

Draft Sunshine Coast Planning Scheme
Review of Submissions
Local Area Key Issues Paper No. 11: Extractive industry - Yandina Creek and Browns Creek Road

Key Issue:	Sites identified on the Extractive resource overlay maps
No. of submissions:	996 (173 in relation to Yandina Creek; 693 in relation to Browns Creek Road, Bridges; 129 generally in support of extractive industry)
Major issues raised:	<ul style="list-style-type: none">• Objecting to sites identified by the extractive resource overlay at Yandina Creek and Browns Creek Road, Bridges;• The extractive resource overlay places onerous restrictions on property owners and hinders development in the area;• Impacts on community and residents from haulage trucks and other extractive industry operations;• The resource is compromised by neighbouring residential development;• Environmental overlays limit development for extractive purposes;• Extractive industries contribute to the economy and support development and construction sector; and• Locally sourced materials reduce carbon emissions and maintain affordability.

1.0 INTRODUCTION

Council received 996 submissions relating to extractive industry. Of these submissions, 173 (including 155 form letters) related to the Yandina Creek sites and 693 (including 660 form letters and 1 petition with 168 signatures) related to the Browns Creek Road, Bridges site.

129 (mostly not properly made) submissions (comprising 104 form letters) were received generally in support of extractive industries being recognised by the draft Sunshine Coast Planning Scheme.

Two industry groups made submissions that requested the draft planning scheme align with the Cement Concrete & Aggregates Australia (CCAA) Extractive Industry Model and Guidelines and for ancillary uses within extractive industry areas to have lower levels of assessment. One industry group would prefer that extractive industry is located within an extractive industry zone.

This paper primarily addresses the submissions regarding the Yandina Creek sites and the Browns Creek Road, Bridges site. Other submissions relating to site specific issues are addressed in the relevant submissions table.

The three extractive resource areas in Yandina Creek are described as follows:

- Yandina Creek (a State government nominated Key Resource Area - KRA 54);
- Toolborough Road (a State government nominated Key Resource Area – KRA 55); and
- Zgrajewski Road (a local resource area).

The Yandina site is situated between North Arm Yandina Creek Road and Pryor Road at Yandina Creek. The Zgrajewski Road site is approximately 1 kilometre to the north east of the

Yandina Creek site. The Toolborough Road site is located between Toolborough Road and Arcoona Road to the south of the Yandina Creek and Zgrajewski Road sites.

The Bridges locality has one Local Resource/Processing Area located at Browns Creek Road, Bridges over Lot 2 RP157072 which is located approximately 3 km by road north west of Yandina. The site has an area of 36 hectares.

2.0 EXISTING PLANNING SCHEME PROVISIONS

The Maroochy Plan 2000 Strategic Plan designates areas for extractive industry and Special Management Area Regulatory Map 1.9 'Mineral and Extractive Resources and Buffer Areas' identifies:

- Hardrock quarries and buffers (500m);
- Sand and gravel resources and buffers (250m);
- Haulage Routes and buffers; and
- Mining Lease Areas.

The Maroochy Plan 2000 has two codes directly relating to extractive industry as follows:

- 2.1.8 Code for the Protection of Extractive Industry; and
- 6.3 Code for Extractive Industry.

All three hard rock resources in the Yandina Creek locality are recognised by the Maroochy Plan 2000. A haul route is indicated over North Arm Yandina Creek Road and Toolborough Road. The Browns Creek Road hard rock resource is recognised by the Maroochy Plan 2000, but no haul route is indicated.

3.0 DRAFT SUNSHINE COAST PLANNING SCHEME

The draft Extractive resources overlay map displays a resource/processing area, a Separation area, a Transport route and Transport route separation area for Local and State Key Resource Areas. The primary role of the overlay is to protect extractive resource areas and transport routes and minimise the potential for land use conflicts.

All of the subject resource sites are included in the Rural zone in the draft planning scheme. Extractive industry is impact assessable in the Rural zone, however is also identified as a 'consistent use' where occurring in a State Key Resource Area or Local Resource Area on an Extractive resources overlay map. An impact assessable application for extractive industry can still be made outside of the designated extractive resource areas identified by the overlay.

