



DETAILED ASSESSMENT REPORT

APPLICATION FOR DEVELOPMENT APPROVAL

APPLICATION SUMMARY	
Applicant:	Mrs CS Arnett Tte & Mr MN Arnett Tte
Owner:	Mrs CS Arnett Tte & Mr MN Arnett Tte
Consultant:	Adams & Sparkes Town Planning
Proposal	Development Permit for a Material Change of Use of Premises to establish a Funeral Parlour and Function Facility
Street Address:	57 Mountain View Rd BALD KNOB
RP Description:	Lot 2 RP 179110
Properly Made Date:	18/07/2018
Information Request Date:	10/08/2018
Information Response Received Date:	19/12/2018
Number of Submissions	A total of 161 submissions were received - 147 properly made submissions objecting to the proposal
State Referral Agencies:	Not applicable
Referred Internal Specialists:	<ul style="list-style-type: none"> • Development Engineer • Landscape and Ecology Officer • Environmental Health Officer • Urban Designer
PROPERTY DETAILS	
Division:	1
Property Address:	57 Mountain View Rd BALD KNOB
RP Description:	Lot 2 RP 179110
Land Area:	14.483ha
Existing Use of Land:	2 x Dwelling houses
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (29 June 2018)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Plan Designation:	Rural Enterprise and Landscape Area
Planning Area / Locality:	Not Applicable

Planning Precinct / Zone:	Rural Zone
Assessment Type:	Impact

PROPOSAL:

The application seeks approval for a Development Permit for Material Change of Use of Premises to Establish a Funeral Parlour and Function Facility.

The proposal would primarily operate as a Funeral Parlour and in addition a Function Facility to allow for weddings and corporate events.

The Funeral Parlour component is proposed to be limited to hosting funeral ceremonies and memorials only and does not incorporate a mortuary, crematorium or the like.

It is proposed that funeral ceremonies would cater for a maximum number of 150 guests and functions would cater for a maximum of 100 guests.

Funerals are proposed to be held twice daily between the hours of 9:00am to 5:30pm. It is requested that 1 function be allowed per day, which would not occur on the same day as funerals, between the hours of 9:00am to 5:30pm.

There are two dwellings existing on the premises. The dwelling located adjacent to the northern escarpment would remain solely as an onsite dwelling for residential purposes. There is an existing dwelling located centrally within the site. The upper level of this dwelling is intended to be converted into a function room. The proposal incorporates the establishment of a new 150 seat chapel, which is proposed to be constructed to the east of the dwelling containing a function room.

Access is proposed to be achieved directly from Mountain View Drive via an existing driveway that is centrally located along the site's frontage to Mountain View Road. The driveway bends to the west and traverses down a slope away from the frontage in a westerly direction. A 39 bay car park and a bus bay is provided in the northwest portion of the site. An additional car parking area consisting of 2 PWD spaces a standard bay and 2 service vehicle spaces is provided adjacent to the reception/function facility building.

The site layout and design of the development is illustrated in the figures below:



