

Maleny and Environs Local Area Plan – A Failed Process

Background

Caloundra City Council formally resolved to prepare a Development Control Plan for Maleny and Environs on 5 September 1996.

A Community Advisory Group (CAG) was formed to work with Council to determine this Plan. A lengthy Community consultative process occurred before the **Draft Maleny and Environs Local Area Plan (Draft LAP) was submitted to the Community in June 1999**. The process included

- surveys of householders, absentee landowners, school students and visitors to the area;
- use of newsletters, newspaper articles and public displays;
- four public meetings and presentation to various community groups;
- release of a series of seven discussion papers to the public;
- public release of the **Preliminary Draft LAP June 1998**, involving eight public and focus meetings, public display at the Maleny Library (staffed for a three week period), numerous newspaper articles, access to web site information and informal discussions over a five month period from **June to November 1998**;
- consideration of the 150 submissions, several petitions and outcomes of the various public meetings in the reviewing of the Preliminary draft plan LAP, and
- Community Advisory Group (CAG) comprising twelve members of the community attending over 30 advisory group meetings and several whole day workshops providing continuous input into the preparation and revision of the LAP.

Community submissions on the Draft LAP closed 16 July 1999. Following a review of the submissions by the CAG and Council, the Council adopted the LAP in December 1999 and forwarded it to State Government for Gazettal. The Development Control Plan (LAP Volume 2) obtained Gazettal in May 2000.

Integrity of the DCP

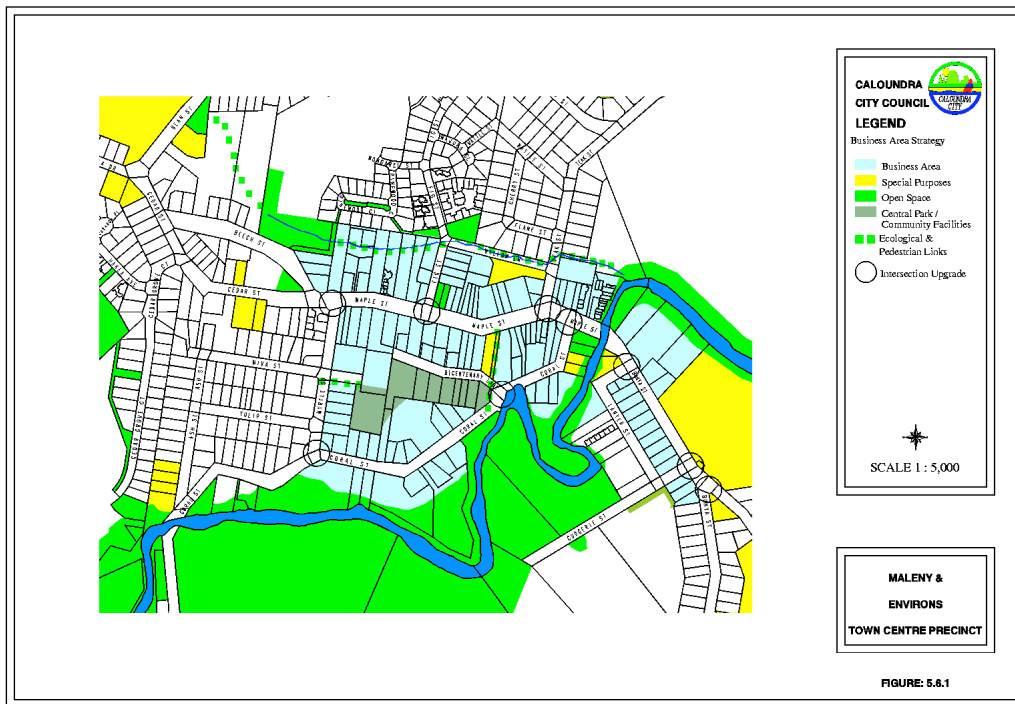
Council recognised that to uphold the **integrity of the DCP** certain follow on actions had to occur which included

- **Implementation** of requirements detailed in the **LAP Action Plan (LAP Volume 3)**. There were about 83 items. Four were of a very high priority to be completed in 1-2 years. One, **the Traffic Study**, commenced in 2005 which was too late to address the problems created by the 2-4 Bunya Street development.
- **Amending the Strategic Plan** to recognise the Maleny & Environs area as being a special area within a new designation; and provide **a statutory linkage to the DCP**.

