



**State Planning
Regulatory Provisions
Off-road motorcycling
facility on State-owned
land at Wyaralong
October 2010**

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Division 1 Preliminary

1.1 Short title

These provisions may be cited as the *State Planning Regulatory Provisions – Off-road Motorcycling Facility on State-owned land at Wyaralong* (the SPRP).

1.2 Purpose

The SPRP regulates:

- (a) the development of a motor sport facility for off-road motorcycling on the land identified in section 2.1; and
- (b) development for a noise sensitive place in the noise attenuation zone.

1.3 Definitions

- (1) Terms used in the SPRP have the meaning given in Schedule 1.
- (2) Terms not defined in Schedule 1, have the meaning given in the *Sustainable Planning Act 2009*.

1.4 Links to other instruments

On-going management and operational requirements may be established under by-laws adopted by a trustee appointed under the *Land Act 1994*, or by a land management plan required under that Act.

Division 2 – When these provisions apply

2.1 Land to which the provisions apply

- (1) This SPRP applies to State land at Wyaralong comprising of the following lots:
 - (a) Lot 50 on SP233714 (formerly Lot 1 on RP128309);
 - (b) Lot 1 on RP61998;
 - (c) Lot 1 on RP 61996;
 - (d) Lot 3 on RP61997;
 - (e) Lot 39 on RP17872;
 - (f) Lot 38 on RP17872.
- (2) For the purposes of this SPRP, the above land is **off-road motorcycling facility land**.
- (3) A map showing the above land is at Schedule 2.

2.2 For new noise sensitive places within the noise attenuation zone

This SPRP also applies to development that is a material change of use for a noise sensitive place, on land within the noise attenuation zone.

Division 3 - When these provisions do not apply

3.1 Current approvals and exempt development

This SPRP does not apply to the following:

- (a) development carried out under a development approval which has not lapsed where the development application for the development approval was properly made before the day these state planning regulatory provisions took effect;
- (b) development specified in the *Sustainable Planning Regulation 2009*, schedule 4, other than development that is a material change of use for a noise sensitive place;
- (c) development that is consistent with a preliminary approval which has not lapsed where the development application for the preliminary approval was properly made before the day these state planning regulatory provisions commenced;
- (d) development that is generally in accordance with a rezoning approval where the development entitlements from the rezoning approval are conferred by any of the following:
 - (i) a planning scheme;
 - (ii) a development permit, an acknowledgement notice mentioned in Section 3.2.5(1)(a) of the repealed *Integrated Planning Act 1997* for a development application (superseded planning scheme) under that Act, or a notice given under Section 97 of the *Sustainable Planning Act 2009* agreeing to a request made under section 95(1)(a) of that Act.

3.2 Environmentally relevant activities

The SPRP does not apply to development that relates to an environmentally relevant activity.

Note: Environmentally relevant activities that are assessable development under the Sustainable Planning Act 2009 must be assessed as prescribed by that Act and obtain the relevant development approval for the activity. In addition, environmentally relevant activities must obtain a registration certificate under the Environmental Protection Act 1994.

3.3 Vegetation clearing

The SPRP does not apply to operational works that is the clearing of native vegetation for which the chief executive administering the *Vegetation Management Act 1999* is an assessment manager or concurrence agency.

3.4 Approvals under the *Water Act 2000*

The SPRP does not apply to operational works for taking or interfering with water under the *Water Act 2000*.

Note: Operational works that take or interfere with water that are assessable development under the Sustainable Planning Act 2009 must be assessed as prescribed by that Act and obtain the relevant development approval for the activity. In addition, a water licence under the Water Act 2000 may be required before taking or interfering with water in a watercourse, lake or spring. Activities involving the destruction of vegetation, excavating or placing of fill in a watercourse, lake or spring may only be carried out in accordance with a riverine protection permit issued under the Water Act 2000, unless otherwise permitted under the Water Act 2000 or the Water Regulation 2002.

Division 4 – Development of off-road motorcycling facilities

The following development on the off-road motorcycling facility land is self-assessable development if it complies with the acceptable solutions in the code in schedule 3:

- (a) a material change of use for an off-road motorcycling facility;
- (b) operational work that is filling or excavation; and
- (c) operational work that is associated with a dam or earth bank.