Figure 1 – Site Layout

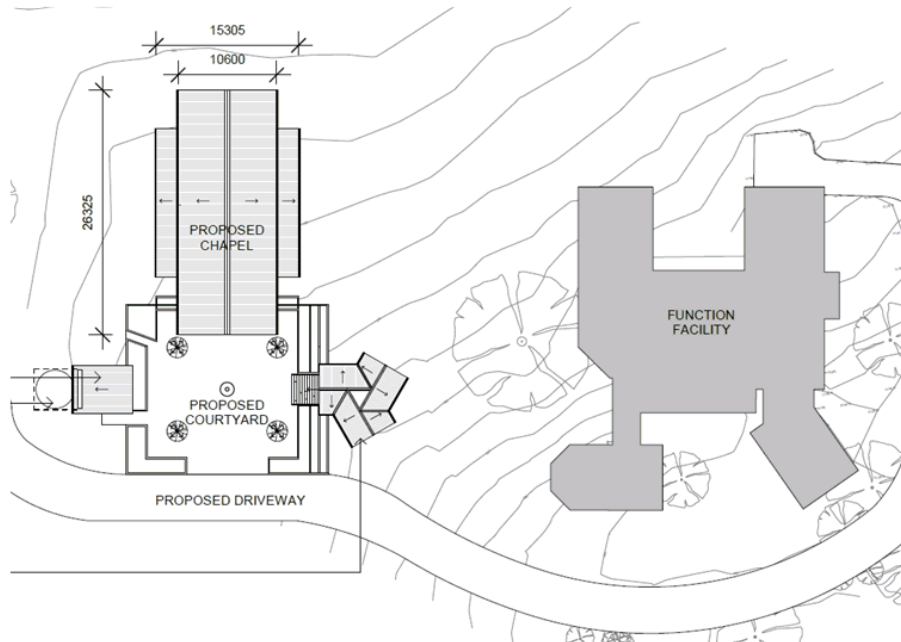


Figure 2 – Site Plan Illustrating Proposed New Chapel Building





Figure 3 – 3D Perspectives of New Chapel Building

SITE DETAILS:

Site Features and Location

SITE AND LOCALITY DESCRIPTION	
Land Area:	14.483ha
Existing Use of Land:	2 x Dwelling houses
Road Frontage:	115m to Mountain View Road
Significant Site Features:	The northern and southern slopes of the site are heavily vegetated by a 'Least of Concern' Regional Ecosystem 12.8.3 - <i>Complex notophyll vine forest on Cainozoic igneous rocks. Altitude <600m.</i>
Topography:	The site located on the edge of an escarpment. The northern portion of the site, adjacent to Mountain View Road, slopes steeply downhill away from the site's road frontage at gradients of approximately 50%. The site flattens throughout the central portion, which contains gentle slopes downhill to the south. The southern portion of the site again slopes steeply downhill to the south at gradients of approximately 50%.
Surrounding Land Uses:	The site is surrounded by rural zoned properties.

The location of the subject site in relation to its surrounds is illustrated in the figures below:

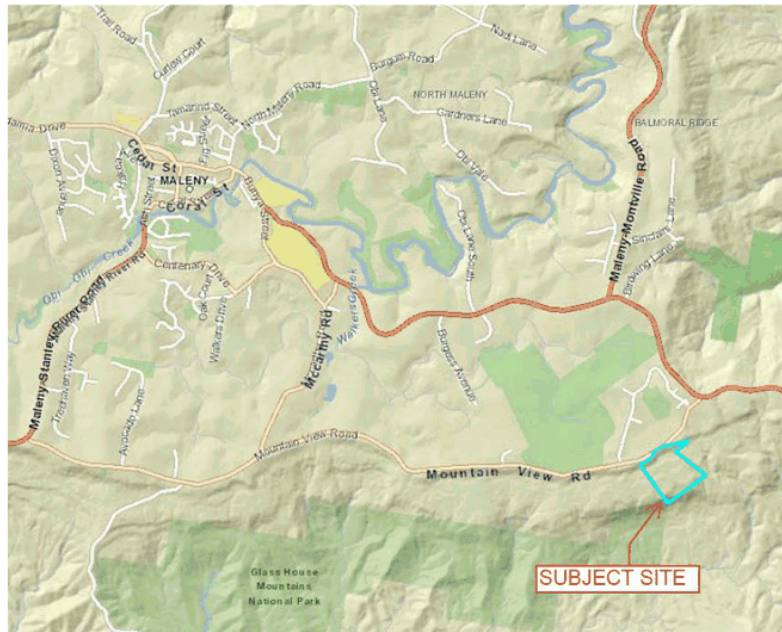


Figure 4 – Street Map Location of Site



Figure 5 – Aerial Photograph of Site

DEVELOPMENT HISTORY:

APPLICATION NO.	DECISION AND DATE
OPW18/0602	An application for excavation and filling associated with a dam was lodged on 15 October 2018. A Development Permit for the works was issued on 22 May 2019.

