

2 June 2020

Our Ref: 20-526

Chief Executive Officer

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: Mr Brian Millard – Senior Planner (BrianM@msc.qld.gov.au)

Dear Brian,

NOTICE OF A CHANGE TO A DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AND ENVIRONMENTALLY RELEVANT ACTIVITIES AT 3276 AND 3278 MULLIGAN HIGHWAY, SOUTHDGE, MOUNT MOLLOY.

A development application for the above-mentioned land uses was lodged by Urban Sync Pty Ltd (Urban Sync) on behalf of the Product Makers (Australia) Pty Ltd (Applicant) with Mareeba Shire Council (Council) on 20 April 2020. This development application sought the following approvals:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activities (ERA's 7, 8 & 28).**

Upon receipt of Council's Conformation Notice on 28 April 2020, the development application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (now Queensland Treasury). Advice from Queensland Treasury on 27 and 29 May 2020 is that both ERA 8 and 28 are not applicable to this development application and a copy of this advice is provided for Council in **Attachment 1**. As a result, a change to the development application is required.

The purpose of this correspondence is to notify Council in accordance with section 25 of the DA Rules of this change to the development application. The change results in the following approvals now being sought by the Applicant:

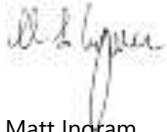
- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activity 7(4)(a) – Chemical Manufacturing**

In accordance with section 26.1 of the DA Rules and subject to agreement from Council, as the assessment manager, the development assessment process for this development application does not stop as, in accordance with section 26.1(c) of the DA Rules, the change is in response to further advice provided by an assessing authority, in this instance, Queensland Treasury.

We note that Council's obligations as a result of this request are outlined in section 25.1 of the DA Rules.

Should you require any further information or wish to discuss this matter in greater detail, please do not hesitate to contact me on (07) 4051 6946.

Yours faithfully,



Matt Ingram
Senior Planner

E matt@urbansync.com.au | **T** 07 4051 6946 | **M** 0488 200 229





Matt Ingram

From: Joanne Manson <Joanne.Manson@dsdmip.qld.gov.au>
Sent: Friday, 29 May 2020 8:39 AM
To: Matt Ingram; Justin Phipps
Subject: IMPORTANT: 2005-16631 SRA - The Product Makers - EIA Amendments

Follow Up Flag: Follow up
Flag Status: Completed

Matt / Justin

The Department of Environment and Science rang late yesterday afternoon to advise there has been a degree of uncertainty in relation to the suitability of ERA 7 for the Ploygain production from Biodunder.

Below is the final advice in relation to the required ERAs for 2005-16631 SRA application:

- 1- Whilst the molecular composition of BioDunder (feedstock) and PolyGain (supplement product) contain organic chemicals, both the feedstock and supplement product do not meet the definition of 'chemical' provided in Schedule 19 the Environmental Protection Regulation 2019 (EP Reg). Accordingly the manufacture of PolyGain from Biodunder cannot be categorised as ERA7 and cannot be regulated under the EP Act and subordinate legislation.
- 2- The fertiliser component of the manufacture meets the definition of 'chemical' under the EP Reg and therefore by definition is a relevant activity for ERA7, threshold (4) (a) or (b).

As such the only ERA that will be applicable to the proposed activities of The Product Makers (Australia) Pty Ltd (the applicant) will be:

- ERA 7 (4): manufacturing, in a year, the following quantities of fertiliser—
 - (a) 200t to 5,000t

Regards

Jo



**Queensland
Government**

Joanne Manson MPIA
Principal Planning Officer
Planning and Development Services
Far North Queensland
Queensland Treasury

P 07 4037 3228
Ground Floor, Port Authority Building, Cnr Grafton & Hartley
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www.dsdmip.qld.gov.au



Please consider the environment before printing this email

From: Joanne Manson

Sent: Wednesday, 27 May 2020 3:44 PM

To: Matt Ingram <matt@urbansync.com.au>; Justin Phipps <Justin@urbansync.com.au>

Subject: 2005-16631 SRA - The Product Makers - EIA Amendments

Matt / Justin

Thank you for meeting with the State Assessment and Referral Agency (SARA) on 25 May 2020 to discuss the development application for a Material Change of Use (Special Industry) and Environmentally Relevant Activities (ERA's 7,8 and 28).

SARA understands:

- the applicant intends to purchase Biodunder and alters and modifies it to Polygain and fertiliser
- the manufacturing process to turn Biodunder to 'Polygain' will involve filtration, concentration, pasteurisation and aseptic packaging
- the facility is expected to produce up to 20 tons of product (polygain) per day at full capacity
- fertiliser is also proposed to be produced consisting of volumes in the order of 10% of the volumes of the polygain
- the facility is expected to operate 24 hours a day, 7 days a week; and
- this will be equivalent to production of 7300 t/year of Ploygain and 730 t/year of fertiliser

SARA's technical agency, the Department of Environment and Science (DES) has reviewed the application, information discussed at the meeting, including undertaking a preliminary review of the draft Environmental Impact Assessment (EIA), and advises that:

- **The proposed Sugar Milling or Refining ERA 28 is not relevant to the proposed activities.** Biodunder is a liquid by-product of ethanol that is produced using the fermentation/distillation of molasses (sugar cane juice obtained from raw sugar during the refining process). The proposed activity will not involve sugar cane crushing or grinding and it is also not considered as manufacturing sugar or sugarcane products.
- **The proposed activities will trigger ERA 7 Chemical manufacturing as outlined below:**
 - ERA 7 (4)(a): manufacturing, in a year, the following quantities of fertiliser—
 - (a) 200t to 5,000t
 - ERA 7 (5)(b): manufacturing, in a year, the following quantities of organic chemicals, other than organic chemicals to which items 1 to 4 apply—
 - (b) more than 1,000t but not more than 10,000t
- **The proposed Chemical Storage ERA 8 will not be required.** Please note that as per Environmental Protection Regulation 2019, the chemical storage does not include storing chemicals for carrying out an activity of Chemical Manufacturing.

ACTION: Please confirm the above thresholds will meet the applicant's requirements.

As discussed at the meeting, the application form for environmental authority requires to be corrected and resubmitted. Currently the applicant has answered yes to the questions of Section 2 of the form in relation to eligibility criteria and standard conditions which are not applicable to this application. DES has confirmed there is no eligibility criteria and standard conditions for the EA's the subject of this application.

ACTION: Please update the EA application form and resubmit along with any change to the development application.

DES does not have any specific questions relating to the draft EIA. A comprehensive review will be undertaken through the assessment process and any gaps or concerns will be communicated with you during the information stage of the application.

ACTION: Please submit the final EIA with any change to the development application.

**Please refer to section 25 of the DA Rules about giving notice of a change application. Once submitted, the assessment manager is required to notify the referral agency and advise of the effect of the change on the development assessment process.

Reconciliation of SARA assessment fees

It is understood the applicant paid the SARA assessment fees via Credit Card. At this stage, SARA has not received the payment; noting when a payment is made via credit card the payment shows as settled generally within 1 one day of lodgement. The application is showing as Further payment required.

ACTION: Please follow up with your client and provide any evidence of the payment via credit card. Once received, the evidence will be passed onto Shared Service Queensland to investigate.

Regards

Jo



**Queensland
Government**

Joanne Manson MPIA
Principal Planning Officer
Planning and Development Services
Far North Queensland
Queensland Treasury

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From: Matt Ingram <matt@urbansync.com.au>
Sent: Monday, 25 May 2020 11:48 AM
To: Joanne Manson <Joanne.Manson@dsdmip.qld.gov.au>
Subject: FW: The Product Makers - EIA Amendments

Jo

See link to EIA below.

Kind Regards

Matt Ingram | Senior Planner

T 07 4051 6946 | M 0488 200 229

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T Planning Feasibility Development Applications | Approvals Management



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From: Matthew Ayre <matthew.ayre@wildenvironmental.com>

Sent: Friday, 22 May 2020 5:06 PM

To: Matt Ingram <matt@urbansync.com.au>

Cc: Justin Phipps <Justin@urbansync.com.au>; Scott Hayes-Stanley <scott.hayes-stanley@wildenvironmental.com>

Subject: FW: The Product Makers - EIA Amendments

Afternoon Matt,

Thanks for providing the comments on the Draft EIA.

We have addressed the comments below in **red**.

Please see to the link below to access the amended EIA.

https://drive.google.com/open?id=13gaZzvWgFX7_dpfCz9gEcOmlX-3DJluz

If you have any questions, let us know.

Have a good weekend!

Cheers,

Matthew Ayre

Environmental Scientist

Wild Environmental Consultants

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TOWNSVILLE QLD 4810

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2 June 2020

Our Ref: 20-526

Chief Executive Officer

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: Mr Brian Millard – Senior Planner (BrianM@msc.qld.gov.au)

Dear Brian,

DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AND ENVIRONMENTALLY RELEVANT ACTIVITIES AT 3276 AND 3278 MULLIGAN HIGHWAY, SOUTHDGE, MOUNT MOLLOY.

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged by The Product Makers (Australia) Pty Ltd to submit a development application to Mareeba Shire Council for assessment with respect to the above described matters and over the above described land. In support of the application, we attach the following documents to assist with Council's assessment:

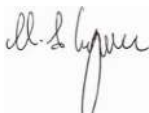
- DA Forms and Landowners Consent as **Attachment 1**;
- Plans of Development as **Attachment 2**;
- Site Searches as **Attachment 3**;
- Existing, Relevant Approvals as **Attachment 4**;
- Pre-lodgement Correspondence as **Attachment 5**;
- Traffic Report prepared by CivilWalker Consulting Engineers as **Attachment 6**;
- Environmental Impact Assessment by Wild Environmental Consultants as **Attachment 7**;
- Assessment of the applicable development codes under the *Mareeba Shire Council Planning Scheme 2016* as **Attachment 8**; and
- Assessment of the applicable State Development Assessment Provisions Code as **Attachment 9**.

In accordance with Council's Schedule of Fees for the 2019/20 Financial Year, Councils' application fee to the amount of **\$5,740.00 (\$6,300.00 - \$560.00** paid at the pre-lodgement stage) will be paid to facilitate lodgement of this application. We request an invoice for payment be issued by Mareeba Shire Council as soon as practicable.

In accordance with s51(2) of the *Planning Act 2016*, landowners' consent has been provided in **Attachment 1**.

We trust this application can now be progressed for assessment. Should you require any further information or clarification on any matters regarding this application, please do not hesitate to contact me using the below details.

Yours faithfully,



Matt Ingram
Senior Planner

E matt@urbansync.com.au | T 07 4051 6946 | M 0488 200 229

TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AND
ENVIRONMENTALLY RELEVANT ACTIVITIES

3276 AND 3278 MULLIGAN HIGHWAY, SOUTHDGE, MOUNT MOLLOY

2 June 2020

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Limitation: This report has been prepared on behalf of Urban Sync Pty Ltd for our client, The Product Makers (Australia) Pty Ltd and considers the instructions and requirements of The Product Makers (Australia) Pty Ltd with regards to the development being proposed. This report should not be relied upon by any third party and Urban Sync Pty Ltd accepts no liability or responsibility for the reliance on this report, or data contained within the report, by any third party.

| Reference | Revision | Date | Prepared by | Checked by | Authorised by |
|-----------|----------|------------|-------------|------------|---------------|
| 20-526 | 1.0 | 07/04/2020 | JJP | MDI | - |
| 20-526 | 2.0 | 20/04/2020 | JJP | MDI | MDI |
| 20-526 | 2.1 | 02/06/2020 | JJP | MDI | MDI |

02/06/2020

Version 2.1

Urban Sync Pty Ltd

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admin@urbansync.com.



I EXECUTIVE SUMMARY

The Product Makers (Australia) Pty Ltd (the 'Applicant') seeks the requisite statutory development approval from Mareeba Shire Council (Council) to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (the site). We note here that the production plant will be entirely located on Lot 2, with Lot 3 being included in this development application solely as it is used to access Lot 2.

In a planning context, the site is located within the Rural Zone of the *Mareeba Shire Planning Scheme 2016* (Planning Scheme), where a Material Change of Use for a Special Industry use triggers the need for an **Impact Assessable** development application, subject to assessment against the provisions of the current Planning Scheme, to be lodged with and approved by Council. This development application seeks the following approvals:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activity 7(4)(a) – Chemical Manufacturing**

This report has been undertaken to:

- Present the physical characteristics of the site;
- Summarise the pre-lodgement phase of the development and identify any relevant site development history;
- Accurately describe the development as generally reflected in the plans of development;
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA), *Planning Regulations 2017* (PR), *State Planning Policy 2017* (SPP) and the Planning Scheme; and
- Address any 'key' planning issues and non-compliances with the Planning Scheme provisions and in doing so, demonstrate that the development complies with the Assessment Benchmarks or can be conditioned to achieve reasonable compliance.

This report highlights that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of any of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code from being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs);
- It will not result in any unacceptable land use conflicts with existing rural activities; and
- It will not result in any unacceptable amenity impacts on any nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.



2 APPLICATION DETAILS

2.1 APPLICATION SUMMARY

| | |
|---|---|
| Approval Sought: | Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activity 7(4)(a) – Chemical Manufacturing |
| Applicant: | The Product Makers (Australia) Pty Ltd |
| Project Description Details: | The establishment of a Production Plant which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser) |
| ASSESSMENT DETAILS | |
| Assessment Manager: | Mareeba Shire Council |
| Development Category: | Assessable Development |
| Assessment Category: | Impact Assessable |
| Public Notification: | Yes |
| PRE-LODGEMENT CONSULTATION | |
| Council: | Yes |
| State Authority: | Yes |
| RELEVANT STATE PLANNING INSTRUMENTS | |
| Legislation: | <i>Planning Act 2016 (Qld)</i> |
| Planning Policy: | Queensland State Planning Policy (July 2017) |
| Planning Policy Assessment Benchmarks: | <ul style="list-style-type: none"> ▪ Agriculture; ▪ Biodiversity; ▪ Natural Hazards Risk and Resilience; ▪ Energy and Water Supply; and ▪ Transport Infrastructure |
| Regional Plan: | Far North Queensland Regional Plan 2009-2031 |
| Regional Plan Land Use: | Regional Landscape and Rural Production Area |
| Development Assessment Mapping: | <ul style="list-style-type: none"> ▪ Fish Habitat Areas; ▪ Water Resources; ▪ Native Vegetation Clearing; ▪ State Transport Corridor; and |



| | |
|--|--|
| | <ul style="list-style-type: none"> ▪ Areas within 25m of a State Transport Corridor |
| Referrals: | Yes |
| Other State Interests: | <ul style="list-style-type: none"> ▪ Transport Noise Corridor (State-Controlled Road); and ▪ Electricity Infrastructure |
| RELEVANT LOCAL PLANNING INSTRUMENTS | |
| Planning Scheme: | <i>Mareeba Shire Council Planning Scheme 2016</i> |
| Local Plan: | N/A |
| Zone: | Rural |
| Zone Precinct: | Nil |
| Overlays: | <ul style="list-style-type: none"> ▪ Bushfire Hazard; ▪ Environmental Significance; ▪ Hill and Slope Area; and ▪ Regional Infrastructure Corridors and Substations |



PLANS OF DEVELOPMENT

| Title | Job No. | Sheet No. | Rev | Author | Company | Date |
|--------------------------|---------|-----------|-----|--------------|-------------------------|---------------|
| Locality Plan | 20044 | 01 | A | R. Boshammer | FNQ Design and Drafting | February 2020 |
| Site Plan 2 | 20044 | 02 | A | R. Boshammer | FNQ Design and Drafting | February 2020 |
| Site Plan 2 | 20044 | 03 | A | R. Boshammer | FNQ Design and Drafting | February 2020 |
| Shed 1 Plan & Elevations | 20044 | 04 | A | R. Boshammer | FNQ Design and Drafting | February 2020 |
| Shed 2 Plan & Elevations | 20044 | 04 | A | R. Boshammer | FNQ Design and Drafting | February 2020 |



3 SITE DETAILS

3.1 SITE DESCRIPTION

| | |
|------------------------------------|--|
| Registered Landowners: | Kathleen Colless Pty Ltd (Lot 2) and Anton Demolitions Pty Ltd (Lot 3) |
| Site Location: | 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy |
| Lot and Description: | Lots 2 and 3 on SP298325 |
| Site Area: | 311.84ha (Lot 2 - 215.8ha & Lot 3 - 96.04ha) |
| Tenure: | Freehold |
| Easements/Encumbrances: | <ul style="list-style-type: none">▪ Easement A on CP893511 (High Voltage Electricity Easement);▪ Easement G on SP298325 (Access Easement); and▪ Profit A Prendre (Forestry Products for the Department of Agriculture and Fisheries) |
| Local Government Authority: | Mareeba Shire Council |



Figure 1: Site location – 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (Source: Queensland Globe, State of Queensland, 2020).



| | |
|--|--|
| Current Use/s: | Rural (cattle grazing) |
| Previous Uses: | Mining (Minerals), Forestry (Timber) & Camping |
| Existing Improvements: | Informal vehicle access tracks and other ancillary rural style infrastructure (i.e., fencing etc.). |
| Topography: | The topography of the site varies considerably with the south/south eastern portion forming the base of the adjacent mountain range. The central and western portions are flatter, albeit remain characterised by several, smaller undulations, washouts and in general, uneven terrain. |
| Waterways: | There are several mapped waterways that traverse the site, although all are ephemeral streams that only flow for a short period of time when heavy rainfall is experienced on the site and within the wider catchment. |
| Vegetation: | The site contains sparse vegetation, most of which is mapped as remnant vegetation. |
| Environmental Management & Contaminated Land: | The site is NOT listed on the Environmental Management Register or the Contaminated Lands Register (see Attachment 3). |
| Heritage Places: | The site is not an identified State or local 'Heritage Place', nor are any adjacent sites. |

| | |
|--|--|
| Road Frontage: | <p>The site has an approximate 3.7km frontage to Mulligan Highway, which is identified as a State-controlled Road in Council's road hierarchy.</p> <p>The Mulligan Highway is a single lane, undivided two-way, 7m wide sealed carriage way within an approximate 60m wide road reserve.</p> |
| Water & Sewerage Supply: | This site is not connected to reticulated water or sewer. |
| Stormwater: | Stormwater from the site appears to be via sheet flow and the existing drainage gullies, of which flow south, south east parallel to the Mulligan Highway and eventually towards the Gulf of Carpentaria. |
| Electricity & Telecommunications: | The site can be connected to electricity. Telecommunications infrastructure is not present adjacent to the site, although mobile coverage is available. |



4 DEVELOPMENT BACKGROUND

4.1 RELEVANT APPROVALS

A list of all relevant approvals is provided below in **Table 1**. Copies of these approvals are included in **Attachment 4**.

Table 1: Existing and Relevant Approvals (Source: www.msc.qld.gov.au)

| Decision Date | Type of Development | Aspect of Development | Proposal | Council Reference |
|-------------------|---------------------|------------------------|--|-------------------|
| 27 August 2019 | Development Permit | Reconfiguring a Lot | Boundary Realignment | RAL/19/0017 |
| 18 September 2019 | Development Permit | Material Change of Use | High Impact Industry (Concrete Recycling Yard – up to 5,000 tonnes per year) | MCU/19/0009 |

4.2 PRELODGE MENT MEETINGS

4.2.1 Mareeba Shire Council

The Applicant sought written pre-lodgement advice from Mareeba Shire Council on Tuesday 18 February 2020 with Council's formal pre-lodgement advice being provided on 24 February 2020 (see **Attachment 5**). Commentary on how the matters raised in Councils pre-lodgement advice have been addressed within this development application are provided below:

- i. Noted – The use being applied for is 'Special Industry';
- ii. Noted and full fee of \$6,300 has been paid;
- iii. Noted;
- iv. Noted;
- v. Noted – See Landowner's Consent from the owner of Lot 3 in **Attachment 1**;
- vi. Noted – See plans of development in **Attachment 2**. We note that no Operational Works component is being applied for; and
- vii. Noted.

4.2.2 The Department of State Development, Manufacturing, Infrastructure and Planning

Pre-lodgement advice was also sought from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) on 18 February 2020 and DSDMIP provided their formal pre-lodgement advice on 27 February 2020 (see **Attachment 4**). Commentary on how the matters raised in DSDMIP's pre-lodgement advice have been addressed within this development application are provided below:

1. Noted;
2. Noted – Please refer to assessment against the relevant SDAP Codes in **Attachment 9**;
3. Upon receipt of further information and clarification from the client, Urban Sync engaged Wild Environmental to more accurately identify the ERA's that are applicable to the proposed development. As a result, it has been determined, based on the information provided, that the following ERA's would be triggered:
 - **ERA 7(4)(a) – Chemical Manufacturing**



The selection of this ERA's is predominantly based on further advice received from Queensland Treasury on 27 May 2020 and 29 May 2020 and the position that the input materials are not considered a waste. The Product Makers purchase BioDunder, a fertiliser product sold by Wilmar Bioethanol in Sarina and refine this product to create the product Polygain. BioDunder is a by-product of the ethanol distilling process and in essence, is a fermenting cane juice product which has benefits as a fertiliser.

As this is being utilised as a feedstock into the refining processes, the chemical manufacture and storage ERA's are considered appropriate. ERA 24 (edible oil manufacturing or processing), ERA 53 (organic material processing) and ERA 54 (mechanical waste processing) are not considered as the product is neither an edible oil or considered a waste for reprocessing.

Additional details regarding Environmental Relevant Activities are provided in the Environmental Impact Assessment in **Attachment 7**;

4. Noted and a request to be considered a 'Registered Suitable Operator' will be sought;
5. All the requested information has been provided as part of the Environmental Impact Assessment in **Attachment 7**;
6. Noted;
7. The development will not be located in a wildlife habitat area or protected area. Appropriate setbacks to all waterways have also been provided and appropriate conditions can be imposed to ensure irrigation/run-off does not have a detrimental impact on these waterways. Finally, a Section 22a approval has been obtained (see **Attachment 1**) which defines the proposed clearing of regulated vegetation on-site as a 'Relevant Purpose';
8. Noted;
9. Noted;
10. A Section 22a approval has been obtained and provided in **Attachment 1**;
11. Noted. Please refer to assessment against the SDAP Code 16 in **Attachment 9**;
12. Noted;
13. Noted. It is still unclear if the development will require any waterway barrier works. If such works are required, they will be addressed under separate cover;
14. Noted (see above);
15. Noted (see above);
16. Noted. No temporary waterway barrier works are required or proposed;
17. Noted (see above);
18. Please refer to the Traffic Impact Assessment Report provided by CivilWalker in **Attachment 6**;
19. Noted;
20. Noted; and
21. Noted.



5 DEVELOPMENT PROPOSAL

5.1 GENERAL DESCRIPTION

This development application seeks the requisite statutory development approval from Council to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this development application seeks the following approval:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activity 7(4)(a) – Chemical Manufacturing**

5.2 PROPOSAL DETAILS

The site forms part of land holdings previously belonging to Wetherby Station which was originally established in 1878. More recently, Wetherby Station has subdivided off inferior areas of land (including the site) that have not been considered historically productive and/or commercially viable for the future grazing of cattle.

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser), along with the required dispersion and irrigation of the water waste stream. This feedstock is known as 'Polygain' (see Polygain Brochure in **Attachment 2**). The manufacturing process to turn the sugar cane waste to 'Polygain' will involve filtration, concentration, pasteurisation and aseptic packaging (See Flow Chart provided in **Attachment 2**) and at full capacity, is expected to make up to 20 tons of product per day. Fertiliser is also proposed to be produced consisting of volumes in the order of 10% of the volumes mentioned above. A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L feed tanks that will be in a suitably bunded area.

The production plant will include two (2) sheds with a total area of approximately 360m² and is expected to operate 24 hours a day, 7 days a week, with 3-4 staff members on-site at any one time. The sugar cane by products will be delivered to the site from Sarina, south of Mackay. Please refer to the Site Plan provided in **Attachment 2** which identified the proposed locations of the sheds and the irrigation area. The waste stream of the manufacturing process will be disbursed on the proposed irrigation area shown on the concept plans in **Attachment 2**. Data for the quality of treated water will be provided, although it is close to a tertiary standard. Note that little to no vegetation is required to be cleared to facilitate the irrigation area. The irrigation infrastructure/irrigation lines can be placed in-between the vast majority of existing vegetation.

As a result of the production process and materials used and produced by the development, the following ERA will also be triggered:

- ERA 7(4)(a) – Chemical Manufacturing (manufacturing in a year, between 200t and 5,000t of fertiliser); and

Cattle grazing will continue with up to 50 head of cattle on the site at any one time.

5.3 STAGING

The development will be staged as follows:

5.3.1 Stage 1:

Stage 1 will involve the construction of Shed 1 the approximate 114m x 80m irrigation area and all associated infrastructure/pumps etc., all tanks (rainwater tanks, feed tanks, plant washing tanks and retentate tank), the gas bullet, all car parking and the access road/driveway.

It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (South of Mackay) producing 10 tonnes per week of feedstock (fertiliser production of 10% of this amount).



5.3.2 Stage 2:

Stage 2 will include the construction of the second shed and will see manufacturing increase to receiving up to 320,000L of by-products and production of up to 50 tonnes per week of feedstock (fertiliser production of 10% of this amount).

5.3.3 Stage 3

Stage 3 would see manufacturing increase again to the receipt of up to 448,000L of by-products and production of up to 20 tonnes per day (140 tonnes per week) of feedstock (fertiliser production of 10% of this amount). Stage 3 is however, dependent on the outcome and success of initial trials.

5.4 ENGINEERING AND INFRASTRUCTURE PROVISION

5.4.1 Water Supply

Water will be supplied via rainwater collection and bores and held in 2 x 100,000L rainwater tanks. This water will be used for the production plant and for firefighting purposes/dust suppression.

5.4.2 Sewerage Supply

The development will be serviced by an on-site (mobile) toilet/ablutions block.

5.4.3 Electricity and Telecommunications

Electricity will be provided via a 22,000kv supply to a pad mounted transformer supplied from post #5001828 or post #5001825. Investigations into solar power are also being investigated and depending on the outcome of these investigations, solar power will likely also be utilised in the future.

Mobile phones will be used for telecommunications.

5.4.4 Stormwater (Quantity)

Stormwater from the development will be collected and discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east of the site, generally running parallel to the Mulligan Highway.

Preliminary details of the treatment methods will be provided as part of the EIA with full details to be provided as part of an Environmental Management Plan prior to the commencement of use (to be conditioned by Council).

Stormwater flows and regimes on all other parts of the site will be left in their existing state.

5.4.5 Stormwater (Quality)

Stormwater from the development will be treated (swales or the like) before being discharged from the site. Preliminary details of the treatment methods will be provided as part of the EIA with full details to be provided as part of an Environmental Management Plan prior to the commencement of use (to be conditioned by Council).

5.4.6 Bulk Earthworks

No bulk earthworks are required or proposed to facilitate the development, simply just minor smoothing and shaping for the pads of all buildings and structures.

5.4.7 Erosion and Sediment Control

An Erosion and Sediment Control Plan will be prepared prior to the commencement of the use and we request that Council condition this accordingly.



5.5 TRANSPORT AND ACCESSIBILITY

5.5.1 Vehicle Access and Movements

Truck and Quad Dog vehicles will be used to deliver the sugar cane by-product to the site and deliver the finished polygain from the site. The development is expected to generate the following heavy vehicle movements each week:

- Stage 1: One (1) heavy vehicle movement;
- Stage 2: Ten (10) heavy vehicle movements; and
- Stage 3: Fourteen (14) heavy vehicle movements

Note: The same heavy vehicle used to drop off the by-product will be utilised for the delivery of the polygain.

More information on vehicle movements can be found in the Traffic Report prepared by CivilWalker Consulting Engineers and provided in **Attachment 6**.

Forklifts and tractors will be used for general property upkeep and a 4-wheel drive and/or quad bike with a 2,000L mobile water tank for fire suppression will also be provided on-site.

5.5.2 Access Locations

Access to the site will be via the existing access off the Mulligan Highway and the access easement (Easement G on SP298325) in Lot 3 on SP298325.

5.5.3 Car Parking

A total of six (6) on site car parking spaces will be provided.

5.5.4 External Upgrades

The existing invert crossing from the Mulligan Highway will need to be upgraded to Main Roads standards. Other than this, no external upgrades are proposed as part of this development in accordance with the Traffic Report prepared by CivilWalker Consulting Engineers and provided in **Attachment 6**.

5.5.5 Internal Upgrades

All access and internal roadways will be upgraded and will be continually maintained and graded with suitable gravel and road base materials.

5.6 INFRASTRUCTURE CHARGES

As the site is not connected to any reticulated infrastructure, located in the rural zone and accessed directly off the Mulligan Highway (State-controlled Road), no infrastructure charges should be applicable.



6 LEGISLATIVE REQUIREMENTS

6.1 PLANNING ACT 2016

6.1.1 Confirmation that the Development is not Prohibited

The development is not prohibited. This has been established by considering all the relevant State and local instruments which can provide prohibitions under the PA, including Schedule 10, Parts 2-5, Parts 10-11 and Parts 16 and 20, of the *Planning Regulation 2016* ("PR").

Note: A section 22A determination has also been obtained (see **Attachment 1**) to ensure all proposed vegetation clearing can be considered a 'relevant purpose'.

6.1.2 Assessable Development

The development involves a Material Change of Use in respect of the 'start of a new use of the premises'. A Material Change of Use for Special Industry (Production Plant) in the Rural zone of the Planning Scheme is **Impact Assessable** and is hence, deemed to be considered "Assessable Development" pursuant to Section 44 (3) of the PA, which states that "Assessable Development is development for which a development approval is required."

6.1.3 Statutory Considerations for Assessable Development

When assessing the application, the relevant considerations of the Assessment Manager in making the decision are in accordance with Sections 59, 60(3), and 62 of the PA and Sections 29-31 of the PR. Specifically, section 60(3) of the PA states for an Impact Assessable application, the Assessment Manager must decide:

- a) "To approve all or part of the application;
- b) To approve all or part of the application, but impose development conditions on the approval; or
- c) To refuse the application."

6.1.4 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council, as determined by Schedule 8 of the PR.

6.2 FAR NORTH QUEENSLAND REGIONAL PLAN

The site is located within the 'Regional Landscape and Rural Production' Regional Land Use Category of the Far North Queensland 2009-2031 (see **Attachment 3**). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009-2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.3 STATE PLANNING POLICY

The State Planning Policy (SPP) came into effect on July 2017 under the PA. Part E of the SPP includes an array of State interests and associated assessment benchmarks which need to be considered during the development assessment process, where these State interests have not already been appropriately reflected within the relevant planning scheme. A review of the SPP mapping indicates that the proposed development/site is subject to several State interests, as outlined below (see also **Attachment 3**):

- Agriculture (Stock Route Network);
- Biodiversity (MSES – Protected Areas (Estate), Wildlife Habitat (Endangered or Vulnerable) and Special Least Concern Animal) and Regulated Vegetation (Category B and Intersecting a Watercourse));
- Natural Hazards Risk and Resilience (Bushfire Prone Area).



- Energy and Water Supply (Major Electricity Infrastructure (Ergon));
- Transport Infrastructure (State-controlled Road).

The Minister has identified that the Planning Scheme appropriately advances the SPP. Accordingly, all the applicable State interests have been appropriately reflected in the Planning Scheme and in turn, compliance with the SPP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.4

REFERRALS & STATE DEVELOPMENT ASSESSMENT PROVISIONS

A review of the DA mapping system indicates that the site is subject to the following matters of State interest (see **Attachment 3**):

- Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works);
- Water Resources (Water Resource Planning Area Boundaries);
- Native Vegetation Clearing (Regulated Vegetation Management Map - Category A and B Extract);
- State Transport Corridor (State-controlled Road); and
- Areas Within 25m of a State Transport Corridor (Area within 25m of a State-controlled Road).

In consultation with the PR and the above identified matters of interest, the development triggers the following referrals:

- State Assessment Referral Agency – Schedule 10, Part 3, Division 4, Table 3 – Material Change of Use that is assessable development under a local categorising instrument (clearing native vegetation);
- State Assessment Referral Agency - Schedule 10, Part 5, Division 4, Table 2 – Environmentally Relevant Activities;
- State Assessment Referral Agency – Schedule 10 Part 9, Division 4, Subdivision 2, Table 4 – Material Change of Use of premises near a State Transport Corridor or that is a future State Transport Corridor (within 25m of State Transport Corridor); and
- Chief Executive of Ergon - Schedule 10, Part 9, Division 2, Table 2 – Material Change of Use of premises near a substation site or subject to an easement (Advice Agency Only).

As a result, the following module of the State Development Assessment Provisions (version 2.6) are applicable:

- State Code 1 – Development in a State-controlled Road Environment;
- State Code 16 – Native Vegetation Clearing; and
- State Code 22 – Environmentally Relevant Activities.

A full assessment against all modules is provided in **Attachment 9**.

6.5

PLANNING SCHEME (MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016)

6.5.1 Use Definition

The development is defined under the Planning Scheme as:

'Special Industry':

"Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:



- Potential for extreme impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;
- Potential for extreme offsite impacts in the event of fire, explosion or toxic release;
- Onsite controls are required for emissions and dangerous goods risks;
- The use generally involves night time and outdoor activities;
- The use may involve the storage and handling of large volumes of dangerous goods; and
- Requires significant separation from non-industrial uses.

6.5.2 Applicable Overlays

The site is affected by the following Planning Scheme overlays:

- Bushfire Hazard (Potential Impact Buffer (100 Meters), Medium, High and Very High Potential Bushfire Intensity);
- Environmental Significance – Waterways (Waterway and Waterway 100m Buffer);
- Environmental Significance - Regionwide (Ecological Corridor and Regulated Vegetation);
- Hill and Slope (Hill and Slope Area);
- Regional Infrastructure Corridors and Substation (Major Electricity Infrastructure – High Voltage Powerline and Stock Route); and
- Transport Infrastructure – Regionwide (State-controlled Road).

6.5.3 Applicable Codes

The development is subject to assessment against the following relevant codes and provisions of the Planning Scheme:

Table 2: Relevant Codes

| Scheme Component | Comment |
|--|---|
| Zone Code | |
| Rural Zone Code | Refer to Attachment 8 and Section 6.6.2. |
| Local Plan Code | |
| N/A | N/A |
| Overlay Codes | |
| Bushfire Hazard Overlay Code; Environmental Significance Overlay Code; Hill and Slope Area Overlay Code; Regional Infrastructure Corridors and Substation Overlay Code; and | Refer to Attachment 8 and Section 6.6.3. |
| Development Codes | |
| Industrial Activities Code; | Refer to Attachment 8 and Section 6.6.4. |



| | |
|--|--|
| Landscaping Code; | |
| Parking and Access Code; and | |
| Works, Services and Infrastructure Code. | |



PLANNING SCHEME ASSESSMENT

Based on a reasonable assessment, the Planning Scheme does not prohibit the development from being located in the rural zone, on the proviso that all development impacts can be suitably managed. Accordingly, the development needs to be considered and assessed on its merits, in the context of the site, adjoining neighbours, the pattern of existing and approved urban development, and the design arrangements proposed. Based on this, Urban Sync undertook a full assessment of the proposed development against the applicable codes of the Planning Scheme and this assessment is included in **Attachment 8**.

Where the development does not comply with a 'deemed to comply' Acceptable Outcome, a performance-based assessment has been provided to demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the applicable code, can still be achieved. To put a performance-based assessment into context, it is important to note that a non-compliance with one or more Acceptable Outcomes does not, of itself, establish conflict with the Planning Scheme. With this in mind, we have confidence that a complete performance-based assessment by Council will consider the project in its context, and in doing so, accept the alternative solutions being proposed.

6.6.1 Strategic Framework

The Strategic Framework of the Planning Scheme sets out a broad policy direction for the Mareeba Shire Council Local Government Area, offering a series of themes to guide appropriate development outcomes for the life of the Planning Scheme. Additionally, in respect to the provisions of the PR, particularly S31(1)(b), the Assessment Manager must have regard to the whole Planning Scheme, including its Strategic Framework, when deciding an Impact Assessable application. Therefore, in support of the development, this section of the report includes planning commentary addressing the elements of the strategic framework that are applicable to the site/development. Commentary has been provided on the following relevant parts of the strategic framework (as identified as relevant by Council as part of pre-lodgement discussions – see **Attachment 5**).

6.6.1.1 3.3.1.1. Element - Rural Areas

- 3.3.11.1(1): *"Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions":*

Response:

Due to the nature of the development, a large allotment, separated from other uses, sensitive and otherwise, is required. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required (see Overall Outcome (d) of the Rural Zone Code which permits such locations). The development is of a similar scale and consistent in terms of its potential impacts to the development recently approved to the north (Council Ref: MCU/19/0009). In saying that, the development has been located to ensure it does not have any negative impact on the rural locality/character of the area (not visible) and has suitably addressed (or can) all site constraints. Finally, due to the development's location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7).

- 3.3.11.1(2): *"Land in rural areas is maintained in economically viable lot sizes, ensuring that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses":*

Response:

The development will not involve the subdivision or reconfiguration of the site.

- 3.3.11.1(3): *"Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*



- a) *Does not impede or conflict with agricultural activities and production; and*
- b) *Does not compromise rural character and scenic qualities; and*
- c) *Does not adversely impact on ecological and biodiversity values”:*

Response:

The development will not involve tourism, rural industry, intensive animal industries or outdoor recreation facilities.

- *3.3.11.1(4): “Other rural areas will be largely maintained in their current configuration, only being subdivided where viable holdings are achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided”:*

Response:

The development will not involve the subdivision or reconfiguration of the site.

- *3.3.11.1(5): “Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework”:*

Response:

The development will not involve any of the listed uses.

- *3.3.11.1(6): “Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated”:*

Response:

The development will not involve the subdivision or reconfiguration of the site. Please refer to section 7.2 & 7.3 of this report for demonstration that the development will not result in any adverse land use or amenity impacts on nearby sensitive land uses.

- *3.3.11.1(7): “Rural areas preserve lands for future uses beyond the life of the planning scheme”:*

Response:

Due to the nature of the development, a large allotment, separated from other uses, sensitive and otherwise, is required. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required (see Overall Outcome (d) of the Rural Zone Code which permits such locations). In saying that, the development will only occupy a very small northern portion of the 215.8ha site (Lot 2) and hence, the remainder of the site (some 210+ha) will still be available for rural uses both now and in the future (cattle grazing will continue on this portion of the site). Finally, due to the development’s location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7).

- *3.3.11.1(8): “Historical townships located in rural areas are generally cadastral anomalies. Historical townships are generally below current infrastructure standards in respect to roads, stormwater drainage, water and sewerage infrastructure and are not intended to be developed or further subdivided. Historical townships are not always named, and include”:*

- a) *Almaden;*
- b) *Calcifer;*
- c) *Kingsborough;*
- d) *Koorboora;*



- e) *Montalbion;*
- f) *Mt Mulligan;*
- g) *Northcote;*
- h) *Petford;*
- i) *Stannary Hills;*
- j) *Thornborough; and*
- k) *Watsonville.*

Response:

The site is not located in a historical township.

6.6.1.2 3.4.5 Element – Strategic Rehabilitation and Ecological Corridors

- *3.4.5.1(1): "Ecological corridors are major existing habitat corridors that link key biodiversity areas within Mareeba Shire and greater Far North Queensland region. Development does not compromise the habitat connectivity of ecological corridors:"*

Response:

The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.

- *3.4.5.1(1): "Habitat linkages are strategically located future habitat corridors linking biodiversity areas within the shire. Development does not compromise the ability to realise these opportunities for ecological connectivity through progressive revegetation of habitat linkages with native vegetation:"*

Response:

As above.

6.6.1.3 3.6.10 Element - Energy Supply

- *3.6.10.1(1): "Adequate, sustainable, reliable and secure electricity supply infrastructure is provided to the shire, including new development:"*

Response:

The development will be provided with a 22,000kv supply to a pad mounted transformer supplied from post #5001828 OR post #5001825. Solar power is currently being investigated, although this will be based on the outcome of investigations from an electrical engineer. The existing electrical infrastructure located adjacent to the site will be maintained and the development has been appropriately located to ensure that the existing infrastructure is not compromised.

- *3.6.10.1(2): "High voltage major electrical infrastructure and energy generation facilities are protected from conflicting development:"*



Response:

The development will be suitably setback from the adjacent high voltage infrastructure. Ergon will provide any other additional information deemed necessary in relation to setbacks from their infrastructure.

- 3.6.10.1(3): *“The shire’s net carbon emissions are reduced by establishment of renewable energy generation facilities, maintaining compact urban areas and encouraging development that embraces energy efficient design features”:*

Response:

The development will not result in the increase of an urban area and will investigate the possibility for solar power.

- 3.6.10.1(3): *“Renewable energy facilities are connected to an existing, nearby, high voltage electricity network (with adequate capacity) without significant environment, social or amenity impact”:*

Response:

The development does not involve renewable energy generation facilities.

6.6.2 Rural Zone Code

The development complies with, or can be conditioned to comply with, the Rural Zone Code.

6.6.3 Overlay Codes

Bushfire Hazard Overlay Code

The development can be conditioned to comply with, the Bushfire Hazard Overlay Code.

Environmental Significance Overlay Code

The development complies with, or can be conditioned to comply with, the Environmental Significance Overlay Code.

Hill and Slope Area Overlay Code

Whilst areas of the site are included in an area of Hill and Slope on Council’s Overlay Mapping, the site of the development is not located within, nor adjacent to an area of Hill and Slope. As a result, the development is not subject to any steep land restrictions and this will ensure it complies with the Hill and Slope Overlay Code. Accordingly, a full assessment against the code is not considered necessary and for this reason, has not been undertaken.

Regional Infrastructure Corridors and Substations Overlay Code

The development complies with the Regional Infrastructure Corridors and Substations Overlay Code.

6.6.4 Development Codes

Industrial Activities Code

The development complies with, or can be conditioned to comply with, the Industrial Activities Code.

Landscaping Code

The development does not involve or propose any landscaping, nor given the extent of existing vegetation on the site, is it considered reasonable or relevant to plant any ‘landscaping’. As a result, the development will not conflict with the Landscaping Code and accordingly, a full assessment against the code is not considered necessary and for this reason, has not been undertaken.



Parking and Access Code

The development complies with, or can be conditioned to comply with, the Parking and Access Code.

Works, Services and Infrastructure Code

The development complies with, or can be conditioned to comply with, the Works, Services and Infrastructure Code.



7 DISCUSSION – KEY PLANNING MATTERS

This section of the report seeks to provide additional commentary along with technical justification in support of the key matters considered relevant to the assessment, namely zoning, land use conflicts and amenity.

7.1 ZONING

Generally, 'Special Industry' land uses are more suitably located in Industrial Zone. However, and in relation to this, we draw attention to Overall Outcome (d) of the Rural Zone Code States:

"uses that require isolation form urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised"

The development requires separation from sensitive land uses due to its impacts. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. To demonstrate the sites suitably to accommodate the development, a full assessment against the higher order provisions of the Rural Zone Code is provided below, namely to demonstrate the development does not conflict with the purpose or overall outcomes of the Rural Zone Code.

Commentary relating to land use conflicts and amenity are provided in sections 7.2 & 7.3.

Table 3: Assessment Against the Purpose and Overall Outcomes of the Rural Zone Code

| Code Requirement | Comment |
|--|---|
| The Purpose of the Rural Zone Code is to: | |
| <i>"Provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities."</i> | The development will not hinder the ability for these uses to be located within the Rural zone. See also below. |
| <i>"Provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes."</i> | It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environment and landscape impacts (see Code Assessment in Attachment 8). We acknowledge conditions of approval may be required to ensure this occurs. In addition, we reiterate that the development will only occupy a small area in the northern portion of the 215.8ha site (Lot 2) and hence, the remainder of the site (some 210+ha) will still be available for rural uses both now and in the future (cattle grazing will continue on this portion of the site). Finally, due to the development's location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7). |
| <i>"Protect or manage significant natural resources and processes to maintain the capacity for primary production."</i> | The development will not hinder access to any significant natural resources that may exist on the site and more than 98% of the site will be retained for rural uses/possible primary production. |



| Mareeba Shire Councils purpose of the Rural zone is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy. The purpose of the Rural Zone code is to: | |
|--|---|
| <i>"Recognise the diversity of rural uses that exists throughout the region."</i> | The development will not compromise the diversity of rural uses within the Shire as more than 98% of the site will be retained for rural uses/possible primary production (i.e., cattle grazing, cropping, etc.). |
| <i>"Protect the rural character of the region."</i> | It has been demonstrated throughout this report that the development is able to suitably mitigate any adverse landscape/character impacts (see section 7.3). We acknowledge conditions of approval may be required to ensure this occurs. |
| <i>"Provide facilities for visitors and tourists that are accessible and offer a unique experience."</i> | The development does not provide facilities for tourists or visitors. |
| <i>"Protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production."</i> | The development will not have a negative impact on the mentioned infrastructure. Compliance can also be conditioned. |
| <i>"Maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region."</i> | The site is not located on any such 'boundary'. |
| <i>"Provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities."</i> | The development will not compromise the ability for the remaining 210+ha of the site to be used for rural uses. |
| <i>"Prevent adverse impacts of development on ecological values."</i> | The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological values, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat values is the significant areas of vegetated lands to the south and east and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment. |
| <i>"Preserve land in large holdings."</i> | The development does not involve subdivision. |
| <i>"Facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors."</i> | The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for |

| | |
|---|--|
| | ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment. |
| Overall Outcomes | |
| <i>"The purpose of the Rural code will be achieved through the following overall outcomes:</i> | |
| <i>"Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided."</i> | The development will ensure that more than 98% of the site will be retained for rural uses/possible primary production (i.e., cattle grazing, cropping, etc.). The development will not involve the subdivision or reconfiguration of the site. Error! Reference source not found. |
| <i>"The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses."</i> | The development will not hinder the ability for these uses to be located within the rural zone. |
| <i>"The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimized."</i> | The development does not involve any of the listed activities. |
| <i>"Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimized."</i> | The development is one such use. It has been demonstrated throughout this report that the development is able to sufficiently mitigate any land use and adverse amenity impacts (see section 7.3) which demonstrates its suitability. |
| <i>"Development is reflective of and responsive to the environmental constraints of the land."</i> | It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts. We acknowledge conditions of approval may be required to ensure this occurs. |
| <i>"Residential and other development is appropriate only where directly associated with the rural nature of the zone."</i> | The development requires separation from sensitive land uses due to its potential impacts. Moreover, there is a shortage of Industrial zoned land within the Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. The assessment provided throughout the report has demonstrated that the development can be located on the site and avoid any adverse environmental, land use or amenity impacts. |
| <i>"Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes."</i> | The development does not involve either of the listed uses. |

7.2 LAND USE CONFLICTS

Due to the development's location and size of the allotment, it will not result in any land use conflicts. For example, the development will be approximately 1.3km from the closest existing dwelling house (see **Figure 2**) and separated by more than 150m from the closet, nearby rural allotment, being Lot 252 on SP276441 (Lot 3 on SP298325 was not included as it too is being used for an industrial type activity).

Note: As Lot 252 includes a portion of an airstrip, it may be reasonable to expect the closest rural allotment with an appropriate area of land to be used for rural activities **could** in fact be further than 150m away from the development.

The development will be separated from these nearby uses via vegetation, the Mulligan Highway and a cleared High Voltage Powerline easement. These setback, distances combined with on-site measures that will be implemented (as outlined in the EIA and to be outlined in the EMP and controlled as part of the Environmental Authority to be issued by the State) will ensure the development does not have any unacceptable impacts on any nearby sensitive land uses, negatively impacts on any nearby existing rural activities, or hinders the ability for any surrounding rural land to be used for rural activities in the future. This ensures the development will not result in any unacceptable land use activities.

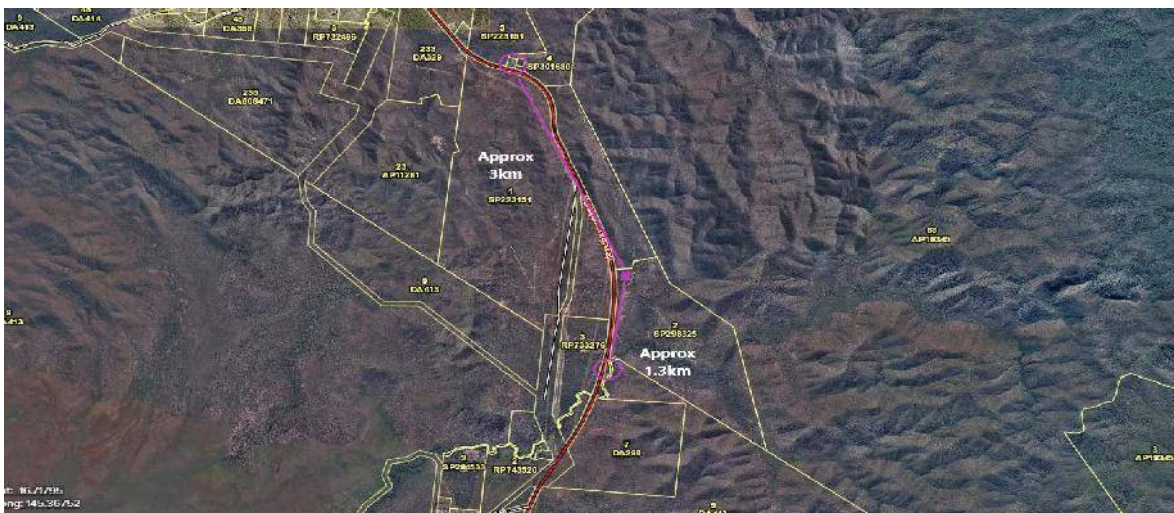


Figure 2: Approximate location of nearest sensitive land uses (Source: Queensland Globe, State of Queensland 2020).

7.3 AMENITY

In addition to the commentary provided in the sections above, this section seeks to demonstrate that the development will not result in any unacceptable amenity impacts (amenity impacts based on those matters listed in PO6 of the Rural Zone Code).

PO6 of the Rural Zone Code states:

"Development must not detract from the amenity of the local area, having regard to:

- a) *Noise":*

Response:

Performance Outcome PO1 of the Industrial Activities Code requires a 1.5km separation distance between Special Industrial and sensitive land uses for the protection of noise, odour, light and emissions. We also note the proximity of an airstrip, mining activities and a State-controlled road all within close proximity of the site and all of which are likely to contribute towards higher than average background noise levels in the immediate locality.

We acknowledge that the development will be approximately 1.3km from the nearest existing dwelling house (see **Figure 2**); however, will be separated by vegetation and distance and as mentioned, is within close proximity to other activities that result in noise pollution. This ultimately leads Urban Sync to the view that the development has provided a more than adequate separation distance from all nearby sensitive land uses



to sufficiently mitigate any potential negative impacts as a result of noise, odour, light and/or emissions. Preliminary details of how these matters will be mitigated will be included in the EIA (see **Attachment 7**) and controlled as part of the Environmental Authority to be issued by the State. Council can also condition any further requirements that may be considered reasonable and relevant.

b) *"Hours of Operation"*:

Response:

The development will operate 24 hours a day, 7 days a week. However, given the size of the site and its distance from other uses (as outlined above), there will be no adverse impacts as a consequence of the development (noise, visual or otherwise (see remainder of this section).

c) *"Traffic"*:

Response:

The site gain access from a State-controlled road where high volumes of traffic (including heavy vehicles) should be expected by any nearby sensitive land uses. The increase to traffic numbers generated by the development over and above the existing (<1%) is so minor, no reasonable person could say that this increase would have an unacceptable amenity impacts.

d) *"Advertising Devices"*:

Response:

The development does not involve any advertising devices (as defined in the Planning Scheme).

e) *"Visual Amenity"*:

Response:

The development has been suitably located on site so that it is not visible (or barely visible) from the Mulligan Highway and adjacent properties. If anything is visible, it will be the sheds, although these will look akin to other sheds which would be expected in the rural area and hence, the development will not result in a negative visual impact over and above what is originally expected for the Rural Zone or on the wider locality.

f) *"Privacy"*:

Response:

As above for noise.

g) *"Lighting"*:

Response:

As above for noise.

h) *"Odour"*:

Response:

As above for noise.

i) *"Emissions"*:

Response:

As above for noise.

This report supports a development application made by The Product Makers (Australia) Pty Ltd seeking the requisite statutory development approval from Mareeba Shire Council to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this application has sought the following development approval from Council:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activity 7(4)(a) – Chemical Manufacturing**

This report has described the development, identified the applicable statutory and legislative requirements of Mareeba Shire Council under their Planning Scheme, the *Mareeba Shire Council Planning Scheme 2016*, as well as those at the State level under the *Planning Act 2016*, *Planning Regulation 2017*, *State Planning Policy 2017* and other, relevant State legislation and requirements, and in doing so, demonstrated the suitability of the land to accommodate the development.

This development application report highlighted that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of any of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code from being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs);
- It will not result in any unacceptable land use conflicts with existing rural activities; and
- It will not result in any unacceptable amenity impacts on any nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.



DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

| 1) Applicant details | |
|--|--|
| Applicant name(s) <i>(individual or company full name)</i> | The Product Makers (Australia) Pty Ltd |
| Contact name <i>(only applicable for companies)</i> | C/- Matt Ingram of Urban Sync Pty Ltd |
| Postal address <i>(P.O. Box or street address)</i> | PO Box 2970 |
| Suburb | Cairns |
| State | Queensland |
| Postcode | 4870 |
| Country | Australia |
| Contact number | (07) 4051 6946 |
| Email address <i>(non-mandatory)</i> | matt@urbansync.com.au |
| Mobile number <i>(non-mandatory)</i> | |
| Fax number <i>(non-mandatory)</i> | |
| Applicant's reference number(s) <i>(if applicable)</i> | 20-526 |

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)



PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2, and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.

3.1) Street address and lot on plan

- Street address **AND** lot on plan (all lots must be listed), **or**
 Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

| | | | | |
|----|----------|------------|------------------------------------|--------------------------|
| a) | Unit No. | Street No. | Street Name and Type | Suburb |
| | | 3276 | Mulligan Highway | Mount Molloy |
| | Postcode | Lot No. | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
| | 4871 | 2 | SP298325 | Mareeba Shire Council |
| b) | Unit No. | Street No. | Street Name and Type | Suburb |
| | | 3278 | Mulligan Highway | Mount Molloy |
| | Postcode | Lot No. | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
| | 4871 | 3 | SP298325 | Mareeba Shire Council |

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

Coordinates of premises by longitude and latitude

| Longitude(s) | Latitude(s) | Datum | Local Government Area(s) (if applicable) |
|--------------|-------------|--|--|
| | | <input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/> | |

Coordinates of premises by easting and northing

| Easting(s) | Northing(s) | Zone Ref. | Datum | Local Government Area(s) (if applicable) |
|------------|-------------|---|--|--|
| | | <input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56 | <input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/> | |

3.3) Additional premises

- Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
 Not required

4) Identify any of the following that apply to the premises and provide any relevant details

In or adjacent to a water body or watercourse or in or above an aquifer
 Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*
 Lot on plan description of strategic port land:
 Name of port authority for the lot:

In a tidal area
 Name of local government for the tidal area (if applicable):
 Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*
 Name of airport:

| |
|---|
| <input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i> |
| EMR site identification: <input type="text"/> |
| <input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i> |
| CLR site identification: <input type="text"/> |

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

Material change of use Reconfiguring a lot Operational work Building work

b) What is the approval type? *(tick only one box)*

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

The establishment of a Production Plant which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser).

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

Material change of use Reconfiguring a lot Operational work Building work

b) What is the approval type? *(tick only one box)*

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

Section 2 – Further development details

| 7) Does the proposed development application involve any of the following? | |
|--|---|
| Material change of use | <input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument |
| Reconfiguring a lot | <input type="checkbox"/> Yes – complete division 2 |
| Operational work | <input type="checkbox"/> Yes – complete division 3 |
| Building work | <input type="checkbox"/> Yes – complete DA Form 2 – Building work details |

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

| 8.1) Describe the proposed material change of use | | | |
|---|---|--|--|
| Provide a general description of the proposed use | Provide the planning scheme definition (include each definition in a new row) | Number of dwelling units (if applicable) | Gross floor area (m ²) (if applicable) |
| Production Plant | Special Industry | | Refer to Design Plans |
| | | | |
| | | | |

| 8.2) Does the proposed use involve the use of existing buildings on the premises? | |
|---|--|
| <input type="checkbox"/> Yes | |
| <input checked="" type="checkbox"/> No | |

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

| 9.1) What is the total number of existing lots making up the premises? | |
|--|--|
| | |

| 9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes) | |
|---|---|
| <input type="checkbox"/> Subdivision (complete 10)) | <input type="checkbox"/> Dividing land into parts by agreement (complete 11)) |
| <input type="checkbox"/> Boundary realignment (complete 12)) | <input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)) |

| 10) Subdivision | | | | |
|---|-------------|------------|------------|------------------------|
| 10.1) For this development, how many lots are being created and what is the intended use of those lots: | | | | |
| Intended use of lots created | Residential | Commercial | Industrial | Other, please specify: |
| | | | | |
| Number of lots created | | | | |

| 10.2) Will the subdivision be staged? | |
|---|--|
| <input type="checkbox"/> Yes – provide additional details below | |
| <input type="checkbox"/> No | |
| How many stages will the works include? | |
| What stage(s) will this development application apply to? | |

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

| | | | | |
|-------------------------------|-------------|------------|------------|------------------------|
| Intended use of parts created | Residential | Commercial | Industrial | Other, please specify: |
| Number of parts created | | | | |

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

| Current lot | | Proposed lot | |
|-------------------------|------------------------|-------------------------|------------------------|
| Lot on plan description | Area (m ²) | Lot on plan description | Area (m ²) |
| | | | |
| | | | |

12.2) What is the reason for the boundary realignment?

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

| Existing or proposed? | Width (m) | Length (m) | Purpose of the easement? (e.g. pedestrian access) | Identify the land/lot(s) benefitted by the easement |
|-----------------------|-----------|------------|---|---|
| | | | | |
| | | | | |

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

| | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: _____ | | |

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

| |
|--|
| <input type="checkbox"/> Yes – specify number of new lots: _____ |
| <input type="checkbox"/> No |

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

| |
|----------|
| \$ _____ |
|----------|

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

| |
|---|
| <input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application |
| <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached |
| <input checked="" type="checkbox"/> No |

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane’s port limits (*below high-water mark*)
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – levees (*category 3 levees only*)
- Wetland protection area

Matters requiring referral to the **local government:**

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

| |
|---|
| <input type="checkbox"/> Heritage places – Local heritage places |
| Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input checked="" type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure |
| Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure |
| Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land |
| Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land |
| Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane’s port limits <i>(below high-water mark)</i> |
| Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i> |
| Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i> |
| Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i> |

| | | |
|---|-----------------|---------------------------|
| 18) Has any referral agency provided a referral response for this development application? | | |
| <input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input type="checkbox"/> No | | |
| Referral requirement | Referral agency | Date of referral response |
| | | |
| | | |
| Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application , or include details in a schedule to this development application <i>(if applicable)</i> . | | |
| | | |

PART 6 – INFORMATION REQUEST

| |
|---|
| 19) Information request under Part 3 of the DA Rules |
| <input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application |
| Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> • <i>that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i> <i>Further advice about information requests is contained in the DA Forms Guide.</i> |

PART 7 – FURTHER DETAILS

| 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval) | | | |
|---|--------------------------------------|------|--------------------|
| <input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No | | | |
| List of approval/development application references | Reference number | Date | Assessment manager |
| <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application | Please refer to Attachment 4. | | |
| <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application | Please refer to Attachment 4. | | |

| 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work) | | |
|---|----------------------|--------------------------------|
| <input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST) | | |
| Amount paid | Date paid (dd/mm/yy) | QLeave levy number (A, B or E) |
| \$ | | |

| 22) Is this development application in response to a show cause notice or required as a result of an enforcement notice? |
|--|
| <input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No |

| 23) Further legislative requirements | | | |
|---|--|-------------------------|--|
| <u>Environmentally relevant activities</u> | | | |
| 23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ? | | | |
| <input checked="" type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i> | | | |
| Proposed ERA number: | | Proposed ERA threshold: | |
| Proposed ERA name: | | | |
| <input checked="" type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application. | | | |
| <u>Hazardous chemical facilities</u> | | | |
| 23.2) Is this development application for a hazardous chemical facility ? | | | |
| <input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i> | | | |

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000**?

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

- Yes – the relevant template is completed and attached to this development application
- No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
 No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
 No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
 No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - A certificate of title
- No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- Yes – details of the heritage place are provided in the table below
 No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

| | | | |
|-----------------------------|--|-----------|--|
| Name of the heritage place: | | Place ID: | |
|-----------------------------|--|-----------|--|

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

| 24) Development application checklist | |
|--|--|
| I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i> | <input checked="" type="checkbox"/> Yes |
| If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable |
| Supporting information addressing any applicable assessment benchmarks is with the development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i> | <input checked="" type="checkbox"/> Yes |
| Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i> | <input checked="" type="checkbox"/> Yes |
| The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable |

| 25) Applicant declaration | |
|---|--|
| <input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct | |
| <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> | |
| <i>Note: It is unlawful to intentionally provide false or misleading information.</i> | |
| <p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p> | |

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

| Notification of engagement of alternative assessment manager | |
|--|--|
| Prescribed assessment manager | |
| Name of chosen assessment manager | |
| Date chosen assessment manager engaged | |
| Contact number of chosen assessment manager | |
| Relevant licence number(s) of chosen assessment manager | |

| QLeave notification and payment | | | |
|---|--|----------------------|--|
| <i>Note: For completion by assessment manager if applicable</i> | | | |
| Description of the work | | | |
| QLeave project number | | | |
| Amount paid (\$) | | Date paid (dd/mm/yy) | |
| Date receipted form sighted by assessment manager | | | |
| Name of officer who sighted the form | | | |

Application form

Environmental Protection Act 1994

Development application Form 1 - Application details—attachment for an application for an environmental authority

This form is to be attached to the Development application Form 1 - Application details when making a development application for prescribed environmentally relevant activities (ERAs). Under section 115 of the Environmental Protection Act 1994 (EP Act) the development approval application is taken to be an application for an environmental authority for the prescribed ERAs.

It is recommended that prior to making an application for an environmentally relevant activity (ERA), you read the information on what to provide with an application. This information is located on the Business Queensland website (formerly the Queensland Government's Business and Industry Portal) at www.business.qld.gov.au (use the search term "Environmental licence"). This website also has a diagnostic tool called the "forms and fees finder" which will help identify any fees and supporting information you need to make an application.

Only use this application form if you are applying for a new environmental authority (EA) where:

- All applicants are registered suitable operators¹.
- The ERA/s being applied for do not form part of an ERA project under an existing EA.
- If more than one ERA is being applied for, the ERAs must be carried out as part of a single integrated operation:
 - the ERAs will be carried out under the day to day management of a single responsible individual (e.g. a site manager or operations manager); and
 - all of the ERAs are operationally interrelated, that is, the operation cannot function without all of the ERAs. Separate applications will need to be made for the ERAs that cannot be carried out as a single integrated operation; and
 - the ERA/s are, or will be, carried out at one or more places; and
 - the places where the ERAs will be carried out are close enough to make the integrated day to day management of the activities feasible.
- The ERA/s being applied for are prescribed under section 19 of the *Environmental Protection Act 1994* (EP Act).
- If any of the ERAs being applied for are to be carried out on a parcel of land within a state development area and a particular use for the parcel of land is not stated in the approved development scheme, you have applied for, or hold a current approval for the use under section 84(4)(b) of the *State Development and Public Works Organisation Act 1971*.
- The application is not to dredge or extract more than 10,000 tonnes of material a year in the North Stradbroke Island region.

¹ If you are not a registered suitable operator you cannot apply for a new environmental authority. To become a registered suitable operator apply online through Connect at www.qld.gov.au/environmentconnect or request the form "Application to be a registered suitable operator - ESR/2015/1771" by emailing palm@des.qld.gov.au or phoning 1300 130 372 (option 4).

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

Privacy statement

Where ERAs are administered by the Queensland Government:

The Department of Environment and Science and Department of Agriculture and Fisheries are collecting the information on this form to process your application for an EA. The collection is authorised under Chapter 5 of the EP Act.

Please note that the administering authority is required to keep this application on a register of documents open for inspection by members of the public under section 540 of the EP Act, and must permit a person to take extracts from the register pursuant to section 542 of the EP Act. Your personal information will not be otherwise disclosed to any other parties unless authorised or required by law. For queries about privacy matters please email privacy@des.qld.gov.au or telephone: 13 74 68.

Where ERAs are administered by a local government:

Contact the local government for their privacy information.

Pre-lodgement meeting

If you would like to have a pre-lodgement meeting:

- for prescribed ERAs 2, 3 and 4—contact the Department of Agriculture and Fisheries by email at livestockregulator@daf.qld.gov.au
- for local government administered ERAs, contact the local government
- for any other ERA—please complete and lodge the form “Application for pre-lodgement services” (ESR/2015/1664²), prior to lodging this standard application for an environmental authority.

² This application form is available at www.qld.gov.au, using the publication number ESR/2015/1664 as a search term.

Application form
Development application Form 1 - Application details—attachment for an application for an environmental authority

The fields marked with an asterisk * are mandatory, if they are not completed then your application may be considered not properly made under section 128 of the *Environmental Protection Act 1994*.

1. Applicant details

To nominate a site or application contact for this application please provide details at Questions 14 and 15.

| | |
|---|--|
| Is there more than one applicant? * | <input checked="" type="checkbox"/> No—provide applicant’s details below. <input type="checkbox"/> Yes—provide the principal applicant’s details below and all other applicants’ details in Attachment 1—“ <i>Joint applicants and appointment of principal applicant</i> ” |
| Name - individual or contact person if applicant is a organisation* | Suitable Operator Reference Number* |
| Bill Ramsay | TBC |
| Organisation name, including any trading name (*if an organisation) | ABN/ACN (*if an organisation) |
| The Product Makers (Australia) Pty Ltd | 48 007 217 496 |
| Residential or registered business address (not a post office box)* | Phone* |
| Mill Street, Mossman | 0418 588 257 |
| Postal address (if same as above, write “AS ABOVE”)* | Facsimile |
| As above. | - |
| Email* | <input type="checkbox"/> Indicate if you want to receive correspondence via email |
| bramsay@tpm.com.au | |

1.1 Nomination of an agent for this application

I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application.

| | |
|--|--|
| Do you want to nominate an agent for this application?* | |
| <input type="checkbox"/> No → Go to Question Error! Reference source not found. <input checked="" type="checkbox"/> Yes → Complete the agent’s details here. | |
| Name of agent – individual or contact person if agent is an organisation | |
| Matt Ingram | |
| Organisation name, including trading name if an organisation | ABN/ACN (if an organisation) |
| Urban Sync Pty Ltd | 83 169 940 649 |
| Postal address | Phone |
| PO Box 2970, Cairns, QLD, 4870 | (07) 4051 6946 |
| Email | <input type="checkbox"/> Indicate if you do not want to receive correspondence via email |
| matt@urbansync.com.au | |

2. Details of the ERA(s) being applied for

Complete the table below by advising which ERA(s) you are applying for. If the ERA has eligibility criteria and standard conditions³, identify whether you can comply with them. Select “N/A” where there are no eligibility criteria and standard conditions for that ERA. If you cannot comply with all of the applicable standard conditions, select “no” and attach details of the standard conditions you cannot comply with.

³ ERAs with eligibility criteria and standard conditions are listed at: www.business.qld.gov.au (use the search term “eligibility criteria”).

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

| ERA number* | Threshold* | Name of ERA* | I can comply with the eligibility criteria* | I can comply with all the standard conditions* |
|-------------|------------|------------------------|--|---|
| 7 | 4(a) | Chemical Manufacturing | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I have attached details of the standard conditions that I cannot comply with.

3. Description of land where the ERA/s will be carried out

Where activities will be undertaken at more than one location, provide details in Appendix 2.

| | | | |
|----------------------------|------------------|---|-----------|
| Number* | Street Name* | Suburb/Town* | Postcode* |
| 3276 | Mulligan Highway | Southedge, Mount Molloy | 4871 |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor* | |
| Lot 2 Plan SP298325 | | Please refer to the Site Plan provided in Attachment 2. | |
| Port (*if applicable) | | Project Name (*if applicable) | |
| N/A | | The Product Makers Production Plant - Mount Molloy | |

4. Details of contaminated land

| | | |
|--|---------------------------|------------------------|
| Is there a site management plan in effect for contaminated land that relates to the land that is the subject of this application?* | | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 5</i> . | |
| <input type="checkbox"/> Yes | Description of land* | |
| | Lot and plan number(s) | Local Government Area* |
| | Lot | Plan |
| | Lot | Plan |
| | Lot | Plan |

5. Existing environmental authorities at the location

| | | |
|---|---------------------------|---|
| Do you have any existing environmental authorities at this location?* | | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 6</i> . | |
| <input type="checkbox"/> Yes | Existing EA number(s)* | Certification* |
| | | <input type="checkbox"/> I certify that the ERA(s) being applied for do not form part of any existing environmental authority/ies |

6. Other related approvals

To avoid the possibility of your environmental authority application being invalid, you need to ensure any other required applications have been made prior to lodging this application. If you are not sure what approvals are required you should contact the planning area of your local government authority or if the area is within a State development area, visit the Department of State Development, Manufacturing, Infrastructure and Planning website at: www.dsdmip.qld.gov.au (search for state development area).

| | | | | | |
|--|-------------------------|--------------|---------------------|--------------|------------------|
| Are you required to obtain any of the following approvals to conduct the ERA(s)?* | | | | | |
| <ul style="list-style-type: none"> e.g. An approval for the use of land under the <i>State Development and Public Works Organisation Act 1971</i> | | | | | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 7</i> | | | | |
| <input type="checkbox"/> Yes | Approval name* | Legislation* | Application number* | Date lodged* | Approval status* |
| | | | | | |

7. Environmental offsets

An environmental offset, under the *Environmental Offsets Act 2014*, may be required for an ERA where, despite all reasonable measures to avoid and minimise impacts on certain environmental matters, there is still likely to be significant residual impact on one or more of those matters.

