4 Development assessment

4.1 Purpose

In accordance with Section 21 of the Ports Act, this section identifies the following for **development** in the **master planned area** for the Planning Act:

- categories of assessment
- the matters an **assessment manager** must consider in assessing a **development application** (including supporting mapping).

The port overlay includes assessment benchmarks to ensure the strategic vision, objectives, desired outcomes and state interests for the **master planned area** are appropriately considered by an **assessment manager** under the Planning Act.

Under the Ports Act, the port overlay will prevail over a planning instrument under the Planning Act and a LUP under the Transport Infrastructure Act to the extent of any inconsistency. If the port overlay states matters an **assessment manager** must consider, the **assessment manager** must consider those matters in assessing the **development application** under the Planning Act. The **assessment manager's** decision must not be inconsistent with the port overlay.

4.2 Local planning instrument and land use plan

This section details the requirements of the port overlay in relation to development assessment processes under the GRC Planning Scheme and the GPC LUP.

4.2.1 Gladstone Regional Council Planning Scheme

Table 4.1 identifies the assessment benchmarks that are assessable under the GRC Planning Scheme as a categorising instrument, and prescribed by the port overlay in Section 4.4.

Table 4.1 Categories of assessment – GRC Planning Scheme

Development	Level of assessment	Assessment benchmark
Potential material placement areas		
If the development is located in or within 25 m of a potential material placement area		
A material change of use where the **development** is accepted development (self-assessable) under the table of assessment for the relevant zone for any of the following: (a) Caretaker's accommodation (b) Telecommunication facility	No change to assessment level if complying with accepted development (self-assessable) outcomes	Marine infrastructure management code
Any other material change of use	No change to assessment level	Marine infrastructure management code
Reconfiguring a lot	No change to assessment level	Marine infrastructure management code
Operational work for excavation or filling	No change to assessment level	Marine infrastructure management code
Residential and port industry interface		
If located within the interface precinct		
Within the medium density residential zone		
Material change of use within the medium density residential zone where the **development** is accepted development (self-assessable) for any of the following: (a) Caretaker's accommodation (b) Dual occupancy (c) Sales office	No change to assessment level if complying with accepted development (self-assessable) outcomes	Residential and port industry interface code
Any other material change of use within the medium density residential zone	No change to assessment level	Residential and port industry interface code
Within the low impact industry zone		
Material change of use within the low impact industry zone where the **development** is accepted development (self-assessable) for any of the following: (a) Office (b) Caretaker's accommodation (c) Sales office	No change to assessment level if complying with accepted development (self-assessable) outcomes	Residential and port industry interface code
Material change of use within the low impact industry zone for any of the following: (a) Educational establishment (b) Food and drink outlet	No change to assessment level	Residential and port industry interface code

Development	Level of assessment	Assessment benchmark
Within the open space zone		
Material change of use within the open space zone for caretaker's accommodation	No change to assessment level if complying with accepted development (self-assessable) outcomes	Residential and port industry interface code
Material change of use within the open space zone for any of the following: (a) Club (b) Community use	No change to assessment level	Residential and port industry interface code
Within all zones		
Reconfiguring a lot	No change to assessment level	Residential and port industry interface code
Operational work for excavation and filling	No change to assessment level	Residential and port industry interface code
Environmental values management		
All zones within the priority Port of Gladstone master planned area boundary		
All **development**	No change to assessment level	Environmental values management code
Infrastructure and supply chain		
If located within the infrastructure and supply chain corridors precinct		
Within the sport and recreation zone		
Material change of use within the sport and recreation zone where the **development** is accepted development (self-assessable) for a telecommunications facility	No change to assessment level if complying with accepted development (self-assessable) outcomes	Infrastructure and supply chain management code
Any other material change of use	No change to assessment level	Infrastructure and supply chain management code
Reconfiguring a lot	No change to assessment level	Infrastructure and supply chain management code
Operational work for excavation and filling	No change to assessment level	Infrastructure and supply chain management code
Within the special purpose zone		
Material change of use within the special purpose zone where the **development** is accepted development (self-assessable) for a telecommunications facility	No change to assessment level if complying with accepted development (self-assessable) outcomes	Infrastructure and supply chain management code
Any other material change of use	No change to assessment level	Infrastructure and supply chain management code
Reconfiguring a lot	No change to assessment level	Infrastructure and supply chain management code
Operational work for excavation and filling	No change to assessment level	Infrastructure and supply chain management code