ASSESSMENT:**Framework for Assessment**Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following categorising instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any temporary local planning instrument
- any variation approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the assessment benchmarks contained in council's Planning Scheme. These assessment benchmarks may be contained within:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • Part E

State Planning Policy (SPP), Part E

The following assessment benchmarks of the SPP Part E are applicable to the development proposal and vary the effect of the Planning Scheme:

Natural hazards risk and resilience – Bushfire Prone Area

The site is identified to contain High and Medium Potential Bushfire Intensity Areas and associated buffers identified by the State Planning Policy mapping as illustrated in Figure 6 below. The hazard areas identified in the State Planning Policy mapping are more extensive than those identified by the *Sunshine Coast Planning Scheme 2014* and therefore the application is required to be assessed against the State Planning Policy.

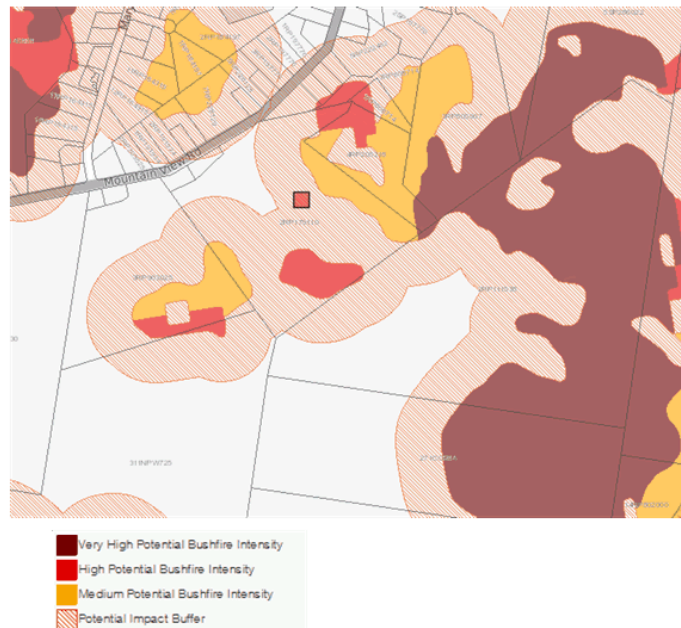


Figure 6 – SPP Bushfire Hazard Mapping

The applicant submitted a Bushfire Management Plan, prepared by Duke Environmental, to assess the bushfire risk to the proposed development. The report had regard to the SPP – Part E, *the Bushfire hazard overlay code*, the planning schemes *Bushfire hazard overlay code* the Australian Standard – Construction in Bushfire Prone Areas (AS3959-2009).

The report concluded that there is a Medium Potential Bushfire Hazard affecting the site from the south and east. The report made a number of recommendations that it considers would substantially mitigate the bushfire hazard acting on the proposed development which are summarised as follows:

- Establishing and maintaining an Asset Protection Zones (APZ) between the building and the hazardous vegetation to reduce fuel loads;
- Constructing the buildings in accordance with Bushfire Attack Level (BAL) as per Australian Standard AS3959 -2009 (FDI50 and vegetation classification "forest") to minimise potential impacts;
- Any landscaping is not to include plantings of Eucalypt and other flammable species. Plantings should generally involve local species with low fire risk;
- Garden mulch applied in landscaped areas is to incorporate non-flammable material such as pebbles or stone. Flammable mulch such as pine mulch or forest mulch is not be used, particularly within 5m of any structure.

The application was referred to council's Ecology Specialist who advised that the submitted bushfire report satisfactorily addresses the relevant requirements. It was advised that the recommendations of the report should be adopted and the report should

become a referenced document. Reasonable and relevant bushfire management conditions are recommended.

Assessment Benchmarks Related to the Planning Scheme

The following sections relate to the provisions of the Planning Scheme.