You must verify the presence, whether temporary or permanent, of those environmental matters. For more information refer to the Queensland Environmental Offsets Policy and the Significant Residual Impact Guideline at the Queensland Government website at www.qld.gov.au, using the search term “environmental offsets”.

| | |
|--|---|
| Will the ERA(s) being applied for result in a significant residual impact to a matter of State environmental significance (MSES)?* | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 8</i> . |
| <input type="checkbox"/> Yes | <p>You must attach supporting information that:</p> <ol style="list-style-type: none"> Details the magnitude and duration of the likely significant residual impact on each prescribed environmental matter (other than matters of local environmental significance) for the entire activity; and Demonstrates that all reasonable measures to avoid and minimise impacts on each of those matters will be undertaken. |

7.1 Notice of election

| | |
|--|--|
| Has a notice of election been submitted to the administering authority, or is being submitted as part of this application? | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 7.2</i> . |
| <input type="checkbox"/> Yes | <input type="checkbox"/> You can attach the notice of election, if it has not been submitted to the department. Go to <i>Question 7.3</i> . |

7.2 Staged environmental offsets

Offset delivery can be staged, however for this to occur, the condition of any approved environmental authority needs to state that both the activity and the offset may be staged. As part of your notice of election for each stage under the *Environmental Offsets Act 2014*, you are required to provide a detailed assessment of the quantum of impact of that stage and the offset obligation requirement to be delivered for that stage.

| | |
|---|---------------------------|
| Will the proposed ERA(s) and delivery of an environmental offset be undertaken in stages? | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 7.3</i> |

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

| | |
|------------------------------|--|
| <input type="checkbox"/> Yes | You must attach supporting information that details of how the activity/activities are proposed to be staged. |
|------------------------------|--|

7.3 Nature conservation environmental offset

| | |
|--|---------------------------|
| Has another authority issued under the <i>Nature Conservation Act 1992</i> required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES? | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 7.4</i> |
| <input type="checkbox"/> Yes | Provide permit number: |

7.4 Marine parks environmental offset

| | |
|--|---|
| Has marine park permit issued under the <i>Marine Parks Act 2004</i> required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES? | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 8</i> |
| <input type="checkbox"/> Yes | <input type="checkbox"/> You must attach a copy of the marine park permit to this application. |

8. Matters of national environmental significance

There are currently nine matters of national environmental significance (MNES) which have been defined in the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act). These are:

- world heritage properties
- national heritage places
- wetlands of international importance (listed under the Ramsar Convention)
- listed threatened species and ecological communities
- migratory species protected under international agreements
- Commonwealth marine areas
- the Great Barrier Reef Marine Park
- nuclear actions (including uranium mines)
- a water resource, in relation to coal seam gas development and large coal mining development

To determine whether the proposed ERA(s) will have a significant impact on MNES and for referral requirements, please refer to the guidance provided by the Federal Government's Department of Environment on www.environment.gov.au.

| | |
|--|--|
| Would the carrying out of the proposed ERA(s) be likely to have a significant impact on a MNES?* | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 9</i> . |
| <input type="checkbox"/> Yes | Has the proposal been referred to the Federal Department of Environment for formal assessment and approval? <input type="checkbox"/> No → Go to <i>Question 9</i> . <input type="checkbox"/> Yes → Go to <i>Question 8.1</i> . |

8.1 EPBC Act approval for environmental offsets

| | |
|---|--|
| Has an approval issued under the EPBC Act required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES? | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 9</i> . |
| <input type="checkbox"/> Yes | I have attached a copy of the approval under the EPBC Act. Are there any MNES which were assessed under the EPBC Act which are the same, or substantially the same as an MSES, but that were not conditioned in the approval? <input type="checkbox"/> No → Go to <i>Question 9</i> <input type="checkbox"/> Yes → List these MNES: |

Development application Form 1 - Application details—attachment for an application for an environmental authority

9. Environmental impact statement under the *State Development and Public Works Organisation Act 1971*

Certain stages of the EA application process may not apply if the proposed activities were assessed as part of a coordinated project declared under the *State Development and Public Works Organisation Act 1971* (State Development Act), you are only required to answer Questions 9 to 9.1 if you have a current CG's evaluation report for the project.

| | |
|--|--|
| Has an environmental impact statement (EIS) process under State Development Act been completed?* | |
| <input checked="" type="checkbox"/> No | Go to <i>Question 10</i> . |
| <input type="checkbox"/> Yes | What is the title and project name of the completed EIS?* |
| | <input type="checkbox"/> The EIS was completed for all activities that are the subject of this application. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have not changed since the EIS was completed. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have changed since the EIS was completed. |
| | <input type="checkbox"/> The EIS was not completed for all activities that are the subject of this application. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have not changed since the EIS was completed. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have changed since the EIS was completed. |
| | Was the EIS completed for all activities that are the subject of this application?* |
| | <input type="checkbox"/> No Please list the activities that were not included in the EIS or attach documentation with this information to this application: <input type="checkbox"/> I have attached the required supporting information. |
| <input type="checkbox"/> Yes | |

9.1 Coordinator-General's conditions

| | |
|---|-------------------------------------|
| Are there CG's conditions that relate to the ERA(s) being applied for?* | |
| <input checked="" type="checkbox"/> No → | Go to <i>Question 10</i> . |
| <input type="checkbox"/> Yes → | Name of the CG's evaluation report: |

10. Assessment of the environmental impact

This question is **not applicable** if an EIS process under the State Development Act has been completed for all the ERA(s) that are the subject of this application and the environmental risks of the activities **and** the way they are proposed to be carried out has not changed since the EIS was completed.

You must attach to this application an assessment of the likely impact of each ERA on environmental values (*if applicable), including:

- a description of the environmental values likely to be affected by each relevant activity
- details of any emissions or releases likely to be generated by each relevant activity
- a description of the risk and likely magnitude of impacts on the environmental values
- details of the management practices proposed to be implemented to prevent or minimise adverse impacts
- details of how the land the subject of the application will be rehabilitated after each relevant activity ceases

Application form
Development application Form 1 - Application details—attachment for an application for an environmental authority

I have attached an assessment of the environmental impact and specific supporting information.

11. Details of waste management

| |
|--|
| Describe the proposed measures for minimising and managing waste generated by the activity/ies below * |
| See EIA |

I have attached the proposed measures.

12. Take effect date (when fees will commence being charged)

You may nominate when the EA will take effect should it be approved. The date the environmental authority takes effect will be the date from which you can commence the activities as well as the date your annual fees will commence to be charged (your anniversary date). Under section 200 of the EP Act, if a development permit for a material change of use under the *Planning Act 2016* or a State development area (SDA) approval is required in order to carry out the ERA the EA cannot take effect until the development permit or SDA approval takes effect (known as taking effect pending development approval).

| | |
|---|--|
| Do you want the EA to take effect on the decision date, nominated date, or pending development approval?* | |
| <input type="checkbox"/> Decision date | The take effect date will be the date of the decision. |
| <input checked="" type="checkbox"/> Nominated date | Details of nominated take effect date: TBC |

13. Nomination of site contact

An alternative contact nominated by the legal entity which holds, or will in future hold, a relevant authority issued by the department. The department may direct correspondence relating to actual or potential compliance matters to the site contact.

| | | |
|--|-------------|--|
| Do you want to nominate a site contact?* | | <input type="checkbox"/> No |
| | | <input checked="" type="checkbox"/> Yes, provide details below |
| Title* | First Name* | Surname* |
| Mr | Bill | Ramsay |
| Email Address* | | <input checked="" type="checkbox"/> Indicate if you want to receive correspondence via email |
| bramsay@tpm.com.au | | |
| Phone | | |
| | | |

14. Nomination of application contact

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will

Application form

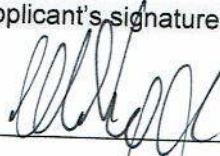
Development application Form 1 - Application details—attachment for an application for an environmental authority

be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the applicant.

| |
|------------------------------|
| Name or Position* |
| Matt Ingram - Senior Planner |
| Primary Phone* |
| (07) 4051 6946 |
| Secondary Phone |
| 0488 200 229 |
| Email Address* |
| matt@urbansync.com.au |

15. Applicant declaration

I declare that the information I have provided is true and correct. I understand that it is an offence under the *Environmental Protection Act 1994* to give information that I know is false, misleading or incomplete. I will comply with all conditions on my environmental authority as well as any relevant provisions in the *Environmental Protection Act 1994*. I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

| | |
|---|-----------------------|
| Applicant's full name* | Applicant's position* |
| Matt Ingram on behalf of The Product Makers (Australia) Pty Ltd | Senior Planner |
| Applicant's signature* | Date* |
|  | 20/4/2020 |

Submit attachment, together with any additional information, with all relevant Development application Forms to the assessment manager for the development application.

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

Attachment 1

Joint applicants and appointment of principal applicant

We are joint applicants for this environmental authority application and hereby appoint _____ as the principal applicant to receive statutory documents relating to this application.

| | |
|--|---|
| Name - individual or contact person if applicant is an organisation* | Suitable Operator Reference Number* |
| Organisation name, including trading name (*if an organisation) | ABN/ACN (*if an organisation) |
| Residential or registered business address (not a post office box)* | Phone* |
| Postal address (if same as above, state "AS ABOVE") * | Facsimile |
| Email* | <input type="checkbox"/> Indicate if you want to receive correspondence via email |
| Signature* | Date* |

| | |
|--|---|
| Name - individual or contact person if applicant is an organisation* | Suitable Operator Reference Number* |
| Organisation name including trading name (*if an organisation) | ABN/ACN (*if an organisation) |
| Residential or registered business address (not a post office box)* | Phone* |
| Postal address (if same as above, state "AS ABOVE")* | Facsimile |
| Email* | <input type="checkbox"/> Indicate if you want to receive correspondence via email |
| Signature* | Date* |

| | |
|--|---|
| Name - individual or contact person if applicant is an organisation* | Suitable Operator Reference Number* |
| Business name including trading name (*if an organisation) | ABN/ACN (*if an organisation) |
| Residential or registered business address (not a post office box)* | Phone* |
| Postal address (if same as above, state "AS ABOVE")* | Facsimile |
| Email* | <input type="checkbox"/> Indicate if you want to receive correspondence via email |
| Signature* | Date* |

Application form
Development application Form 1 - Application details—attachment for an
 application for an environmental authority

Attachment 2

List of locations where the ERA(s) will be carried out.

Where there is more than one location list all locations and which ERA(s) will be conducted at each location.

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

| | | | | |
|----------------------------|--------------|---|-----------|--------|
| Number* | Street Name* | Suburb/Town* | Postcode* | ERA/s* |
| Real Property Description* | | Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging) | | |
| Lot | Plan | | | |

Author : Peter Webley
Ref number : 2020/010394



Department of
**Natural Resources,
Mines and Energy**

7 April 2020

The Product Makers (Australia) Pty Ltd
c/- Matt Ingram
Urban Sync Pty Ltd
PO Box 2970

Cairns QLD 4870

Dear Mr Ingram

Application for a Relevant Purpose determination under section 22A of the *Vegetation Management Act 1999* for the clearing of native vegetation on lot 2 SP298325 - Mareeba Shire Council

I refer to your application submitted to the Department of Natural Resources, Mines and Energy (the department) on 19 February 2020.

The Chief Executive has considered your request and is satisfied that the proposed development to clear vegetation for relevant infrastructure activities requirements of section 22A of the *Vegetation Management Act 1999*.

This decision is based on:

- the development proposal and information you submitted to the department on 26 March 2020 and
- circumstances at the time of this determination; and

Should your proposal change (eg. development footprint) or circumstances associated with your proposal change (eg. legislation changes, regional ecosystem mapping changes), you will need to request another section 22A relevant purpose determination.

This relevant purpose determination is valid for 2 years and will expire on 6 April 2022.

Please note that this letter is not a development approval to carry out vegetation clearing.

Level 9, Verde Tower
445 Flinders Street
Townsville QLD 4810

PO Box 5318
Townsville
4810 QLD

Telephone: 13 58 34 or 135 VEG
Email: vegetation@dnrme.qld.gov.au
Web: www.dnrme.qld.gov.au

ABN 59 020 847 551

You will need to apply for a development approval from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) under the *Planning Act 2016*.

Prior to lodging a development application, it is strongly recommended that, you arrange a pre-lodgement meeting through the State Assessment and Referral Agency (SARA) to identify all relevant State legislation, approvals and application requirements.

Other relevant Commonwealth or State approvals may also be required to undertake vegetation clearing. An indicative list of other legislation is provided in Attachment 1.

Should you require any additional information please contact the local SARA office as below:

SARA Far North Queensland Regional Office

Location: Ground Floor, Cairns Port Authority Building, Cnr Grafton and Hartley Streets, Cairns

Postal address: PO Box 2358, Cairns Qld 4870

Telephone: (07) 4037 3214

Email: CairnsSARA@dsdmip.qld.gov.au

Should you have any enquiries or require assistance regarding this request, please do not hesitate to contact Peter Webley, Natural Resource Management Officer, North Region of the department on telephone (07) 4447 9156 quoting the above reference number

Yours sincerely



Andrew Date
Senior Natural Resource Management Officer
Department of Natural Resources, Mines and Energy

Attachment 1 - Legislation and Acts

| Activity | Legislation | Agency | Contact details |
|--|---|--|--|
| Interference with overland flow Earthworks, significant disturbance | <i>Water Act 2000</i> <i>Soil Conservation Act 1986</i> | Department of Natural Resources, Mines and Energy (Queensland Government) | Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au |
| Indigenous Cultural Heritage | <i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i> | Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) | Ph. 13 QGOV (13 74 68) www.datsip.qld.gov.au |
| Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas ¹ | <i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i> <i>Nature Conservation Act 1992</i> | Department of Environment and Science (Queensland Government) | Ph: 13 QGOV (13 74 68) www.des.qld.gov.au |
| Interference with fish passage in a watercourse, mangroves Forest activities | <i>Fisheries Act 1994</i> <i>Forestry Act 1959</i> ² | Department of Agriculture and Fisheries (Queensland Government) | Ph: 13 25 23 www.daf.qld.gov.au |
| Matters of National Environmental Significance including listed threatened species & ecological communities | <i>Environment Protection and Biodiversity Conservation Act 1999</i> | Department of the Environment, (Australian Government) | Ph: 1800 803 772 www.environment.gov.au |
| Development and planning processes | <i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i> | Department of State Development, Manufacturing, Infrastructure and Planning (Queensland Government) | Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au |
| Local government requirements | <i>Local Government Act 2009</i> <i>Planning Act 2016</i> | Department of Local Government, Racing and Multicultural Affairs (Queensland Government) | Ph: 13 QGOV (13 74 68) Your relevant local government office |

¹ In Queensland, all plants that are native to Australia are protected plants under the [Nature Conservation Act 1992](#), which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to **clearing**, you should check the flora survey trigger map to determine if the **clearing** is within a high-risk area by visiting For further information or assistance on the protected plants flora survey trigger map for your property, contact the Department of Environment and Science on 13QGOV (13 74 68) or email palm@des.qld.gov.au

² Contact the Department of Agriculture and Fisheries before **clearing**:

- Any sandalwood on state-owned land (including leasehold land)
- On freehold land in a 'forest consent area'
- More than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas—Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, **MARTIN ANTON**

Director of the company mentioned below.

and I,

Of Anton Demolitions Pty Ltd (ACN: 047 424 770)

the company being the owner of the premises identified as follows:

3278 Mulligan Highway, Southedge, Mount Molloy (Lot 3 on SP298325)

consent to the making of a development application under the *Planning Act 2016* by:

The Product Makers (Australia) Pty Ltd

The *Planning Act 2016* is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

ANTON DEMOLITIONS PTY LTD

ABN 52 047 424 770
62 TUCKER ST, MACHANS BEACH
CAIRNS QLD 4878
Ph/Fax: (07) 4055 9461
Mobile: 0439 915 512

Applicant template 11.0
Version 1.0—3 July 2017



on the premises described above for:

A Material Change of Use for Special Industry (Production Plant)

Company seal *[if used]*

| | |
|--|---|
| Company Name and ACN: Anton Demolitions Pty Ltd (ACN: 047 424 770) | |
|  Signature of Director | Signature of Director/Secretary |
| 27-3-2020 Date | Date |

MARTIN ANTON
(MANAGING DIRECTOR)
ANTON DEMOLITIONS PTY LTD
ABN 52 047 424 770
62 TUCKER ST, MACHANS BEACH
CAIRNS QLD 4878
Ph/Fax: (07) 4055 9461
Mobile: 0439 915 512

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I,

JOHN WILLIAM COLLESS

Director of the company mentioned below.

and I,

KATHLEEN ANN COLLESS

Of Kathleen Colless Pty Ltd (ACN: 097 377 270)

the company being the owner of the premises identified as follows:

3276 Mulligan Highway, Southedge, Mount Molloy (Lot 2 on SP298325)

consent to the making of a development application under the *Planning Act 2016* by:

The Product Makers (Australia) Pty Ltd

on the premises described above for:

A Material Change of Use for Special Industry (Production Plant)

Company seal *[if used]*



Company Name and ACN: Kathleen Colless Pty Ltd (ACN: 097 377 270)

KW Colless

Signature of Director

27/3/2020

Date

Kathleen A. Colless

Signature of Director/Secretary

27/3/2020

Date

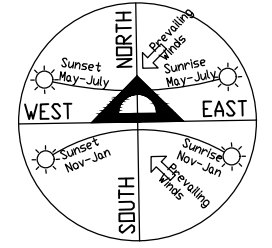
**ATTACHMENT 2:
DESIGN PLANS**



LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

C THIS DRAWING IS AND WILL REMAIN THE COPYRIGHT AND PROPERTY OF FNQ DESIGN & DRAFTING AND MUST NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION. THIS PLAN IS TO BE USED ONLY FOR LOT No. SPECIFIED.

LEGEND
 ----- DENOTES 100mm Ø UPVC SEWER DRAIN
 33m 150d17°20" DENOTES BOUNDARY LINE WITH LOCATED PEG



SITE / LOCALITY PLAN
 SCALE 1:10000

AMENDMENTS:

| DATE | REV | DESCRIPTION |
|------|-----|-------------|
| | | |
| | | |
| | | |

NOTE:
 1. Smoke Alarms to comply to AS3786 & BCA Requirements.
 2. Verify all dimensions & levels prior to construction commencing.
 3. Figured dimensions take precedence over scaled dimensions.
 4. All work to comply with BCA, Relevant Australian Standards & Local Authority Requirements.

20 Winkworth Street
 Bungalow QLD 4870
 PH: 0481 793 260
 russel@fnqdesign.com

FNQ DESIGN & DRAFTING
 QBCC Licence No. 1117748

Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: LOCALITY PLAN
 Date: FEB 2020 Scale: 1:10000@A3
 Job No: 20044 Sheet No: 01

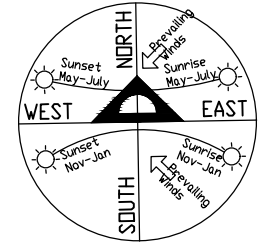
LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

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LEGEND

----- DENOTES 100mmØ UPVC SEWER DRAIN

33m
 150d17°20" DENOTES BOUNDARY LINE WITH LOCATED PEG



AMENDMENTS:

| DATE | REV | DESCRIPTION |
|------|-----|-------------|
| | | |
| | | |
| | | |

NOTE:

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20 Winkworth Street
 Bungalow QLD 4670
 PH: 0401 793 260
 russel@fnqdesign.com

FNQ DESIGN & DRAFTING
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Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

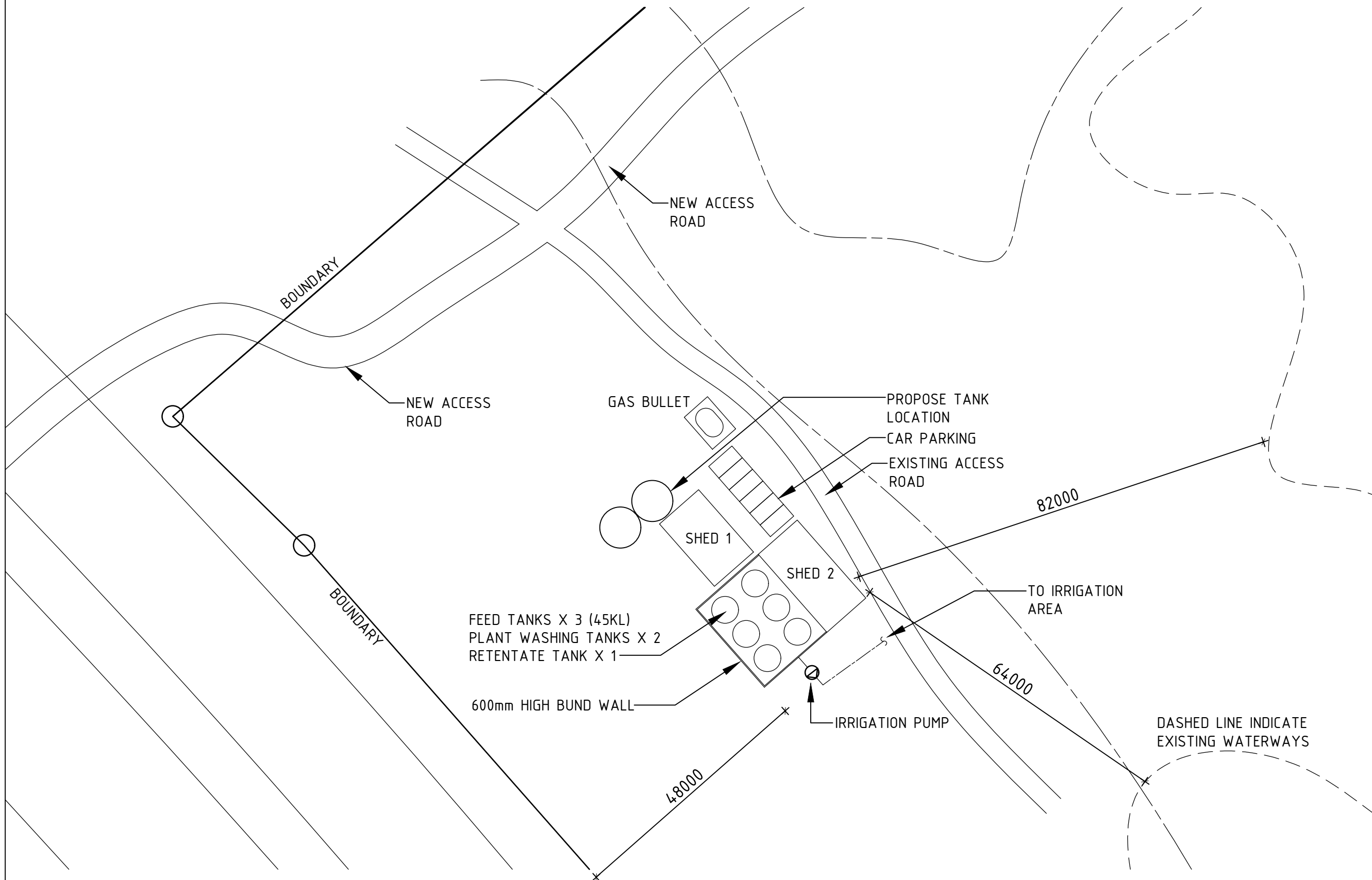
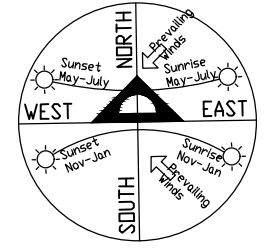
PART SITE PLAN
 SCALE 1:2000

Drawing Title: SITE PLAN 2
 Date: FEB 2020 Scale: 1:2000@A3
 Job No: 20044 Sheet No: 02

LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

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LEGEND
 --- DENOTES 100mmØ UPVC SEWER DRAIN
 33m 150d17°20" DENOTES BOUNDARY LINE WITH LOCATED PEG



AMENDMENTS:

| DATE | REV | DESCRIPTION |
|------|-----|-------------|
| | | |
| | | |
| | | |

NOTE:
 1. Smoke Alarms to comply to AS3786 & BCA Requirements.
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20 Winkworth Street
 Bungalow QLD 4870
 PH: 0481 793 260
 russel@fnqdesign.com

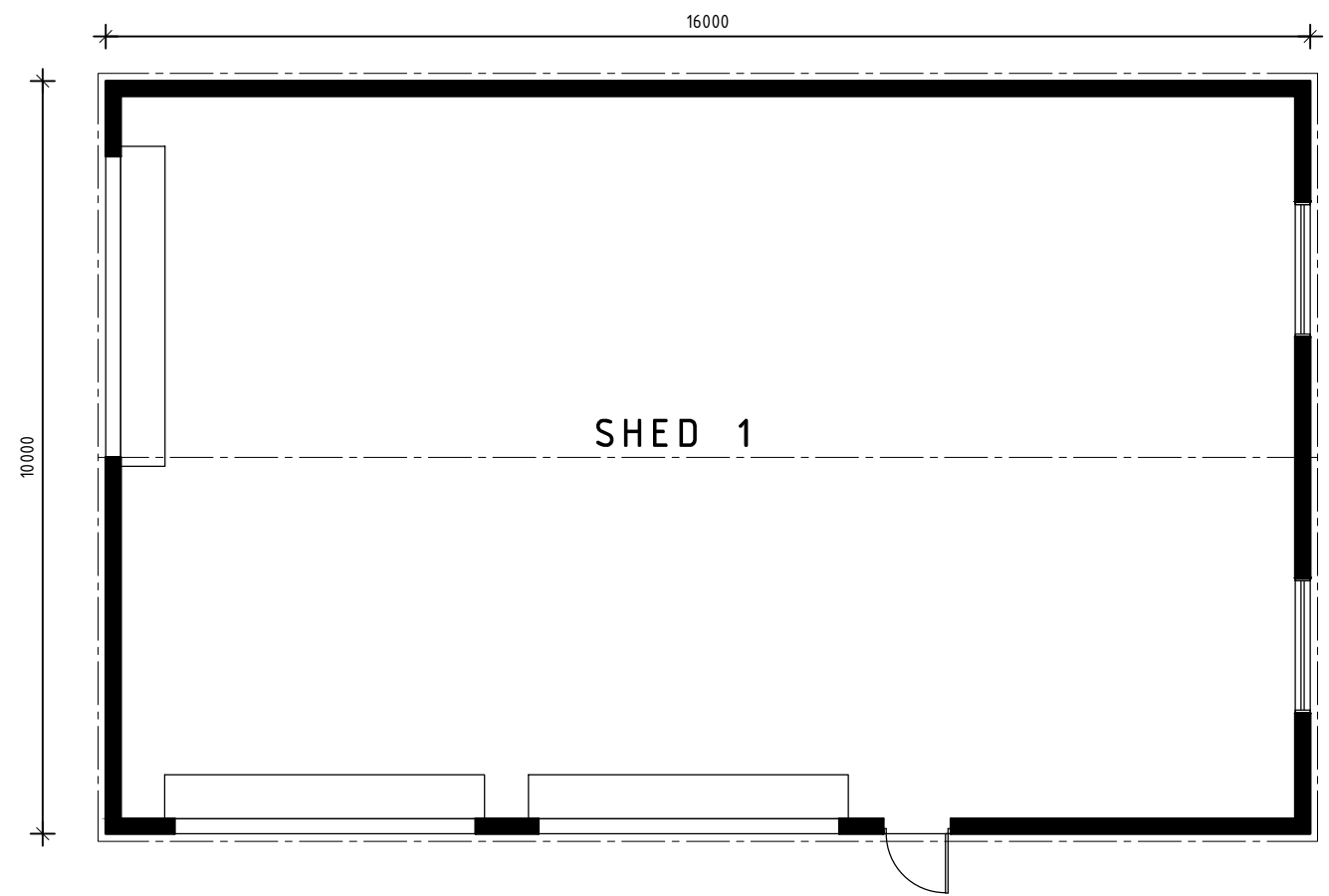
FNQ DESIGN & DRAFTING
 QBCC Licence No. 1117748

Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

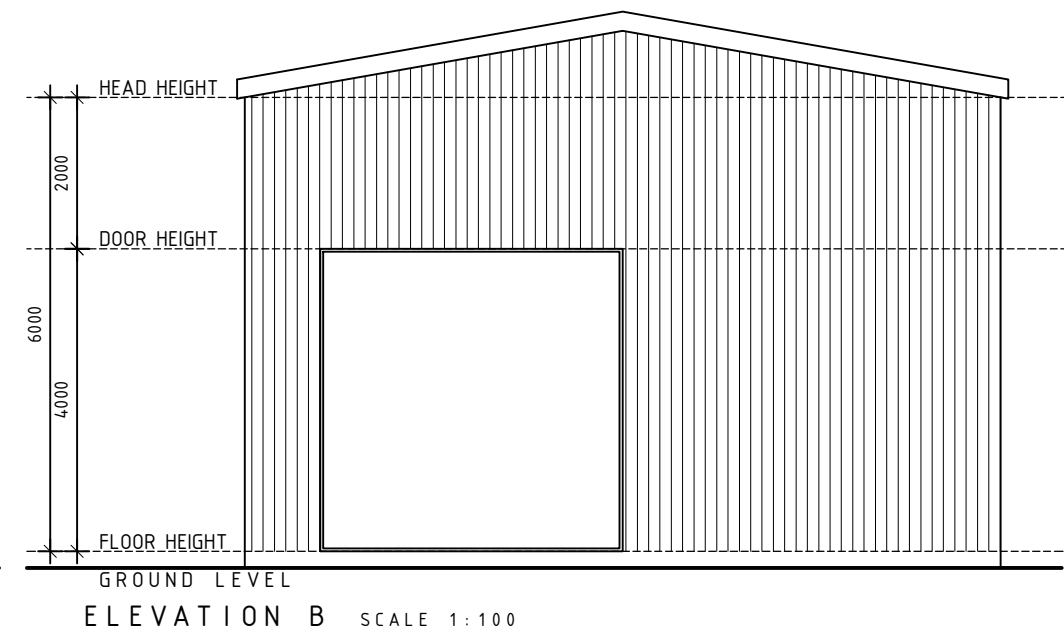
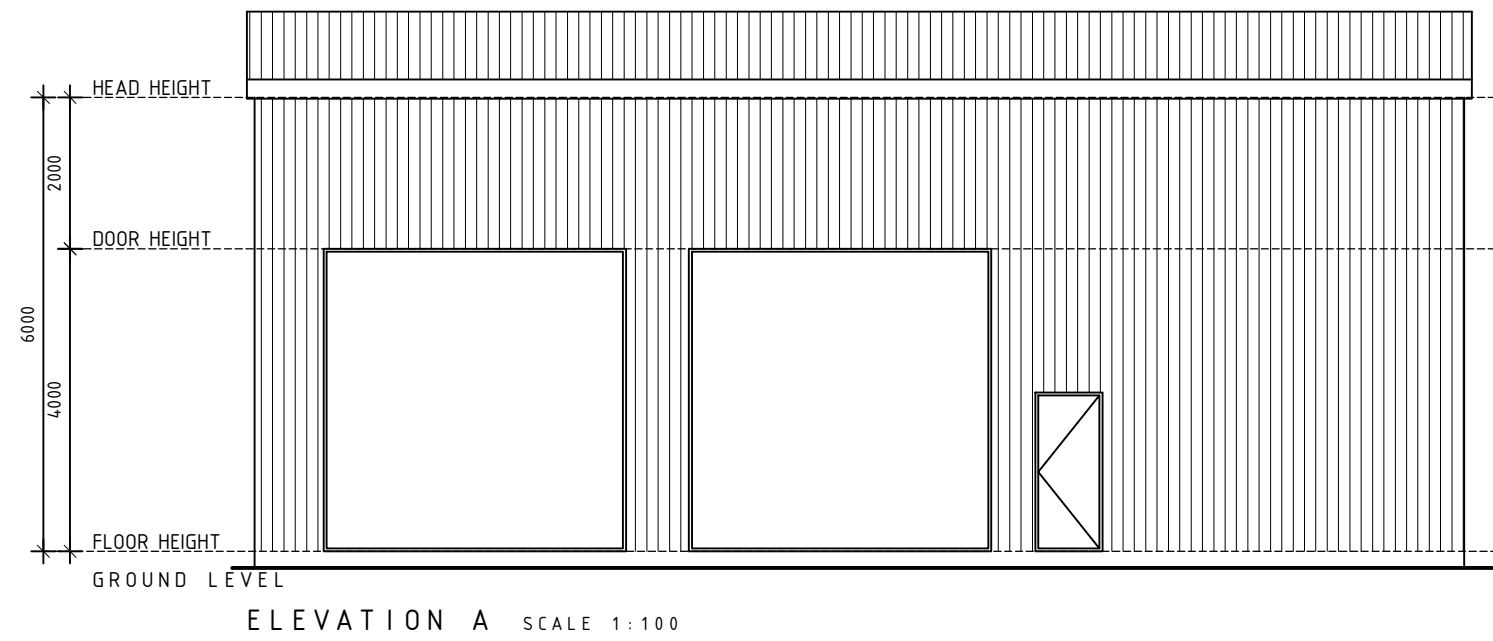
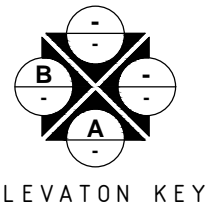
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 Date: FEB 2020 Scale: 1:750@A3
 Job No: 20044 Sheet No: 03

SITE PLAN SCALE 1:750

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SHED 1 FLOOR PLAN
SCALE 1:100



AMENDMENTS:

| DATE | REV | DESCRIPTION |
|------|-----|-------------|
| | | |
| | | |
| | | |

- NOTE:**
1. Smoke Alarms to comply to AS3786 & BCA Requirements.
 2. Verify all dimensions & levels prior to construction commencing.
 3. Figured dimensions take precedence over scaled dimensions.
 4. All work to comply with BCA, Relevant Australian Standards & Local Authority Requirements.

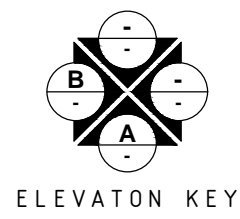
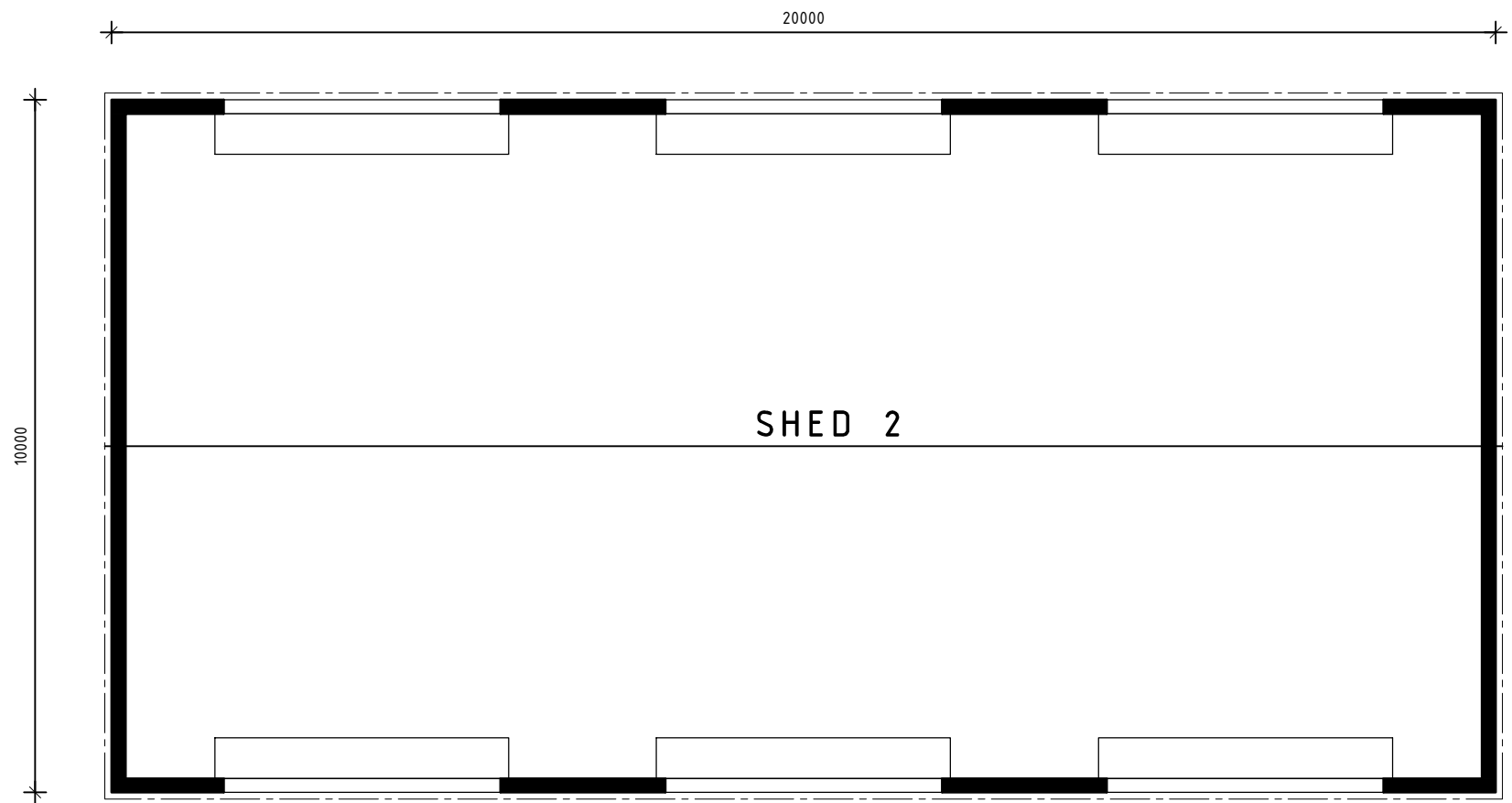
20 Winkworth Street
Bungalow QLD 4870
PH: 0401 793 240
russel@fnodesign.com

FNO DESIGN & DRAFTING
QBCC Licence No. 1117748

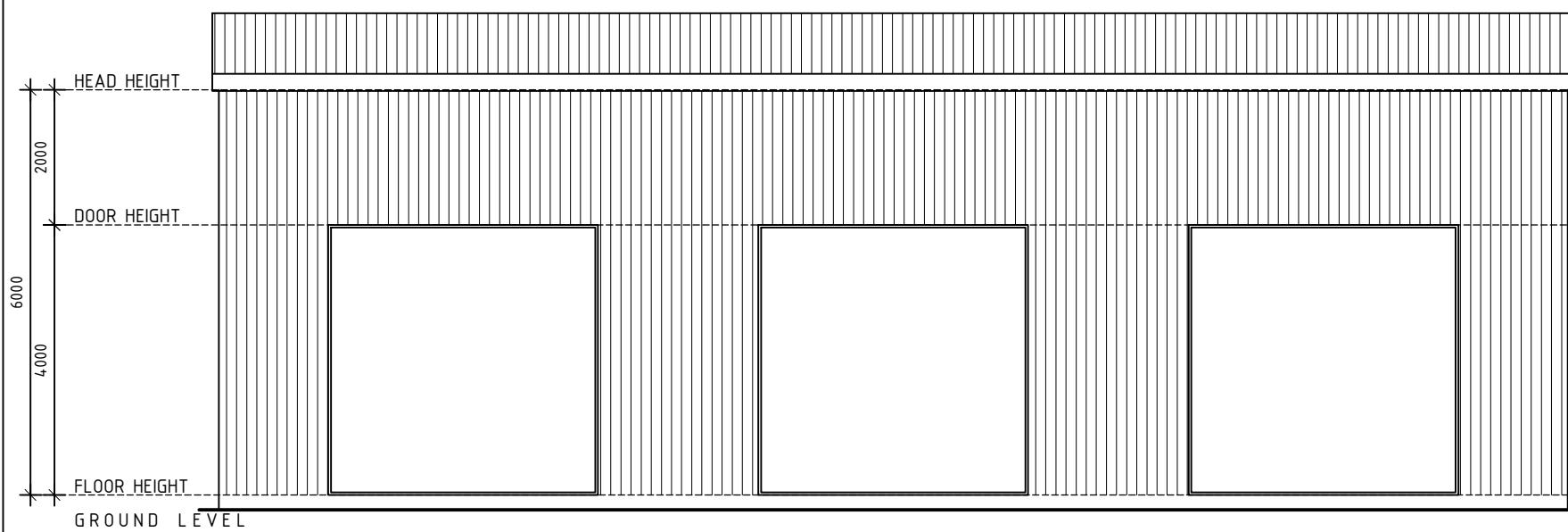
Clients Name: THE PRODUCT MAKERS PTY LTD
Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: SHED 1 PLAN & ELEVATIONS
Date: FEB 2020 Scale: 1:100@A3
Job No: 20044 Sheet No: 04

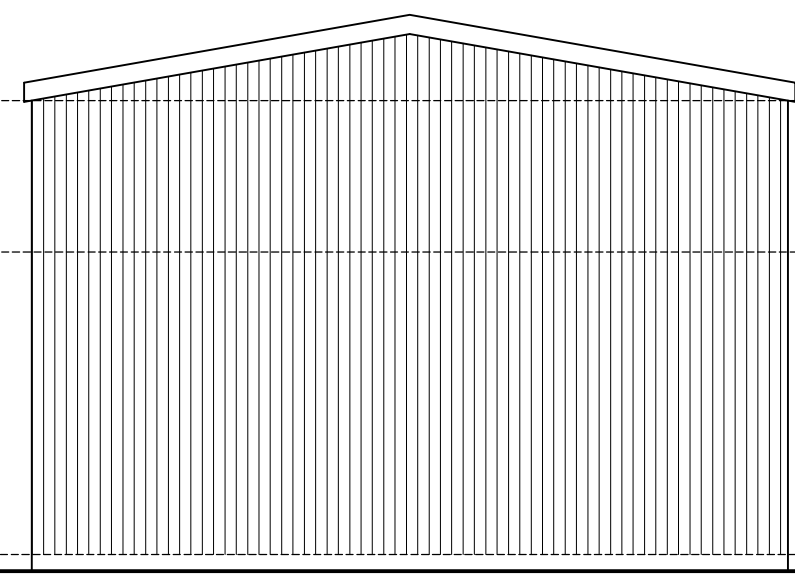
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SHED 2 FLOOR PLAN
SCALE 1:100



ELEVATION A SCALE 1:100



ELEVATION B SCALE 1:100

AMENDMENTS:

| DATE | REV | DESCRIPTION |
|------|-----|-------------|
| | | |
| | | |
| | | |

NOTE:

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4. All work to comply with BCA, Relevant Australian Standards & Local Authority Requirements.

20 Winkworth Street
Bungalow QLD 4870
PH: 0401 793 240
russel@fnodesign.com

FNO DESIGN & DRAFTING
QBCC Licence No. 1117748

Clients Name: THE PRODUCT MAKERS PTY LTD
Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: SHED 2 PLAN & ELEVATIONS
Date: FEB 2020 Scale: 1:100@A3
Job No: 20044 Sheet No: 05



EQUINE/CANINE

WELFARE - WELLNESS - PERFORMANCE



- Appetite improvement
- Joint pain management
- Gut health management
- Exercise recovery
- Oxidative and general stress reduction
- Returns a clean race swab (100% natural raw material)
- LGC UK certified

POLYGAIN™
www.theproductmakers.com



POLYGAIN™
animal feedstock

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ANIMAL FEEDSTOCK

POLYGAIN™

Polygain™ is a registered trademark of The Product Makers (TPM). TPM holds numerous global patents on the production and properties of Polygain™.

Polygain™ is a natural plant extract from *Saccharum officinarum*, it is polyphenol rich, high in anti-oxidants, rich in minerals, nutrients and essential amino acids.

Polygain™ has anti-inflammatory and anti-bacterial properties beneficial for the animal feed industry.

BENEFITS

Many countries are legislating to remove antibiotics and hormones from animal feed. Natural bioactive additives from plants such as Polygain™ have the potential to replace some of the functions of these additives.

Polygain™ provides benefits such as anti-inflammatory, anti-oxidant, anti-bacterial as well as improving natural probiotic levels in the gut.

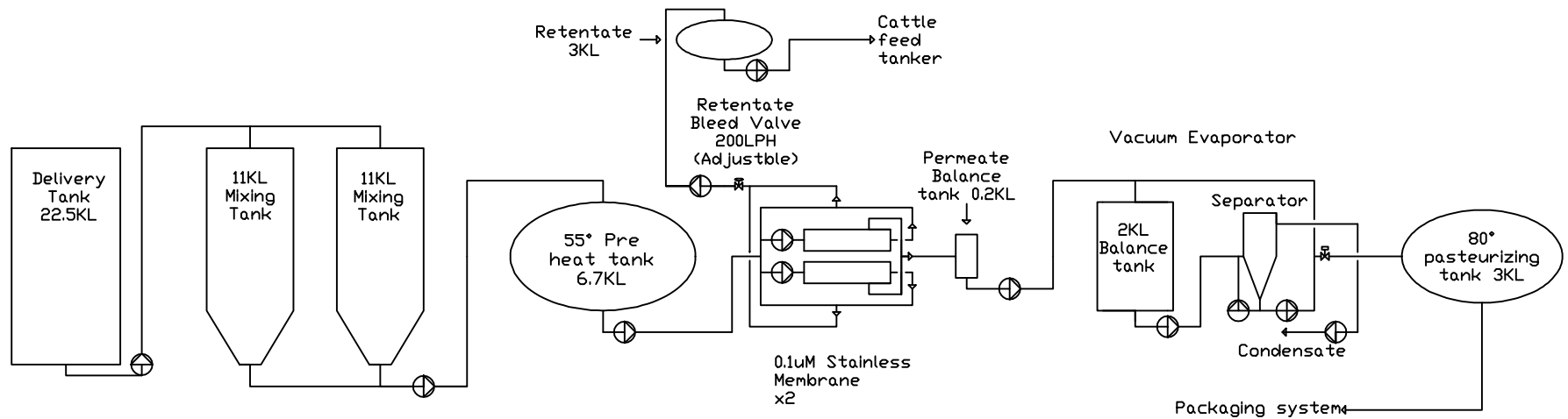


APPLICATIONS

POULTRY



- Improve feed conversion ratio
- Gut health improvement
- Mortality rate reduction
- Oxidative and general stress reduction
- Improvement of meat quality
- Anti-oxidant and anti-inflammatory effects on the general health and welfare of the birds



1. Product Arrives from Sarina in truck and quad dog and is pumped into delivery tank.
2. product is kept from sedimenting by circulation in 2x 11KL mixing tanks
3. Feed stock is then heated to 55°C while being agitated by stirrer
4. Feed stock is then pumped from heating tank to membrane filtration plant.
5. Feed stock (now called product) is then processed through 0.1µm membranes with permeate being pumped to evaporation skid while particles above 0.1µm (retentate) are bled off at a variable rate depending on solids load (usually 200LPH)
6. retentate is then pumped to holding tank for use as a cattle feed supplement
7. Product that has permeated the membrane and continued to evaporator balance tank is then reduced until reaching a set density
8. once density has been reached product is then sent to a pasteurisation tank and held at 80°C before being sent to packing in drums or IBC's



CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 33281175
Search Date: 18/02/2020 09:19

Title Reference: 51198751
Date Created: 16/10/2019

Previous Title: 51158786

REGISTERED OWNER

Dealing No: 719664962 09/10/2019

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270
TRUSTEE
UNDER INSTRUMENT 710106457

ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 298325
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40073506 (Lot 427 on SP 287159)
2. PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
3. EASEMENT No 719664987 09/10/2019 at 10:51
benefiting the land over
EASEMENT G ON SP298325

ADMINISTRATIVE ADVICES

| Dealing | Type | Lodgement Date | Status |
|--------------------------------|------------|------------------|---------|
| 713713290 | VEG NOTICE | 14/02/2011 13:55 | CURRENT |
| VEGETATION MANAGEMENT ACT 1999 | | | |

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ GLOBALX TERRAIN



Department of Environment and Science (DES)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Gloablx Terrain
Po Box 2746
Brisbane QLD 4069

Transaction ID: 50598188 AMA/AN Id: 91382 17 April 2020
Cheque Number:
Client Reference:

This response relates to a search request received for the site:

Lot: 2 Plan: SP298325
3276 MULLIGAN HWY
MOUNT MOLLOY

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DES has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

State Assessment and Referral Agency

Date: 21/02/2020



Department of State Development
Manufacturing, Infrastructure
and Planning

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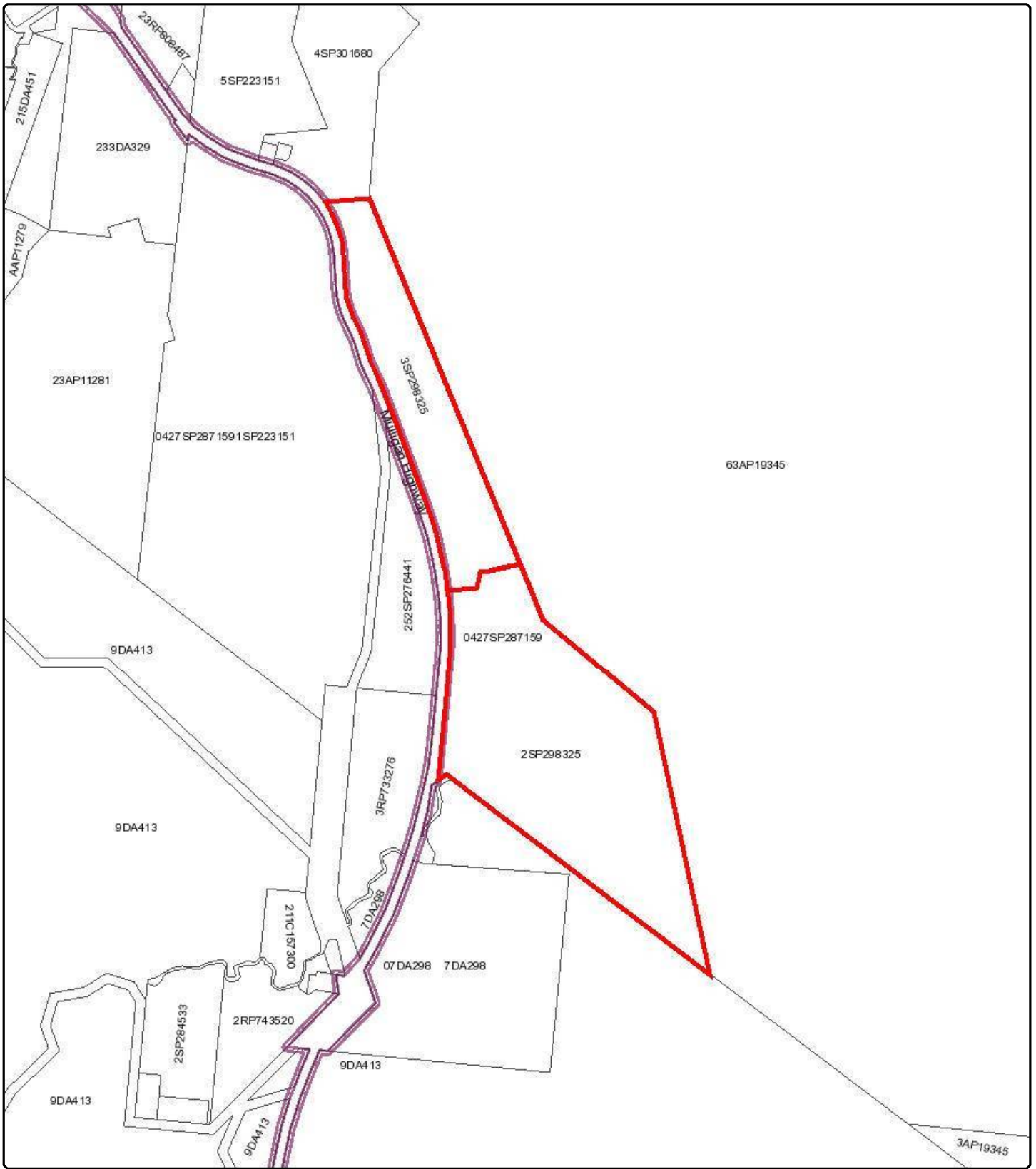
Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Matters of Interest by Lot Plan

Lot Plan: 2SP298325 (Area: 2158000 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Lot Plan: 3SP298325 (Area: 960400 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road



State Assessment and Referral Agency


Date: 21/02/2020

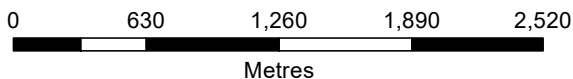


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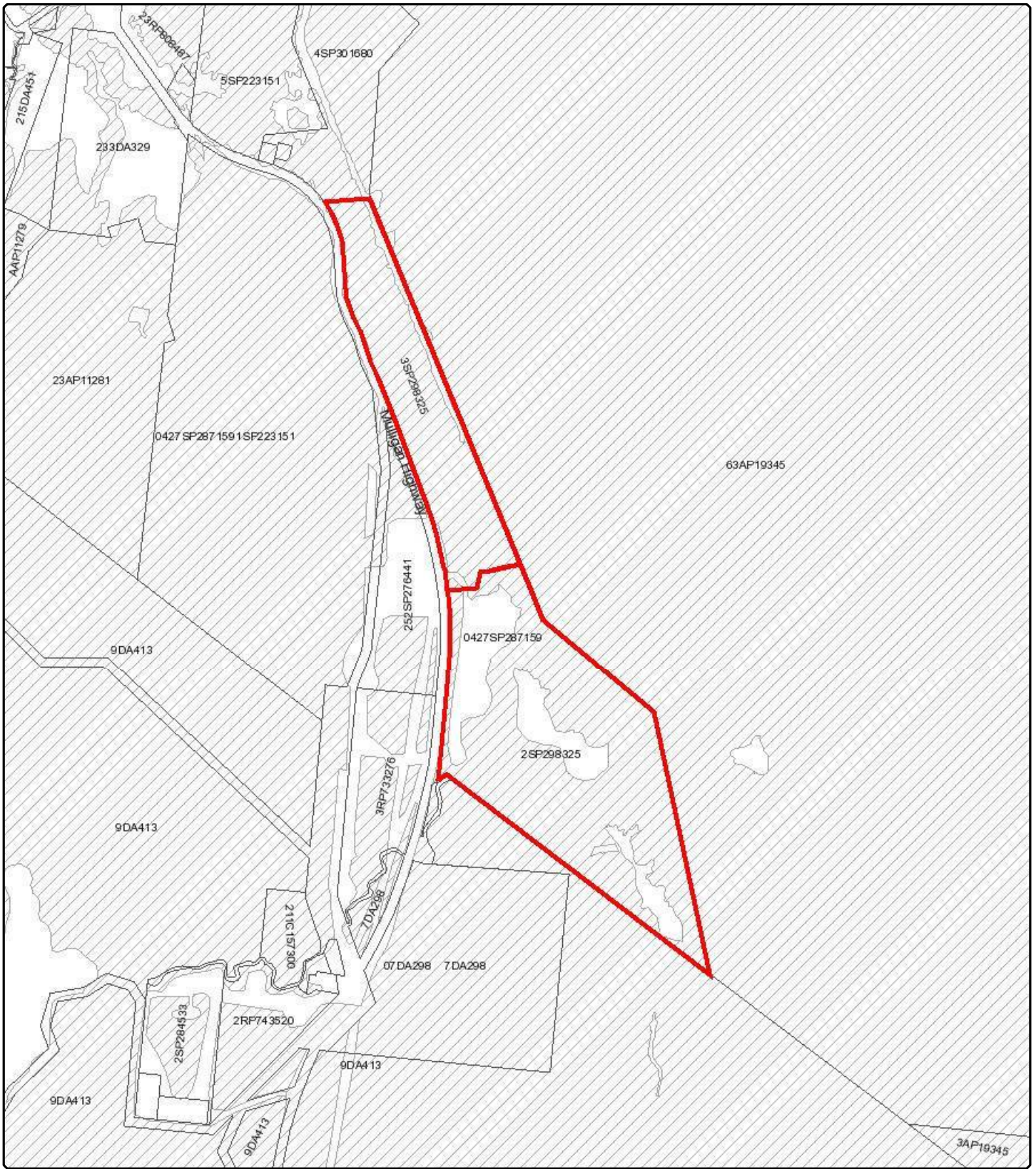
Legend

- Area within 25m of a State-controlled road
-  Area within 25m of a State-controlled road



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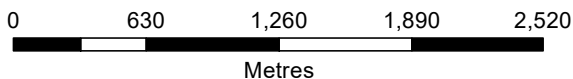
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Legend

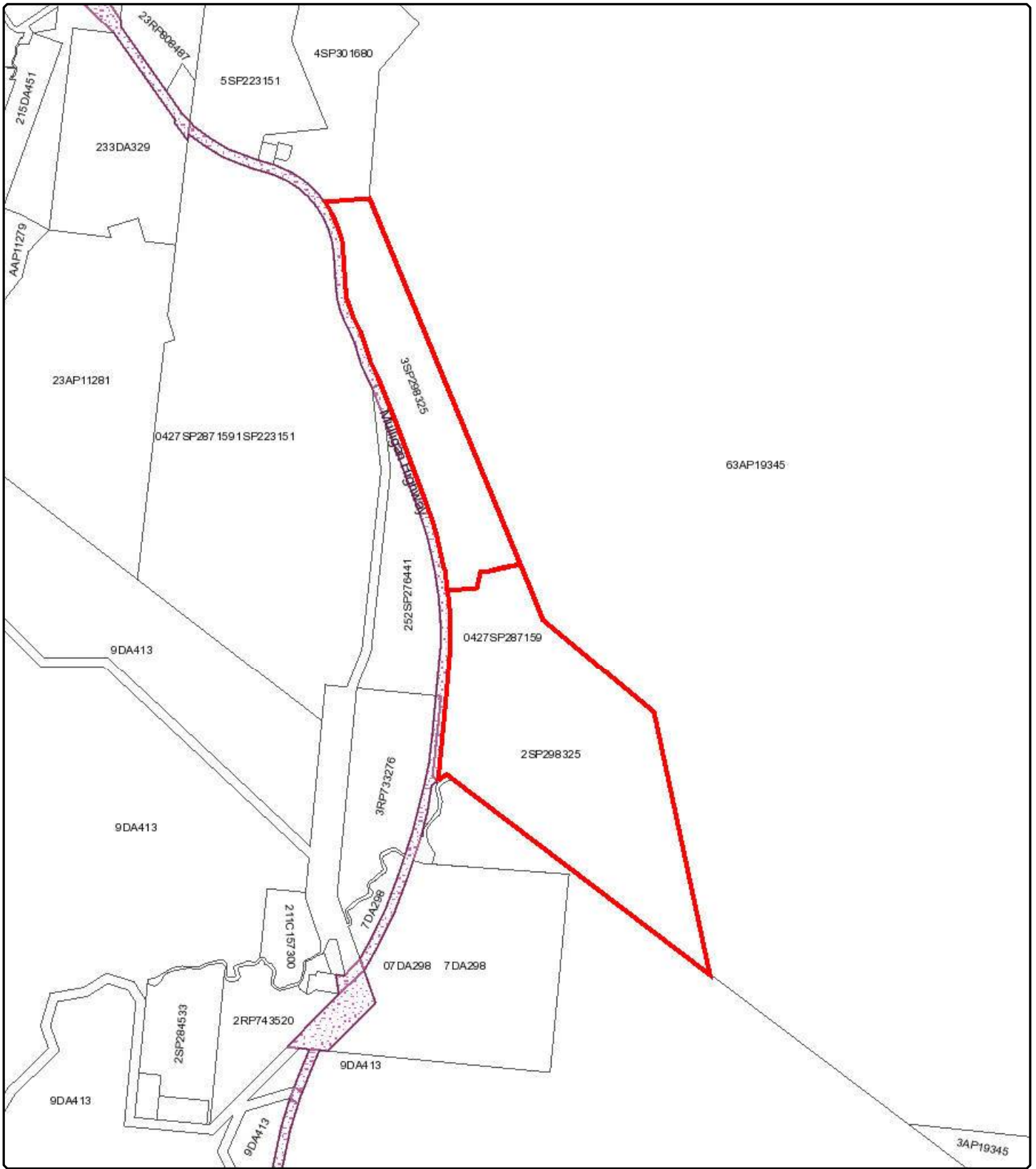
Regulated vegetation management map
(Category A and B extract)

- Category A on the regulated vegetation management map
- Category B on the regulated vegetation management map



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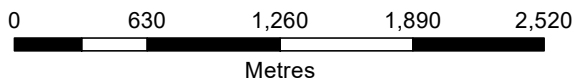
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Legend

State-controlled road



State-controlled road



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Legend


Drawn Polygon Layer

Override 1


Cadastre (50k)

 Cadastre (50k)


Major electricity infrastructure (Ergon)

 Major electricity infrastructure (Ergon)


MSES - Regulated vegetation (intersecting a watercourse)

 MSES - Regulated vegetation (intersecting a watercourse)


MSES - Wildlife habitat (endangered or vulnerable)

 MSES - Wildlife habitat (endangered or vulnerable)

MSES - Wildlife habitat (special least concern animal)

 MSES - Wildlife habitat (special least concern animal)

State-controlled road

 State-controlled road


MSES - Protected areas (estate)

 MSES - Protected areas (estate)


MSES - Regulated vegetation (category B)


 MSES - Regulated vegetation (category B)


Stock route network


 Stock route network

Bushfire prone area

 Very High Potential Bushfire Intensity

 High Potential Bushfire Intensity

 Medium Potential Bushfire Intensity

 Potential Impact Buffer




Legend


Drawn Polygon Layer


Override 1


Cadastre (100k)

 Cadastre (100k)

Regional land use categories (SEQ, WBB, MIW, FNQ)

 Urban Footprint

 Rural Living Area

 Regional Landscape and Rural Production Area



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State Planning Policy

Making or amending a local planning instrument
and designating land for community infrastructure

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Legend

Drawn Polygon Layer

Override 1


Cadastre (50k)

 Cadastre (50k)

Major electricity infrastructure (Ergon)


 Major electricity infrastructure (Ergon)


Noise corridor centreline - State-controlled road


 Noise corridor centreline - State-controlled road


Noise corridor - State-controlled road (MANDATORY area)

 Category 0: Noise Level < 58 dB(A)

 Category 1: 58 dB(A) =< Noise Level < 63 dB(A)


 Category 2: 63 dB(A) =< Noise Level < 68 dB(A)


 Category 3: 68 dB(A) =< Noise Level < 73 dB(A)


 Category 4: Noise Level >= 73 dB(A)


Noise corridor - State-controlled road (VOLUNTARY area)

 Category 0: Noise Level < 58 dB(A)

 Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

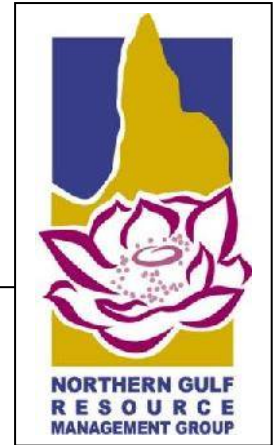
 Category 2: 63 dB(A) < Noise Level < 68 dB(A)

 Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

 Category 4: Noise Level >= 73 dB(A)



Disclaimer:



Wetherby Station
Development Subdivision
Fire Management Plan

Prepared by:

John and Kath Colless
in conjunction with
Dr Lesie Felderhof

Reviewed and updated by John Colless, 20/08/2019



***Firescape
Science***

MANAGING FIRE FOR SAFETY & SUSTAINABILITY

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0419 844 683
ABN 85 704 334 977

*For natural resource management advice: Specializing
in fire management, weed management, biodiversity
conservation, aerial imaging and field assessment*

1. Property description

Property name: Wetherby Station

Location: RN 471 Wetherby Rd, Mt Molloy, Qld 4871

Lots on Plan Number: SP 223151 (Lots 1-9), Lot 63 SP 143045, PTO 6470,
Parish of Garioch, County of Dagmar, Mareeba Shire Council

Property size: 1400 ha approx..

General location, climate, landscape and vegetation types present:

The property is located on the western edge of the Great Dividing Range. The township of Mount Molloy lies immediately to the west, at the northern end of the property. The Mulligan Highway between Mareeba and Mount Molloy runs north-south, again on the western side of the property, and dissecting the “Wetherby West” block from the remainder of the property. A high voltage power line runs parallel to the Mulligan Highway before it swings north and east through Wetherby. The landscape is characterised by rolling metamorphic hills. The entire eastern boundary is the Kuranda National Park (and World Heritage Area) which extends all the way to the coast.

Wetherby ranges in an elevation between 400m and 520m. It has a slightly drier monsoonal climate than coastal regions with an average annual rainfall of 950 mm. This falls predominantly in the wet season, which commences in November/December and continues until March/April. It rains reliably at this time of year but the amount of rain varies from year to year. There is a corresponding dry season from April/May to December.

Temperature is relatively warm throughout the year. The average summer temperatures are 31⁰C (max) and 24⁰C (min), while winter averages are 22⁰C (max) and 14⁰C (min).

The majority of creeks in the northern part of the property flow into Rifle Creek and then west into the Mitchell River. Other major creeks from north to south

include Spear Creek, Dairy Creek and the Little Mitchell River. They also flow west into the Mitchell River. There are dams and waterholes near the eastern boundary and in the north around Rifle Creek.

The predominant soil types are cleared alluvials (formerly used for sugar cane production), old alluvials and yellow duplex soils derived from the metamorphic bedrock. The rocky metamorphic substrate is exposed on the hills, while the lowlands consist of old loamy and sandy plains, and alluvial river and creek flats.

The property straddles two bioregions, the Wet Tropics and the Einasleigh Uplands. (The Mulligan Highway approximately follows the bioregional boundary, with the Wet Tropics bioregion to the east and the Einasleigh Uplands to the west). The majority of the property is dominated by eucalypt woodland with ironbarks, bloodwoods and boxes. (See Appendix 1 for descriptions of vegetation types and notes on fire management options).

The property has a typical savannah landscape – open woodland with a grassy understorey. It supports relatively large patches of Molloy Red Box woodland to open-forest and Clarkson's bloodwood. This gives way to white mahogany and lemon-scented gum woodlands in the southern half of the property, east of main road. Patches of iron bark open forest also occur in this area. On the western side of the road, the Molloy Red Box and bloodwood community gives way to a poplar gum and iron bark community. A large patch of ti-tree, she-oak and cypress low open woodland occurs west of the main road. Other vegetation types of interest include Cadagi open forest with vine thicket elements in two patches in the south; patches of ti-tree (*Melaleuca viridiflora*); riverine communities with vine forest and closed forest species; a small sedgeland/ grassland on an inundated swamp at the northern end of the property. There are small patches of forest red gum (*Eucalyptus tereticornis*) associated creeks and waterholes along the eastern boundary of the property. The dominant understorey grasses are kangaroo grass, giant spear grass, kerosene grass, white spear grass and blady grass.

Current management practices:

The property is currently managed for:

1. Beef cattle production – The property runs approximately 300 head of Brangus stud and commercial cattle plus Droughtmaster cattle which are grazed on native and improved pastures. Steers bred on the property are fattened, but the main enterprise is developing the Wetherby Brangus stud and selling bull and female progeny. Pasture is available all year round and supplemented with lick subject to season. Phosphorous blocks are supplied in the wet season, while molasses and urea blocks are given in the dry season. The aim is for sustainable grazing by reducing cattle numbers in parallel with improving the cattle quality.

The practice of seasonal mating has commenced, aiming for pre-Christmas calving and single sire-herds. Bulls are with cows from January to August, with a bull:cow ratio of 1:40 or 1:50. The intention is for early weaning from first calf heifers, wet season spelling and a plan to turn off cattle at an older age. The main mustering times are April and May.

There is some improved pasture. *Brachiaria decumbens*, *Brachiaria humidicola*, *Hamill grass*, and *seca stylo* have moved into the understorey. There are also areas of *para grass* and *hymenachne*.

2. Ecotourism – Wetherby has a relatively well established income stream from ecotourism. Visitors (international and domestic) travel from Cairns or Port Douglas to enjoy the outback experience and to see a working cattle station first hand.

3. Sustainability - Employing sustainable land management practices is a high priority on Wetherby. It is intended that this will result in improved farm productivity as well as ensuring that biodiversity values are retained. Substantial tree planting has occurred on the property and it is intended that the tree planting effort be continued. More intensive development is not

planned – rather, the approach is the reverse, with some areas being ‘de-developed’.

