

7.2.17 Maleny local plan code

7.2.17.1 Application

- (1) This code applies to assessable development:-
 - (a) within the Maleny local plan area as shown on Map ZM39 contained within **Schedule 2 (Mapping)**; and
 - (b) identified as requiring assessment against the Maleny local plan code by the tables of assessment in **Part 5 (Tables of assessment)**.
- (2) The following provisions of the code are assessment benchmarks for applicable assessable development:-
 - (a) **section 7.2.17.3 (Purpose and overall outcomes)**;
 - (b) **Table 7.2.17.4.1 (Performance outcomes and acceptable outcomes for assessable development)**; and
 - (c) **Figure 7.2.17A (Maleny local plan elements)**.

7.2.17.2 Context and setting

This section is extrinsic material under section 15 of the *Statutory Instruments Act 1992* and is intended to assist in the interpretation of the Maleny local plan code.

The Maleny local plan area is located in the south western part of the Sunshine Coast on the Maleny Plateau, which forms part of the Blackall Range. The local plan area includes Maleny's town centre and surrounding urban and rural residential areas. The local plan area has a land area of approximately 860 hectares.

The local plan area is characterised by variable topography with the northern parts having moderate to steep slopes. Obi Obi Creek, which flows to Lake Baroon, traverses the local plan area and is subject to periodic flooding. The local plan area has largely been cleared of native vegetation for urban and rural purposes. Isolated pockets of remnant vegetation remain, predominantly along Obi Obi Creek.

Maleny is an attractive rural town providing important district level business, community, social, and recreational facilities to service the needs of its resident population as well as the needs of surrounding rural communities and visitors to the area. Maleny is characterised by its rural setting, traditional streetscape and wide range of dining, cultural and artistic experiences, which make the town a popular destination for visitors to the region.

A small scale industrial area located off Lawyer Street complements the business centre and accommodates a limited range of low impact and local service industries.

The local plan area includes a range of community facilities and sport and recreation areas including a State primary school, State high school, public hospital, showgrounds, public library, emergency services and community halls. The Maleny Community Precinct located to the east of the business centre and north of Obi Obi Creek, which is being progressively developed in accordance with a master plan, will further diversify the range of community, sport and recreation and open space facilities in the local plan area including a golf course, aquatic centre, sports fields, open space and ecological parkland.

Existing urban residential development in the local plan area is characterised by predominantly low density housing surrounding the town centre, with some medium density housing immediately to the north of the centre. The local plan area also contains two large rural residential areas located to the south and north-east of the town centre.

The principal road link extending through the local plan area is via Maple Street, Beech Street and Macadamia Drive which connect Landsborough-Maleny Road to Maleny-Kenilworth Road. Public transport in the local plan area is currently limited; however, improvements are being made to further service the area.

Urban zoned land within the local plan area is connected, or has the ability to be connecte to reticulated water and sewerage.

