen Creek, and North and North West of Stanley River to the SCRC boundary with the Moreton Bay Regional Council area, thus placing all of Boorobin and the northern sections of Crohamhurst into the Blackall Range Local Plan Area.

Hence, the Blackall Range Local Plan Area consistently encompasses all of the major catchment areas critical to the localities downstream.

Apart from the latter proposal, we do not wish to suggest any other boundary amendments for the Maleny plateau area at this stage, as we regard that primarily as a matter for those communities to consider.

B. Comments on the Description, Draft Vision Statement, Regional Role and Proposed Planning Directions

1. Description and Draft Vision Statement

BRLUPA considers these proposals inadequate in length, scope, detail and emphasis.

The strategic planning processes in the Montville and Mapleton localities in the last few years have essentially endorsed the intended outcomes to be achieved via the current Blackall Range LAP Code, notably the Context and Setting and the Purpose and Overall Outcomes statements.

BRLUPA therefore suggests that, subject to a few additions, updates and major issues raised below, the existing content of the current LAP Code can be used as a guide to drafting the content in the new LPA Code. The major changes that need to be made are :

*updating to include references to the characteristics of the rural and rural residential localities at Dulong, Kureeelpa, Hunchy, West Woombye and some areas W, NW and N of Mapleton.

*updating that a Community Facilities Zone (annotated for aged accommodation/retirement facility) has been created at Flaxton Dr, Mapleton. The community requests this zoning remain for the site, but consider a much lower density development is appropriate compared with the very high density envisaged in the relevant Code. Also need to note that most consider the annotation of a retirement village for the site is realistic, but not aged care.

*the Mapleton district sees the need for additional and smaller scale forms of retirement accommodation to be available if a suitable site or sites could be found

*updating that the Montville and district community no longer sees the need for a retirement village in their locality

* emphasise that, apart from Maleny township, the Range lacks necessary infrastructure - reticulated water supply, sewerage, urban firefighting service, public transport services – and features very significant development constraints – Mary and Maroochy River catchments; Baroon Pocket, Wappa and Cooloolabin Dam catchments; and hazards such as bushfire, steep and unstable land; and locally and regionally significant biodiversity, landscape and scenic values.

- there should be an explicit statement that planning and development must consider Climate Change mitigation, adaptation and resilience responses given that the characteristics of the Blackall Range make it especially vulnerable to the impacts of Climate Change (risks to life and property as a result of extreme weather events such as bushfire, damaging wind speeds, hail, land slip, local flooding and the availability of water as a result of extended dry periods plus heat-related health issues).

-BRLUPA requests that all existing hazard overlay mapping and Codes be reviewed and updated, and that mapping and codes be developed for extreme weather events such as damaging wind speeds and hail storms and health-related heat impacts, which are not part of the present Scheme and not part of the State's natural hazards planning and assessment requirements.

- In view of all these constraints and the specific point below, BRLUPA requests inclusion of a statement that as a result of significant development constraints the vast majority of development applications are necessarily subject to Impact assessment rather than Code Assessment, and that applicants should exercise due diligence in preparing and lodging applications.

*emphasise that, except for some commercial development proposals in the village centre precincts, the expectation is that development applications must be able to satisfactorily dispose of treated effluent on site and satisfy their water supply requirements on site i.e. to avoid new developments being dependent on septic pumpout tankers and water tankers. A specific reference is required that much of the Range is unsuitable for on-site effluent disposal because of poor soil absorption, high water tables and surface and groundwater pollution issues, including public dam catchments.

*include references to identifying and more effectively protecting the indigenous and European cultural heritage values of the Range e.g. specific heritage sites or localities, heritage streetscapes

*include references to more effectively protecting and enhancing the locally and regionally significant biodiversity values of the Range (on public and private lands), and expanding the level of vegetation cover. E.g. via establishing a Green Infrastructure development contributions fund; payments to landholders for environmental services etc

* include references to provision of new and improved infrastructure and services that have been identified by the community e.g. upgraded public transport services; walking /cycling path between Mapleton and Montville, path between Mapleton and Dulong and Kureelipa; and a path linking Falls Rd to Daymar Rd via Johnsons Rd.

BRLUPA and the other major Range groups are willing to work with Council to agree on appropriate wording in the LPA, and necessary amendments to some current Scheme codes to give affect to these LPA planning directions.

2.Preserving the local rural, rural residential and village character of the current Blackall Range LAP

(i)BRLUPA supports no change at all to the current types of land use zones and the associated building heights (8.5m maximum), minimum lot sizes, dwelling densities, set backs etc in the current Blackall Range LAP Code and other related codes without further consultation by Council with the northern Range community. E.g. Blackall Range Zone Map ZM16 includes specific land uses such as Precinct LDR (Protected Housing Areas) and Limited Development (Landscape Residential) Zone that we request be retained.

(ii)We strongly support retention of the current Urban and Rural Residential Growth Management Boundaries for the Blackall Range and for the new areas to be included in the Range LPA boundaries such as Dulong and Kureelipa.