PLANNING SCHEME DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (29 June 2018)
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area
Local Plan Area:	Not Applicable
Zone:	Rural Zone
Consistent/Inconsistent Use:	Funeral Parlour – Inconsistent Function Facility – Potentially Consistent
Applicable Assessment Benchmarks:	<ul style="list-style-type: none"> • <i>The Strategic Framework of the Sunshine Coast Planning Scheme 2014</i> • <i>Biodiversity, waterways and wetlands overlay code</i> • <i>Bushfire hazard overlay code</i> • <i>Height of buildings and structures overlay code</i> • <i>Landslide hazard and steep land overlay code</i> • <i>Scenic amenity overlay code</i> • <i>Water resource catchments overlay code</i> • <i>Rural zone code</i> • <i>Business uses and centre design code</i> • <i>Nature and rural based tourism code</i> • <i>Landscape code</i> • <i>Nuisance code</i> • <i>Safety and security code</i> • <i>Stormwater management code</i> • <i>Sustainable design code</i> • <i>Transport and parking code</i> • <i>Waste management code</i> • <i>Works, services and infrastructure code</i>

Strategic Framework

The Strategic Framework is an Assessment Benchmark for Impact Assessable applications and considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion

- Natural Resources
- Natural Hazards

The application has been assessed against each of the matters above and found to be generally consistent with each matter. Particularly, the development would align with the key concepts and specific outcomes of the Strategic Framework in that it would:

- provide enhanced environmental outcomes by ensuring that the important vegetation occurring over the escarpment is not interfered with and retained in a vegetation covenant to secure its protection into the future;
- maintain the predominant portion of the site for its rural, landscape and environmental values, which reinforces the character of the Sunshine Coast;
- be compatible with the character and identity of the Maleny hinterland area, particularly along Mountain View Road, which supports a variety of restaurants, function facilities and commercial uses;
- not cause significant impacts to the rural character and amenity of residents by way of noise or traffic impacts; and
- be responsive to the natural hazard constraints occurring over the site relating to steep and unstable land.

Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Land Uses

A Funeral Parlour is identified as an 'inconsistent use' and a Function Facility is identified as a 'potentially consistent' use within the Rural Zone in accordance with Table 6.2.19.2.1 of the *Rural zone code*.

Overall outcome (2)(v)(iii) of the *Rural zone code* allows for potentially consistent uses to occur within the Rural Zone where it has been determined that the use is appropriate having regard to such matters as its location, nature, scale and intensity. As detailed in the sections that follow, the proposed Function Facility component of the use is of an appropriate nature, scale and intensity having consideration to the site and its context.

While the Funeral Parlour component of the use is identified as an 'inconsistent use', it is not considered to be in conflict with any of the assessment benchmarks contained within the planning scheme. The proposed operations of the Funeral Parlour, which intends to offer funeral ceremonies and memorials only, is compatible with the nature and operation of a Function Facility. The proposed Funeral Parlour would not introduce any potential impacts that would be different or additional to the impacts caused by a functions occurring on the site. In fact, the potential impacts relating to a Funeral Parlour, which offers funeral ceremonies and memorials only, would be less than those caused a Function Facility which may include wedding receptions and other activities which have the potential to generate significantly more noise than funeral ceremony.

Amenity / Noise

A primary concern is the potential impacts that it may have on the amenity of nearby residents by way of noise. The key overall outcomes of the planning scheme that relate to noise and amenity include:

Rural Zone Code

Overall Outcome

- (f) *non-rural activities are located, designed and operated to minimise conflicts with existing and future rural activities on surrounding rural lands and avoid significant effects on rural amenity including through adverse noise or traffic generation.*

Nuisance Code

Overall Outcome

- (a) *development is located, designed, constructed and operated to maintain appropriate levels of amenity and environmental performance by*
- (i) *not imposing unacceptable noise, light, glare, dust or odour emissions on surrounding sensitive land uses; and*
 - (ii) *ensuring that proposed sensitive land uses are not subject to unacceptable nuisance emissions generated from surrounding development; and*
- (b) *environmental values are protected by preventing or minimising potential environmental harm or environmental nuisance resulting from the release of contaminants, particularly noise, odour, light, glare, dust and particulates.*

The applicant submitted a Noise Assessment Report, prepared by RoadPro Acoustics, to address potential noise impacts generated by the development. The report considered potential noise impacts relating to air conditioners, refrigeration plants, vehicle noise (car parks and driveways), guest noise and amplified music. The report concluded that:

“all sources achieve the nominated criteria for the proposed hours of operation.

An exceedance of the criterion for refrigeration plant is expected momentarily as vehicles travel along the driveway, however this would be an exceptionally conservative application of the criterion, and is not expected to induce an adverse reaction.”