7.2.17.3 Purpose and overall outcomes

- (1) The purpose of the Maleny local plan code is to provide locally relevant planning provisions for the assessment of development within the Maleny local plan area.
- (2) The purpose of the Maleny local plan code will be achieved through the following overall outcomes:-
 - (a) Maleny remains a moderate-sized rural town with a distinct heritage character, primarily servicing the needs of surrounding urban, rural residential and rural communities in the southern Sunshine Coast hinterland west of the Blackall Range escarpment.
 - (b) Urban and rural residential development within the Maleny local plan area is limited to land within the urban and rural residential growth management boundaries respectively so as to protect and reinforce the identity of Maleny, provide for the efficient provision of *infrastructure* and services, avoid constrained land and protect the landscape values and productivity of surrounding rural lands.
 - (c) Development retains the key built form, *streetscape*, landscape character and natural environment elements that contribute to the setting, character and identity of Maleny as a rural town with a strong sense of place and associations with the past.
 - (d) Development in the local plan area protects and retains the *character area* in Maleny (Maple Street) and buildings identified as having cultural heritage or *streetscape* significance as important elements of local character and identity.
 - (e) Development provides for the retail and commercial functions of Maleny Town Centre to expand and be enhanced. Development in the District centre zone supports the role and function of Maleny as a district activity centre meeting the needs of the local community and surrounding rural and rural residential areas along with the needs of tourists and travellers. The town centre remains compact, with any further development or expansion of business uses contained to land included within the District centre zone. Mixed uses and uses which enhance the rural town character and rural service centre role of the town are encouraged.
 - (f) Retail and commercial uses which rely predominantly on pedestrian trade are located on land adjoining Maple Street. A mix of other business, community, residential and recreational uses are located within the District centre zone on land adjoining Coral Street and Bicentenary Lane. No new large floor plate retail uses are intended to be established in the Maleny Town Centre.
 - (g) Development in the Low impact industry zone provides for minor expansion of the existing Lawyer Street industry area to accommodate the towns' immediate industry needs, such as small scale low-impact and service industries. This area provides a low key but high quality industrial area with an attractive street front address. The interface to adjacent land included in the Low density residential zone is sensitively treated to ensure impacts on existing and future residential development are mitigated.
 - (h) Development in the Low density residential zone protects and is sympathetic to the traditional rural town character and identity of Maleny typified by low rise detached housing on relatively large lots. Building form reflects the traditional Queensland style through the use of timber, pitched roofs, verandahs and subdued colour schemes. Development in the zone provides an interconnected network of roads, pedestrian and cycle paths and open space and buffering to surrounding rural lands. Reconfiguring a lot in Precinct MAL LPP-2 (Maleny West) provides a transition between the township and rural lands through larger lots than the minimum lot size specified for the Low density residential zone in other parts of the local plan area.
 - (i) Development in the Medium density residential zone is of a scale, density and design which is complementary to a rural town setting and sensitively responds to site constraints. Further development on the Erowal aged care facility site provides for a range of *retirement facilities* with a building form and design compatible with the semi-rural setting and character of the area.
 - (j) Reconfiguring a lot in the Rural residential zone maintains the rural living character of the zone with an interconnected network of roads, pedestrian and cycle paths and open space and buffering to surrounding rural lands. Minimum lot sizes are consistent with the prevailing subdivision pattern in the area, sensitively respond to site constraints and provide for the satisfactory on-site treatment and disposal of effluent.

- (k) The Maleny Community Precinct (Precinct MAL LPP-1) is progressively developed in accordance with the adopted Maleny Community Precinct Master Plan and allocated land use zones, as an integrated area of open space comprising parkland, sport and recreation facilities, community facilities and land for environmental protection and rehabilitation purposes. Limited and sensitively designed residential development occurs in the Maleny Community Precinct to support and complement the provision of community facilities and open space assets on the *site*.
- (l) Development in the local plan area is supported by a network of interconnected open space to meet the needs of the local community and facilitates safe and convenient pedestrian and cycle connections between and around key destinations and facilities within the local plan area.
- (m) Development provides for retention and enhancement of riparian *vegetation* along Obi Obi Creek, Walkers Creek and other *waterways* that traverse the local plan area.
- (n) Development provides for required improvements to the local road network including new road links to improve local connectivity and intersection upgrades.

7.2.17.4 Performance outcomes and acceptable outcomes

Table 7.2.17.4.1 Performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes	
<i>Development in the Maleny Local Plan Area Generally (All Zones)</i>			
PO1	Development is consistent with and reflects and enhances the traditional rural town character of Maleny in terms of scale, siting, form, composition and use of materials.	AO1.1	Development provides for the retention and/or adaptive re-use, with limited modification, of buildings which have cultural heritage or character significance. Editor's Note— Section 8.2.9 (Heritage and character areas overlay code) sets out requirements for development on or in proximity to <i>local heritage places</i> and in <i>character areas</i> .
		AO1.2	Buildings and structures incorporate traditional external building materials, such as timber cladding and corrugated iron roofs.
		AO1.3	For residential, business and community activities, roof forms are simple, traditional Queensland-style roof designs including gable, hip, pitched or multiple gable roof forms.
		AO1.4	Development with <i>frontage</i> to Maple Street, Bunya Street, Miva Street, Tulip Street, Coral Street and Beech Street maintains the traditional character evident in both the District centre zone and surrounding residential areas.
PO2	Development provides for the retention and enhancement of key landscape elements including historical landmarks, significant views and vistas, existing character trees and areas of significant <i>vegetation</i> contributing to the setting, character and sense of place of Maleny.	AO2.1	Development provides for the retention of old stone retaining walls, historical landmarks, memorials and monuments.
		AO2.2	Development protects and emphasises, and does not intrude upon, important views to surrounding rural and natural areas identified on Figure 7.2.17A (Maleny local plan elements) .
		AO2.3	Development provides for the retention and enhancement of existing mature trees and character <i>vegetation</i>