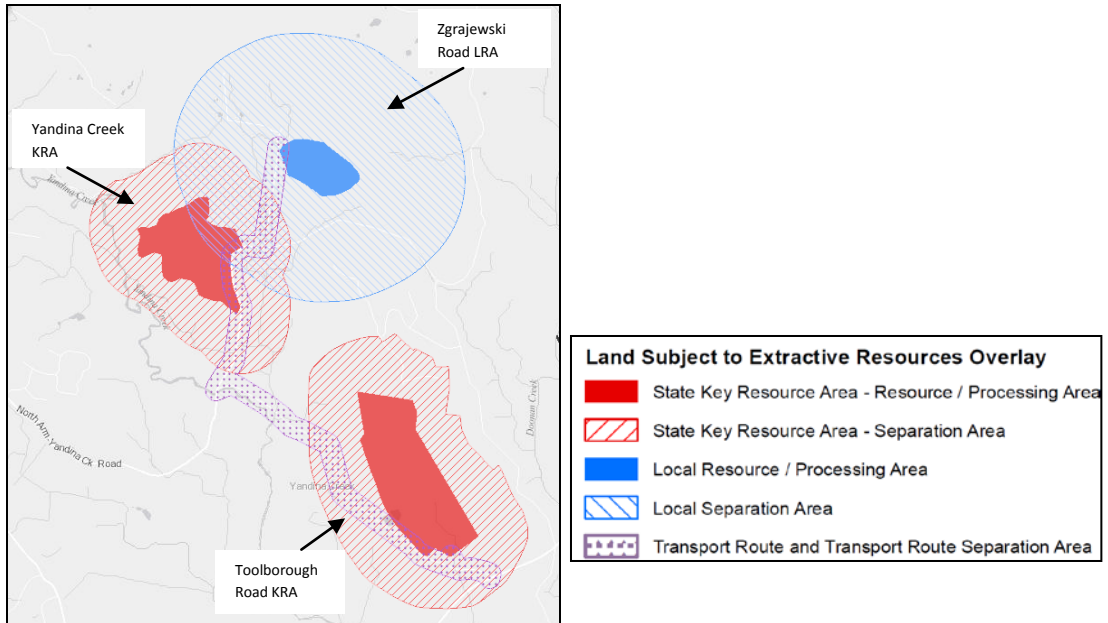
3.1 Yandina Creek Locality

The draft Extractive resources overlay map identifies the Yandina Creek KRA, the Toolborough Road KRA and the Zgrajewski Road LRA (refer Map 1 below).

The overlay Map also identifies the designated Transport route and Transport route separation area.

Yandina Creek is shown as a smaller resource area compared to Maroochy Plan 2000, with a consequent reduction in separation area over neighbouring properties.

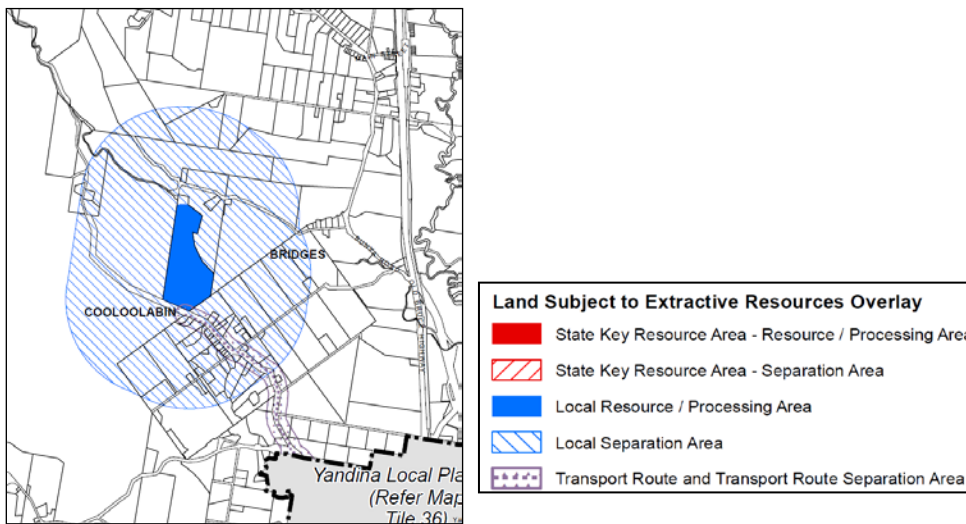
The separation distance for Zgrajewski Road is increased from 500m to 1000m compared to Maroochy Plan 2000. The increase in separation distance is in accordance with *State Planning Policy 2/07 - Protection of Extractive Resources* (and Guideline). The haul route extends northwards to include McCords Road.