Management intentions:

The long term aims are to:

- Continue to develop the Wetherby Brangus stud
 - improve the commercial herd quality,
 - increase the attention given to biodiversity management
- 1) Previously, planned strategic/ mosaic burning has been undertaken on the property. It is intended that fire be used in conjunction with changed grazing practices to reduce timber thickening and promote the survival and growth of 3P (Productive, Palatable, Perennial) grasses.
 - 2) There are small isolated pockets of weeds that are being managed successfully at present. Weeds present include Giant Rats Tail grass (in a very small area), lantana (in Spear Creek and the northern part of Weaner Creek). There is no rubber vine and a very minor occurrence of sicklepod.
 - 3) Paddocks have been subdivided and riparian fencing has been erected along the full boundary with Rifle Creek. The driveway is now a laneway for stock movement and stock control; there is additional subdivisional fencing for a holding paddock and stock management.
 - 4) A key-line contour approach has been created on two paddocks and will be developed further to increase productivity on improved country.
 - 5) With Rifle Creek fenced off from cattle incursion, a reticulated gravity stock watering system has been installed, utilising header storage tanks, poly pipe and automatic water fill troughs in each paddock, north of Spear Creek.

Map details:

Key features of the property are shown on Map 1 (attached).

Additional information:

There have been significant changes in management practices in the last 10 years. Cattle were previously run in the Little Mitchell paddock in the wet, with no wet season spelling. Subdivision fences have been erected on Wetherby West and repaired in the Little Mitchell area. Fencing has occurred as above principally to subdivide paddocks and create laneways, making it easier to move stock.

For fire management, there is an imperative to undertake fuel reduction burning on Wetherby to provide fire protection to the nearby township of Mount Molloy. The main wildfire threat comes from the south east. Annual grading of the major internal fire break/road, which runs from the north to south through the property from Wetherby Road, Frazer Road and through to the Mulligan Highway, is carried out by the owners of Wetherby, in conjunction with Mareeba Shire Council and Mount Molloy Rural Fire Brigade.

Power lines run through the property. Timber under the lines is managed by Ergon/Powerlink contractors. They need to be notified before burning occurs and assist in maintenance of the internal access roads and tracks, which have served as fire breaks and “back burn” sites.

2. Regional Fire Management

Fire season:

The ‘fire season’ commences when the country dries out after the wet season and lasts until the onset of the next wet season. If fire is being used to reduce fuel loads, proactive burning normally occurs before the end of June. Fires are also purposely lit at storm time, to take advantage of green pick. Wildfires are more likely at this time too – as late season fires in October and November. These are the main periods of fire activity, but fires occur at other times too. Fires have been lit by neighbours and adjacent small land holders in

September and October to protect their properties from fires driven by the prevailing SE breezes.

Fire use on the property:

Fire is used on Wetherby for the following reasons:

- To remove rank grass
- To reduce fuel to protect against wildfire
- To kill weeds, particularly Lantana
- To manage timber thickening

The intention is to introduce the use of fire as a tool to maintain pasture composition, particularly the prevalence of 3P grasses, and to reduce timber thickening.

Fire use by neighbours:

There are around 30 adjacent landholders. The biggest landholder in the area (Southedge) -16000 ha use fire as a tool for managing their property, but most people don't burn. When fire is used by others it is in conjunction with the Mt Molloy Rural Fire Service, QPWS and some neighbours. This burning is for reducing fuel loads and for maintaining or creating fire breaks to protect people and property. Grading and back-burning are included in the program.

Fire patterns in the landscape:

In our view, the land in the area is burnt in an ad hoc manner. There are recently burnt and long unburnt areas but the burning patterns are not balanced. Some vegetation types appear to be changing, possibly due to changes in grazing or burning practices. For example, there is thickening of Melaleuca in the Little Mitchell, possibly as the result of inappropriate timing of fires (e.g. June, when fires are of low intensity. Grass is removed but the deep rooted, resprouting tree species recover quickly and then have a competitive advantage). In other areas the understorey grasses appear moribund and it is anticipated that fire will help to restore understorey health (e.g. an area of *Themeda* near Julia Dam) (Lot 5).

Fire management is seen as a balance. If fire is excluded, plants such as melaleuca and lantana become more common; if the country is burnt too often, the cover of perennial pasture species is reduced (replaced by annuals). The majority of vegetation types on the property are fire tolerant: the fire frequency and intensity affects the tree-grass balance. Species 'cover' is affected rather than complete presence or absence of different species.

There is no significant problem with arson; fire only occasionally enters the property from the road. Some people in the area are part of an active Rural Fire Brigade and permits are obtained from the Fire Warden (Christine Clark) prior to lighting fires. Standard instructions are that fires are not to be lit prior to 4pm and neighbours must be advised.

Weather conditions such as temperature, wind velocity and direction plus fuel load are considered prior to lighting control burns.

Smoke management:

People in this area accept smoke as part of rural living but some people are seriously concerned about fires. They want to know where it is and whether the fire is out of control or under control. To address this issue, the Mt Molloy Fire Brigade First Officer and Fire Warden/Post Mistress are informed of all fires in the local area and she acts as a contact point. Standard instructions are that fires are not to be lit prior to 4:00pm and neighbours must be advised.

Smoke is an issue for roadside burning but signs are put up and traffic control measures are put in place.

3. Fire management objectives

Fire zone map:

Map 2 (attached) shows the general fire management intentions for Wetherby. It includes:

| | |
|---------------------------|--------------------------------------|
| Protection Zones | - managed to maintain low fuel loads |
| Wildfire Mitigation Zones | - aiming for low/moderate fuel loads |
| Production Zone | - fire regime depends on land use |
| Natural Habitat Zone | - fire regime depends on vegetation |

Protection zone

Aim: To prevent fire damage to the Wetherby homestead, yards, sheds, stock (cattle and horses).

Fire protection is critical in these areas. The objective is to maintain low fuel loads to provide a high level of protection to life, property and infrastructure.

Wildfire mitigation zone

Aim: To minimise the risk of wildfire in the following locations: (1) the previously cleared area, (2) Kathy's paddock (Lot 7), (3) Frazer Road/Spear Creek area, (4) west of the road in Themeda paddock (Lot 6), (5) on the southern boundary near the two 5 ha rural blocks east of the highway, and (6) the southern boundary of 'Wetherby West' (Lot 1).

Management in this area is directed towards preventing wildfires from spreading onto the property, or increasing the likelihood of controlling a wildfire (either approaching from afar, or if a fire escapes unintentionally within the property). The objective in this zone is to maintain low to moderate fuel loads.

Production zone

Aim: To use fire to enhance pasture productivity and thereby improve cattle production.

The production zone covers most of the property.

Natural habitat zone

Aim: To use fire as appropriate for maintaining the species composition and structure of the regional ecosystems that are present.

Country will be managed with the specific objective of maintaining the regional ecosystems that are present (ecological burning). Most of Wetherby West (Lot1) is also zoned 'natural habitat' - burning in this area will aim to achieve a fine scale mosaic with respect to 'time-since fire'.

The majority of vegetation on Wetherby is fire tolerant. Fire damage is not evident in vegetation types that are potentially less fire tolerant (e.g. riparian areas).

4. Fire Management Strategies

Protection zone

| Objective | Area | Strategy |
|------------------|---|---|
| Fire exclusion | Wetherby homestead and yards, sheds and out buildings | <ul style="list-style-type: none"> - Keep homestead area with low fuel load by mowing, slashing and grazing - Ensure there is sufficient on-site water for fire fighting - Ensure fire extinguishers, gravity fed tank and hoses are available - Have the slip-on unit mounted on dedicated Land Cruiser throughout the fire season |

Wildfire mitigation zone

| Objective | Area | Strategy |
|------------------------|---|--|
| Minimise wildfire risk | Northern end of Wetherby to Spear Creek | <ul style="list-style-type: none"> - Maintain fire track on eastern boundary by annual grading - Liaise with EPA (Rob Miller) - In N & NE, work in with Lister Pringle, Kim Prettijohn and Peter Keyes (i.e. liaise with them, as neighbours and absentee owners) - Keep fuel load low in cane bin area by grazing - General view is that there is sufficient subdivisional fencing and watering points; the western boundary is Rifle Creek which has relatively fire resistant vegetation; the neighbour there has fire breaks; |

| | | |
|------------------------|---|---|
| Minimise wildfire risk | | and fuel load is kept low in 'Kathy's paddock' by grazing |
| | Spear Creek to sub-station (Lots 4,5,6,7) | Two phases: 1) fuel reduction, 2) rejuvenating <i>Themeda</i> - Maintain the track by grading annually (with RFS), and run a blade along the fence line - One option is to have a co-ordinated burn with RFS and neighbours - Burn every three years by back burning into the National Park around June with Rob Miller - The longer term strategy will be to burn 'Broken Dam <i>Themeda</i> block' after 1 st storm (around Dec) on a northerly wind. Use RFS assistance to wet down between western neighbours. |
| | Wetherby West and Little Mitchell (Lots 1,2,3) | - In the short term, maintain the tracks and link in with the neighbour for burning; Plan a joint burn with the two Little Mitchell neighbours in June - Burn between the track and old road in south of Wetherby West (see map) near the grave - Maintain the track (Wetherby West) into the State Land Asset Mgt block; keep an eye on the Firenorth site and be prepared to respond to wildfire |
| | Between 'Grand Canyon' and highway, north to Wetherby gate (Lots 2,3,4) | - Road side burn in June - Burn in conjunction with RFS and two neighbours |

Production zone

| Objective | Area | Strategy |
|------------------|-------------|-----------------|
|------------------|-------------|-----------------|

| | | |
|--|-----------------------------------|--|
| Reduce occurrence of Blady Grass (increase cover of <i>Themeda</i>) | Dairy Creek paddock (Lots 3,5) | <ul style="list-style-type: none"> - Aim to burn every 4 years Typically, Blady grass is promoted by fire; fire exclusion (i.e. restriction) helps to promote <i>Themeda</i>. (Reduce fire frequency until <i>Themeda</i> becomes more dominant) - Use Drovers Camp block as fire break (talk to Keith Smith) |
| Reduce woody thickening | Little Mitchell (Lots 2,3) | <ul style="list-style-type: none"> - Lock up this area for a year to get fuel build up - Establish new firebreak / access track 10m wide (designed to minimise erosion) and fence it with a block fence E-W into the hills to contain cattle - Prepare a burnt break early by back burning from the new track. The intent is to widen the break and reduce the risk of wildfire (need to involve Rob Miller in this) - The western wildfire protection is the eroded gully and road - Discuss operations with Rob: light from the river with access by quad bike? If so, need to make a light track along the river for access. OR use incendiaries? (preferable) |
| Reduce woody thickening | 'Flight Path' (near road) (Lot 1) | <ul style="list-style-type: none"> - Aim for storm burning (in 2020) - Check tracks are passable beforehand (good roads and fence line in place for containment) |

Natural habitat zone

| Objective | Area | Strategy |
|---|--|---|
| Maintain RE | Drover's Camp (Lots 1,5) | <ul style="list-style-type: none"> - Discuss with Keith Smith (aim to promote native species in the understorey) |
| Create a fine scale mosaic of 'time since fire' | Wetherby West and SLAM paddock (Lot 1) | <ul style="list-style-type: none"> - Try a mosaic burning approach, whereby hill-tops and ridges are burnt as the country begins to dry out. This should also break up fuel load and protect against late season wildfires |

5. Fire history and Risk assessment

Fire North Fire history map:

The recent fire history on Wetherby according to the fire scar information is available on the NAFI (North Australian Fire Information) and Firenorth websites. This data is known to be inaccurate for some areas, particularly the wet tropics as cloud cover prevents mapping by satellite imagery. It is therefore important to record fire scars at the property level soon after they occur, in order to build a reliable dataset.

Compare objectives with the current landscape condition:

| ZONE/area | Fire requirement | Current situation | Consistent? |
|---------------------|----------------------------------|--|-------------|
| Protection | Fire exclusion | Current practices working well in that fuel is well reduced around property and infrastructure. | |
| Wildfire mitigation | Fuel reduction burns | Current practices ad hoc except for track maintenance in Fraser Rod area. Need to introduce the planned approach with RFS and neighbours; and discuss with EPA | |
| Production | Fire exclusion in the short term | Blady grass beginning to dominate in Dairy Paddock, need to implement plan to increase cover of <i>Themeda</i> | |
| | Storm burning | Woody thickening is apparent in Little Mitchell and the Flight Path; thought to be associated with low intensity fuel reduction burns in June, or green pick being grazed too soon (immediately after burning, before grass can sufficiently re-establish) | |

Risk assessment:

| ZONE/area | Wildfire risk / Implication of no action | Priority |
|-----------|--|----------|
| | | |

| | | |
|----------------------------|---|------------|
| Protection | If no action, wildfire is likely to damage infrastructure: grass grows every year since the rainfall is reliable, and fire is an annual occurrence. | 1 |
| Wildfire mitigation | There is a high risk of wildfire if no action is undertaken. As above, grass grows every year, given the reliable rainfall, and fire is an annual occurrence. Infrastructure damage on Wetherby or to neighbouring properties is likely if no action is taken. Loss of production would occur if feed was limited by wildfire. 2a - Spear Ck to sub-station 2b - Wetherby North (improved pasture) 2c - South, two blocks – Little Mitchell 2d - Spear Ck/Fraser Rd | 2 |
| Production | Little Mitchell - Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey | 3a |
| | Dairy Creek - Blady grass predominates when fire frequency is high. Without fire management there is loss of <i>Themeda</i> – a palatable perennial. | 3b |
| | Flight Path – Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey | 3c |
| Natural habitat | Drover's camp - Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey | =3a |
| | Wetherby West - There is a high risk of wildfire if no action is undertaken. | 4a |
| | SLAM paddock - There is a high risk of wildfire if no action is undertaken. | 4b |

Fire management priorities:

Priorities over the next 5 years are:

1. Maintain current fuel reduction practices in Wetherby's protection zone
2. Talk to the RFS, Wetherby RFB), QPWS and neighbours about fire plans for Wetherby; set process in place for implementing priority fuel reduction burns each year and maintaining fire breaks

3. Talk to and involve Wetherby RFB, QPWS and RFS re- planned burns
4. Implement strategy to reduce woody thickening in Little Mitchell (Lots 2 and 3) as a component of Vegetation management.
5. Exclude fire from vulnerable and high risk areas
6. Discuss/implement mosaic burning of Wetherby West (Lot 1) with Mick Blackman of Friendly Fire
7. Ensure fire reports are prepared after each fire in order to improve the fire history records and learn by doing. Keep fire reports and monitoring photos in a dedicated fire management folder. (The fire-mapping can be improved by providing feedback to managers of the NAFI and Firenorth web sites. Mark up maps by hand if necessary so there are good on-property records).

6. Action plan

| Priority | Zone/area | Tasks required | Complete by |
|----------|---------------------|---|-------------|
| 1 | Protection | Slashing, mowing & grazing in protection zones; ensure water availability and hoses, prepare slip on unit | July |
| 2 | Wildfire mitigation | Liaise with neighbours, QPWS and RFS to discuss priority areas for fuel reduction burns | April |
| 2 | Wildfire mitigation | Undertake fuel reduction burns (see section 4 for details) | June/July |
| 3 | Production | Discuss plan with Rob Miller (especially re- aerial incendiaries and plans for adjoining NP) | March |
| | | Exclude cattle from Little Mitchell area (Lot 2) to get fuel build up | April |
| | | Plan and establish new firebreak for Little Mitchell burn | September |
| 3a | Natural Habitat | Themeda area (Lot 6) – fire break | June |

| Priority | Zone/area | Tasks required | Complete by |
|----------|---------------------|--|----------------------|
| 1 | Protection | Slashing, mowing in protection zones; ensure water availability and hoses | July |
| 2 | Wildfire mitigation | Liaise with neighbours and RFS to discuss priority areas for fuel reduction burns | April/May |
| 2 | Wildfire mitigation | Undertake fuel reduction burns as described in section 4 | June/July |
| 3 | Production | Little Mitchell - Prepare burnt break south of new fence (see section 4); Discuss with Rob Miller - QPWS | June/July |
| 3 | Production | Little Mitchell - discuss operations with RM; plan and implement storm burn | Oct/Nov (storm burn) |
| 4 | Production | Flight Path – consider actions required for storm burn in this area Oct/Nov | March |
| 4 | Natural Habitat | Wetherby West (liaise with Mick Blackman Friendly Fire) | March |

Consider:

- Firebreak and internal road construction and annual maintenance with Mareeba Shire Council, Ergon and QPWS
- Stock movement
- Discussions with neighbours, RFS, QPWS and Ergon
- Obtain necessary Permits to Light
- Equipment check
- Before/after photograph at monitoring site
- Plan review (do this over the wet season; consider the fires in the previous year, the results of monitoring; management objectives)

Wildfire response – Wetherby Station, Rural # 471, Wetherby Rd, Mt Molloy

Pre fire-season safety CHECK:

The house yard is buffered from the surrounding bush by grazing, mowing and slashing

The following items are in working order and easily available:

Water pumps Heavy machinery (e.g. tractors, dozer, grader)

Water tank for vehicle (slip-on unit) Container for drinking water

Knap sack spray Fire extinguisher

Water containers (metal buckets, drums etc.)

Hoses Tool box

Rakes or rake-hoes Axe Chainsaw Shovel

Hessian bags or old woollen blankets for wetting

First aid kit Fire Action Map (see below)

Radios & batteries **UHF Channel** _____

Torch

Protective clothing (e.g. wool/cotton material; cloth for face protection; gloves)

Matches Drip torch

Check that the details on the fire action map are correct

During the fire season the plan is to:

Maintain low fuel loads (grass, sticks and leaves) in areas around buildings

Ensure good water supply in built areas

Note condition of property water supplies

Monitor fires in the region using the internet www.nafi.com and

(www.firenorth.org.au), and by talking to neighbours or QFRS staff.

Review QFRS guidelines on personal safety and house protection in the event of a bushfire

A copy of this wildfire response information (and map) is lodged with:

QFRS Mount Molloy Rural Fire Brigade Local Fire Warden

The wildfire response procedure has been discussed with family members and staff on the property

If there is a wildfire:

The steps to take are:

- Ensure personal safety and the safety of others in the immediate vicinity of the fire
- Ensure the safety of the vehicle and equipment, and if possible (or relevant) infrastructure
- Contact home base and advise them of the wildfire
- Give your location & fire details (location, size, direction of spread, flame height, vegetation/fuel, terrain, immediate threats).
- State who is at the fire and your intentions
- Say what assistance is required
- Assess the situation. If it is safe, and you are likely to succeed, take reasonable actions to extinguish or control the wildfire.

Important phone numbers

| Name | Position/location | Phone number |
|-------------------------------|-----------------------------------|---------------------------------|
| John and Kathy Colless | Wetherby Station | 4094 1125 |
| Jeff Bryan | Wetherby Road | 4094 1789 |
| Fire Comm | Cairns | 1800 642 490 |
| Bill McKerlie | RFS captain | 4094 1170 / 0407 609 668 |
| Frank Falappi | Mt Molloy Police | 4094 1132 / 0437 698 890 |
| Christine Clarke | Sect (RFS) and PO | 4094 1135/ 0488 133 949 |
| Rob and Kim | Wetherby Station staff | 0407 086997 |
| Manager | Mt Molloy Hotel | 4094 1133 |
| Brad Bell | Neighbour | 4094 1250 |
| | | |

At all times the order of priority for wildfire suppression is:

- **Protection of human life**
- **Protection of substantial property or infrastructure on the land or neighbouring landholdings**
- **Protection of productive resource areas, and natural and cultural resources**

Information for fire fighters:

The following information is on the 'Fire Action Map for Wetherby' (attached):

Topography

Infrastructure (buildings, yards, bores, pumps, power lines)

Roads

Access tracks

Fire control lines (include natural 'breaks' such as rivers)

Fences

Gates

Locked gates

Water points accessible by vehicle

Property boundary

Name/contact of neighbour

Fire protection sites

Air strip or helipad

Record-keeping and review

Property name: Wetherby

Date of report: _____

Date of fire: _____

Duration of fire

Ignition time and date: _____

Extinction time and date: _____

Fire details

The fire was a Planned burn

..... Wildfire

The cause was:

| | Known | Suspected |
|--------------|--------------------------|--------------------------|
| Lightning | <input type="checkbox"/> | <input type="checkbox"/> |
| Machinery | <input type="checkbox"/> | <input type="checkbox"/> |
| Arson | <input type="checkbox"/> | <input type="checkbox"/> |
| Escaped burn | <input type="checkbox"/> | <input type="checkbox"/> |
| Unknown | <input type="checkbox"/> | |

Weather before the fire was

Weather during the fire was

Weather in the few months

following the fire was _____

Fire history map

The area burnt is shown on map _____. It shows the point of origin and

the direction the fire traveled . Monitoring points _____ burnt.

Monitoring points _____ did not burn.

Map reliability is:

Hand drawn onto map from memory

Hand drawn onto map after flying over

Mapped using a GPS on the ground

Mapped from aerial photograph

Mapped from satellite imagery

Outcomes of the fire

| Zone/area | Objective | Estimate of fire intensity | Result/comment |
|------------------|------------------|-----------------------------------|-----------------------|
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Fire summary

Overall, the fire management operation went _____

The general tactic was _____

The on-ground result (or impact) was _____

The main improvement for next time is _____

Implications for next season?

Revisit the fire plan, giving particular attention the action plan.

**ATTACHMENT 4:
RELEVANT APPROVALS**





19 September 2019

Planning Officer: Carl Ewin
Direct Telephone: (07) 4086 4656
Our Reference: MCU/19/0009
Your Reference: 19-462

Martin Anton
C/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Dear Applicant/s

Decision Notice

Planning Act 2016

I refer to your application and advise that 18 September 2019, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: MCU/19/0009
Street Address: 3276 & 3278 Mulligan Highway, Mount Molloy
Real Property Description: Lot 2 & 3 on SP223151
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use - High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
Date of Decision: 18 September 2019

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "*necessary infrastructure condition*" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
 - 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.
 - 3.4 Bushfire Management

A Bushfire Hazard Management Plan for the development must be prepared by a suitably qualified person/s. The Bushfire Hazard Management Plan must demonstrate compliance with the relevant performance outcomes of the Mareeba Shire Council Planning Scheme 2016 Bushfire Hazard Overlay Code.

The development must comply with the requirements of the Bushfire Hazard Management Plan at all times.

3.5 Hours of Operation

The operating hours shall be between 8:00am and 5:00pm Monday to Friday and 8:00am to 1:00pm Saturdays. No operations are permitted on Sundays or Public Holidays.

3.6 Product Sale

All recycled products are to be sold off-site only with no individual sales/transactions permitted from the subject site.

3.7 Any fuel stored on site associated with the approved use must be kept in a sealed, bunded area with a storage capacity of at least 150% of the storage capacity of any fuel storage tanks/containers.

3.8 Environmental Management Plan

The applicant/developer shall provide Council with an environmental management plan prepared by a suitably qualified professional which addresses (as a minimum):

- ☐ All environmental impacts of the proposal and measures proposed to mitigate the impacts;
- ☐ Emergency management procedures;
- ☐ Refuse collection and disposal; and
- ☐ Management and supervision procedures.

The environmental management plan must be submitted to Council and be approved by Council's delegated officer prior to the commencement of the use.

The applicant/developer or on-site manager must ensure the approved use is operated in accordance with the environmental management plan at all times and for the life of the development.

4. Infrastructure Services and Standards

4.1 Stormwater Management

4.1.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.1.2 All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.2 Erosion and Sediment Control Plan

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 Prior to the development commencing, the applicant must develop an Erosion and Sediment Control Plan. The plan must detail what measures/procedures will be implemented on-site to prevent erosion and sediment run-off during construction and operation.

4.2.3 The applicant/developer must ensure that the Erosion and Sediment Control Plan is complied with at all times.

4.3 Water Supply

The quality of water provided on site for human contact or consumption must be of a standard for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.4 On-site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.5 Car Parking/Internal Driveways

The developer must ensure that the development is provided with sufficient on-site car parking spaces which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces and internal driveways must be constructed to at least compacted gravel standard, clearly identifiable and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

| Material change of use of premises near a State transport corridor or that is a future State transport corridor | | |
|---|---|--|
| Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection | Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 | State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870 CairnsSARA@dsdmip.qld.gov.au |
| Material change of use that is assessable development under a local categorising instrument (clearing native vegetation) | | |
| Development application for a material change of use that is assessable development under a local categorising instrument and relates to a lot that is 5ha or larger, if— (a) the application— (i) is for a preliminary approval that includes a | Schedule 10, Part 3, Division 4, Table 3 | State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870 |

| | | |
|---|---|--|
| <p>variation request; and</p> <p>(ii) relates to a lot that contains native vegetation shown on the regulated vegetation management map as a category A area or category B area; and</p> <p>(iii) is for a material change of use, other than a non-referable material change of use; or</p> <p>(b) the application is not stated in paragraph (a) and all of the following apply—</p> <p>(i) the material change of use does not involve prescribed clearing;</p> <p>(ii) accepted operational work may be carried out because of the material change of use, or the material change of use involves operational work that is assessable development under section 5;</p> <p>(iii) the accepted operational work or assessable operational work includes development other than the clearing of regulated regrowth vegetation on freehold land, indigenous land, land the subject of an occupation licence under the Land Act, or land the subject of a lease given under the Land Act for agriculture or grazing purposes</p> | | <p>CairnsSARA@dsmip.qld.gov.au</p> |
| Material change of use of premises near a substation site of subject to an easement (advice agency only) | | |
| <p>Development application for a material change of use that is assessable development under a local categorising instrument and does not relate to reconfiguring a lot, if—</p> <p>(a) all or part of the premises are within 100m of a substation site; or</p> <p>(b) both of the following apply—</p> <p>(i) all or part of the premises are subject to an easement for the benefit of a distribution entity, or transmission entity, under the Electricity Act;</p> <p>(ii) the easement is for a transmission grid or supply network</p> | <p>Schedule 10, Part 9, Division 2, Table 2</p> | <p>Town Planning Ergon Energy PO Box 264 Fortitude Valley Qld 4006</p> <p>townplanning@ergon.com.au</p> |

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

| Plan/Document Number | Plan/Document Title | Prepared by | Dated |
|----------------------|-----------------------------|-------------|-------|
| Sheet 2 | Site Plan | - | - |
| - | Indicative Site Layout Plan | - | - |

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

(a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au.

(e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au.

(B) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 26 August 2019.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

There were no properly made submissions received.

RIGHTS OF APPEAL

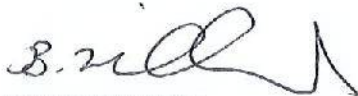
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

OTHER DETAILS

If you wish to obtain more information about Council’s decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

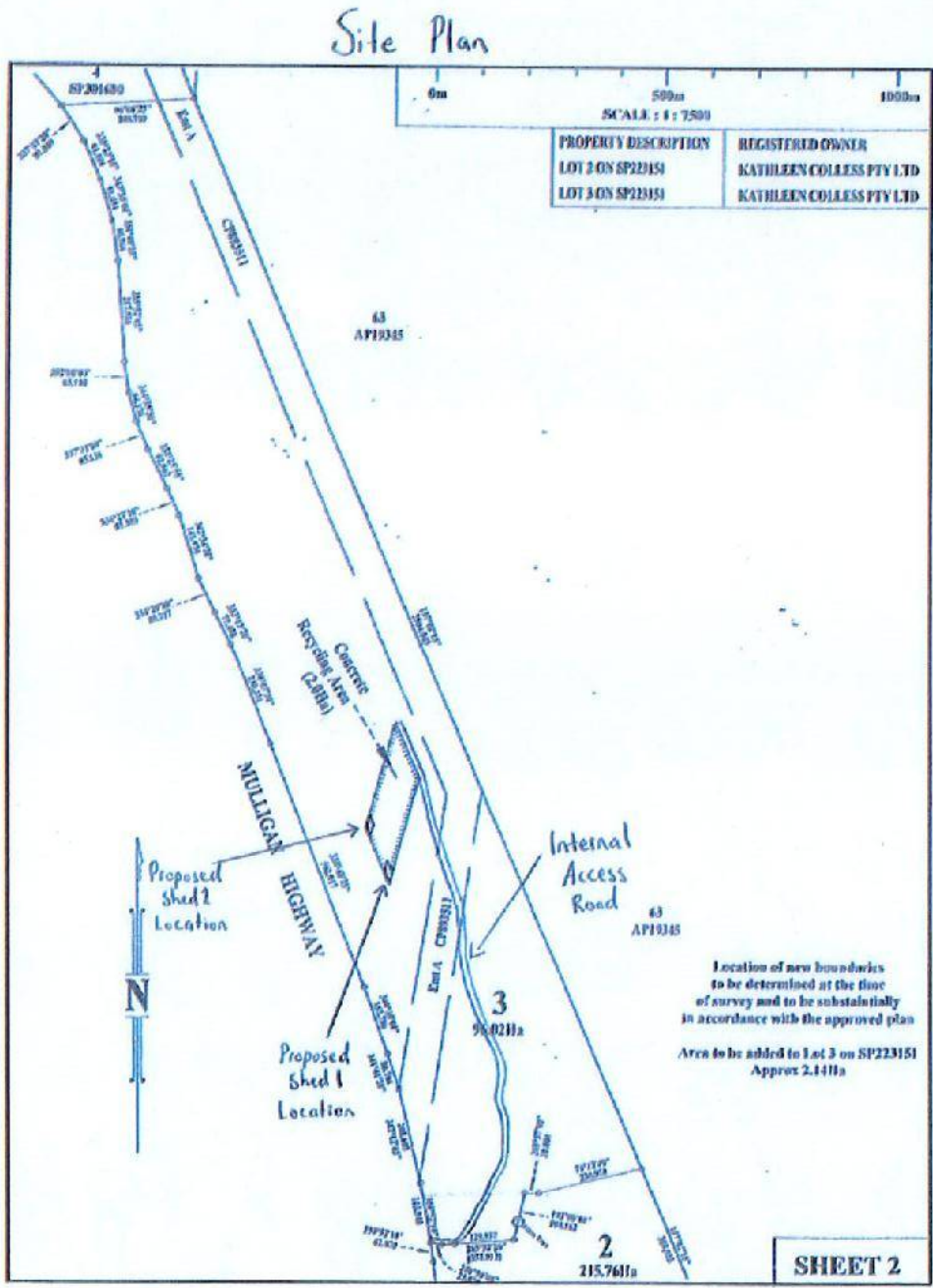


BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

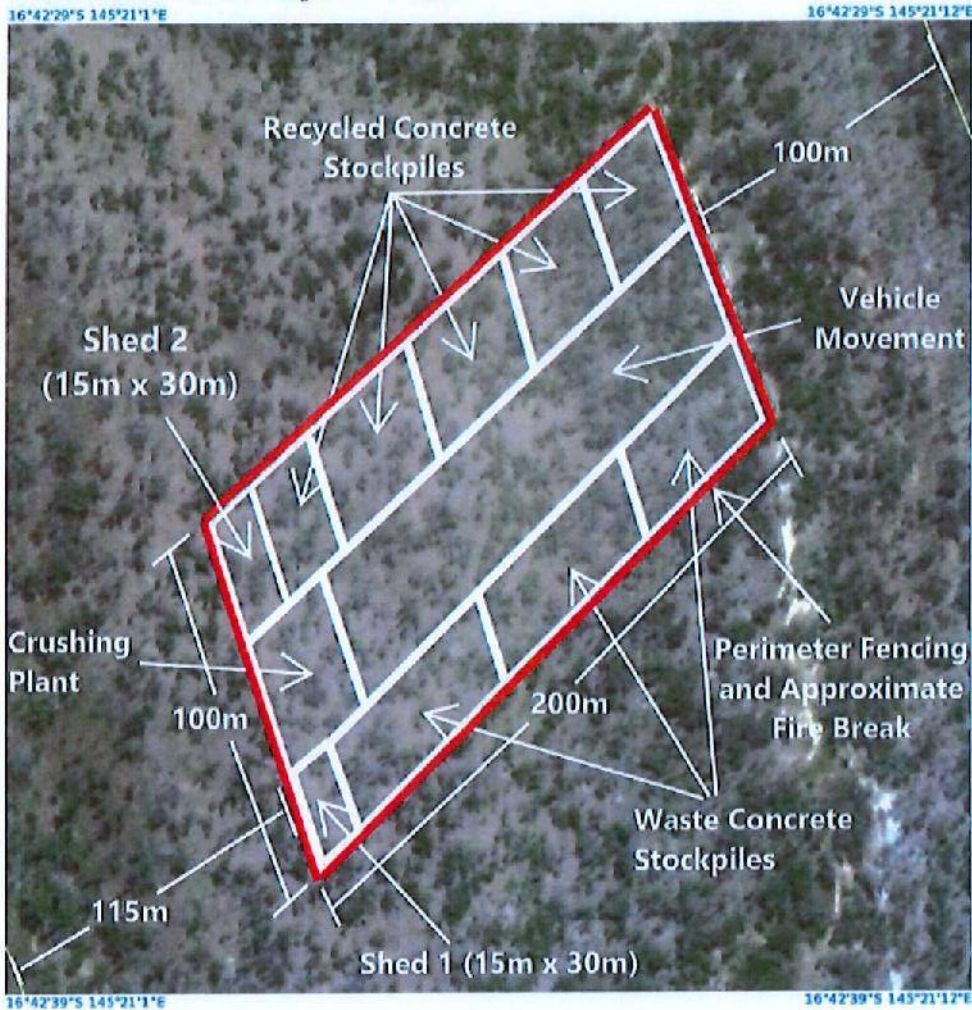
Copy: Department of State Development, Manufacturing, Infrastructure and Planning
CairnsSARA@dsdmip.qld.gov.au

Approved Plans/Documents



19/9/2019
B. Will

Indicative Site Layout Plan



A product of
Queensland Globe



50 metres

Print Date: 18/6/2019
Paper Size: A4
Imagery

Includes material © CNES reproduced under licence from Airbus DS, all rights reserved, © 21AT © Earth-1, all rights reserved, 2019



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19/9/2019
B. n. [Signature]

| | |
|--|---------------------------------|
| | Referral Agency Response |
|--|---------------------------------|

RAS-N



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

SARA reference: 1907-12219 SRA
Council reference: MCU/19/0009
Applicant reference: 19-462

26 August 2019

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880
planning@msc.qld.gov.au

Attention: Carl Ewin

Dear Sir/Madam

SARA response—3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy

Development Application for Material change of use for Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) (Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 17 July 2018.

Response

| | |
|-------------------|--|
| Outcome: | Referral agency response – with conditions. |
| Date of response: | 26 August 2019 |
| Conditions: | The conditions in Attachment 1 must be attached to any development approval. |
| Advice: | Advice to the applicant is in Attachment 2. |
| Reasons: | The reasons for the referral agency response are in Attachment 3. |

Development details

| | | |
|--------------|--------------------|---|
| Description: | Development permit | Material change of use for Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) |
|--------------|--------------------|---|

Page 1 of 9

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

1907-12219 SRA

| | |
|--------------------------------------|---|
| SARA role: | Referral Agency. |
| SARA trigger: | Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation (Planning Regulation 2017) Development application for a material change of use on a lot that contains native vegetation Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road (Planning Regulation 2017) Development application for a material change of use within 25m of a State-controlled road |
| SARA reference: | 1907-12219 SRA |
| Assessment Manager: | Mareeba Shire Council |
| Street address: | 3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy |
| Real property description: | 2SP223151; 3SP223151 |
| Applicant name: | Martin Anton |
| Applicant contact details: | PO Box 2970 Cairns QLD 4870 justin@urbansync.com.au |
| State-controlled road access permit: | This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none">• Approved• Reference: TMR19-027837 (500-1400)• Date: 20 August 2019 If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at cairns.office@tmr.qld.gov.au or on 07 4046 7161. |

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in Attachment 4.

A copy of this response has been sent to the applicant for their information.

1907-12219 SRA

For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Martin Anton, c/- justin@urbansync.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

1907-12219 SRA

1907-12219 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

| No. | Conditions | Condition timing |
|---|---|---|
| Material change of use | | |
| Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): | | |
| 1. | The clearing of vegetation under this development approval is limited to the area identified as Area A as shown on attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019. | At all times |
| 2. | No built structure, other than for fences, roads, hardstands, and underground services, is to be established, constructed or located within area identified as Area B as shown on the attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019. | At all times |
| 3. | Any person(s) engaged or employed to carry out the <u>clearing of vegetation</u> under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of <u>clearing</u> authorised by this development approval. | Prior to clearing |
| Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department on Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): | | |
| 4. | <p>(a) The road access location, is to be located generally in accordance with TMR Layout Plan (34A – 32.76km) prepared by Queensland Government Transport and Main Roads, dated 13/08/2019, File Reference TMR19-27837 (500-1400), Issue A.</p> <p>(b) Road access works comprising of a sealed rural property access must be provided at the road access location.</p> <p>(c) The road access works must be designed and constructed in accordance with Austroads Guide to Road Design, Part 4: Intersections and Crossings – General, Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).</p> | <p>(a) At all times.</p> <p>(b) and (c) Prior to the commencement of use.</p> |
| 5. | Signage, indicating 'trucks turning' is to be installed either side of the road access in accordance with section 1.12.2 Longitudinal Placement of the Department of Transport and Main Roads' <i>Manual of Uniform Traffic Control Devices, Part 1: General introduction and sign illustrations, July 2019</i> . | Prior to the commencement of use. |

1907-12219 SRA

Attachment 2—Advice to the applicant

| General advice | |
|-----------------------|---|
| 1. | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the <i>State Development Assessment Provisions (SDAP)</i> version 2.4 effective 16 November 2019. If a word remains undefined it has its ordinary meaning. |
| 2. | Words underlined in these conditions have the same meaning given in the <i>Glossary of Terms</i> found within the state code 18: <i>Clearing native vegetation</i> . |
| 3. | Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to www.qld.gov.au (search 'vegetation clearing requirements'). |
| 4. | To request an electronic file of the <i>Derived Points</i> (Attached to Plan: 1907-12219 SRA) as contained in this technical agency response, email a request to the Department of Natural Resources, Mines and Energy (DNRME) at northvegetation@dnrme.qld.gov.au and include application reference (1907-12219 SRA). |
| 5. | In accordance with section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (DTMR) to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction. |

1907-12219 SRA

Attachment 3—Reasons for referral agency response*(Given under section 58(7) of the Planning Act 2016)***The reasons for the department's decision are:**

- The impacts on connectivity or loss of biodiversity and the impact on ecosystem function is considered minimal as the scale of clearing is small and the extent of adjoining remnant vegetation is extensive.
- There are no wetlands within 100m of the proposed clearing.
- The proposed clearing for the access track is 10m which is within the 20m limit allowed.
- Sufficient vegetation will be retained to maintain connectivity and ecological processes on the premises as well as in the surrounding landscape.
- The risk of salinity indicator is considered to be marginal.
- The vegetation on the subject lots as least concern vegetation. There are no endangered or of concern regional ecosystems.
- The subject lots contains no essential habitat.
- There are no compliance activities, any vegetation management requirements for a particular regulated area or offsets related to the premises.
- The Mulligan Highway is not a limited access road.
- The existing shared vehicular access can accommodate vehicles up to a maximum size 'Four Axle Truck – Class 5 Medium Length Heavy Vehicle'.
- The proposal will involve Class 8 'Five Axle Articulated' vehicle/s using the access.
- The shared access will be required to be upgraded to accommodate articulated vehicles on a two-way road.
- The upgrade of the current access will improve entry and exit movements.
- Truck turning signage is required to be erected to warn and inform road users of truck movements ahead.
- The 'lease area' for the proposed concrete recycling yard is located approximately 115m east of the Mulligan Highway, a state-controlled road. This is a sufficient setback from the state-controlled road.
- Filling and excavation works will be limited and undertaken wholly within the 'lease area'.
- Stormwater and drainage flows are discharged naturally on-site and it is unlikely that stormwater and drainage flows will directly impact the state-controlled road.

Material used in the assessment of the application:

- The development application material, submitted plans and information request response
- *Planning Act 2016*
- *Planning Regulation 2017*
- *The State Development Assessment Provisions (version 2.4 effective 16 November 2018)*, as published by the department
- *The Development Assessment Rules*
- SARA DA Mapping system

1907-12219 SFA

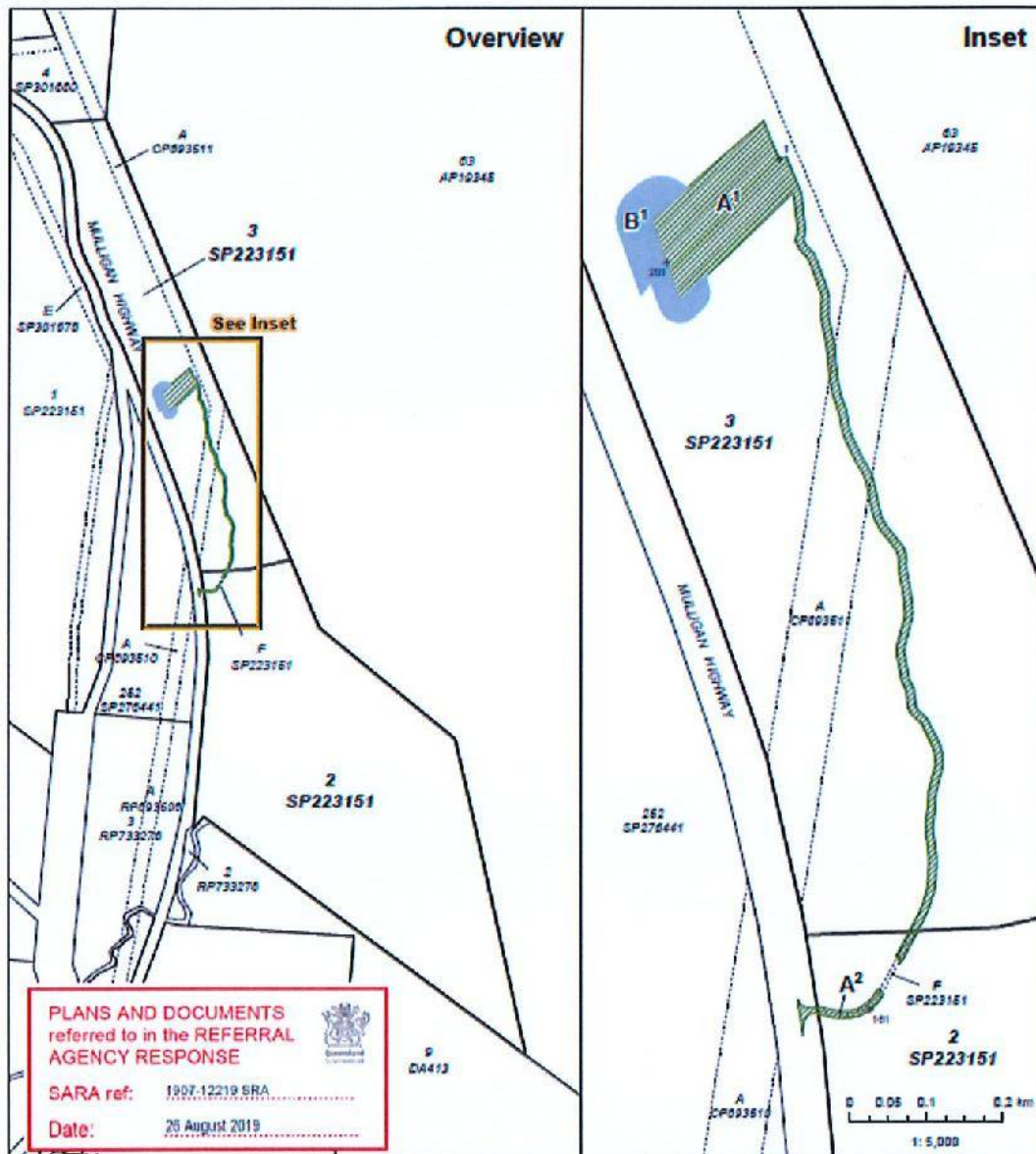
Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

1907-12219 SRA

Attachment 5—Approved plans and specifications

(page left intentionally blank – attached separately)



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1907-12219 SRA

Date: 25 August 2019

1:20,000 @ A3 size

0 0.25 0.5 0.75 1 1.25 km

Projection: UTM (MGA Zone 55) Datum: GDA84

Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

This plan must be read in conjunction with Decision Notice 1907-12219 SRA

| | | | |
|---|---|--|-------------------|
| <p>LEGEND</p> <ul style="list-style-type: none"> Derived Reference Points for GPS (See Attachment to Plan) (Area start points shown only) Subject Lots Area A (Parts A¹ - A²) Area B (Part B¹) <p>Note: This is a colour plan and should only be reproduced in colour</p> | <p>Technical Agency Response Plan</p> <p>Plan of Area A (Parts A¹ - A²) and Area B (Part B¹) in Lots 2 & 3 on SP223151</p> <p>eLVAO Case: 2019/003227</p> | | <p>Version: 1</p> |
| | <p>LOCAL GOVT: MAREEBA SHIRE LOCALITY OF MOUNT MOLLY, SOUTHDIDGE</p> <p>File Reference: eDoc 0920003303 Compiled from: OCDB, RVM & NRM Notes on file</p> <p>Department: DNRRM Region: North Prepared by: PJS - pms Date: 16 August 2019</p> | | |

Page 1 of 2

**Attachment to Plan: SDA-1907-12219
Derived Reference Points for GPS**

Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

PLANS AND DOCUMENTS
REFERRED TO WITH REFERENCE
AGENCY RESPONSE

SARA ref: W1/1907/19
Date: 20 April 2019

| Part ID | Unique ID | Easting | Northing | Part ID | Unique ID | Easting | Northing | Part ID | Unique ID | Easting | Northing |
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| A1 | 1 | 324363 | 8151914 | A1 | 61 | 324563 | 8151087 | A1 | 121 | 324517 | 8151403 |
| A1 | 2 | 324372 | 8151919 | A1 | 62 | 324568 | 8151066 | A1 | 122 | 324508 | 8151416 |
| A1 | 3 | 324372 | 8151919 | A1 | 63 | 324568 | 8151066 | A1 | 123 | 324496 | 8151430 |
| A1 | 4 | 324391 | 8151875 | A1 | 64 | 324567 | 8151061 | A1 | 124 | 324496 | 8151431 |
| A1 | 5 | 324391 | 8151874 | A1 | 65 | 324566 | 8151049 | A1 | 125 | 324498 | 8151447 |
| A1 | 6 | 324392 | 8151868 | A1 | 66 | 324565 | 8151043 | A1 | 126 | 324464 | 8151461 |
| A1 | 7 | 324397 | 8151804 | A1 | 67 | 324565 | 8151035 | A1 | 127 | 324477 | 8151454 |
| A1 | 8 | 324396 | 8151810 | A1 | 68 | 324567 | 8151025 | A1 | 128 | 324474 | 8151503 |
| A1 | 9 | 324398 | 8151804 | A1 | 69 | 324569 | 8151002 | A1 | 129 | 324462 | 8151524 |
| A1 | 10 | 324409 | 8151792 | A1 | 70 | 324569 | 8150976 | A1 | 130 | 324450 | 8151551 |
| A1 | 11 | 324410 | 8151791 | A1 | 71 | 324567 | 8150959 | A1 | 131 | 324446 | 8151563 |
| A1 | 12 | 324414 | 8151780 | A1 | 72 | 324561 | 8150939 | A1 | 132 | 324444 | 8151575 |
| A1 | 13 | 324423 | 8151756 | A1 | 73 | 324566 | 8150926 | A1 | 133 | 324441 | 8151587 |
| A1 | 14 | 324429 | 8151739 | A1 | 74 | 324531 | 8150878 | A1 | 134 | 324434 | 8151606 |
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| A1 | 19 | 324438 | 8151643 | A1 | 79 | 324547 | 8150930 | A1 | 139 | 324419 | 8151707 |
| A1 | 20 | 324440 | 8151625 | A1 | 80 | 324582 | 8150942 | A1 | 140 | 324418 | 8151728 |
| A1 | 21 | 324444 | 8151609 | A1 | 81 | 324557 | 8150961 | A1 | 141 | 324419 | 8151721 |
| A1 | 22 | 324451 | 8151590 | A1 | 82 | 324559 | 8150976 | A1 | 142 | 324419 | 8151738 |
| A1 | 23 | 324453 | 8151577 | A1 | 83 | 324559 | 8151002 | A1 | 143 | 324413 | 8151752 |
| A1 | 24 | 324455 | 8151565 | A1 | 84 | 324557 | 8151023 | A1 | 144 | 324405 | 8151776 |
| A1 | 25 | 324459 | 8151554 | A1 | 85 | 324555 | 8151033 | A1 | 145 | 324401 | 8151786 |
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| A1 | 27 | 324483 | 8151507 | A1 | 87 | 324555 | 8151043 | A1 | 147 | 324385 | 8151807 |
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| A1 | 29 | 324494 | 8151463 | A1 | 89 | 324556 | 8151051 | A1 | 149 | 324385 | 8151810 |
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| A1 | 31 | 324904 | 8151436 | A1 | 91 | 324558 | 8151067 | A1 | 151 | 324382 | 8151866 |
| A1 | 32 | 324515 | 8151423 | A1 | 92 | 324559 | 8151088 | A1 | 152 | 324381 | 8151872 |
| A1 | 33 | 324526 | 8151408 | A1 | 93 | 324559 | 8151089 | A1 | 153 | 324291 | 8151786 |
| A1 | 34 | 324529 | 8151399 | A1 | 94 | 324559 | 8151089 | A1 | 154 | 324269 | 8151766 |
| A1 | 35 | 324531 | 8151376 | A1 | 95 | 324564 | 8151109 | A1 | 155 | 324232 | 8151730 |
| A1 | 36 | 324535 | 8151354 | A1 | 96 | 324568 | 8151124 | A1 | 156 | 324195 | 8151638 |
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| A1 | 38 | 324537 | 8151314 | A1 | 98 | 324566 | 8151144 | A1 | 158 | 324241 | 8151678 |
| A1 | 39 | 324529 | 8151282 | A1 | 99 | 324561 | 8151165 | A1 | 159 | 324242 | 8151967 |
| A1 | 40 | 324528 | 8151272 | A1 | 100 | 324529 | 8151179 | A1 | 160 | 324363 | 8151916 |
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| A1 | 47 | 324544 | 8151197 | A1 | 107 | 324532 | 8151201 | A2 | 167 | 324451 | 8150793 |
| A1 | 48 | 324556 | 8151186 | A1 | 108 | 324530 | 8151221 | A2 | 168 | 324442 | 8150793 |
| A1 | 49 | 324557 | 8151185 | A1 | 109 | 324524 | 8151234 | A2 | 169 | 324437 | 8150793 |
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| A1 | 51 | 324558 | 8151184 | A1 | 111 | 324524 | 8151235 | A2 | 171 | 324419 | 8150797 |
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| A1 | 58 | 324578 | 8151123 | A1 | 118 | 324525 | 8151352 | A2 | 178 | 324388 | 8150816 |
| A1 | 59 | 324578 | 8151122 | A1 | 119 | 324521 | 8151376 | A2 | 179 | 324393 | 8150809 |
| A1 | 60 | 324573 | 8151106 | A1 | 120 | 324520 | 8151397 | A2 | 180 | 324401 | 8150806 |


Attachment to Plan: SDA-1907-12219
 Derived Reference Points for GPS
 Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55

Page 2 of 2

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

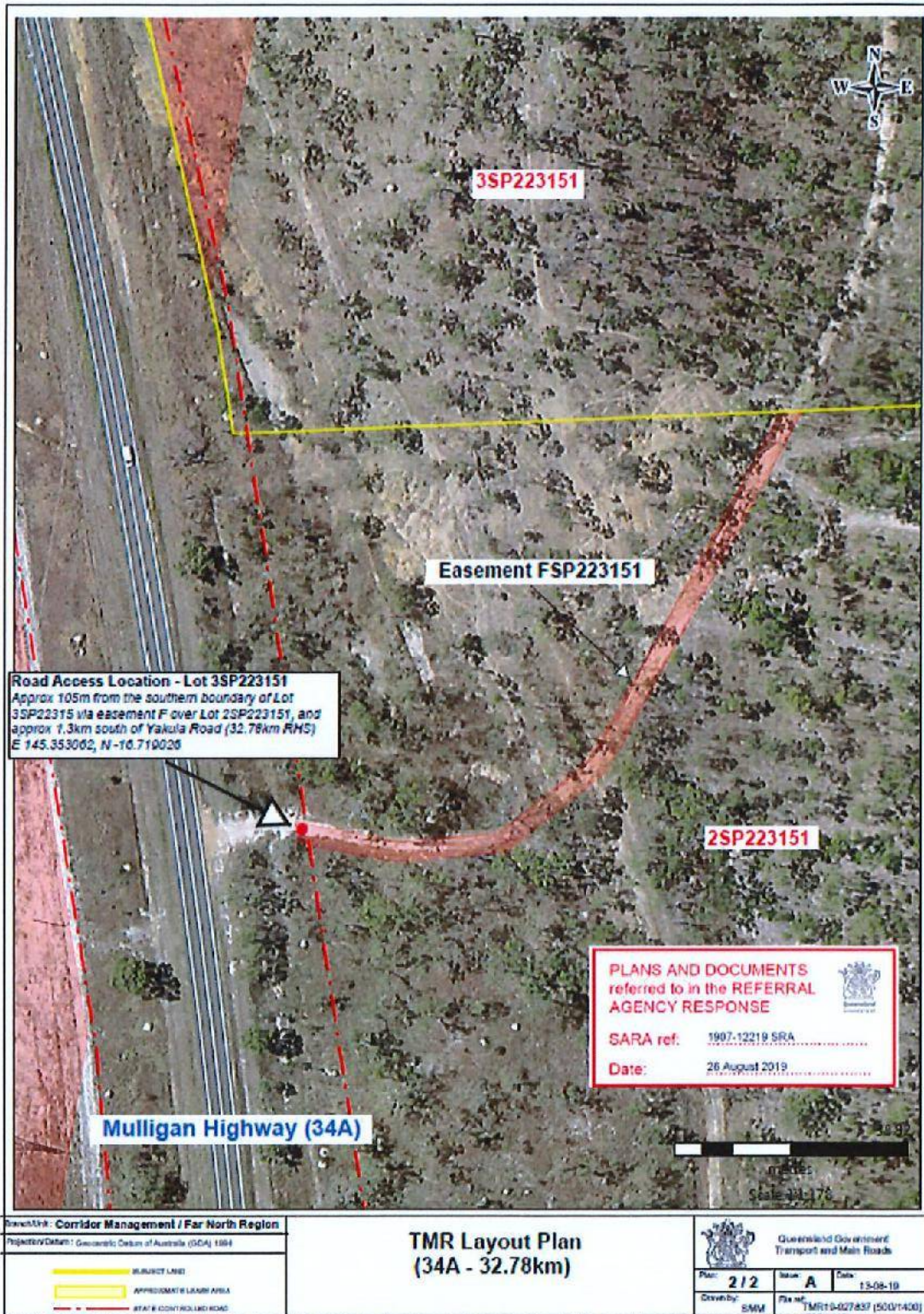
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| A2 | 181 | 324414 | 8150803 | B1 | 241 | 324232 | 8151886 | | | | |
| A2 | 182 | 324415 | 8150803 | B1 | 242 | 324237 | 8151882 | | | | |
| A2 | 183 | 324415 | 8150803 | B1 | 243 | 324241 | 8151878 | | | | |
| A2 | 184 | 324416 | 8150803 | B1 | 244 | 324227 | 8151886 | | | | |
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| A2 | 186 | 324433 | 8150804 | B1 | 246 | 324215 | 8151781 | | | | |
| A2 | 187 | 324439 | 8150803 | | | | | | | | |
| A2 | 188 | 324443 | 8150803 | | | | | | | | |
| A2 | 189 | 324451 | 8150803 | | | | | | | | |
| A2 | 190 | 324458 | 8150803 | | | | | | | | |
| A2 | 191 | 324466 | 8150805 | | | | | | | | |
| A2 | 192 | 324476 | 8150811 | | | | | | | | |
| A2 | 193 | 324485 | 8150819 | | | | | | | | |
| A2 | 194 | 324492 | 8150828 | | | | | | | | |
| A2 | 195 | 324493 | 8150831 | | | | | | | | |
| A2 | 196 | 324496 | 8150829 | | | | | | | | |
| A2 | 197 | 324501 | 8150824 | | | | | | | | |
| A2 | 198 | 324500 | 8150823 | | | | | | | | |
| A2 | 199 | 324493 | 8150812 | | | | | | | | |
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| B1 | 203 | 324269 | 8151765 | | | | | | | | |
| B1 | 204 | 324266 | 8151761 | | | | | | | | |
| B1 | 205 | 324270 | 8151781 | | | | | | | | |
| B1 | 206 | 324272 | 8151742 | | | | | | | | |
| B1 | 207 | 324270 | 8151733 | | | | | | | | |
| B1 | 208 | 324266 | 8151728 | | | | | | | | |
| B1 | 209 | 324263 | 8151722 | | | | | | | | |
| B1 | 210 | 324251 | 8151711 | | | | | | | | |
| B1 | 211 | 324248 | 8151708 | | | | | | | | |
| B1 | 212 | 324241 | 8151704 | | | | | | | | |
| B1 | 213 | 324233 | 8151703 | | | | | | | | |
| B1 | 214 | 324225 | 8151704 | | | | | | | | |
| B1 | 215 | 324217 | 8151708 | | | | | | | | |
| B1 | 216 | 324211 | 8151714 | | | | | | | | |
| B1 | 217 | 324207 | 8151721 | | | | | | | | |
| B1 | 218 | 324196 | 8151756 | | | | | | | | |
| B1 | 219 | 324192 | 8151739 | | | | | | | | |
| B1 | 220 | 324152 | 8151823 | | | | | | | | |
| B1 | 221 | 324151 | 8151829 | | | | | | | | |
| B1 | 222 | 324150 | 8151835 | | | | | | | | |
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| B1 | 224 | 324151 | 8151846 | | | | | | | | |
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| B1 | 227 | 324158 | 8151863 | | | | | | | | |
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| B1 | 230 | 324177 | 8151882 | | | | | | | | |
| B1 | 231 | 324177 | 8151882 | | | | | | | | |
| B1 | 232 | 324182 | 8151886 | | | | | | | | |
| B1 | 233 | 324187 | 8151889 | | | | | | | | |
| B1 | 234 | 324193 | 8151891 | | | | | | | | |
| B1 | 235 | 324198 | 8151892 | | | | | | | | |
| B1 | 236 | 324204 | 8151893 | | | | | | | | |
| B1 | 237 | 324210 | 8151893 | | | | | | | | |
| B1 | 238 | 324216 | 8151892 | | | | | | | | |
| B1 | 239 | 324221 | 8151891 | | | | | | | | |
| B1 | 240 | 324227 | 8151889 | | | | | | | | |

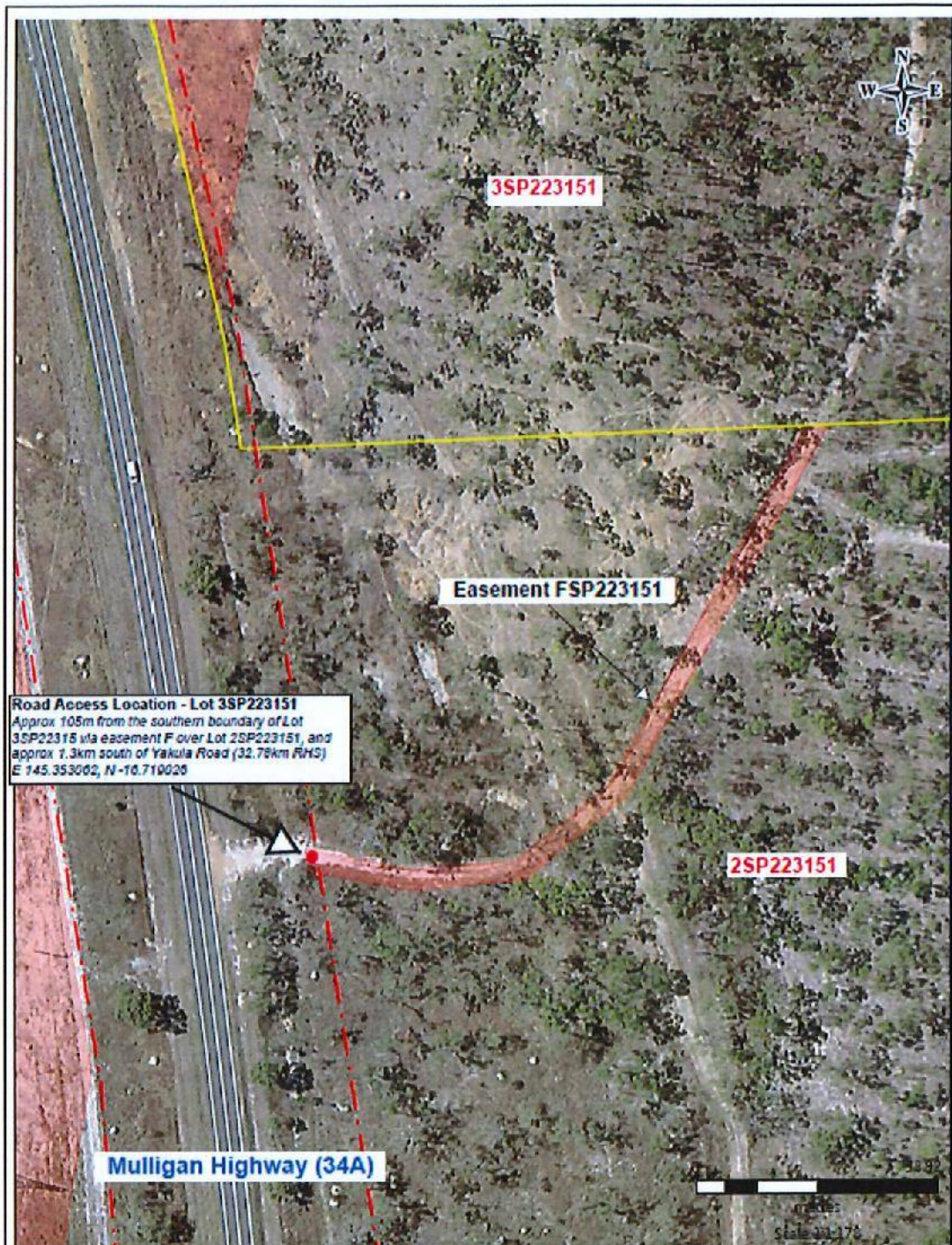
**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 1907-12219 SRA

Date: 26 August 2019





Road Access Location - Lot 3SP223151
 Approx 105m from the southern boundary of Lot 3SP223151 via easement F over Lot 2SP223151, and approx 1.3km south of Yakula Road (32.78km RHTS) E 145.353062, N -10.710025

Branch/Unit: **Corridor Management / Far North Region**

Project/Job/Date: Geospatial Datum of Australia (GDA) 1984

| | |
|--|-----------------------|
| | SUBJECT LAND |
| | APPROXIMATE LAMB AREA |
| | NEAREST/ADJACENT ROAD |

**TMR Layout Plan
 (34A - 32.78km)**

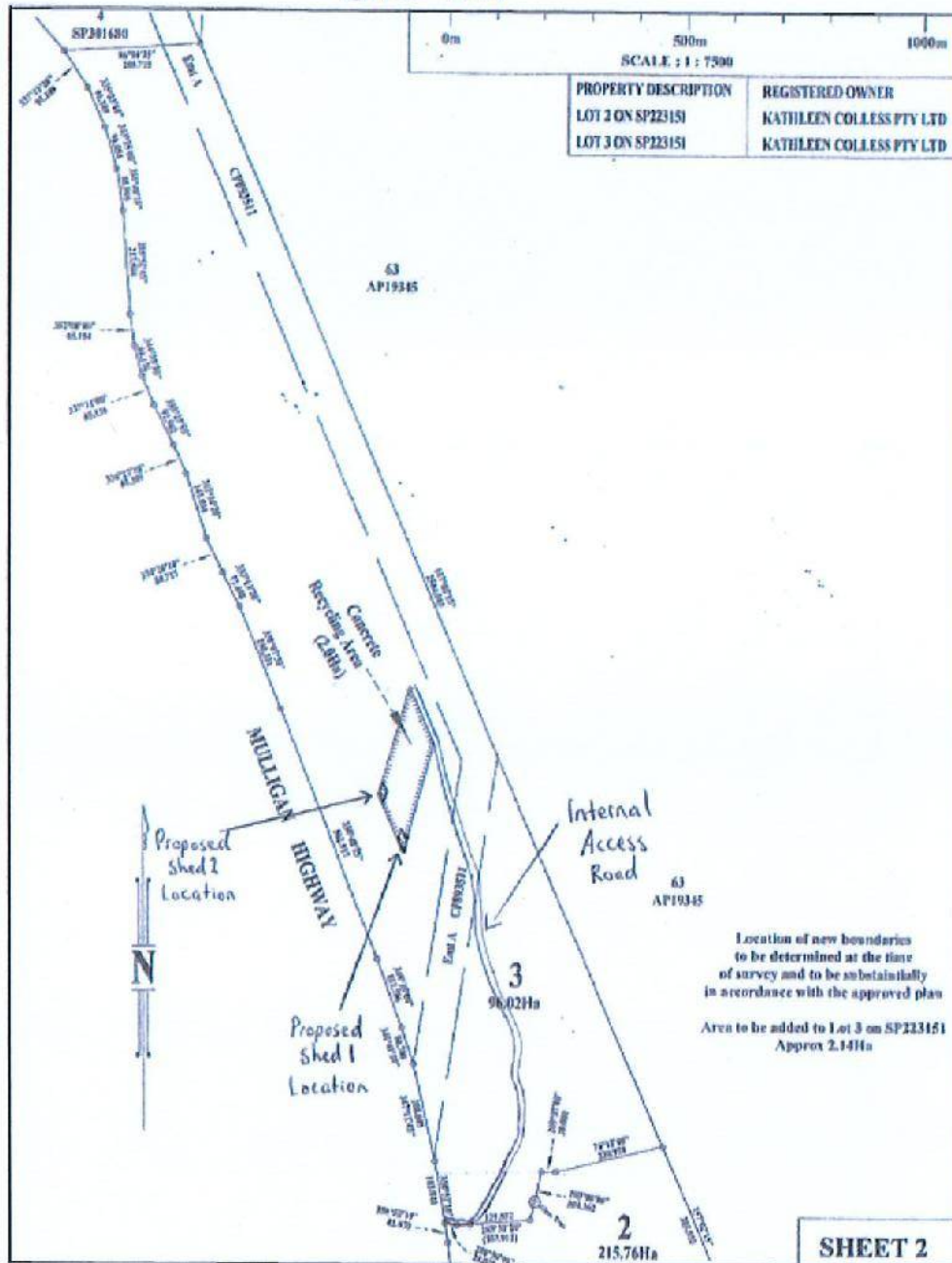


Queensland Government
 Transport and Main Roads

| | | |
|----------------------|---|-----------------------|
| Plan: 2 / 2 | Issue: A | Date: 15-08-18 |
| Drawn by: SMM | File ref: TMR18-027837 (6001400) | |

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Site Plan



Development Assessment Rules—Representations about a referral agency response (concurrency)

The following provisions are those set out in sections 28 and 30 of the *Development Assessment Rules*¹ regarding representations about a referral agency response (concurrency).

Part 6: Changes to the application and referral agency responses and Part 7: Miscellaneous

28 Concurrency agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –

- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

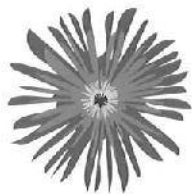
231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and

- (d) a purported decision ; and
 - (e) a deemed refusal.
- non-appealable*, for a decision or matter, means the decision or matter-
- (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.



28 August 2019

Planning Officer: Carl Ewin
Direct Phone: 4086 4656
Our Reference: RAL/19/0017

Kathleen Colless Pty Ltd
PO Box 14
MOUNT MOLLOY QLD 4871

Dear Applicant

Decision Notice

Planning Act 2016

I refer to your application and advise that on 27 August 2019 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL/19/0017
Street Address: 3276 & 3278 Mulligan Highway, Mount Molloy
Real Property Description: Lot 2 & 3 on SP223151
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Reconfiguring a Lot - Boundary Realignment
Date of Decision: 27 August 2019

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is four (4) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "*necessary infrastructure condition*" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.

3.3 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.

3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.

3.5 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

3.6 Access Easement

An easement with a minimum width of 5 metres must be created through Lot 3 in favour of Lot 2 for the purpose of access. The easement must have a length of at least 25 metres.