Performance Outcomes		Acceptable Outcomes	
			<p>contributing to the setting and character of Maleny including:-</p> <ul style="list-style-type: none"> (a) riparian <i>vegetation</i> along Obi Obi Creek and Walkers Creek; (b) Porter's wood; and (c) other character <i>vegetation</i> identified on Figure 7.2.17A (Maleny local plan elements). <p>Note—in some circumstances, the eradication of weed species and planting of locally native species that make a comparable contribution to local character may also satisfy the Acceptable Outcome.</p>
PO3	Development contributes to the establishment of attractive and coherent <i>streetscapes</i> and gateways to enhance the rural town character of, and sense of entry and arrival to, Maleny.	AO3.1	Development adjacent to the primary streetscape treatment area or an identified gateway/entry point identified on Figure 7.2.17A (Maleny local plan elements) incorporates architectural and landscape treatments and other design elements which enhance the sense of entry and arrival to, and rural town character of, Maleny, and emphasise corner locations.
		AO3.2	<p>Development provides for streetscape improvements which complement existing or proposed streetscape works in the local area to ensure continuity of <i>streetscapes</i> and landscape design.</p> <p>Note—Section 9.4.2 (Landscape code) sets out requirements for streetscape landscapes including entry statement landscapes.</p> <p>Note—a landscape master plan may provide further guidance regarding particular streetscape treatments in a local plan area.</p> <p>Note—streetscape materials and palettes can be referenced from the <i>Council's</i> Infrastructure and Guideline Standards for each centre as required.</p>
PO4	Development provides through block pedestrian linkages which:- <ul style="list-style-type: none"> (a) are located to reflect the desire lines of pedestrian movement between major points of attraction and public spaces; (b) provide a safe alternative to the street based pedestrian and cycle movement network; and (c) provide a comfortable pedestrian environment in terms of access, width, shelter, materials and function. 	AO4	Development provides safe, comfortable and attractive through block pedestrian linkages where identified on Figure 7.2.17A (Maleny local plan elements) .
PO5	Development improves local connectivity by providing for required improvements to the local road network including new road links and intersection upgrades as identified on Figure 7.2.17A (Maleny local plan elements) .	AO5	No acceptable outcome provided.
PO6	Development in the Maleny local plan area contributes to a network of linked open space.	AO6	Development provides for an interconnected open space system that links with a series of linear parks along Obi Obi Creek and Walkers Creek.