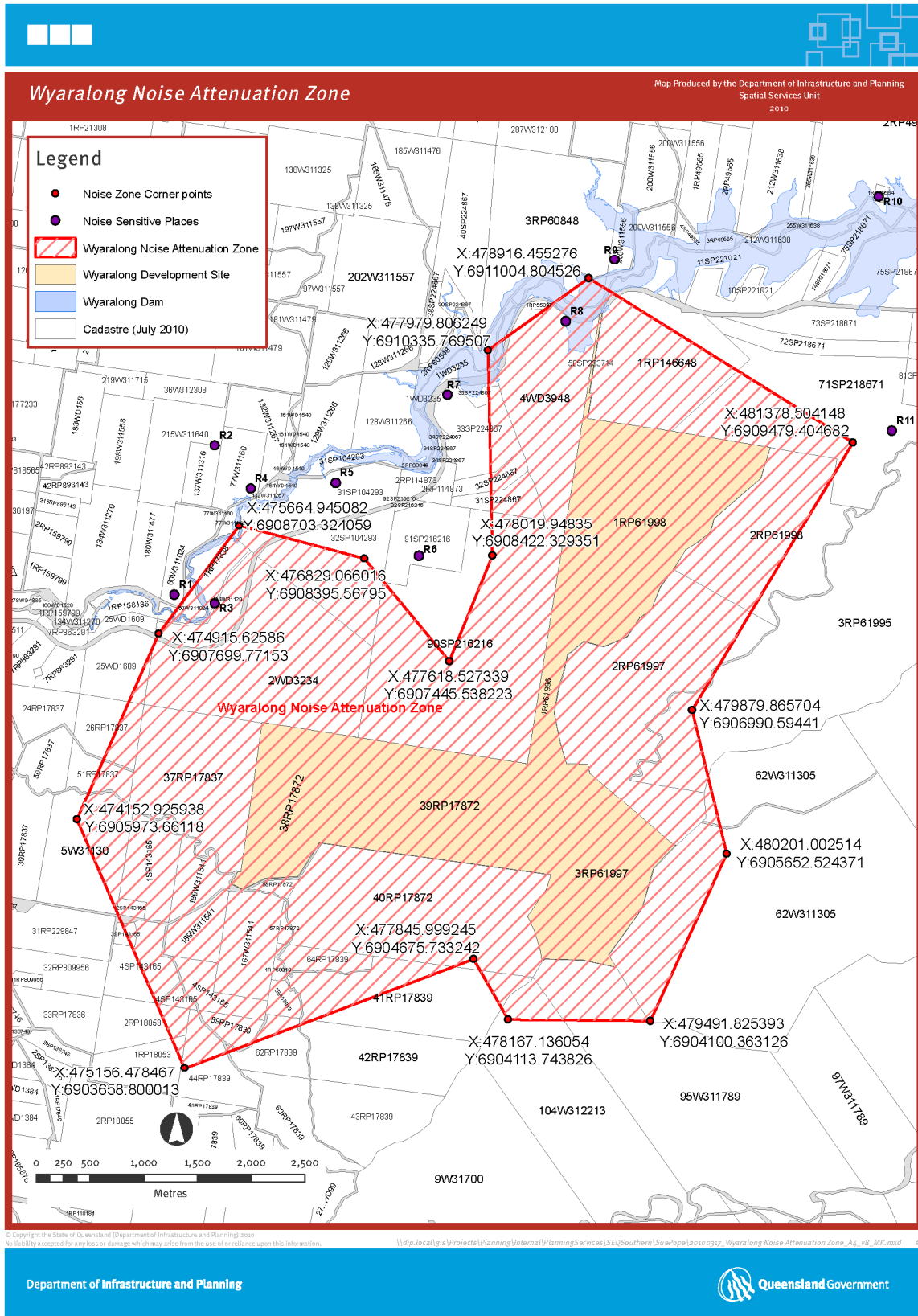
Division 5 – Development within the noise attenuation zone

Where development that is a material change of use for a noise sensitive place is proposed within the noise attenuation zone at a location that experiences noise levels exceeding 45dBA (L_{Aeq}) measured during the facility's operating hours, outcomes prescribed for noise category 2 in the *Buildings in Transport Noise Corridors Code* (Mandatory part 4.4. of the Queensland Development Code) must be achieved.