Map 1: Draft Extractive Resources Overlay map – Yandina Creek

3.2 Bridges Locality

The draft Extractive resources overlay map displays a Local resource/processing area, a Local separation area and a Transport route and Transport route separation area for the Browns Creek Road, Bridges site. The draft Planning Scheme displays updated information about the resource site, separation distances being increased from 500m to 1,000m and a transport haulage route is identified. The increase in separation distance is in accordance with *State Planning Policy 2/07 - Protection of Extractive Resources (and Guideline)*.



Map 2: Draft Extractive Resources Overlay map - Bridges

4.0 CONSIDERATION OF ISSUES

4.1 Background to Extractive Resources

Extractive resources include sand, gravel, quarry rock, clay and soil that are extracted and processed for use in construction. Known resource areas throughout Queensland are identified under a State Planning Policy and in each of the local government planning schemes.

State Planning Policy 2/07 - Protection of Extractive Resources (and Guideline) identifies 'Key Resource Areas' of state or regional significance (KRA). This policy requires local government to identify and manage planning for the State Key Resource Areas under the local government's planning scheme. A 'Local Resource Area' is an area that is deemed by a local government as being of local significance due to the presence of an extractive resource. Local resource areas are regulated by the planning scheme for the area.

Planning for extractive resource areas involves three elements as follows:

- a resource/processing area;
- a separation area to separate the activity from incompatible land uses; and
- an associated transport haulage route (and separation area).

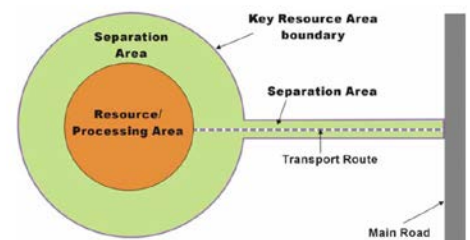


Diagram from SPP 2/07

Inclusion of a site in a Resource area does not imply a right to extract the resource, but rather, identifies planning mechanisms to protect the viability of the resource being extracted.

Draft State Planning Policy

It is noted that the State Planning Policies (SPP) are currently under review. In a submission to the Draft SPP, Council raised the following issues in relation to the Key Resource Areas:

- Five new KRAs have been identified for the Sunshine Coast. Three are already included in planning schemes and two are new.
- The community may not be aware of the new KRAs and some changes to transport routes for other KRAs and further community consultation is recommended.
- Council previously requested that the State government remove the Yandina Creek KRA, however it remains in the draft SPP.

Need for Hard Rock

In 2011, Council commissioned a consultant company to review circumstances of hard rock supplies for the Sunshine Coast region. This study concluded that the extractive resource industry is looking for fewer, but larger scale quarries. These types of operations will confine impacts to fewer areas, albeit that these operations will be more concentrated in the selected locations.

4.2 Submissions – General Overview

Council received 996 submissions relating to extractive industry. Approximately 867 of these related to Yandina Creek/Zgrajewski Road and Browns Creek Road sites.

In the total received, 129 (mostly not properly made) submissions (comprising 104 form letters) were received generally in support of extractive industries being recognised by the draft Sunshine Coast Planning Scheme. Grounds in support include:

- extractive industries contribute to the region's economy, local employment and support the development sector with housing affordability;
- sourcing local materials reduces the number of heavy vehicles on highways;
- Council is requested to review the extractive industries code to make it clear that some impacts are unavoidable to those residents within the buffer zones, along haul routes and immediate vicinity;
- past Council decisions have on numerous occasions rejected extractive industry applications that were consistent with previous and existing planning schemes leading to appeals with costs borne by ratepayers; and
- there are substantial benefits to the wider community which weigh against the objections of a vocal minority to proposals that comply with the planning scheme.

A few submissions were received by the industry that addressed specific sites or specific provisions in the draft Sunshine Coast Planning Scheme. These are summarised as follows.

- support establishment of an Extractive industry zone;
- amend levels of assessment for uses associated with extractive industry within extractive industry areas;
- inaccuracy of other overlays e.g. vegetation etc in extractive resource areas; and
- modify scheme to adopt the Cement Concrete & Aggregates Australia (CCAA) Extractive Industry Model and Guidelines.

These submissions have been addressed on an individual basis in the relevant submission table.

4.3 Yandina Creek Locality

A summary of the grounds raised by submissions lodged is set out below:

- The greater separation area of 1000m has dramatically increased the number of properties affected by a future quarry;
- Residential development has encroached upon these sites;
- Application for development of Zgrajewski Road was refused and the court upheld Council's decision. Application for Yandina Creek (McCords Road) has been refused by Council (currently in appeal);
- Toolborough Road KRA is close to exhaustion; and
- The overlay places onerous restrictions on property owners and hinder development in the area.

