



# State Planning Regulatory Provisions Off-road motorcycling facility on State-owned land at Wyaralong

Responses to issues raised during  
consultation

## Background

On 30 November 2009 the Premier announced that 745 hectares of land at Wyaralong, near Boonah, would be set aside for a regional off-road motorcycling facility. The Queensland Government committed \$1 million in funding to the project which is expected to have an overall cost of between \$3 million and \$4 million. The Council of Mayors SEQ agreed to support and jointly fund the development and undertake a process to select an operator for the facility.

State Planning Regulatory Provisions (SPRPs) were developed to enable the Queensland Government and Scenic Rim Regional Council to ensure that the facility is constructed in a manner which balances the sporting and recreational interests of riders with environmental and social responsibility. SPRPs allow the government to detail requirements for development as well as factors to be considered when designing and constructing the facility and trails.

Public consultation on the draft SPRPs was held between 26 March and 14 May 2010. The matters raised within the submissions from the public consultation period, generally fell within one of the following categories:

- matters relating to development of the facility;
- matters relating to management of the land;
- matters already regulated by existing legislation; or
- matters relating to management of the facility, its use and its users.

In addition to consideration of the matters relevant to the SPRPs raised during the consultation period, the Department of Communities, Sport and Recreation Services identified how outstanding issues could be addressed and the responsible agency or mechanism for ensuring compliance. As a consequence, the issues raised have been addressed through one or more of the following:

- the redrafted and finalised SPRPs;
- a Land Management Plan;
- model by-laws; or
- operating procedures to be implemented by the facility operator.

# Issues relating to the development of the facility

## Noise

### Noise from the facility

Schedule 1 of the Queensland *Environmental Protection (Noise) Policy 2008* (the Noise Policy) identifies noise level objectives for various environments.

The maximum noise level for operation of the Wyaralong off-road motorcycling facility, measured outdoors at existing noise sensitive places such as houses, is outlined in the final SPRPs. This level is 45 decibels (dBA), which is 5dBA below the level targeted by the Noise Policy for the outdoor environment during daytime and evenings.

The SPRPs require that an acoustic assessment is undertaken by a qualified person to provide advice on how noise reaching existing noise sensitive places can be kept under the 45dBA limit. The assessment must take into consideration the:

- (a) type of activities at the facility;
- (b) public address systems;
- (c) number of participants and spectators;
- (d) surrounding existing land uses;
- (e) vegetation, topography and prevailing winds; and
- (f) buffer distances to noise sensitive places (existing residences).

Riding areas, including tracks, trails and circuits at the facility must be located according to the results of the acoustic assessment and buffers may need to be created to ensure that noise to existing noise sensitive places does not exceed the 45dBA level. Restrictions on the number of bikes and/or limits on noise emissions of individual bikes may also need to be applied to ensure that the 45dBA limit is not exceeded.

The costs of noise management fall to the facility operator, who must ensure that the facility remains compliant with the noise level requirements of the SPRPs.

### Noise attenuation zone

A noise attenuation zone has been defined by the SPRPs to ensure that any future development in the area immediately surrounding the off-road motorcycling facility is constructed to a standard that protects the health and well-being of residents from noise impacts. An independent contractor undertook acoustic modelling to inform the extent of the noise attenuation zone. The modelling was calibrated against measurements recorded at an existing motocross facility.

The SPRPs require that where development of a new noise sensitive receptor (e.g. a house) is proposed within the noise attenuation zone and actual outdoor noise levels are above the 45dBA threshold, certain construction methods/materials identified in the Queensland Development Code must be used. The construction requirements imposed for these developments are expected to add up to four per cent to construction costs.

Landowners within the noise attenuation zone undertaking construction of a new noise sensitive development can therefore choose to either:

- implement the relevant construction methods/materials identified in the Queensland Development Code; or

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- confirm (at their own expense) what the actual noise levels at the proposed construction site are. If the 45dBA threshold is not exceeded, then the noise attenuation measures specified in the Queensland Development Code need not be used.

Together with realignment of the noise attenuation zone, this will mean fewer future developments will be subject to the additional building requirements and will provide a better balance between costs and benefits for the community. These requirements have no impact on existing noise sensitive developments.

### **Road access, traffic and parking**

To address issues raised regarding access to the site and disruption of traffic flow, the final SPRPs require that a road and traffic assessment be prepared by a Registered Professional Engineer of Queensland and assessed by the relevant road authority. The Department of Transport and Main Roads and Scenic Rim Regional Council have been consulted regarding road access to the facility. An intersection with new turning lanes is being established on the Boonah-Beaudesert road to feed into a new access road entering the facility from the north. Access to the facility will be via this road only. No access will be provided to the facility via Schneider Road to the south.