Schedule 1 - Dictionary

Filling or excavation	See the Queensland Planning Provisions.
L_{Aeq}	Means the constant sound pressure level which exhibits the equivalent acoustic energy of a fluctuating noise level. Otherwise known as the 'Energy-Average' sound level.
Motor sport	See the Queensland Planning Provisions
Noise attenuation zone	Means the land identified as the noise attenuation zone in the map at Schedule 2.
Noise sensitive place	Means a dwelling for residential or rural residential use or short term accommodation.
Off-road motorcycling	Means off-road motorcycling activities such as: <ul style="list-style-type: none">• motocross;• enduro;• dirt track;• moto-trials;• minikhana; and• recreational trail bike riding.
Off-road motorcycling facility	Premises used for formally organised off-road motorcycling where any one or more of the following facilities are provided: <ul style="list-style-type: none">• spectator facilities;• viewing stands;• toilets, ablution and shower/change room facilities;• clubhouses;• vehicle and equipment storage;• camping facilities;• caretaker's accommodation;• pit areas;• buildings, structures or development ancillary to off-road motorcycling activity.
Off-road motorcycling facility land	See section 2.1 of the SPRP.
Suitably qualified person	Means a person who is deemed by a building assessment manager to be a competent person, in accordance with Part 5 of the <i>Building Regulation 2006</i> .

Schedule 2 - Wyaralong noise attenuation zone



Schedule 3 – Off-road Motorcycling Facility Code for Wyaralong

1.1 Purpose

An off-road motorcycling facility:

- (a) is designed and located to protect environmental values and water quality objectives; and
- (b) protects the personal health and safety of the community; and
- (c) is of a scale, form and intensity intended for the site; and
- (d) does not adversely impact on the amenity of the surrounding area; and
- (e) does not adversely impact the road network; and
- (f) does not adversely impact on water quality and quantity of Wyaralong dam.

The Performance Outcomes in the code below identify outcomes which development must achieve. The rules for achieving and sustaining compliance with this code are in Division 4 (Development of off-road motorcycling facilities) in the SPRP.

2.1 Code

Performance Outcome		Acceptable Solution
Filling or Excavation		
PO1 Filling or excavation is associated with the use	AS1.1	Associated filling or excavation activities are limited to: <ul style="list-style-type: none"> (a) works associated with the construction of buildings and structures outlined in PO2; and (b) the construction of motocross tracks and recreational trails; (c) the construction of roads and fire breaks; (d) dams and water storage; and (e) earth banks or viewing mounds.
	AS1.2	Any filling and excavation activities: <ul style="list-style-type: none"> (a) minimise the need for extensive earthworks whilst complying with design standards; (b) do not contribute to flooding onsite or on nearby lands; and (c) minimise erosion and sediment movement into surface water bodies.
	AS1.3	Ancillary activities are located so as to prevent contamination or interference with flows in any surface water or groundwater bodies.
	AS1.4	All areas subject to excavation and filling are stabilised upon completion of works.

Buildings and structures		
<p>PO2 Buildings and structures are associated with the use</p>	AS2.1	<p>Associated buildings and structures are limited to:</p> <ul style="list-style-type: none"> (a) spectator facilities; (b) viewing stands; (c) toilets, ablution and shower/change room facilities; (d) clubhouses; (e) vehicle and equipment storage; (f) camping facilities; (g) caretaker's accommodation; (h) pit areas; and (i) buildings, structures or development ancillary to off-road motorcycling activity.
Camping facilities		
<p>PO3 Camping facilities -</p> <ul style="list-style-type: none"> • are adequate for the expected number of campers • are appropriately located, serviced and accessed • provide for safe movement of pedestrians and vehicles • provide short term accommodation only 	AS3.1	Camping facilities are consistent with the requirements of the State planning regulatory provisions of the South East Queensland Regional Plan
	AS3.2	Camping areas are designed to allow safe movement of pedestrians and vehicles.
	AS3.3	Camping areas are located where capacity exists for expansion to meet potential growth of the facility.
	AS3.4	Management provisions are in place to ensure that the number of campers using a camping area does not exceed the site design capacity.
	AS3.5	Services to camping areas are adequate for the number of campers.
Scenic amenity		
<p>PO4 There are no adverse scenic amenity impacts on residential dwellings existing or having current development approval on land adjoining the site at the date of commencement of this SPRP</p>	AS4.1	<p>Vegetated buffers of a minimum width of 20 metres are established within the off-road motorcycling facility boundary between recreational riding trails (not including motocross tracks) and existing or approved development on land adjoining the site. Tree and shrub species endemic to the location will be used to establish visual barriers.</p>
Lighting		
<p>PO5 Construction and placement of outdoor lighting has no adverse impact on residential dwellings existing or having current development approval on land adjoining the site at the date of commencement of this SPRP</p>	AS5.1	<p>Outdoor lighting is adequate for use and safety and is located so as not to adversely impact on the amenity for existing or approved residential dwellings on land adjoining the off-road motorcycling facility land.</p>

