



13 October 2020

Steve Johnston  
Chief Executive Officer  
Bundaberg Regional Council  
PO Box 3130  
Bundaberg QLD 4670

**BY POST / EMAIL – [ceo@bundaberg.qld.gov.au](mailto:ceo@bundaberg.qld.gov.au)**

Dear Mr Johnston,

**RE: Proposed Planning scheme policy for agricultural buffers**

The Urban Development Institute of Australia Queensland Bundaberg branch (the Institute) writes to Bundaberg Regional Council (council) on the proposed planning scheme policy for agricultural buffers (proposed policy).

Thank you for this opportunity to provide comments on the proposed policy and assist council in achieving desirable land use interface outcomes between agricultural and sensitive land uses. While the Institute appreciates council's early effort to engage with us in January 2020 via an appointed consultant, overall we do not feel that this form of engagement was sufficient or clear in its objective. There was no opportunity to provide considered feedback and it was not indicated that feedback from the engagement would be used in the supporting technical report. We recommend more formalised procedure within engagement programs in future.

The Institute acknowledges the importance of the agricultural industry within the Bundaberg region. We also acknowledge that the region has a more diverse agricultural base; with more intensive horticulture becoming prevalent within the region. This has impacts on how rural land is now used and, in turn, the off-farm effects on current and future urban development.

We support council taking action in regard to agriculture impacts on residential use and seeking to improve the localised policy positioning around agricultural buffers and updating the council's policy which reflected the 'Burnett Shire Rural Buffer Zone Tree Planting Advice'. The Institute believes this is an outdated policy which should be removed and replaced with a new policy reflecting current and future agricultural trends. As such we recommend council continues engagement with the industry on the specifics, relating to the design and establishment of the buffer.

The Institute does, however, raise concern over the council's desire to implement, and require applicants to enter into a property covenant over the land that contains the agricultural buffer. The Institute does not support this defined tenure arrangement and believes it is onerous to impose this requirement on the applicant and future property owners.

Property covenants, in the context of the proposed policy, would be a substantial burden on home buyers and local residents. It will reduce their tradable home value and reduce the number of potential buyers. It will also impact the local property development and construction industry with additional costs and is a cumbersome form of tenure to place over the life of a property. This will introduce uncertainty and confusion for future property owners. Critically, it will not substantially achieve the amenity outcomes intended by council without disbenefits.

In practise the sensitive uses and agricultural use need to co-exist in the region. Our growing population and active rural uses drive this tension but buffers and penalising covenants will not resolve all of the conflicts with noise and spray drift being significant concerns. The Institute considers greater understanding by the community of the potential for impacts from rural use is necessary. This will allow community members to understand the issue, be warned before buying in a location, know where they stand, and enable the community to make informed decisions on living near agricultural uses. It is unfortunate that we still have people taking up residence in rural use areas unaware of the impacts. Despite council's past efforts, more community education is required. The Institute's view is that the community's understanding of planning issues and matters is presently underdeveloped. The Institute is acting to improve the community's knowledge of planning matters, zoning, and the need to accommodate our growing population, and recommends additional effort by council in this regard rather than additional and complex constraints on the community.

The Institute believes that the current mechanisms in place to apply development conditions to require buffers as part of the approval, provides enough rigour to achieve the policy intent stated within the proposed policy. We agree that the current policy and implementation requires greater consistency, however, do not believe property covenants are the right mechanism. We recommend council improve their assessment benchmarks on vegetated buffers and how they can apply development conditions onto development approvals to achieve the outcomes of the policy. In addition, in lieu of the covenant, we recommend community education and perhaps a property note is applied to indicate this property is affected by a vegetation buffer and is conditioned accordingly.

Thank for the opportunity to provide our comments in relation to the proposed policy. As previously mentioned, the Institute is appreciative of the opportunity to provide comments on council matters that may affect the industry. We recommend council continue to maintain this dialogue in any future changes or amendments relating to planning and development.

If you have any questions relating to the material contained in this submission, please contact Policy Executive, Robert Tily ([rtily@udiaqld.com.au](mailto:rtily@udiaqld.com.au)) on (07) 3229 1589.

Yours sincerely,

**Urban Development Institute of Australia Queensland**



Nathan Freeman  
**Bundaberg Branch President**