Council noted in the Draft LAP 1999 that the Strategic Plan amendments would be advertised separately. **Council ignored their own advice and in so doing, misled the Community and failed to provide the necessary integrity of the DCP – the peoples document.**

Annexes A and B are extracts from the Draft LAP April 1999 which provide amplification of the above comments.

Paul Gilmour-Walsh
27 July 2005



Map is extract from DCP gazetted May 2000. The Woolworths site includes 2 Bunya St which is shown as "Open Space"

Annex A to LAP Submission

Preamble ¹

At the General Meeting of Council held on September 5 1996, Council formally resolved to prepare a Development Control Plan for Maleny and Environs in accordance with the provisions of the *Local Government (Planning and Environment) Act 1992*.

It was decided to undertake a Local Area Plan to enable a wide range of issues to be addressed, including consideration of Council policy and desirable actions for implementation. The Local Area Plan process enabled the consideration of:

- Statutory elements (controls on development): and
- Non-statutory elements (including methods for encouragement, consideration of Council Policy, actions for community groups and other bodies).

The formal draft Local Area Plan has been formatted to separate the statutory (Development Control Plan) and non-statutory (Action Plan) elements.

The Local Area Plan comprises:-

Volume I - The Overview

Provides an executive summary and outlines how the community may view the documents and lodge submissions.

Volume 2 - The Development Control Plan

Outlines the statutory provisions for Maleny and Environs which will be used in the assessment of development proposals.

Volume 3 - The Action Plan

Outlines the various recommended actions to be undertaken by the Council, the community and other bodies to ensure the implementation of the Local Area Plan.

Volume 4 - The Planning Study

Provides a compilation of the background information used in preparing the Local Area Plan, including a summary of the community consultation process and issues raised by the community.

It is intended that Council will adopt the entire Local Area Plan (following a review of the draft document based on submissions received) as a policy, with Volumes 2 and 4 being forwarded to the State Government for gazettal as Part of the Planning Scheme for Caloundra City.

In addition, it is proposed to amend the Strategic Plan for Caloundra City to include the Maleny and Environs area within a new designation, which identifies the area as a special area with its own provisions.

¹ Preamble is extract from Draft Maleny and Environs Local Area Plan April 1999

Introduction²

The draft Maleny and Environs Local Area Plan (LAP) and Planning Study, is the culmination of a two and a half year process of community consultation and consideration of the major issues. This is the first LAP process to be undertaken in Caloundra City, and focuses on community input into the planning for Maleny and Environs, to shape and direct the future of the area.

The Study Area for the LAP includes:

- the areas of Maleny, North Maleny, Witta, parts of Reesville and Wootha; and
- all of the catchment of Baroon Pocket Dam within Caloundra City.

The Study Area Boundary is illustrated below. (not included)

² Introduction p 3-8 extract from ² Preamble is extract from Draft Maleny and Environs Local Area Plan April 1999

The draft LAP has been prepared to ensure that the character and qualities, which are most valued by the community, are retained and enhanced.

The Draft Local Area Plan comprises the following components:

1. **The Overview**

This Overview document provides a bridging document and executive summary, for the draft LAP and Planning Study to stimulate community debate and, includes

- a summary of the major issues raised by the community;
- an outline of the vision statement;
- summary of the strategies; and
- a consideration of where to from here?

In addition, this Overview document advises

- how to obtain a copy of the draft LAP and/or Planning Study;
- how to learn more about the LAP process; and
- how the community can have their say on the draft LAP.

2. **Development Control Plan**

The draft Development Control Plan (DCP)

- a) provides a vision statement and broad intent for the future of the Maleny & Environs; and
- b) includes an integrated set of strategies, objectives *and* implementation criteria designed to achieve the vision;

The draft DCP outlines the statutory provisions which will be used in assessing development applications and for the allocation of resources by council.

3. **The Action Plan**

The Action Plan outlined various recommended actions to be undertaken by Council, the community, and other bodies to ensure the implementation of the LAP.

The Action Plan will provide guidance for the allocation of resources within the area by Council.

4. **Planning Study**

The Planning Study provides background information, including an assessment of the range of physical, social and demographic issues, considered in the preparation of the draft LAP.

In addition, the Planning Study contains:-

- a set of discussion papers prepared on the major issues and which include a consideration of the alternative options;
- population projection calculations; and
- summary of the community consultation outcomes.