It was determined by RoadPro Acoustics that the site is suitable for the proposed use from an acoustic perspective during daytime.

The application was referred to council's Environmental Health Specialist for review. Council's Environmental Health Specialist is satisfied with the methodology contained within the assessment report and is generally satisfied with the conclusions and recommendations contained within the report. Council's Environmental Health Specialist has advised that the assessment report adequately demonstrates that the proposed development would comply with the provisions and nominated noise criteria contained within the *Nuisance code, Planning scheme policy for the nuisance code, Environmental Protection Act 1994* and *Environmental Protection (Noise) Policy 2008*, with acoustic mitigation measures in place. It has been advised that the development would avoid causing significant effects on rural amenity of the area through adverse noise generation.

The main potential noise sources generated by the development are further discussed below:



Figure 7 – Site and surrounding sensitive land uses

Noise from vehicles - The potential noise impact associated vehicles may occur from sources, being cars utilising the driveway and associated with engine starts and car door closes in the car park.

In relation to noise associated with vehicles using the driveway, the acoustic report considered the impacts from 60 vehicles using the driveway in a 1 hour period. The measurement taken were produced by car pass-by on the existing gravel surface. The report notes that vehicles travelling along a sealed driveway surface would produce much lower noise levels. The report found that this noise source produced a relatively low sound level over substantial portion of the 1 hour period, which significantly influenced the overall average sound level. It was determined that there was minimal difference in sound levels between vehicles travelling up and down the driveway.

In relation to noise associated with engine starts and car door closures, this would produce higher short duration noise events. The report estimates that an average of 3 events could occur per vehicle, for a duration of 1 second per event and that a total of 5 door closures could occur simultaneously. It was determined that the maximum noise levels were dominated by vehicle movements and the noise from car door closures decayed to insignificant levels.

The report determined that the noise produced from both vehicles travelling up and down the driveway and associated with engine starts and door closures would achieve 'background creep' criterion of 35 dB L_{Aeq} , and the Acoustic Quality Objectives at all sensitive receivers.

Noise from guests - The potential noise impacts relating to people gathering in the car parking area and other open space areas throughout the site was also considered to be a key concern. The acoustic report assessed the noise generated by a group of up to 5 people having a conversation in the car parking area before or after a funeral procession. The report considered the noise generated by 4 groups of 40 people congregating around

the chapel. The report determined that the noise generated by people gathering and talking in the car parking area at the same time as car arrivals would not increase the calculated sound levels above the noise from vehicle movements. The report concluded the predicted noise levels from guests congregating in groups for functions and funerals would achieve the Background Creep criterion of 35 dB L_{Aeq}, and the Acoustic Quality Objectives.

Noise from amplified music or speech - The submitted Noise Assessment Report adequately demonstrates that noise from amplified music or voice would be contained within the function and chapel buildings. Conditions have been recommended which would require the function and chapel buildings to be acoustically designed and constructed such that patron noise and noise from live and/or amplified music, sound or entertainment within is not audible from a bedroom or living area with windows wide open at any noise sensitive receiver

Summary of noise sources - While it is recognised that there would be some noise generated from the development that would be audible to nearby sensitive land uses, the development would comply with the *Nuisance code, Planning scheme policy for the nuisance code, Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008* and can be reasonably conditioned to ensure that it would unduly impact on the amenity of the nearby sensitive land uses by way of noise.

Furthermore, conditions have been recommended to limit the use to either 1 funeral or function being permitted to occur each day and that activities are not permitted to occur on Sundays, unless followed by a public holiday. It is considered that these limitations would further reduce the potential for nearby sensitive land uses to be exposed to noise.

Visual Amenity

The proposed development would incorporate the establishment of a new chapel building, carpark and sealed driveway areas. The chapel building and ancillary buildings would be located 30m to the southeast of the existing 'function facility' building and have a total gross floor area of 248m² and a maximum height of 8.5m above the ground level. The carpark is proposed to be situated in the eastern corner of the site, on a gently sloping portion of the site below the northern escarpment.