Individual submissions were also received from landowners of the Zgrajewski Road site and adjoining landowners of the Yandina Creek site, outlining that the subject land has potential for development for extractive industry and with adjoining land has potential to provide for a larger extractive resource area.

The submitters also outlined that the subject land together with adjoining land parcels, has potential to be developed for residential purposes and that alternative land uses should be considered for the land as part of the review of the cane lands within the Maroochy River Plains. The issues relating to the cane lands are addressed under a separate paper (refer to *Local Area Key Issues Paper No.12: Cane lands*).

A submission from Sunshine Coast Airport raised concern about the location of extractive industry sites under the proposed runway flight path and the possible impact of blasting on airport operations. This issue is also being considered as part of the appeal in relation to the Yandina Creek site.

Sunshine Coast Airport also requested amendments to the Extractive resources overlay code to ensure that development associated with resource areas in the vicinity of the Sunshine Coast Airport are required to consult with Sunshine Coast Airport regarding possible impacts on aircraft operations.

Application for Extractive Industry at Yandina Creek site

Applications were made in 2009 for an extractive industry (hard rock quarry) at 953 and 945 North Arm-Yandina Creek Road, Verrierdale, covering part of the Yandina Creek KRA. Council received approximately 5000 submissions to the application with most opposing the proposal.

Council considered the applications at its Ordinary meeting of 26 October 2011 and resolved to refuse the application for four reasons relating to a lack of demonstration that the application can proceed without unacceptable impacts on amenity; concerns over the standard of upgrade of the haulage roads; potential water, vegetation and fauna impacts; and the proposal extending into the buffer area of the state declared Key Resource Area. The application is the subject of an ongoing appeal with the Planning and Environment Court.

Council also resolved to *"write to the state government advising the subject site's current designation under State Planning Policy 2/07 as a Key Resource Area should be reconsidered during the review of the SEQ Regional Plan."* The Chief Executive Officer subsequently wrote to the Department of Local Government and Planning. The Department advised in March 2012 that *"SPP02/07 permits a KRA to be amended or removed from the policy if new information comes to light regarding, for example, the extent of the resource or a change in the actual or potential contribution of the resource to the development of the surrounding region."*

"A KRA can only be amended by:

- *A Local Government in its planning scheme with the agreement of the Department of Employment, Economic Development and Innovation (DEEDI) and with approval by the Planning Minister; and*
- *DEEDI, through the formal review process for a State Planning Instrument as required under Chapter 2 Part 6 of the Sustainable Planning Act 2009."*

As stated above, the removal of this KRA has again been requested in council's recent submission to the draft State Planning Policy.

Application for Extractive Industry at Zgrajewski Road site

An application for a material change of use (extractive industry) was lodged with Maroochy Shire Council in May 2002. The Environmental Protection Agency was a concurrence agency for the application and it required Maroochy Council to refuse the application on the basis of potential noise impacts on nearby residents.

Maroochy Council refused the application in March 2005 with additional reasons including environmental impacts on local habitat and impacts on the amenity of the surrounding area including visual, lifestyle, dust, noise, vibration and traffic.

The applicant appealed the decision to refuse the application and this appeal was subsequently dismissed.

Consideration of Issues

The Yandina Creek site contains a significant potential resource of hard rock. The State Planning Policy identifies *"hard intrusive diorite and rhyolite flows, which crop out as numerous slabs and bluffs around low hills between McCords Road, Pryor Road and Yandina Creek. The*

resource is strategically placed to provide construction aggregates and armour stone for a large part of the northern Sunshine Coast.” The policy also identifies the site as having vegetation of State biodiversity significance.

The Department of Mines and Energy in 2007 considered the Zgrajewski Road site was ‘small (under 5 million tonnes).’

Information about both sites being a potential quarry has been available to the public since the 1985 Maroochy Shire Strategic Plan. However, it is clear that there has been additional development in the vicinity of these resources and the nominated transport routes since they were originally identified as a potential hard rock quarry. In addition, the recommended separation area for hard rock quarries has been doubled in size to a 1000m distance under the Draft Planning Scheme as recommended by the State government guidelines.

Doubling the separation distance significantly increases the potential properties affected by the Extractive resource overlay. It should be noted however that the 1000m separation is a default distance and might be reduced upon a detailed analysis of the site determining whether the likely areas affected by quarrying hard rock are not as extensive.

The submissions received, both in content and number, represent significant local community opposition to the prospect of a hard rock quarry operation in proximity to Yandina.