Prior to the endorsement of the plan of survey, the easement Form 9 and Form 20 must be submitted for review by Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

| Reconfiguring a lot subject to an easement or near a substation site | | |
|--|--|--|
| Development application for reconfiguring a lot that is assessable development under section 21, if- | Schedule 10, Part 9, Division 2, Table 1 | Town Planning Ergon Energy PO Box 264 Fortitude Valley Qld 4006 |
| (a) all or part of the lot is subject to an easement- | | townplanning@ergon.com.au |
| (i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and | | |
| (ii) for a transmission grid or supply network; or | | |
| (b) part of the lot is within 100m of a substation site | | |

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

| Plan/Document Number | Plan/Document Title | Prepared by | Dated |
|----------------------|---|-----------------------|-----------|
| 7946 - Lots 2 & 3 | Proposed Reconfiguring of a Lot (2 Lots into 2 Lots) | Twine Surveys Pty Ltd | 5/05/2019 |

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

(a) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- registered easements over the subject site (Lot 3 only)

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au

(e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

(B) REFERRAL AGENCY CONDITIONS

Ergon Energy Advice Agency response dated 26 August 2019.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

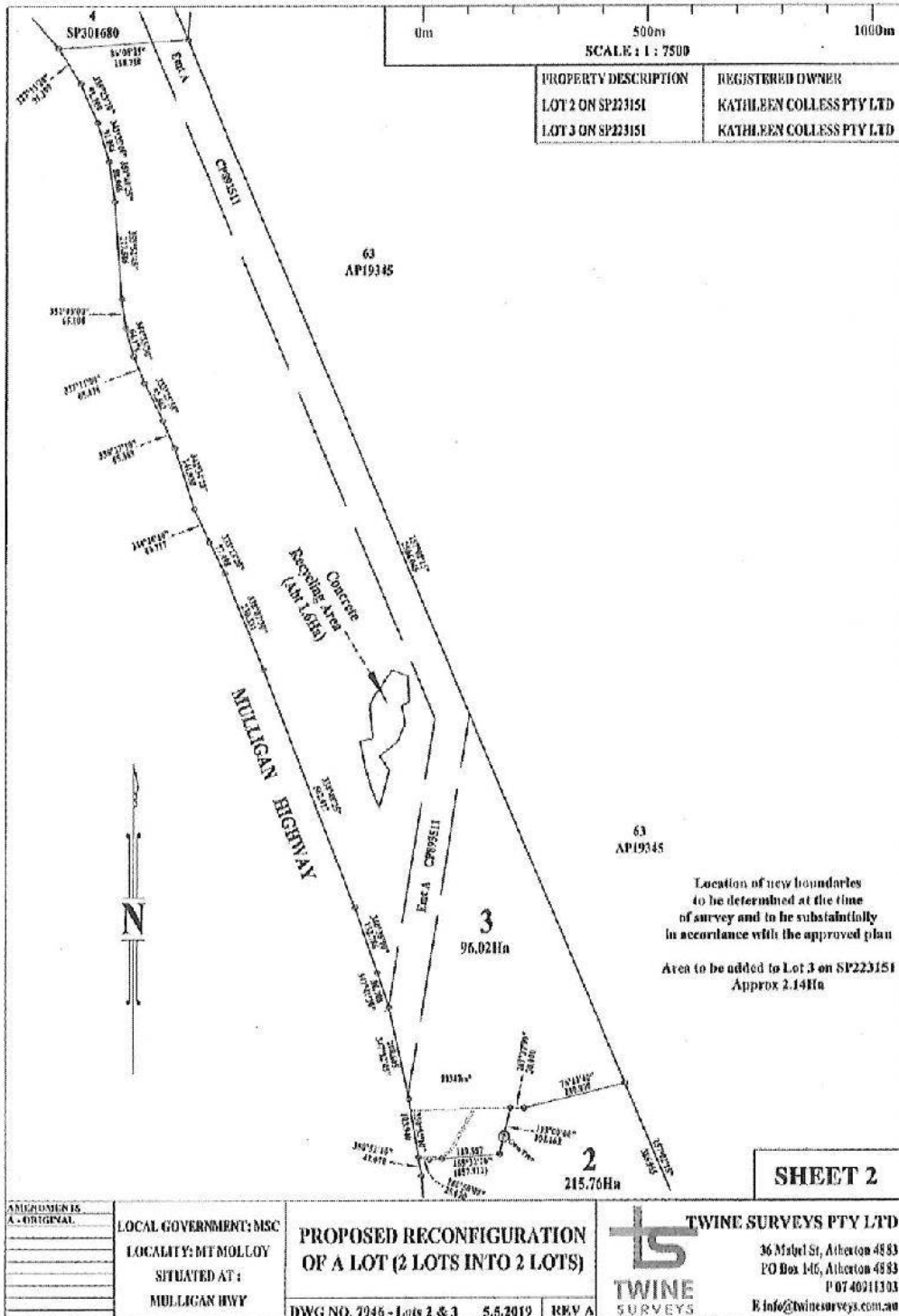


BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

Copy: Ergon Energy
'townplanning@ergon.com.au'

Approved Plans/Documents



Document Set ID: 3611275
Version: 1, Version Date: 26/07/2019

28/8/2019
B. [Signature]

Referral Agency Response



420 Flinders Street, Townsville QLD 4810
PO Box 1090, Townsville QLD 4810
ergon.com.au

26 August 2019

Kathleen Colless Pty Ltd
C/- John Colless
via email: john@wetherbystation.com

Attention: John Colless

cc Mareeba Shire Council
via email: info@msc.qld.gov.au
CarlE@msc.qld.gov.au

Attention: Carl Ewin

Dear John,

Referral Agency Notice for Development Application – Reconfiguring a Lot (Boundary Realignment) located at 421 Wetherby Road, Mount Molloy and described as Lots 2 & 3 on SP223151.
Council Ref: RAL/19/0017
Our Ref: HBD 6730679

We refer to the above referenced Development Application which has been referred to Ergon Energy in accordance with the *Planning Act 2016*.

In accordance with Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*, the application has been assessed against the purposes of the *Electricity Act 1994* and *Electrical Safety Act 2002*. This response has been provided pursuant to the requirements of section 56(1) of the *Planning Act 2016*.

As an Advice agency to the application Ergon Energy has no requirements in relation to the proposed Boundary Realignment.

Should you require any further information on the above matter, please contact the undersigned on (07) 3664 5050.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Scott Pearson'.

Scott Pearson
Senior Town Planner

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-

- (i) the establishment cost of trunk infrastructure identified in a LGIP; or
- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
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- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
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decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and
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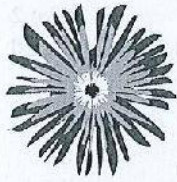
non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
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232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.





24 February 2020

Council Ref: Preenq/20/0001

Our Ref: BM:CE:nj

Your Ref: 20 526

PRE-LODGEMENT ADVICE

TO: The Product Makers (Australia) Pty Ltd
C/- Urban Sync
PO Box 2970
CAIRNS QLD 4870

EMAIL ADDRESS: admin@urbansync.com.au

PROPOSED DEVELOPMENT: Material Change of Use - Special Industry
Operational Works - Waterway Barrier Works

SUBJECT SITE: Lot 2 on SP298325
Situated at 3276 Mulligan Highway, Mount Molloy

MEETING DATE: n/a

MEETING LOCATION: n/a

ATTENDEES: n/a

PLANNING SCHEME: Mareeba Shire Council Planning Scheme 2016

PROPOSAL:

Extract from Urban Sync request for pre-lodgement advice dated 18 February 2020:

"Urban Sync have been engaged by The Product Makers (Australia) Pty Ltd (the Applicant) to prepare and lodge a Development Application over the above-mentioned land for the establishment of a new development. The application is likely to seek the following approvals:

- ***Development Permit for a Material Change of Use (Undefined Use/ Medium Impact Industry/High Impact Industry) and Environmentally Relevant Activities (ERA component TBC); and***
- ***Operational Works (Waterway Barrier Works)***

Note: Due to the uniqueness of the proposed development, the most suitable land use definition is sought to be confirmed as part of this request.

1 PROPOSAL

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertiliser), along with the required dispersion and irrigation of the water waste stream (the proposed development).

The current operation is located at the Mossman Mill, although due to operating restrictions (limited to 6 months of the year and no possibility for expansion) and to be removed from the catchment to the Great Barrier Reef, a new site has been chosen.

*The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A second 16m x 20m x 6m shed is also proposed as a part of future development (i.e., stage 2), and possibly a third stage to increase the production capacity further; albeit the latter stages are dependent on the outcome and success of initial trials (see **Attachment 1** for concept plans). The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.*

*Note: The exact locations of the shed are not yet finalised. The concept plans in **Attachment 1** show the possible alternative site for the sheds.*

Note: the irrigation areas are not required to be cleared. It is likely that only the regrowth in these areas will need to be cleared to allow for the irrigation infrastructure which consists of tanks, pumps, sprinklers, timers etc.). The irrigation areas can also be located almost anywhere on the site.

It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (south of Mackay) producing 10MT per week of feedstock (one heavy vehicle movement per week). Stage 2 is expected to receive up to 320,000L of by-products will be delivered to the site producing 50MT per week (10-14 heavy vehicle movement per week). A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area.

*The production plant will emit approximately 10,000L of treated water/bioproduct a day and this water will be irrigated via one of the two proposed irrigation areas shown on the concept plans in **Attachment 1**. Data for the quality of the treated water is being sourced, although it is close to a tertiary standard. The manufacturing process to turn the sugar cane waste to feed stock will involve filtration, concentration, pasteurization and aseptic packaging (See Flow Chart in **Attachment 2**).*

Fertilizer is also produced with fertiliser consisting on volumes in the order of 10% of the volumes mentioned above i.e., 1MT in Stage 1 and 5MT in Stage 2.

*Truck and Quad Dog access to the site will be required. An upgrade will also be required over the existing mapped waterway that bisects the northern portion of the site (see **Attachment 1** for location). The extent of this upgrade is still being determined and will depend on the size of vehicle required to pass over the waterway. The proposed access driveway from the sites boundary to the shed location will also be suitably upgraded. Forklifts and tractors will be used for general property*

upkeep and a 4-wheel drive and/or a quad bike with a 2,000L mobile water tank for fire suppression on-site.

Water will be supplied via bores and held in 2 x 100,000L OR 4 x 45,000L rainwater tanks. This water will be used for the production plant and fire fighting purposes/dust suppression.

Areas of the site will continue to be utilised for approximately 20 to 50 head of cattle grazing.

We seek that Council contact us should you require any additional information on the proposal in order to provide comprehensive pre-lodgement advice."

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use - Special Industry and Operational Works - Waterway Barrier Works (impact assessment)

Note: All Environmentally Relevant Activity (ERA) queries need to be addressed to the relevant State Department as Mareeba Shire Council currently has no devolved ERA's.

SUPPORTING INFORMATION PROVIDED BY APPLICANT:

- **Attachment 1** - Request for pre-lodgement advice for The Product Makers (Australia) Pty Ltd - Prepared by Urban Sync dated 18 February 2020

RELEVANT SITE HISTORY:

Nil

APPLICABLE PLANNING INSTRUMENTS, APPLICATION PROCESS AND FEES:

| | |
|-----------------------------------|---|
| FNQ2031 Regional Plan: | Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016 |
| Relevant State Planning Policies: | Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016 |
| Planning Scheme: | Mareeba Shire Council Planning Scheme 2016 https://msc.qld.gov.au/building-planning/planning/ |
| Strategic Framework: | Rural Area - Rural Other Natural Environment Elements - Ecological Corridor Infrastructure Elements - Major Electrical Infrastructure |
| Zone: | Rural zone |
| Local Plan: | Not applicable |
| Applicable Overlays: | Bushfire hazard overlay Environmental significance overlay Hill and slope overlay Regional infrastructure corridors and substation overlay Transport infrastructure overlay |

| | |
|--------------------------------------|--|
| Other Relevant Mapping: | State Assessment and Referral Agency mapping https://planning.dsdmip.qld.gov.au/ |
| Applicable Planning Scheme Policies: | Policy 4 - FNQROC Regional Development Manual |
| Planning Scheme Land Use definition: | <p>Material Change of Use - Special Industry</p> <p>Operational Works - Waterway Barrier Works</p> <p>Note: Council officers believe that the "special industry" use is the most appropriate (best fit) for the material change of use component of the proposed development. The use definition allows for 24/7 operation and specifically includes "manufacturing fertilisers" in Column 3 of the definition (examples include). Council officers are open to further discussion regarding the most appropriate land use definition.</p> <p>Note: The Operational Works - Waterway Barrier Works component of the development is only assessable development under the Mareeba Shire Council Planning Scheme 2016 if it involves the filling or excavation or more than 1,000m³ of material. If not, the works can be done as accepted development.</p> |
| Level of Assessment: | An aspect of the proposed development will require Impact Assessment . |
| Applicable Planning Scheme Codes: | <p>Rural zone code</p> <p>Industrial activities code</p> <p>Bushfire hazard overlay code</p> <p>Environmental significance overlay code</p> <p>Hill and slope overlay code</p> <p>Regional infrastructure corridors and substations overlay code</p> <p>Landscaping code</p> <p>Parking and access code</p> <p>Works, services and infrastructure code</p> |
| Minimum Public Notification Period: | 15 business days |
| Referral Agencies: | <p>The Applicant is responsible for ensuring that the correct referral agencies are identified upon lodgement of the development application.</p> <p>A review of the <i>Planning Regulation 2017</i> referral agency triggers has identified the following referral trigger for the development:</p> <p><u>Material Change of Use - Special Industry</u></p> <ul style="list-style-type: none"> • <i>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 - Material change of use of premises near a State transport corridor of that is a future State transport corridor</i> <p><u>Operational Works - Waterway Barrier Works</u></p> |

| | |
|--------------------------|--|
| | <ul style="list-style-type: none">• <i>Schedule 10, Part 6, Division 4, Subdivision 3, Table 1 - Assessable development under s12</i> |
| Infrastructure Charges: | <p>In accordance with Section 130 of the <i>Planning Act 2016</i>, an additional payment condition may be imposed on the proposed development for trunk infrastructure (transport infrastructure network only).</p> <p>As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge.</p> |
| Application Forms | <p>DA Form 1</p> <p>Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website:</p> <p>https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form</p> |
| Council application fee: | <p>2019/2020 financial year:</p> <p>Material Change of Use - Special Industry: \$6,300.00</p> <p>Operational Works - Waterway Barrier Works: fee waived</p> <p>Total - \$6,300.00</p> |

ISSUES IDENTIFIED BY THE APPLICANT FOR DISCUSSION:

The following general and specific responses are sought from Council in relation to the proposed development of the site:

- (i) *We seek advice and possible discussion as to what Council considers the most appropriate land use definition for the proposed development (i.e., Undefined Use, Medium Impact Industry/High Impact Industry);*

Advice

Council officers believe that the "special industry" use is the most appropriate (best fit) for the material change of use component of the proposed development. The use definition allows for 24/7 industrial activity and specifically includes "manufacturing fertilisers" in Column 3 of the definition (examples include), which was included as a component of the proposed development.

Council officers are open to further discussion regarding this.

- (ii) *Please confirm the Council application fees (i.e., \$2,685.00 for an Impact Assessable High/Medium Impact Industry Use with less than 500m² of GFA);*

Advice

It is considered that the most appropriate (best fit) land use for the material change of use component of the proposed development would be "special industry" as previously discussed. The relevant fee for material change of use - special industry (impact assessable) is listed as "POA" (price on application) in Council's fees and charges schedule. Council officers consider the most appropriate fee, based on the scale of development proposed, is **\$6,300.00**.

- (iii) Please confirm that in accordance with the recent approval issued over Lot 3 on SP223151 (Council Ref: MCU/19/0009) that NO infrastructure charges will be applicable to the proposed development i.e., as the site is not connected to water, sewer or stormwater infrastructure, is located in the rural zone (parks and community facilities and does not gain access from a local road (nor likely use any local roads for access);*

Advice

As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge. No other infrastructure network charges are applicable to the proposed development.

- (iv) Akin to the recently approved, concrete recycling yard on Lot 3, the proposed development is required to be located on rural zone land, as there is no industrial zoned land in Mareeba Shire of a suitable size to accommodate its needs. Whilst air emissions are not hazardous, separation from sensitive land uses for the irrigation areas is also preferred, as is a location outside of the Great Barrier Reef catchment. The proposed development will result in far less development impacts than that associated with the adjacent concrete recycling yard and the justification provided in section 7 of Urban Sync's Town Planning Report for the concrete recycling yard, in our view, is also highly applicable to the proposed development. Based on this understanding and previous assessment undertaken by Council for the concrete recycling yard to the north, can Council please confirm they are 'in principle' supportive of the proposed development. Happy to discuss this in more detail as required;*

Advice

Based on details of the use provided in the pre-lodgement request, as well as previous discussions between Council officers and representatives from The Product Makers (Australia) Pty Ltd, it is understood that a rural setting, adequately separated from sensitive land uses would be a more appropriate location for the proposed development as opposed to an industrial zoned allotment.

Council planning officers have no concerns with the site location.

- (v) Access to the site will be via the existing access to 3278 Mulligan Highway, Mt Molloy to the north. We understand that there is an existing easement located on this allotment (see **Attachment 3**) that provides legal access to Lot 2 from the Mulligan Highway. Whilst we acknowledge that Lot 3 will need to be included in the application, we are of the view that the proposed access is consistent with the terms of the easement and hence, land owners consent from the owner of Lot 3 IS NOT required. Can Council please confirm this understanding;*

Advice

Based on a review of the Form 20 for Easement G in Lot 3 on SP298325, Council officers are of the opinion that land owner consent is not required from the owner of Lot 3 on SP298325. However, it is advised that owner consent be obtained as a courtesy to the landowner of Lot 3 on SP298325 and to minimise the chances of an appeal being lodged on grounds relating to consent.

- (vi) Please refer to the concept plan in **Attachment 1**. Can Council please confirm that these plans will suffice for Council's assessment, or does additional information need to be provided to this plan and if so, please advise what additional information Council will require;*

Advice

The plans provided in the submitted pre-lodgement request for the material change of use component of the proposed development are adequate. If the operational works component of the development is included in the application then plans should be included showing the location and extent of the operational works, including engineering detail and a cross-section of the works proposed.

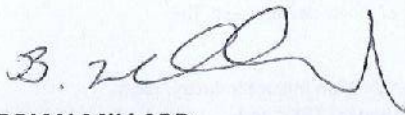
(vii) Any other additional information or concerns Council considers relevant to the development are welcomed.

Advice

The proponent should consider a pre-lodgement meeting with CairnsSARA to determine all matters of State interest that will need to be considered as part of the proposed development.

Should you require any further information, please contact Council's Planning Officer, Carl Ewin on the above telephone number.

Yours faithfully



BRIAN MILLARD
SENIOR PLANNER

DISCLAIMER:

This advice and information is provided on a 'without prejudice' basis. The pre-lodgement advice provided during and subsequent to pre-lodgement meetings should NOT be taken as a commitment as to whether an application would be approved with conditions or refused by council. The pre-lodgement process cannot override council's duty of care and legislative responsibilities in the assessment of development applications, including the consideration of matters raised by possible submitters and referral agencies during the detailed assessment process.

The proponent should seek their own independent professional advice on this pre-lodgement advice.

ATTACHMENT 1



T 07 4051 6946
E admin@urbansync.com.au
O Level 1, 17 Aplin Street, Cairns
M PO Box 2970, Cairns Q 4870
ABN 83 169 940 649

18 February 2020

Our Ref: 20-526

Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attn: Mr Carl Ewin

Dear Carl,

REQUEST FOR PRE-LODGE MENT ADVICE FOR A PROPOSED MATERIAL CHANGE OF USE, ENVIRONMENTALLY RELEVANT ACTIVITIES AND OPERATIONAL WORKS OVER PART OF LOT 2 AND 3 ON SP298325 AT 3276 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY.

'Commercial in Confidence'

Urban Sync have been engaged by The Product Makers (Australia) Pty Ltd (the Applicant) to prepare and lodge a Development Application over the above-mentioned land for the establishment of a new development. The application is likely to seek the following approvals:

- **Development Permit for a Material Change of Use (Undefined Use/ Medium Impact Industry/High Impact Industry) and Environmentally Relevant Activities (ERA component TBC); and**
- **Operational Works (Waterway Barrier Works).**

Note: Due to the uniqueness of the proposed development, the most suitable land use definition is sought to be confirmed as part of this request.

I PROPOSAL

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertiliser), along with the required dispersion and irrigation of the water waste stream (the proposed development).

The current operation is located at the Mossman Mill, although due to operating restrictions (limited to 6 months of the year and no possibility for expansion) and to be removed from the catchment to the Great Barrier Reef, a new site has been chosen.

The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A second 16m x 20m x 6m shed is also proposed as a part of future development (i.e., stage 2), and possibly a third stage to increase the production capacity further; albeit the latter stages are dependent on the outcome and success of initial trials (see **Attachment 1** for concept plans). The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.

Note: The exact locations of the shed are not yet finalised. The concept plans in **Attachment 1** show the possible alternative site for the sheds.

Note: the irrigation areas are not required to be cleared. It is likely that only the regrowth in these areas will need to be cleared to allow for the irrigation infrastructure which consists of tanks, pumps, sprinklers, timers etc.). The irrigation areas can also be located almost anywhere on the site.

It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (south of Mackay) producing 10MT per week of feedstock (one heavy vehicle movement per week). Stage 2 is expected to receive up to 320,000L of by-products will be delivered to the site producing 50MT per week (10-14 heavy vehicle movement per week). A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area.

The production plant will emit approximately 10,000L of treated water/bioproduct a day and this water will be irrigated via one of the two proposed irrigation areas shown on the concept plans in **Attachment 1**. Data for the quality of the treated water is being sourced, although it is close to a tertiary standard. The manufacturing process to turn the sugar cane waste to feed stock will involve filtration, concentration, pasteurization and aseptic packaging (See Flow Chart in **Attachment 2**).

Fertilizer is also produced with fertiliser consisting on volumes in the order of 10% of the volumes mentioned above i.e., 1MT in Stage 1 and 5MT in Stage 2.

Truck and Quad Dog access to the site will be required. An upgrade will also be required over the existing mapped waterway that bisects the northern portion of the site (see **Attachment 1** for location). The extent of this upgrade is still being determined and will depend on the size of vehicle required to pass over the waterway. The proposed access driveway from the sites boundary to the shed location will also be suitably upgraded. Forklifts and tractors will be used for general property upkeep and a 4-wheel drive and/or a quad bike with a 2,000L mobile water tank for fire suppression on-site.

Water will be supplied via bores and held in 2 x 100,000L OR 4 x 45,000L rainwater tanks. This water will be used for the production plant and fire fighting purposes/dust suppression.

Areas of the site will continue to be utilised for approximately 20 to 50 head of cattle grazing.

We seek that Council contact us should you require any additional information on the proposal in order to provide comprehensive pre-lodgement advice.

2 ADVICE REQUESTED

With the above in mind, before a development application can be prepared with any confidence, we seek formal, written pre-lodgement advice from Council in relation to the following:

- We seek advice and possible discussion as to what Council considers the most appropriate land use definition for the proposed development (i.e., Undefined Use, Medium Impact Industry/High Impact Industry);
- Please confirm the Council application fees (i.e., \$2,685.00 for an Impact Assessable High/Medium Impact Industry Use with less than 500m² of GFA);
- Please confirm that in accordance with the recent approval issued over Lot 3 on SP223151 (Council Ref: MCU/19/0009) that NO infrastructure charges will be applicable to the proposed development i.e., as the site is not connected to water, sewer or stormwater infrastructure, is located in the rural zone (parks and community facilities and does not gain access from a local road (nor likely use any local roads for access);
- Akin to the recently approved, concrete recycling yard on Lot 3, the proposed development is required to be located on rural zone land, as there is no industrial zoned land in Mareeba Shire of a suitable size to accommodate its needs. Whilst air emissions are not hazardous, separation from sensitive land uses for the irrigation areas is also preferred, as is a location outside of the Great Barrier Reef catchment. The proposed development will result in far less development impacts than that associated with the adjacent concrete recycling yard and the justification provided in section 7 of Urban Sync's Town Planning Report for the concrete recycling yard, in our view, is also highly applicable to the proposed development. Based



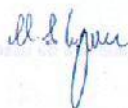
on this understanding and previous assessment undertaken by Council for the concrete recycling yard to the north, can Council please confirm they are 'in principle' supportive of the proposed development. Happy to discuss this in more detail as required;

- Access to the site will be via the existing access to 3278 Mulligan Highway, Mt Molloy to the north. We understand that there is an existing easement located on this allotment (see **Attachment 3**) that provides legal access to Lot 2 from the Mulligan Highway. Whilst we acknowledge that Lot 3 will need to be included in the application, we are of the view that the proposed access is consistent with the terms of the easement and hence, land owners consent from the owner of Lot 3 IS NOT required. Can Council please confirm this understanding;
- Please refer to the concept plan in **Attachment 1**. Can Council please confirm that these plans will suffice for Council's assessment, or does additional information need to be provided to this plan and if so, please advise what additional information Council will require;
- Any other additional information or concerns Council considers relevant to the development are welcomed.

3 CONCLUSION

If you have any further questions in relation to this matter, please do not hesitate to contact me on 0488 200 229 and I would be happy to discuss.

Yours faithfully,



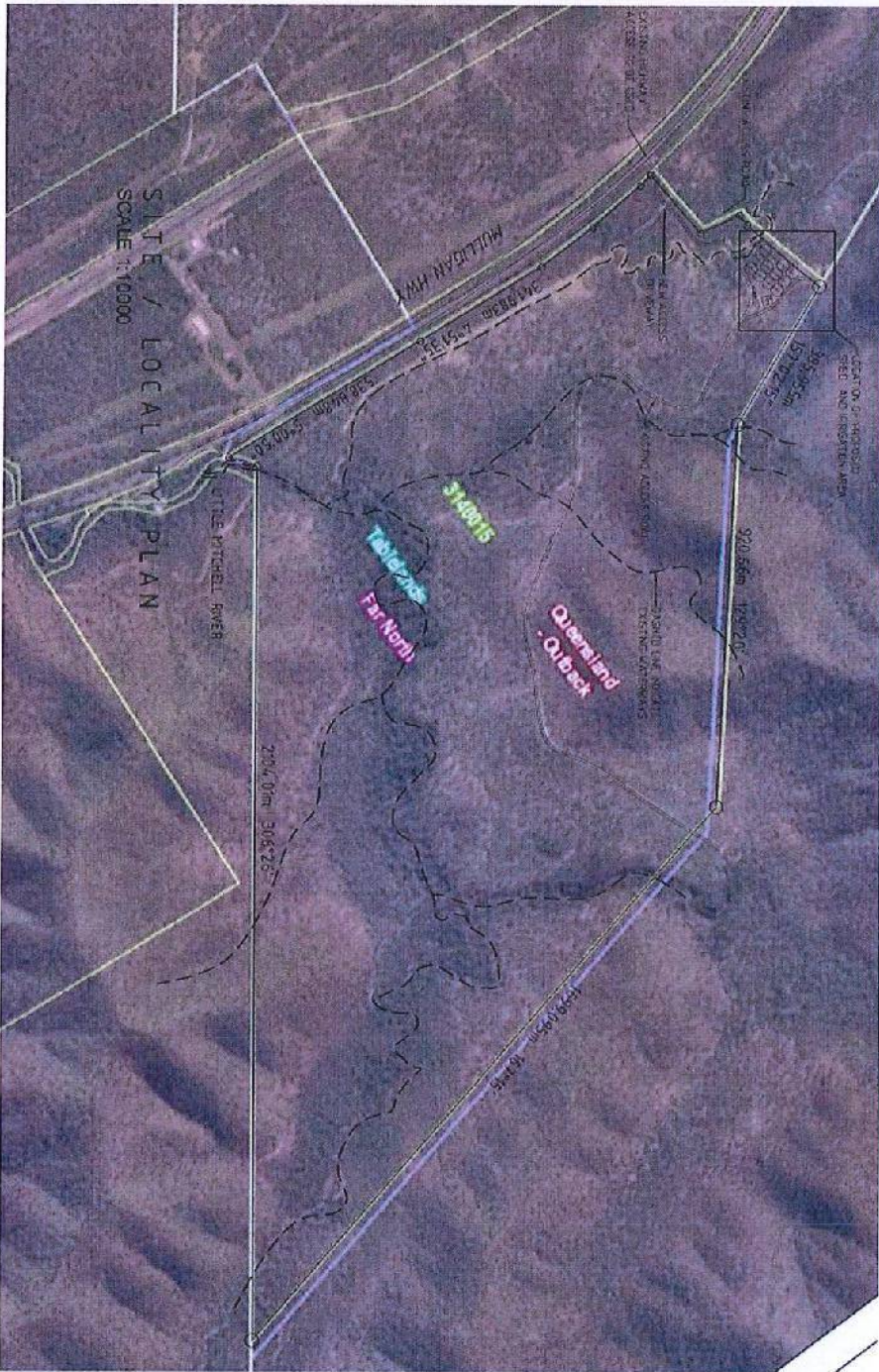
Matt Ingram
Senior Planner
E matt@urbansync.com.au | T 07 4051 6946 | M 0488 200 229

ATTACHMENT 1:

SITE PLAN



LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: HARVEY SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha



SITE / LOCALITY PLAN
 SCALE 1:10000



1. THE BRAND'S ACTUAL SPAN, THE CORNER AND PROPERTY TO WHICH IT IS APPLIED, AND THE PROPOSED APPLICANT'S INTERESTS, THE BRANDS OF THE SPAN SHALL BE SHOWN.

1. DESIGN
 SPAN BRAND
 SPAN BRAND
 SPAN BRAND
 SPAN BRAND
 SPAN BRAND

AMENDMENTS:

| NO. | DESCRIPTION |
|-----|-------------|
| | |
| | |
| | |
| | |
| | |

END DESIGN & DRAFTING

30 Kennedy Street
 Mount Molloy NSW 2885
 Tel: 08 9071 1111
 Fax: 08 9071 1112
 Email: info@pma.com.au

CLIENT: THE PRODUCT MAKERS PTY LTD
 ADDRESS: 1002 STATION ST, MOUNT MOLLOY
 NSW 2885

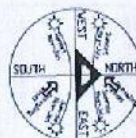
DATE: FEB 2020 SCALE: 1:10000
 DRAWING NO: 10044 SHEET NO: 01

LOT NUMBER: 2
SP NUMBER: SP298325
LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
LOCALITY: MOUNT MOLLOY
AREA: 2185.8ha



1. THE SHEDS AND TANKS FROM THE CORNER AND POSITION OF THE IRRIGATION ARE NOT TO BE CONSIDERED AS PART OF THE SITE PLAN. THE IRRIGATION AREAS ARE TO BE USED IN ACCORDANCE WITH THE IRRIGATION ACT 1988.

LEGEND
 DOTTED LINE WITH SPACED
 INDICATES BUFFER LINE
 DOTTED LINE WITH SPACED
 INDICATES BUFFER LINE
 DOTTED LINE WITH SPACED
 INDICATES BUFFER LINE



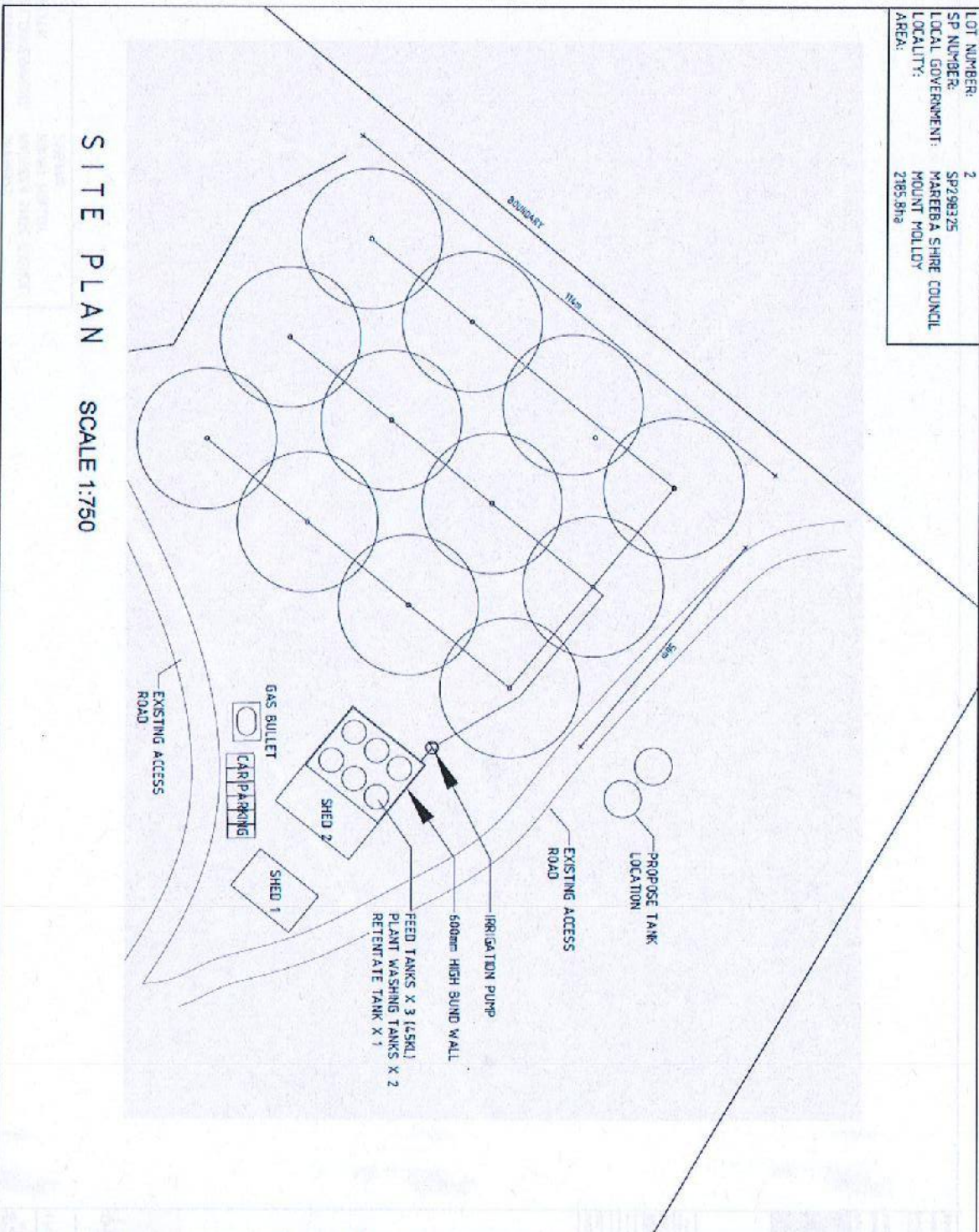
AMENDMENTS:
DATE: REV: DESCRIPTION:

NOTE:
 1. This plan is to be used in accordance with the IRRIGATION ACT 1988.
 2. The IRRIGATION AREAS ARE NOT TO BE CONSIDERED AS PART OF THE SITE PLAN.
 3. The IRRIGATION AREAS ARE TO BE USED IN ACCORDANCE WITH THE IRRIGATION ACT 1988.

END DESIGN & DRAFTING
 DESIGN & DRAFTING
 15/17/2020

Client Name: THE PRODUCT MAKERS PTY LTD
 Design: IRRAWADDI
 Address: LOT 2, ONE SP22018A, MOUNTAIN VIEW
 NT TERRITORY
 Drawing Title: SITE PLAN
 Scale: 1:2000
 Date: FEB 2020
 Drawing No: 2001A
 Sheet No: 02

LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 295.8ha



SITE PLAN
 SCALE 1:750



1. THE DRAWING IS INTENDED TO BE USED FOR THE CONCEPT AND PRELIMINARY DESIGN AND NOT FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE.

DATE: 20/02/2020
 DRAWN BY: [Name]
 CHECKED BY: [Name]

LEGEND

--- BOUNDARY LINE
 --- EXISTING ACCESS ROAD
 --- PROPOSED TANK LOCATION

AMENDMENTS

| NO. | DESCRIPTION |
|-----|-------------|
| | |
| | |
| | |

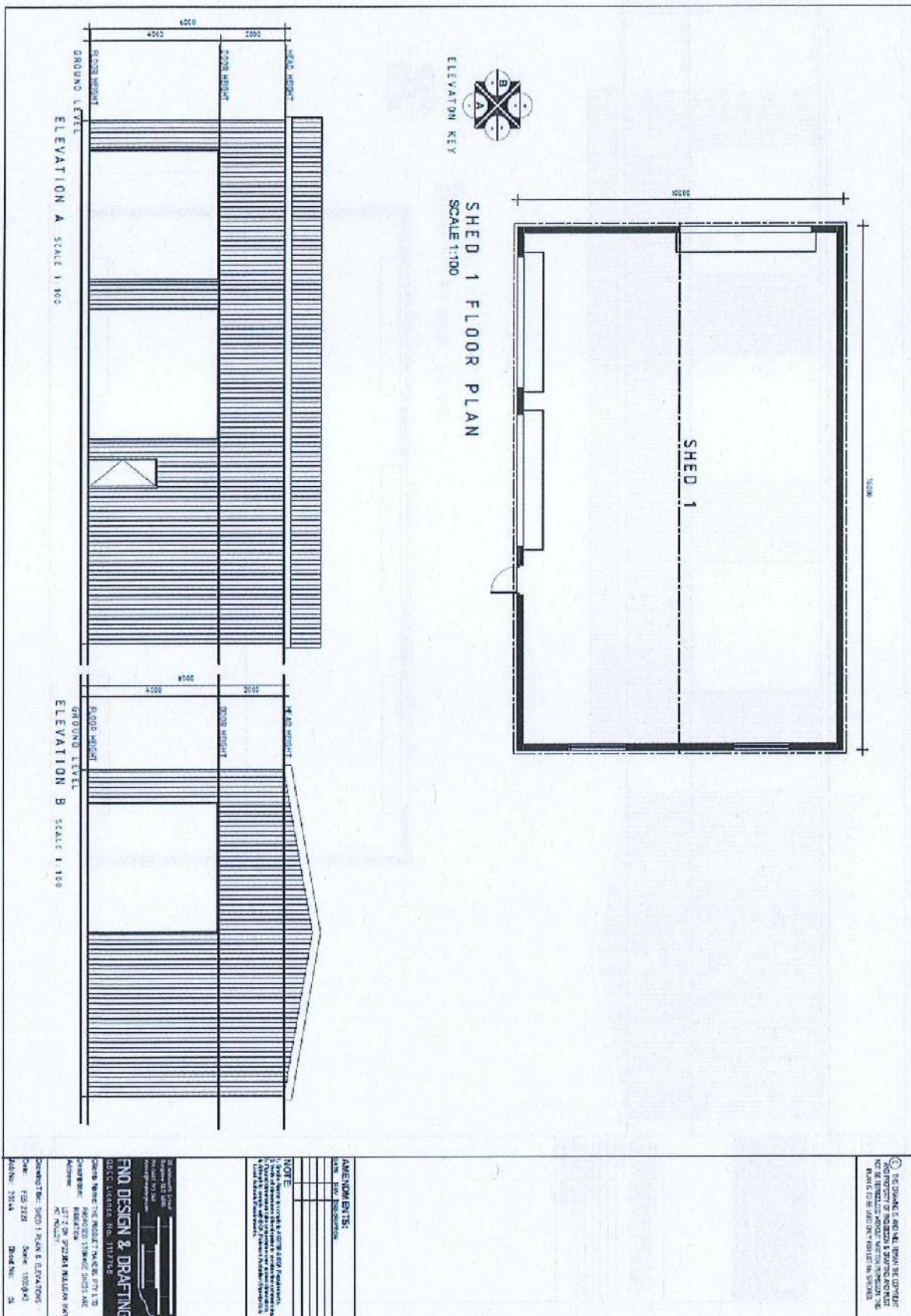
NOTE:

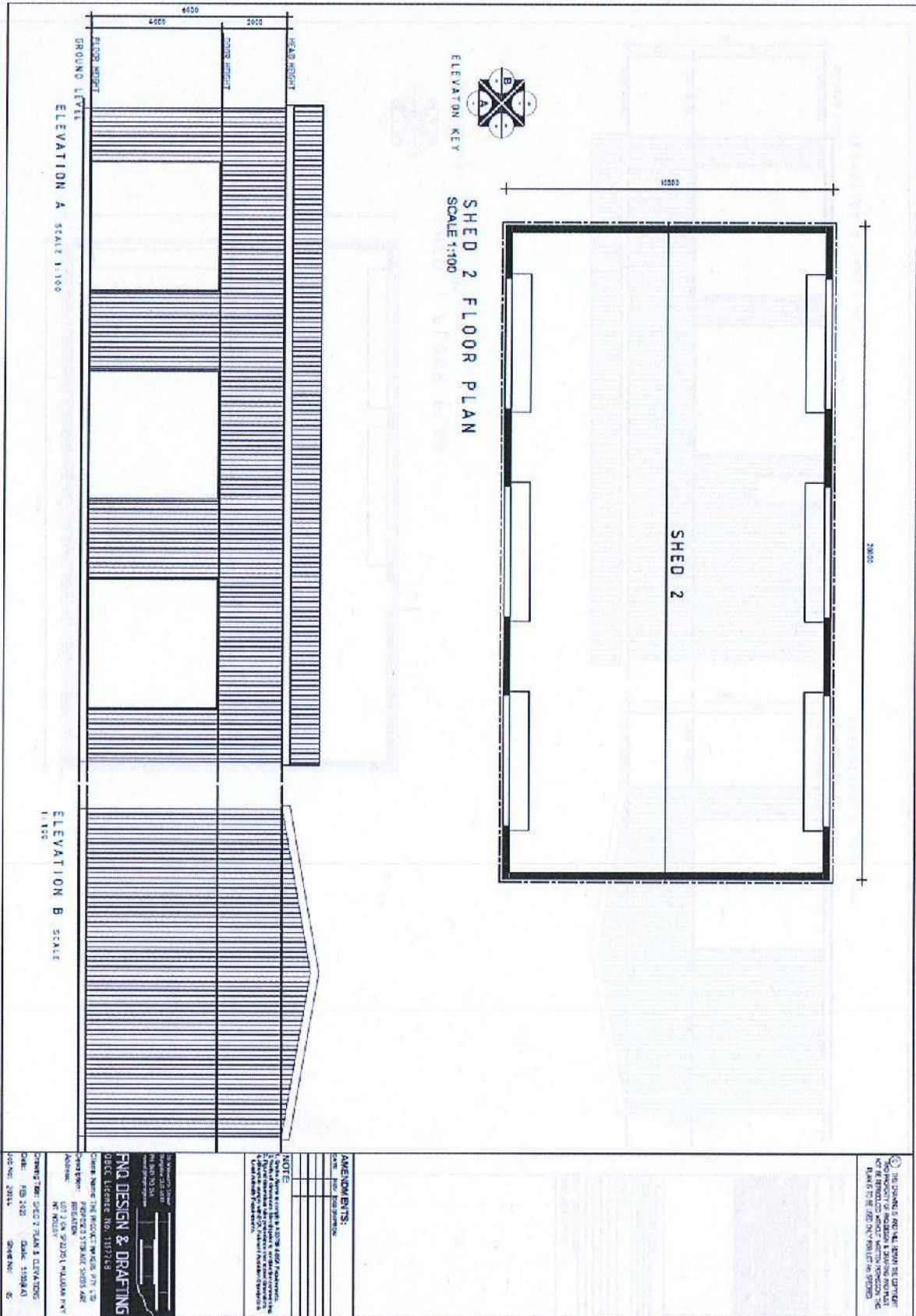
1. THIS DRAWING IS A PRELIMINARY DESIGN AND NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE.

2. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE.

FIND DESIGN & DRAFTING

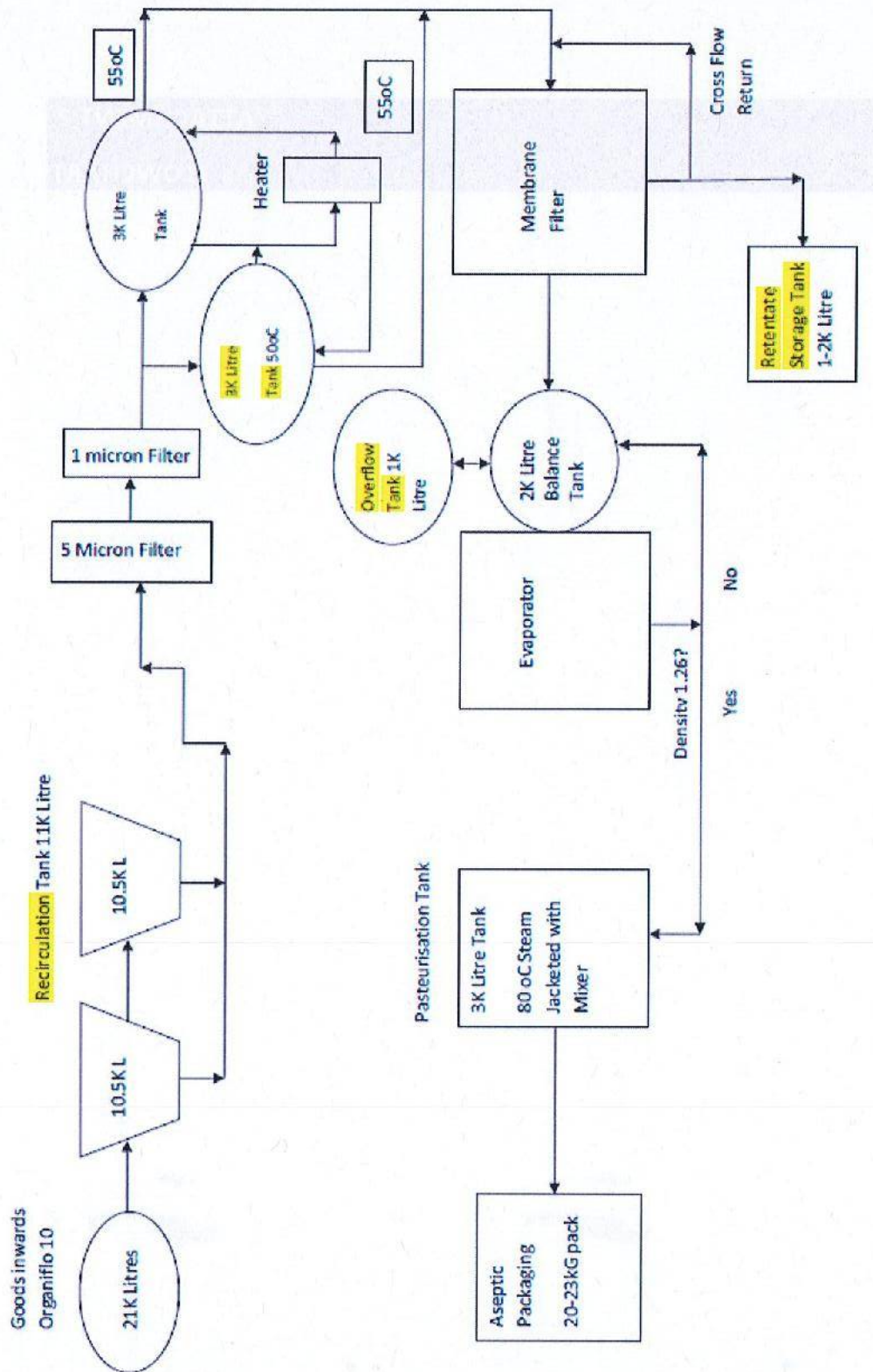
DESIGNER: [Name]
 CHECKER: [Name]
 DATE: 20/02/2020
 SCALE: 1:750



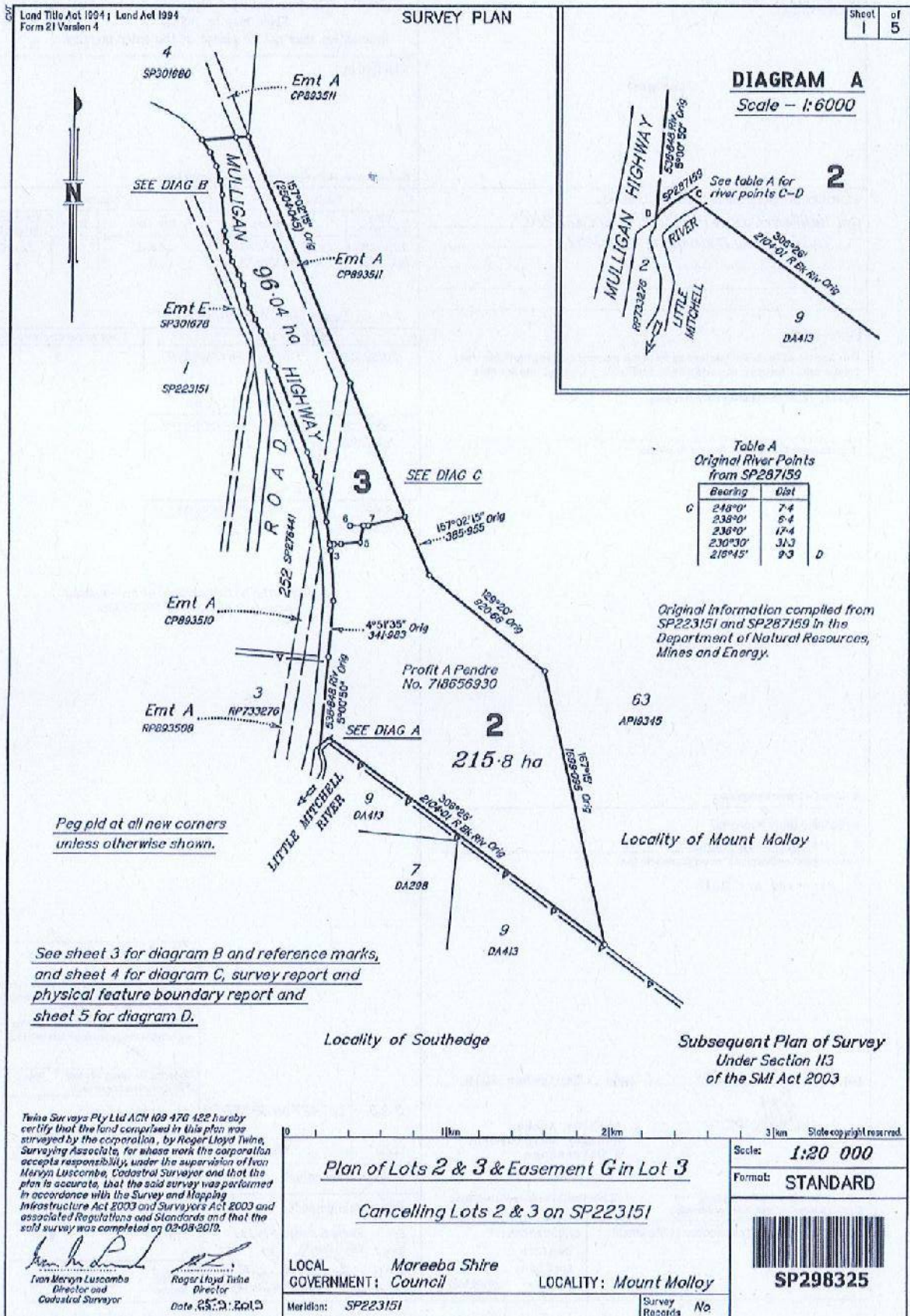


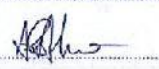
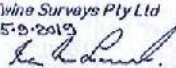
**ATTACHMENT 2:
FLOWCHART**





1. Good Inwards – Storage and Handling
2. Recirculation and mixing in storage tank
3. Pre Filtration 5 micron
4. Pre Filtration 1 Micron
5. Pre heating tank
6. Heat to 55oC
7. Filtered through 0.1 micron Stainless Steel Filter
8. Feed stock recirculate through a cross section flow
9. Retentate is drained at 1% via a bleed valve
10. Permeate Collected in balance tank
11. Evaporation of permeate in balance tank.
12. Inline density is check to ensure product meets spec
13. Once product meets spec it is transferred into a pasteurisation tank
14. Pasteurisation
15. Aseptic Packaging



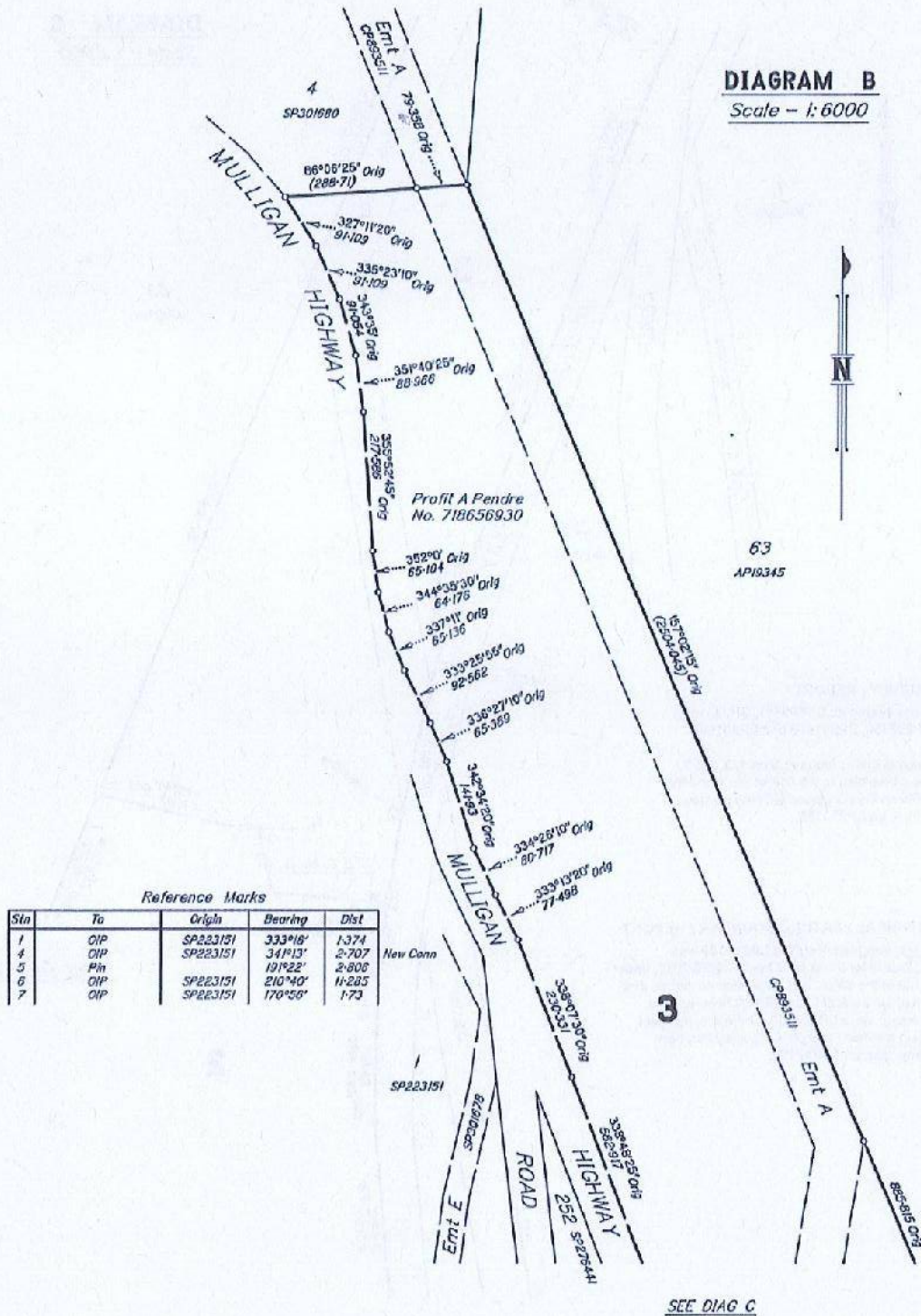
| <p>Land Title Act 1994; Land Act 1994 Form 21B Version 1</p> <p style="text-align: center;">(Dealing No.)</p> | <p>WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.</p> <p style="text-align: right;">Sheet 2 of 5</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------|------|---------------------|--|--|-----------------|-------------|----------|------|---------------------|----------|-------------------|-------|---|-------|----------|-------------------|---|---|---|----------|-----------------------|--------------------------------|---|---------|-----------------------|-----------|-------|---------|-----------------|-----------|-------|
| <p>1. Certificate of Registered Owners or Lessees.</p> <p>1/We <u>Kathleen Colless Pty Ltd ACN 097 377 220</u> <u>trustee under Instrument Z10106457</u></p> <p>(Names in full)</p> <p>* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.</p> <p>* as Lessees of this land agree to this plan.</p> <p>Signature of *Registered Owners #Lessees</p> | <p>6. Lodged by</p> <p>(Include address, phone number, reference, and Lodger Code)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">Existing</th> <th colspan="3">Created</th> </tr> <tr> <th>Title Reference</th> <th>Description</th> <th>New Lots</th> <th>Road</th> <th>Secondary Interests</th> </tr> <tr> <td>51158786</td> <td>Lot 2 on SP223151</td> <td>2 & 3</td> <td>-</td> <td>Emt G</td> </tr> <tr> <td>51158787</td> <td>Lot 3 on SP223151</td> <td>3</td> <td>-</td> <td>-</td> </tr> </table> <p style="text-align: center;">Easement Allocations</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Easement</th> <th>Lots to be encumbered</th> </tr> <tr> <td>701690380 Emt on A on CP893511</td> <td>3</td> </tr> </table> <p style="text-align: center;">Administrative Advices</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Dealing</th> <th>Lots to be encumbered</th> </tr> <tr> <td>713713290</td> <td>2 & 3</td> </tr> </table> <p style="text-align: center;">Profit A Pendre</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Dealing</th> <th>Lots encumbered</th> </tr> <tr> <td>718656930</td> <td>2 & 3</td> </tr> </table> <p style="text-align: center;"><i>Easement F on SP223151 to be surrendered prior to lodgement of SP298325</i></p> | Existing | | Created | | | Title Reference | Description | New Lots | Road | Secondary Interests | 51158786 | Lot 2 on SP223151 | 2 & 3 | - | Emt G | 51158787 | Lot 3 on SP223151 | 3 | - | - | Easement | Lots to be encumbered | 701690380 Emt on A on CP893511 | 3 | Dealing | Lots to be encumbered | 713713290 | 2 & 3 | Dealing | Lots encumbered | 718656930 | 2 & 3 |
| Existing | | Created | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Title Reference | Description | New Lots | Road | Secondary Interests | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 51158786 | Lot 2 on SP223151 | 2 & 3 | - | Emt G | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 51158787 | Lot 3 on SP223151 | 3 | - | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Easement | Lots to be encumbered | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 701690380 Emt on A on CP893511 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dealing | Lots to be encumbered | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 713713290 | 2 & 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dealing | Lots encumbered | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 718656930 | 2 & 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>* Rule out whichever is inapplicable</p> <p>2. Planning Body Approval.</p> <p>* <u>Marooch Chire Council</u> hereby approves this plan in accordance with the:</p> <p><input checked="" type="checkbox"/> Planning Act 2016</p> | <p>9. Building Format Plans only.</p> <p>I certify that:</p> <p>* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.</p> <p>* Part of the building shown on this plan encroaches onto adjoining * lots and road</p> <p>Cadastral Surveyor/Director * Date</p> <p>* Select words not required</p> <p>2 & 3 Lot 427 on SP287159</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Lots</th> <th>Orig</th> </tr> </table> | Lots | Orig | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lots | Orig | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Dated this <u>25th</u> day of <u>September</u>, 2019.</p> <p> # Anthony Archie Manager Development & Governance</p> <p>* Insert the name of the Planning Body. # Insert applicable approving legislation.</p> | <p>7. Orig Grant Allocation:</p> <p>8. Passed & Endorsed:</p> <p>By: <u>Tivine Surveys Pty Ltd</u> Date: <u>25-9-2019</u> Signed:  Designation: <u>Cadastral Surveyor</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>3. Plans with Community Management Statement:</p> <p>CMS Number:</p> <p>Name:</p> | <p>4. References:</p> <p>Dept File:</p> <p>Local Govt:</p> <p>Surveyor: <u>19/8360</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>9. Lodgement Fees:</p> <p>Survey Deposit \$</p> <p>Lodgement \$</p> <p>.....New Titles \$</p> <p>Photocopy \$</p> <p>Postage \$</p> <p>TOTAL \$</p> <p>11. Insert Plan Number SP298325</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Land Title Act 1994; Land Act 1994
 Form 21A Version 1

ADDITIONAL SHEET

Sheet 3 of 5

DIAGRAM B
 Scale - 1:6000



Reference Marks

| Sta | To | Origin | Bearing | Dist |
|-----|-----|----------|---------|--------|
| 1 | OIP | SP223151 | 333°16' | 1-374 |
| 4 | OIP | SP223151 | 341°13' | 2-707 |
| 5 | Pin | | 191°22' | 2-806 |
| 6 | OIP | SP223151 | 210°40' | 11-285 |
| 7 | OIP | SP223151 | 170°56' | 1-73 |

Scale - 1:6000



State copyright reserved.

Insert Plan Number SP298325

Land Title Act 1994; Land Act 1994
 Form 21A Version 1

ADDITIONAL SHEET

Sheet 4 of 5

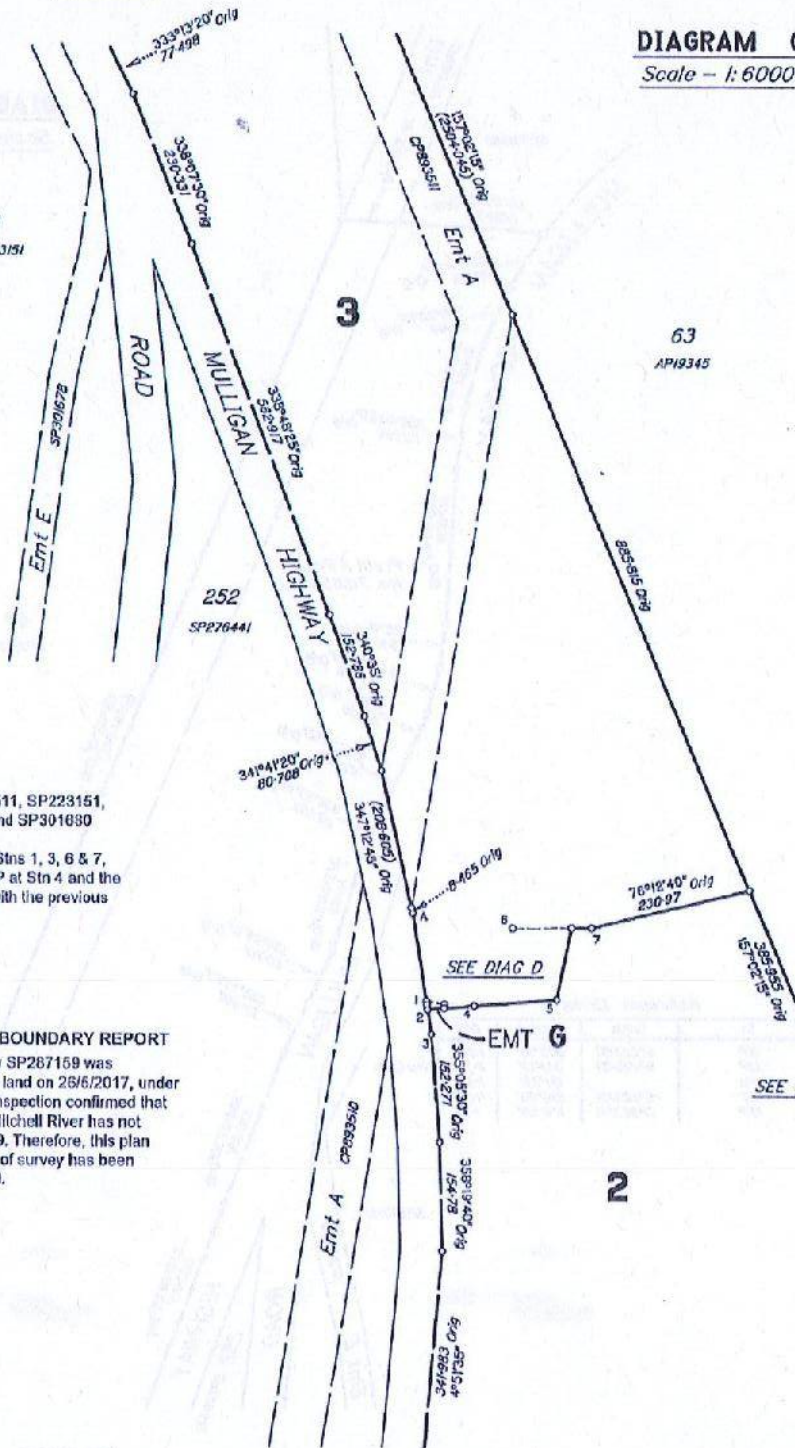
SEE DIAG D

DIAGRAM C

Scale - 1:6000



SP223151



SURVEY REPORT

Plans searched: CP893511, SP223151, SP207159, SP301676 and SP301680

Original marks found at Stns 1, 3, 6 & 7, the connection to the OIP at Stn 4 and the OP's on Emt G agreed with the previous survey on SP223151.

PHYSICAL FEATURE BOUNDARY REPORT

A first new plan of survey SP287159 was registered for the subject land on 26/6/2017, under s.108 of the SMA. Site inspection confirmed that top of the bank of Little Mitchell River has not changed since SP287159. Therefore, this plan being a subsequent plan of survey has been compiled from SP287159.

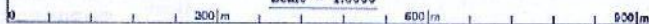
SEE DIAG D

EMT G

SEE SHEET 1

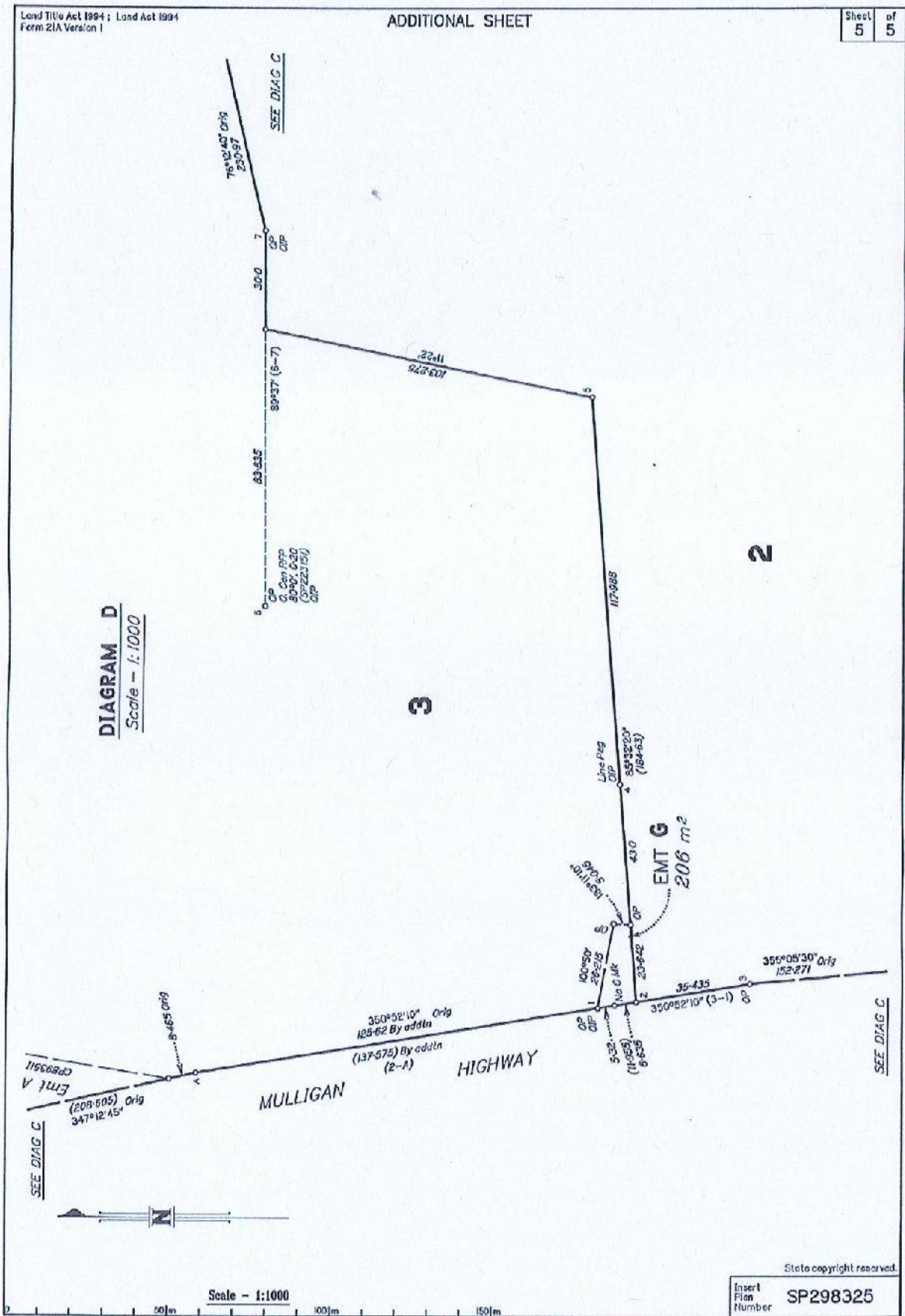
SEE SHEET 1

Scale - 1:8000



State copyright reserved.

Insert Plan Number SP298325





Department of
**State Development,
 Manufacturing,
 Infrastructure and Planning**

Our reference: 2002-15519 SPL
 Your reference: 20-526

27 February 2020

The Product Makers (Australia) Pty Ltd
 PO Box 2970
 CAIRNS QLD 4870
 justin@urbansync.com.au

Attention: Matt Ingram

Dear Sir/Madam

Pre-lodgement advice

Thank you for your correspondence received on 18 February 2020 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

Reference information

| | |
|----------------------------|--|
| Departmental role: | Referral agency |
| Departmental jurisdiction: | 10.3.4.3 – Clearing native vegetation 10.5.4.2 – Environmentally relevant activity 10.6.4.3.1 – Waterway barrier works 10.9.4.1.1 – State transport infrastructure (aspect of development stated in schedule 20) ¹ 10.9.4.2.4 – Material change of use of premises near a State transport corridor 10.19.3.1 – Taking or interfering with water ² |

Location details

| | |
|----------------------------|---|
| Street address: | 3276 -3278 Mulligan Highway, Mount Molloy |
| Real property description: | Lot 2 and Lot 3 on SP298325 |
| Local government area: | Mareeba Shire Council |

Details of proposal

| | |
|-------------------|---|
| Development type: | Material change of use for environmentally relevant activity Operational work for waterway barrier works |
|-------------------|---|

¹ Definition of proposed use is to be confirmed by Mareeba Shire Council.