However, we request that Growth Management Boundaries be set for all Rural Residential Zoned areas depicted on the current Zone Map ZM16 (at present only the main Flaxton Rural Res Zone has such Boundaries marked). We make this request because BRLUPA is opposed to the creation of any new Rural Residential Zone lots on the Range as the extent is already excessive.

(iii)BRLUPA strongly supports Council’s proposals to apply the Blackall Range “iconic planning provisions” to the other parts of the escarpment , such as Mountain View Road. While we support the latter, we request Council to extend these provisions to as many suitable parts of the Maleny Plateau and its escarpments as possible. E.g. the rural landscape and scenic values and vistas of all the escarpments and the plateau itself and the historic and cultural values of the small villages on the plateau – which are comparable to those in the Northern Range.

(iv)BRLUPA also strongly supports retaining compact town centres and provisions to discourage out-of-centre development. However, we also suggest that in the context of the Range it is inappropriate to permit residential land uses (permanent and short-stay) to establish in our small village town centres, including so-called shop houses. The Village code needs to be amended to exclude these uses in small village commercial precincts. The decision to approve a predominantly residential use in the Village precinct at Mapleton is an example of why this needs to be addressed.

(v)BRLUPA strongly supports protecting water quality in all of the river and creek catchments and water supply dam catchments of the Range and Maleny plateau. The Maroochy and Stanley Rivers and Wappa and Cooloolabin Dam catchments need to be included.

(vi)BRLUPA strongly supports maintaining current advertising signage controls.

(vii)BRLUPA strongly supports the proposed review of provisions for service stations establishing in town centres, but requests that the review should also consider provisions for out-of-centre service stations (as this seems to be an emerging trend). We consider all such applications should be Impact assessable not Code, so the community can have a say.

(viii) Ensuring tourism development has appropriate regard to maintain local rural and residential amenity and is appropriately located and serviced.

BRLUPA strongly supports this overall planning direction.

-However, the reality is that the provisions of the relevant Codes in the current planning scheme must be thoroughly reviewed and strengthened because they are too weak in regulating the number, type, location and impacts of tourism related facilities, accommodation and services.

-This is explored later in responses to the Uses in the Rural Zone and Short-term Accommodation Planning Hot Topics.

- The vast majority of applications need to be Impact assessable rather than Code in order to comprehensively assess, avoid and mitigate impacts; achieve beneficial outcomes; and enable affected landholders and the community to have their say.

(ix) Maintaining limits on vegetation clearing to preserve habitat and landscape values

BRLUPA supports this overall planning direction for the Range and the region.

-However, the reality is that the provisions in the current planning scheme must be thoroughly reviewed and strengthened because they are too weak in regulating development involving vegetation clearing; habitat loss, quality and fragmentation; and impacts on waterways, wetlands, catchments and landscape and scenic values.

-Council needs to work with the State to identify ways in which the new Scheme can deliver far stronger vegetation clearing restrictions than those possible under the current Vegetation Management Act, including the way that Act is administered in this region.

- Current provisions do not appropriately respond to the numerous and increasingly serious implications of Climate Change, but must do so

-Vegetation clearing needs to be further curtailed and offsets imposed for biodiversity, landscape, catchment management and Climate Change carbon sequestration reasons.

-Council's objective of net increase in vegetation cover, as well as improvements in habitat and habitat linkages, and a reversal of the threatened species crisis situation cannot be achieved without far stronger Scheme code provisions and a suite of proactive intervention strategies and programs that are responsive to a changing climate.

-Apart from securing offsets for vegetation and habitat loss where clearing occurs as part of development approvals, Council should require all development to contribute to a Regional Green Infrastructure Fund to pay landholders to revegetate their land with native species, strengthen habitat values and create or strengthen wildlife corridors. The Fund can also support landholders delivering other environmental services such as catchment management and carbon sequestration.

C. The Regional Vision Statement and Population, Growth and Climate Change Issues

(i) BRLUPA does not support the current Vision statement which reads : "In 2041, the Sunshine Coast is recognised as a desirable, liveable and sustainable place, where healthy, smart and creative

communities thrive in a well-defined, connected, and transit-oriented pattern of settlement, which is resilient to the changing environment.”

(ii)The statement needs to appropriately recognise the natural environment as the foundation of the diverse community of communities we have. All we have in the present statement is that it plays a part in making our settlement pattern resilient. It is truly extraordinary that a Council applying to become a Biosphere Reserve makes no reference to the environment and its life-supporting values in a planning and development vision statement!

(iii)The words “and transit-oriented” should be deleted from the Vision statement. It implies our purpose is to constantly be moving around. We do of course want a connected pattern of settlement, but not necessarily one that is solely focussed on a Mass Transit system in a small coastal part of the region. The connection of our settlement areas can be by walking, bicycles, skateboards, buses, trains, trucks, cars etc and possibly by light rail or some other Mass Transit system, but not necessarily so. We want all of our many communities and centres of the Sunshine Coast (and Noosa) to be well connected by adequate road, rail, bus and active transport infrastructure and services – and possibly Mass Transit in some limited areas in the future – provided funding is made available from the State and Federal Governments, and provided ratepayers aren’t saddled with debt.