Development	Level of assessment	Assessment benchmark
Mount Larcom landform area		
If located in the environmental management precinct		
Within the rural zone		
Any of the following within the rural zone where the **development** is exempt for any of the following: (a) Environment facility (b) Outstation (c) Emergency services (d) Substation (e) Utility infrastructure	Code assessable	Environmental values management code
Material change of use within the rural zone where the **development** is accepted development (self-assessable) for caretaker's accommodation	No change to assessment level if complying with accepted development (self-assessable) outcomes	Environmental values management code
Material change of use within the rural zone where the **development** is accepted development (self-assessable) for the following: (a) Roadside stall (b) Telecommunications facility	Code assessable	Environmental values management code
Material change of use within the rural zone where the **development** is code assessable for any of the following: (a) Nature based tourism (b) Emergency services (c) Substation (d) Utility installation	No change to assessment level	Environmental values management code
Any other material change of use within the rural zone if located within the environmental management precinct	Impact assessable	Environmental values management code
Reconfiguring a lot	No change to assessment level	Environmental values management code
Operational work for excavation and filling	No change to assessment level	Environmental values management code

Table note:
Underlined text refers to terms as defined and referred to in the GRC Planning Scheme

4.2.2 Gladstone Ports Corporation Land Use Plan

Table 4.2 identifies the assessment benchmarks that are assessable under the GPC LUP as a categorising instrument, and prescribed by the port overlay in Section 4.4.

Table 4.2 Categories of assessment – GPC LUP

Development	Category of assessment	Assessment benchmark
Potential material placement areas		
All **development** where located within a **potential material placement area** or within 25 m of a **potential material placement area**	No change to assessment level	Marine infrastructure management code
Residential and port industry interface		
If located within the interface precinct		
All **development** within the port industry precinct or light industry and commercial precinct	No change to assessment level	Residential and port industry interface code
Environmental values management		
All **development** within the **master planned area**	No change to assessment level	Environmental values management code
Infrastructure and supply chain corridors		
All **development** within the **master planned area**	No change to assessment level	Infrastructure and supply chain management code

Table note:
Underlined text refers to terms as defined and referred to in the GPC LUP

4.3 Other development assessment processes (Planning Regulation)

Table 4.3 identifies the assessment benchmarks that **development** must be assessed against by an **assessment manager**, in addition to the matters required to be considered by the **assessment manager** under the Planning Act, during development assessment triggered by the Planning Regulation.

Table 4.3 Applicable assessment benchmarks for assessable development under the Planning Regulation

Assessable development	Assessment benchmarks
Material change of use for an environmentally relevant activity	Marine infrastructure management code Environmental values management code
Operational work that is the clearing of native vegetation	Environmental values management code
Operational work for taking or interfering with water	Environmental values management code
Operational work for particular dams	Environmental values management code
Operational work for tidal works or works in a coastal management district	Marine infrastructure management code Environmental values management code Infrastructure and supply chain management code
Operational work relating to fisheries	Environmental values management code Marine infrastructure management code
Operational work in a wetland protection area	Environmental values management code
Operational work for levees	Environmental values management code
Development for removing quarry material	Environmental values management code

4.4 Assessment benchmarks

4.4.1 Preliminary

Assessment benchmarks are matters to be considered in development assessment processes where identified as applicable for the GRC Planning Scheme (Table 4.1) or GPC LUP (Table 4.2), or for **development** identified as assessable under the Planning Regulation (Table 4.3).

The assessment benchmarks address key issues to support the implementation of the strategic vision, objectives, desired outcomes and state interests presented in Section 2. Supporting mapping is provided in Schedule 1 (mapping).

The assessment benchmarks for the port overlay are:

- the purpose and development intent for **development** within the following precincts:
  - Infrastructure and supply chain corridors precinct (Section 1.2.2.2) where not regulated by the GRC Planning Scheme or GPC LUP
  - Marine infrastructure precinct (Section 1.2.2.4)
  - Marine precinct (Section 1.2.2.5)
- marine infrastructure management code
- residential and port industry interface code
- environmental values management code
- infrastructure and supply chain corridors management code.

Table 4.4 is provided to assist in determining the assessment benchmarks applicable to a proposed **development** based upon its location within the **master planned area**.