² Further details regarding the location of proposed bores and if development involves taking overland flow water.

Development description: Manufacturing of feed stock and other products from sugar cane production by-products
(Applicant advised that definition of proposed use under Mareeba Shire Council Planning Scheme is still to be determined)

Supporting information

| Drawing/report title | Prepared by | Date | Ref no. |
|---|---|------------------|------------------------|
| Request for pre-lodgement advice for a proposed material change of use and operational works over part of Lot 2 and Lot 3 on SP298325 at 3276 Mulligan Highway, Southedge, Mount Molloy | Urban Sync | 18 February 2020 | 20-526 |
| State assessment and referral agency lot plan report | Queensland Government (Department of State Development, Manufacturing, Infrastructure and Planning) | 18 February 2020 | 2SP298325 3SP298325 |

The department has carried out a review of the information provided and the impacts of the proposal. The following advice outlines the matters of interest to the department and matters that should be addressed if you lodge your development application with the assessment manager.

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| Proposal | |
| 1. | <p>The pre-lodgement material submitted to the department identifies that the project will involve the establishment of a facility that alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertilizer), along with the required dispersion and irrigation of the water waste stream. The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area. The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.</p> <p>It is anticipated that Stage 1 will produce 10t of feedstock per week and Stage 2 will produce, once approved, up to 50t per week. The manufacturing process to turn the sugar cane waste to feed stock will involve filtration, concentration, pasteurization and aseptic packaging. In addition to the production of feedstock, the production plant will emit approximately 10,000L of treated water/bio product a day and this water will be irrigated via one of the two proposed irrigation areas.</p> |
| State development assessment provisions (SDAP) | |
| 2. | <p>The State Development Assessment Provisions (SDAP) version current at the time the development application or other change application is lodged with the assessment manager will be used in assessing the application. On the information provided, the following state codes may be applicable to the proposed development:</p> <ul style="list-style-type: none"> • State code 1: Development in a state-controlled road environment • State code 6: Protection of state transport networks • State code 10: Taking or interfering with water |

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| | <ul style="list-style-type: none"> • State code 16: Native vegetation clearing • State code 18: Constructing or raising waterway barrier works in fish habitats • State code 22: Environmentally relevant activities <p>To address SDAP the applicant should demonstrate how acceptable outcomes will be achieved. If the development cannot meet an acceptable outcome, the applicant should provide evidence on how the proposal meets the performance outcome.</p> <p>The department has prepared response templates to assist applicants in addressing the SDAP criteria. The SDAP response templates are available online at https://planning.dsdmip.qld.gov.au/planning/resources.</p> |
| Environmental relevant activity | |
| 3. | <p>Based on the information provided, the proposed activity may trigger the following Environmental Relevant Activities (ERAs):</p> <ul style="list-style-type: none"> • ERA 7(4) – Chemical manufacturing - This ERA is in relation to the manufacturing of fertilizer if it is likely that production will exceed 200t per year. • ERA 28 – Sugar milling and refining - This ERA is in relation to manufacturing 200t or more of <i>other sugarcane products</i> in a year. • ERA 62 – Resource recovery and transfer facility operation - This ERA may be applicable if the storage of large quantities of feedstock is required particularly if it is over 6m³ or 6t. <p>ERA 7 (4) and ERA 28 are concurrence ERAs under the Environmental Protection Regulation 2008 and therefore require a development application for a material change of use.</p> <p>The other ERAs that have been identified in the pre-lodgement material that may be applicable to the proposed development including ERA 24, ERA53 and ERA 54 have been considered. On the information provided these ERA's are unlikely to be applicable to the proposed development based in the information provided. The reasons for each are below.</p> <ul style="list-style-type: none"> • ERA 24 – Edible oil manufacturing or processing - There is no mention in the application regarding the production of edible oils. However, this may be applicable depending on the nature of the feedstock produced and whether it is likely that you will be using 1,000t or more of raw material in a year to produce the edible oil. • ERA 53 – Organic material processing - This activity involves composting or anaerobic digestion. The information provided does not mention either of these activities being used in this process. • ERA 54 – Mechanical waste reprocessing - This ERA is a possibility, however it would depend on the processes being undertaken. Mechanical reprocessing includes crushing, milling, grinding, shredding or sorting waste, whether or not for the purpose of recycling the waste. If one of these is being undertaken then this ERA may be applicable. <p>Additional information is required regarding the nature of the proposed development in order to finalise the ERA's that are relevant to the proposed development including further detail on the type of products being produced and the process being employed.</p> |
| 4. | <p>A material change of use for an ERA will also be taken to be an application for an environmental authority (EA). An EA cannot commence until the development permit takes effect. The administering authority for an EA is the Department of Environment and Science (DES).</p> |

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| | <p>In order to hold an environmental authority you must be a 'registered suitable operator'. You can apply to be a registered suitable operator at the same time you apply for your environmental authority. The following website explains how to apply to be a registered suitable operator and how to apply for an environmental authority: https://www.business.qld.gov.au/running-business/environment/licences-permits/applying/lodging</p> <p>For an EA, the first annual fee is payable within 20 business days of the effective date of an environmental authority. If multiple ERAs are undertaken as part of a project, the annual fees will be based on the ERA with the highest Aggregate Environmental Score (AES). Current annual fees for ERAs can be found at the following link: http://www.ehp.qld.gov.au/assets/documents/regulation/era-is-summary-annual-fees.pdf</p> <p>Common conditions have been developed for ERAs to provide an indication of the conditions that may be included in the EA issued by DES.</p> <p>In addition to the common conditions, more prescriptive site-specific conditions may be deemed necessary to address environmental risks of a particular industry or site and will be drafted by the administering authority as required. This will be based on the environmental values identified and the potential impacts from the proposal.</p> |
| 5. | <p>As outlined in section 125 of the <i>Environmental Protection Act 1994</i> (EP Act), the development application will need to include:</p> <ul style="list-style-type: none"> • a description of the environmental values (both onsite and offsite) likely to be affected by the proposed activity • details of any emissions or releases likely to be generated by the proposed activity • a description of the risk and likely magnitude of impacts on the environmental values • details of the management practices proposed to be implemented to prevent or minimise adverse impacts • details of how the land the subject of the application will be rehabilitated after the relevant activity • a description of the proposed measures for minimising and managing waste generated by the relevant activity • details of any site management plan (i.e. associated with contaminated land) that relates to the land that is the subject of the application. <p>Environmental values that will need to be considered in your application include those as they relate to air/ noise, water and land, and should include consideration of at least the following:</p> <ul style="list-style-type: none"> • Category B regulated vegetation • Noise emissions (impacts on potential sensitive receptors) • Air emissions (impacts on potential sensitive receptors) • Waterways on and around the subject site • Matters of State Environmental Significance (MSES) including Kuranda National Park that adjoins the site to the east and wildlife habitat <p>Technical guidelines have been developed to outline what information to include in an application where impacts related to air, land, noise, water or waste have been identified. These are available at: https://www.business.qld.gov.au/business/running/environment/licences-permits/applying-environmental-authority/technical-information-requirements</p> |

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| 6. | <p>The applicant should note that chemical manufacture and storage is a notifiable activity. Under the <i>Environmental Protection Act 1994</i>, the owner of the land where a notifiable activity is occurring has a duty to notify the department.</p> <p>Information on the notification process can be found at the following location: https://www.qld.gov.au/environment/pollution/management/contaminated-land/notifications/</p> |
| Matters of state environmental significance (MSES) | |
| 7. | <p>The site and surrounds is mapped as containing MSES including regulated vegetation, wildlife habitat and protected areas. In addition to these mapped features, the watercourses located on the site are mapped as green waterways and provide fish passage.</p> <p>Where MSES are identified you must demonstrate how the development avoids adverse impacts on MSES. Where this is demonstrated to be not reasonably possible, you must then demonstrate how impacts on MSES have or will be minimised and mitigated. If following these considerations the proposed activity is likely to have an impact on the MSES, you must undertake a 'significant residual impact' assessment.</p> <p>As part of the development application, you will be required to determine if there are any MSES on or adjacent to the site that is impacted by the proposed development. Where MSES are identified:</p> <ul style="list-style-type: none"> • Provide a targeted assessment to ground truth any MSES identified; • Demonstrate how the development avoids adverse impacts on each MSES to the greatest extent practicable; • Where the above is not reasonably possible, demonstrate how impacts on MSES have or will be minimised and/or mitigated to the greatest extent practicable; • Demonstrate whether the development will have a Significant Residual Impact on any identified MSES using the Significant Residual Impact Guideline. An assessment will need to be undertaken for each MSES to determine whether the proposed development will result in a significant residual impact; and • Identify any potential offset obligation. Further advice on environmental offsets is available at http://www.qld.gov.au/environment/pollution/management/offsets/. <p>The department maintains an 'avoid, mitigate, offset' requirement that applies to those activities that will, or are likely to, have a significant residual impact on prescribed environmental matters.</p> |
| Water advice | |
| 8. | <p>The pre-lodgement material indicates that water may be supplied to the proposed development via bores. The proposed development is within the area covered by the <i>Water Plan (Mitchell) 2007</i> (Mitchell Water Plan). In the Mitchell Water Plan area, the take of groundwater is not regulated where it occurs-</p> <ul style="list-style-type: none"> • Outside groundwater management areas; and, • Greater than the prescribed distance from a prescribed watercourse or creek. <p>Lots 2 and 3 on SP298325 satisfy these requirements.</p> <p>Approval under the <i>Planning Act 2016</i> for the drilling of bores may be required depending on the critical distances as per Schedule 17, part 2 of the Water Regulation 2016. Planning approval is</p> |

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| | <p>required for a bore drilled less than-</p> <ul style="list-style-type: none"> a) 200m from a boundary of a parcel of land; and b) 400m from another water bore. <p>A registered bore driller is required to drill a bore deeper than six metres.</p> |
| 9. | <p>The proposed area is located in proximity to features mapped as drainage features on the Department of Natural Resources, Mines and Energy Watercourse Identification Map. Water in a drainage feature is classified as overland flow. In the Mitchell Water Plan, landholders can take overland flow water from these features, for any purpose, if the total capacity of the works is less than or equal to 250 megalitres.</p> <p>Proponents seeking to take or interfere with more than 250 megalitres of overland flow water may require a development approval under the <i>Planning Act 2016</i> and an authorisation under the <i>Water Act 2000</i>.</p> |
| Clearing native vegetation | |
| 10. | <p>The development footprint impacts the following features/ vegetation types:</p> <ul style="list-style-type: none"> • Category B areas (containing least concern regional ecosystems) • Category X areas • Stream order 2 watercourse/drainage features as shown on the vegetation management watercourse and drainage feature map <p>The mapped regional ecosystems within the development footprint are:</p> <ul style="list-style-type: none"> • 9.3.3 (least concern, sparse structure) • 9.5.9 (least concern, sparse structure) • 9.3.13 (least concern, mid dense structure) • 7.11.51 (least concern, mid-dense structure) <p>Information on the land is available through:</p> <ul style="list-style-type: none"> • Queensland Globe - https://qldglobe.information.qld.gov.au/ • A vegetation management report online at - www.qld.gov.au/environment/land/vegetation/map-request/. The report includes relevant property information and a series of maps and supporting information outlining the requirements for clearing vegetation on this land; and, • The Regional Ecosystem Description Database - https://apps.des.qld.gov.au/regional-ecosystems/. <p>It is noted that the site plan indicates that the development will be located completely within Lot 2 on SP298325 and vegetation clearing will result. Further, an application for a relevant purpose determination under section 22A of the <i>Vegetation Management Act 1999</i> was submitted to the Department of Natural Resources, Mines and Energy on 19 February 2020 in relation to Lot 2 on SP298325 only.</p> |
| 11. | <p>The development application will need to address and meet the performance outcomes of State code 16: Native vegetation clearing including Table 16.2.2 – PO1-PO4 and Table 16.2.3 – PO7, PO11, PO16, PO20, PO22-PO24 and PO27.</p> <p>All relevant performance outcomes need to be addressed however, based on the information</p> |

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| | <p>provided the following performance outcomes will require particular consideration:</p> <ul style="list-style-type: none"> • PO1 – Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been reasonably avoided or reasonably minimized where it cannot be reasonable avoided. It is noted that there are Category X areas on the site that may have potential for the siting of the proposed infrastructure. • PO11 – Clearing maintains the current extent of the vegetation associated with any watercourse or drainage feature (the site contains a stream order 2 watercourse under the vegetation management watercourse/drainage feature map) • PO22 – Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinization of groundwater, surface water or soil. <p>Guidance on how to comply with this code is provided in State Development Assessment Provisions Guidance material: State code 16: Native vegetation clearing, Department of Natural Resources, Mines and Energy 2019. Appendix 2 of this guideline provides details on the standard application information for all development applications involving the clearing of native vegetation.</p> |
| 12. | <p>For the purposes of assessing firebreaks and/or safety buffers for all proposed built infrastructure, the assessment will be based on a width of 20 metres or 1.5 times the height of the tallest adjacent tree to the infrastructure, whichever is the greater, based on the relevant regional ecosystem description to calculate the applicable firebreak/safety buffer, unless alternative evidence is outlined in the development application.</p> <p>Based on the pre-lodgement material and the mapped regional ecosystem descriptions for the site, a firebreak and/or safety buffer of 30 metres for proposed built infrastructure may be applied.</p> <p>Evidence supporting an alternate firebreak/safety buffer width must include tallest tree height measurements and photographs of the full extent (base of trunk to canopy crown) of the tallest tree adjacent to the proposed infrastructure. Each photograph should show a survey staff or object of known height in relation to the measured tree and be accompanied by details of its location (e.g. GPS coordinates using datum GDA94 or GDA2020 and relevant MGA grid zone). Alternatively other methods such as the use of LiDAR data may also be appropriate.</p> |
| Waterway barrier works | |
| 13. | <p>The proposed works are located on a waterway that is mapped green according to the <i>Queensland waterway for waterway barrier works</i> spatial data layer.</p> <p>At this stage, it is unclear if the works trigger waterway barrier works as the design of the crossing to be constructed is unknown. The applicant should refer to the following factsheets for more information on waterway barrier works:</p> <ul style="list-style-type: none"> - What is a waterway?; - What is a waterway barrier work?; - What is not a waterway barrier work? |
| 14. | <p>Under the Planning Regulation 2017, works involving constructing or raising waterway barrier works must be undertaken in accordance with the relevant accepted development requirements</p> |

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| | <p>or under a development approval for operational works.</p> <p>A crossing of a green waterway, if built to the required specifications, may comply with the accepted development requirements (ADR) and not require a development application for operational works. The relevant sections of the ADR include:</p> <ul style="list-style-type: none"> - Work type 1.3 - Construction of new or replacement of existing culvert crossings on a low impact (green) waterway. - Work type 2.2 - Construction for new or replacement of an existing bed level crossing on a moderate impact (amber) or low impact (green) waterway. <p>Please note that the Department of Agriculture and Fisheries have advised that the waterway on the site provides good fish habitat and connectivity to other waters and you may wish to consider constructing a crossing to reflect the amber waterway requirements. This may also be constructed under the ADR including:</p> <ul style="list-style-type: none"> - Work type 1.2 - Construction of new or replacement of existing culvert crossings on a moderate impact (amber) waterway. - Work type 2.2 - Construction for new or replacement of an existing bed level crossing on a moderate impact (amber) or low impact (green) waterway. <p>If the development is able to construct the waterway crossing under the ADR, a development application for the waterway barrier component of the proposed works will not be required.</p> |
| 15. | <p>An application for operational works involving constructing or raising waterway barrier works will need to provide a full response to State code 18: Constructing or raising waterway barrier works in fish habitats. Particular attention should be paid to the following performance outcomes:</p> <ul style="list-style-type: none"> • All development – performance outcomes PO1 to PO18 and PO36. • Temporary waterway barrier works – PO32 to PO35. <p>Outlined below is some additional information that may assist you in addressing the performance outcomes:</p> <ul style="list-style-type: none"> • PO1 – This performance outcomes requires that there is a demonstrated need for the development and alternatives which have lesser impacts to fish passage are not viable. An access road is generally considered an adequate need. In order to address this PO, justification for the location and design of the crossing will be required and it will need to demonstrate that the proposed works pose the least impact to fish passage compared to other alternatives considered. • PO2 - Requires that only those aspects of a development that have a functional requirement to be located within a waterway are supported. The applicant is required to demonstrate that only those elements related to the waterway crossing are located in the waterway. Any other aspects of the development (site office, parking areas, sheds, material lay down areas, areas related to the construction works etc.) are required to be located away from the waterway. • PO4 – Requires that for the life of the barrier, adequate fish passage must be provided and maintained. Plans prepared by suitably qualified person/s showing the natural profile of the waterway bed and banks, and how the crossing will extend over and/or interact with these features will be required as part of any further development application. At all |

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| | <p>times hydraulic conditions are required to allow for fish passage of all fish attempting to move through the structure. Items such as elevation drops, changes to the waterway bed gradients, blocks to the low flow channel, increasing velocities and/or turbulence and insufficient light at the entrance of the barrier are generally unsupported. Roughening elements may be required pending the type of crossing. It is advised to consult with a suitably qualified person familiar with fish passage requirements to assist with the design.</p> <ul style="list-style-type: none"> • PO5 - The waterway barrier works are required to be designed, constructed, operated and maintained to provide fish passage for all members of the fish community, regardless of size, species, life stage and swimming ability. • PO6 - All components of the waterway barrier works (for example scour protection, intake and outlet structures, aprons, spillways etc.) provide safe fish passage. It is advised to show on a plan, all instream structures in relation to the existing natural waterway to demonstrate compliance with this PO. • PO8 – This performance outcome requires that development does not increase risk of mortality, disease or injury, or compromise fisheries resources. Particular consideration should be given to the waterway crossing. For instance, materials used during construction and construction run off/ erosion can be toxic to fish and water quality if not managed correctly. A construction management plan outlining all measures taken to reduce environmental and ecological risks from all stages of construction is advised to be provided. • PO9 – This performance outcome requires that the development is to <ul style="list-style-type: none"> - avoid non-essential hardening of the main channel; - retain any natural fish habitat features where possible; - avoid channelisation of meandering waterways - avoids construction during times of elevated flows. Adequate plans demonstrating the above points would be sufficient in meeting this PO. • PO13 - Construction is to avoid direct and indirect disturbance, or where avoidance is not possible, minimises direct and indirect disturbance to beds, banks and vegetation adjacent to the permanent footprint. Minimisation of impacts to the waterway is required to be demonstrated. Any disturbances outside the permanent footprint of the works is required to be justified. • PO14 - Any justified disturbance outside permanent development footprint is required to be stabilised and rehabilitated. The applicant is advised to prepare a rehabilitation plan if needed, in order to demonstrate compliance with PO14. |
| Temporary waterway barrier works | |
| 16. | The placement of temporary waterway barriers to facilitate construction of the waterway crossing may be conducted under DAF's Accepted development requirements for operational work that is constructing or raising waterway barrier works . |

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| | <p>If any proposed temporary waterway barrier works cannot meet the accepted development requirements, this aspect of the works will need to be covered under the development approval. Performance outcomes PO32 to PO35 of State Code 18: Constructing or raising waterway barrier works in fish habitats relate to temporary waterway barrier works.</p> <p>The applicant should note that time limitations apply to all temporary waterway barriers in place under the ADR. If there is any possibility (e.g. due to weather) the barriers need to be in place for longer than the prescribed period under the ADR, the applicant is advised to include proposed temporary waterway barrier works in a development application.</p> |
| 17. | <p>Plans will need to be provided that depict:</p> <ul style="list-style-type: none"> • the location of the proposed works in relation to existing mapped waterways; • cross section of the proposed waterway barrier works in relation to the existing bed and banks of each impacted waterway; • A longitudinal section of the proposed waterway barrier works in relation to the bed of the waterway upstream and downstream of the works; <p>Note – all plans should be able to be read to scale at A3 size.</p> <p>The application will also need to be accompanied by written documentation discussing the following:</p> <ul style="list-style-type: none"> • Details of the purpose of the proposed works (e.g. single/multi-span bridge, bed level crossing for vehicular access, etc.); • A description of the waterway proposed to be impacted (e.g. condition, size, connectivity, general hydrology) and nature of the impact; • A description of the work method (e.g. timing, equipment to be used); • A detailed description of the alternatives considered to reduce impacts on the waterway, as applicable (e.g. alternative designs, locations, setbacks/buffer distances, etc.); • Details of on-site mitigation actions, during and after the development; • The extent of any future maintenance works required for the continued safe operation of the proposed structure or facility; and • Impacts to fish passage. It must firstly be demonstrated that impacts to waterways providing for fish passage have been avoided. Where avoidance is not reasonably possible, impacts to waterways providing for fish passage must be mitigated. An environmental offset pursuant to the <i>Environmental Offsets Act 2014</i> may need to be provided for any significant residual impact. |
| State-controlled road | |
| 18. | <p>The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to</p> |

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| | <p>access the site.</p> <p>Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:</p> <ul style="list-style-type: none"> • Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only. • A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to: <ul style="list-style-type: none"> o Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis. o Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically: <ul style="list-style-type: none"> <input type="checkbox"/> PO16 - The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road. <input type="checkbox"/> PO20 - Development does not result in a worsening of operating conditions on the state-controlled road network. <input type="checkbox"/> PO21 - Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network. <input type="checkbox"/> PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards. • The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application. <p>Further guidance on what information needs to be supplied with a formal development application can be obtained from the Department of Transport and Main Roads' State Development Assessment Provisions (SDAP) Supporting information.</p> |
| 19. | <p>The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the <i>Transport Infrastructure Act 1994</i>, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an</p> |

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| | <p>access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).</p> <p>A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the shared access. The nature and extent of these works can not be confirmed until a traffic impact assessment is prepared and submitted for consideration.</p> |
| Referral fees and forms | |
| 20. | <p>Schedule 10 of the Planning Regulation 2017 prescribes the fees for the referral of a development application. It is suggested that the fees be confirmed following the refinement of the development proposal, particularly relating to the environmentally relevant activity and the taking of water components of the development application. The following fees may be applicable to the proposed development:</p> <ul style="list-style-type: none"> • Environmentally relevant activity – To be confirmed • Clearing native vegetation - \$6,625 • Fisheries (waterway barrier works) - \$3,313 • State transport infrastructure (aspect of development stated in schedule 20) - \$1,655 • State transport infrastructure (near state transport corridor) - \$3,313 • Water-related development (taking of water) - \$165 <p>The development application will need to include DA Form 1 including Template 4 (waterway barrier works) and form ESR/2015/1791 which is the attachment form required for the ERA component of the development application.</p> <p>Fees and forms are also apply to the environmental authority and this information is available at https://www.business.qld.gov.au/running-business/environment/licences-permits/forms-fees. Any questions regarding the environmental authority component of the development should be directed to Department of Environment and Science at palm@des.qld.gov.au or phoning 1300 130 372 (select option 4).</p> |
| Further pre-lodgement advice | |
| 21. | <p>You may wish to seek further pre-lodgement advice once you have further details regarding the taking of water, the processes to be employed and details of all products being produced.</p> <p>To request further pre-lodgement advice please use the 'related actions' tab in the 2002-15519 SPL MyDAS2 record and select 'Request more pre-lodgement advice from SARA'. You will be given an option to select either a meeting or written advice.</p> |

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal when the development proposal is further refined. This pre-lodgement advice is valid for a period of nine months from date of issue, unless a change in legislation or policy occurs that would affect the pre-lodgement advice.

For further information please contact Belinda Jones, Senior Planning Officer, on 40373239 or via email CairnsSARA@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'AW', is positioned above the typed name.

Anthony Walsh
Manager Planning

Matt Ingram

From: Joanne Manson <Joanne.Manson@dsdmip.qld.gov.au>
Sent: Friday, 29 May 2020 8:39 AM
To: Matt Ingram; Justin Phipps
Subject: IMPORTANT: 2005-16631 SRA - The Product Makers - EIA Amendments

Follow Up Flag: Follow up
Flag Status: Completed

Matt / Justin

The Department of Environment and Science rang late yesterday afternoon to advise there has been a degree of uncertainty in relation to the suitability of ERA 7 for the Ploygain production from Biodunder.

Below is the final advice in relation to the required ERAs for 2005-16631 SRA application:

- 1- Whilst the molecular composition of BioDunder (feedstock) and PolyGain (supplement product) contain organic chemicals, both the feedstock and supplement product do not meet the definition of 'chemical' provided in Schedule 19 the Environmental Protection Regulation 2019 (EP Reg). Accordingly the manufacture of PolyGain from Biodunder cannot be categorised as ERA7 and cannot be regulated under the EP Act and subordinate legislation.
- 2- The fertiliser component of the manufacture meets the definition of 'chemical' under the EP Reg and therefore by definition is a relevant activity for ERA7, threshold (4) (a) or (b).

As such the only ERA that will be applicable to the proposed activities of The Product Makers (Australia) Pty Ltd (the applicant) will be:

- ERA 7 (4): manufacturing, in a year, the following quantities of fertiliser—
 - (a) 200t to 5,000t

Regards

Jo



**Queensland
Government**

Joanne Manson MPIA
Principal Planning Officer
Planning and Development Services
Far North Queensland
Queensland Treasury

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Please consider the environment before printing this email

From: Joanne Manson

Sent: Wednesday, 27 May 2020 3:44 PM

To: Matt Ingram <matt@urbansync.com.au>; Justin Phipps <Justin@urbansync.com.au>

Subject: 2005-16631 SRA - The Product Makers - EIA Amendments

Matt / Justin

Thank you for meeting with the State Assessment and Referral Agency (SARA) on 25 May 2020 to discuss the development application for a Material Change of Use (Special Industry) and Environmentally Relevant Activities (ERA's 7,8 and 28).

SARA understands:

- the applicant intends to purchase Biodunder and alters and modifies it to Polygain and fertiliser
- the manufacturing process to turn Biodunder to 'Polygain' will involve filtration, concentration, pasteurisation and aseptic packaging
- the facility is expected to produce up to 20 tons of product (polygain) per day at full capacity
- fertiliser is also proposed to be produced consisting of volumes in the order of 10% of the volumes of the polygain
- the facility is expected to operate 24 hours a day, 7 days a week; and
- this will be equivalent to production of 7300 t/year of Ploygain and 730 t/year of fertiliser

SARA's technical agency, the Department of Environment and Science (DES) has reviewed the application, information discussed at the meeting, including undertaking a preliminary review of the draft Environmental Impact Assessment (EIA), and advises that:

- **The proposed Sugar Milling or Refining ERA 28 is not relevant to the proposed activities.** Biodunder is a liquid by-product of ethanol that is produced using the fermentation/distillation of molasses (sugar cane juice obtained from raw sugar during the refining process). The proposed activity will not involve sugar cane crushing or grinding and it is also not considered as manufacturing sugar or sugarcane products.
- **The proposed activities will trigger ERA 7 Chemical manufacturing as outlined below:**
 - ERA 7 (4)(a): manufacturing, in a year, the following quantities of fertiliser—
(a) 200t to 5,000t
 - ERA 7 (5)(b): manufacturing, in a year, the following quantities of organic chemicals, other than organic chemicals to which items 1 to 4 apply—
(b) more than 1,000t but not more than 10,000t
- **The proposed Chemical Storage ERA 8 will not be required.** Please note that as per Environmental Protection Regulation 2019, the chemical storage does not include storing chemicals for carrying out an activity of Chemical Manufacturing.

ACTION: Please confirm the above thresholds will meet the applicant's requirements.

As discussed at the meeting, the application form for environmental authority requires to be corrected and resubmitted. Currently the applicant has answered yes to the questions of Section 2 of the form in relation to eligibility criteria and standard conditions which are not applicable to this application. DES has confirmed there is no eligibility criteria and standard conditions for the EA's the subject of this application.

ACTION: Please update the EA application form and resubmit along with any change to the development application.

DES does not have any specific questions relating to the draft EIA. A comprehensive review will be undertaken through the assessment process and any gaps or concerns will be communicated with you during the information stage of the application.

ACTION: Please submit the final EIA with any change to the development application.

****Please refer to section 25 of the DA Rules about giving notice of a change application. Once submitted, the assessment manager is required to notify the referral agency and advise of the effect of the change on the development assessment process.**

Reconciliation of SARA assessment fees

It is understood the applicant paid the SARA assessment fees via Credit Card. At this stage, SARA has not received the payment; noting when a payment is made via credit card the payment shows as settled generally within 1 one day of lodgement. The application is showing as Further payment required.

ACTION: Please follow up with your client and provide any evidence of the payment via credit card. Once received, the evidence will be passed onto Shared Service Queensland to investigate.

Regards

Jo



**Queensland
Government**

Joanne Manson MPIA
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Please consider the environment before printing this email

From: Matt Ingram <matt@urbansync.com.au>
Sent: Monday, 25 May 2020 11:48 AM
To: Joanne Manson <Joanne.Manson@dsdmip.qld.gov.au>
Subject: FW: The Product Makers - EIA Amendments

Jo

See link to EIA below.





Ref: 203-001-001L2

13 April 2020

The Product Makers (Australia) Pty Ltd
c/- Urban Sync Pty Ltd
PO Box 2970
Cairns Qld 4870
via email: matt@urbansync.com.au

Proposed Development at 3276 Mount Mulligan Highway Traffic Report

Introduction

The Product Makers (Australia) Pty Ltd (The Product Makers) are proposing to undertake development at 3276 – 3278 Mulligan Highway, Mount Molloy. The development will involve provision of commercial structures to support their proposed business expansion.

A pre-lodgement meeting was held with the Department of Transport and Main Roads (TMR), facilitated by the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP), which resulted in the issue of pre-lodgement advice dated 27 February 2020. Items 18 and 19 within that advice state the following:

State Controlled Road

Item 18

The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to access the site.

Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:

- *Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only.*
- *A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to:*
 - *Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis.*

- *Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State Code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically:*
 - *PO16 - The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.*
 - *PO20 - Development does not result in a worsening of operating conditions on the state-controlled road network.*
 - *PO21 - Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.*
 - *PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.*

- *The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application.*

Further guidance on what information needs to be supplied with a formal development application can be obtained from the Department of Transport and Main Roads'

[State Development Assessment Provisions \(SDAP\) Supporting information.](#)

Item 19

The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the Transport Infrastructure Act 1994, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).

A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the shared access. The nature and extent of these works cannot be confirmed until a traffic impact assessment is prepared and submitted for consideration.

CivilWalker Consulting Engineers have been engaged by The Product Makers to respond to Items 18 and 19. This report represents that response.

Development Traffic Generation

Clarification has been sought from the developer with regard to traffic generation, yielding the following details:

- Vehicles to the proposed development will be “truck and dog” type vehicles up to an Austroads Class Type 9. B Double vehicles are no longer proposed to be utilised.
- Vehicles to the previously approved development on Lot 3 SP298325 using the same access will be semi-trailer type vehicles (Austroads Class Type 9)
- Vehicle movements will be as follows:
 - Employee movements 1 - 8 per day (4 staff arriving and departing)
 - Employee movements 2 - 4 per day (2 staff arriving and departing)
 - Visitor movements - 4 per day (2 visitors arriving and departing)
 - Transportation movements 1 - 6 per day (3 vehicles entering and exiting)
 - Transportation movements 2 - 6 per day (3 vehicles entering and exiting)

The developer has advised that there will be up to 4 staff on site at any one time. Conservatively, we have assumed that 2 staff will be on site for the adjacent development at any one time. It is noted that visitor movements to the site will be limited, however 4 per day has been adopted.

It is typical for industrial type workers to commence and finish work earlier than typical commercial workers and therefore travel times to work do not always align with a typical peak hour. It is therefore considered reasonable to allocate only 50% of employee workers within the peak hour.

Visitors have been allocated outside the peak hour.

“Transport movements 1” refers to the proposed development vehicle movements. The developer has advised that in the ultimate stage, there will be 14 trips per week. For the purpose of this assessment, it has been assumed that these trips are not distributed evenly throughout the week and that up to 3 vehicles will visit the site on a day. In such a case, it is likely that one vehicle will attend in the morning, one in the middle of the day and the other in the afternoon. It has therefore been assumed that one vehicle will attend in each peak hour.

“Transport movements 2” refers to the proposed movements from the previously approved access arrangement for the concrete recycling yard approved by Council (reference MCU/19/0009). Advice from the developer of that property is that the vehicles will be 25-tonne semi-trailer units with between 5 and 25 truck movements per month. The frequency with which these vehicles will visit will depend on project requirements, with some months having no movements at all. The adopted daily rate is considered conservative and similarly for “Transport movements 1”, one vehicle has been assumed to attend in each peak hour

- Types of vehicles are as follows:
 - Employee movements 1 (E1) - typical family type car (Austroads Class 1)
 - Employee movements 2 (E2) - typical family type car (Austroads Class 1)
 - Visitor movements (V) - typical family type car (Austroads Class 1)
 - Transportation movements 1 (T1) - Truck and Dog (up to Austroads Class 9)
 - Transportation movements 2 (T2) - Semi-Trailer (up to Austroads Class 9)

To avoid errors in assessment based on assumption of where vehicles travel to the site from, two separate scenarios have been considered. Scenario 1 involves vehicles coming from the north (via Mount Molloy) and Scenario 2 involves all vehicles coming from the south) via the Mareeba. A split between traffic from both Mount Molloy and Mareeba could have been assumed, however assessing two scenarios where traffic comes entirely from each direction is a conservative approach.

In summary, development generated traffic is as follows:

- Scenario 1 = 2 (E1) + 1 (E2) + 1 (T1) + 1 (T2)
= 5 vehicles entering development from north (ie left turn movement)
- Scenario 2 = 2 (E1) + 1 (E2) + 1 (T1) + 1 (T2)
= 5 vehicles entering development from south (ie right turn movement)

Existing Highway Traffic

Existing traffic details were obtained from the Department of Transport and Main Roads' Far North District Road Reference Book dated September 2016. The proposed development site's access is located approximately 35km north of Mareeba, being 1.06km north of the existing airstrip access.

The road in the area is nominated as a Type 1 Heavy Vehicle route. The posted speed limit is 100km/hour and the annual average daily traffic was 2,580 vehicles per day in 2016, with a 17.87% commercial vehicle content.

To provide an appropriate analysis of the access, existing highway traffic is required to be grown to represent a value appropriate at the development opening year. The following has been assumed:

- Opening year will be 2021.
- Growth rate of 1% (considered conservatively low).

Growing the existing traffic from the year 2016 to 2021 at a growth rate of 1% results in a annual average traffic volume of 2,709 vehicles per day.

Access Suitability Assessment

Suitability of the existing access has been determined by considering two parameters:

- Turn treatment warrants.
- Sight Lines.

This section deals with turn treatment warrants, whilst sight lines are considered in the following section.

In considering the appropriateness of the existing turn treatment, analysis of traffic was undertaken in accordance with the requirements of the turn treatment warrants presented in the Austroads Guide to Traffic Management Part 6: Intersections. Extracts of relevant assessment figures are presented in Figures 1 and 2 below.

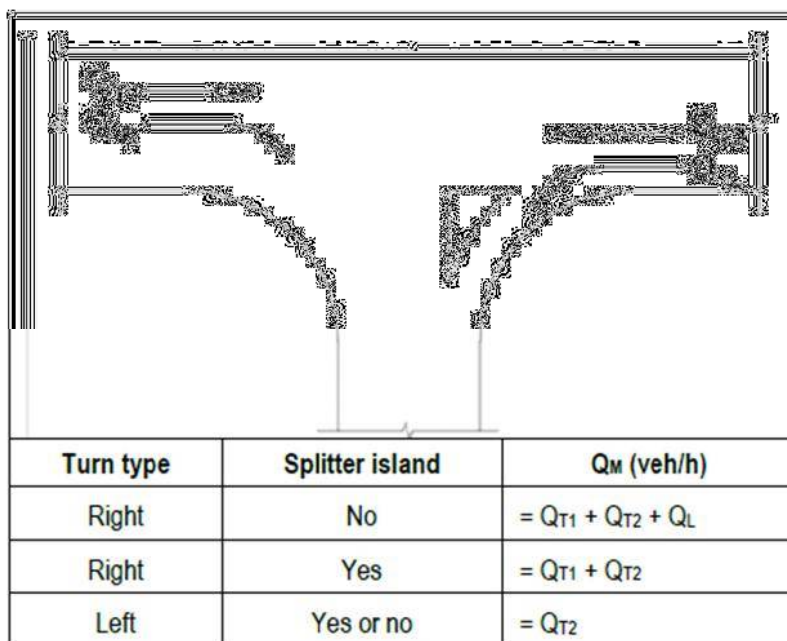


Figure 1 – Traffic Movements for Access Assessment
(refer Austroads Guide to Traffic Management Part 6: Section 2.3.6)

Referencing the adopted traffic generation numbers for Scenarios 1 and 2 noted above, converting the existing annual average daily traffic to a peak hour traffic (adopting 12.5% factor) and assuming a 50% split of the existing traffic between northbound and southbound vehicles, the following inputs to the turn treatment warrant figure were adopted:

Scenario 1

- Q_L = 5 vehicles per hour
- Q_R = 0 vehicles per hour
- Q_{T1} = 169 vehicles per hour
- Q_{T2} = 169 vehicles per hour
- Q_M = 169 vehicles per hour

Scenario 2

- Q_L = 0 vehicles per hour
- Q_R = 5 vehicles per hour
- Q_{T1} = 169 vehicles per hour
- Q_{T2} = 169 vehicles per hour
- Q_M = 338 vehicles per hour

The analysis results of Scenario 1 (green line work) and Scenario 2 (orange line work) are shown in Figure 2.

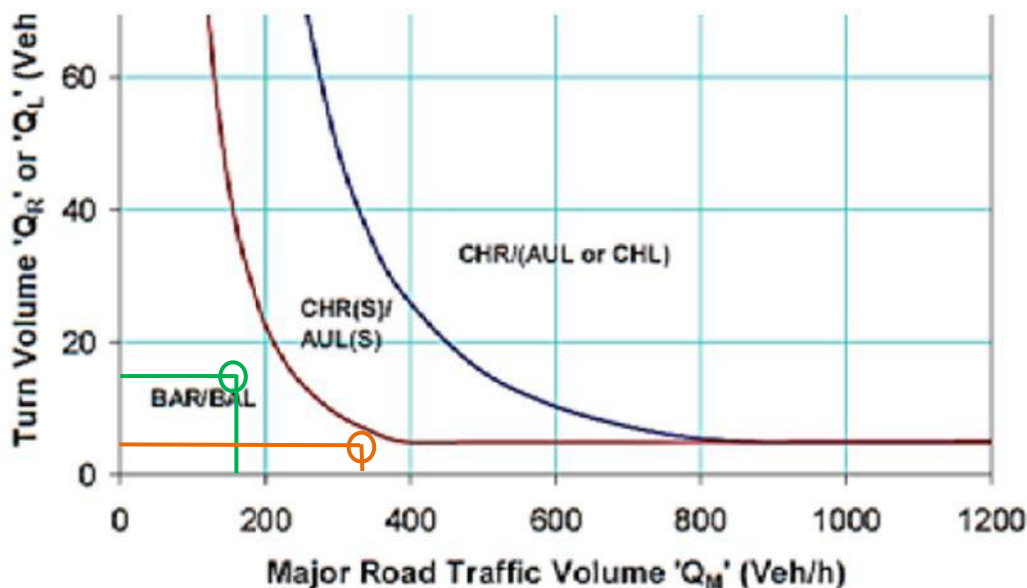


Figure 2 – Warrants for Turn Treatments
(refer Austroads Guide to Traffic Management Part 6: Section 2.3.6)

As can be seen from the above analysis, based on the assumptions made, it is considered that Basic Left (BAL) and Basic Right (BAR) turn movements are acceptable.

Sight Line Assessment

An assessment of “safe intersection sight distance” was undertaken to determine sight line safety at the proposed access.

Reference is made to the Austroads Guide to Road Design Part 4A: Un-Signalised and Signalised Intersections (2017). Table 3.2 provides details of the required safe intersection sight distance at intersections based on design speed of the road. The posted speed limit of the Mulligan Highway at the access location is 100 km/hour and therefore the safe intersection sight distance, with a recommended reaction time of 2 seconds, is 248m.

Images (courtesy of Qld Globe) below identify the available sight distance available from the existing access location. It can be seen from the measurements taken that the required site distance is available. This is expected given that the access location has been previously approved for the development at the adjacent site.

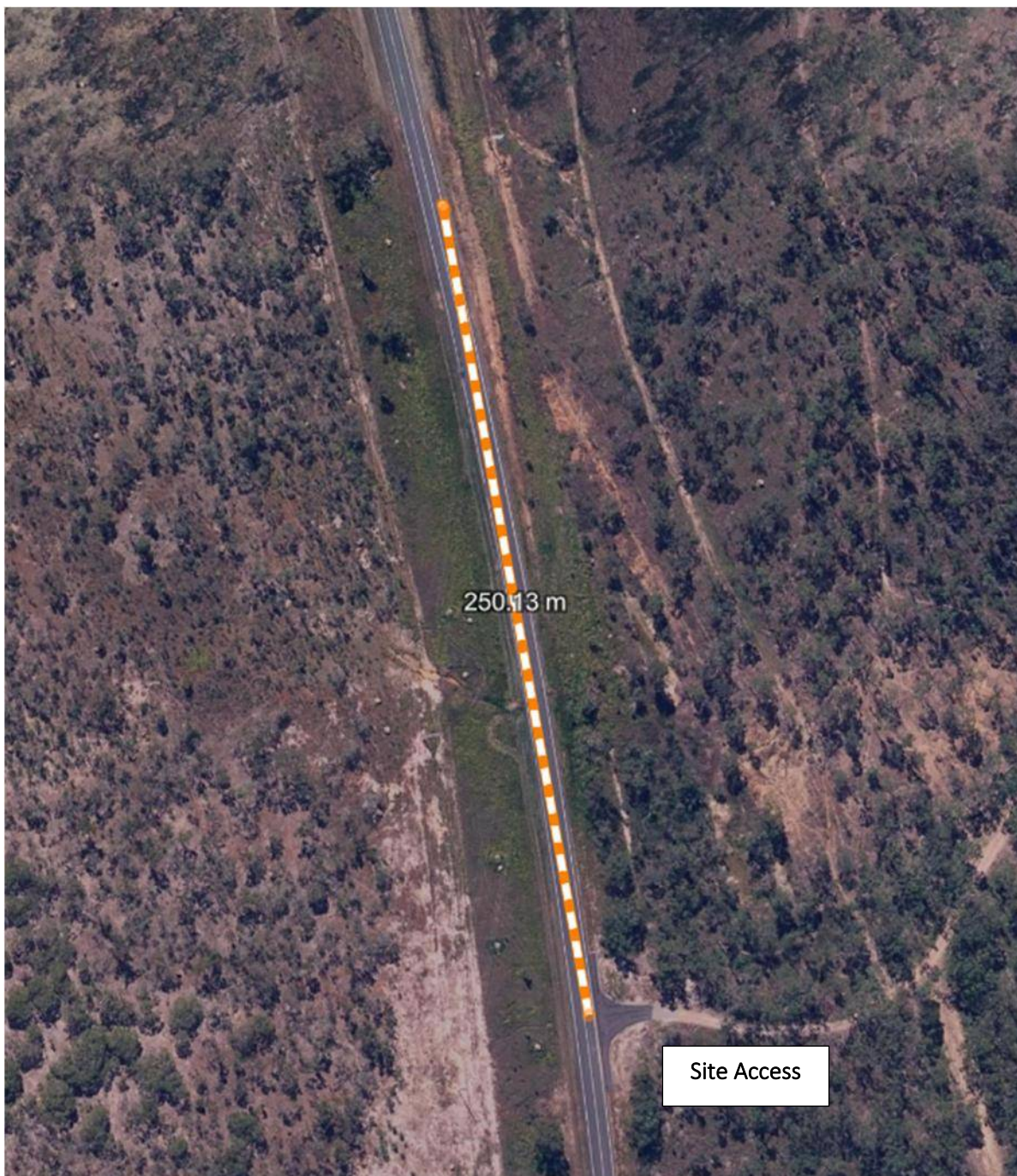


Figure 3 – Site Distance to the North



Figure 4 – Site Distance to the South

Conclusion

In conclusion, based on the assumptions made within this report, it is concluded that a BAL turn treatment for proposed left hand turns and a BAR treatment for proposed right hand turns are considered appropriate based on assessment of turn warrants in accordance with Austroads requirements. Assessment of safety sight lines in accordance with Austroads standards have also determine that these are suitable.

For completeness, the State's queries with regard to traffic have been repeated below with answers / comments provided in **green** to each.

Item 18

The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to access the site.

Noted.

Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:

- *Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only. **Likely vehicle movements have been detailed in this report, with assessment of movement impact to both the north and the south.***
- *A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to:*
 - *Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis. **Traffic generation numbers have been developed based on advice from the developers for the proposed operations. Generation numbers include projected visitor numbers, worker numbers and the type / size of all vehicles expected to visit the site.***
 - *Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State Code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically:*
 - *PO16 - The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road. **Main Roads identify the road in the vicinity of the access to be a Type 1 Heavy Vehicle Route, which is consistent with the***

proposed development use. The proposed form of the access (BAL / BAR) meets Austroads' Turn Treatment Warrants and Safe Intersection Sight Distances are in accordance with Austroads' requirements. It is therefore considered that the development will not result in a worsening of operating conditions.

- PO20 - Development does not result in a worsening of operating conditions on the state-controlled road network. Main Roads identify the road in the vicinity of the access to be a Type 1 Heavy Vehicle Route, which is consistent with the proposed development use. The proposed form of the access (BAL / BAR) meets Austroads' Turn Treatment Warrants and Safe Intersection Sight Distances are in accordance with Austroads' requirements. It is therefore considered that the development will not result in a worsening of operating conditions.
 - PO21 - Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network. Access is not physically available from a local road network. The proposed development will use an existing access location from the State Controlled road.
 - PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards. All necessary access works will be built in accordance with Queensland road design standards as condition by the Department of Transport and Main Roads.
- The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application. This traffic assessment has been undertaken for the ultimate Stage 3 development.

Further guidance on what information needs to be supplied with a formal development application can be obtained from the Department of Transport and Main Roads'

[State Development Assessment Provisions \(SDAP\) Supporting information.](#)

Item 19

The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the Transport Infrastructure Act 1994, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road). **Noted**

A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the



shared access. The nature and extent of these works cannot be confirmed until a traffic impact assessment is prepared and submitted for consideration. This report represents the traffic impact assessment.

We trust that the above satisfies your requirements however, should have any queries, please contact me on 0427 515 177.

Yours faithfully

CivilWalker Consulting Engineers

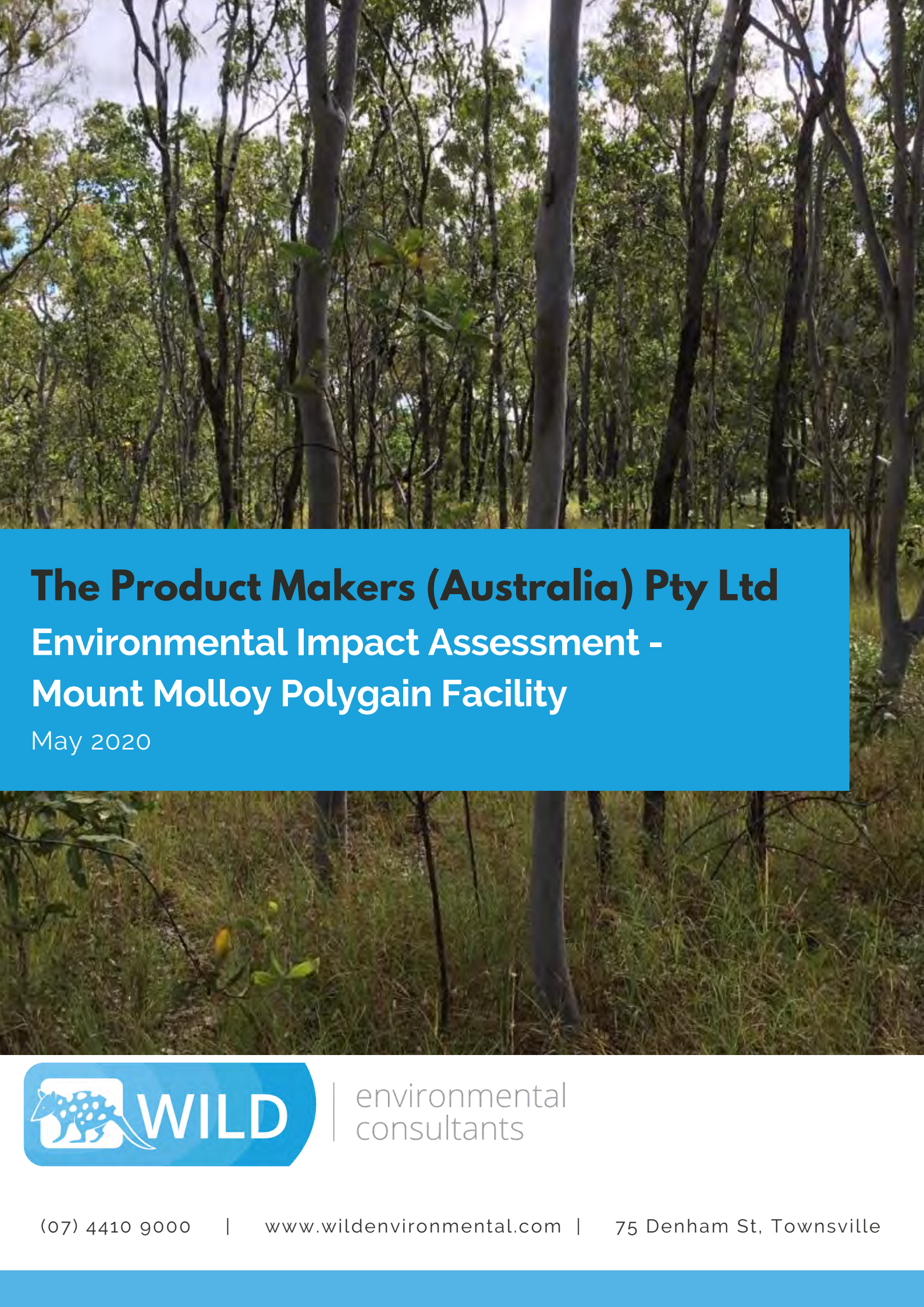


Daryl Walker

Director | Principal Engineer

BE(Hons) ME DipPM RPEQ RPEng





The Product Makers (Australia) Pty Ltd **Environmental Impact Assessment -** **Mount Molloy Polygain Facility**

May 2020



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consultants

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Document Control

Environmental Impact Assessment

| | |
|------------------------|---------------------------------|
| Project Ref: | JW191299 |
| Document Title | Environmental Impact Assessment |
| Client Name | The Product Makers |
| Project Manager | Nicholas Baker B.Sc CEnvP |

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Wild Environmental Consultants

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Document history and status

| Revision | Date | Description | By | Review |
|----------|------------|---------------------------|---------------------|---------------------|
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| V1.0 | 22/05/2020 | Draft for Issue to Client | Matthew Ayre | Nicholas Baker |
| V1.1 | 29/05/2020 | Final | Matthew Ayre | Scott Hayes-Stanley |

Approval for Issue

| Name and position | Signature | Date |
|--------------------------|---|------------|
| Nicholas Baker, Director |  | 22/05/2020 |

Permits and approvals

Wild Environmental Consultants operate in accordance with the following permits and approvals:

Scientific Use Registration Certificate (*Animal Care and Protection Act 2001*) – Registration Number 600

Scientific Purposes Permit (*Nature Conservation (Administration) Regulation 2006*) – Permit number WISP17791316

Animal Ethics Approval (Animal Ethics Committee) – AEC Application Reference Number CA 2016/08/997

Marine Parks Permit (*Great Barrier Reef Marine Park Regulations 1983 and Marine Park Regulation 2006*) – G16/38539.1

Wildlife Authority (Rehabilitation Permit) (*Nature Conservation (Administration) Regulation 2017* – WA0002733

Wildlife Authority (Damage Mitigation Permit) (*Nature Conservation (Administration) Regulation 2017* – WA0005146



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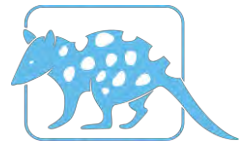
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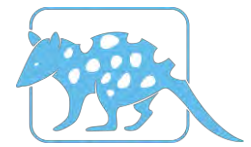


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Definitions and Abbreviations

| Term | Definition |
|---------------|---|
| AHD | Australian Height Datum |
| DES | Department of Environment and Science |
| ERA | Environmentally Relevant Activity |
| EIA | Environmental Impact Assessment |
| EA | Environmental Authority |
| EPP | Environmental Protection Policy |
| EVs | Environmental Values |
| EPR | <i>Environmental Protection Regulation 2019</i> |
| ESCP | Erosion and Sediment Control Pan |
| RE | Regional Ecosystem |
| WQO | Water Quality Objectives |
| VM Act | Vegetation Management Act 1999 |



1. Introduction

1.1 Background

The Product Makers (Australia) Pty Ltd (The Product Makers) are a recognised flavour and bioactive product producer who provide natural flavours and food additives to customers across a range of industries. The Product Makers are proposing to construct and operate a Polygain™ Processing Facility (The Project) at Mount Molloy, Queensland. The Project will involve the importation and processing of Biodunder to create Polygain, an animal feed supplement.

The activity of processing Biodunder to create Polygain is considered to be an Environmentally Relevant Activity (ERA) under Section 2 of the Environmental Protection Regulation 2019. With the Project activities regulated as ERAs, an Environmental Authority (EA) is required. The Department of Environment and Science (DES) have provided The Product Makers with EA pre-lodgement advice for the Project and has indicated that a 'significant residual impact' assessment must be undertaken if there is the potential for the project to impact on Matters of State Environmental Significance.

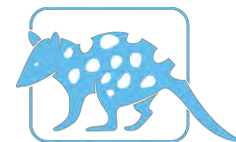
The Project is situated in proximity to Matters of State Environmental Significance (MSES). This includes the Kuranda National Park, regulated vegetation (watercourse), endangered or of concern vegetation, and endangered or vulnerable wildlife habitat. As such a 'significant residual impact' assessment must be conducted to mitigate potential impacts on MSES.

This Environmental Impact Assessment (EIA) has been prepared by Wild Environmental to support an application for an EA following pre-lodgement advice and will be submitted in conjunction with an EA Application.

1.2 Scope

The Product Makers are proposing to construct the Project at Lot 2 and Lot 3 on SP298325, Mount Molloy Queensland. The process of producing Polygrain will involve the importation, storage and processing of Biodunder transported from Sarina, South of Mackay, Queensland. Further details are included in Section 1.5.

Schedule 2 of the *Environmental Protection Regulation 2019* (the Regulation) prescribes ERAs. ERAs are generally industrial or intensive agricultural industries with potential to release emissions which impact on the environment and surrounding land uses. Part 2 of Schedule 2 of the Regulation outlines Biodunder processing activities that are classified as ERAs include:



- ERA 7 (4)(a): manufacturing, in a year, the following quantities of fertiliser—
 - a. 200t to 5,000t

1.3 Objectives

The objectives of this EIA are to:

- outline details of the Project;
- describe the Project’s environmental setting and provide a detailed desktop assessment of the environmental values of the study area;
- describe the potential impacts on the environment from the Project;
- prescribe management and mitigation measures to avoid and reduce potential impacts; and
- evaluate the environmental risk of the Project.

1.4 Site Description

The Project is located off the Mulligan Highway, approximately 6 km south east of the township of Mount Molloy. The Project is bounded by remnant vegetation to the north east and south. The Mulligan Highway bounds the Project to the west.

Table 1:Property Description

| | |
|------------------------------|-----------------------------|
| Site address: | Mount Molloy, Qld 4871 |
| Location | -16.719174, 145.352934 |
| Lot on Plan: | Lot 2 and Lot 3 on SP298325 |
| Size | Approx. 312 ha |
| Local Government Area | Mareeba Shire Council |
| Land Zoning | Rural |



1.5 Project Description

The Project will involve the processing of Biodunder to create a natural extract rich in polyphenol, minerals, and essential amino acids, known as Polygain. Fertiliser will also be produced during Polygain processing as a Biproduct.

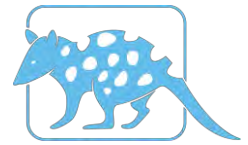
The Project will involve the construction a Polygain processing facility and irrigation area. The Project will consist of:

- highway access road;
- internal access road(s);
- two (2) processing plant sheds;
- **Stage 1:** 10 m (w) x 16 m (l) x 6 m (h); and
- **Stage 2:** 10 m (w) x 20 m(l) x 6 m (h).
- new car park area;
- gas bullet;
- groundwater production bores;
- water storage tanks (approx. 200,000L total);
- three (3) raw product storage tanks (approx.124,000L total);
- Polygain processing equipment;
- wastewater irrigation infrastructure; and
- approx. 1 ha irrigation area.

The construction of the Project will be divided into Stage 1 and Stage 2. Stage 1 will involve the construction of the 10 m (w) x 16 m (l) x 6 m (h) shed and highway and site access roads. The highway access road will be capped with 300 mm of road base to support transport of feedstock and product. The shed will be used as storage for property maintenance machinery.

Stage 2 will involve the construction of the larger shed 6 m (w) x 20 m (l) x 6 m (h) which will house the processing facility, and establishment of the wastewater irrigation areas. The construction of the processing facility will include the installation of cladding and food grade wall fixtures as well as appropriate bunding to deliver a facility that adheres to food standards and Good Manufacturing Practice¹. Once complete, the

¹ Agricultural Council of Australia and New Zealand. 1992. Australian Code of Good Manufacturing Practice for the Feed Milling Industry. SCA Report No 42. CSIRO Publishing. Collingwood, Victoria.



building will house processing equipment including tanks, a steam boiler, pumps, evaporators, micro and membrane filtration equipment, and an aseptic filter. Other construction activities will include the construction of irrigation infrastructure, installation of storage tanks and establishment groundwater supply bores.

The commissioning of the processing facility will be divided into Stage One, Stage Two and Stage Three. Stage One operations will involve the import of one dog and truck load of raw material per day from Sarina. Raw material will be processed to produce 10T of Polygain per week. Stage Two will involve the import 10 dog and truck loads per day from Sarina producing a maximum of 50T of Polygain per week. Stage Three will produce a maximum of 140T per week.

The Polygain process will also produce fertiliser as a biproduct. Fertiliser will be produced by Stage One, Two and Three at rates of 1T, 5T, 14T per week, respectively.

The process of producing Polygain from Biodunder will require the importation of raw feed via truck and dog from the Plane Creek Bioethanol Mill, south of Mackay. Raw feed imported will be initially stored in storage tanks which will be mixed to prevent the raw feed from undergoing sedimentation. The raw feed is then heated to 55 degrees Celsius (C) and further agitated. Once heated, the raw feed is then fed through the membrane filtration plant. The result is the creation of retentate and permeate. Retentate is pumped into a holding tank awaiting export as a cattle feed supplement. The remaining permeate is fed into the evaporator where it sets. The set permeate is then pasteurised to create the final product known as Polygain. The process of creating Polygain is depicted in Figure 1.

One hundred percent of solids from the Biodunder will be converted into either Polygain or fertiliser. Waste products produced from the process is in the form of nutrient rich water which will be held in storage tanks prior to being pumped to pasture irrigation area and fruit trees wastewater will be applied to land at a rate of 2.2mm/hour.

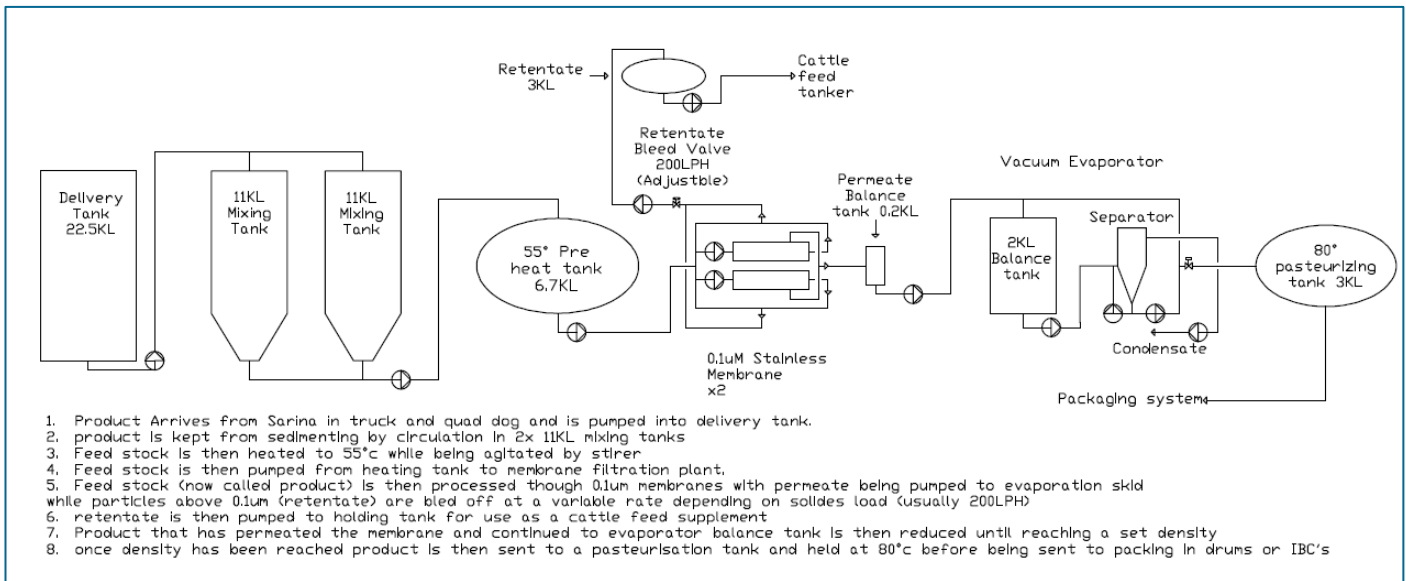
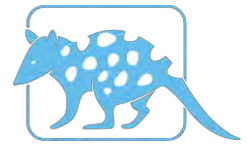
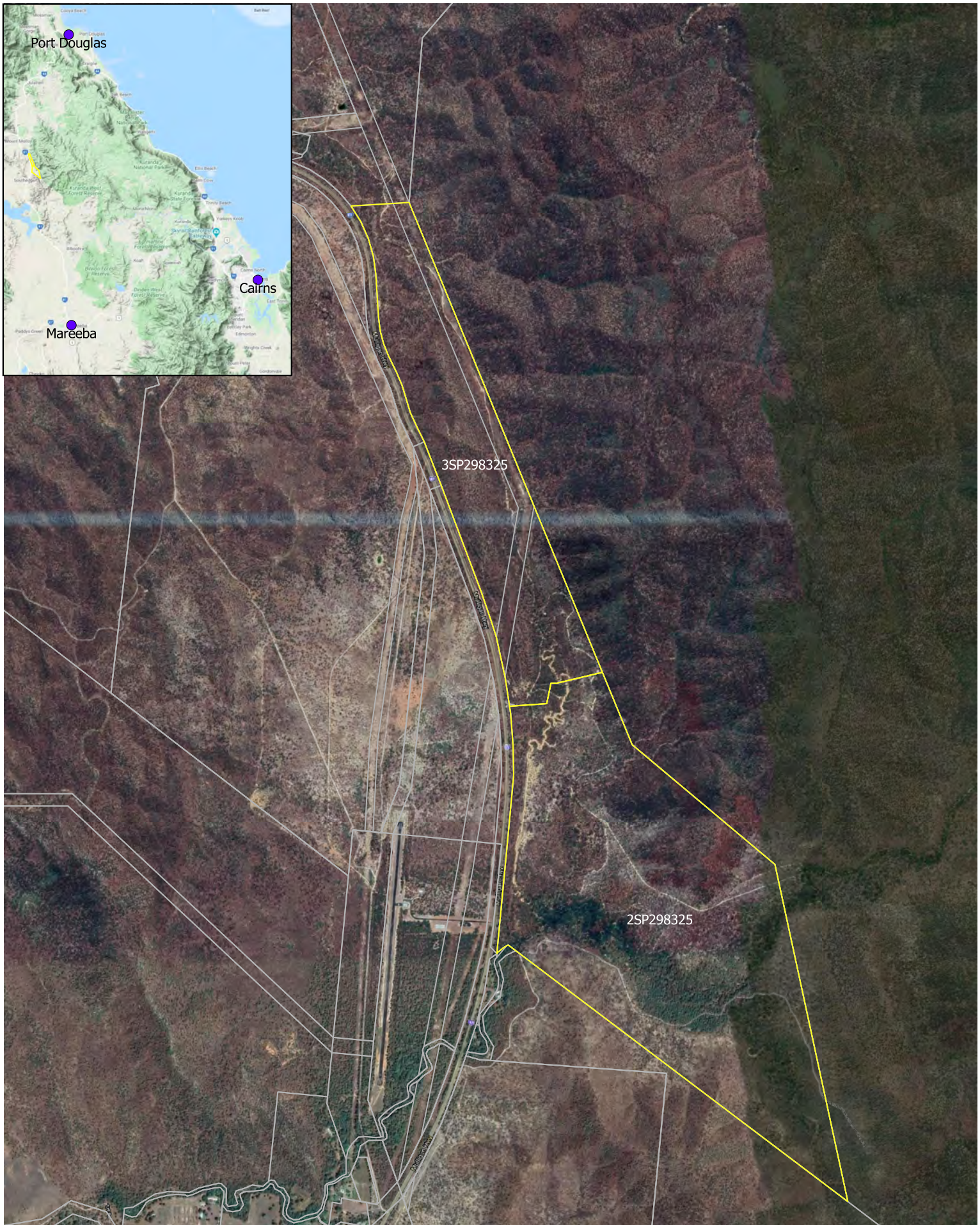
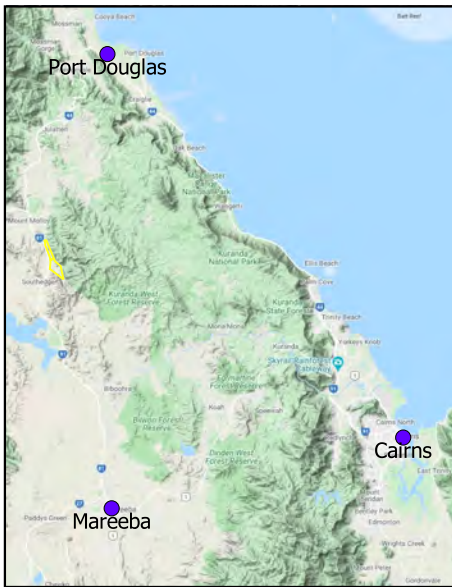


Figure 1. Overview of Project Process



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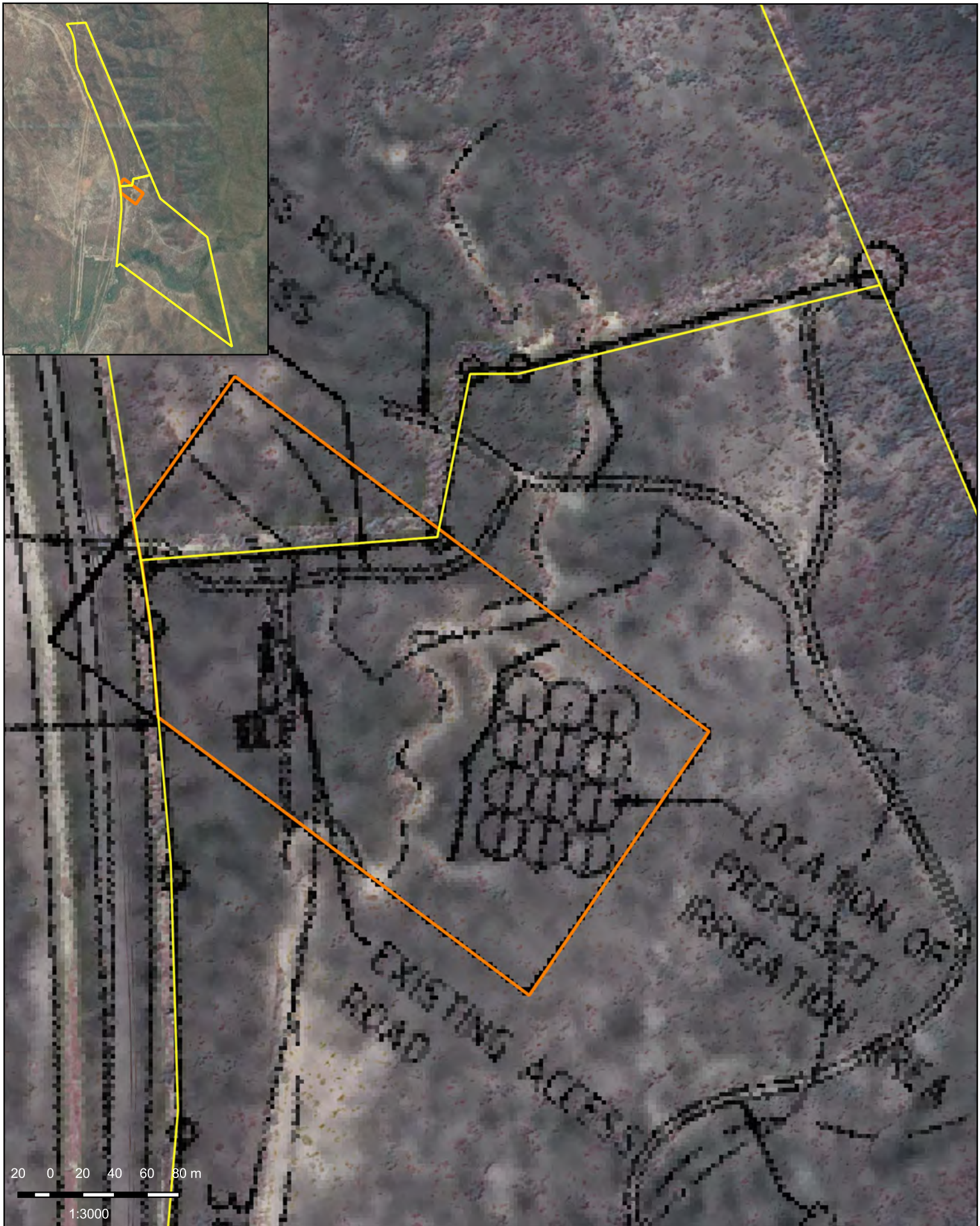
Figure 2: Project Location

Legend

- Lot Boundaries
- Land Parcels

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020





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Figure 3: Project Layout

Legend

- Lot Boundaries
- Project Layout

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 19 May 2020
 Source: FNQ Design and Drafting





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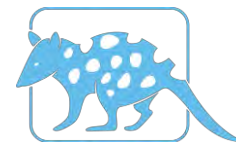
Figure 4: Polygain Facility
Layout

Legend

- Lot Boundaries
- Project Layout

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 19 May 2020
 Sources: FNQ Design & Drafting Pty Ltd





1.6 Assumptions and limitations

This report is provided for the use of the Client for this project only and for the purpose(s) described in the report. It may not be suitable for use on other projects or by a third party. Wild Environmental provides advice based upon the conditions encountered during this investigation and on the best available information. The accuracy of the advice provided in this report may be limited by reasonably unforeseeable errors or misgivings in searches and information reviewed. In preparing this report Wild Environmental has necessarily relied upon information provided by the client and/or their agents.