Noise Impacts		
<p>PO6 Noise from the use does not exceed 45dBA (L_{Aeq}) outdoors at a noise sensitive place that is existing or has a current development approval at the date of commencement of this SPRP</p>	AS6.1	<p>An acoustic assessment is undertaken by a suitably qualified person and provides advice and recommendations on how the off-road motorcycling facility can satisfy PO6. The assessment must specifically address noise mitigation measures including:</p> <ul style="list-style-type: none"> (a) type of activity; (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 a noise sensitive place.
	AS6.2	<p>Tracks, trails and circuits, and other noise generating activities are located as per the buffer distances to a noise sensitive place identified in the acoustic assessment.</p>
	AS6.3	<p>Noise levels measured at a noise sensitive place that is existing or has a current development approval at the date of commencement of this SPRP do not exceed 45dBA (L_{Aeq}) outdoors. Any such measurement of noise levels is to be taken during the facility's operating hours, outdoors on the side of the noise sensitive place that is closest to the off-road motorcycling facility.</p>
Traffic		
<p>PO7 Road capacities are adequate for the expected use</p>	AS7.1	<p>A road and traffic assessment report is prepared by a Registered Professional Engineer of Queensland and assessed by the relevant road authority.</p>
	AS7.2	<p>The road and traffic assessment report specifically addresses road management measures including:</p> <ul style="list-style-type: none"> (a) the need to upgrade existing roads to meet expected visitation numbers; (b) provisions to allow safe vehicular access to and from the facility; and (c) provisions to reduce the impact upon adjacent properties.
	AS7.3	<p>Roads servicing the off-road motorcycling facility meet the needs identified by the road and traffic assessment report.</p>

Parking and service vehicle access		
PO8 Parking and service vehicle access is provided on site	AS8.1	On-site parking is adequate to meet the needs identified by a road and traffic assessment report prepared by a Registered Professional Engineer of Queensland and assessed by a suitably qualified person.
	AS8.2	Access for service vehicles is provided to parts of the site used for off-road motorcycling activities, spectator facilities or camping.
Environmental Values		
PO9 <i>Erosion and sediment control</i> Tracks, car parks and access areas that do not require approvals under the <i>Water Act 2000</i> (see section 3.4 of the SPRP) mitigate against erosion and sediment impacts	AS9.1	An erosion and sediment control plan must be prepared by a suitably qualified person to inform consideration of how the following matters can satisfy PO9: <ul style="list-style-type: none"> • location of buildings, camping areas and car parks; • location of tracks, avoiding water courses where practical; • use of hardening processes to prevent erosion, where tracks cross watercourses that do not require approvals under the <i>Water Act 2000</i>. Hardening processes may include: <ol style="list-style-type: none"> (a) construction of bridges or culverts in wider crossings in major gullies; (b) surface hardening and rock paving in minor gullies; and (c) stream banks are stabilised using gabions and rock walls. Any hardening process should result in minimal disturbance on the watercourse bank or riparian vegetation. • location and appropriate gradients of tracks, car parks and access roads to prevent surface erosion. Where steep gradients for tracks are proposed, surface hardening and rock paving should be used; • construction of surface drains to prevent erosion and contain sediment run off within the off-road motorcycling facility land; • use of sediment control devices at drain run-off points, where trails are within 5 metres of watercourses, to prevent sediment entering watercourses; and • implementation of sediment control measures during the construction of trails and buildings.
		PO10 <i>Dust</i> Air quality is not adversely impacted by dust emissions of the use

Emergency evacuation		
PO11 Development provides for emergency evacuation	AS11.1	The site provides for emergency vehicle and/or helicopter access.