Table 4.4 Determining applicable assessment benchmarks for the master plan precincts

Assessment benchmark	Precinct						
	Environmental management precinct	Infrastructure and supply chain corridors precinct	Interface precinct	Marine precinct	Marine infrastructure precinct	Marine services and recreation precinct	Port, industry and commerce precinct
Precinct purpose and development intent		✓		✓	✓		
Marine infrastructure management code					✓		✓
Residential and port industry interface code			✓				
Environmental values management code	✓	✓	✓	✓	✓	✓	✓
Infrastructure and supply chain management code	✓	✓	✓	✓	✓	✓	✓

The decision making hierarchy in relation to the assessment benchmarks provides that:

- if an application meets the acceptable outcomes of a code, it complies with the code
- if an application does not meet the acceptable outcomes, but does meet the performance outcomes, it complies with the code

- if an application does not comply with the acceptable outcomes or the performance outcomes, but does meet the purpose and outcomes, it complies with the code
- if an application does not comply with the acceptable outcomes, performance outcomes or purpose and outcomes statement, it does not comply with the code.

Where the acceptable outcomes include:

- an 'AND' provided between each acceptable outcome, this means all of the acceptable outcomes apply if they are relevant to the application
- an 'OR' between each acceptable outcome and there are only two acceptable outcomes, this means one or the other apply if they are relevant to the application.

4.4.2 Marine infrastructure management code

4.4.2.1 Application

The marine infrastructure management code applies to all **development** identified by the categories of assessment tables in Section 4.2 and other assessable development under the Planning Regulation in Section 4.3.

When using this code, reference should be made to the following mapping contained in Schedule 1 (mapping):

- Figure 7 (port berths)
- Figure 8 (potential material placement areas).

4.4.2.2 Purpose and outcomes

The purpose of the marine infrastructure management code is to manage the ongoing operation of marine infrastructure and associated port activities which are necessary to support existing and potential Port of Gladstone trade and economic growth for the region.

The purpose of the marine infrastructure management code will be achieved through the following outcomes:

- **development** does not compromise or adversely impact on the operation of the **port navigable waterway**
- **development** does not compromise or adversely affect the undertaking of **dredging** where necessary to support the ongoing and potential future expanded operation of the Port of Gladstone
- **development** avoids impacts that would compromise the use for the placement of **dredged material**
- **development** ensures that key infrastructure and service links necessary to support access and future **development** of **potential material placement areas** are managed to avoid impacts to servicing **potential material placement areas**
- **development** involving dredged material placement within a **potential material placement area** does not compromise or adversely impact on existing adjacent uses
- where appropriate, **alternative material placement areas** for the placement of **dredged material** are considered.

4.4.2.3 Assessment benchmark

Table 4.5 contains the marine infrastructure management code for accepted (self-assessable) and assessable development.

Table 4.5 Marine infrastructure management code – accepted (self-assessable) and assessable development

Performance outcome	Acceptable outcome
Operation of the port navigable waterway and port berths	
PO1 Development within the marine infrastructure precinct avoids adverse impacts on the operational efficiency of a **port navigable waterway** and **port berths.**	**AO1.1 Development** does not encroach upon a **port navigable waterway**. AND **AO1.2** Infrastructure and services are not located within areas identified as **port berths** as shown on Figure 7 (port berths) in Schedule 1 (mapping).
	OR **AO1.3** Infrastructure and services which are located within or extend into a **port navigable waterway** are located at a minimum depth of -25 m **lowest astronomical tide (LAT)**.
PO2 Development within the marine infrastructure precinct avoids adverse impacts on **aids to navigation**.	**AO2.1 Development** does not remove any material that may destabilise an **aid to navigation**, including ground tackle. AND **AO2.2 Development** does not create any temporary or permanent obstruction of **aids to navigation**. Editor's note: Where development has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation management plan is required. AND **AO2.3 Development** keeps sight lines of any **aids to navigation** which cross the land clear of obstructions. Editor's note: Where **development** has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation management plan is required. AND **AO2.4 Development** ensures ongoing access to **aids to navigation** for maintenance purposes. AND **AO2.5 Development** does not result in electrical or electro-magnetic emissions which may impede the operation of **aids to navigation**.