This report must be read in conjunction with all the attached notes and should be kept in its entirety without separation of individual pages or sections.

Whilst every care is taken to ensure the accuracy of the information provided in this report, Wild Environmental makes no representations or warranties about its accuracy, reliability, completeness, or suitability, for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which the user may incur as a consequence of the information being inaccurate or incomplete in any way and for any reason.

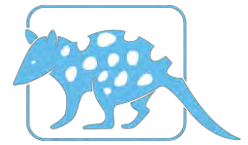
While reasonable measures have been taken to assess the sites environmental values, no assessment has been made of the effect and/or impact on the cultural values of the subject site of adjacent areas. Relevant Legislation

1.6.1 Environmental Protection Act 1994

The primary objective of the *Environmental Protection Act 1994* (EP Act) is to achieve ecologically sustainable development through the protection of Queensland's environment, whilst maintaining development to progress the state. The EP Act is regulated through the Environmental Protection Regulation 2019 which details requirements for Environmentally Relevant Activities (ERAs). It is considered that the Project requires the following ERA:

- *ERA 7 (4)(a): manufacturing, in a year, the following quantities of fertiliser—*
 - a. *200t to 5,000t².*

² State of Queensland, 1994. *Environmental Protection Act 1994*. State of Queensland, Brisbane, Queensland.



1.7 Structure of this report

The environmental impact assessment has been structured to address the assessment requirements prescribed under the *Environmental Protection Act 1994* (EP Act) which require a decision maker to comply with the regulatory requirements and consider the standard criteria.

This report is provided as an environmental objective assessment specified in the *Environmental Protection Regulation 2019* (EP Reg). The assessment has given due consideration to the requirements of the following DES guidelines:

- *ESR/2015/1837 – Application requirements for activities with impacts to water.*
- *ESR/2015/1839 – Application requirements for activities with impacts to land.*
- *ESR/2015/1838 Application requirements for activities with noise impacts.*
- *ESR/2015/1840 Application requirements for activities with impacts to air.*
- *ESR/2015/1836 Application requirements for activities with waste impacts.*

Additionally, consideration is given to the following legislative frameworks:

- *Environmental Protection Act 1994;*
- *Environmental Protection Regulation 2019* (EP Regulation); and
- *Environmental Protection (Water and Wetland Biodiversity) Policy 2019* (EPP(Water)).

A response to environmental values and potential impacts relevant to the proposed application are detailed herein.



2. Environmental Context

2.1 Climate

2.1.1 Temperature and Rainfall

The Project is situated within the Wet Tropics region of North Queensland which typically encounters humid, wet conditions during summer and cooler dryer conditions during the winter months. Climate and weather data sourced from the Port Douglas Warner St weather station (Station 031052), indicates that the coolest month is July with an average maximum temperature of 25°C and a minimum average temperature of 17°C. The warmest month is January with an average maximum temperature of 30.3°C and an average minimum temperature of 25°C (Figure 5). The annual average precipitation for the region is of 2034 mm³ (Figure 6).

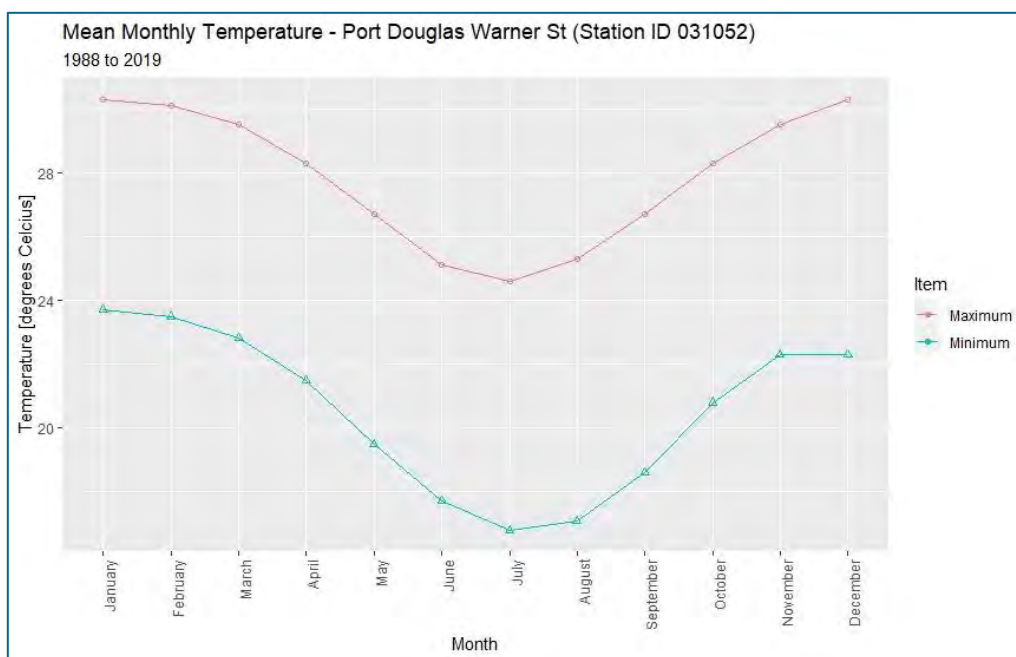


Figure 5: Mean Monthly Temperature – Port Douglas Warner St (Station ID 031052).

³ Bureau of Meteorology Australia, 2020. Past Climate Data Online, Station 031052. Bureau of Meteorology, Canberra, Australia.

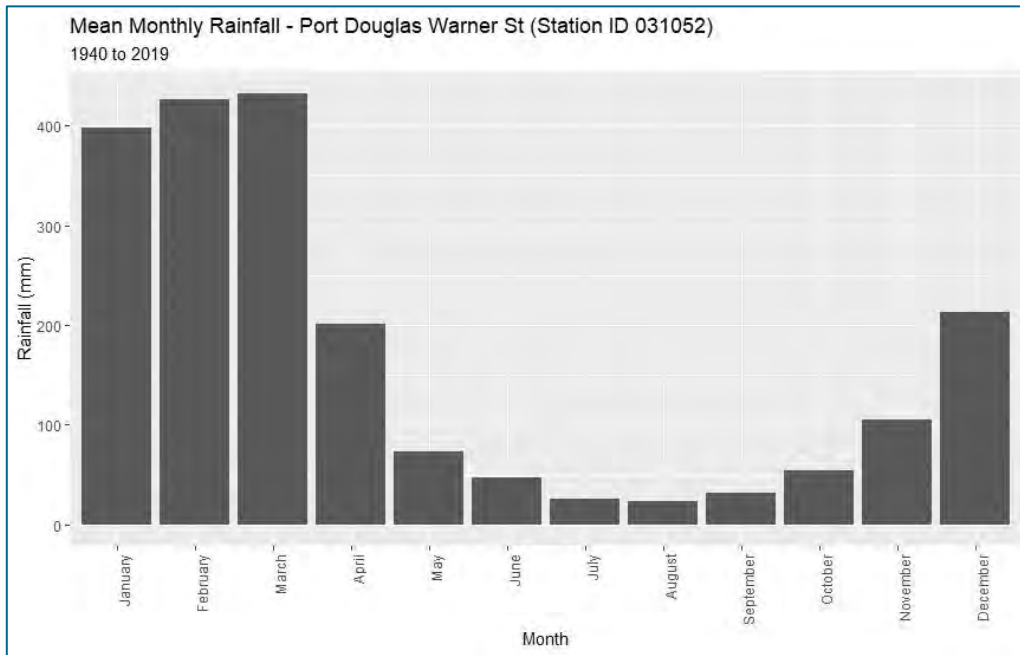
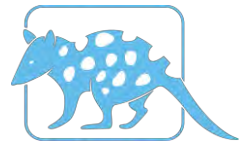


Figure 6. Mean Monthly Temperature – Port Douglas Warner St (Station ID 031052).

2.1.2 Wind Direction and Strength

Wind rose data has been sourced from the nearest Bureau of Meteorology weather station with appropriate records. The closest weather station to the Project providing wind rose data is Cairns Airport (Station 031011) approximately 50km southeast of the site.

Cairns Airport weather station for 9 am indicates a predominantly southerly direction for observations recorded. Wind strength for this period is typically between 10 km/h and 20 km/h. Wind direction and strength data for 3 pm demonstrates a shift to a predominantly south-easterly direction for observations recorded. Wind strength for this period is typically between 20 km/h and 30 km/h³.

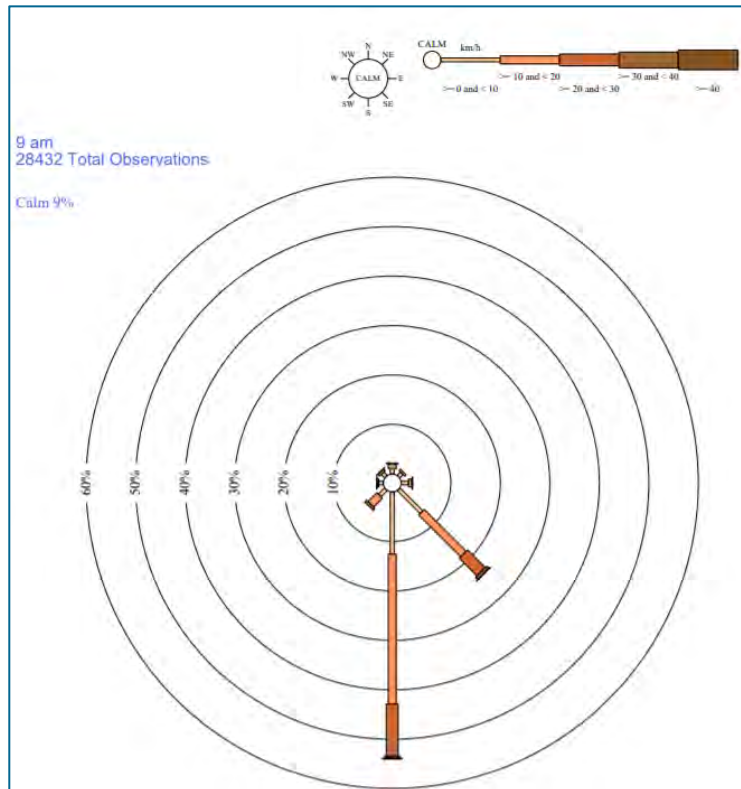
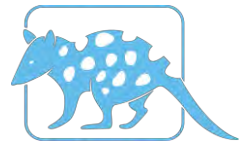


Figure 7: 9 am Wind Rose Data – Cairns Aero (Station ID 031011)

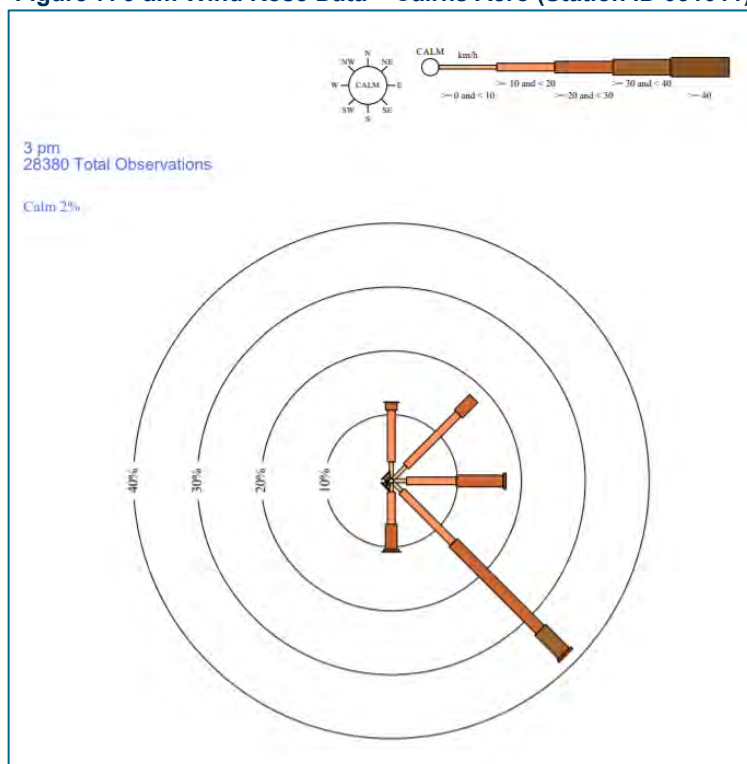
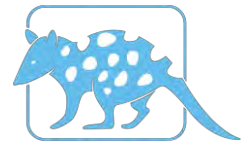


Figure 8: 3 pm Wind Rose Data – Cairns Aero (Station ID 031011)



2.2 Topography and drainage

The Project occurs on relatively flat land approximately 400 m Australian Height Datum (AHD), surrounded by the undulating hills of the Kuranda National Park. Maximum elevation in the vicinity of the Project is 660 m AHD, approximately 1 km from the Project.

The ephemeral Little Mitchel River, a part of the Mitchel River catchment, is the main tributary in the vicinity of Lot 2 on SP 298325, approximately 1 km from the south western property boundary. The Little Mitchel River meanders from the Kuranda National Park, and merges with the Mitchell River approximately 5 km from the Project. A confluence of a second order stream flowing through the Project occurs with the Little Mitchell River approximately 1 km from the Project. Drainage patterns and topography are shown in Figure 9⁸.

It is known that there is disturbance to drainage features within Lot 2 on SP 298325. Previous studies conducted by the Mitchell River Watershed Management Group in 2014, have noted that streams within the vicinity of the Project have been subject to significant erosion, with large gullies and bank erosion evident. It is believed that the formation of these erosive features is a result of excavations of the Mareeba to Julatten rail line and natural sodic soils⁴. Additionally, recent field observations conducted by UrbanSync Pty Ltd (UrbanSync), identified active and historic gully and bank erosion along watercourses (Figure 14 and Figure 15).

2.3 Geology and Soils

2.3.1 Geology

The Mount Molloy region is situated within the Hodgkinson Basin, a Palaeozoic to Cainozoic aged sedimentary basin. The observable basin extends from the Coral Sea in the east to the Palmerville Fault system in the west, which extends from Princess Charlotte Bay to Hinchinbrook Island. The basin formed during the subsidence of the Palaeozoic geosyncline, in conjunction with coastline transgression. Deposited sediment produced the interbedded sedimentary basin coexisting with granitic intrusions, basaltic extrusions, and minor amounts of metamorphics⁵.

The Project geology is dominated by the Hodgkinson Formation, a sedimentary unit dominated by lenticular bedded mudstones to sandstones with minor amounts of chert and basalt. This dominant formation has been

⁴ Alden, P. 2014. Report on Erosion Control Workshop Wetherby Station. Mitchel River Watershed Management Group Inc. Mareeba, Queensland.

⁵ Keyser, F. 1964. Geology and Mineral Deposits of the Mossman 1:250,000 Sheet Area, North Queensland. Bureau of Mineral Resources, Geology and Geophysics. Canberra, ACT.



overlayed by alluvial material consisted of red-brown mottled, poorly consolidated sand, silt, clay and minor gravel⁸. Geology of the Project is displayed in Figure 10.

2.3.2 Soils

According to the Atlas of Australian Soils Queensland, the soils of the Project area are characterised by two soil types:

- Va85 - duplex soil yellow to grey in colour, hard setting A horizon, A2 horizon conspicuously bleached; and
- Tb151 duplex soil yellow to grey, hard setting A horizon, A2 horizon conspicuously bleached, acid pedal mottled B horizon⁸.

The conspicuously bleached A2 horizon is endemic of Sodosols which are sodic in nature. Sodic soils have previously been identified at the property by the Mitchel River Watershed Management Group. Sodosols will disperse and erode when in contact with water, resulting in limited assimilation. However, the actual amount and rate of assimilation is unknown.

2.3.2.1 Acid Sulfate Soils

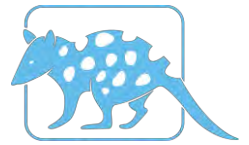
Acid Sulphate Soils (ASS) and Potential Acid Sulphate Soils (PASS) are endemically situated in coastal (<5 m AHD) areas or inland salt lakes. The soils occur when bacteria break down the organic matter and reduce sulphates contained in tidal water into iron sulphide (pyrite). This is then deposited within sediments. ASS are often dark blue to black, express a massive structure and consist of a mud or gravel matrix. The disturbance of these soils can lead to the oxidation of sulphuric minerals which produce sulphuric acid and leach metals such as iron.

If these sediments become exposed to an oxidising environment and water is able to percolate through them, sulphuric acid will be released into the environment. These sediments are usually very fine grained however, ASS have also been found to occur in sands. Given the location of the Project is inland and situated on undulating terrain, acid sulphate soils are not expected to occur.

2.3.2.2 Areas of Regional Interest

Areas of Regional Interest (ARI) are defined under the *Regional Planning Interests Act 2014* (RPI Act) as:

- a) Including one or more areas used for a priority agricultural land use, whether it also includes other areas or features, including, for example, a regionally significant water source; and
- b) Is either:
 - Shown on a map in a regional plan as a priority agricultural area; or



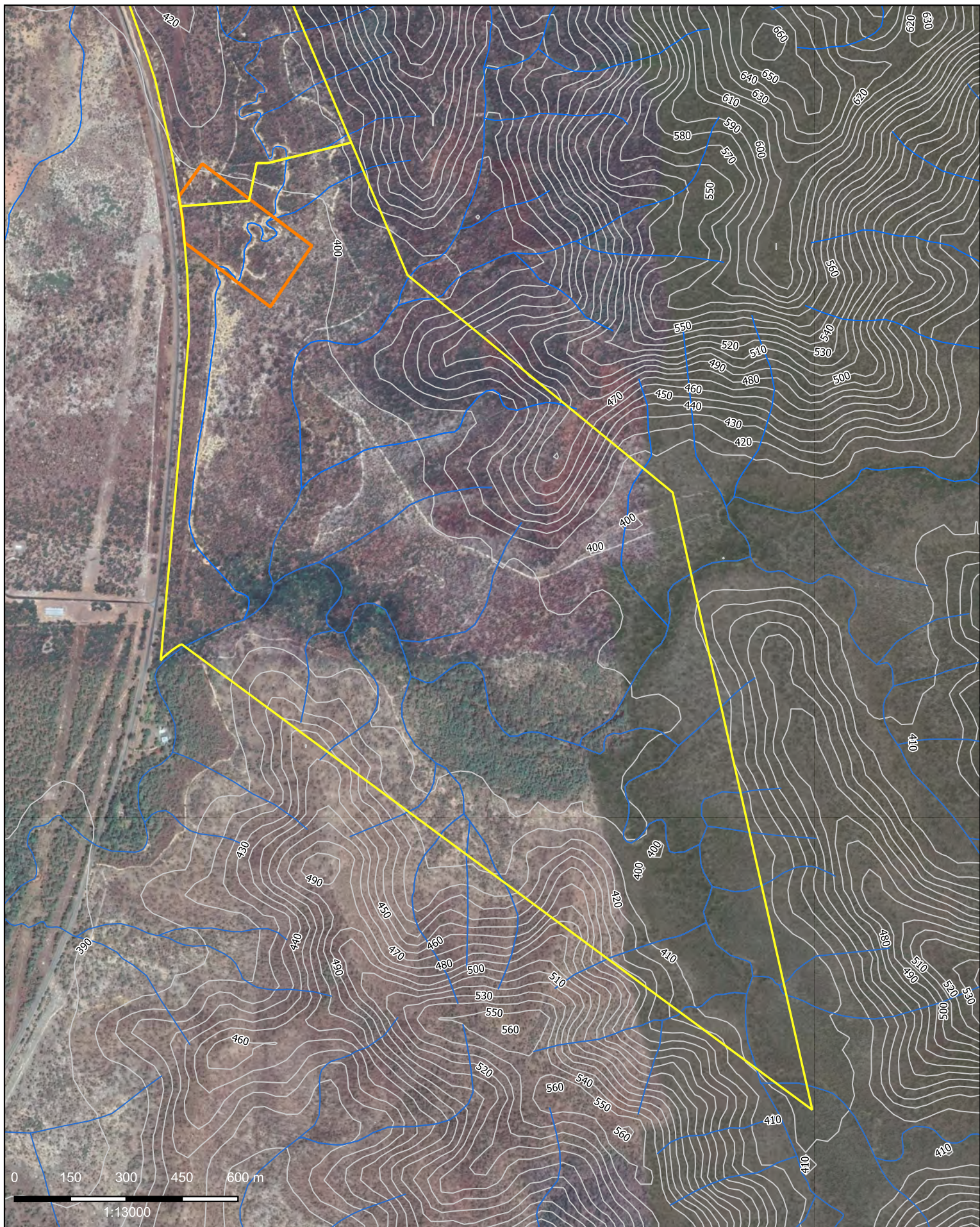
- Prescribed under a regulation⁶.

The RPI Act identifies and protects areas of ARI. Areas Protected include:

- Priority Agricultural Areas;
- Priority Living Areas;
- Strategic Environmental Areas; and
- Strategic Cropping Land.

No Areas of Regional Interest have been identified within the vicinity of the Project.

⁶ State of Queensland, 2017, *Regional Planning Interest Act 2014*, State of Queensland, Brisbane, Queensland.



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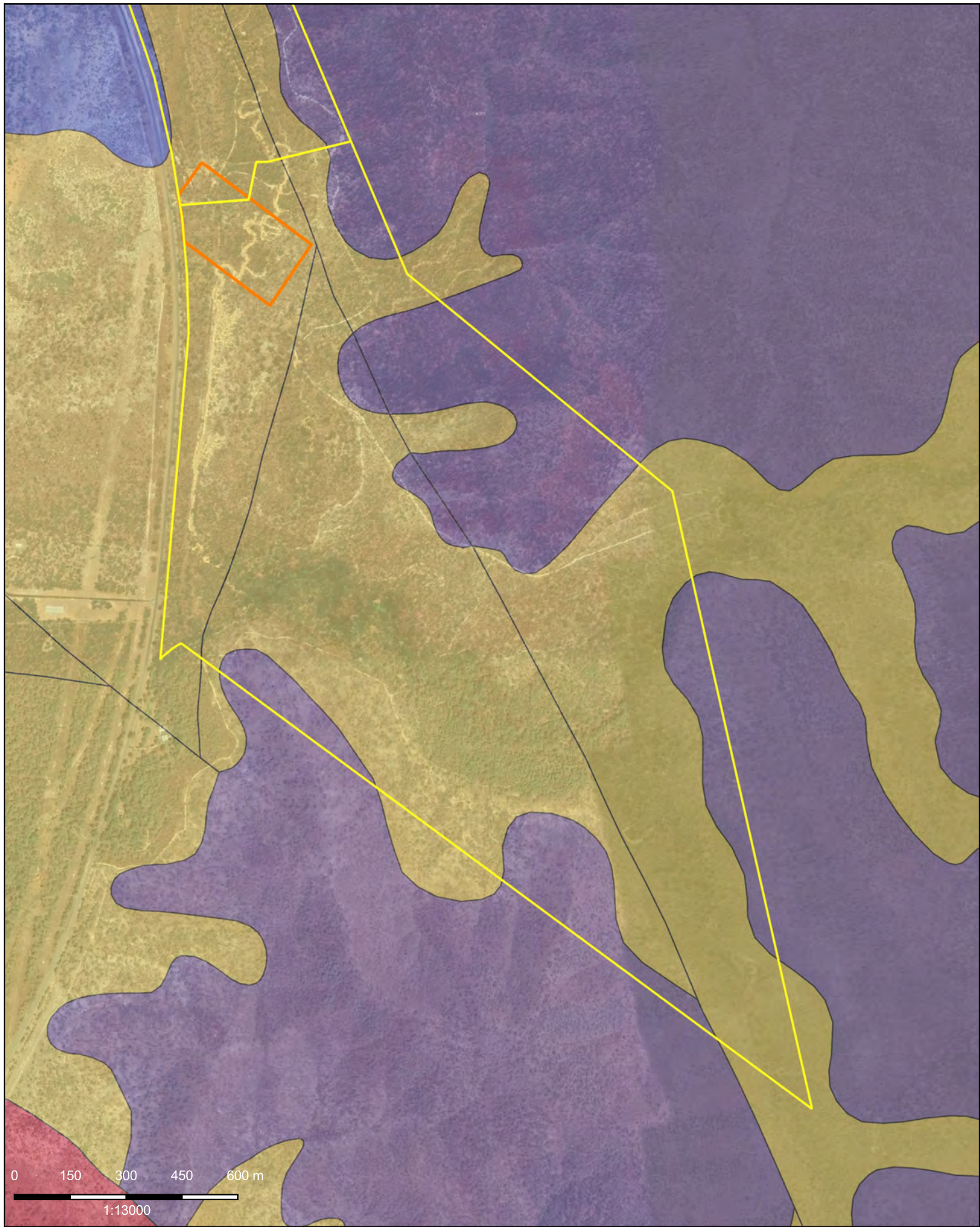
Figure 9: Topography and
Drainage

Legend

- Lot Boundaries
- Watercourses
- Project Layout
- Contours

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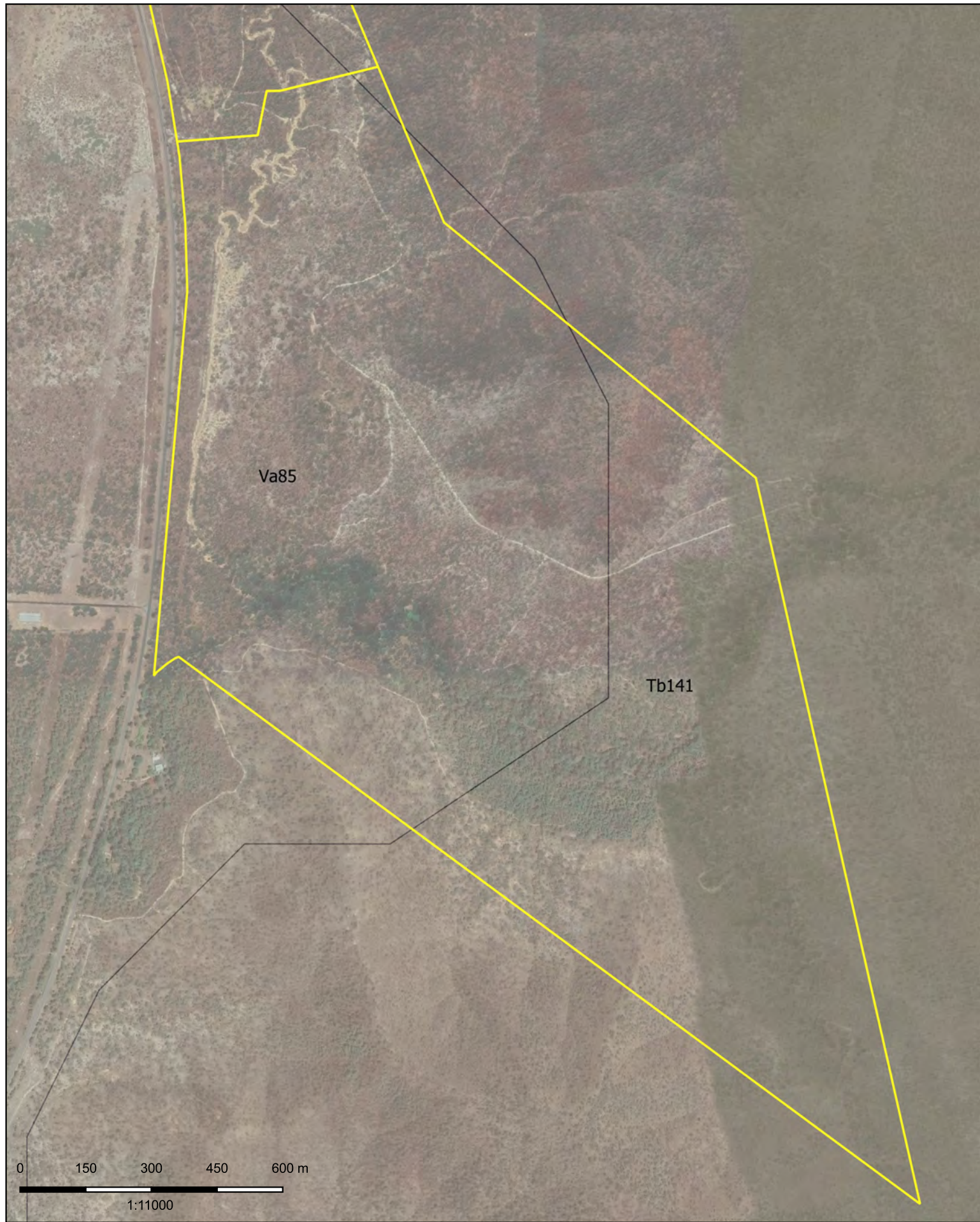
Figure 10:Project Geology

Legend

-  Lot Boundaries
-  Hodgkinson Formation
-  Alluvial and lacustrine deposits

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020







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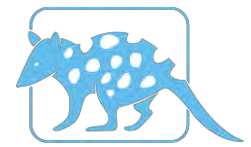
Figure 11: Project Soils

Legend

-  Lot Boundaries
-  Soil Classifications

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020





3. Existing environment

A desktop assessment has been conducted for Lots 2 and 3 on SP 298325, to assess the Project's ecological and aquatic values. The desktop assessment utilised publicly available spatial data provided by the Queensland Government as well as information supplied by UrbanSync. Wild Environmental acknowledges that identification of Project ecological and aquatic values mentioned as a part of this EIA is restricted to supplied and publicly available data. Field-based assessments have not been conducted to determine the presence/absence of outline values. This desktop assessment identifies the potential for these values to be present. Therefore, the actual composition of project ecological values may slightly differ to the values included as a part of this EIA. Results of the desktop assessment are outlined below.

3.1 Terrestrial Ecological Values

3.1.1 Project Bioregion

The Project is situated at the transitional zone between the Wet Tropics and Einasleigh bioregions of Queensland. Directly west of the Project is the boundary between the Wet Tropics and Einasleigh Uplands which runs parallel with the Wet Tropic World Heritage Area in a north to south orientation. Ecosystems (Section 3.1.3) of the Project reflect this transitional zone, with Regional Ecosystems for endemic of both the Wet Tropics and Einasleigh Uplands mapped on Lots 2 and 3 on SP 298325.

3.1.2 Matters of State Environmental Significance

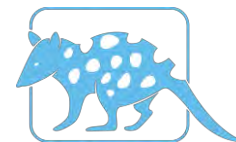
3.1.2.1 Kuranda National Park

Directly to the east of the Project is the Kuranda National Park,. The Kuranda National Park is classified as a part of the Wet Tropics World Heritage Area containing approximately 27,100 hectares of tropical rainforest and open woodland. The national park provides an important wildlife corridor between centres of biodiversity in the Daintree/ Carbine Tableland area to the north and Lamb Range/ Atherton Tableland area to the south.

3.1.2.2 MSES Regulated Vegetation

The *Vegetation Management Act 2018* (VM Act) provides vegetation classification and protection measures for vegetation communities in Queensland. According to the MSES Regulated Vegetation Mapping prepared under the VM Act, regulated vegetation categories are identified within Lot 2 and 3 on SP 298325 including Category B remnant vegetation listed as either 'Endangered' regional ecosystem or an 'Of concern' regional ecosystem or a least concern regional ecosystem⁸.

No MSES Regulated Vegetation occurs within the Project footprint, only within the land parcel.



3.1.2.3 MSES Wildlife Habitat and Essential Habitat

Wildlife Habitat and Essential Habitat is habitat which has been identified as important to particular species of conservation significance. Wildlife habitat exists to the south of Lot 2 and 3 on SP298325, with a minor portion of Wildlife Habitat existing within Lot boundary (approx.4.2 ha). No Wildlife Habitat was identified within the Project disturbance footprint. Table 2 details fauna associated with the identified MSES Wildlife Habitat on Lot 2 and 3 on SP298325 outside the Project⁸.

Table 2. Species Associated with Essential Habitat

| Scientific Name | Common Name | NCA Status | EPBC Status |
|-------------------------------|----------------------|---------------|-----------------------|
| <i>Erythrura gouldiae</i> | Gouldian finch | Endangered | Endangered |
| <i>Tachyglossus aculeatus</i> | Short-beaked echidna | Least Concern | Special Least Concern |

3.1.2.4 MSES Regulated Vegetation (Defined Watercourse)

Regulated Vegetation (Defined Watercourse) is Category A, B, C and/ or R areas that are located within a defined distance from the defining banks of a relevant watercourse identified on the vegetation management watercourse and drainage feature map. Approximately 10 km of Defined Watercourses are located within Lot 2 and 3 on SP298325, of which approx. 1km are within the Project. Defined Watercourses are displayed in Figure 13.

3.1.3 Vegetation communities

Regional Ecosystems (RE) are vegetation communities in a bioregion that are consistently associated with a particular combination of geology, landform, and soil⁷. The Project exists on both previously disturbed land and remnant vegetation. The Project is dominated by Regional Ecosystems Mosaic 9.5.9 / 9.3.3 / 9.3.13 and 7.11.51. A summary of REs identified are outlined in Table 3⁸.

⁷ Department of Environment and Science. 2020. About regional ecosystems. State of Queensland, Brisbane.

⁸ State of Queensland. 2020. Queensland Globe. State of Queensland, Brisbane.

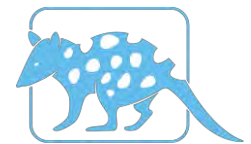
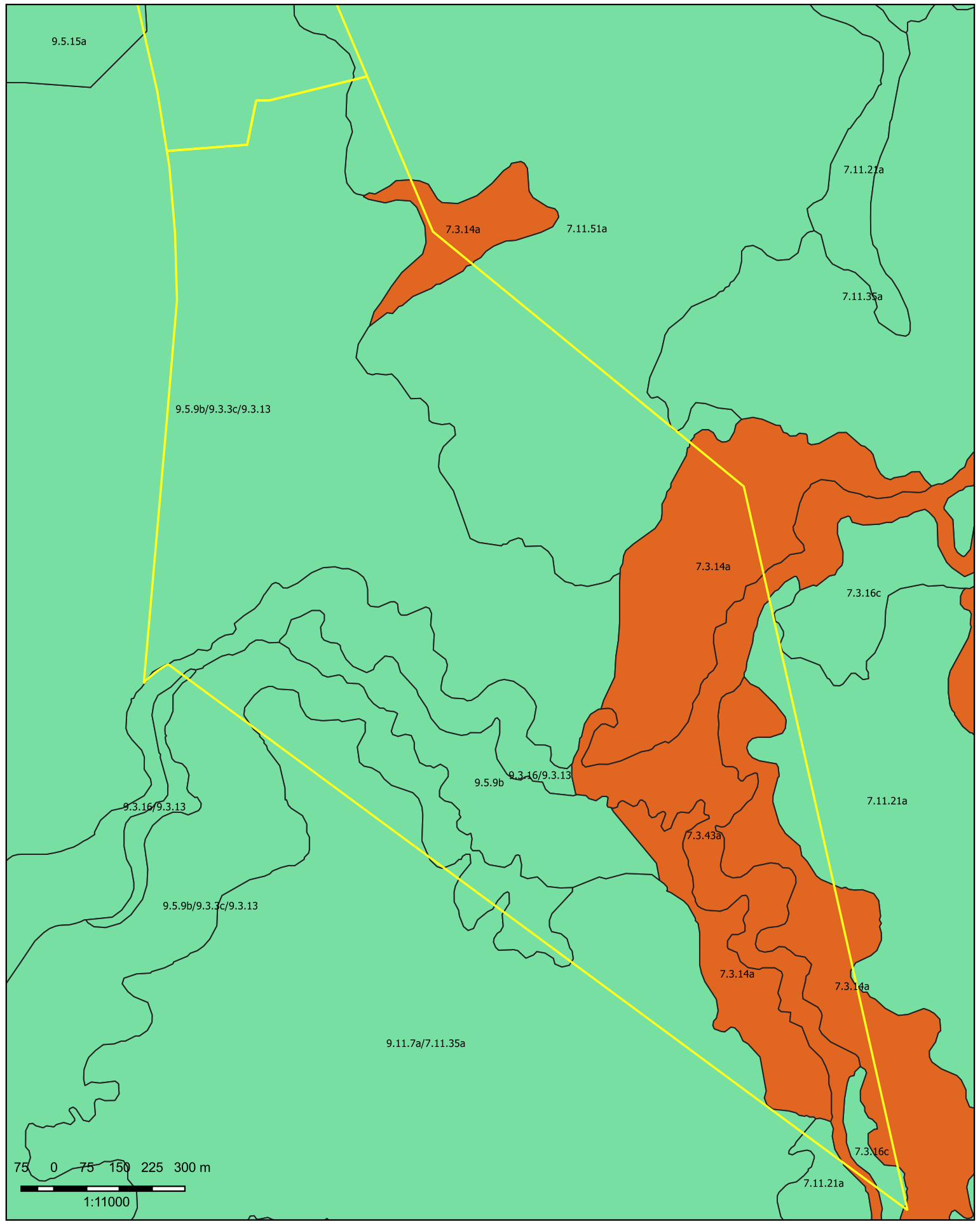


Table 3. Regional Ecosystems Adjacent to the Project.

| RE | Description | VMA Class | Biodiversity Status |
|----------|--|---------------|-----------------------|
| 7.3.14a | <i>Eucalyptus leptophleba</i> +/- <i>Corymbia clarksoniana</i> +/- <i>Melaleuca dealbata</i> woodland to open forest on alluvium in low rainfall areas of the west and north | Of Concern | Of Concern |
| 7.3.16 | <i>Eucalyptus platyphylla</i> woodland to open forest on alluvial plains | Least concern | Endangered |
| 7.3.43a | <i>Eucalyptus tereticornis</i> open forest to woodland on uplands on well-drained alluvium | Of Concern | Endangered |
| 7.11.21A | <i>Eucalyptus leptophleba</i> woodland to open forest on metamorphic uplands of the dry rainfall zone | Least concern | No concern at present |
| 7.11.35A | <i>Eucalyptus portuensis</i> +/- <i>Corymbia citriodora</i> woodland to open forest on metamorphics | Least Concern | Of Concern |
| 7.11.51A | <i>Corymbia clarksoniana</i> and/or <i>Eucalyptus drepanophylla</i> open forest to woodland on metamorphics | Least Concern | No concern at present |
| 9.3.3c | <i>Corymbia spp.</i> and <i>Eucalyptus spp.</i> dominated mixed woodland on alluvial flats, levees and plains | Least Concern | Of Concern |
| 9.3.13 | <i>Melaleuca spp.</i> , <i>Eucalyptus camaldulensis</i> and <i>Casuarina cunninghamiana</i> fringing open forest on streams and channels | Least Concern | Of Concern |
| 9.3.16 | <i>Eucalyptus tereticornis</i> and/or <i>E. platyphylla</i> and/or <i>Corymbia clarksoniana</i> woodland on alluvial flats, levees and plains | Least Concern | Of Concern |
| 9.5.15A | <i>Melaleuca monantha</i> +/- <i>M. viridiflora</i> +/- <i>Callitris intratropica</i> mixed low woodland on valley infill | Least Concern | No concern at present |
| 9.5.9b | <i>Corymbia clarksoniana</i> and/or <i>Eucalyptus leptophleba</i> and/or <i>E. platyphylla</i> woodland on plains | Least Concern | Of Concern |
| 9.11.7A | <i>Eucalyptus platyphylla</i> and/or <i>E. cullenii</i> +/- <i>Corymbia clarksoniana</i> woodland on texture contrast soils on metamorphic hills | Least Concern | No Concern at Present |



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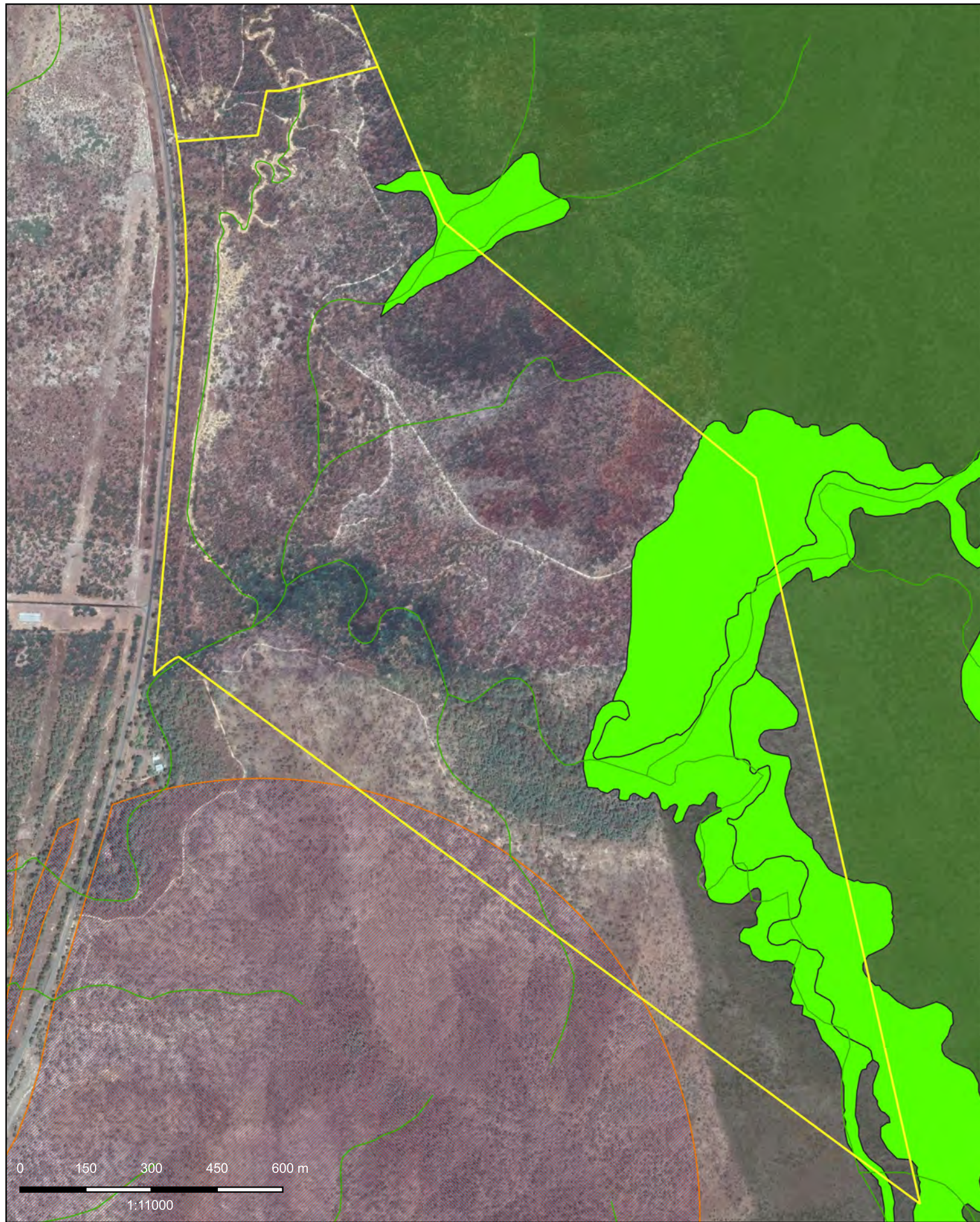
Figure 12: Regional Ecosystem Mapping

Legend

- Lot Boundaries
- Of Concern Regional Ecosystem
- Least Concern Regional Ecosystem

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020





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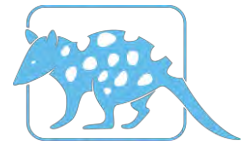
Figure 13: Matters of State Environmental Significance

Legend

- Lot Boundaries
- MSES regulated vegetation [defined watercourse]
- MSES protected area
- MSES regulated vegetation [category B]
- MSES wildlife habitat [endangered or vulnerable]
- MSES wildlife habitat [special least concern animal]

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020





3.2 Aquatic environmental values

3.2.1 Surface water

3.2.1.1 Watercourses

The Project is situated within the Mitchell River Catchment, an ephemeral river which flows from the Wet Tropics region of North Queensland in a westerly direction, discharging to the Gulf of Carpentaria. The major tributary in the vicinity of Lot 2 on SP 298325, is the Little Mitchell River which forms a confluence with a second order stream flowing through the Project (Figure 9).

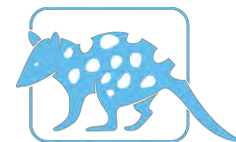
One second order stream intersects the Project mapped as MSES regulated vegetation watercourses. The headwaters are located to the east of the Project in the Kuranda National Park, flowing in a south-westerly orientation.. Waters from the Project area flows off site to the southwest.

The *Environmental Protection (Water and Wetland Biodiversity) Policy 2019* Schedule 1, outlines Environmental Values (EVs) and Water Quality Objectives (WQOs) for catchment basins in Queensland. There are currently no WQO for gulf rivers including the Mitchel River Catchment. Where these are not outlined under state policy, the national Australian and New Zealand Guidelines for Fresh and Marine Water Quality are referenced⁹. The Australian and New Zealand Guidelines for Fresh and Marine Water Quality also do not prescribe WQOs for gulf rivers. In the absence of the guidelines above, the Australian and New Zealand Environment and Conservation Council (2000) Water Quality Guidelines (ANZECC) are referenced.

The ANZECC guidelines:

- assign aquatic ecosystem condition protection levels; and
- provide WQOs to achieve the assigned level of protection for waterways.

⁹ State of Queensland. 2019. Environmental Protection (Water and Wetland Biodiversity) Policy 2019. State of Queensland, Brisbane



Section 3.1.3.1 of the ANZECC guidelines defines the three levels of ecosystem condition protection for waterways. Given the known state of property watercourses, the aquatic ecosystem condition is defined as:

Slightly to Moderately Disturbed - ecosystems in which aquatic biological diversity may have been adversely affected to a relatively small but measurable degree by human activity. The biological communities remain in a healthy condition and ecosystem integrity is largely retained. Typically, freshwater systems would have slightly to moderately cleared catchments and/or reasonably intact riparian vegetation; marine systems would have largely intact habitats and associated biological communities. Slightly– moderately disturbed systems could include rural streams receiving runoff from land disturbed to varying degrees by grazing or pastoralism, or marine ecosystems lying immediately adjacent to metropolitan areas¹⁰.

ANZECC derived WQO are outlined in Section 4.1.1.6.



Figure 14: Historic Gully Erosion



Figure 15: Active Erosion Gully

3.2.1.2 Aquatic Environmental Values

The Project is situated in within a slightly to moderately disturbed area of the Mitchel River Catchment (Section 3.2.1.1). The Australian and New Zealand Environmental Conservation Council & Agriculture and Resource Management Council of Australia and New Zealand (ANZECC & ARMCANZ) 2018 guidance requires water quality objectives for a waterway to be determined by identifying the Environmental Values (EVs) of the receiving environment.

¹⁰ Australian and New Zealand Environment and Conservation Council. 2000. Australian and New Zealand Guidelines for Fresh and Marine Water Quality, Vol1. Australian Water Association. Artarmon, New South Wales.



Schedule 1 of the *Environmental Protection (Water and Wetland Biodiversity) Policy 2019* (EPP Water), provides Environmental Values for waterways within Queensland. Where waters are not defined under of the EPP Water, EVs under Part 3 Subsection 2 are to be referenced⁹.

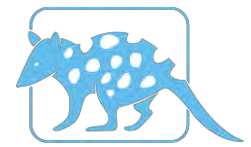
The Mitchell River catchment is not listed under Schedule 1 of the of the EPP Water. The following EVs have been considered as per Part 3 subsection 2 of the EPP Water:

- The biological integrity of an aquatic ecosystem that has effectively unmodified biological indicators, but slightly modified physical, chemical or other indicators;
- The suitability of the water for agricultural purposes;
- The suitability of the water for
 - primary recreational use; or
 - secondary recreational use; or
 - visual recreational use;
- The suitability of the water for supply as drinking water;
- The suitability of the water for industrial use;
- The cultural and spiritual values of the water.

3.2.2 Groundwater Resources

Information regarding groundwater resources underlying the Project is limited. According to the Queensland Government's Queensland Globe portal, there are no groundwater monitoring bores within the vicinity of the Project. The closest groundwater bore to the project is approximately 5.5km south of the Project, however, no Standing Water Level (SWL) data exists for this bore.

As per Section 2.3.1, the site is underlain by the Hodgkinson Formation and alluvial material. The Hodgkinson Formation is dominated by lenticular bedded (interbedded) mudstones to sandstones with minor amounts of chert and basalt. Interbedded formations allow for waters to percolate through more porous material (sandstone and conglomerates), which is then trapped by more impervious beds (siltstones, claystones). Groundwaters will accumulate at the contact between the pervious and impervious rock to produce an aquifer. There is potential for multiple pervious and impervious beds existing within one geological formation, resulting in potential for multiple aquifers within one geological formation known as perched aquifers. It is expected that perched aquifers underlay the project within the Hodgkinson Formation. Other aquifers may also exist at the disconformity of the unconsolidated alluvial material and Hodgkinson Formation.



4. Potential impacts and management measures

This section considers the risks and potential impacts to environmental values declared under the *Environmental Protection Act 1994* and *Environmental Protection Regulation 2019*, and specifically targets performance outcomes listed by various DES guidelines being:

- ESR/2015/1836 – Application requirements for activities with waste impacts¹¹;
- ESR/2015/1837 – Application requirements for activities with impacts to water¹²;
- ESR/2015/1838 – Application requirements for activities with noise impacts¹³;
- ESR/2015/1839 – Application requirements for activities with impacts to land¹⁴; and
- ESR/2015/1840 – Application requirements for activities with impacts to air¹⁵.

This environmental impact assessment considers the management hierarchy for each value. Generally, this is consistent with an avoid, mitigate, offset framework, although specific triggers are proposed for each value.

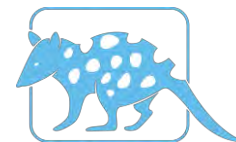
¹¹ Department of Environment and Science. (2013). ESR/2015/1836 Application requirements for activities with waste impacts. Version 5.00. Effective 4 February 2019.

¹² Department of Environment and Science. (2013). ESR/2015/1837 Application requirements for activities with impacts to water.

¹³ Department of Environment and Science. (2013). ESR/2015/1838 Application requirements for activities with noise impacts. Version 3.02. Effective 6 March 2017.

¹⁴ Department of Environment and Science. (2013). ESR/2015/1839 Application requirements for activities with impacts to land. Version 4.01. Effective 4 March 2017.

¹⁵ Department of Environment and Science. (2013). ESR/2015/1840 Application requirements for activities with impacts to air. Version 4.02. Effective 6 March 2017.



4.1 Environmental Value – Water

4.1.1 Discharges and Releases

4.1.1.1 Discharge Locations

Wastewater will be produced by the Project at a rate of approximately 10,000L/ day of which will be applied at a rate of 2.2mm/ hour over the irrigation area approximately 1 ha. Application to the irrigation areas will not exceed a total of 40,000L/day. Wastewaters will be captured and applied to irrigation areas and fruit orchard areas (Figure 3). Where required, wastewaters will be stored in holding tanks prior to being pumped to irrigation areas and applied via above ground irrigation sprinklers (See Section 1.5 for specifications).

To assess wastewater flow trends, 1m digital elevation data was obtained from ELVIS – Elevation and Depth – Foundation Spatial Data to assist in the delineation of landforms, slope directions and confirmation of mapped watercourses. A Digital Elevation Model (DEM) was prepared with contours generated utilising both Quantum GIS and Geospatial Data Abstraction Library (GDAL)¹⁶.

The DEM confirmed the presence of the one second order stream which exist to the north of irrigation areas. No further watercourses were identified particularly in the vicinity of the Polygain facility. Surface waters from the irrigation areas are assumed to follow the natural topography, which from the DEM, slopes in a north-east to south-west direction, with discharge to the Little Mitchel River approximately 1 km from Lot 2 and 3 on SP298325.

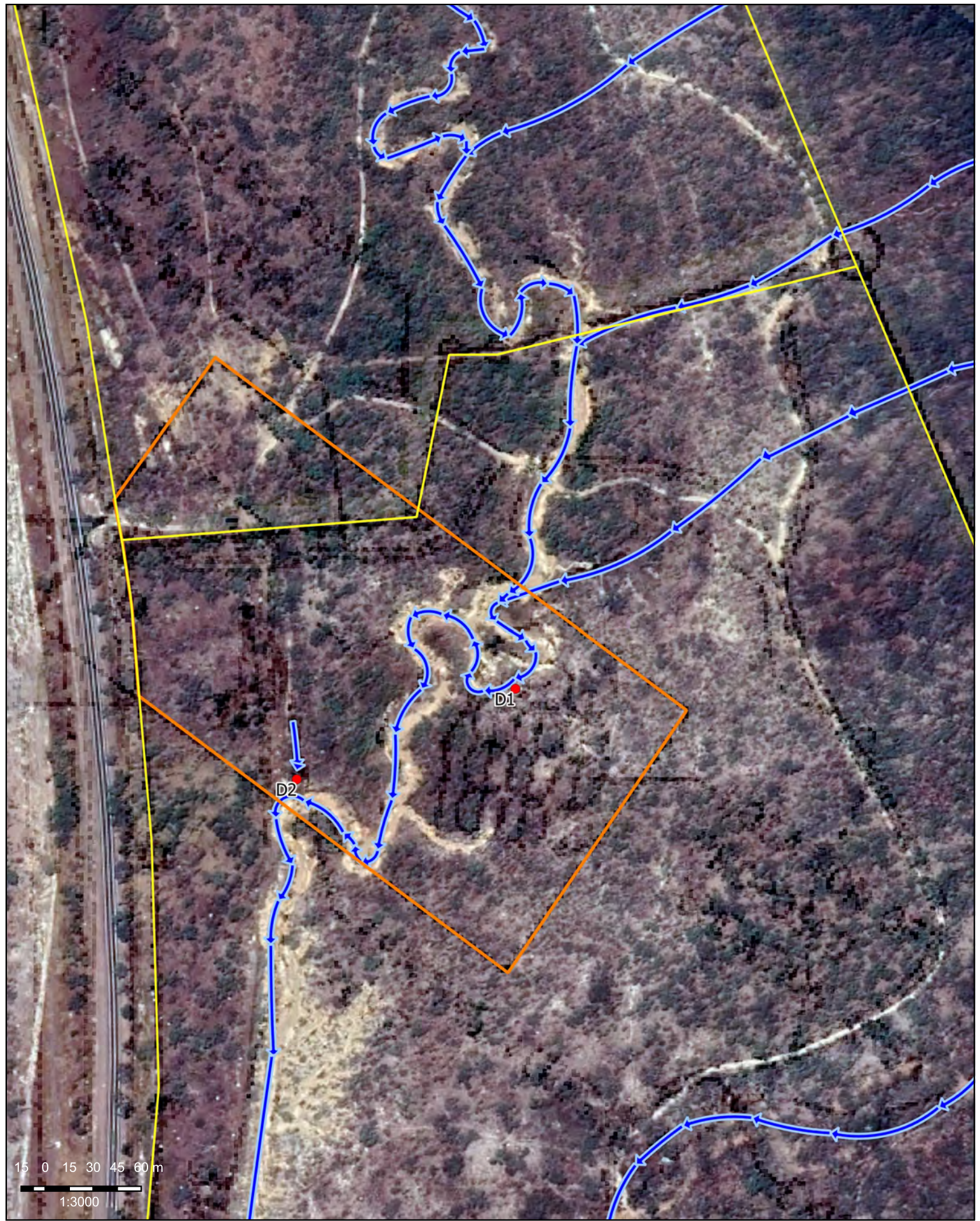
DEM analysis does not determine runoff trends for the Polygain facility. However, survey provided by FNQ Design and Drafting Pty Ltd, identified an unidentified watercourse to the east of the facility. It is assumed that runoff from the facility footprint, flows into this unidentified watercourse.

For the purpose of this EIA, it is assumed that the irrigation areas do not assimilate irrigated wastewaters, producing runoff which would discharge into the drainage systems adjacent to the Project. Potential runoff locations are outlined in Table 4 and displayed on Figure 16.

Table 4: Potential Discharge Locations

| Potential Discharge Location | Easting | Northing |
|------------------------------|-----------|------------|
| D1 | 324663.20 | 8150699.70 |
| D2 | 324526.00 | 8150643.50 |

¹⁶ANZLIC Committee of Surveying and Mapping. 2020. Elevation and Depth - Foundation Spatial Data. Canberra ACT



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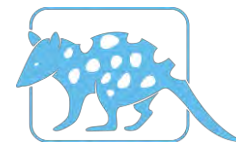
Figure 16: Potential
Discharge Locations

Legend

- Lot Boundaries
- Watercourse line (2) Watercourse line →
- Potenital Discharge Location

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020



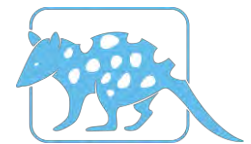


4.1.1.2 Potential Water Quality Impacts

The nature of the construction and operational activities have the potential to impact water quality in the receiving environment. Development activities and their associated potential impacts are summarised in Table 5.

Table 5: Potential Impacts to Water Quality

| Activity | Potential Impacts | Water Quality Contaminants |
|-------------------------------------|--|--|
| Construction Activities | <p>Increased turbidity due to soil loss and erosion control failures.</p> <p>Elevated suspended solids from sediment transport.</p> <p>Potential hydrocarbon contamination from oils and fuels associated with plant and light vehicle. May be caused by inadequate maintenance of plant and light vehicles</p> | pH, suspended solids, electrical conductivity, turbidity, BTEX, Polymictic Aromatic Hydrocarbons, Total Petroleum Hydrocarbons. |
| Wastewater Irrigation | <p>Increased nutrient loads causing eutrophication of local streams and waterbodies. Eutrophication leading to algal blooms, smothering of flora and fauna, impairment of ecosystem structure and function, diseases and introduced species.</p> <p>Sediment transport offsite. Increase in suspended load and turbidity of waters causing clarity issues</p> | pH, nutrients (ammonia, nitrate, phosphorus), suspended solids, |
| Uncontrolled and unplanned releases | <p>The following may result in unplanned releases of wastewater:</p> <ul style="list-style-type: none"> – failure of irrigation piping; – failure of sprinkler systems; – failure of potential detention basin walls; – failure of wastewater storage tanks – over irrigation; and – uncontrolled irrigation | pH, nutrients (ammonia, nitrate, phosphorus), suspended solids, suspended solids, turbidity, electrical conductivity, BTEX, Polymictic Aromatic Hydrocarbons, Total Petroleum Hydrocarbons, Sodium Hydroxide |
| Daily activities | <p>Potential hydrocarbon contamination from oils and fuels associated with plant and light vehicles.</p> <p>Potential contamination due to leaking waste storage and chemical</p> | pH, suspended solids, turbidity, electrical conductivity, BTEX, Polymictic Aromatic Hydrocarbons, Total Petroleum Hydrocarbons, Sodium Hydroxide |



4.1.1.3 Potential Contaminants and Expected Concentrations

The Polygrain production process utilised filtration membranes to separate wastewater from solids (Section 1.5). Once wastewaters have been separated from solids, wastewaters will be stored prior to being discharged to the irrigation areas. No further treatment of wastewaters will be undertaken. The characteristics of wastewaters will be similar to other facilities where a solid waste product is produced as a byproduct of producing fermented sugarcane.

For reference, chemical analysis was undertaken for wastewaters produced by Mossman Sugar Mill to use as a reference of water quality from a sugar product producing facility. Analysis was undertaken by an accredited laboratory, and the results are summarised in Table 6. The Certificate of Analysis for laboratory analysis is included in Appendix A – Laboratory Certificate of Analysis.

Other contaminants expected to be produced by the Polygrain facility will be incident based only including spills, machinery failure, negligence etc. Contaminants produced without mitigation measures would accumulate at the facility prior to being transported by runoff from rainfall. The concentrations of these contaminants are unknown.. The potential contaminants of the Project are outlined in Table 6.

Table 6: Potential Contaminants

| Analyte | State | Source | Expected Contaminant Concentrations | |
|--|--------|---|-------------------------------------|-----------|
| pH, | Liquid | All Project Activities | - | |
| electrical conductivity | Liquid | All Project Activities | - | |
| Suspended solids, | Liquid | All Project Activities | - | |
| Turbidity, | Liquid | All Project Activities | - | |
| BTEX, | Liquid | Light vehicles, plant, generators, property maintenance machinery | - | |
| Polymictic Aromatic Hydrocarbons, | Liquid | Light vehicles, plant, generators, property maintenance machinery | - | |
| Total Petroleum Hydrocarbons | Liquid | Light vehicles, plant, generators, property maintenance machinery | - | |
| Sodium Hydroxide | Liquid | Cleaning Products | - | |
| Biological Demand | Oxygen | Liquid | Wastewater Irrigation | 2500 mg/L |
| Chemical Demand | Oxygen | Liquid | Wastewater Irrigation | 3400 mg/L |
| Total Nitrogen | Liquid | Wastewater Irrigation | 260 mg/L | |
| Total Phosphorus | Liquid | Wastewater Irrigation | 240 mg/L | |
| Sulphate | Liquid | Wastewater Irrigation | 55 mg/L | |
| Total Potassium | Liquid | Wastewater Irrigation | 920 mg/L | |
| Total Manganese | Liquid | Wastewater Irrigation | 0.39 mg/L | |
| Total Calcium | Liquid | Wastewater Irrigation | 57 mg/L | |



4.1.1.4 Runoff of wastewater

The potential for runoff is dependent on the permeability and soil classification of the site. According to the Atlas of Australian Soils Queensland classifies soil at a scale of 1: 2,000,000. The Project is characterised by two soil types:

- **Va85** - duplex soil yellow to grey in colour, hard setting A horizon, A2 horizon conspicuously bleached; and
- **Tb151** duplex soil yellow to grey, hard setting A horizon, A2 horizon conspicuously bleached, acid pedal mottled B horizon¹⁷.

The conspicuously bleached A2 horizon is endemic of Sodosols which are sodic in nature. Sodic soils have previously been identified at the property by the Mitchel River Watershed Management Group. Sodosols will disperse and erode when in contact with water, resulting in limited assimilation. However, the actual amount and rate of assimilation is unknown.

For the purpose of this EIA, it is assumed that the Project has limited assimilation allowing for wastewaters applied to readily form runoff. As per Section 4.1.1.1 a DEM model was prepared to determine watershed directions. The DEM determined that the runoff of wastewaters applied to the Project will flow in a north-east direction, discharging into the second order stream at the locations displayed in Figure 16.

The irrigation will be influenced by clean water inflow of runoff from the adjacent Kuranda National Park. Runoff will flow overland as sheet flow and as concentrated flow via watercourses through the irrigation areas. It is expected that wastewaters would become diluted before being discharged. The amount of dilution is unknown.

The Project is located in North Queensland, which is subject to hot – wet summers and mild – dry winters. It is expected that influence of runoff from the Kuranda National Park would be intermittent given the ephemeral nature of the Little Mitchel River and associated watercourses. The Project will operate all year round, producing wastewaters continuously during production. Wastewaters would be diluted during the summer months by runoff from the Kuranda National Park. However, during winter discharges will be predominantly wastewater only.

Discharged waters will flow through slightly to moderately disturbed watercourses¹⁰ adjacent to the Project. Discharged waters will flow through watercourses dominated by sodic soils. As discharge water flows through watercourses, it will cause the sodic soils to disperse allowing for sediment to further impact on water quality. Dispersion of sodic soils is a legacy issue of the Project site, and not expected to increase significantly as a

¹⁷ Australian Soil Resource Information System. 2013. Atlas of Australian Soils Queensland. CSIRO, Black Mountain, ACT.



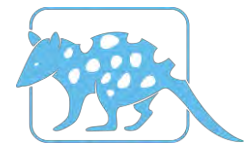
result of Project activities. Waters will flow through the second order stream before being discharged into Little Mitchell River approximately 1km from the Project area.

4.1.1.5 Unplanned and Uncontrolled Releases

Unplanned and uncontrolled releases is a result of a failure in a piece of equipment, infrastructure or management structure which results in the discharge of contaminants in an unregulated fashion. Unplanned or uncontrolled releases of contaminants for the Project include the discharge of the contaminants outlined in Table 6 to the receiving environment outside of the designated discharge locations in Table 4. Types of unplanned or uncontrolled releases that could potentially occur as a result of the Project are outlined in Table 7.

Table 7: Unplanned or Uncontrolled Releases

| Location | Event | Result | Possible Outcome |
|--|--|--|---|
| Polygain Facility/ Irrigation Areas | Significant Spill (e.g. >20L) of fuels from light vehicles, plant or maintenance machinery | <ul style="list-style-type: none"> - Spill of oils or fuels to ground; - Transport of hydrocarbons or metals to the receiving environment | <ul style="list-style-type: none"> - Injury or fatality of native Fauna and Flora; - Impact to stream chemistry; - Impact on stream aesthetics; - Impact on land suitability. |
| Polygain Facility | Failure to dispose of general waste appropriately | <ul style="list-style-type: none"> - Waste transported to the environment via wind or air. - Exposure of the environment to toxic or gross waste material | <ul style="list-style-type: none"> - Injury or death of fauna; - Impact to watercourses; - Impact to stream or land aesthetics; |
| Polygain Facility | Failure to dispose of regulated waste appropriately | <ul style="list-style-type: none"> - Waste transported to the environment via wind or air. - Exposure of the environment to toxic waste material | <ul style="list-style-type: none"> - Injury or fatality of native Fauna and Flora; - Impacts to human health; - Impact to stream chemistry; - Impact on stream aesthetics; - Impact on land suitability. |
| Polygain Facility | Failure in the structural integrity of the Polygain process equipment | <ul style="list-style-type: none"> - Spill of oils, waste, raw materials and Polygain to ground; - Transport of oils, waste, raw materials and Polygain via runoff | <ul style="list-style-type: none"> - Injury or fatality of native Fauna and Flora; - Impacts to human health; - Impact to stream chemistry; - Impact on stream aesthetics - Impact on land suitability. |
| Polygain Facility | Failure in the structural integrity raw material or product transport vehicles | <ul style="list-style-type: none"> - Spill of oils, waste, raw materials and Polygain to ground; | <ul style="list-style-type: none"> - Injury or fatality of native Fauna and Flora; - Impacts to human health; - Impact to stream chemistry; |



| | | | |
|--------------------------|---|---|---|
| | | <ul style="list-style-type: none"> - Transport of oils, waste, raw materials and Polygain via runoff | <ul style="list-style-type: none"> - Impact on stream aesthetics; - Impact on land suitability; |
| Polygain Facility | Failure of water storage tanks | <ul style="list-style-type: none"> - Transport of unregulated wastewater to watercourses | <ul style="list-style-type: none"> - Erosion to stream bank; - Transport of sediments; - Eutrophication of waterways; - Injury or fatality of native Fauna and Flora; - Impact on stream aesthetics. |
| Irrigation Areas | Failure in Pipeline Integrity | <ul style="list-style-type: none"> - Transport of wastewater to watercourses | <ul style="list-style-type: none"> - Erosion to stream bank; - Transport of sediments; - Eutrophication of waterways; - Injury or fatality of native Fauna and Flora; - Impact on stream aesthetics. |
| Irrigation Areas | Failure of Irrigation Infrastructure | <ul style="list-style-type: none"> - Transport of wastewater to watercourses | <ul style="list-style-type: none"> - Erosion to stream bank; - Transport of sediments; - Eutrophication of waterways; - Injury or fatality of native Fauna and Flora; - Impact on stream aesthetics. |
| Irrigation | Failure of wastewater management structures | <ul style="list-style-type: none"> - Transport of wastewater to watercourses | <ul style="list-style-type: none"> - Erosion to stream bank - Transport of sediments; - Eutrophication of waterways; - Injury or fatality of native Fauna and Flora; - Impact on stream aesthetics. |



4.1.1.6 Receiving Waters Quality Objectives

Streams of the Project site are ephemeral in nature. These intermittent streams flow in a south westerly direction, with a confluence with the Little Mitchel River approximately 1km from the Project.