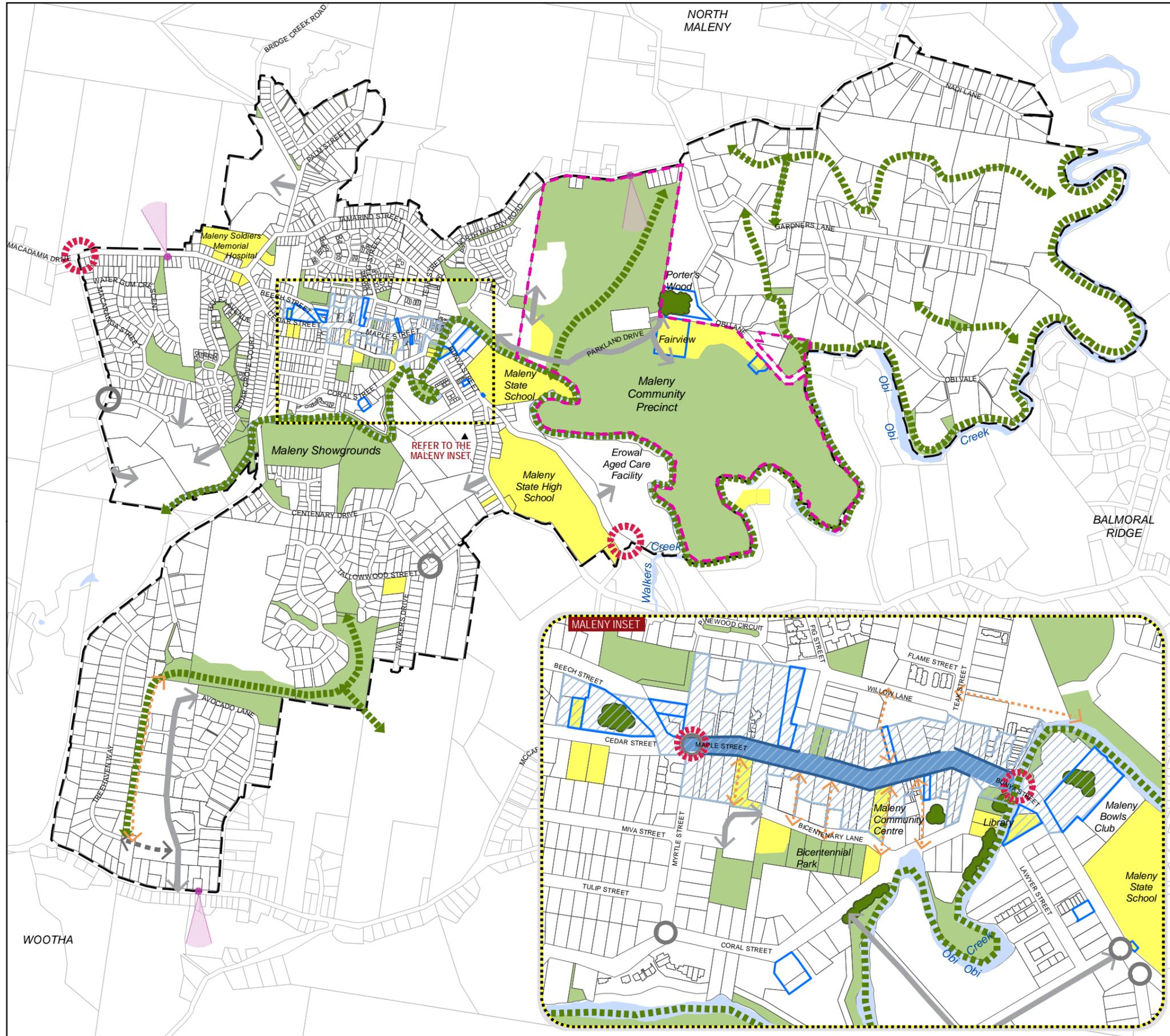
Performance Outcomes		Acceptable Outcomes	
PO7	Development on land with frontage to Obi Obi Creek and Walkers Creek, or on land otherwise identified as a local ecological linkage on Figure 7.2.17A (Maleny local plan elements) , facilitates the provision of the local ecological linkage.	AO7	No acceptable outcome provided. Editor's Note— Section 8.2.3 (Biodiversity, waterways and wetlands overlay code) sets out requirements for the provision of ecological linkages.
PO8	Development for a <i>food and drink outlet</i> does not:- (a) provide for the establishment of a <i>high volume convenience restaurant</i> ; or (b) incorporate a <i>drive-through facility</i> .	AO8	No acceptable outcome provided.
Development in the District Centre Zone			
PO9	Development in the District centre zone:- (a) complements the traditional built form and <i>streetscape</i> character of Maleny's town centre; (b) reinforces the rural town, main street character of Maple Street; (c) addresses the street; (d) creates vibrant and active streets and public spaces; (e) uses traditional building materials; (f) limits and rationalises direct vehicle <i>access</i> from Maple Street and Bunya Street and provides integrated and functional parking arrangements that do not dominate the street; and (g) enhances pedestrian comfort and connectivity within the town centre.	AO9.1	Development in the District centre zone:- (a) provides <i>primary active street frontages</i> , built to the front boundary, where identified on Figure 7.2.17A (Maleny local plan elements) ; (b) respects the layout, scale (including height and <i>setback</i>) and character of existing buildings; (c) provides for a mixture of original lowset timber framed buildings and compatible new buildings; (d) has simple, traditional Queensland style roof designs, such as hipped or gabled, and parapets facing the street; (e) has building openings overlooking the street, with the main entrance visually emphasised in the centre of the ground floor facade; (f) provides detailing and articulation for horizontal emphasis including awnings, parapet walls and first floor balconies; (g) uses understated colour schemes and low-reflective roofing and cladding materials; (h) ensures that signage is integrated with the building; (i) provides mature or semi-mature shade trees planted along the <i>site frontage</i> adjacent to the kerbside; (j) includes the provision of landscaping, shaded seating, public art and consistent and simple paving materials on footpaths; (k) provides for vehicle <i>access</i> to be via streets other than Maple or Bunya Streets; and (l) provides for on-site car parking to be located at the rear or to one side of the development.
		AO9.2	In addition to acceptable outcome AO9.1 above, development in that part of the District centre zone fronting Maple Street:- (a) provides building facades which, on the northern side of Maple Street, occupy a minimum of 60% of the width of the <i>site</i> and, on the