Performance outcome	Acceptable outcome
	Editor's note: (1) An **aid to navigation** is a device designed to be used for navigation or the guidance of mariners, including a device to help in: (a) fixing a ship's position, or (b) deciding a safe course for a ship, or (c) warning a ship of dangers or obstructions. Examples include beacon, buoy, light, lighthouse, marine mark, radio aid or signal. (2) An **aid to navigation** includes any structure or equipment ancillary to the **aid to navigation**. Examples include the battery house providing a lighthouse with power; lifesaving equipment that is part of an **aid to navigation**. (3) However an **aid to navigation** does not include a device on board a ship. Aid to navigation management plan includes information on changes to and potential obstructions of existing **aids to navigation** resulting from the proposed **development** project for all stages of the proposal lifecycle, to ensure safety of navigation at all times.
Dredging	
PO3 Development for **capital dredging** and **maintenance dredging** are undertaken within the marine infrastructure precinct for the purpose of establishing, constructing, improving or maintaining **port facilities.**	No acceptable outcome.
PO4 Development within the marine infrastructure precinct avoids adversely impacting on **dredging**.	**AO4.1 Development** does not encroach upon a **port navigable waterway**. AND **AO4.2 Subterranean infrastructure** and services which are located within or extend into a **port navigable waterway** are located at a minimum depth of -25 m **lowest astronomical tide (LAT)**.
	OR **AO4.3 Development** involving the removal or demolition of structures, including piles, in a **port navigable waterway**, ensures the entire structure is removed.

Performance outcome	Acceptable outcome
Potential material placement areas and associated access works	
PO5 Development within a **potential material placement area** does not adversely impact on the utility of the area for **capital and/or maintenance dredged material placement.**	**AO5.1 Development** is located outside a **potential material placement area** unless it is: (1) **Development** associated with **capital and/or maintenance dredged material placement.** OR (2) **Development** associated with **ground improvement works** following the completion of **capital and/or maintenance dredged material placement** over the whole or part of the **potential material placement area.** OR (3) **Development** on the **potential material placement area** once **capital and/or maintenance dredged material placement** and ground improvement works have been completed over the whole or part of the **potential material placement area**. OR (4) **Development** that is readily relocatable or able to be abandoned prior to a **potential material placement area** being used for **capital and/or maintenance dredged material placement.**
PO6 Development adjoining a **potential material placement area** does not restrict **access works** to, or the utility of the area for **capital and/or maintenance dredged material placement.**	No acceptable outcome.
PO7 Development involving **capital and/or maintenance dredged material placement** within a **potential material placement area** is appropriately located, sited and designed to avoid or mitigate potential impacts to amenity of surrounding uses.	**AO7.1** The siting of a **potential material placement area** ensures: (1) A setback of at least 20 m from a boundary which **adjoins** an existing or approved **sensitive land use.**

4.4.3 Residential and port industry interface code

4.4.3.1 Application

The residential and port industry interface code applies to **development**:

- located within the interface precinct as shown on Figure 1 within Schedule 1 (mapping); and
- identified as requiring assessment against the residential and port industry interface code by the categories of assessment tables in Section 4.2, and other assessable development under the Planning Regulation in Section 4.3.

4.4.3.2 Purpose and outcomes

The purpose of the residential and port industry interface code is to manage interface issues between **sensitive land uses** and **port industry activities**, ensuring that **sensitive land uses** are afforded appropriate mitigation from potential impacts of existing and future port industrial **development** without compromising the ongoing operation or expansion of future port and industrial uses.

The purpose of the residential and port industry interface code will be achieved through the following outcomes:

- **port industry activities** at Barney Point are appropriately located and designed in order to mitigate the potential adverse impacts on **adjoining** and nearby **sensitive land uses**
- **sensitive land uses** are appropriately located and designed in order to mitigate the operational effects of **adjoining port industry activities**
- **sensitive land uses** do not compromise or result in reverse amenity impacts on **port industry activities**
- **development** maintains public access to the foreshore, unless contrary to the protection of coastal resources or public safety.