(iv)Council’s preoccupation with light rail, Mass Transit, and transit-oriented urban renewal development at increased density in the Coastal Corridor pervades the whole proposed Planning Scheme document. However, Council needs to appreciate that the public consultation on the Mass Transit showed it does not have public support for this position, far from it. Council’s focus should be on far more important challenges in the region, such as planning for Climate Change.

(v)There is considerable uncertainty about whether and when funding will be available for the North Coast Rail upgrade project and one or both of the Mass Transit and CAMCOS projects. No major changes to zonings and densities in the coastal corridor can be justified until firm funding commitments are locked in for Mass Transit and CAMCOS. We do not want to perpetuate the pattern on the Coast of development capacity being built into the planning scheme that is predicated on transport infrastructure and services that are either never delivered or delivered decades after the development has occurred.

(vi)It appears that the current Planning Scheme has sufficient capacity in the Consolidation and Greenfield Expansion areas to accommodate the projected population growth and dwelling requirements to 2041. The most recent 2021 LSDM report indicated SCRC is on track to meet its 15 year supply of dwellings and close to meeting its 4 year supply of residential lots. It is close to satisfying the 58%/42% split between Consolidation areas and Expansion areas. It is well ahead of its 15 year supply of industrial employment land.

Covid might have created circumstances where there has been an accelerated take up of land and dwellings, but the significance of that and whether that pattern endures is unknown at this time.

Council has not completed its Housing Needs Assessment study.

We therefore do not believe that there is any justification for including higher density land use in the new Scheme compared with what is already provided for in the current Scheme (in the coastal corridor and elsewhere in the region). The new Scheme should focus on preparing master planning proposals that utilise the existing capacity in the existing zoning patterns – including the existing urban renewal capacity in the coastal corridor. Council should be undertaking effective dialogue with

the affected communities about where and how that urban renewal can occur, including the contentious height, density, building and precinct design, and transport infrastructure issues.

(vii)As the new Scheme is expected to run from 2024 to 2034, the need for a Mass Transit system and additional capacity in the Consolidation Areas of the Coastal Corridor can be left to the next Planning Scheme or be addressed by a future amendment of the 2024 Scheme.

(vii)Finally, the recent IPCC Reports indicate that Climate Change impacts are beginning to occur earlier and more intensely than previously expected. It is essential that Council fully explore how the new Planning Scheme can contribute to appropriate mitigation, adaptation and resilience responses in the region. The recent IPCC reports suggest Council should be taking a precautionary and risk averse approach to planning and development, especially in relation to new and more intensive development in hazard risk situations (e.g. Mass Transit infrastructure and urban densification in the coastal corridor). A similar precautionary and risk averse approach should be taken with planning tools such as the CHAS and flood and stormwater management information. Hazard risk management tools such as these need to be regularly updated so that planning and development decisions are based on best available contemporary information and have realistic planning horizons. In addition to the hazards addressed in the current Scheme (i.e. limited to those in the present SPP), the new Scheme should include overlay maps and codes relating to extreme weather events (hail, tornadoes, damaging wind speeds, extreme heat events) and responses to longer term changes in climate such as extended dry periods, the timing of the seasons and seasonal maximum and minimum temperatures.

Various other points about Climate Change are included in an attached paper.

Land Uses in Rural Areas Hot Planning Topic

BRLUPA agrees with Council's assessment that there are significant issues with the type, scale and intensity of residential, rural and non-rural land uses that can establish in rural areas under the current Planning Scheme.

We support the overall direction of the analysis of the issues and generally about how Council plans to proceed.

However, we consider the analysis and Council's proposed response is inadequate in the following major respects :

*The focus should not be just about protecting valuable farming land. All functioning, productive farms and productive rural business activities should be protected from land use conflicts, irrespective of their size or the agricultural or grazing land quality category. Previous lax rural subdivision rules operated under earlier planning schemes have created large numbers of relatively small rural lots in what were once highly productive, large lot agricultural and grazing farmlands. While these lots might be too small to be regarded as full scale commercial, they are nevertheless capable of producing products that generate income for the rural landholders concerned which can be supplemented by other work and income opportunities on and off the farm. As climate change impacts progress, including potential water and food security issues, it will be more important than ever that small scale farming and other rural enterprises are sustained in a coastal, high rainfall region such as ours.

*The rural areas of the region also contain the vast majority of the region's biodiversity values, protected conservation areas, river and dam catchments, and scenic landscape values. Almost all of the rural uses listed in the Hot Topic have the potential to be incompatible with or compromise one or more of these rural natural values.