5. Proposed Amendments to the Planning Scheme

In addition to the LAP above, amendments to the Strategic Plan for the City of Caloundra are proposed to:-

- recognise the Maleny & Environs area as being a special area within a new designation; and
- provide a statutory linkage to the LAP.

Note: These Strategic Plan amendments will be advertised separately.

Community Input to Date

A broad consultation process allowing for community input at various milestones has been undertaken to date and has involved

- Surveys of householders, absentee landowners, school students and visitors to the area;
- use of newsletters, newspaper articles and public displays;
- four public meetings and presentation to various community groups;
- release of a series of seven discussion papers to the public;
- public release of the Preliminary draft LAP, involving eight public and focus meetings, public display at the Maleny Library (staffed for a three week period), numerous newspaper articles, access to web site information and informal discussions over a five month period from June to November 1998; and
- consideration of the 150 submissions, several petitions and outcomes of the various public meetings in the reviewing of the Preliminary draft plan LAP.

In addition the Community Advisory Group (CAG) comprising twelve members of the community have attended over 30 advisory group meetings and several whole day workshops providing continuous

input into the preparation and revision of the LAP.

MAJOR ISSUES

Major issues which emerged throughout the community consultation process included

- control and management of population growth;
- provision and facilitation of employment opportunities;
- preservation of the rural character through the integration of rolling green hills, productive farming lands and natural bushland;
- planning effectively for the future by allowing for controlled development;
- protection of areas of natural vegetation and encouragement of re-vegetation;
- improvement of the quality of water entering the waterways and water storage areas;
- provision of community facilities;
- traffic management, and in particular the impacts on Maleny town centre;
- retention and enhancement of the character of the Maleny town centre; and
- the most appropriate provision and use of water supply.

The submissions received in relation to the preliminary Draft LAP confirmed the above list of major issues, however additional issues were also raised, they included:

- investigate further opportunities to reduce the future population of Maleny & Environs;
- monitoring of on-site disposal systems to minimise impacts on water quality;
- protection of land classified as good quality agricultural land under State Planning Policy 1/92;
- provisions for the establishment of cluster type developments;
- enhancement of pedestrian/cycleway and equestrian linkages;
- investigate traffic management options;
- further consideration for the need of the proposed Rural Settlement Areas; and
- consideration of social planning needs and issues for Maleny & Environs.

The draft LAP aims to address these major issues.

THE VISION

A vision statement describes what an area should be like in the future, and provides long term goals, the community would like to see achieved.

The vision statement for the future of Maleny and Environs is based on community input.

Maleny and Environs of the future will be an area

- in which the unique rural character and desirability as a place to live and visit is effectively retained;
- where development is managed to ensure a balance between environmental and infrastructure capacities and housing needs in accordance with the principles of environmentally sustainable development;
- where the retention of agricultural land is encouraged, and rural pursuits are promoted;
- where the Maleny township remains a vibrant hinterland service centre, in which a village atmosphere and a sense of community exists;
- where the environmental values are protected and enhanced, and the water quality within the catchment is maintained and improved;
- where the integrated pedestrian and vehicular network is expanded; and
- in which adequate access to employment opportunities and commercial, community, cultural and recreational facilities and services are provided.

[Note: This Vision Statement was developed based on the results of the broad community survey and was generally supported by the submissions received on the Preliminary Draft LAP.]

THE PREFERRED APPROACH TO ACHIEVE THE VISION

The preferred approach to achieving the vision provides for the retention of features most valued by the community and is designed to

- control development based on identified intents and objectives;
- concentrate growth within the town area,
- allow a limited number of additional rural living allotments in selected areas;
- protect and enhance agricultural areas;
- give community benefits;
- enhance the natural environment and
- establish a long term view (25 years and beyond).

This approach has the flexibility to address

- control and minimisation of the Medium Density Residential areas to maintain the character of Maleny;
- provide for housing choice;
- the protection of farming operations;
- requirements for commercial, industrial and employment generating uses;
- opportunities for the identification of limited rural settlement areas (consolidating current fragmented areas);
- open space and recreation needs; and
- road networks, pathways and linkages.

In regard to community infrastructure the majority of the community infrastructure facilities have the ability to

- utilise existing spare capacity;
- expand facilities to meet the anticipated future demands; and
- provide for multiple use of facilities.