4.4.3.3 Criteria for assessment

Table 4.6 Residential and port industry interface code – accepted (self-assessable) and assessable development

Performance outcome	Acceptable outcome
Siting and design	
PO1 Port industry activities at Barney Point are located and sited to be consistent with the surrounding **development**.	**AO1.1** Buildings or structures have a minimum setback of: (a) 10 m from an arterial, sub-arterial road; (b) 6 m from any other road frontage; and (c) 3 m from the side or rear boundaries. AND **AO1.2** Buildings and structures are setback a minimum of 6 m from the property boundary of any existing residential zoned land.
PO2 Port industry activities at Barney Point **minimise** adverse impacts and achieve better outcomes to the surrounding **sensitive land uses** and receiving environments.	**AO2.1** The impact from **development** is **minimised** in relation to (but not limited to the following): (a) odour and fumes; (b) dust and particulates; (c) waste; (d) stormwater quality and erosion; (e) noise; (f) hours of operation; (g) traffic; (h) lighting; (i) signage; (j) visual amenity; (k) privacy; and (l) loss of flora and fauna.
PO3 Port industry activities at Barney Point involving the storage or collection of materials, including waste, are reduced and managed to protect the amenity of the site, and to facilitate services accessing or utilising the site services visiting the site such as rubbish collection and trade waste removal.	**AO3.1** Site layout and building design incorporates appropriately located waste storage areas which meet the needs of regularity of visits to the site. AND **AO3.2** Waste storage areas are screened from public view by dense landscaping at least 2 m wide, fencing or buildings are located a minimum of 5 m from a road frontage.

Performance outcome	Acceptable outcome
PO4 The site coverage of all buildings and associated structures must allow for sufficient: (a) building setbacks; (b) landscaping; (c) car parking; (d) loading and unloading area; and (e) vehicle manoeuvring and access.	**AO4.1** Site coverage does not exceed 70% of the site area.
PO5 Development for **sensitive land uses** is appropriately located, sited and designed in a manner that **minimises** any operational effects of port and industry activities.	**AO5.1** Living areas, bedrooms and balconies are orientated or located away from boundaries that **adjoin development** within the port, industry and commerce precinct.
Visual amenity and outdoor lighting	
PO6 Port industry activities at Barney Point must not result in significant loss of visual amenity of the streetscape.	**AO6.1** No maximum building height is specified, however, building height should reflect surrounding development.
PO7 Development for **port industry activities** at Barney Point is designed to be consistent with the character of the surrounding area.	**AO7.1** All buildings and ancillary structures (including warehouses) must achieve a high standard of visual amenity and incorporate a range of design elements, including: (a) façade treatments; (b) roof pitch and design; (c) recesses, overhangs and shading; and (d) colours and building textures. AND **AO7.2** A formal entry is provided to all buildings, designated to address, be visible and accessible from, the principal road frontage.
PO8 Open storage areas associated with **port industry activities** at Barney Point are adequately screened so as to **minimise** adverse impacts to the visual amenity of the area.	**AO8.1** Depending on the size, type and location of the open storage area, appropriate screening can include: (a) fencing (minimum height of 1.8 m); and/or (b) vegetation (e.g. direct seeded trees, gardens).
PO9 All fencing for **port industry activities** at Barney Point is of a design that provides maximum security and/or separation without adversely affecting overall amenity and streetscape quality.	**AO9.1** The minimum standard for access control security fencing is 1.8 m high, black PVC, plastic coated, chain wire mesh fence with black posts. Any fencing other than chain wire mesh is to be constructed of a durable material that does not create glare and is not brightly coloured.
PO10 Signage on or associated with buildings for a **port industry activity** at Barney Point does not detract from the amenity of the natural or built environment.	**AO10.1** Advertising signs do not protrude above the roof line of existing buildings, and in all situations do not exceed 10 m in height. AND **AO10.2** Content of signage exhibits a direct correlation to a business, operation or activity at the port.