The application of water quality objectives to ephemeral waters can be defined as problematic. As flow decreases during seasonal change, water quality of the stream becomes less dependent on upstream flow and more dependent on local influences. As the stream ceases flow, and local influences increase, water quality between segregated waterholes within the stream can vary significantly.

Physical parameters can become highly variable within waterholes formed by the cease of stream flow. The size of waterholes tends to define the extent of variation in physical parameters. Specifically, the stagnation and stratification of waterholes can give rise to highly variable pH values. Therefore, the application of the guidelines for these indicators to waterholes in non-flow conditions may not be appropriate. However, larger waterholes may express water quality values similar to that of perennial streams.

Indicators such as nutrients could also be affected by non-flow conditions. Smaller waterholes tend to exhibit increased levels of organic nitrogen while larger waterholes would not undergo large variations. In addition, biological indicators can also be affected by non-flow events. Smaller waterholes tend have lower species diversity due to lack of resources.

While waterholes within ephemeral streams are often of lower quality than flowing streams, they often serve as an important resource for species when resources are limited. According to the ANZECC 2000 guidelines, there is ongoing studies into the development of better indicators for ephemeral streams. However, currently there is a lack good data on these stream types while not offering adequate advice on the issue.¹⁸

The Mitchel River catchment is not listed under Schedule 1 of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 and therefore is not covered a Queensland Government Environmental Values and Water Quality Objectives. Similarly, the Australian and New Zealand Guidelines for Fresh and Marine Water Quality do not define WQOs for gulf rivers. In the absence of the guidelines above, the Australian and New Zealand Environment and Conservation Council (2000) Water Quality Guidelines (ANZECC) are referenced. This EIA adopts water quality objectives (WQO) as per the ANZECC guidelines, in the absence of more locally applicable baseline data.

As per Section 2.2, the site is described as being slightly to moderately disturbed. Table 3.3.4 of the ANZECC guidelines outlines Default trigger values applicable to Tropical Queensland for slightly to moderately disturbed ecosystems in Upland rivers is outlined in Table 8¹⁰.

¹⁸ Queensland Department of Environment and Science. 2009. Queensland Water Quality Guidelines. State of Queensland, Brisbane.

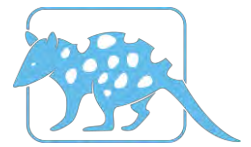
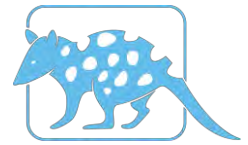


Table 8: Water Quality Trigger Values

| Parameter | Water Quality Objective |
|---------------------------------|--------------------------------|
| Total Phosphorus | 10µg/L |
| Filterable Reactive Phosphorous | 5µg/L |
| Total Nitrogen | 150 µg/L |
| Nitric oxides | 30 µg/L |
| Ammonium | 6µg/L |
| Dissolved Oxygen | 90-120µg/L |
| pH | 6.0-7.5 |



4.1.2 Proposed management measures

4.1.2.1 Avoidance

The Project has been located to avoid impacts on regulated vegetation, threatened ecological communities, habitat for species of conservation significance, habitat connectivity and watercourses. The footprint of the Project is strategically located adjacent to the existing access to allow ease of transport connectivity.

No more than 40,000L of wastewater will be irrigated on a daily basis to reduce the chance of runoff to the receiving environment. Development of irrigation areas will avoid watercourses. A 15-metre buffer will be maintained along the riparian zone to avoid disturbance from irrigation areas and the processing plant.

The application of vegetated buffers shall act as a nutrient attenuation device between the irrigation areas and any overland runoff prior to entering streams.

4.1.2.2 Erosion and Sediment Control Plan

To manage the potential transport of sediment to the receiving environment via runoff during construction and operation, an Erosion Sediment and Control Plan (ESCP) may be prepared. The ESCP will be prepared by a qualified ESC specialist, and will:

- develop effective ESC measures based on anticipated soil, weather, and construction conditions which may include (but not limited to);
 - Sedimentation basins;
 - Catch drains;
 - Diversion bunds; and
 - Sediment traps.
- outline measures to minimise the extent and duration of soil disturbance;
- detail measures to control water movement through the site;
- outline measures to minimise soil erosion;
- outline measures to stabilise disturbed areas; and
- outline measures to maximise sediment retention on the site.

4.1.2.3 Irrigation Management

The application of wastewaters to land will be regulated to minimise the amount of wastewater flowing into the receiving environment. To ensure that impacts to the environment are minimised, irrigation management measures will be included within the Environmental Management Plan (EMP). The EMP will be prepared by a suitably qualified professional and include measures to minimise the risks to the environment from nutrient rich wastewater, including:



- design of irrigation details to prevent wastewater runoff or excessive infiltration to groundwater;
- runoff (if any) from irrigation areas is to be diverted away from streams;
- develop irrigation protocols based on weather forecasts, soil moisture levels, plant requirements; and runoff potential;
- describe irrigation volumes and application (e.g. applied frequently and consistently rather than occasional heavy applications);
- detail the method of irrigation with the aim to ensure it results in minimal irrigation runoff;
- minimise the risk of soil loss or erosion by using sustainable irrigation application rates, based on soil limitations and chosen crop requirements;
- prevent public and animal health impacts by using appropriate irrigation equipment, and implementing training and awareness programs for staff; and
- maximise nutrient uptake by selecting suitable, viable and tolerant crops and suitable cropping practices.

4.1.2.3.a **Unplanned and uncontrolled releases**

Unplanned and uncontrolled releases will be managed in accordance with an Environmental Management Plan. The uncontrolled release response will be dependent on the substance discharged to ground or receiving environment. Uncontrolled releases response will follow the following structure:

- worker identifies and remediates the release (where possible);
- incident reported to Supervisor;
- supervisor reports incident to Health Safety and Environment (HSE) officer;
- if the contamination persists, HSE officer advises the most appropriate rehabilitation measure; and
- if environmental harm has occurred, the DES will be notified.

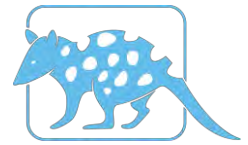
4.1.2.3.b **Infrastructure Maintenance**

To manage and prevent the unplanned release of contaminants, a maintenance program will be developed by The Product Makers. The maintenance program will aim to schedule all required maintenance in accordance with manufactures requirements. The maintenance schedule will be developed and approved by HSE personnel. Maintenance will be maintained on site and supplied to DES personnel upon request.

4.1.2.3.c **Monitoring and reporting**

Management measures will be implemented to further minimise the chance of impacts on Environmental Values. Management measures will be outlined in the EMP. It is envisaged that this will include:

- set monitoring intervals;
- monitoring locations;



- event based monitoring; and
- internal and external reporting requirements.

4.1.2.4 Potential impacts to groundwater

4.1.2.4.a Groundwater Presence

There is a potential for aquifers underlying the Project within the Hodgkinson and alluvial material (Section 2.3.1). However, the amount and location of aquifers is yet to be determined. To assess to presence of aquifers, a Groundwater Monitoring Program (GMP) may be prepared. The GMP will identify aquifers underlying the Project (if any) and identify:

- geological composition;
- aquifer depths;
- groundwater Standing water level (SWL);
- flow rates;
- flow direction; and
- water quality.

4.1.2.4.b Indirect Impact to Groundwaters

Contaminant Infiltration

The impact of wastewaters on the groundwaters will be confined to the direct infiltration of irrigation waters through soil and fissures in the underlying rock, to aquifers. The potential for infiltration of wastewater to groundwater is considered possible due to the mapped soil classification and geology (Sections 2.3.1 & 2.3.2).

Aquifer Volume Reductions

The Project will involve the establishment of two groundwater production bores for use during daily operations. Groundwater will be pumped from aquifers and stored onsite for future use. There is little available data regarding groundwater presence and volumes. However, given the scale of operations and type of processing activity, a lasting effect on groundwater volumes is not expected.

The Project involves the processing of Biodunder which will undergo filtration and pasteurisation to remove water and create the Polygain product. Wastewaters produced by the processing of Polygain is then used for irrigation. The use of water for Polygain processing is expected to be limited to providing fire suppression, sanitation, and facility maintenance.



4.1.2.5 Groundwater Quality Objectives

Groundwater quality is not prescribed. Groundwaters are to be managed in a way that minimises impact to environmental values as groundwater comes to surface via natural seepage or via bores. However, the ANZECC Guidelines to not supply trigger values for groundwaters.

The quality of groundwater varies dependant of factors including (but not limited to);

- the geology of which groundwater is situated within;
- infiltration rates and volumes; and
- surrounding impacts (discharge recharge to groundwaters);

Given variations typically encounter in groundwaters, it is envisaged that site specific WQO will be developed in the absence of WQO derived from the EPP Water, Australian and New Zealand Guidelines for Fresh and Marine Water Quality or ANZECC guidelines. Generally, site specific WQOs will be derived from data collected from the to-be established groundwater production bores. Details of the deriving site specific WQOs from Project groundwater bores will be outlined in a Groundwater Monitoring Program.

4.1.2.6 Proposed groundwater management measures

4.1.2.6.a Monitoring and Reporting

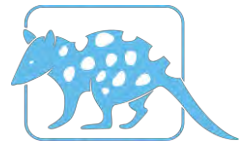
A Groundwater Monitoring Program (GMP) will be developed to determine the presence/absence of aquifers. If aquifers are identified, the GMP will derive site specific WQOs in the absence of regulatory supplied WQOs. The GMP will require groundwater monitoring bores to be established around the Project area to allow groundwaters to be sampled and analysed. The GMP will be developed and will include:

- parameters to be monitored;
- bore establishment methodologies;
- sampling methodologies and requirements;
- background and operational monitoring intervals;
- monitoring locations; and
- analytical methods to determine site specific trigger values.

4.1.2.6.b Unplanned and Uncontrolled Releases

Unplanned and uncontrolled releases to groundwater will be managed in accordance with an Environmental Management Plan. The uncontrolled release response will be dependent on the substance discharged to ground or directly to groundwaters. Uncontrolled releases response will follow the following structure:

- worker identifies and remediates the release (where possible);
- incident reported to Supervisor;



- supervisor reports incident to Health Safety and Environment (HSE) officer;
- if the contamination persists, HSE officer advises the most appropriate rehabilitation measure; and
- if environmental harm has occurred, the DES will be notified.

4.1.3 Springs

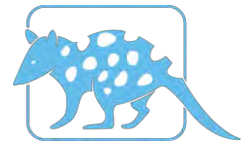
There are no springs identified within the vicinity of the Project. It is not expected that the project will have an impact on springs.

4.1.4 Groundwater Dependant Ecosystems

There are no Groundwater Dependant Ecosystems (GDEs) identified within the vicinity of the Project. It is not expected that the project will have an impact on GDEs.

4.1.5 Wetlands

There are no wetlands identified within the vicinity of the Project. It is not expected that the Project will have an impact on wetlands.



4.2 Environmental Value – Land

4.2.1 Potential Impacts to Land

4.2.1.1 Construction

Land disturbance will be confined to the construction of the processing facility and the installation of irrigation infrastructure (See Figure 3).

Land disturbance in the vicinity of the processing facility will involve

- minor clear and grubbing of the already disturbed process facility footprint,
- cut and fill to create a stable landform;
- construction of the Stage 1 and Stage 2 sheds;
- construction access road
- installation of infrastructure including sprinklers, plumbing, pumps, drainage, diversion bunding;
- establishment of orchard trees; and
- installation of ESC features (Section 4.1.2.2).

It is expected that spoil produced by the establishment of the Project will be sodic. Soil stabilisation may be required for reuse during construction activities elsewhere on the Project.

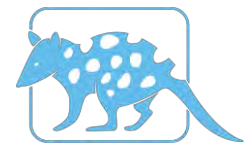
4.2.1.2 Operation

Once construction is completed, it is not expected that the facility will have additional impacts to land. Mitigation measures for unregulated impacts to land by the processing facility are outlined in Section 4.2.2.6.

Wastewater will be pumped from the processing facility and applied to the irrigation area via above ground sprinkler systems (Section 1.5 and Section 4.1.1). The quality of wastewaters is expected to be like other similar Biofuel processing biproduct facilities as per Table 8. Application of wastewaters will be confined to the irrigation areas. Erosion and Sediment Control features may be installed to prevent wastewater leaving the Project area in an uncontrolled manner and prevent damage to irrigation areas (Section 4.1.2.2). It is not expected that land outside of the Project will be impacted. Mitigation measures for Project land impacts are outlined in Section 4.2.2.

4.2.1.3 Wastes

Wastes other than wastewater produced by the Projects daily activities include general wastes, regulated wastes such as oils and fuel, and recyclables. Wastes will be managed accordingly as per Section 4.2.2.2



4.2.1.4 Potential Releases

4.2.1.4.a Irrigation

The Project will involve the release of wastewaters to land via irrigation infrastructure (Section 1.5). Wastewaters produced by the Polygain facility will be stored in wastewater storage tanks prior to being pumped to the irrigation area and released via overland sprinkler systems. Sprinkler systems will discharge wastewater at a rate of 2.2mm/hour over an area of approximately 1 ha. No more than 40,000L of wastewater will be irrigated on a daily basis.

The ability of land to assimilate wastewater is dependent on the soil characteristics, vegetation type, geology, groundwater, climate, and project specifications. The extent of the Project land to assimilate wastewater is unknown however, potential impacts to land as a result of wastewater application are outlined in Table 9.

Table 9: Potential Impacts to Land

| Impact | Potential Outcome |
|---|---|
| Erosion of soil: | Improper wastewater application resulting in runoff, and the transport of sediment from the Project area. |
| Soil saturation | Improper irrigation waters resulting in soil becoming saturation. Soil not able to support vegetation, resulting in dieback. |
| Soil salinity | Application of wastewater and evaporation may result in elevated salinity levels, resulting in vegetation damage. |
| Soil dispersion | Wastewaters may disperse sodic soils, accelerating erosion. |
| Elevated nutrients | Elevated nutrients due to irrigation of wastewater could result in damage to vegetation. |
| Change in Ecological Communities | Elevated soil saturation may result in vegetation community impacts. Water tolerant vegetation (melaleucas etc.) may become dominant. |

4.2.1.4.b Unplanned Releases

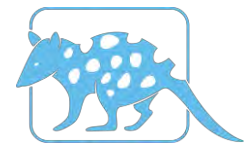
No releases of contaminants other than irrigation wastewater are planned. Unplanned or unregulated releases will be managed in accordance with Section 4.2.2.6.

4.2.1.5 Impacts to Biodiversity

The Project area is situated on land categorised as

- Category B – Remnant Regional Ecosystem – Least Concern; and
- Category X – Non-Remnant – Least Concern.

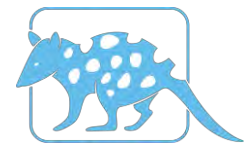
The Project will involve the clearing the vegetation to establish the processing facility. Clearing of vegetation will have an impact on the vegetation and fauna which utilise this area. There are a range of activities associated with the construction phase that may cause negative impacts to native flora and fauna (Table 10). Although the development requires the removal of remnant vegetation on the Project Site, the area to be



cleared is minor, and mitigation measures can ensure that the proposed impacts to native fauna and flora is minimised so that ecological values of the local region are retained.

Table 10: Potential Impacts to Fauna and Flora

| Activity | Potential Impact |
|---|---|
| Vegetation clearing and earthworks | <p>Native flora and fauna are most at risk during clearing and earthworks phase of the Project. Clearing without appropriate measures (e.g. fauna spotter catcher) can lead to direct mortality of fauna species, which could otherwise be avoided.</p> <p>Habitat loss can lead to detrimental impacts to native flora and fauna, although, it is an accepted impact associated with this project.</p> <p>Vegetation clearing may lead to minor habitation fragmentation and may increase the presence of artificial barriers in the local area. Habitat fragmentation may disturb the foraging/ breeding and roosting patterns of native fauna. Habitat fragmentation may also lead to impacts associated with the edge effect (e.g. increased predator access).</p> |
| Weed dispersal | <p>The proposed clearing will degrade the Project Site, allowing for weed colonisation. Weeds have a significant competitive advantage in establishing on disturbed ground. Therefore, the cleared areas will likely be colonised by weed species rather than native species. An increase in weeds throughout the Project Site may lead to:</p> <ul style="list-style-type: none"> – Increased risk of fire; – reduction of native biodiversity; and – increased habitat and resource competition for native species. |
| Improper waste disposal | <p>Pest animal species are often opportunistic, exploiting areas that provide easy food sources. Food scraps and cleared material can act as food sources to pest animals. An increase in pest animals on the Project Site can lead to a range of detrimental impacts to native fauna and flora including:</p> <ul style="list-style-type: none"> – habitat degradation (e.g. burrowing, rooting); – increased predation; and – increased competition for resources (e.g. hollows). |
| Road and infrastructure construction | <p>The construction of roads and infrastructure associated with this Project is likely to generate air, light and emissions. An increase in particulate matter, particularly dust, can prevent flora species from performing critical chemical reactions, such as photosynthesis. Excessive light associated with the constructions works can act as light pollution, which has the potential to impact the receiving environment. Nocturnal fauna can be particularly susceptible to the impacts of light pollution. Typical impacts associated with excessive lighting includes:</p> <ul style="list-style-type: none"> – increased risk of predation (fauna that utilise dark conditions to avoid predator detection); – disruption of foraging behaviour (unable to avoid predator detection, therefore, avoid foraging); and <p>Excessive noise and vibrations has the potential to cause an array negative impacts to fauna that rely on sound for daily activities such as resource/prey identification and predator avoidance. Species most impacted include: birds, bats, amphibians and reptiles.</p> |



4.2.2 Proposed Management Measures

4.2.2.1 Avoidance

- Clearing and disturbance of native vegetation and habitat for the Project will be restricted to least concern vegetation areas.

4.2.2.2 Waste management

All general and regulated wastes (e.g. Oils, Septic wastes etc.) produced by the processing facility will be stored in on site skip bins, separated by waste streams (i.e. plastics, cardboard, general etc.). Skip bins will be collected at set intervals by registered waste collection contractors and delivered to waste processing facilities. Wastes are further outlined in Section 4.5.

4.2.2.3 Land disturbance

4.2.2.4 Environmental Management Plan

To mitigate the environmental impacts of the Project construction, an Environmental Management Plan (EMP) will be prepared by a suitably qualified person for the construction and operational phases of the Project. The construction objectives of the EMP will be to:

- facilitate achievement of environmental standards and establish systems and arrangements to ensure compliance with relevant standards;
- avoid, mitigate, and manage potential environmental impacts which may or are likely to cause environmental harm;
- ensure appropriate and timely responses to environmental incidents, emergencies, and other unforeseen events which may cause environmental harm;
- facilitate monitoring, communication, and reporting of environmental compliance, incidents, and responses; and
- outline the roles and responsibilities of all personnel.

4.2.2.5 Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) will be prepared for the construction and operational phases of the development. The ESCP will be prepared by a suitably qualified ESCP professional and facilitate the key objectives of ESC set by the IECA Best Practice Erosion and Sediment documents. The ESCP will:

- appropriately integrate the development into the site;
- integrate erosion and sediment control issues into site and construction planning;
- develop effective and flexible Erosion and Sediment Control Plans based on anticipated soil, weather, and construction conditions;



- minimise the extent and duration of soil disturbance;
- control water movement through the site;
- minimise soil erosion;
- promptly stabilise disturbed areas;
- maximise sediment retention on the site;
- always maintain all ESC measures in proper working order; and
- monitor the site and adjust ESC practices to maintain the required performance standard.

4.2.2.6 Unplanned and uncontrolled releases

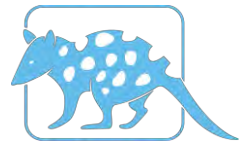
Unplanned and uncontrolled releases will be managed in accordance with an Environmental Management Plan. The uncontrolled release response will be dependent on the substance discharged to ground or receiving environment. Uncontrolled releases response will follow the following structure:

- Worker identifies and remediates the release (where possible);
- Incident reported to Supervisor;
- Supervisor reports incident to Health Safety and Environment (HSE) officer;
- If the contamination persists, HSE officer advises the most appropriate rehabilitation measure; and
- If environmental harm has occurred, the DES will be notified.

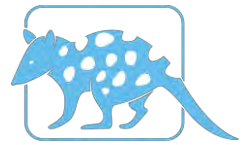
4.2.2.7 Biodiversity

The Project will involve the clearing and disturbance of vegetation, and the removal of habitat features. To ensure that impacts to vegetation and land are minimised to the greatest extent possible, the EMP will be implemented. The EMP will include details that will ensure that:

- Clearing and disturbance limits are to be clearly delineated and pegged out to avoid unpermitted clearing and reduce the disturbance footprint;
- Weeds and pests are managed appropriately;
- Implement erosion and sediment control measures in accordance with an Erosion and Sediment Control Plan;
- Dust suppression to be implemented in areas of high risk (e.g. exposed soils, stockpiles) during dry and/ or windy conditions;
- Maintain vehicles and machinery according to manufacturer specifications; and
- Rehabilitate disturbed land as soon as practical.



-
- Where clearing occurs, staged clearing will allow for animals to leave the clearing area. Staged clearing will occur starting from the point furthest from the habitat to be retained and progress towards remaining habitat to encourage fauna to flee into suitable remaining habitat.
 - All equipment used for clearing and construction will be maintained in good working order and shielded to reduce noise pollution if possible;
 - Fit and maintain appropriate mufflers on machinery used on-site;
 - Daily inspections of active construction areas to ensure, where necessary, fauna is relocated to avoid injury or mortality; and
 - Establishment of designated access tracks and speed restrictions to avoid fauna collision.



4.3 Environmental Value – Noise

4.3.1 Sensitive Receivers

In accordance with *EPP (Noise) 2019*, sensitive receptors relevant to this Project include:

- dwellings; and
- protected areas.

The Project is situated approximately 2.5 km north east of the village of Southedge and 5km to the south east of the township of Mount Molloy. The Mount Molloy Airstrip is approximately 1km south west from the Project. Within a 2km radius of the Project, there is one residential dwelling approximately 1.3km from the Project. All sensitive receivers within a 5km radius are displayed in Figure 17.

4.3.2 Background Noise Levels

The Project is situated directly east of the Kuranda National Park. The Project is relatively un-disturbed with regrowth and remnant vegetation dominant. There are no current buildings or infrastructure within the Project area.

The Project currently has little to no background noise emission, background noise from the facility is confined to vehicle movements. In addition, the surrounding environment most likely has ambient noise levels which may be described as naturally quiet. Naturally quiet is best explained as the natural ambient conditions or the sound of nature. Natural quiet is important factor for consideration in the planning and management of amenity and is taken to generally include the sounds generated by natural physical and biological elements such as wind, water, birds, and weather. Therefore, naturally quiet sound level will vary accordingly.

4.3.3 Acoustic Quality Objectives

Schedule 1 of the *EPP (Noise) 2019*, details acoustic quality objectives to be achieved, to protect or enhance EVs. The EVs to be enhanced or protected under this policy are:

- a) The qualities of the acoustic environment that are conducive to protecting the health and biodiversity of ecosystems; and
- b) The qualities of the acoustic environment that are conducive to human health and wellbeing, including by ensuring a suitable acoustic environment for individuals to do any of the following –
 - a. Sleep;
 - b. Study or learn;
 - c. Be involved in recreation, including relaxation and conversation; and
 - d. The qualities of the acoustic environment that are conducive to protecting the amenity of the community.

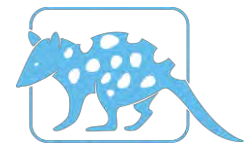
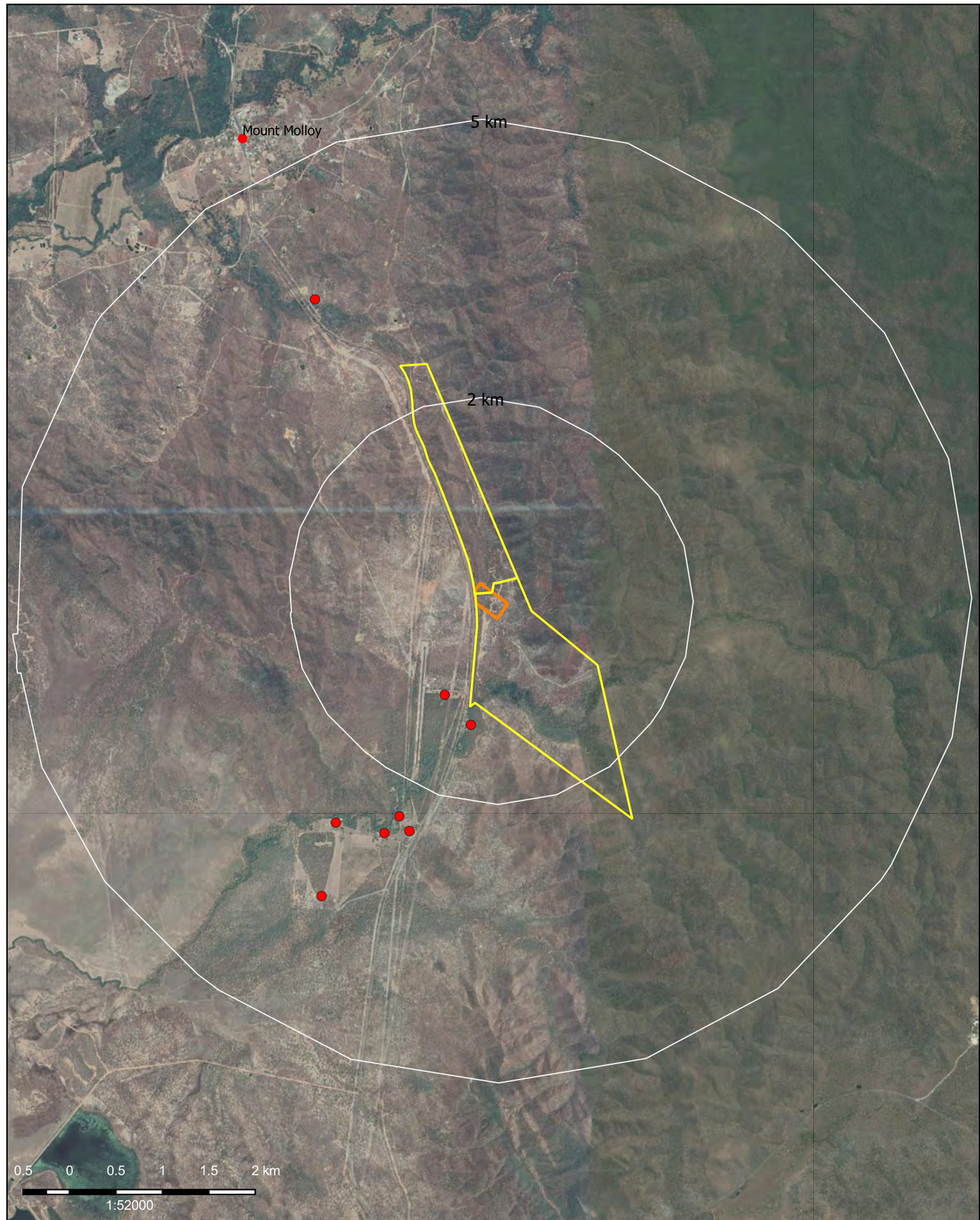


Table 11. Acoustic Quality Objectives.

| Sensitive Receiver | Time of Day | Acoustic Quality Objective | | | EV |
|--|--|--|----|----|--|
| Dwelling (Outdoors) | daytime and evening | 50 | 55 | 65 | health and wellbeing |
| Dwelling (Indoors) | daytime and evening | 35 | 40 | 45 | health and wellbeing |
| | night-time | 30 | 35 | 40 | health and wellbeing, in relation to the ability to sleep |
| Library and educational institution (Indoors) | when open for business or when classes are being offered | 35 | | | health and wellbeing |
| Childcare Centre of Kindergarten (Indoors) | when open for business, other than when the children usually sleep | 35 | | | health and wellbeing |
| Childcare Centre of Kindergarten (Indoors) | when the children usually sleep | 30 | | | health and wellbeing, in relation to the ability to sleep |
| School or playground (Outdoors) | when the children usually play outside | 55 | | | health and wellbeing, and community amenity |
| Hospital, surgery, medical institution (Indoors) | visiting hours | 35 | | | health and wellbeing |
| Hospital, surgery, medical institution (Indoors) | anytime, other than visiting hours | 30 | | | health and wellbeing, in relation to the ability to sleep |
| Commercial and retail (Indoors) | when the activity is open for business | 45 | | | Health and wellbeing, in relation to the ability to converse |
| Protected area, or an area identified under a conservation plan under the Nature Conservation Act 1992 as a critical habitat or an area of major interest (Outdoors) | anytime | the level of noise that preserves the amenity of the existing area or place | | | health and biodiversity of ecosystems |
| Marine park under the Marine Parks Act 2004 (Outdoors) | anytime | the level of noise that preserves the amenity of the existing marine park | | | health and biodiversity of ecosystems |
| Park or garden that is open to the public for use other than for sport or organised entertainment (Outdoors) | anytime | the level of noise that preserves the amenity of the existing park or garden | | | community amenity |



**The Product Makers
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Figure 17: Sensitive
Receivers

Legend

- Lot Boundaries
- Distance Buffer
- Dwelling
- Project Location

Job number: JW201299
 Coordinate reference system: GDA 2020
 Date 2 April 2020





4.3.4 Summary of Impacts

Noise sources are generally characterised as either mobile or stationary sources of noise.

4.3.4.1 Construction Noise Sources

Stationary Noise

Construction of the Processing facility and land preparation of the irrigation areas will emit stationary noise including (but not confined to)

- generators;
- pumps and filters;
- air conditioner units; and
- compressors.

Mobile Sources

Construction of the Processing facility and land preparation of the irrigation areas will emit stationary noise including (but not confined to)

- earthmoving machinery;
- handheld power tools;
- light vehicle movements;
- plant (e.g. forklifts, front end loaders); and
- loading/unloading of trucks.

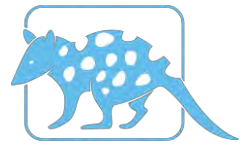
4.3.4.2 Operational Noise Sources

Stationary Sources

The Project will involve the operation of the processing facility and irrigation areas. The main source of noise from the Project will be emitted by the processing facility (but may not be confined to):

- processing equipment outlined in Section 1.5;
- pumps and filters;
- discharge water pumps and filters;
- air-conditioning units;
- compressors; and
- generators.

Mobile Sources



Mobile sources of noise will be generated variably day to day. These sources include (but may not be confined to):

- loading/unloading of trucks;
- plant (e.g. forklifts, front end loaders)
- light vehicles;
- vehicle movements;
- reversing alarms; and
- site maintenance (e.g. repairs, grounds keeping etc.).

4.3.4.3 Emission Characteristics

Stationary plant including pumps, generators and air conditioning units will be operated continuously, or as required. It is considered that the sound emitted will be tonal, at a predictable, low frequency (discrete note) with low attenuation. The effect low frequency tonal noise will have on sensitive receivers, is expected to be minimal.

Noise emissions from mobile sources will be a combination of tonal and impulsive noise. Mobile plant such as vehicle movements will be characterised by low, tonal sound. Safety alarms and loading/ unloading activities may produce intermittent impulsive noise. However, it is expected that impulsive noise will be kept to a minimum, where a complaint is received from a sensitive receptor, an investigation will be undertaken to prevent reoccurrence.

4.3.4.4 Noise Management Hierarchy

The *Environmental Protection Policy (Noise) 2008* Part 4, outlines the noise management hierarchy for activities which emit noise. The hierarchy categorises noise management priorities, to an extent that is reasonable to do so. The noise management hierarchy for the Project, is outlined below. Further detail into noise management is provided in Section 4.3.4.5.

Avoid

Noise avoidance measures aim to remove potential noise sources from a development where possible. Given the Project requires stationary plant to be operating continuously, noise avoidance is restricted to mobile plant. Excess mobile plant noise may be removed by:

- designing additional infrastructure in a way to reduce the need for alarms (reversing etc);
- conducting activities not required for the continuous operation of, during normal daily operational hours (e.g. Monday to Friday 6am – 5pm); and
- implementing speed limits to reduce braking and improve safety.



Minimise

The Project will produce discrete tonal noise via day to day operations as well as some instances of impulsive noises such as thumps and bangs. These noises may be reduced by:

- ensuring that all equipment is maintained in accordance with manufacturers requirements;
- positioning noise generating infrastructure, to not impact on sensitive receivers; and
- shutting down plant not in use.

Manage

It is not expected that infrastructure or plant will produce high levels of noise. Therefore, management of noise emissions will be conducted in accordance with manufacturers specifications.

4.3.4.5 Proposed Management Practices

The impact of noise from the project, on sensitive receivers is predicted to be minimal. However, appropriate management practices/strategies are to be implemented to address the risk of impact to sensitive receivers. Proposed noise management practices for the Project are outlined below.

Operational Noise

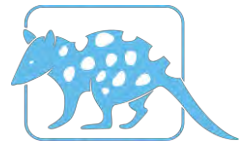
The following operational noise mitigation measures are proposed to be implemented:

- where practical, operations which may cause elevated noise are to be conducted during normal daily operational hours (e.g. Monday to Friday 6am – 5pm);
- plant is to be turned off when not in use;
- ensure plant is maintained, or replace equipment where required;
- arrange temporary work sites in a way to minimise the need for movement alarms and mobile plant; and
- locate loud plant away from potential sensitive receivers.

Community Notification and Complaints

The following actions shall be undertaken in relation to community notifications and complaints management:

- maintain positive community relations with the surrounding sensitive receivers;
- notify the community of works which may cause elevated noise emissions above regular operational noise levels;
- provide contact details at the entrance to the Project;
- maintain a complaint register and rectify issues raised by complaints in a prompt and response manner;
- Upon the receipt of a complaint regarding the emission of noise, The Product Makers will:



- take any actions necessary to resolve the complaint including the use of appropriate dispute resolution if required; or
- implement noise abatement measures until all emissions of noise from the activity does not result in sound pressure levels at the effected noise sensitive place.

Personnel

All personnel are required to maintain a General Environmental Duty whilst also adhering to The Product Makers management requirements. All personnel shall undertake site inductions in relation to noise mitigation measures and notify The Product Makers management of any community complaints or feedback.



4.4 Environmental Value – Air

4.4.1 Sensitive Receivers

The EPP (Air) does not detail what constitutes as a sensitive receiver. However, a sensitive receiver for noise is often correlated as a sensitive receiver for air pollution.

The Project is situated approximately 2.5 km north east of the village of Southedge and 5km to the south east of the township of Mount Molloy. The Mount Molloy Airstrip is approximately 1km south west from the Project. Within a 2km radius of the Project, there is one residential dwelling approximately 1.3km from the Project. All sensitive receivers within a 5km radius are displayed in Figure 17.

4.4.2 Surrounding Environment

The surrounding environment includes the Kuranda National Park to the east, rural vegetated land to the north and south, and the Mulligan Highway to the west of the Project. The limit of disturbance of the Project area are access tracks, with no dwellings within Lot 2 and Lot 3 on SP298325. Full descriptions of the environmental setting are included in Section 2.

4.4.3 Background Air Emissions

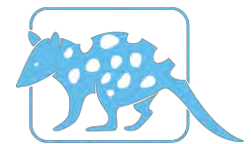
The Project currently has little background air emissions, background air emissions from the Project area are considered to be comparable to native ecosystems and grazing activities.

4.4.4 Air Quality Objectives

Schedule 1 of the EPP (Air) outlines air quality objectives for the protection or enhancement of the Environmental Values. Air Quality objectives applicable to the Project are summarised in Table 12 below.

Table 12. Air Quality Objectives.

| Indicator | Environmental Value | Air Quality Objectives | | Period | Days |
|--|-----------------------|--|------------------------|--------|------|
| | | µg/m ³ at 0°C (except where noted) | ppm (volume/volume) | | |
| Arsenic and compounds (measured as the total metal content in PM10) | Health and well-being | 6 ng/m ³ | | 1 year | |
| Benzene | Health and well-being | 5.4 | 0.002 | 1 year | |



| Indicator | Environmental Value | Air Quality Objectives | | Period | Days |
|--|---------------------------------------|--|------------------------|----------|-----------------|
| | | µg/m ³ at 0°C (except where noted) | ppm (volume/volume) | | |
| Benzo(a)pyrene (as a marker for polycyclic aromatic hydrocarbons) | Health and well-being | 0.3 ng/m ³ | | 1 year | |
| Cadmium and compounds (measured as the total metal content in PM10) | Health and well-being | 5 ng/m ³ | | 1 year | |
| Carbon Monoxide | Health and well-being | 11 mg/m ³ | 9 | 8 hours | 1 day each year |
| Nitrogen Dioxide | Health and well-being | 250 | 0.12 | 1 hour | 1 day each year |
| | | 62 | 0.03 | 1 year | |
| | Health and biodiversity of ecosystems | 33 | 0.016 | 1 year | |
| PM _{2.5} | Health and well-being | 25 | | 24 hours | |
| | | 8 | | 1 year | |
| PM ₁₀ | Health and well-being | 50 | | 24 hours | |
| Total Suspended Particles | Health and well-being | 90 | | 1 year | |



4.4.5 Summary of Impacts to Air

4.4.5.1 Emission Sources

The processing facility will be powered by an Ergon Energy via 22,000kv main grid connection. All processing activities will be an enclosed, with limited air emissions. Emissions which are generated, will be limited to odours from processing, exhaust from mobile plant and light vehicles, nuisance dust from exposed ground. It is not expected that the facility will generate significant air emissions.

Stationary Sources

Air emissions from stationary sources include (but are not confined to):

- generators;
- exhaust (processing activities; air conditioning units etc.);
- fumes from processing of raw material; and
- bare ground.

Mobile Sources

Air emissions from stationary sources include (but are not confined to):

- exhaust from light vehicles;
- exhaust heavy vehicles (e.g. transport trucks etc);
- exhaust mobile plant (e.g. forklifts, tractors etc.); and
- odours from wastes.

4.4.5.2 Emission Characteristics

Particulate Matter

Particulate Matter from Project has the potential to be produced during construction and operational phases of the Project. This includes instances where bare ground is exposed (e.g. unsealed roads, hardstand areas etc.) resulting in nuisance dust. Broadly, it is considered that 120 mg/m²/day is a suitable limit for dust deposition to evaluated nuisance at sensitive receivers, particularly for monitoring during construction activities. Given the scale of operations, it is not expected that Particulate Matter will impact sensitive receivers.

Visibility Reducing Particles

Visibility reducing particles (VRPs) are particles <1µm that may obscure visibility. VRPs from the development and operation of the Project may be generated as a result of construction activities. To protect the



Environmental Values of sensitive receivers, VRPs should not obscure visibility over a 20 km distance, for longer than 1 hour. Given the scale of operations, it is not expected that Visually reducing particles will impact sensitive receivers.

Fossil Fuel Emissions

Light vehicles and mobile plant will burn diesel as fuel. Diesel combustion results in the emission of:

- Carbon Monoxide (CO);
 - Nitrogen Oxides (NOx);
 - Hydrocarbons (HC); and
 - Particulate Matter (PM).
- Give the scale of operations, it is not expected that emissions to air from the Project will have an impact on sensitive receivers.

Odour

Odour can be produced by the Project as a result of processing activities and waste production. However, given that there are no sensitive receivers within the vicinity of the Project, odours are expected to be minimal and therefore not impact sensitive receivers.

4.4.6 Proposed Management Practices

The impact of air emission from the Project, on sensitive receivers is proposed to be minimal. One sensitive receiver (residential dwellings) has been identified within a 2 km radius from the Project. However, impact to this sensitive receiver is expected to be minimal with the property positioned upwind of project during dominant wind conditions (Figure 7 and Figure 8). Appropriate management practices strategies are to be implemented to address the risk of impact to sensitive receivers, as detailed below.

4.4.6.1 Construction Management Measures

Construction air quality management measures will be focussed on reducing emissions created during land preparation and infrastructure construction. Management measures will include the following:

- construction activities occurring Monday to Saturday (6am - 5pm);
- mobile plant and LVs are to be will maintained and replaced as required;
- utilise dust suppression techniques on bare earth (e.g. water carts);
- Implement exclusion zones where applicable; and
- Implement speed limits.



4.4.6.2 Operational Management Measures

The following operational air emission management measures are proposed to be implemented:

- operations during normal daily operational hours;
- plant is to be turned off when not in use;
- ensure plant is maintained, or replace equipment where required;
- arrange temporary work sites in a way to minimise the need for surface disturbance;
- implement site speed limits to reduce the disturbance of soil; and
- utilise dust suppression techniques if deemed necessary (e.g. water carts).

4.4.6.3 Community Notification and Complaints

The following actions shall be undertaken in relation to community notifications and complaints management:

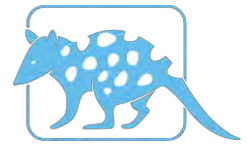
- maintain positive community relations with the surrounding sensitive receivers;
- notify the community of works which may cause elevated air emissions above regular operational noise levels; and
- provide contact details at the entrance to the Project.
- maintain a complaint register and rectify issues raised by complaints in a prompt and response manner;

Upon the receipt of a complaint regarding the air emission, The Product Makers will:

- log the complaint in the complaints record;
- review conditions at the time of the complaint (atmospheric conditions etc.);
- review current operations ;
- conduct investigative monitoring; and
- implement any further controls as deemed necessary.

4.4.6.4 Personnel

All personnel are required to maintain a General Environmental Duty whilst also adhering to The Product Makers management requirements. All personnel shall undertake site inductions in relation to noise mitigation measures and notify The Product Makers management team of any community complaints or feedback.



4.5 Environmental Value – Waste

4.5.1 Types of waste

Waste includes anything other than an end of waste resource, that is either- left over, or an unwanted byproduct, from an industrial, commercial, domestic or other activity or surplus to the industrial, commercial, domestic or other activity generating the waste.

The process of creating Polygain from fermented sugar cane extract creates minimal waste, with 100 percent of all solids from raw material being processed into Polygain or permeate which will be used as cattle feed. The primary waste from the Project is wastewater produced from plant processing. As raw material passes through the permeate balance tank and/ or separator tank, the solids are separated and stored for transport.

Other secondary wastes produced from daily activities include general wastes, regulated wastes and recyclables.

4.5.1.1 Waste generation processes

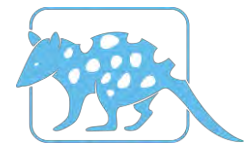
- General wastes will be produced by the Project. The Product Makers workforce will generate general waste as a result of day-to-day operations. As generated, recyclable materials and general waste will be separated by employees and stored in appropriate storage devices.
- The wastewater is produced during the processing of Polygain, as material passes through the permeate balance tank and/or separator tank membrane solids are removed and exported, leaving waste waters behind. The wastewater will be stored in holding tanks prior to being pumped from the processing facility to the irrigation areas. Wastewaters will then be applied to land and fruit trees via irrigators.

4.5.1.2 Storage and Removal

General and Regulated Wastes

All wastes produced on site other than wastewater are confined to wastes produced by general daily activities. General wastes and recyclables will be stored in either 5m tilt skip bins or 15m Roll On Roll Off (RORO) skip bins. Recyclables will be separated by employees and stored in marked waste stream skips. A registered waste removal contractor will remove wastes from the Project.

All regulated wastes (oils, chemicals etc.) will be stored individually to reduce the chance of a chemical reaction between substances. All regulated wastes will be contained within bunded areas with the capacity to store 110% of the total volume, or self-bunded. All regulated wastes will be collected and transported off site by registered waste removal contractors. A waste certificate will be generated, of which The Product Makers will keep records of on-site.



A septic system will be constructed for the storage and treatment of effluent. Raw sewage will be diverted and stored within on-site septic systems where the material will undergo anaerobic digestion. Treated effluent stored will be applied to land via underground septic irrigation. Sludges created by the effluent treatment process will be collected as required by certified waste contractors and removed offsite. A waste certificate will be generated, of which The Product makers will keep records of on-site

Wastewater

The processing of Biodunder to create Polygain will result in the creation of nutrient rich wastewater requiring disposal. Wastewaters will be collected from the processing facility and stored in wastewater tanks. The wastewaters will be pumped from storage tanks to the irrigation areas. Irrigation will occur at a rate of 2.2mm per day over an 8-hour period. Further details into wastewater quality and management are included in Section 4.1.1.

4.5.2 Proposed management practices

4.5.2.1 Monitoring and reporting

The Product Makers environmental representative will be responsible for ensuring waste management is conducted in an environmentally sound manner. The environmental representative will:

- conduct daily workplace environmental inspections focusing of wastes.
- monitor the volumes of wastes being produced.
- organise waste pickups; and
- maintain the regulated waste registers.

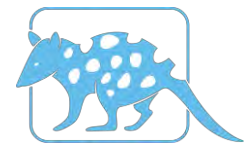
Wastewaters will be managed as per Section 4.1.2

4.5.2.2 Maintenance

The Product Makers environmental representative will be responsible for ensuring that wastes are disposed of appropriately. Any waste disposal structures or wastewater irrigation network which require maintenance will be identified by the environmental representative and addressed accordingly.

4.5.2.3 Exposure minimisation

All personnel will be required to wear Personnel Protective Equipment (PPE) if handling regulated wastes. All personnel required to handle regulated waters will be trained in how to conduct the activity appropriately. All was the vessels are to be sealed appropriately to prevent vermin from entering and prevent fumes from escaping.



5. Environmental Risk Assessment

5.1 Overview

An assessment of risk to the environment has been undertaken as in regard to the proposed activity with consideration given to the DES guidance documentation and Australian and New Zealand Standard (AS/NZS) for Risk Management – Principles and Guidelines (ISO31000:2009).

5.1.1 Risk Criteria

Given the risk assessment is being undertaken independently of The Product Makers, Wild Environmental propose the following generic criteria:

- Any initial risks greater than “Low” must be mitigated to reduce the residual risk;
- Construction of the project should not result in any residual risk ratings of High;
- Risks must be reduced to as low as reasonably practicable;
- Maintain surrounding air quality; and
- Maintain noise levels.

5.2 Risk Identification

Risk identification involves the identification of risk sources, events, their causes, and their potential consequences. For risks to environmental values, identifying risks involves identifying hazards, values which are sensitive to those hazards, likelihood of exposure and the potential impact to those values from the hazard.

Wild Environmental have developed a comprehensive list of risks based on events that might create, enhance, prevent, degrade, accelerate or delay impacts to the environment, based on the best available information, however, this does not describe every possible outcome. This risk assessment has been reviewed and verified by The Product Makers.

A risk event happens when one of the environmental values is exposed to a hazard to which that value is sensitive. It is noted that hazard identification is a dynamic and ongoing process and should be reviewed throughout the development of the project. In considering the hazards, the risk assessment also looks at the factors associated with the activity. For example, the factors may include the magnitude, frequency and duration of an activity including any inherent avoidance or mitigation measures considered as part of the overall proposal.



The main potential hazards associated with the project are identified as:

- Uncontrolled release of wastewater to surface waters

5.2.1 Is there a risk?

To determine whether a risk will or will not occur to an environmental value, an assessment is made about whether the activity will lead to exposure of the value to a hazard to which it is sensitive. An impact is only able to occur when:

- The value is sensitive to the hazard; and
- The value may be exposed to the hazard.

5.3 Risk Analysis

This section develops an understanding of the risks and their nature, including the magnitude of consequences and their likelihoods and therefore derives the level of risk. This is to enable an evaluation of whether risk treatment is needed.

In order to consider the causes and sources of risks and their potential impacts, it is important to develop some criteria around the level of sensitivity and exposure of environmental values to hazards.

5.3.1 Sensitivity

Sensitivity determines if the way in which a value responds to a hazard, changes that value and creates an impact. The sensitivity range is low to high as well as uncertain shown in the table below.

Table 13. Sensitivity Ranking.

| Sensitivity | |
|-----------------------|--|
| Low sensitivity | Value is not known to be affected by the hazard. |
| Medium sensitivity | Value is known to be slightly affected by the hazard (sub-lethal effects). |
| High sensitivity | Hazard has well-documented negative impacts on the value (lethal effects are possible). |
| Uncertain sensitivity | There is a high degree of scientific uncertainty, or no knowledge about the value's sensitivity. |

5.3.2 Exposure

Exposure is the path by which a value is exposed to a hazard. There are many ways in which sensitive environmental values may be exposed to hazards. These are detailed in Table 14.

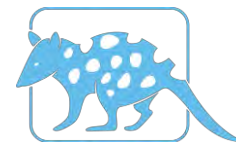


Table 14. Exposure Mechanisms.

| Exposure Assessment Parameter | Examples |
|-------------------------------|--|
| Release event/ mechanism | Hazardous chemical spill, leak, seepage, odour or dust release, equipment failure or accident. |
| Exposure pathway media | Surface water, groundwater, air, sediment, soil. |
| Fate and transport mechanisms | Processes such as mixing, dispersion, plumes, chemical reactions (e.g. oxidation or dissociation). |
| Reception mechanisms | Absorption, inhalation, root uptake or bioavailable contaminants, uptake from soil, water. |

The objective of exposure assessment is to identify critical pathways reflecting how the hazard will interact with the value. For ease of reference, we have developed a qualitative measure for ranking exposure:

- Low exposure: The value is not known to occur in the zone of impact;
- Medium exposure: The value has occasionally been reported in the zone of impact;
- High exposure: The value is known to occur in the zone of impact;
- Uncertain: There is a high degree of scientific uncertainty regarding the potential exposure.

5.3.3 Confidence Level/ Uncertainty

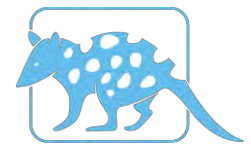
Confidence in the determination of the level of risk and its assumptions is considered in this analysis. Due to the predictive nature of this assessment, there may be uncertainties which arise from several areas, such as:

- Lack of (historical) information for similar situations;
- Lack of clear definition or understanding of the project activities;
- Natural variability; and
- Assumptions required for predictive forecasting.

Where confidence is recorded as low, it may be appropriate to reduce the level of uncertainty by conducting further research/analysis or making conservative assumptions.

An assessment of confidence level for the risks has been conducted to provide indication of confidence in the risk rating of the potential environmental impacts. Confidence is ranked in the following way:

- High confidence – Clear understanding of the project activities, complete and high quality survey data, long-term monitoring results available, modelling and predictive assumptions conducted and calibration shows good adherence to real occurrences;

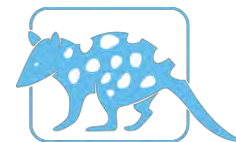


- Medium confidence – Defined project activities with gaps in less critical project activities, some survey data available, short-term monitoring results available, and modelling and predictive assumptions conducted but calibration shows occasional aberration from occurrences; and
- Low confidence – Unclear project activities or project activities subject to change, no survey data, no modelling conducted or calibration failed, and inadequate information.

Following the identification of risks, events or impacts are given a qualitative consequence rating. This considers the scale and type of impact, spatial and temporal scales, and recovery mechanisms. The descriptors range from positive to catastrophic. Table 15 outlines the definitions of consequence, which are based on a balance of science, policy, and professional experience.

Table 15. Consequence Categories.

| Severity | Load Scale | Regional Scale |
|---------------|---|--|
| | (1) Environmental Values (2) Social Values | |
| Positive | (1) The activity creates a long-term improvement in the condition or trend of the value. (2) Social opportunities emanating from the Project | |
| Insignificant | (1) No impact, or impact is within the natural variation and tolerance of the system or values. Recovery <5 years. (2) Local, small-scale, easily reversible impact on social values. | No impact, or impact is not discernible or not clearly linked to the activity. |
| Minor | (1) Short-term (<5 years) impact to a site or population, which is not sensitive or unique. With minimal human intervention, the value reverts within 10 years to its pre-disturbance state. (2) Short-term recoverable changes to social values. | Temporary (<6 months) impact, or impact is not discernible at a wider level. With minimal human intervention, the value reverts within 5 years to the pre-disturbance state. |
| Moderate | (1) Long-term (>5 years) impact to the value. With human intervention, the value can be rehabilitated within 10 years to its pre-disturbance state. (2) Medium-term recoverable changes to social values or community has some capacity to adapt and cope with change. | Short-term (<5 years) impact to a site or population which is not sensitive or unique. Recovery periods of 5 - 10 years to its pre-disturbance state. |



| | | |
|--------------|---|---|
| Major | <p>(1) Impact may be irreversible at the most affected site. Site/population not unique or sensitive. At less affected sites, with human intervention, the values can be rehabilitated within 20 years to its pre-disturbance state.</p> <p>(2) Long-term recoverable changes to social values or community has limited capacity to adapt and cope with change.</p> | Long-term (>5 years) significant impact to the value at a wider level. Recovery period or 10 to 20 years. |
| Catastrophic | <p>(1) Impact is clearly affecting, or would clearly affect the nature of the value. Recovery period greater than 20 years, even with significant human intervention. Permanent loss of the values is a real possibility.</p> <p>(2) Irreversible changes to social values or community has no capacity to adapt and cope with change.</p> | |

5.3.4 Likelihood

Likelihood is the probability or frequency of an environmental impact occurring. Generally for environmental risk assessments, the likelihood is a qualitative measure based on expert knowledge and published information. Wild Environmental have expressed likelihood as follows in Table 16 below.

Table 16. Likelihood Definitions.

| Likelihood | Expected frequency of a given threat | Probability |
|----------------|--|---|
| Rare | Not expected to occur within next 100 years. | 0 - 5% chance of occurring. May occur in exceptional circumstances. |
| Unlikely | Not expected to occur in a 10-year period, but expected to occur in 100-year period. | 6 - 30% chance of occurring. Might occur sometime but not expected. |
| Possible | Not expected to occur annual but expected to occur within a 10-year period. | 31 - 70% chance of occurring. Could occur, capable of happening. |
| Likely | Not-expected to be continuous but expected to occur one or more times in a year. | 71 - 95% chance of occurring. Is expected to occur. |
| Almost certain | Expected to occur more or less continuously throughout a year. | 96 - 100% Chance of occurring. Will almost certainly occur. |

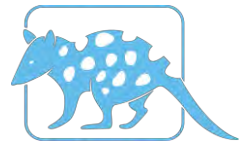
5.3.5 Risk Matrix

Risk levels are identified as a combination of likelihood and consequence of an impact. The resultant risk levels indicate the potential severity of the environmental impact and should guide management in the level of mitigation and seriousness of the risks to the project. Table 17 details the risk level matrix.



Table 17. Risk Level Matrix

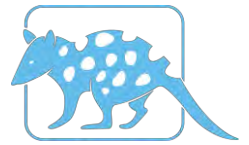
| Risk Level Matrix | | | | | | |
|--------------------------|--------------------|----------------------|--------------|-----------------|--------------|----------------|
| | Consequence | | | | | |
| Likelihood | | Insignificant | Minor | Moderate | Major | Extreme |
| Almost certain | | 11 | 16 | 20 | 23 | 25 |
| Likely | | 7 | 12 | 17 | 21 | 24 |
| Possible | | 4 | 8 | 13 | 18 | 22 |
| Unlikely | | 2 | 5 | 9 | 14 | 19 |
| Rare | | 1 | 3 | 6 | 10 | 15 |



6. Risk Evaluation

Risk evaluation utilises the information generated through risk identification and analysis to make decisions about whether the risk is acceptable or not and therefore, whether it requires treatment. A total of nine (9) medium risks were identified pre-mitigation. Of those risks, five (5) remained within the 'medium' classification following consideration of risk mitigation measures.

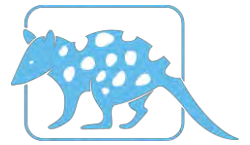
Considering the management actions/ risk mitigation measures associated with the construction and operation of the Project, the main source of the inherent risks identified is the application of wastewater as well as general construction and operational activities. The risk matrix in its entirety is detailed in **Appendix B**.



7. Conclusions and Recommendations

This report compiles the relevant materials and information to support an the submission of an Development Application for the Project.

The proposed project can be undertaken in a manner which will avoid and minimise impacts to the environment and given the facts and circumstances presented in this report, we recommend that the Department of Environment and Science approve the application, subject to reasonable and relevant conditions.



Appendix A – Laboratory Certificate of Analysis

CERTIFICATE OF ANALYSIS

| | | | | |
|----------------------------------|---|---------------------------------|--|----------------------------|
| Certificate Number | B894650 [R00] | Page | 1/1 | ABN: 82 079 645 015 |
| Client | The Product Makers | Registering Laboratory | Brisbane | |
| Contact | Julian Neoh | Contact | Customer Service Team | |
| Address | 50 – 60 Popes Road Keysborough VIC 3173 | Address | 52 Brandl Street, Eight Mile Plains, QLD 4113 | |
| Telephone | 03 9771 0300 | Email | admin@symbiolabs.com.au | |
| Order Number | --- | Telephone | 1300 703 166 | |
| Job Description | Water | Date Samples Received | 08/04/2020 | |
| Client Job Reference | --- | Date Analysis Commenced | 08/04/2020 | |
| No. of Samples Registered | 1 | Issue Date | 20/04/2020 | |
| Priority | Normal | Receipt Temperature (°C) | 8.3 | |
| | | Storage Temperature (°C) | 4 | |



Accreditation No: 2455
Accredited for compliance
with ISO/IEC 17025 - Testing

This report supersedes any previous revision with this reference. This document must not be reproduced, except in full. Results are reported on as 'as received' basis unless otherwise indicated in the 'Report Comments' section. Measurement Uncertainty is available upon request or via www.symbiolabs.com.au/login. If the laboratory was authorised to conduct testing on samples received outside specified conditions, results may be impacted depending on the nature of the deviation.

Definitions

| <: Less Than | >: Greater Than | RP: Result Pending | ~: Estimated | MPN: Most Probable Number | CFU: Colony Forming Units | ---: Not Received/Not Requested | | ^ Subcontracted Analysis | NA: Not Applicable | [NT]: Not Tested | LOR: Limit of Reporting | TBA: To Be Advised | ND: Not Detected | * Test not covered by NATA scope of accreditation | # Result derived from a calculation and includes results equal to or greater than the LOR | IH: Inconsistent results possibly caused by sample homogeneity

Authorised By

| Name | Position | Accreditation Category |
|---------------|--|----------------------------------|
| Hongmei Kuang | Chemistry Laboratory Manager, Brisbane | Environmental and Food Chemistry |

Sample Information - Client/Sampler Supplied

| Sample ID | Sample Description | Sample Matrix |
|-----------|--|-----------------|
| B894650/1 | Sample Date: 2020-04-06; Mossman Waste Water | Water - General |

Analytical Results

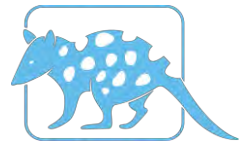
| Compound/Analyte | Method | LOR | Units | B894650/1 |
|-------------------|---|------|-------|-----------|
| BOD (5day) | EFF023 - BOD in Water | 2 | mg/L | 2500 |
| COD | EFF024 - COD in Water | 2 | mg/L | 3400 |
| Total Nitrogen | EFF029.1 - Total N & P in Water by FIA | 0.05 | mg/L | 260 |
| Total Phosphorus | EFF029.1 - Total N & P in Water by FIA | 0.01 | mg/L | 240 |
| Sulphate | EFF016 - Sulphate in Water | 5 | mg/L | 55 |
| Potassium (Total) | EWI02 - ICP-AES Acid Extractable (total metals) elements in water | 0.2 | mg/L | 920 |
| Manganese (Total) | EWI02 - ICP-AES Acid Extractable (total metals) elements in water | 0.01 | mg/L | 0.39 |
| Calcium (Total) | EWI02 - ICP-AES Acid Extractable (total metals) elements in water | 0.1 | mg/L | 57 |

Analysis Location

All in-house analysis was completed by Symbio Laboratories - Brisbane.

Report Comments

Sampling was conducted by the customer and results pertain only to the samples submitted. Responsibility for representative sampling rests with customer.



Appendix B - Risk Matrix

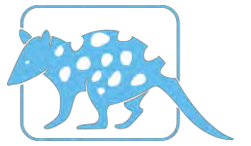
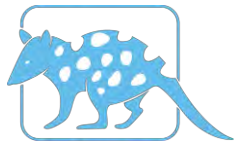
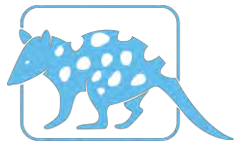


Table 18: Risk Assessment

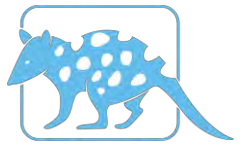
| Risk ID | Activity and Hazard | Factors (the magnitude, frequency, and duration of the activity) | Values | Sensitivity | Exposure | Impacts | Consequence | Likelihood | Confidence | Initial risk | Proposed mitigation (any avoidance or mitigation measures proposed) | Consequence | Likelihood | Residual Risk |
|---------|---|--|--|---|--|---|-------------|------------|------------|--------------|---|-------------|------------|---------------|
| 1.0 | Construction and operation activities resulting in changes to surface water quality | <ul style="list-style-type: none"> Export of pollutants during construction Seepage to groundwater via permeable soils Gentle to moderate slope draining to Little Mitchell River | <ul style="list-style-type: none"> biological integrity suitability of the water for agricultural purposes primary recreational secondary recreational visual recreational drinking water industrial use cultural and spiritual values | Low – areas previously disturbed by erosion | Low – Surrounding properties of similar land uses. | <ul style="list-style-type: none"> Increase in suspended loads. Increase in nutrient loads Reduction in visibility. Increased electrical conductivity. Reduction in dissolved oxygen, changes to pH. Impacts to existing flora and fauna. | Moderate | Unlikely | Moderate | 9 | <ul style="list-style-type: none"> Adhere to Environmental Management Plan and Erosion and Sediment Control Plans. Ensure construction of is undertaken in dry season where possible. | Minor | Unlikely | 9 |
| 2.0 | Construction and operation activities resulting in changes to groundwater quality | <ul style="list-style-type: none"> Export of pollutants during construction Seepage to groundwater via permeable soils | <ul style="list-style-type: none"> biological integrity suitability of the water for agricultural purposes primary recreational secondary recreational visual recreational drinking water industrial use cultural and spiritual values | Low – areas previously disturbed by erosion | Low – Surrounding properties of similar land uses. | <ul style="list-style-type: none"> Increase in suspended loads. Increase in nutrient loads Increased electrical conductivity Reduction in dissolved oxygen, changes to pH. | Moderate | Unlikely | Moderate | 9 | <ul style="list-style-type: none"> Adhere to Environmental Management Plan and Erosion and Sediment Control Plans. Adhere to the Groundwater Monitoring Program Ensure waste mitigation measures are implemented | Moderate | Unlikely | 9 |



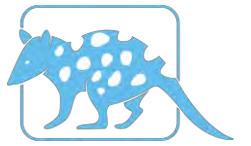
| Risk ID | Activity and Hazard | Factors (the magnitude, frequency, and duration of the activity) | Values | Sensitivity | Exposure | Impacts | Consequence | Likelihood | Confidence | Initial risk | Proposed mitigation (any avoidance or mitigation measures proposed) | Consequence | Likelihood | Residual Risk |
|---------|--|--|---|---|---|---|-------------|------------|------------|--------------|--|-------------|------------|---------------|
| 3.0 | Construction and operation activities resulting in erosion | <ul style="list-style-type: none"> Construction resulting in the transport of soil into waterways Failure in Erosion and Sediment Control Features | <ul style="list-style-type: none"> biological integrity primary recreational secondary recreational visual recreational drinking water | Low – areas previously disturbed by erosion | Low – Surrounding properties of similar land uses. | <ul style="list-style-type: none"> Increase in suspended load Increase in nutrient load Damage to infrastructure | Moderate | Unlikely | Moderate | 9 | <ul style="list-style-type: none"> Ensure the ESCP is approved by a Suitably qualified professional Ensure the ESCP is implemented | Moderate | Unlikely | 5 |
| 4.0 | Irrigation affecting soil characteristics | <ul style="list-style-type: none"> Irrigation resulting in the modification of the following soil characteristics: <ul style="list-style-type: none"> Salinity pH nutrients Soil integrity Moisture content | <ul style="list-style-type: none"> biological integrity suitability of the land for agricultural purposes aesthetics | Moderate – areas Project area undisturbed. Watercourses previously disturbed by erosion | Moderate – areas Project area undisturbed. Watercourses previously disturbed by erosion | <ul style="list-style-type: none"> Increase in suspended load Vegetation die-off or die-back Damage to infrastructure Changes in vegetation communities | Moderate | Possible | high | 13 | <ul style="list-style-type: none"> Ensure the ESCP is approved by a Suitably qualified professional Ensure the ESCP is implemented Ensure wastewater application is managed as per the WMP. | Moderate | Unlikely | 5 |



| | | | | | | | | | | | | | | |
|-----|---|--|--|--|---|--|----------|----------|------|----|---|----------|----------|---|
| 5.0 | Construction affecting native fauna and fauna | <ul style="list-style-type: none"> Clear and grubbing of natural vegetation with the potential to harbour native animals | <ul style="list-style-type: none"> biological integrity | Moderate – no known MSES within Project area. MSES identified on Lot 2 SP SP298325 | Moderate – land is of near natural composition with only minor land disturbance | <ul style="list-style-type: none"> Damage to native flora Injury or mortality of native fauna Reduction in biodiversity | Moderate | Possible | High | 13 | <ul style="list-style-type: none"> Ensure the mitigation measures outlined are implemented | Moderate | Unlikely | 9 |
| 6.0 | Excess Noise emitted by Project | <ul style="list-style-type: none"> Construction activities resulting in excess noise Operations producing excess noise | <ul style="list-style-type: none"> biological integrity human health | Low – Sensitive receivers more than 2km from the Project | Low – Sensitive receivers more than 2km from the Project | <ul style="list-style-type: none"> Increase in Tonal and Acute noise affecting fauna and residential areas | Minor | Unlikely | High | 5 | <ul style="list-style-type: none"> Ensure the mitigation measures outlined are implemented | Minor | Unlikely | 5 |



| | | | | | | | | | | | | | | |
|-----|--|--|--|--|--|---|----------|----------|------|---|---|-------|----------|---|
| 7.0 | Excess dust nuisance dust produced by Project | <ul style="list-style-type: none"> Construction activities resulting in excess dust Operations producing excess dust | <ul style="list-style-type: none"> biological integrity human health | Low – Sensitive receivers more than 2km from the Project | Low – Sensitive receivers more than 2km from the Project | – Increase in Tonal and Acute noise affecting fauna and residential areas | Minor | Unlikely | High | 5 | – Ensure the mitigation measures outlined are implemented | Minor | Unlikely | 5 |
| 8.0 | Excess air emissions nuisance dust produced by Project | <ul style="list-style-type: none"> Construction activities resulting in excess air emissions Operations producing excess air emissions | <ul style="list-style-type: none"> biological integrity human health | Low – Sensitive receivers more than 2km from the Project | Low – Sensitive receivers more than 2km from the Project | – Increase in Tonal and Acute noise affecting fauna and residential areas | moderate | Unlikely | High | 9 | – Ensure the mitigation measures outlined are implemented | Minor | Unlikely | 5 |



| | | | | | | | | | | | | | | |
|-----|--|--|---|---|---|---|----------|----------|------|---|---|-------|----------|-----|
| 9.0 | Construction and operation activities resulting waste impacting land | <ul style="list-style-type: none"> Discharge of hydrocarbons to the regulated wastes to the environment Discharge of general wastes into the environment | <ul style="list-style-type: none"> land aesthetics biological integrity | Moderate – land is of near natural composition with only minor land disturbance | Moderate – land is of near natural composition with only minor land disturbance | <ul style="list-style-type: none"> Exposure of fauna and flora species to regulated wastes Exposure of humans to regulated wastes Impacts to the aesthetic of the surrounding area | Moderate | Unlikely | High | 9 | <ul style="list-style-type: none"> Adhere to the Environmental Management Plan Ensure personnel are educated on proper waste disposal Keep regulated waste records on site Separate waste streams appropriately Cover wastes as appropriate Conduct daily inspections of work areas | Minor | Unlikely | Low |
|-----|--|--|---|---|---|---|----------|----------|------|---|---|-------|----------|-----|



Application

- (1) This code applies to assessing development where:
 - (a) Located in the Rural Zone; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table Error! No text of specified style in document. – Rural Zone Code – for Self-Assessable and Assessable Development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|------------|--|
| FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT | | | |
| HEIGHT | | | |
| PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. | AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. | YES | All buildings and structures associated with the development will not exceed 8.5m in height. |
| | AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height. | N/A | The development is not for a 'rural' activity (as defined in the Planning Scheme). |
| SITING | | | |
| NOTE: WHERE FOR DWELLING HOUSE, THE SETBACKS OF THE QUEENSLAND DEVELOPMENT CODE APPLY | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|---|
| <p>PO2</p> <p>Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. | <p>AO2.1</p> <p>Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. | <p>YES</p> | <p>Buildings and structures will be setback a minimum of 48m from the State-controlled Road, and more than 10 metres from all boundaries to adjoining lots.</p> |
| | <p>AO2.2</p> <p>Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.</p> | <p>N/A</p> | <p>The development does not involve a Roadside stall.</p> |
| | <p>AO2.3</p> <p>Buildings and structures, except where a Roadside stall, include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road. | <p>N/A</p> | <p>See AO2.1 above.</p> |
| ACCOMMODATION DENSITY | | | |
| <p>PO3</p> <p>The density of Accommodation activities:</p> <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site. | <p>AO3.1</p> <p>Residential density does not exceed one dwelling house per lot.</p> | <p>N/A</p> | <p>The development does not involve any accommodation activities.</p> |
| | <p>AO3.2</p> <p>Residential density does not exceed two dwellings per lot and development is for:</p> <ul style="list-style-type: none"> (a) a secondary dwelling; or | <p>N/A</p> | <p>See AO3.1 above.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------|---|
| | (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation. | | |
| FOR ASSESSABLE DEVELOPMENT | | | |
| SITE COVER | | | |
| PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. | AO4.1 No acceptable outcome is provided. | YES | The development will include a site cover of less than 1% which is consistent with that expected in the Rural zone and nearby allotments. The development has also been suitably located on-site so that it is able to provide an appropriate balance between the built form and natural features (namely waterways, protected areas, MSES etc.) while ensuring the potential visual impacts can be suitably managed without compromising the ability of the rural zone to achieve its purpose. |
| PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. | AO5.1 No acceptable outcome is provided. | YES | All buildings and structures will be akin to those that would be expected in the rural zones i.e., sheds, tanks etc. (compliance can also be conditioned if considered necessary). |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|---|
| AMENITY | | | |
| <p>PO6</p> <p>Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. | <p>A06.1</p> <p>No acceptable outcome is provided.</p> | <p>YES</p> | <p>Please refer to section 7.3 of the Planning Report for a full assessment against the Performance Outcome.</p> |
| <p>PO7</p> <p>Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. | <p>A07.1</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>There are no existing negative environmental impacts on-site and hence, this Performance Outcome is not considered applicable.</p> |

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is located within a Bushfire Hazard Area and Potential Impact Buffer (100 metres) identified on the **Bushfire Hazard Overlay Maps (OM-003a-o)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Note: Natural hazards are appropriately reflected in Overlay Map 3, 6, and 8 and are required to be mapped by State Government in response to Hazard and Safety State Interests.