*For the above reasons, it is essential that development applications in rural areas are subject to far more rigorous development assessment and compliance requirements than those required by the current PS. By this we mean :

- a far higher proportion of rural development applications need to be Impact assessable rather than Code assessable – not only to trigger more comprehensive assessment of all relevant PS and State requirements, but to enable affected landholders and the general community to have submission and appeal rights
- the performance benchmarks of most of the applicable Codes need to be far more rigorous
- assessment staff should not be able to approve applications requesting relaxations of Code requirements or proposals that cannot meet performance outcomes – in both instances Impact assessment should be required
- Council must ensure development approval conditions are complied with and that penalties are imposed for non-compliance. (There is an impression that compliance in the hinterland is poor).

As can be seen from the attached paper, the extent of subdivision of the rural areas that occurred under previous planning schemes in Maroochy Shire has resulted in a relatively closely settled rural landscape. Given the proliferation of relatively small rural and rural residential lots and the potential land use conflicts and impacts that arise, BRLUPA requests Council to undertake a comprehensive review of what types of land use are suitable in the rural areas of each LPA, and whether Impact or Code assessment is appropriate for each land use. Ideally this would look at what was suitable for

each LPA with Rural and Rural Res Zone lands. There could be a working group process involving Council staff, rural industry representatives and community members.

BRLUPA has undertaken a “first cut” assessment of what we regard as acceptable and unacceptable land uses permitted in the Rural Zone and what is the appropriate level of development assessment. This involved examining Table 6.2.19.2.1 and Table 5.5.19 and the Definitions of the current Scheme. While this assessment has a focus on the Blackall Range LPA, it is indicative of the situation in other LPAs with Rural Zoned lands.

It is apparent that the codes applicable to development in the Rural Zone are incapable of protecting landscape, scenic and biodiversity values and maintaining rural and village amenity as they stand, and therefore need to be thoroughly overhauled. Furthermore, the level of development assessment in the Table is far too lax – some forms of Accepted Development should require Code Assessment and Code assessment should often be Impact assessment.

Finally, it is apparent that there are many types of development that are very likely to be inappropriate in the Rural Zone on the Range because of their characteristics and scale and intensity, as well as the lack of infrastructure and services. One approach to dealing with this would be for the LPA Code to include statements that these specific types of development are unsuited to the Range and are unlikely to be supported by Council. A prospective development applicant exercising due diligence will be then put on notice that such an application is unlikely to receive approval.

1. Dwelling house and secondary dwelling – a consistent use – regulated by Dwelling House Code – no application required but Code assessable where unable to comply – the Acceptable Outcomes of PO7, 12, 13, 16 in particular need review to ensure they are appropriate and relevant to the Performance Outcome, and adequately take account of development constraints on the Range.

2. Nature and rural-based tourism – a consistent use - camping ground @ 20 sites/ ha up to max 100 sites or 2 cabins/ha up to max 8 holiday cabins is Code assessable – Impact assessable where non-compliant - entire Code needs thorough review as it permits excessive numbers of cabins and campsites relative to lot size and water supply and sewerage disposal situation. It includes inadequate setbacks from sensitive uses (including farms, National Parks and other important biodiversity and water resources values), and insufficient attention to avoiding land use conflicts and loss of amenity etc. Threshold for Code and Impact is too lax. BRLUPA suggests 2 cabins or 2 campsites on a lot size of 3 to 4 hectares be Code assessable, and Impact assessment for progressively greater numbers (e.g. additional 2 camp sites or 2 cabins/ha up to a maximum of 6 campsites or 6 cabins on lots 4 to 12 hectares; similar additional camp sites or cabins up to a maximum of 10 camp sites or 10 cabins on lots 12 to 20 hectares; a maximum of 20 camp sites or 20 cabins on lots >20 hectares.

3. Short-term accommodation – farm stay or up to 8 holiday cabins – a consistent use - Code assessable - entire Nature-based Code needs review as it permits excessive numbers of cabins and insufficient attention to avoiding land use conflicts and loss of amenity etc Thresholds for Code and Impact too lax. Reiterate points about Code in 2 above. Farm stay is not defined, which suggests these applications should be Impact assessable by default. Rationale for different level of assessment is not evident.

Other forms of Short-term accommodation is Impact assessable. It is defined as Motel, backpackers, cabins, serviced apartments, accommodation hotel, farm stay, but excludes Hostel, rooming accommodation, tourist park. Given sewerage and reticulated water is not available in Rural Zoned areas on the Range, Motel, backpackers, serviced apartments, and accommodation hotel land uses

are not suitable uses. Large numbers of cabins and farm stays capable of accommodating large numbers of guests are also unlikely to be suitable uses (see 1 and 2 above).

4. Potentially consistent residential uses which would be Impact assessable in Rural Zone

* Tourist park - includes Camping ground, caravan park, holiday cabins - excludes Relocatable home park, tourist attraction, short-term accommodation, non-resident workforce accommodation.

Lack of water and sewerage infrastructure will normally make a caravan park and large scale camp ground and holiday cabin development unsuitable in the Rural Zone.