There are a number of surrounding properties located to the north and west along the escarpment that overlook the premises. It is considered that 39, 73 and 81 Mountain View Roads would have the potential to be most affected from a visual perspective by development occurring on the premises. The new chapel building, existing function building as well as carparking areas and driveways would be visible from the three adjoining properties.

In relation to the chapel building, it is considered that it are of a bulk, scale and form that could reasonably be expected to be constructed with establishment of farm sheds or barns associated with a rural use of the on the property. Conditions have been recommended which would require vegetated screening to be established around the chapel and function facility building which would soften the appearance of their built form and allow these to blend with the scenic amenity of the area.

In relation to the car parking and driveway areas visible from the adjoining properties, it is considered that reasonable and relevant conditions can be imposed to adequately screen and soften the driveway and car parking areas which would include:

- a 10m dense screening buffer along the western boundary of the site, between the carpark and the boundary;
- shade trees planting at 8m spacing's along all driveway areas to create a tree-lined avenue;
- 1 tree every 4 car parking spaces to the carpark to provide shade and canopy screening to the carpark; and
- the buildings to incorporate a non-reflective and subdued colour palette.

Driveway Access

Access to the development is proposed to be achieved via the site's existing access to Mountain View Road situated centrally along the site's frontage.

The site's intersection with Mountain View would be widening to a 6m sealed pavement width for a length of 14m to support two way traffic entering and leaving the site.

In order to minimise any earthworks and loss of vegetation on the escarpment, the driveway would be reduced to a 3.5m wide single lane width where it descends the escarpment. A traffic light system is proposed to be used to manage the use of the single lane section of the driveway located within the site. Priority would be given to vehicles entering the site to avoid causing any impacts on the external road network.

The application was referred to council's Engineering Specialist for assessment. Council's Engineering Specialist has advised that the existing driveway location is appropriate and conditions can be imposed to ensure the entry is upgraded to a suitably sealed standard. Council's Engineering Specialist is satisfied that the proposed traffic light system to manage the single lane portion of the driveway will be an appropriate mechanism to ensure that the use would not cause any impacts on the external road network.

Native Vegetation Areas

The vegetation located on the escarpment adjacent to the frontage of the site is identified to be a Native Vegetation Area under the Biodiversity, Waterways and Wetlands Overlay Map. The proposal maintains the use of an existing driveway and the necessary improvements have been designed to avoid any clearing of native vegetation on the escarpment. Conditions have been recommended that would require no loss of native vegetation is to occur on the escarpment, unless otherwise agreed in writing by council. It has been recommended that a vegetation covenant be established over the escarpment northern and southern escarpment and important vegetated areas to further protect the vegetation from being cleared in the future.

Steep or Unstable Land

The predominant portion of the site is identified to contain moderate to very high landslip hazard areas as identified by the Landslide Hazard and Steep Land Overlay Map. The front and rear portions of the site are identified to be of the highest risk, where the steep slopes also occur.

The applicant submitted a geotechnical report, prepared by Engineering and Building Investigation Services, to address the steep or unstable land constraints occurring over the property.

The report and investigation considered all relevant geotechnical issues pertaining to the development, including access, topography, geotechnical conditions, the dwelling extensions and the new chapel building. The report concluded that the development can be appropriately designed and constructed to ensure that they would not adversely affect

the site stability over the site and that it would present a very low risk of instability. Reasonable and relevant conditions can be imposed to ensure that the development is carried out in accordance with the recommendation of the report.

Assessment Benchmarks Related to a Variation Approval

Not applicable.

Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

Other Assessment Matters

In addition to the assessment benchmarks referred to above, the *Planning Regulation 2017* requires that impact assessment must be carried out having regard to:

- the regional plan for a region; and
- the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.

South East Queensland Regional Plan (SEQRP)

The development is located within the Regional Landscape and Rural Production Area of the SEQRP. Under Section 27F of Schedule 10 of the *Planning Regulation 2017*, a material change of use of premises for an urban activity in the Regional Landscape and Rural Production Area is assessable development where:

- the use results in a gross floor area of more than 800m² on the premises; or
- the total area of all outdoor areas on the premises associated with the use is more than 1,500m²

The proposal plans indicate that the development has a total gross floor area of approximately 450m². The outdoor open spaces intended for use, which include a courtyard adjacent to the chapel would be less than 1,500m² in area.