Performance Outcomes		Acceptable Outcomes	
			<p>southern side of Maple Street, occupy a minimum of 80% of the width of the <i>site</i>;</p> <p>(b) provides continuous pedestrian weather protection over the street which key into adjoining awnings;</p> <p>(c) incorporates other elements of traditional main street design including verandah posts that are decorative and non-load bearing, cut-out facades, exposed gables, dormer windows and timber joinery;</p> <p>(d) provides for pedestrian linkages between Maple Street and Bicentenary and Willow Lanes; and</p> <p>(e) is a mainly single <i>storey</i> facade.</p>
PO10	Development does not provide for the establishment of any additional large floor plate retail uses.	AO10	No acceptable outcome provided.
Development in the Low Impact Industry Zone			
PO11	<p>Development in the Low impact industry zone provides:-</p> <p>(a) attractive buildings which are sympathetic to Maleny's rural town character and identity;</p> <p>(b) safe and efficient access to the local road network;</p> <p>(c) acoustic attenuation and visual buffering to adjacent land zoned for residential purposes; and</p> <p>(d) stormwater drainage that protects the water quality of Obi Obi Creek and Baroon Pocket Dam.</p>	AO11	<p>The layout and design of industrial development in the Low impact industry zone provides:-</p> <p>(a) buildings with an attractive streetfront address and muted colour schemes reflecting predominantly natural and earthy tones;</p> <p>(b) safe and efficient vehicle access from Lawyer Street and Cudgerie Street;</p> <p>(c) densely landscaped screening and acoustic attenuation measures to adjacent existing and future residential areas included in the Low density residential zone; and</p> <p>(d) a total site stormwater management solution which protects the water quality of Obi Obi Creek and Baroon Pocket Dam.</p>
Development in the Low Density Residential Zone			
PO12	<p>Reconfiguring a lot in the Low density residential zone:-</p> <p>(a) provides for lot sizes and a configuration of lots that is sympathetic to the rural town character and identity of Maleny;</p> <p>(b) is designed to sensitively respond to site characteristics and avoids significant scarring of the landscape;</p> <p>(c) provides for an interconnected system of local roads, pedestrian, cycle and open space links with adjoining land;</p> <p>(d) provides a transition of development intensity between the town and adjacent rural areas; and</p> <p>(e) includes adequate provision for open space, future road requirements and effective stormwater drainage.</p>	<p>AO12.1</p> <p>AO12.2</p>	<p>Reconfiguring a lot in the Low density residential zone has a minimum lot size of:-</p> <p>(a) 700m² where located in Precinct MAL LPP-1 (Maleny Community Precinct);</p> <p>(b) 1,200m² where located in Precinct MAL LPP-2 (Maleny West); and</p> <p>(c) 800m² elsewhere in the local plan area.</p> <p>Reconfiguring a lot in the Low density residential zone:-</p> <p>(a) provides for a subdivision layout which minimises the extent of cut and fill required to accommodate new lots and roads;</p> <p>(b) incorporates an interconnected internal road system that limits and rationalises the number of access points to the existing road network;</p> <p>(c) for the area west of Bunya Street, does not provide vehicle access from Cudgerie Street;</p> <p>(d) where fronting Beech Street, gains</p>