*Resort complex (for an eco-resort) – defined as Premises used for tourist and visitor short-term accommodation that include integrated leisure facilities such as:- ☐ restaurants and bars; ☐ meeting and function facilities; ☐ sporting and fitness facilities; ☐ staff accommodation; ☐ transport facilities directly associated with the tourist facility such as a ferry terminal and air services. The example cited is Island resort, but no “eco” form of integrated resort complex is cited or excluded. What is an eco-resort?

Lack of water and sewerage infrastructure will normally make such a large scale, integrated resort development unsuitable in the Rural Zone.

*Relocatable home park is not mentioned in the Tables, which suggests that such an application would be Impact assessable by default.

Lack of water and sewerage infrastructure will normally make a development of this scale and intensity unsuitable in the Rural Zone.

5. Business activities

* Home-based business – consistent use – Code assessable if not compliant with Code, otherwise no application required - A dwelling used for a business activity where subordinate to the residential use. Bed and breakfast, home office, home based childcare, home based studio for creative industries (<300m²).

BnB numbers are increasing in urban and rural areas and are poorly regulated at present under the relevant single Code. Entire dwelling is often short-term rental rather than an ancillary use to owner-occupation. Party houses are a risk. Reduces stock of rental and owner-occupier housing. Implications for traffic movements, car parking, amenity etc.

Child care and creative industry uses and BnB uses could potentially exceed onsite effluent disposal capacity of site and face water supply issues on the Range.

Tighter regulation required and threshold for Impact assessment needs to be lower. An application should always be required.

*Markets on land not owned or controlled by Council or a Not for Profit – potentially consistent use – Impact assessable

A potentially high impact use, but only a periodic one. We accept that a legitimate Rural Zone use where subject to comprehensive Impact assessment.

*Sales office (for prize home) – acceptable as Code

*Shop (art and craft centre <300m²) – a consistent use – Code assessable – Impact >300m²

Implications for traffic movements, car parking, amenity etc. The use could potentially exceed onsite effluent disposal capacity of site and face water supply issues.

Tighter regulation required and threshold for Impact assessment needs to be lower.

*Food and drink outlet - a potentially consistent use – Impact assessable - Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site. Includes Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, take-away, tea room – Excludes Bar, club, hotel, shop, theatre, nightclub entertainment facility.

A fast food and drive-through facility such as Kentucky Fried is seen as an unacceptable use in the Rural Zone, especially on the Range.

The scale and the intensity of some of the other uses cited can potentially make those uses unacceptable as well. Need to better distinguish between these use types and their likely impacts, and decide which levels of scale and intensity need to be Code or Impact assessable.

*Function facility - a potentially consistent use – Impact assessable - Premises used for conducting receptions or functions that may include the preparation and provision of food and liquor for consumption on site. Includes Conference centre, reception centre. Excludes Community use, hotel.

Such developments are likely to be of a scale and intensity and involve diverse and potentially significant impacts that potentially make them unsuitable. In Rural Zone areas lacking water and sewerage infrastructure they are unlikely to be an acceptable use, especially on the Range. Small scale, lower impact forms might be acceptable, but still subject to comprehensive Impact assessment.

*Tourist attraction -- a potentially consistent use – Impact assessable - Premises used for providing on-site entertainment, recreation or similar facilities for the general public. The use may include provision of food and drink for consumption on site. Includes Theme park, zoo. Excludes Hotel, major sport, recreation and entertainment facility, nightclub entertainment facility.

Theme parks and zoos require large lots and large separation distances from sensitive land uses to avoid conflict and avoid and minimise impacts. They are a high impact land use. They are very unlikely to be acceptable uses in most parts of this region because of the fragmentation of the rural landscape into small and medium sized lots, with relatively few large lots remaining apart from pine forests and rural land in the Mary Valley for example. As the establishment of theme parks and zoos is determined mainly by perceived unmet consumer demand, the number of such tourist attractions in our region will be limited. Arguably there are already enough existing and planned tourist attractions.

Such uses are certainly not appropriate or acceptable uses on the Range.

*Veterinarian services -- a potentially consistent use – Impact assessable – an acceptable Rural Zone use

6. Industrial activities

* Extractive industries (State Key Resource Areas and Local Resource Areas on overlay maps) – a consistent use – Impact assessable

Natural resource extraction is traditionally regarded as acceptable uses in rural and Rural Zoned areas and most sites are designated for that use. In closely settled rural areas such as the Range they

will inevitably cause impacts that are not supported by the nearby landholders and community. When an existing use is proposed to be expanded or the use permit is proposed to be extended there is normally an opportunity to review the appropriateness of the continuing use through a new comprehensive Impact assessment process. Some existing extractive resource sites operating under old permits were never subject to rigorous assessment.

The acceptability of these land uses needs to be assessed on a case by case basis.