The previous 2011 decision by Sunshine Coast Council to oppose a hard rock quarry at the Yandina Creek site and the submission to the draft State Planning Policy in 2012 sets a specific council policy direction for this land to be no longer recognised as a potential hard rock resource area.

The previous 2005 decision by Maroochy Shire Council to oppose a hard rock quarry at the Zgrajewski Road site and the support of that decision by the Planning and Environment Court and the practicality of ongoing planning mechanisms to protect the resource suggests that this land should no longer be recognised as a potential hard rock resource area.

Council’s consultant has concluded that sufficient hard rock resources are available from other sources.

4.4 Bridges Locality

A summary of the grounds raised by submissions lodged is set out below.

- The greater separation area of 1000m has dramatically increased the number of properties affected by a future quarry;
- The transport route passes many residential properties over roads serving communities to the west of Yandina creating conflicts between local traffic and haulage trucks;
- Since originally identified in 1978, the resource has been compromised by the extent of development near the resource area and the transport route;
- The numerous overlays represent important values that should be protected, including biodiversity, koala habitat, wetlands, scenic amenity and high voltage power;
- A geological report by C Stone in 1994 suggests the resource is inferior, compromised by housing nearby and further removed from the (diverted) Bruce Highway;
- A quarry would create nuisances and hazards from associated noise, dust, blasting and water pollution; and
- The natural values should be assessed by council with consideration to acquisition for conservation purposes.

Consideration of Issues

The Browns Creek Road site contains a significant potential resource of hard rock. Information about the site being a potential quarry has been available to the public since the consultation and gazettal of the Maroochy Plan 2000.

According to a study by Irwin in 2012 and the current owner, the Browns Creek Road deposit has been quarried since about the 1950's by Maroochy Shire Council, Main Roads Department or Forestry Department for use in construction of local roads. Queensland government geologist Willmott (1977) comments *"the two ridges of rhyolite...west of Yandina provide large long-term reserves of rock for the northern part of the shire.... It is recommended that closer settlement not be allowed over the cane land to the east of these ridges, so that a sufficient buffer zone can be maintained to allow exploitation of the deposits in the future"*. The other ridge is located to the south west of the Browns Creek Rd site and is in Mapleton National Park.

It is clear that there has been considerable additional settlement in the area of this resource and the nominated transport route since it was originally documented in 1977. The haul route to Yandina is approximately 3 kilometres and is of a reasonable bitumen standard. It is developed for rural living or urban residential for the entire distance. The winding road up the western side of the hill on Old Gympie Road just west of Yandina would also create a degree of traffic nuisance with slow moving loaded trucks.

Further, the recommended separation area for hard rock quarries has been doubled in size to a 1000m distance for the draft Planning Scheme as recommended by the State government guidelines. Doubling the separation distance significantly increases the potential properties affected by the Extractive resource overlay. (The 1000m separation is a default distance and might be reduced upon a detailed analysis of the site determining whether the likely areas affected by quarrying hard rock are not as extensive.)

The submissions received, both in content and number, represent significant local community opposition to the prospect of a hard rock quarry operation in proximity to Yandina.

The property is heavily vegetated, relatively undisturbed and contiguous with the Mapleton National Park. Preliminary assessment has indicated that the property has potentially significant ecological values and is likely to provide habitat for endangered, vulnerable and threatened species.

Consultants have concluded that sufficient hard rock resources are available from other sources. A geologist report of 1994 questions the quality of the resource.

5.0 DIRECTION

That:

- (a) **the Locally Significant Extractive Resource Area be removed from the Strategic Framework Map 7 Natural Resource Elements for the Zgrajewski Road site near Yandina;**
- (b) **the Local resource/processing area, Local separation area and Transport route and Transport route separation area be removed from the Extractive resources overlay map for the Zgrajewski Road site near Yandina;**
- (c) **Council request further consideration by the State government to the removal of the Key Resource Area 54 designation from the State Planning Policy at Yandina Creek, due to the resource being compromised for extraction by residential development in proximity to the site and the haul route since its original designation and also due to possible impacts on Sunshine Coast Airport flight paths;**

- (d) the Locally Significant Extractive resource area be removed from the Strategic Framework Map 7 Natural Resource Elements for the Browns Creek Road, Bridges site; and**
- (e) the Local Resource/Processing Area, Local Separation Area and Transport Route and Transport Route Separation Area be removed from the Extractive resources overlay map for the Browns Creek Road, Bridges site.**