Performance Outcomes		Acceptable Outcomes	
			<p>access from Cedar Street rather than from Beech Street;</p> <p>(e) contributes to the upgrading of intersections identified on Figure 7.2.17A (Maleny local plan elements);</p> <p>(f) provides an interconnected <i>park</i> system, including a linear <i>park</i> incorporating Obi Obi Creek and its <i>floodplain</i>; and</p> <p>(g) provides a total site stormwater network solution to appropriately treat runoff prior to its discharge to Obi Obi Creek and tributaries.</p>
		AO12.3	<p>For that part of the Low density residential zone within and adjacent to Precinct MAL LPP-1 (Maleny Community Precinct), reconfiguring a lot provides for east-west interconnection of road, pedestrian, cycle and open space networks.</p>
Development in the Medium Density Residential Zone Generally			
PO13	<p>Development in the Medium density residential zone:-</p> <p>(a) provides for the establishment of a range of medium density housing compatible with a rural town setting;</p> <p>(b) is sympathetic to the rural town character and identity of Maleny;</p> <p>(c) is of a domestic scale and density that is compatible with surrounding development and complements the traditional built form and <i>streetscape</i> of Maleny's older residential areas;</p> <p>(d) provides for building form that reflects the traditional Queensland style;</p> <p>(e) provides for generous open space to be maintained between buildings to preserve a predominantly open feel;</p> <p>(f) is designed to sensitively respond to site characteristics and avoids significant scarring of the landscape; and</p> <p>(g) provides for on-site parking to be located and designed such that it does not dominate the <i>streetscape</i>.</p>	AO13.1	<p>Development in the Medium density residential zone:-</p> <p>(a) provides accommodation in small, separate buildings, rather than in large, single, bulky buildings;</p> <p>(b) sensitively responds to topography and site characteristics, where buildings are pole and frame construction designed to step with the contours of the land, rather than slab on ground;</p> <p>(c) provides dense landscaping which reduces the visual impact of buildings and site works from other parts of the local plan area;</p> <p>(d) reflects the traditional Queensland designs evident in Maleny, by using elements such as pitched roof forms with eaves, verandahs, prominent entry treatments and window hoods; and</p> <p>(e) provides car parking areas at the rear of and/or between buildings. Car parking areas are broken up and do not dominate the <i>streetscape</i>.</p>
		AO13.2	<p>Development does not exceed a site density of 20 <i>equivalent dwellings</i> per hectare.</p>
PO14	<p>Development in the Medium density residential zone:-</p> <p>(a) provides safe and efficient access to the existing road network;</p> <p>(b) provides interconnecting road, pedestrian, cycle and open space networks; and</p> <p>(c) contributes to the upgrading of the existing road network.</p>	AO14.1	<p>Development in the Medium density residential zone:-</p> <p>(a) limits and rationalises the number of access points to the existing road network;</p> <p>(b) provides for access from Miva or Tulip Streets, rather than direct access from Myrtle Street (Maleny–Stanley River Road); and</p> <p>(c) contributes to the upgrading of intersections identified on Figure 7.2.17A (Maleny local plan elements).</p>

Performance Outcomes		Acceptable Outcomes	
		AO14.2	For that part of the Medium density residential zone within and adjacent to the Precinct MAL LPP-1 (Maleny Community Precinct), reconfiguring a lot provides for east-west interconnection of road, pedestrian, cycle and open space networks.
Development in the Medium Density Residential Zone (Erowal Aged Care Facility)			
PO15	Development on the Erowal aged care facility site (Lot 2 on SP115563):- (a) provides for a range of <i>retirement facilities</i> and <i>residential care facilities</i> ; (b) maintains the low-rise form of development currently present on the <i>site</i> ; (c) is compatible with the semi-rural character of the area; and (d) is designed and landscaped to minimise the visual impact of development as viewed from Landsborough-Maleny Road.	AO15	No acceptable outcome provided.
Reconfiguring a Lot in the Rural Residential Zone			
PO16	Reconfiguring a lot in the Rural residential zone:- (a) is designed to sensitively respond to site characteristics and avoids significant scarring of the landscape; (b) provides for an interconnected system of local roads, pedestrian and cycle links and upgrading of the existing road network; (c) does not adversely impact on Obi Obi Creek, Walkers Creek and tributaries; and (d) includes provision for interconnected open space and effective stormwater drainage.	AO16	Reconfiguring a lot in the Rural residential zone:- (a) provides for a subdivision layout which minimises the extent of cut and fill required to accommodate new lots and roads; (b) subject to (c) immediately below, incorporates an interconnected internal road system (rather than a series of cul-de-sacs) and intersection upgrades where identified on Figure 7.2.17A (Maleny local plan elements) ; (c) in Precinct MAL LPP-3 (Walkers Creek), road connections between Treehaven Way and Avocado Lane are limited to emergency vehicle access only, where identified on Figure 7.2.17A (Maleny local plan elements) ; (d) provides for appropriate pedestrian and cycleway links; (e) provides an interconnected open space system including a linear <i>park</i> incorporating Obi Obi Creek, Walkers Creek and associated <i>floodplains</i> ; (f) in Precinct MAL LPP-3 (Walkers Creek), provides an open space <i>buffer</i> to Walkers Creek, with a minimum width of 100 metres or to the <i>defined flood event</i> (whichever provides the greater width); and (g) provides a total site stormwater drainage system, draining towards a treatment area prior to its discharge to a watercourse.
PO17	Reconfiguring a lot within the Rural residential zone provides for lot sizes and a configuration of lots that:- (a) is sympathetic to the prevailing rural residential character of the area in which it is located;	AO17	Reconfiguring a lot in the Rural residential zone has a minimum lot size of:- (a) 1,500m ² where located in Precinct MAL LPP-1 (Maleny Community Precinct) and having <i>frontage</i> to North Maleny Road;

