

Plugging a gap: poRPS Policy 3.2.4 and 3.26 are important

1. The extent of the districts ONFLs have been identified previously, but the outstanding landscape values within these ONFLs have not. Identification and maintenance of the values that contribute to the natural feature or natural landscape being outstanding is required to implement poRPS Policy 3.2.4.
2. The PA framework is a directive from the court to take a pragmatic approach to identifying the values to be maintained, given 97% of the district is ONFL. The location and extent of the PAs is an administrative matter. The focus should remain on the intent of identifying the landscape values that contribute to the natural feature or natural landscape being outstanding.

Meaning of 'tourism related activities'

3. The repeated use of the term 'tourism related activities' in the schedules is confusing. It is unclear what 'tourism related activities' in SP 3.3.38 was intended to capture. This needs to be clarified. If the intent was to capture 'resort' then the term 'resort' should be adopted throughout the PA schedules. Simply amending the pre-amble is not the best option available. However, if it was intended in SP3.3.38 to capture something other than 'resort' then we need to understand this, because there is a potential gap in the PA framework.

Exception Zones (namely Ski Area Sub-Zones)

4. The relationship between the PA schedules and SASZs is unclear.
 - (a) Irrespective of QLDCs current position, what was the intent when the schedules were notified?
 - (b) If the PA framework is not relevant to SASZs then why map them as being within a PA?
 - (c) If the PA framework is relevant to SASZs, then the Landscape Capacity Ratings should reflect their *higher* ability to absorb development (as anticipated in policy and rule framework).
5. Note SP3.3.46d directs landscape assessments for proposals within exception zones to only assess effects on landscape values outside the exception zone (i.e. on the 'receiving environment'), not effects within the exception zone.

Utility of the Landscape Capacity Ratings

6. The utility of the Landscape Capacity Ratings including the narrative qualifications remains unclear, and will be problematic if more detailed (site specific) landscape assessments have different ratings – what happens then?

Consequential amendments to Chapter 21 Assessment Matters

7. Consideration should be given to making consequential amendments to Chapter 21 Assessment Matters, for example to make it clear where the Schedules are not to be assessed.

Partially Operative Regional Policy Statement

Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes

Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following:

a) In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;

b) Beyond the coastal environment, maintaining the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;

c) Avoiding, remedying or mitigating other adverse effects;

d) Encouraging enhancement of those areas and values that contribute to the significance of the natural feature, landscape or seascape.

Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes

Maintain or enhance highly valued natural features, landscapes and seascapes by all of the following:

a) Avoiding significant adverse effects on those values that contribute to the high value of the natural feature, landscape or seascape;

b) Avoiding, remedying or mitigating other adverse effects;

c) Encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.