The proposed urban activity is considered to be of a scale and nature that would not compromise the intended values or natural assets of the Regional Landscape and Rural Production Area.

State Planning Policy (SPP)

Since the time the *Sunshine Coast Planning Scheme* commenced on 21 May 2014, a new SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme. The proposal is consistent with the policy intent of the SPP and does not conflict with any of the identified state interests as detailed earlier in this report.

CONSULTATION:

Referral Agencies

The application did not require referral to any Referral Agencies.

External Consultation

The application was referred to Seqwater for third party advice because the site is located within the Somerset water resource catchment area. A response was received on 12 April 2019 recommending conditions to be placed on any development approval.

Public Notification

This impact assessment development application was subject to a public notification period of 15 business days between 15 January 2019 and 6 February 2019 in accordance with the requirements of the *Planning Act 2016*. A total of 161 submissions were received, of which 147 were determined to be 'properly made' in accordance with the *Planning Act 2016* objecting to the development.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

ISSUES	COMMENTS
<p>Inconsistency of the use The proposed funeral Parlour is an inconsistent use within the zone and conflict with the planning scheme.</p>	<p>While it is recognised that the funeral parlour use is identified as an 'inconsistent use' within the Rural Zone by the planning scheme, a Function Facility is a 'potentially consistent use' within the zone. Where a use is identified as inconsistent or potentially consistent use, it is assessed on its merits against the whole of planning scheme. In this instance it is considered that the proposal sufficiently complies with the assessment benchmarks contained within the planning scheme and has demonstrated that the proposal would not unduly impact on the amenity of the surrounding sensitive land uses.</p>
<p>Funeral parlour Operation There is no guarantee that the funeral parlour will not expand in the future and involve a cremations.</p>	<p>Conditions have been recommended which would limit the funeral parlour component to ceremonies and memorials only. A crematorium or mortuary is not permitted on the premises.</p>
<p>Noise The proposed development would cause noise impacts to nearby residents associated with functions, vehicles and use carpark area.</p>	<p>An acoustic report was submitted that adequately demonstrates the proposal can be managed in a manner that would not cause a noise nuisance to any sensitive uses. Reasonable and relevant conditions have been imposed to ensure that the proposed use would not unduly impact on the amenity of the surrounding premises by way of noise.</p>
<p>Traffic The development would cause increased traffic volumes entering and leaving the site and traffic impacts to Mountain View Road.</p>	<p>Council's Engineering Specialist has reviewed the proposal and is satisfied the proposal complies with the relevant provisions in the planning scheme. Reasonable and relevant conditions have been imposed, which would include providing a 6m wide sealed driveway crossover that would cater for two way traffic and a traffic light system within the property to manage traffic, to ensure the proposal would not cause any additional safety or capacity concerns to Mountain View Road.</p>

<p>Parking The development would cause parking along issues along Mountain View Road</p>	<p>The development would provide sufficient car parking onsite to cater for the demand of the proposal and vehicles would not need to park along Mountain View Road.</p>
<p>Existing driveway The subject site shares a gravel driveway with the adjoining property which is not of a suitable standard to cater for the traffic associated with the use.</p>	<p>The application involves utilising an alternative existing driveway to the west of the shared driveway and is wholly contained within the development site. The driveway would be upgraded to a suitable standard to cater for the proposed traffic.</p>
<p>Proposed driveway The proposed driveway is steep and would require major earthworks to enable buses to comfortably enter and exit the site.</p>	<p>The proposed driveway already exists in the form of a gravel driveway. Preliminary engineering drawings indicate minimal earthworks would be required to ensure that it is upgraded to an adequate sealed standard to support cars and a bus.</p>
<p>Impact on existing businesses The proposed facility would impact on the viability of other established wedding function venues.</p>	<p>The planning scheme allows function facilities to be established in rural areas where it can be demonstrated that they are appropriate in terms of their location, nature scale and intensity. Each proposal is assessed on its merits and the commercial impact it may have on other function businesses is not a valid planning consideration.</p>
<p>Scenic and visual Amenity The development will impact upon scenic and visual amenity of the area. In particular, concern was expressed about the dwellings that overlook the premises.</p>	<p>The facility would have an architectural appearance that is compatible with many large rural estates that occur throughout the Maleny hinterland.</p> <p>Conditions of the approval would require a 10m wide buffer planting to the northeast and southeast boundaries and screening to the driveway and car parks to soften the appearance of any buildings and hardstand areas.</p>
<p>Commercial development of hinterland There has been a proliferation of commercial development in the hinterland areas the approval of this development would pave the way for more inappropriate uses</p>	<p>Any similar land uses proposed in the future would be subject to a site specific assessment and would be assessed on their own merits.</p>
<p>Environmental impacts The proposed development will impact on important flora and fauna over the site. The local Koala population will be impacted upon by events.</p>	<p>It is intended that the existing access driveway would be upgraded without any interference with native vegetation. A condition has been recommended which requires that interference with any native vegetation must be avoided unless otherwise agreed by council.</p>