*Extractive industry (other) – a potentially consistent use – Impact assessable

Arguably the approval of new extractive industries is likely to be regarded as unacceptable in rural areas of the region, including the Range, given the high impacts involved and the likely land use conflicts. Such applications can be assessed on a case by case basis. Alternatively the new Planning Scheme could state that Council is unlikely to support extractive industry applications for sites that have not been designated already on Scheme overlay maps - which then places the onus on the resource owner to prove to Council that the resource warrants commercial exploitation and that it is likely to be able to operate safely and in a way that can avoid and minimise impacts and land use conflicts. If that can be demonstrated to Council, Council could then designate the site as a future resource and accept applications.

*Transport depot (storage < 2 vehicles) – a consistent use – no application – Impact where > 2 vehicles - Includes premises for the storage of taxis, buses, trucks, heavy machinery and uses of a like nature. The term may include the ancillary servicing, repair and cleaning of vehicles stored on the premises. Includes Contractor's depot, bus depot, truck yard, heavy machinery yard.

Arguably such uses are acceptable in the Rural Zone where they relate to rural-related industries or a rural community, but not where they are related to a non-rural functions or an urban community.

We suggest Council consider distinguishing between the potential uses cited to determine which are suitable in the Rural Zone. Impact assessment appears suitable for > 2 vehicles.

7. Community activities

* Community use (Council owned or controlled land) – a consistent use – no application required – Impact assessable if not owned by Council - Premises used for artistic, social or cultural facilities and community support services to the public and may include the ancillary preparation and provision of food and drink. Includes Public art gallery, community centre, community hall, library, museum. Excludes Cinema, club, hotel, nightclub entertainment facility, place of worship.

While these uses are intended to support the community, they would normally be regarded as uses better suited to location in an urban designated area with the appropriate infrastructure and services being available. This could potentially be a rural township or a village town centre precinct. They do not seem appropriate uses in unserviced rural areas, especially Rural Zoned land.

Given the diversity and significance of impacts, it is not appropriate to regard a Council owned or operated use as an accepted use requiring no application. Such Council uses should be Impact assessable as is the case for non-Council applications.

*Emergency services – a consistent use – Code assessment - Premises used by government bodies or community organisations to provide essential emergency services or disaster management services including management support facilities for the protection of persons, property and the environment. Includes State emergency service facility, ambulance station, rural fire brigade, auxiliary fire and rescue station, urban fire and rescue station, police station, emergency

management support facility, evacuation centres. Excludes Community use, hospital, residential care facility.

Most of these uses are once again more suited to urban designated areas with infrastructure and services rather than rural areas or Rural Zone which lack those features.

Council should select the few that are suited to the Rural Zone. Code assessment seems appropriate.

*Cemetery – potentially consistent use -Impact assessable by default – We consider an appropriate use and appropriate assessment level.

*Educational establishment (ancillary/directly related to a rural activity on the site) – potentially consistent use -Impact assessable by default – BRLUPA considers this an appropriate use and appropriate assessment level.

*Place of worship - Church, chapel, mosque, synagogue, temple – a potentially consistent use – Impact assessment by default – The scale and intensity of such a use in a rural landscape suggests this is not an appropriate and acceptable use in the Rural Zone. Impact assessment is suitable level.

8. Sport and recreation activities

*Park – a consistent use- no application required - Premises accessible to the public generally for free sport, recreation and leisure, and may be used for community events or other community activities. Facilities may include children’s playground equipment, informal sports fields and ancillary vehicle parking and other public conveniences. Includes Park. Excludes Tourist attraction, outdoor sport and recreation.

A park is potentially an acceptable use in the Rural Zone, but because it will often require supporting infrastructure and services that are not available in rural areas and could potentially involve land use conflicts, Code assessment should be the minimum assessment required. Impact assessment will be required in some circumstances.

*Outdoor sport and recreation – a potentially consistent use – Impact assessment by default – Includes Driving range, golf course, swimming pool, tennis courts, football ground, cricket oval.

Land uses such as these are normally associated with urban areas, but have also traditionally been located in rural areas because they serve rural communities and require extensive areas that are not available within urban designated areas. They are potentially acceptable and suitable land uses in the Rural Zone. Impact assessment is appropriate in all cases given the scale and intensity of use, potential for land use conflict and the need for infrastructure and services.

*Motor sport facility – a potentially consistent use – Impact assessable by default - Includes go-Karting, mower race tracks, trail bike parks, 4WD and all terrain parks, motocross tracks, off road motorcycle facility, motorcycle or car race tracks

As these are high impact land uses requiring large, preferably isolated sites away from sensitive land uses, they are inevitably located in rural areas with a Rural Zoning or on public land such as designated sections of National Parks and pine forests in SEQ. Several facilities already exist and it is unknown what need there is for additional facilities.

These uses will not be acceptable in almost all Rural Zone areas, including on the Blackall Range, and the availability of suitable new sites is extremely limited in the relatively closely settled rural landscape of this region. SCRC could expressly state that it is unlikely to support such uses in

specified LPAs or parts of LPAs and indicate preparedness to consider applications in other areas. This would require preliminary land use suitability studies to be undertaken.