Criteria for assessment

Table 8.2.3.3 – Bushfire Hazard Overlay Code – for Self-Assessable and Assessable Development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-----------------------|--|
| FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT | | | |
| <p>PO1</p> <p>Development where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. ‘Airport environs: Airport buffer - 3 kilometres’ of an aerodrome identified on Airport environs overlay map (OM-002f).</i></p> | <p>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO1.1</p> <p>Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa.</p> <p>OR</p> <p>AO1.2</p> <p>Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise:</p> <ul style="list-style-type: none"> (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or | <p>N/A</p> <p>YES</p> | <p>See AO1.2 below.</p> <p>See section 5.4.1 of the Planning Report. Compliance can also be conditioned.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|----------------------|--|----------|---------|
| | <p>(d) a swimming pool.</p> <p><i>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.</i></p> | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|----------|--|
| FOR ASSESSABLE DEVELOPMENT | | | |
| LAND USE | | | |
| <p>PO2</p> <p>Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO2.1</p> <p>All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o):</p> <ul style="list-style-type: none"> (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) hostel; or (h) residential care facility; or (i) retirement facility; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. | N/A | <p>The development does not involve any of the listed land uses.</p> |
| LOT DESIGN | | | |
| <p>PO3</p> <p>Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of</p> | <p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1</p> <p>No new lots are created. OR</p> | N/A | <p>The development does not involve reconfiguring a lot.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|--|-------------------|-------------------------|
| <p>people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO3.2</p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p><i>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</i></p> | <p>N/A</p> | <p>See AO3.1 above.</p> |
| <p>FIREBREAKS AND ACCESS</p> | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|--|
| <p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p><i>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</i></p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; ii. the minimum cleared width not less than 6 metres; iii. the formed width is not less than 2.5 metres; iv. the formed gradient is not greater than 15%; v. vehicular access is provided at both ends; vi. passing bays and turning areas are provided for fire-fighting appliances located on public land. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>AO4.2</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</p> <ul style="list-style-type: none"> (a) consisting of a perimeter road that separates lots from areas of bushfire hazard; (b) a minimum cleared width of 20 metre; (c) a maximum gradient of 12.5%; and (d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. | <p>N/A</p> | <p>The development does not involve any new roads.</p> <p>Firebreaks will be provided around all new buildings and structures. The exact size and location of these firebreaks will be determined as part of a Bushfire Management Plan for the site/development (to be conditioned by Council). The Bushfire Management Plan will be site/development specific, although will use as a basis and factor into account many of the required actions outlined in the original Wetherby Station Development – Fire Management Plan (see Attachment 3).</p> |
| <p>HAZARDOUS MATERIALS</p> | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|--|
| <p>PO5</p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO5.1</p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p> | <p>YES</p> | <p>Compliance with the Performance Outcome will be demonstrated as part of a Bushfire Management Plan for the site/development (to be conditioned by Council).</p> |
| LANDSCAPING | | | |
| <p>PO6</p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. <p><i>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</i></p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO6.1</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>No 'landscaping' is proposed.</p> |
| INFRASTRUCTURE | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|----------------------------------|--|
| <p>PO7</p> <p>Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO7.1</p> <p>The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications | <p>ALTERNATE SOLUTION</p> | <p>Water storage, effluent disposal and electricity infrastructure will be located above ground, although can be provided with suitable setbacks to ensure damage is minimised during a bushfire in accordance with the Performance Outcome. This will also be demonstrated as part of a Bushfire Management Plan for the site/development (to be conditioned by Council).</p> |
| PRIVATE DRIVEWAYS | | | |
| <p>PO8</p> <p>All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p> | <p>AO8.1</p> <p>Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings. | <p>YES</p> | <p>The upgraded access from the property boundary to the production plant will be of a sufficient standard to allow emergency vehicles entry and exit if required which will ensure compliance with the Performance Outcome (to be conditioned by Council).</p> |

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is affected by a constraint category identified on the **Environmental significance Overlay Maps (OM-004a-z)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Note: Biodiversity and Water Quality are appropriately reflected in Overlay Map 4 and are required to be mapped by State Government in response to Environment and Heritage State Interests.

Criteria for assessment

Table 8.2.4.3A – Environmental Significance Overlay Code – for Self-Assessable and Assessable Development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|--|
| FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT | | | |
| REGULATED VEGETATION | | | |
| <p>PO1</p> <p>Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> | <p>AO1.1</p> <p>No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | <p>YES</p> | <p>The area of the site to be used for all new building/structures/access tracks etc., is not mapped as regulated vegetation on Council’s Overlay Mapping.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|--|-------------------|---|
| <p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p> <p>PO2</p> <p>Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> <p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p> | <p>AO2.1</p> <p>Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | <p>YES</p> | <p>The development will not be located within 20 metres of 'Regulated vegetation' areas as identified on Council's Overlay Mapping.</p> |
| REGULATED VEGETATION INTERSECTING A WATERCOURSE | | | |
| <p>PO3</p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to</p> | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> | <p>YES</p> | <p>The stream order of the identified waterway that bisects the site is 0. As Table 8.2.4.3.B does not specify a setback from waterways with a stream order of 0, no specific setbacks are required. Regardless, the development will be appropriately setback from the waterway (in accordance with State requirements).</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|--|
| <p>the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> <p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p> | <p>AO3.2</p> <p>No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p> | <p>N/A</p> | <p>See AO3.1 above.</p> |
| WATERWAYS AND WETLANDS | | | |
| <p>PO4</p> <p>'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> <hr/> <p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2</p> <p>A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | <p>YES</p> | <p>The stream order of the identified waterway that bisects the site is 0. As Table 8.2.4.3.B does not specify a setback from waterways with a stream order of 0, no specific setbacks are required. Regardless, the development will be appropriately setback from the waterway (in accordance with State requirements).</p> <hr/> <p>The site is not affected by a wetland on Council's Overlay Mapping.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|--|
| <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> | <p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.3</p> <p>No stormwater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p><i>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</i></p> | <p>YES</p> | <p>Stormwater from the development will be treated (swales or the like) before being discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east, generally running parallel to the Mulligan Highway and. Preliminary details of the treatment methods will be provided as part of the EIA (see Attachment 7). Full details of the stormwater will be provided as part of an Environmental Management Plan (to be conditioned by Council).</p> |
| | <p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.4</p> <p>No wastewater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p><i>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</i></p> | <p>YES</p> | <p>Full details of how the wastewater stream from the development will be suitably treated prior to entering any adjacent waterways will be outlined in the EIA (see Attachment 7).</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|--|
| FOR ASSESSABLE DEVELOPMENT | | | |
| WILDLIFE HABITAT | | | |
| <p>PO5</p> <p>Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p><i>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</i></p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> | <p>AO5.1</p> <p>No acceptable outcome is provided</p> | <p>N/A</p> | <p>The site is not affected by a wildlife habitat area on Council's Overlay Mapping.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|---|
| LEGALLY SECURED OFFSET AREAS | | | |
| <p>PO6</p> <p>Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | <p>AO6.1</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>The site is not located within a legally secured offset area on Council's Overlay Mapping.</p> |
| PROTECTED AREAS | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|---|
| <p>PO7</p> <p>Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> | <p>A07.1</p> <p>No acceptable outcome is provided</p> | <p>N/A</p> | <p>The site is not located within a Protected Area on Council's Overlay Mapping.</p> |
| ECOLOGICAL CORRIDORS AND HABITAT LINKAGES | | | |
| <p>PO8</p> <p>Development located:</p> <ul style="list-style-type: none"> a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o) <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> | <p>A08</p> <p>No acceptable outcome is provided.</p> | <p>YES</p> | <p>The development is located within the Rural Zone and is located within an ecological corridor. The development will, however, occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---------------------|----------|--|
| <p>a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</p> <p>b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p><i>Note – A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</i></p> | | | <p>habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.</p> |

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is affected by a constraint category identified on the **Regional infrastructure corridors and substations overlay maps (OM-009a-d)**; and
 - (b) It is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note: Energy is appropriately reflected in Overlay Map 9 and is required to be mapped by State Government in response to Infrastructure State Interests.

Criteria for assessment

Table 8.2.12.3 – Regional infrastructure corridors and substations overlay code – For accepted development subject to requirements and assessable development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|------------|--|
| FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT | | | |
| WHERE ON LAND COMPRISING OR ADJOINING A STOCK ROUTE | | | |
| PO1 Development maintains: <ul style="list-style-type: none"> (a) the operational efficiency and safety of a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and (b) public health and safety. | AO1.1 Buildings and structures are setback from a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) : <ul style="list-style-type: none"> (a) where in the Conservation zone, Rural zone, or Rural residential zone and on a site with a land area of 2 hectares or greater, a minimum of: <ul style="list-style-type: none"> (i) 50 metres where involving Accommodation activities; or (ii) 20 metres where not involving Accommodation activities; or (b) a minimum of 6 metres otherwise. | YES | The development does not involve accommodation activities and will be setback 48m from the identified stock route. |
| | AO1.2 Any new access from a road servicing a 'Stock route' identified on the Regional infrastructure corridors and | N/A | The development will utilise the existing access to Lot 3. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|------------|--|
| | <p>substations overlay maps (OM-009a-d) includes a gate or grid to prevent stock entry to premises.</p> | | |
| | <p>AO1.3 Boundary fencing to prevent stock entry to premises is maintained along a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p> | YES | Boundary fencing to the site is existing. |
| WHERE ON LAND COMPRISING OR ADJOINING MAJOR ELECTRICITY INFRASTRUCTURE OR A SUBSTATION | | | |
| <p>PO2 Development:</p> <p>(a) allow for the continued operation of the 'Major electricity infrastructure' or 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and</p> <p>(b) is located and designed to ensure a high quality of amenity is achieved for the use.</p> | <p>AO2.1 Where involving Forestry for wood production, development is setback 1.5 times the maximum anticipated height of the tree at harvest from 'Major electricity infrastructure' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p> | N/A | The development does not involve forestry for wood production. |
| | <p>AO2.2 Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p> | YES | The development will be setback a minimum of 20 metres from the adjacent Major Electricity Infrastructure. |

Application

- (1) This code applies to assessing development where:
 - (a) Involving Industrial activities; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table 9.3.5.3 – Industrial Activities Code – for Self-Assessable and Assessable Development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------|--|
| FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT | | | |
| SEPARATION | | | |
| <p>PO1</p> <p>Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to:</p> <ul style="list-style-type: none"> a) Noise; b) Odour; c) Light; and d) Emissions. <p>Note: Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.</p> | <p>AO1.1</p> <p>Development is separated from sensitive uses as follows:</p> <ul style="list-style-type: none"> a) Medium or impact industry – 250 metres; or b) High impact industry – 500 metres; or c) Special industry – 1.5 kilometres. | YES | See section 7.3 of the Planning Report for demonstration of compliance with the Performance Outcome. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|---|
| FOR ASSESSABLE DEVELOPMENT | | | |
| AMENITY | | | |
| <p>PO2</p> <p>Industrial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of:</p> <ul style="list-style-type: none"> a) Air conditioning; b) Refrigeration plant; c) Mechanical plant; and d) Refuse bin storage areas. | <p>AO2.1</p> <p>No acceptable outcome is provided.</p> | <p>YES</p> | <p>The development will be screened from view of adjoining properties and the Mulligan Highway by vegetation which will ensure the mentioned structures will not be visible, negative impact on visual amenity or negative impact on the character of the locality.</p> |
| <p>PO3</p> <p>Development avoids and, where unavoidable, mitigates impacts on ground water, particularly where ground water is heavily drawn upon for irrigation or domestic purposes.</p> | <p>AO3.1</p> <p>No acceptable outcome is provided.</p> | <p>YES</p> | <p>Impact on groundwater will be addressed as part of the EIA (see Attachment 7).</p> |
| IF FOR EXTRACTIVE INDUSTRY | | | |
| <p>PO4</p> <p>The site has sufficient area and dimensions to safely accommodate:</p> <ul style="list-style-type: none"> a) The extractive use; b) Vehicular access and on-site vehicular movements; c) Buildings including staff facilities; d) Parking areas for visitors and employees; e) Storage areas and stockpiles; f) Any environmentally significant land; and | <p>AO4.1</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>The development does not involve extractive industry.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|-------------------|-------------------------|
| <p>g) Landscaping and buffer areas.</p> <p>Note: Refer to Planning Scheme Policy 3 – Extractive Industry.</p> | | | |
| <p>PO5</p> <p>Extractive industry is established and operated in a way that does not impact on public safety.</p> | <p>AO5.1</p> <p>Safety fencing is provided for the full length of the perimeter of the site and is appropriately signed with warning signs advising of the nature of the use and any danger or hazard.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |
| <p>PO6</p> <p>Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.</p> | <p>AO6.1</p> <p>All aspects of the Extractive industry are setback from all boundaries:</p> <ul style="list-style-type: none"> a) 200 metres where not involving blasting or crushing; and b) 1,000 metres for where involving blasting or crushing. <p>Note: Refer to Planning Scheme Policy 3 – Extractive industry.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |
| <p>PO7</p> <p>The Extractive industry is designed and managed to appropriately address its interface with the natural environment and landscape, having regard to:</p> <ul style="list-style-type: none"> a) Water quality; b) Existing vegetation; and c) Declared plants. | <p>AO7.1</p> <p>The Extractive industry does not cause a reduction in the quality of ground water or receiving surface waters.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |
| | <p>AO7.2</p> <p>Vegetation is retained on site that contributes towards alleviating the impact of the development on the visual amenity of surrounding sensitive land uses.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |
| | <p>AO7.3</p> <p>No declared plants are transported from the site.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|-------------------|-------------------------|
| <p>PO8</p> <p>Extractive industry actively integrates rehabilitation into the ongoing operations on the site to progressively restore the site to its original (or an improved) condition, having regard to matters of:</p> <ul style="list-style-type: none"> a) Locally prevalent plant species; b) Plant spacing; c) Local climatic conditions; d) Locations of waterways and wetlands; e) Ongoing maintenance; f) Potential habitat opportunities; g) Erosion and sediment control; and h) Fencing. <p>Note: A revegetation plan must be prepared by a suitably experienced person in the field of natural area revegetation and rehabilitation, at a standard acceptable to Council, which addresses the items identified in Performance Outcome PO8.</p> | <p>AO8.1</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>See AO4.1 above.</p> |

Application

This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the Planning Scheme.

Criteria for assessment

Table 9.4.3.3A – Parking and Access Code – For accepted development subject to requirements and assessable development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|---|
| FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT | | | |
| CAR PARKING SPACES | | | |
| <p>PO1</p> <p>Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. | <p>AO1</p> <p>The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p><i>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</i></p> | <p>YES</p> | <p>The car parking rate for a special industry development is one (1) space per 90m² GFA or part thereof. The development will have a total GFA of 360m². Hence, the development would be required to provide a minimum of four (4) car parking spaces. The development proposes six (6) car parking spaces and as a result, can achieve compliance with the requirements outlined in Table 9.4.3.3.B of the Parking and Access code.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------|--|
| VEHICLE CROSSOVERS | | | |
| <p>PO2</p> <p>Vehicle crossovers are provided to:</p> <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict. | <p>AO2.1</p> <p>Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p> | N/A | The site does not abut a Council road. |
| | <p>AO2.2</p> <p>Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. | N/A | The site does not front two (2) roads. |
| | <p>AO2.3</p> <p>Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.</p> | N/A | See AO2.1 above (access will be provided in accordance with DTMR requirements). |
| <p>PO3</p> <p>Access, maneuvering and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality. | <p>AO3.1</p> <p>Access, maneuvering and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p> | YES | The development will ensure that access, manoeuvring and car parking areas include compacted gravel and/or other similar forms of material i.e., road base to ensure compliance with Table 9.4.3.3C. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------------------------------|--|
| FOR ASSESSABLE DEVELOPMENT | | | |
| PARKING AREA LOCATION AND DESIGN | | | |
| <p>PO4</p> <p>Car parking areas are located and designed to:</p> <p>(a) ensure safety and efficiency in operation; and</p> <p>(b) be consistent with the character of the surrounding locality.</p> | <p>AO4.1</p> <p>Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p> | YES | All car parking spaces will comply with AS/NZS 2890:1 (compliance can also be conditioned if considered necessary). |
| | <p>AO4.2</p> <p>Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.</p> | YES | If required, one (1) disabled access car parking space will be provided to ensure compliance with AS/NZS 2890:6. |
| | <p>AO4.3</p> <p>The car parking area includes designated pedestrian routes that provide connections to building entrances.</p> | ALTERNATIVE SOLUTION SOUGHT | All car parking spaces will be located directly adjacent to the sheds and in this instance, no pedestrian routes are considered necessary. |
| | <p>AO4.4</p> <p>Parking and any set down areas are:</p> <p>(a) wholly contained within the site;</p> <p>(b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone;</p> <p>(c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</p> <p>(d) provided at the side or rear of a building in all other instances.</p> | YES | All set down areas will be provided for on-site (next to and adjacent to the sheds) and be suitably signed so they can be easily identified. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|------------|---|
| SITE ACCESS AND MANOEUVRING | | | |
| <p>PO5</p> <p>Access to, and manoeuvring within, the site is designed and located to:</p> <ul style="list-style-type: none"> (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site. | <p>AO5.1</p> <p>Access and manoeuvrability is in accordance with :</p> <ul style="list-style-type: none"> (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. <p><i>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</i></p> | YES | <p>Due to the size of the site, there will be more than ample room for manoeuvring and hence, compliance with the listed standards is not considered necessary in this instance. Compliance can, however, condition compliance if considered necessary.</p> |
| | <p>AO5.2</p> <p>Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTRROADS.</p> | YES | <p>Vehicular sight distance will be assessed by the Department of Transport and Main Roads in their referral response.</p> |
| | <p>AO5.3</p> <p>Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p> | YES | <p>All vehicles will be able to enter and exit the site in a forward gear.</p> |
| | <p>AO5.4</p> <p>Pedestrian and cyclist access to the site:</p> <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided). | N/A | <p>The site will <u>not</u> be open to members of the public and only staff will be permitted on-site. As a result, we don't find this acceptable outcome to be applicable for this type of development.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|---|
| <p>PO6</p> <p>Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>(i) hours of operation;</p> <p>(ii) noise</p> <p>(iii) light; and</p> <p>(iv) odour;</p> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p> | <p>AO6.1</p> <p>Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p> | <p>N/A</p> | <p>The development will not involve a Tourist Park.</p> |
| | <p>AO6.2</p> <p>For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <p>(a) a minimum approach and departure curve radius of 12 metres; and</p> <p>(b) a minimum turning circle radius of 8 metres.</p> | <p>N/A</p> | <p>See AO6.1 above.</p> |
| | <p>AO6.3</p> <p>Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p> | <p>YES</p> | <p>See AO3.1 above</p> |
| | <p>AO6.4</p> <p>Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p> | <p>N/A</p> | <p>The development will not involve speed control devices as the development will <u>not</u> be open to the public and there will be a very small amount of vehicle traffic on-site each day.</p> |
| | <p>AO6.5</p> <p>Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p> | <p>YES</p> | <p>Internal road lighting will be provided as required (compliance can also be conditioned if considered necessary).</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|--|-------------------|--|
| | <p>AO6.6</p> <p>Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p> | <p>N/A</p> | <p>The development will not involve an accommodation activity.</p> |
| | <p>AO6.7</p> <p>For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <p>(a) are no steeper than 1:5; or</p> <p>(b) are steeper than 1:5 and are sealed.</p> | <p>N/A</p> | <p>The development does not involve either of the listed uses.</p> |
| <p>SERVICING</p> | | | |
| <p>PO7</p> <p>Development provides access, maneuvering and servicing areas on site that:</p> <p>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</p> <p>(b) do not impact on the safety or efficiency of internal car parking or maneuvering areas;</p> <p>(c) do not adversely impact on the safety or efficiency of the road network;</p> <p>(d) provide for all servicing functions associated with the use; and</p> | <p>AO7.1</p> <p>All unloading, loading, service and waste disposal areas are located:</p> <p>(a) on the site;</p> <p>(b) to the side or rear of the building, behind the main building line;</p> <p>(c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p> | <p>YES</p> | <p>The site provides ample room for unloading, loading service and waste disposal areas entirely on-site (compliance can also be conditioned if considered necessary).</p> |
| | <p>AO7.2</p> <p>Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p> | <p>YES</p> | <p>All vehicles will be able to enter and exit the site in a forward gear.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|------------|--|
| (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality. | <p>AO7.3</p> <p>Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.</p> | YES | The site and development will be able to accommodate Truck and Quad Dog (HRV's) which will be the largest size vehicles entering and exiting the site. This ensures compliance with the Performance Outcome. |
| MAINTENANCE | | | |
| <p>PO8</p> <p>Parking areas are used and maintained for their intended purpose.</p> | <p>AO8.1</p> <p>Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.</p> | N/A | Compliance can be conditioned. |
| | <p>AO8.2</p> <p>All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.</p> | N/A | See AO8.1 above. |
| END OF TRIP FACILITIES | | | |
| <p>PO9</p> <p>Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that:</p> <p>(a) meet the anticipated demand generated from the use;</p> <p>(b) comprise secure and convenient bicycle parking and storage; and</p> <p>(c) provide end of trip facilities for all active transport users.</p> | <p>AO9.1</p> <p>The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D.</p> | N/A | The development is not required to provide bicycle parking spaces or end of trip facilities in accordance with Table 9.4.3.3D of the Parking and Access code. |
| | <p>AO9.2</p> <p>End of trip facilities are provided in accordance with Table 9.4.3.3D.</p> | N/A | See AO9.1 above. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------|---|
| IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK. | | | |
| <p>P10</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p> | <p>AO10.1</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. | N/A | <p>The development will not involve any of the listed uses.</p> |
| IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK. | | | |
| <p>PO11</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p> | <p>AO11.1</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. | N/A | <p>See AO10.1 above.</p> |

Application

This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the Planning Scheme.

Criteria for assessment

Table 9.4.5.3 – Works, services and infrastructure code – For accepted development subject to requirements and assessable development

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|------------|------------------|
| FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT | | | |
| WATER SUPPLY | | | |
| <p>PO1</p> <p>Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. | <p>AO1.1</p> <p>Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. | N/A | See AO1.2 below. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|------------|---|
| | <p>AO1.2</p> <p>Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. | YES | See section 5.4.1 of the Planning Report. |
| WASTEWATER DISPOSAL | | | |
| <p>PO2</p> <p>Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. | <p>AO2.1</p> <p>Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. | N/A | See AO2.2 below. |
| | <p>AO2.2</p> <p>An effluent disposal system is provided in accordance with AS/NZ 1547 On-Site Domestic Wastewater</p> | YES | See section 5.4.2 of the Planning Report. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|------------|---|
| | Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. | | |
| STORMWATER INFRASTRUCTURE | | | |
| PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property. | AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | N/A | See AO3.2 below. |
| | AO3.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | YES | See section 5.4.4 of the Planning Report. |
| ELECTRICITY SUPPLY | | | |
| PO4 Each lot is provided with an adequate supply of electricity | AO4 The premises: <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or | YES | See section 5.4.3 of the Planning Report. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|------------|--|
| | <p>(b) has arranged a connection to the transmission grid; or</p> <p>(c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where:</p> <p>(i) it is approved by the relevant regulatory authority; and</p> <p>(ii) it can be demonstrated that no air or noise emissions; and</p> <p>(iii) it can be demonstrated that no adverse impact on visual amenity will occur.</p> | | |
| TELECOMMUNICATIONS INFRASTRUCTURE | | | |
| <p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p> | <p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p> | YES | The site is not connected to telecommunications infrastructure. The site does however, have mobile coverage and hence, mobile phones will be used for all telecommunication needs associated with the development. |
| EXISTING PUBLIC UTILITY SERVICES | | | |
| <p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p> | <p>AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> | N/A | No public utility mains will need to be relocated, altered or repaired. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|---|-------------------|--|
| EXCAVATION OR FILLING | | | |
| <p>PO7</p> <p>Excavation or filling must not have an adverse impact on the:</p> <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. | <p>AO7.1</p> <p>Excavation or filling does not occur within 1.5 metres of any site boundary.</p> | <p>N/A</p> | <p>See section 5.4.6 of the Planning Report.</p> |
| | <p>AO7.2</p> <p>Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.</p> | <p>N/A</p> | <p>See AO7.1 above.</p> |
| | <p>AO7.3</p> <p>Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. | <p>N/A</p> | <p>See AO7.1 above.</p> |
| | <p>AO7.4</p> <p>Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. | <p>N/A</p> | <p>See AO7.1 above.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|------------|---|
| | <p>A07.5</p> <p>All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> | N/A | See AO7.1 above. |
| | <p>A07.6</p> <p>Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p> | N/A | See AO7.1 above. |
| | <p>A07.7</p> <p>Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p> | N/A | See AO7.1 above. |
| FOR ASSESSABLE DEVELOPMENT | | | |
| TRANSPORT NETWORK | | | |
| <p>PO8</p> <p>The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p> | <p>A08.1</p> <p>Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning</p> | N/A | <p>The site fronts a State-controlled Road and any requirements will be assessed and conditioned by DTMR during their assessment.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|--|------------|---|
| | Scheme Policy 4 – FNQROC Regional Development manual. | | |
| | <p>AO8.2</p> <p>Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p> | N/A | See AO8.1 above. |
| PUBLIC INFRASTRUCTURE | | | |
| <p>PO9</p> <p>The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p> | <p>AO9</p> <p>Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> | N/A | The development will not involve public infrastructure. |
| STORMWATER QUALITY | | | |
| <p>PO10</p> <p>Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; | <p>AO10.1</p> <p>The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation | YES | See section 5.4.5 of the Planning Report. |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|---|-------------------|---|
| <p>(e) maximise the use of natural channel design principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p> | <p>Control Guidelines (Institute of Engineers Australia), including:</p> <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. | | |
| | <p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. | <p>N/A</p> | <p>The development will not result in the creation of more than 5 lots or more than 5 dwellings or accommodation units.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|--|
| <p>PO11</p> <p>Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. | <p>AO11</p> <p>No acceptable outcome is provided.</p> | <p>N/A</p> | <p>No stormwater detention or retention basins are proposed.</p> |
| EXCAVATION OR FILLING | | | |
| <p>PO12</p> <p>Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p> | <p>AO12.1</p> <p>Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p> | <p>N/A</p> | <p>The development will not involve excavation or filling.</p> |
| | <p>AO12.2</p> <p>Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays. | <p>N/A</p> | <p>See AO12.1 above.</p> |
| <p>PO13</p> | <p>AO13.1</p> <p>Dust emissions do not extend beyond the boundary of the site.</p> | <p>N/A</p> | <p>See AO12.1 above.</p> |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|---|--|-------------------|---------------------------------------|
| <p>Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.</p> | <p>AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.</p> | <p>N/A</p> | <p>See AO12.1 above.</p> |
| | <p>AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.</p> | <p>N/A</p> | <p>See AO12.1 above.</p> |
| <p>PO14 Access to the premises (including driveways and paths) does not have an adverse impact on:</p> <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. | <p>AO14 Access to the premises (including all works associated with the access):</p> <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. | <p>N/A</p> | <p>See AO12.1 above.</p> |
| <p>WEED AND PEST MANAGEMENT</p> | | | |
| <p>PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.</p> | <p>AO15 No acceptable outcome is provided.</p> | <p>YES</p> | <p>Compliance can be conditioned.</p> |
| <p>CONTAMINATED LAND</p> | | | |

| PERFORMANCE OUTCOMES | ACCEPTABLE MEASURES | COMPLIES | COMMENT |
|--|--|-------------------|--|
| <p>PO16</p> <p>Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants</p> | <p>AO16</p> <p>Development is located where:</p> <ul style="list-style-type: none"> (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit. | <p>N/A</p> | <p>To the best of Urban Sync’s knowledge, the site is not located on the contaminated land register.</p> |
| <p>FIRE SERVICES IN DEVELOPMENTS ACCESSED BY COMMON PRIVATE TITLE</p> | | | |
| <p>PO17</p> <p>Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p> | <p>AO17.1</p> <p>Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of:</p> <ul style="list-style-type: none"> (a) 120 metres for residential development; and (b) 90 metres for any other development. | <p>N/A</p> | <p>The development will not involve common private title.</p> |
| | <p>AO17.2</p> <p>Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p> | <p>N/A</p> | <p>See AO17.1 above.</p> |



State code 1: Development in a state-controlled road environment

Table 1.2.1: Development in a state-controlled road environment

| Performance outcomes | Acceptable outcomes | Response |
|---|---|---|
| Buildings and structures | | |
| PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure. | AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND | Complies with AO1.1 The development will not have any buildings, structures, infrastructure, services or utilities located in the State-controlled Road. |
| | AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road. | Complies with AO1.2 Any buildings, structures, infrastructure, services or utilities associated with the development are able to be maintained without requiring access to the State-controlled Road. |
| PO2 The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road. | AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR | Complies with AO2.1 Compliance can be conditioned. |
| | AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road. AND | Complies with AO2.2 See AO2.1 above. |
| | AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND | Complies with AO3.2 See AO2.1 above. |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|---|
| | AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 nd Edition, Department of Transport and Main Roads, 2017. | N/A The development does not include any advertising devices. |
| PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road. | AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018. | N/A The development does not involve a road, pedestrian or bikeway bridge over the State-controlled Road. |
| Filling, excavation and retaining structures | | |
| <p>PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.</p> <p>Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | No acceptable outcome is prescribed. | <p>Complies with PO4</p> <p>The development will require some general smoothing and shaping of the lot only. This minor amount of earthworks will not result in any damage to infrastructure or services in the State-controlled Road.</p> |
| <p>PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design</p> | No acceptable outcome is prescribed. | <p>Complies with PO5</p> <p>See PO4 above.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|--------------------------------------|--|
| <p>Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p> | | |
| <p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p> | No acceptable outcome is prescribed. | <p>Complies with PO6 See PO4 above.</p> |
| <p>PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Road Planning and Design Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p> | No acceptable outcome is prescribed. | <p>Complies with PO7 See PO4 above.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|--|
| <p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.</p> | <p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p> | <p>Complies with PO8 See PO4 above.</p> |
| <p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>No acceptable outcome is prescribed.</p> | <p>Complies with PO9 See PO4 above.</p> |
| <p>PO10 Fill material used on a development site does not result in contamination of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO10.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p> | <p>N/A No fill is required.</p> |
| | <p>AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p> | <p>N/A See AO10.1 above.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|---|--|---|
| <p>PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p> <p>AND</p> | <p>N/A See AO10.1 above.</p> |
| | <p>AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.</p> | <p>N/A See AO10.1 above.</p> |
| <p>Stormwater and drainage</p> | | |
| <p>PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>No acceptable outcome is prescribed.</p> | <p>Complies with PO12 Stormwater from the development will be collected and discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east of the site, generally running parallel to the Mulligan Highway. This will ensure that the development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a State-controlled Road. Compliance can also be further conditioned.</p> |
| <p>PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO13.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p> | <p>Complies with AO13.1 The development will not involve any new points of discharge to the State-controlled Road.</p> |
| | <p>AO13.2 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge.</p> <p>AND</p> | <p>Complies with AO13.2 Stormwater runoff will be collected, treated and discharged to the existing lawful point/s of discharge.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|--|
| | AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road. | Complies with AO13.3 See PO12 above. |
| PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome. | AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road. | Complies with AO14.1 See PO12 above. |
| Vehicular access to a state-controlled road | | |
| PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome. | AO15.1 Development does not require new or changed access to a limited access road. Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system. OR | N/A The site does not front a limited access road. |
| | AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road. Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office. AND | N/A See AO15.1 above. |
| | AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, | N/A See AO15.1 above. |

| Performance outcomes | Acceptable outcomes | Response |
|---|---|--|
| | <p>and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.</p> | |
| <p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p> <p>Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO16.1 Vehicular access is provided from a local road.</p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road.</p> <p>AND</p> <p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p> | <p>Complies with PO16</p> <p>The site does not front a local road. Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access arrangements will not result in any safety hazards nor an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO16.</p> <p>Complies with PO16</p> <p>See PO16 above</p> <p>Complies with PO16</p> <p>See PO16 above.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|---|---|---|
| | <p>AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application.</p> <p>AND</p> | <p>Complies with PO16 See PO16 above.</p> |
| | <p>AO16.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p> | <p>Complies with PO16 See PO16 above.</p> |
| <p>Vehicular access to local roads within 100 metres of an intersection with a state-controlled road</p> | | |
| <p>PO17 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO17.1 Vehicular access is located as far as possible from the state-controlled road intersection.</p> <p>AND</p> | <p>N/A The site does not front a local road, nor is it located within 100 metres of an intersection.</p> |
| | <p>AO17.2 Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016.</p> <p>AND</p> | <p>N/A See AO17.1 above.</p> |
| | <p>AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.</p> | <p>N/A See AO17.1 above.</p> |
| <p>Public passenger transport infrastructure on state-controlled roads</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|--|
| <p>PO18 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO18.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure.</p> <p>AND</p> | <p>N/A There is no mapped public passenger transport infrastructure within proximity of the site.</p> |
| | <p>AO18.2 Development does not necessitate the relocation of existing public passenger transport infrastructure.</p> <p>AND</p> | <p>N/A See AO18.1 above.</p> |
| | <p>AO18.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p> <p>AND</p> | <p>N/A See AO18.1 above.</p> |
| | <p>AO18.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p> | <p>N/A See AO18.1 above.</p> |
| Planned upgrades | | |
| <p>PO19 Development does not impede delivery of planned upgrades of state-controlled roads.</p> | <p>AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> <p>Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system.</p> <p>OR</p> | <p>N/A The site is not identified for any planned upgrades (as identified on the DA Mapping)</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|--|---|
| | <p>AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> | <p>N/A See AO19.1 above.</p> |
| | <p>OR all of the following acceptable outcomes apply:</p> <p>AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p> | <p>N/A See AO19.1 above.</p> |
| | <p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p> | <p>N/A See AO19.1 above.</p> |
| | <p>AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road.</p> <p>AND</p> | <p>N/A See AO19.1 above.</p> |
| | <p>AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p> | <p>N/A See AO19.1 above.</p> |
| Network impacts | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|--|
| <p>PO20 Development does not result in a worsening of operating conditions on the state-controlled road network.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | No acceptable outcome is prescribed. | <p>Complies with PO20</p> <p>Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access arrangements will not result in an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO20.</p> |
| <p>PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.</p> | <p>AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.</p> | <p>N/A</p> <p>The site does not front a local road.</p> |
| <p>PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.</p> | <p>AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i>, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</p> | <p>Complies with PO22</p> <p>Should any upgrades be required, compliance can be conditioned.</p> |

Table 1.2.2: Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with table 2.2.2: Environmental emissions in State code 2: Development in a railway environment.

Refer to the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcomes in Table 1.2.2.

| Performance outcomes | Acceptable outcomes |
|--------------------------|---------------------|
| Noise | |
| Accommodation activities | |

| Performance outcomes | Acceptable outcomes | |
|--|---|---|
| <p>PO23 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in habitable rooms.</p> | <p>AO23.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. ≤ 60 dB(A) L_{10} (18 hour) façade corrected (measured L_{90} (8 hour) free field between 10pm and 6am ≤ 40 dB(A)) b. ≤ 63 dB(A) L_{10} (18 hour) façade corrected (measured L_{90} (8 hour) free field between 10pm and 6am > 40 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>In some instances, the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads.</p> | <p>N/A The development does not involve an accommodation activity.</p> |

| Performance outcomes | Acceptable outcomes | |
|----------------------|---|---|
| | <p>OR all of the following acceptable outcomes apply:</p> <p>AO23.2 Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> | <p>N/A See AO23.1 above.</p> |
| | <p>AO23.3 Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> | <p>N/A See AO23.1 above.</p> |
| | <p>AO23.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour over 24 hours). <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the State Planning Policy interactive mapping system.</p> | <p>N/A See AO23.1 above.</p> |

| Performance outcomes | Acceptable outcomes | |
|--|--|---|
| <p>PO24 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.</p> | <p>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> a. ≤ 57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight ≤ 45 dB(A)) b. ≤ 60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight > 45 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017</p> <p>OR</p> | <p>N/A See AO23.1 above.</p> |
| | <p>AO24.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>AND</p> | <p>N/A See AO23.1 above.</p> |

| Performance outcomes | Acceptable outcomes | |
|---|---|---|
| | <p>AO24.3 Each dwelling with a balcony directly exposed to noise from a state-controlled road or type 1 multi-modal corridor has a continuous solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).</p> | <p>N/A See AO23.1 above.</p> |
| Childcare centres and educational establishments | | |
| <p>PO25 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p> | <p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. ≤ 58 dB(A) L₁₀ (1 hour) façade corrected (maximum hour during normal opening hours) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> | <p>N/A The development will not involve the establishment of a child care centre or educational establishment.</p> |
| | <p>OR all of the following acceptable outcomes apply:</p> | <p>N/A See AO25.1 above.</p> |

| Performance outcomes | Acceptable outcomes | |
|----------------------|--|---|
| | <p>AO25.2 Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> | |
| | <p>AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> | <p>N/A See AO25.1 above.</p> |
| | <p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> | <p>N/A See AO25.1 above.</p> |

| Performance outcomes | Acceptable outcomes | |
|---|--|---|
| <p>PO26 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.</p> | <p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: <ol style="list-style-type: none"> a. ≤ 63 dB(A) L_{10} (12 hour) free field (between 6am and 6pm) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>OR</p> | <p>N/A See AO25.1 above.</p> |
| | <p>AO26.2 Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> | <p>N/A See AO25.1 above.</p> |
| Hospitals | | |
| <p>PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.</p> | <p>AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–</p> | <p>N/A The development does not involve the establishment of a hospital.</p> |

| Performance outcomes | | Acceptable outcomes |
|--|---|--|
| | | <p>1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> |
| Vibration | | |
| Hospitals | | |
| <p>PO28 Development involving a hospital minimises vibration impacts from vehicles using a state-controlled road or type 1 multi-modal corridor in patient care areas.</p> | <p>AO28.1 Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of 0.1m/s^{1.75}.</p> <p>AND</p> | <p>N/A The development does not involve the establishment of a Hospital.</p> |
| | <p>AO28.2 Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of 0.4m/s^{1.75}.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.</p> | <p>N/A See AO28.1 above.</p> |
| Air and light | | |
| <p>PO29 Development involving an accommodation activity minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.</p> | <p>AO29.1 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> | <p>N/A The development will not involve an accommodation activity.</p> |
| <p>PO30 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment | <p>AO30.1 Each outdoor education area and outdoor play area is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> | <p>N/A The development will not involve a child care centre or educational establishment.</p> |

| Performance outcomes | Acceptable outcomes | |
|---|---|---|
| minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas. | | |
| PO31 Development involving an accommodation activity or hospital minimises lighting impacts from a state-controlled road or type 1 multi-modal corridor. | AO31.1 Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a state-controlled road or type 1 multi-modal corridor. OR | N/A The development does not involve an accommodation activity or hospital. |
| | AO31.2 Windows facing a state-controlled road or type 1 multi-modal corridor include treatments to block light from a state-controlled road or type 1 multi-modal corridor. | N/A See AO31.1 above. |

Table 1.2.3: Development in a future state-controlled road environment

| Performance outcomes | Acceptable outcomes | |
|---|--|--|
| PO32 Development does not impede delivery of a future state-controlled road. | AO32.1 Development is not located in a future state-controlled road. OR | N/A The site is not mapped as being located in a future State-controlled Road environment. |
| | AO32.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future state-controlled road. | N/A See AO32.1 above. |
| | OR all of the following acceptable outcomes apply: AO32.3 Structures and infrastructure located in a future state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND | N/A See AO32.1 above. |

| Performance outcomes | Acceptable outcomes | |
|---|---|---|
| | <p>AO32.4 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> | <p>N/A See AO32.1 above.</p> |
| | <p>AO32.5 Land is able to be reinstated to the pre-development condition at the completion of the use.</p> | <p>N/A See AO32.1 above.</p> |
| <p>PO33 Vehicular access to a future state-controlled road is located and designed to not create a safety hazard for users of a future state-controlled road or result in a worsening of operating conditions on a future state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a future state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p> | <p>AO33.1 Development does not require new or changed access between the premises and a future state-controlled road.</p> <p>AND</p> | <p>N/A See AO32.1 above.</p> |
| | <p>AO33.2 Vehicular access for the development is consistent with the function and design of the future state-controlled road.</p> | <p>N/A See AO32.1 above.</p> |
| <p>PO34 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with the Road Planning and Design Manual, 2nd edition: Volume 3, Department of Transport and Main Roads, 2016.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p> | <p>No acceptable outcome is prescribed.</p> | <p>N/A See AO32.1 above.</p> |

| Performance outcomes | Acceptable outcomes | |
|--|--|---|
| <p>PO35 Fill material from a development site does not result in contamination of land for a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO35.1 Fill material is free of contaminants including acid sulfate content. Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p> | <p>N/A See AO32.1 above.</p> |
| <p>PO36 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>No acceptable outcome is prescribed.</p> | <p>N/A See AO32.1 above.</p> |
| <p>PO37 Run-off from the development site is not unlawfully discharged to a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p> | <p>AO37.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> | <p>N/A See AO32.1 above.</p> |
| | <p>AO37.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division), Fourth Edition, 2016, provides further information on lawful points of discharge.</p> <p>AND</p> | <p>N/A See AO32.1 above.</p> |
| | <p>AO37.3 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p> | <p>N/A See AO32.1 above.</p> |

State code 16: Native vegetation clearing

Table 16.2.2: General

| Performance outcomes | Acceptable outcomes | Response |
|--|---|---|
| Clearing avoids or minimises impacts | | |
| <p>PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. | <p>No acceptable outcome is prescribed.</p> | <p>Complies with PO1</p> <p>The development is unable to be wholly located within a Category X Area. It is acknowledged that the Category X areas are suitable for the proposed irrigation, but are not suitable for the location of the sheds and other infrastructure as the Category X areas are chastised by numerous and significant 'wash out' areas and large areas of varying topography and depressions making access for heavy vehicles nearly impossible and unsafe. Hence, the clearing of Category B remnant vegetation cannot be entirely avoided, although it has been minimised, as is outlined below.</p> <p>To minimise the clearing of vegetation, the location of the development has been chosen so as to:</p> <ul style="list-style-type: none"> • Be within close proximity to the sites access; |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|---------------------|---|
| | | <ul style="list-style-type: none"> • Follows the existing internal access roads; • The development footprint has been squeezed to ensure all structures are within close proximity to one another which will in turn, minimise the amount of exempt clearing created; • To ensure all clearing and exempt clearing does not exceed 2ha (total amount should not exceed 1ha); • Is on flat usable land; • Is suitably setback from the adjacent waterways to ensure no exempt clearing in/adjacent to the waterway is triggered; and • Is in an area of the site dominated by re-growth as a result of previous cattle farming activities and areas that were felled for wood production by the State in accordance with the Profit A Pendre in effect over the site. <p>In relation to the Category B vegetation proposed to be cleared, this vegetation is:</p> <ul style="list-style-type: none"> • IS 'of a least concern'; |

| Performance outcomes | Acceptable outcomes | Response |
|--|--------------------------------------|---|
| | | <ul style="list-style-type: none"> • NOT mapped as essential habitat; • NOT located within 100m of a natural wetland; and • IS setback the minimum distances to mapped waterways. <p>As a result, we are of the view that the impacts of clearing created by the development has been reasonably minimised to the greatest extent possible and hence, the development complies with PO1.</p> |
| Clearing on land in particular circumstances | | |
| <p>PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy, 2019.</p> | No acceptable outcome is prescribed. | <p>N/A</p> <p>There is no vegetation notice on the site.</p> |
| <p>PO3 Clearing is consistent with vegetation management requirements for particular regulated</p> | No acceptable outcome is prescribed. | <p>N/A</p> <p>The site is not located in a 'particular regulated area'.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|--------------------------------------|--|
| <p>areas unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy 2019.</p> | | |
| <p>PO4 Clearing of a legally secured offset area:</p> <ol style="list-style-type: none"> 1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or 2. only occurs if an additional offset is provided that is consistent with the <i>Environmental Offsets Act 2014</i> and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014. <p>Note: Reference to 'agreement' above includes the 'agreed delivery arrangement' for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</p> | No acceptable outcome is prescribed. | <p>N/A</p> <p>The site is not located within a legally secured offset area.</p> |
| <p>Clearing of vegetation as a result of the material change of use or reconfiguration of a lot</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
|---|--------------------------------------|---|
| PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Clearing that could already be done under an exemption | | |
| PO6 Clearing does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development (as prescribed under schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

Table 16.2.3: Specific

| Performance outcomes | Acceptable outcomes | Response |
|--|---|--|
| Clearing associated with wetlands (public safety, relevant infrastructure activities consequential development of IPA approval, a coordinated project, extractive industry) | | |
| PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: 1. bank stability by protecting against bank erosion; | AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR | Complies with PO7 The site is not located within 100m of a mapped wetland. |

| Performance outcomes | Acceptable outcomes | Response |
|---|--|---|
| <p>and</p> <ol style="list-style-type: none"> 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO7.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code. <p>OR</p> <p>AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).</p> | <p>N/A See AO7.1 above.</p> |
| <p>Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, managing thickened vegetation, fodder harvesting)</p> | | |
| <p>PO8 Clearing maintains vegetation associated with a natural wetland to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO 8.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|--|---|
| | 2. within 20 metres of the defining bank of any natural wetland. AND | |
| | AO8.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where: <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO8.3 Chemical clearing retains: <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|---|---|
| | AND | |
| | <p>AO8.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AND</p> <p>AO8.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a natural wetland;</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. the distance specified for wetlands on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|--|---|
| | AND | |
| | <p><i>Clearing for managing thickened vegetation:</i></p> <p>AO8.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a natural wetland; and 2. within 20 metres of the defining bank of a natural wetland. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p><i>Clearing for encroachment:</i></p> <p>AO8.7 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|--|---|
| | <p>AO8.8 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p><i>Clearing for fodder harvesting:</i></p> <p>AO8.9 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|---|--|---|
| | <p>AO8.10 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation) | | |
| <p>PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO9.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO9.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and: | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|---|---|---|
| | <ul style="list-style-type: none"> b. clearing does not exceed 100 square metres; and c. clearing does not occur outside the defining banks of a natural wetland; and d. clearing does not occur within 50 metres of other clearing for flood preparation. <p>OR</p> <p>AO9.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ul style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ul style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. <p>OR</p> | |
| | <p>AO9.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal)</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|---|
| <p>PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO10.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO10.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO10.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|---|---|
| | <p>OR</p> <p>AO10.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO10.5 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance).</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Clearing associated with watercourses and drainage features (public safety, relevant infrastructure activities, consequential development of IPA approval, coordinated project, extractive industry)</p> | | |
| <p>PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and | <p>AO11.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and | <p>Complies with AO11.1 The site consists of a waterway with a stream order of 2 which, in accordance with Table 16.3.2 of the SDAP, requires a setback distance of 10 metres from the defining bank of a watercourse or drainage feature. The development will be setback a minimum of 64m from the existing waterway and hence, no</p> |

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| Performance outcomes | Acceptable outcomes | Response |
|--|---|--|
| 3. aquatic habitat; and 4. terrestrial habitat. | 2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR | clearing, nor exempt clearing is proposed, nor will it be permitted within the defining bank of within 10m of the defining bank of the watercourses. |
| | AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. OR | N/A See AO11.1 above. |
| | AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance). | N/A See AO11.1 above. |
| Clearing associated with watercourses and drainage features (necessary environmental clearing- land restoration and natural disaster preparation) | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|---|
| <p>PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO12.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and b. clearing does not exceed 100 square metres; and c. clearing does not occur outside of the defining bank of any watercourse or drainage feature; and | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|---|
| | <p>d. clearing does not occur within 50 metres of other clearing for flood preparation.</p> <p>OR</p> | |
| | <p>AO12.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO12.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal)</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|--|---|
| <p>PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO13.1 Clearing does not occur within any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO13.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 10 metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|---|---|---|
| | <ul style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. <p>OR</p> | |
| | <p>AO13.4 Where clearing cannot be reasonably avoided, and:</p> <ul style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance). | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, managing thickened vegetation, fodder harvesting)</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
|--|---|---|
| <p>PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO14.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO14.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|---|---|
| | 2. clearing retains all habitat trees and mature trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to the watercourse or drainage feature and is not within 10 metres of the defining bank of the watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. AND | |
| | AO14.3 Chemical clearing retains all of the following: <ol style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in any 50 metre by 50 metre area. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO14.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature: <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|---|---|
| | <p>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</p> <p>AND</p> | |
| | <p>AO14.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p><i>Clearing for managing thickened vegetation:</i></p> <p>AO14.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|--|---|
| | 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. AND | |
| | <i>Clearing for fodder harvesting:</i> AO14.7 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any watercourse or drainage feature. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>AO14.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 100 metres of the defining bank of any watercourse or drainage feature. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Clearing associated with watercourses or drainage features (encroachment) | | |
| <p>PO15 Clearing of encroachment maintains:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | <p>AO15.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>AO15.2 Root-absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Maintaining connectivity (public safety, relevant infrastructure activities, consequential development of IPA approval, extractive industry) | | |
| <p>PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.</p> | <p>AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.</p> | <p>Complies with PO16 The development is located within a Coastal bioregion and sub-region and will maintain connectivity by complying with Table 16.3.3 as follows:</p> <ol style="list-style-type: none"> 1. The area of vegetation on-site is connected to an area of vegetation that is well in excess of 10ha; 2. The site currently contains approximately 166ha of Category B vegetation. Upon clearing being completed, the site will still have more than 164ha of vegetation remaining on-site (exact extent of clearing is unknown but will be less than 2ha); |

| Performance outcomes | Acceptable outcomes | Response |
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| | | 3. The overall vegetation area (as outlined above) is wider than 100 metres; 4. The width of vegetation (as outlined above) will not be cleared to less than 100 metres; and 5. The extent of vegetation on-site will not be reduced to less than 30 per cent of the total area of the site. |
| Connectivity areas (coordinated project) | | |
| PO17 In consideration of vegetation on the land subject to the development application and on adjacent land: 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset. | AO17.1 Clearing occurs in accordance with table 16.3.3 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance). | N/A Not applicable in accordance with Table 16.2.1. of the SDAP. |
| Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation) | | |
| PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the | AO18.1 Clearing occurs in accordance with table 16.3.3 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated. | AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Connectivity areas (necessary environmental clearing – natural channel diversion and contaminants removal) | | |
| <p>PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:</p> <ol style="list-style-type: none"> 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant provides an offset. | <p>AO19.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO19.3 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| Soil erosion (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act approval, coordinated project, necessary environmental clearing) | | |
| <p>PO20 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p> | <p>AO20.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to:</p> <ol style="list-style-type: none"> 1. prevent accelerated soil erosion; or 2. where prevention is not possible, minimise accelerated soil erosion. <p>OR</p> | <p>N/A See AO20.2 below.</p> |
| | <p>AO20.2 The local government is the assessment manager for the development application.</p> | <p>Complies with AO20.2 The local government is the assessment manager for the development application.</p> |
| Soil erosion (necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment, fodder harvesting) | | |
| <p>1. PO21 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</p> | <p>AO21.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> 1. prevent increased soil erosion resulting from the clearing; and 2. stabilise soil erosion which would result from clearing; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO21.2 Mechanical clearing:</p> <ol style="list-style-type: none"> 1. does not occur on a slope greater than 15 percent; and 2. in each 50 by 50 metre area (0.25 hectares), retains 50 per cent of the ground cover and does not disturb more than 50 per cent of the ground cover. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO21.3 New access tracks required to provide necessary access to control a non-native plant or declared pests do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use</p> <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p><i>Clearing for managing thickened vegetation:</i></p> <p>AO21.4 Mechanical clearing does not:</p> <ol style="list-style-type: none"> 1. occur in a regional ecosystem in table 16.3.4 of this code that states 'mechanical clearing not permitted'; | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | 2. disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover; 3. occur on a slope greater than five per cent; and 4. occur within 50 metres of an area of existing accelerated soil erosion. AND | |
| | <i>Clearing for encroachment:</i> AO21.5 Mechanical clearing does not occur in any of the following areas: 1. within 50 metres of an area of soil erosion; and 2. slopes greater than 5 per cent. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | <i>Clearing for fodder harvesting:</i> AO21.6 Mechanical clearing does not occur on a slope greater than five percent. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| Salinity (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, encroachment, fodder harvesting) | | |
| PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil. | AO22.1 Clearing does not occur within 100 metres of a salinity expression area. | Complies with PO22 The clearing will not be located within 100 metres of a salinity expression area. |
| Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry) | | |
| PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems. | AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem. OR | Complies with AO23.1 The development will not involve clearing within areas identified as an endangered regional ecosystem or an of concern regional ecosystem. |
| | AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code. OR | N/A See AO23.1 above. |
| | AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code. | N/A See AO23.1 above. |

| Performance outcomes | Acceptable outcomes | Response |
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| | OR | |
| | AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance). | N/A See AO23.1 above. |
| Essential habitat (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, fodder harvesting) | | |
| PO24 Clearing maintains the current extent of essential habitat. | AO24.1 Clearing does not occur in essential habitat. OR | N/A There is no essential habitat located on site. |
| | AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. | N/A See AO24.1 above. |
| | OR | |

| Performance outcomes | Acceptable outcomes | Response |
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| | AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR | N/A See AO24.1 above. |
| | AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance). | N/A See AO24.1 above. |
| Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation) | | |
| PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area. | AO25.1 Clearing does not occur in essential habitat. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal) | | |
| PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat. | AO26.1 Clearing does not occur in essential habitat. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO26.5 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Acid sulfate soils (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment)</p> | | |
| <p>PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals. | <p>AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> | <p>N/A See AO27.3 below.</p> |
| | <p>AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and | <p>N/A See AO27.3 below.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>2. acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014.</p> <p>OR</p> <p>AO27.3 The local government is the assessment manager for the development application.</p> | <p>Complies with AO27.3 Mareeba Shire Council is the Assessment Manager for the development application.</p> |
| Clearing is staged (extractive industry) | | |
| <p>PO28 Clearing:</p> <ol style="list-style-type: none"> 1. is staged in line with operational needs that restrict clearing to the current operational area; and 2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure, within the term of the development approval; and 3. does not occur without required permits. | <p>No acceptable outcome is prescribed.</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Coordinated project – involving clearing for agriculture | | |

| Performance outcomes | Acceptable outcomes | Response |
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| PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| PO30 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Clearing for necessary environmental clearing – land restoration and natural disaster preparation | | |
| PO31 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area. | AO31.1 Clearing retains all of the following: 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO31.2 Clearing is for the purpose of natural disaster preparation and does not exceed the widths prescribed in table 16.3.1 of this code. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO31.3 Clearing is for the purpose of natural disaster preparation and does not exceed the areas prescribed in table 16.3.1 of this code. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | OR | |
| | AO31.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Clearing for necessary environmental clearing - natural channel diversion and contaminants removal | | |
| PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation. | AO32.1 Clearing retains all of the following: <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO32.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the regional ecosystem is rehabilitated. OR | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO32.3 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | | |

| Performance outcomes | Acceptable outcomes | Response |
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| | residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance). | |
| Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests) | | |
| PO33 Clearing activities: 1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain all habitat and mature trees. | AO33.1 Mechanical clearing: 1. only occurs within 1.5 metres from the edge of the canopy of individual non-native plants, unless the clearing is required to provide necessary access to control a non-native plant or declared pest; and 2. does not occur using two machines linked by chain or cable; and 3. retains all habitat trees and mature trees. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO33.2 Clearing to provide necessary access to control non-native plants or declared pests does not exceed five metres in width. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO33.3 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD). | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | AND | |
| | AO33.4 Chemical clearing retains all of the following: <ol style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AND AO33.5 Aerial application of a root-absorbed broad spectrum herbicides does not occur. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AND AO33.6 Root-absorbed broad spectrum herbicides are not applied within whichever distance is the greater from a mature tree or a habitat tree; <ol style="list-style-type: none"> 1. 30 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Restoring the regional ecosystem (managing thickened vegetation) | | |

| Performance outcomes | Acceptable outcomes | Response |
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| <p>PO34 Clearing activities:</p> <ol style="list-style-type: none"> 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. | <p>AO34.1 Clearing does not occur in thickets.</p> <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.2 Clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.3 Clearing does not result in debris stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>AO34.4 If clearing immature trees, retain immature trees in each 50 metre by 50 metre area to at least the density specified in table 16.3.4 of this code.</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.5 If clearing low shrubs:</p> <ol style="list-style-type: none"> 1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains at least the number of immature trees specified in table 16.3.4 of this code; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.6 Mechanical clearing does not occur within 5 metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | <p>AO34.7 Clearing is not undertaken by:</p> <ol style="list-style-type: none"> 1. aerial application of any herbicide; 2. application of a root-absorbed broad spectrum herbicide. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.8 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO34.9 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| <p>Clearing limited to specific regional ecosystems and specific clearing methods (managing thickened vegetation)</p> | | |

| Performance outcomes | Acceptable outcomes | Response |
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| <p>PO35 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply:</p> <ol style="list-style-type: none"> clearing is in regional ecosystems prescribed in table 16.3.4 of this code; and clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.4 of this code. retain mature trees, habitat trees and tall immature trees and thickets. | No acceptable outcome is prescribed. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Clearing limited to specific regional ecosystems (encroachment) | | |
| <p>PO36 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.5 of this code.</p> | No acceptable outcome is prescribed. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Conserving vegetation (encroachment) | | |
| <p>PO37 Clearing activities:</p> <ol style="list-style-type: none"> result in the restoration of the regional ecosystem; and retain all habitat trees; and retain all groves; and retain species which make up the natural floristic composition of the regional ecosystem, distributed in a natural pattern. | <p>AO37.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> all mature trees; and all habitat trees; and all woody vegetation within a grove, unless it is undertaken by a regional ecosystem burn. <p>AND</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| | <p>AO37.2 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | ecosystem, as outlined in the Regional Ecosystem Description Database (REDD). AND | |
| | AO37.3 Clearing does not result in debris being stacked or pushed against a mature tree or a habitat tree. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO37.4 Mechanical clearing does not occur within 10 metres of a mature tree or a habitat tree. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO37.5 Aerial application of a herbicide does not occur. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO37.6 Chemical clearing does not occur within five metres of a mature tree or a habitat tree. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | AO37.7 Root-absorbed broad spectrum herbicides are not applied in any of the following areas: 1. regional ecosystems 11.4.11 and 11.8.11; and | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | 2. within whichever is the greater distance from a mature tree or a habitat tree: <ol style="list-style-type: none"> a. 10 metres; or b. the distance specified by the approved product label; or c. the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority; and 3. within whichever is the greater distance from a grove: <ol style="list-style-type: none"> 1. 30 metres; or 2. the distance specified by the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. | |
| Limits to clearing for fodder harvesting (fodder harvesting) | | |
| PO38 Clearing is limited to: <ol style="list-style-type: none"> 1. the extent necessary to provide fodder for stock; and | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| 2. areas where the stock is located, and the stock have sufficient water. | | |
| PO39 Clearing must only occur: 1. in regional ecosystems listed in table 16.3.6 or table 16.3.7 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.6 or table 16.3.7 of this code. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| PO40 Clearing consists predominantly of fodder species. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| Conserving vegetation (fodder harvesting) | | |
| PO41 Clearing is carried out in a way that conserves: 1. remnant vegetation in perpetuity; and 2. the regional ecosystem in which the vegetation is situated. | AO41.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |
| | A042.2 Selective harvesting: 1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | 2. when using a chainsaw in regional ecosystems listed in table 16.3.6 of this code, retains at least one fodder tree for every fodder tree cleared; and 3. in least concern regional ecosystems listed in table 16.3.7 of this code, retains at least one fodder tree for each fodder tree cleared; and 4. in of concern regional ecosystems listed in table 16.3.7 of this code, retains at least two fodder trees for each fodder tree cleared. AND | |
| | AO41.3 Strip harvesting and block harvesting: 1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply: <ol style="list-style-type: none"> a. the vegetation has not been cleared in the last 10 years; and b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and c. the fodder trees that were previously harvested have now attained an average height of at least 4 metres; and | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
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| | 2. aligns clearing along the contour where practical; and 3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide. AND | |
| | AO41.4 Strip harvesting: 1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas: a. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width. AND | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

| Performance outcomes | Acceptable outcomes | Response |
|---|---|---|
| | <p>AO41.5 Block harvesting:</p> <ol style="list-style-type: none"> 1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas: <ol style="list-style-type: none"> a. being preserved between block harvest areas in accordance with the widths specified in table 16.3.8 of this code; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Cleared vegetation (fodder harvesting) | | |
| <p>PO42 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared.</p> | <p>No acceptable outcome is prescribed.</p> | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |
| Conserving the fodder resource (fodder harvesting) | | |
| <p>PO43 Fodder harvesting is carried out in a way that will conserve the fodder resource.</p> | <p>AO43.1 Clearing does not occur:</p> <ol style="list-style-type: none"> 1. in an area that has been cleared in the previous 10-year period; and 2. more than once in the same area of a lot; and | <p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p> |

| Performance outcomes | Acceptable outcomes | Response |
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| | 3. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.6 and table 16.3.7 of this code on the lot; and 4. in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code. | |
| Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems (Vegetation retention purposes) | | |
| PO44 The duration of clearing for a vegetation retention purpose occurs only for a period that: <ol style="list-style-type: none"> 1. will not contribute to land degradation; and 2. ensures the ongoing maintenance of ecological processes and biodiversity; and 3. maintains the regional ecosystem. | No acceptable outcome is prescribed. | N/A Not applicable in accordance with Table 16.2.1 of the SDAP. |

State code 22: Environmentally relevant activities

Table 22.2.2: Material change of use

| Performance outcomes | Acceptable outcomes | Response |
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| All ERAs | | |
| PO1 Development is suitably located and designed to avoid or mitigate environmental harm to the acoustic environment. | AO1.1 Development meets the acoustic quality objectives for sensitive receptors identified in the Environmental Protection (Noise) Policy 2019. | Complies with PO1 Please refer to the Environmental Impact Assessment in Attachment 7 for demonstration of compliance with the Performance Outcome. |
| PO2 Development is suitably located and designed to avoid or mitigate environmental harm to the air environment. | AO2.1 Development meets the air quality objectives of the Environmental Protection (Air) Policy 2019. | Complies with PO2 Please refer to the Environmental Impact Assessment in Attachment 7 for demonstration of compliance with the Performance Outcome. |
| PO3 Development, other than intensive animal industry for poultry farming, is suitably located and designed to avoid or mitigate environmental harm on adjacent sensitive land uses caused by odour. | No acceptable outcome is prescribed. | Complies with PO3 Please refer to the Environmental Impact Assessment in Attachment 7 for demonstration of compliance with the Performance Outcome. |
| PO4 Development is suitably located and designed to avoid or mitigate environmental harm to the receiving waters environment. | AO4.1 Development meets the management intent, water quality guidelines and objectives of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019. | Complies with PO4 Please refer to the Environmental Impact Assessment in Attachment 7 for demonstration of compliance with the Performance Outcome. |
| PO5 Development is designed to include elements which: <ol style="list-style-type: none"> 1. prevent or minimise the production of hazardous contaminants and waste as by-products; or 2. contain and treat hazardous contaminants on-site rather than releasing them into the environment; and | No acceptable outcome is prescribed. | Complies with PO5 The development complies with the Performance Outcome, as is outlined below: <ol style="list-style-type: none"> 1. The development will not produce waste that is hazardous, all waste water will be treated to a suitable standard prior to release via irrigation; |

| Performance outcomes | Acceptable outcomes | Response |
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| 3. provide secondary containment to prevent the accidental release of hazardous contaminants to the environment from spillage or leaks. | | 2. As above 3. Bunding will be installed round the tanks that hold both the feedstock and nutrient water. In addition, the irrigation system will be designed so as not to produce any pooling or runoff and will contain a number of interlocks to prevent operator error. Finally, if there is a spill, i.e., due to a burst pipe, the spill will be restricted to a maximum amount of 10,000l as the irrigation system will only have a maximum of this amount available for use. |
| PO6 Environmentally hazardous materials located on site are stored to avoid or minimise their release into the environment due to inundation during flood events. | No acceptable outcome is prescribed. | Not Applicable The site is not flood prone. |
| All development – matters of environmental significance | | |
| PO7 Development: 1. avoids impacts on matters of state environmental significance; or 2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and 3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable | No acceptable outcome is prescribed. | Complies with PO7 Please refer to the Environmental Impact Assessment in Attachment 7 for demonstration of compliance with the Performance Outcome. |

| Performance outcomes | Acceptable outcomes | Response |
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| <p>significant residual impact on a matter of state environmental significance.</p> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see www.portbris.com.au.</p> <p>Note: Guidance for determining if the development will have a significant residual impact on a matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2014</i>.</p> | | |
| Category C areas and category R areas of vegetation | | |
| <p>PO8 Development:</p> <ol style="list-style-type: none"> 1. avoids impacts on category C areas of vegetation and category R areas of vegetation; or 2. minimises and mitigates impacts on category C areas and category R areas of vegetation after demonstrating avoidance is not reasonably possible. | No acceptable outcome is prescribed. | <p>Not Applicable</p> <p>The development is not located in a Category C or R area.</p> |
| Intensive animal industry – poultry farming (ERA 4(2)) | | |
| <p>PO9 Poultry farming development (where farming more than 200,000 birds) is suitably located and designed to avoid or mitigate environmental harm on adjacent sensitive land uses caused by odour.</p> | <p>AO9.1 For poultry farming involving 300,000 birds or less, development meets the separation distances as determined using the S-factor methodology to:</p> <ol style="list-style-type: none"> 1. a sensitive land use in a rural zone; and 2. boundary of a non-rural zone. <p>OR</p> | <p>Not Applicable</p> <p>The development does not involve intensive animal industry.</p> |

| Performance outcomes | Acceptable outcomes | Response |
|----------------------|---|----------|
| | <p>AO9.2 Development meets the separation distances as determined by odour modelling using the following criteria:</p> <ol style="list-style-type: none"> 1. 2.5 odour units, 99.5 percent, 1 hour average for a sensitive land use in a rural zone; or 2. 1.0 odour units, 99.5 percent, 1 hour average for the boundary of a non-rural zone. <p>Statutory note: Guidance for determining if the development will cause environmental harm caused by odour is provided in the Development of Meat Chicken Farms in Queensland, Department of Agriculture and Fisheries, 2016 and the Guideline – Odour Impact Assessment from Developments, Department of Environment and Heritage Protection, 2013.</p> | |