Performance outcome	Acceptable outcome
PO11 Port industry activities at Barney Point incorporate landscaping that is: (a) of a high quality that focuses on all road and other public space frontages to enhance the overall amenity of the streetscape and soften the visual impact of the land use; (b) is used to provide a visual/landscape buffer between **port industry activities** and **sensitive land uses**; (c) is maintained to a high level; (d) is designed to require limited watering and maintenance; and (e) is integrated with the site's stormwater management system and provision of staff recreational areas, screening of air conditioning plant and waste collection areas. Editor's note: Supporting technical details including a landscaping plan and maintenance regime submitted with the **development application** will assist in addressing this performance outcome.	**AO11.1** Onsite landscaping is provided along the full length of the principal road frontage of the site, apart from vehicle access points, as follows: (a) 5 m along arterial road; or (b) 3 m along all other roads. AND **AO11.2** Premises provide shade trees in diamond shaped openings in surface car park areas at a minimum rate of 1 shade tree per 6 car parks. AND **AO11.3** Buildings and structures of 2 storeys or more in height are complemented by species that attain a mature height of at least 10 m. AND **AO11.4** Landscaping uses low maintenance, drought tolerant plant species.
PO12 The carrying out of any excavation or filling for a **port industry activity** at Barney Point maintains the visual amenity of the surrounding area.	**AO12.1** The extent of filling or excavation is less than 1.5 m high within 2 m of the boundary.
PO13 All lighting for **port industry activities** at Barney Point is to not result in adverse impact on any person, activity or surrounding **environmental values**.	**AO13.1** Outdoor lighting **minimises** light spillage and adverse impacts on the **environmental values**, either directly or by reflection, light shades and other devices to control and manage light are used to reduce light spillage affecting sensitive places, environments, uses or areas. Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian Standard (AS) on the AS4282 Control of the Obtrusive Effects of Outdoor Lighting. Energy efficient lighting technologies are adopted. AND **AO13.2** Outdoor lighting is to be designed and located to avoid impacts on nesting turtles and/or emerging hatchlings.
PO14 Development within the interface precinct is appropriately located, sited and designed in a manner that **minimises** any visual amenity impacts from **adjoining port industry activities.**	**AO14.1** Living areas, bedrooms and balconies are orientated or located away from boundaries that **adjoin port industry activities**. OR **AO14.2** Where **AO14.1** cannot be reasonably achieved, windows, doors, balconies and outdoor areas are appropriately screened to **minimise** visual amenity impacts from **adjoining development** within the port, industry and commerce precinct (e.g. fencing, landscaping, awnings).

Performance outcome	Acceptable outcome
Air quality	
PO15 All **port industry activities** at Barney Point maintain the air quality and consequently, public health standards by providing: (a) adequate physical measures for removing pollutants from emissions prior to discharge to the atmosphere; (b) adequate physical measures for reducing the temperature gradient between emissions and the atmosphere prior to discharge; (c) effective operational systems, including monitoring systems for major industry and major infrastructure, which maintain ambient air quality in accordance with acceptable standards; (d) premises which create thermal, gaseous or particulate emissions are located, designed and operated in a manner which protects the amenity of any surrounding urban areas; (e) external storage, parking, loading and access areas which are built and maintained to prevent dust generation; and (f) landscaping to prevent the generation of dust.	No acceptable outcome. Editor's note: The provisions of the *Environmental Protection (Air) Policy* as in effect under the *Environmental Protection Act 1994*.
PO16 Development for **sensitive land uses** achieves acceptable levels of air quality.	**AO16.1 Development** design incorporates air-conditioning or other energy-efficient ventilation, where necessary, to **minimise** the effects of odours and emissions from **port industry activities**.
Acoustic amenity	
PO17 Port industry activities at Barney Point **minimise** adverse noise and vibration impacts to **sensitive land uses** and receiving environments.	**AO17.1** No acceptable outcome. Editor's note: The provisions of the *Environmental Protection (Noise) Policy* as in effect under the *Environmental Protection Act 1994*.
PO18 Development for **sensitive land uses** is appropriately located, sited and designed in a manner that **minimises** any acoustic impacts from adjoining port activities.	**AO18.1** Living areas, bedrooms and balconies are orientated or located away from boundaries that **adjoin port industry activities.** AND **AO18.2 Development** incorporates the use of building materials which assist with noise and vibration attenuation (for example, the use of double glazed windows, double brick walls, acoustic insulation). AND **AO18.3 Development** achieves the noise generation levels set out in the *Environmental Protection (Noise) Policy 2008,* as amended.
Public access	
PO19 Development at Barney Point maintains general public access to or along the foreshore, unless this is contrary to the protection of coastal resources or public safety. Editor's note: Contrary to the protection of coastal resources means or public safety means where public access cannot be maintained in a manner that ensures the protection of the natural and cultural resources of the coastal zone.	**AO19.1 Development** maintains existing public access to the foreshore. OR **AO19.2 Development** demonstrates that restrictions (if required) to public access are necessary for the safe and secure operation of the **development**.

4.4.4 Environmental values management code

4.4.4.1 Application

The environmental values management code applies to all **development** within the **master planned area** as identified by the categories of assessment tables in Section 4.2 and other assessable development under the Planning Regulation in Section 4.3.