Alternatively SCRC could simply wait for Impact assessable applications to be lodged and negotiate its way through the inevitable public opposition that arises.

9. Rural activities

*Animal husbandry – a consistent use – no application required where compliant with Rural Uses Code - Includes Cattle studs, grazing of livestock (including poultry), non-feedlot dairying

These uses are traditional uses and likely to be regarded by the community as acceptable uses in the Rural zone where managed sensitively. Unfortunately, the provisions of the Code concerned need to be more rigorous to avoid and mitigate a wide range of adverse impacts and avoid land use conflict with neighbouring landholders. E.g. Some uses such as poultry grazing at the scale permitted should be located much further away from sensitive land uses and on larger lots.

The Code concerned needs to be reviewed and made more rigorous and at a minimum Code assessment must apply to new developments. In a closely settled rural landscape such as the Range, many of these uses would not be regarded as acceptable to the communities concerned.

*Aquaculture – a consistent use – Code assessable – Includes Pond farms, tank systems, hatcheries, raceway system, rack and line systems, sea cages

These uses are likely to be acceptable in Rural Zone where sensitively located and managed according to the Codes concerned. Strengthening the Rural Uses Code is reiterated.

*Cropping – a consistent use – no application required except for a wood plantation, provided compliant with Rural Uses Code - Includes harvesting and the storage and packing of produce and plants grown on the site and the ancillary repair and servicing of machinery used on the site. Fruit, nut, vegetable and grain production, forestry for wood production, fodder and pasture production, plant fibre production, sugar cane growing, vineyard.

These are likely to be regarded as acceptable land uses where sensitively located and managed according to the Codes concerned. Some uses require large lots that are only found in a few locations in the region.

Some uses would be acceptable on the Range.

*Intensive animal husbandry (low limit animal numbers) – a consistent and potentially consistent use – Code assessable - Impact assessable for higher limit animal numbers - Premises used for the intensive production of animals or animal products in an enclosure that requires the provision of food and water either mechanically or by hand. The use includes the ancillary storage and packing of feed and produce. Includes Feedlots, piggeries, poultry and egg production (other than grazing of poultry).

Both levels of Intensive animal husbandry are unlikely to be acceptable on the Range or any other part of the region where the rural landscape has been subdivided into a large number of smaller sized lots. These uses need larger lots that enable adequate separation distances from sensitive land uses, and need to be well managed to comply with Scheme Codes and the E.P. Act. In other regions such as Moreton Bay RC these uses are restricted to specified localities.

SCRC should consider identifying suitable locations for these uses and indicate it will not support applications in other locations.

*Intensive horticulture - a consistent use – Code assessment - The use includes the storage and packing of produce and plants grown on the subject site. Includes Greenhouse and shade house plant production, hydroponic farms, mushroom farms.

These uses are likely to be acceptable in Rural Zone where sensitively located and managed according to the Codes concerned. They can be visually intrusive on the landscape, but are becoming increasingly common and accepted in most rural areas.

They are less likely to be acceptable in locations such as the Range where landscape and scenic values are regarded as a major characteristic underpinning the tourism industry. Impact assessment seems appropriate.

*Permanent plantation – a consistent use – no application required - Includes Permanent plantations for carbon sequestration, biodiversity or natural resource management. Excludes Forestry for wood production, biofuel production

This is likely to be an acceptable land use in the Rural Zone in all localities in the region. There might be some circumstances where there are implications for bushfire hazard and its management.

Such a use is a suitable and acceptable use on the Range that can add to Climate Change mitigation and adaptation and resilience, and enhance biodiversity and catchment management.

*Roadside stall – a consistent use – no application where Code compliant - Includes Produce stall. Excludes Market

Considered a useful and acceptable land use in Rural Zone where compliant with Code.

*Rural industry – a consistent use or potentially consistent use - no application required or Code or Impact assessable depending on distance from Rural residential and Residential Zone and intensity of use- Premises used for storage, processing and packaging of products from a rural use. The use includes processing, packaging and sale of products produced as a result of a rural use where these activities are ancillary to a rural use on or adjacent to the site. Includes Packing shed.

These are likely to be regarded as acceptable land uses where sensitively located and managed according to the Codes concerned. Assessment is fairly rigorous given several codes are triggered.

Use are likely to be acceptable on the Range.

*Rural workers accommodation – a consistent or potentially consistent use – Code or Impact assessable depending on whether less than or more than 20 workers - Any premises used as quarters for staff employed in the use of land for rural purposes, such as agriculture, intensive animal husbandry and forestry, conducted on a lot in the same ownership whether or not such quarters are self-contained.

This use is not likely to be a common feature of contemporary primary industries in this region, but is undoubtedly necessary on a fairly small scale in some cases. The 20 person threshold for Impact assessment is probably too high given the likely absence of water and sewerage infrastructure and other services in the Rural Zone. The level of Code and Impact assessment seem appropriate to the use. There is a concern that such accommodation could be used for short and longer term residential accommodation rather than transient farm or forestry workers.