	A condition has been recommended which would place all of the vegetation located on the escarpments within vegetation covenants to secure its ongoing protection.
Impacts to watercourses The development will result in impacts upon existing watercourses.	The site is mapped as containing the beginning of a first order stream. The proposed development would not adversely impact on the environmental attributes of the stream. Conditions have been recommended that would require a vegetation covenant to be established over the southern escarpment which would enhance the protection of vegetation on the stream banks.
Scale and intensity The scale and intensity of the use is excessive.	The submitted material has adequately demonstrated that functions can be managed and operated appropriately to not unduly impact on the amenity of nearby sensitive land uses. Reasonable and relevant conditions have been recommended which would limit the use to one function or funeral per day.
Safety and security Concerns relating to safety, security and privacy for surrounding properties.	Conditions of the approval have been recommended which would require an onsite manager to be on the premises at all times while the uses are occurring to manage patron behaviour.
Light pollution The development would introduce light impacts from vehicles leaving the site.	The proposed development only seeks to operate between the hours of 9:00am to 5:30pm. Given the operational hours do not extend into the night time period, the development would not unduly impact on the surrounding premises by way of headlight glare or other lighting impacts.
Landslide hazard The buildings are located in a potential landslip area.	The applicant has submitted Geotechnical Reports prepared by Engineering and Building Investigation Services, to address the steep and unstable land occurring throughout the property. The reports determine that the development can be appropriately designed and constructed to ensure that they would not adversely affect the stability of the site and that it would present a very low risk of instability.
Traffic lights Traffic lights will need to be installed to deal with congestion – residents do not want traffic lights.	Traffic signals are proposed to be installed internally within the site to deal with the traffic within the site. The installation of traffic signals are proposed in place of a widening of the existing driveway, which would result in

	vegetation clearing and earthworks to facilitate its construction. Conditions have been recommended which would require that the traffic lights are not visible to motorists passing along Mountain View Road.
Onsite carpark The distance between carpark and building is too great.	This is considered to be an onsite management issue for the operator. The operator intends to utilise golf buggies transport persons not capable of walking. PWD car parks are provided in close proximity to the facilities.
Impact on the value of properties The development would cause a loss of value to surrounding properties.	It is considered that the use is not in conflict with the planning scheme, nor would substantially impact on the amenity of the area and therefore impacts to the value of property prices is not a valid planning consideration.
Regional Plan The use would conflict with the outcomes sought by the SEQ Regional Plan.	The proposed development meets the thresholds contained within Section 27F of Schedule 10 of the <i>Planning Regulation 2017</i> and would not compromise the values or natural assets of the Regional Landscape and Rural Production Area.
Agricultural Land The development would cause a loss of agricultural land to a commercial enterprises.	While the site is located within the Rural Zone, it has a small land area of 14.4 ha and the majority of the site is significantly constrained by steep slopes and ecologically important areas. It is considered unlikely that the site would be suitable for viable commercial agricultural enterprises.

CONCLUSION:

The proposed development sufficiently complies with the requirements of the Planning Scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.