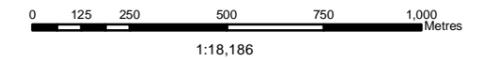
Performance Outcomes		Acceptable Outcomes	
	<ul style="list-style-type: none"> (b) sensitively responds to site constraints; and (c) provides for the safe and effective treatment and disposal of effluent on-site. 		<ul style="list-style-type: none"> (b) 5,000m² where located in Precinct MAL LPP-3 (Walkers Creek); and (c) 5,000m² where located in Precinct MAL LPP-4 (Maleny North).
Development in Precinct MAL LPP-1 (Maleny Community Precinct)			
PO18	<p>Development in Precinct MAL LPP-1, (Maleny Community Precinct) identified on Maleny Local Plan Precinct Map LPM39 provides for the following:-</p> <ul style="list-style-type: none"> (a) extensive areas of passive open space in the form of parks and gardens; (b) land for environmental open space for ecological protection and rehabilitation purposes, primarily focused along Obi Obi Creek and associated watercourses and <i>wetland</i> areas; (c) areas for active sport and recreation facilities, including a community golf course and sporting fields; (d) a range of community facilities, including an aquatic centre, environmental education centre, land care nursery and community hall; (e) a small cultural and heritage precinct centred around the heritage-listed Fairview site; (f) limited residential development which is sensitively sited and designed to be compatible with its location and setting within the Maleny Community Precinct; and (g) enhanced public access to the <i>site</i> via an extensive multi-use trail network and provision of appropriate vehicle connections. 	AO18	No acceptable outcome provided.



LEGEND

- Local Plan Area Boundary
- Waterway^{Note 1}
- Primary Active Street Frontage
- Primary Streetscape Treatment Area
- Local Ecological Linkage
- Greenspace^{Note 1}
- Community Activity/Facility^{Note 1}
- Character Vegetation
- Gateway/Entry Point
- Significant View
- Heritage Place^{Note 2}
- Character Area^{Note 2}
- Through Block Pedestrian/Cycle Linkage
- Indicative Road Linkage/Access Point
- Intersection Upgrade
- Indicative Emergency Access Road
- Maleny Community Precinct

Note 1: For contextual purposes only.
Note 2: Refer to Heritage and Character Overlay maps in Schedule 2 (Mapping).



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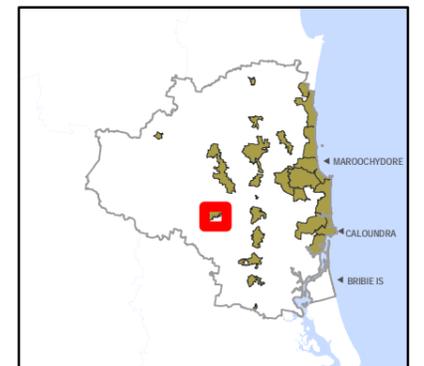


Figure 7.2.17A
(Maleny Local Plan Elements)