The use is likely to be an acceptable use on the Range where of modest size, sensitively located and managed to comply with Codes.

*Wholesale nursery – a consistent use - no application required where compliant with Rural Uses code - Premises used for the sale of plants, but not to the general public, where the plants are grown on or adjacent to the site. The use may include sale of gardening materials where these are ancillary to the primary use. Excludes Bulk landscape supplies, garden centre.

This use is likely to be an acceptable one in the Rural Zone where sensitively located and managed to be compliant with the Code – including on the Range.

*Winery – a consistent use – Code assessable - Includes Premises used for manufacturing of wine, which may include the sale of wine manufactured on site.

Wineries are subject to many Scheme Codes which suggests that it can be an acceptable and suitable use in the Rural Zone where it is sensitively located and managed according to the Codes.

The scale and intensity of the use, the operating hours and traffic generation are likely to be an issue on the Range where the relatively closer rural settlement pattern raises the risk of land use conflicts. Council could require Impact assessment in such circumstances.

*Animal keeping – a potentially consistent use – Impact assessable by default - Premises used for boarding, breeding or training of animals. The use may include ancillary temporary or permanent holding facilities on the same site and ancillary repair and servicing of machinery. Includes Aviaries, catteries, kennels, stables, wildlife refuges. Excludes Aquaculture, cattle studs, domestic pets, feedlots, grazing of livestock, non-feedlot dairying, piggeries, poultry meat and egg production, animal husbandry.

These uses are inevitably located at suitable sites in the Rural Zone and are assessed against the whole Planning Scheme. It is a “grab bag” of uses that can vary greatly in size, scale and intensity and the type and significance of impacts and the associated potential for land use conflict. Location well away from sensitive land uses and management in accordance with Code requirements is the key to their acceptability with neighbouring landholders.

These uses are potentially acceptable on the Range where they are modestly sized and sensitively located and managed.

*Agricultural supplies store – a potentially consistent use – Impact assessable by default - Premises used for the sale of agricultural products and supplies including agricultural chemicals and fertilisers, seeds, bulk veterinary supplies, farm clothing, saddlery, animal feed and irrigation materials. Excludes Bulk landscape supplies, garden centre, outdoor sales, wholesale nursery.

These uses are located at suitable sites in both the Rural Zone and in selected urban zones. They are assessed against the whole Planning Scheme in the Rural Zone. They do involve some hazards such as hazardous chemical fires and explosions, leakage of hazardous materials, and nuisance such as odours and truck and vehicle movements. The potential for land use conflict is considerable. Nevertheless they are a necessary support for rural activities and rural and rural township communities.

They are likely to be acceptable in the Rural Zone when sited away from sensitive land uses and managed in accordance with Codes. They are potentially suitable and acceptable uses on the Range.

10. Other activities

*renewable energy facility (solar farm) – a consistent use – Code assessment according to < 500m2 footprint and additional infrastructure required – Impact assessable otherwise, includes wind farm

- Excludes Wind turbine or solar panels supplying energy to domestic or rural activities on the same site

These uses are subject to a large number of Scheme Codes or the entire Scheme. Although these developments attract opposition for various reasons, the Scheme provides for rigorous assessment and their establishment is a necessary development to mitigate Climate Change and its impacts.

Small sized solar farms are Code assessable and larger solar farms and wind farms are Impact assessable. Sensitive located solar farms are likely to be acceptable to the community in the Rural Zone, while wind turbine farms are necessarily located in visually prominent locations and raise more issues about impacts on landscape and scenic values. Community acceptance of both are likely to increase over time, enabling more renewable energy projects to proceed in the region, including in sensitive areas such as the Range.

*Major electricity infrastructure – a potentially consistent use – Impact assessable by default - Includes Powerlines greater than 66kV Excludes Minor electricity infrastructure, substations

Major powerlines traverse rural landscapes taking power to users in rural and urban areas. Their routes are subject to detailed studies and Impact assessment against the entire Planning Scheme. Nevertheless they are controversial projects attracting close scrutiny.

The need for additional new major powerlines is unknown. Locally produced renewable energy supplies and local distribution might partly or fully displace the need for new lines.

These uses are not welcomed in rural areas because of the visual and landscape impacts that are unavoidable, but they are accepted when subject to rigorous assessment processes. This includes the Range, which is likely to “host” transmission lines because of its location and size in the region.

*Telecommunications facility – a potentially consistent use- Impact assessable by default - Includes Telecommunication tower, broadcasting station, television station

These essential media infrastructure uses are located in both urban and rural areas and site selection often depends on technical requirements. There are some community concerns about radiation health impacts and facilities are also often not welcomed in rural areas because of the visual and landscape impacts that are largely unavoidable. However, they are accepted when subject to rigorous assessment processes and sited in locations acceptable to the community. This includes the Range, which is likely to “host” telecommunication facilities because of its location and size in the region.