### **Camping**

Whilst the day-to-day operation of the campground will be the responsibility of the facility operator, other matters, such as the number of campers that can be provided for, are prescribed in the South East Queensland Regional Plan.

### **Buildings, excavation and filling**

Filling and excavation which would normally require development approval for operational works has been addressed in the SPRPs. If the acceptable solutions within the SPRPs can be met, these works will be self assessable development. In a similar manner, the construction of buildings and structures which would normally require a Material Change of Use application, are self assessable if the acceptable solutions within the SPRPs can be met.

### **Scenic amenity and lighting**

The visual impact of the facility both during daytime and darkness has been addressed through the SPRPs to ensure that there are no adverse impacts on existing residential dwellings caused by lighting or the trails.

### **Environmental values**

The SPRPs identify that environmental legislation may apply to development at the facility. Provisions in the SPRPs require the preparation of an erosion and sediment control plan and an acoustic assessment for the facility.

The area was included in flora and fauna surveys conducted during planning for the Wyaralong dam project and information from these surveys has been considered during development of the SPRPs. The SPRPs and the Department of Environment and Resource Management's requirements for management of trust land incorporate a responsible attitude towards caring for the environment.

## Issues relating to management of the land

SEQ Regional Recreational Facilities Pty Ltd, a company being established by a consortium of south east Queensland local governments, will be the trustee for the land on which the off-road motorcycling facility will be built.

As trustee, SEQ Regional Recreational Facilities Pty Ltd will be required by the Department of Environment and Resource Management to prepare a Land Management Plan for approval by the Minister for Natural Resources, Mines and Energy.

Trustees of State land have a 'duty of care' for the land they are managing as well as a responsibility for protecting and maintaining all improvements on the land.

## Environmental values

The Land Management Plan to be prepared by the trustee will include details of how matters such as pests and weeds and bushfire management will be dealt with.

The Department of Communities liaised with the Commonwealth Department of Environment, Water, Heritage and the Arts regarding concerns for particular flora and fauna potentially present in the Wyaralong area. Investigations found that the two species identified through the consultation process as being of concern (Mt Berryman Phebalium and the brush-tailed rock wallaby) had not been recorded on the facility land. However management practices have been identified and will be recommended to the trustee to support early identification and appropriate response should either species be observed at the facility.

## Management of emergencies

Emergency management at the facility will be addressed in the Land Management Plan. The trustee will also require the facility operator to develop an emergency plan or policy that covers matters such as injury, remote retrieval and lost riders.

## Hours of operation

Hours of operation have been removed from the SPRPs because they will be specified in the Land Management Plan. The hours of operation will be determined by the trustee and the Department of Environment and Resource Management. Sport and Recreation Services has provided advice on this issue to these parties, based on relevant legislation and submissions received during consultation.

## Matters addressed by existing legislation

The SPRPs do not directly control water quality but identify that environmental legislation, including the *Water Act 2000* may apply to development at the facility. The Department of Environment and Resource Management also requires that SEQ Water's *Development Guidelines for Water Quality Management in Drinking Water Catchments 2008* be considered during preparation of the Land Management Plan.

Other activities which impact upon the environment, such as air quality, clearing of vegetation, development of toilets and shower facilities, are covered by existing legislation (*Vegetation Management Act 1999*, *Environmental Protection Act 1994*). The SPRPs do not override the requirements of this legislation.

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## **Management of the facility, its use and its users**

### **Behavioural issues**

Behaviour management is beyond the scope of the SPRPs however the Department of Environment and Resource Management will request that the trustee adopt model by-laws under the *Land Regulation 2009* to control activities within the trust land. Matters covered by the model by-laws include entry to the trust land, behaviour, activities, camping, use of vehicles on the trust land, protection of animals, prohibition and control of animals and consumption of liquor (including designated places for alcohol consumption).

### **Facilities and cost of entry**

The SPRPs prescribe the type of facilities that are considered suitable for the site and its purpose. The type of facilities provided, in the short and long term, will be the responsibility of the trustee and the facility operator and will be determined by factors such as available funds.

In a similar manner, the cost of entry will be determined by the trustee and the facility operator.

### **Special events**

The SPRPs have been prepared to facilitate the development of a facility where off-road motorcyclists can enjoy their activity in a responsible manner in a high quality, well managed venue. Any additional special events fall outside the intended purpose for the SPRPs and will be dealt with through applications to Scenic Rim Regional Council for temporary event permits.