When using this code, reference should be made to the following **OUV of the GBRWHA** and other **environmental values** mapping contained within Schedule 1 (mapping):

- Figure 9 (seagrass)
- Figure 10 (coral)
- Figure 11 (turtle nesting beaches)
- Figure 12 (migratory shorebird habitat)
- Figure 13 (Mount Larcom landform and land management plan area).

4.4.4.2 Purpose and outcomes

The purpose of the environmental values management code is to ensure that impacts from **development** within the **master planned area** are **minimise** on the **OUV of the GBRWHA** and other **environmental values**.

The purpose of the environmental values management code will be achieved through the following outcomes:

- **development** within the **master planned area** does not adversely impact on the **OUV of the GBRWHA** and other **environmental values**
- **development** recognises and appropriately responds to the **OUV of the GBRWHA** attributes and other **environmental values** within and surrounding the **master planned area**
- **development** contributes to, where appropriate, the restoration, improvement and/or rehabilitation of **OUV of the GBRWHA** within the **master planned area**
- **development** within the **master planned area** incorporates stormwater management measures to reduce sediment, nutrients, pesticides and waste from entering the waters of the **master planned area**
- **development** incorporates adaptive mitigation and management measures that are consistent with the outcomes of environmental values monitoring and reporting program undertaken within and surrounding the **master planned area**.

4.4.4.3 Criteria for assessment

Table 4.7 Environmental values management code – accepted (self-assessable) and assessable development

Performance outcome	Acceptable outcome
OUV of the GBRWHA and all other environmental values	
Seagrass	
PO1 Development within the marine precinct does not have any significant residual impact on seagrass. Editor's note: For guidance on significant residual impact refer to the Significant Residual Impact Guideline Figure 9 (seagrass) identifies areas of known seagrass in Schedule 1 (mapping).	**AO1.1 Development minimises** any disturbance of seagrass.

Performance outcome	Acceptable outcome
PO2 Development within the marine infrastructure precinct **minimises** any significant residual impact on seagrass. Editor's note: Applications for **development** should identify whether there is likely to be a significant residual impact and a need for an **environmental offset** having regard to the Significant Residual Impact Guideline and the relevant Queensland Environmental Offsets Policy. Figure 9 (seagrass) identifies areas of known seagrass in Schedule 1 (mapping). For guidance on significant residual impact refer to the Significant Residual Impact Guideline.	**AO2.1 Development** avoids any disturbance of seagrass. OR
	AO2.2 Where **development** cannot avoid the disturbance of seagrass, and the extent of disturbance has been **minimised**, an environmental offset is provided for any significant residual impact from the clearing or disturbance of seagrass. AND **AO2.3 Development minimises** indirect impacts on seagrass to avoid significant residual impact on seagrass.
Coral	
PO3 Development within the marine infrastructure precinct and/or marine precinct **minimises** any significant residual impact on coral. Editor's note: For guidance on significant residual impact refer to the Significant Residual Impact Guideline. Figure 10 (coral) identifies areas of known coral in Schedule 1 (mapping).	**AO3.1 Development** avoids disturbance of coral. OR
	AO3.2 Where **development** cannot avoid the direct disturbance the extent of direct disturbance to coral is **minimised**. AND **AO3.3 Development minimises** indirect impacts on coral to avoid significant residual impact on coral.
Turtle nesting beaches and light sensitive species	
PO4 Development within the environmental management precinct, marine infrastructure precinct and/or marine precinct does not have any significant residual impact on turtle nesting beaches and light sensitive species. Editor's note: Applications for **development** should identify whether there is likely to be a significant residual impact and a need for an **environmental offset** having regard to the Significant Residual Impact Guideline and the relevant Queensland Environmental Offsets Policy. Figure 11 (turtle nesting beaches) identifies areas of known turtle nesting beaches in Schedule 1 (mapping). For guidance on significant residual impact refer to the Significant Residual Impact Guideline.	**AO4.1 Development** avoids any disturbance of turtle nesting beaches and/or alter the behaviour and movement of light sensitive species. OR
	AO4.2 Development can demonstrate that disturbance cannot be avoided, and the extent of disturbance has been **minimised**, an environmental offset is provided for any significant residual impact from the disturbance of turtle nesting beaches. AND **AO4.3 Development minimises** indirect impacts on turtle nesting beaches and light sensitive species to avoid significant residual impact on turtle nesting beaches and light sensitive species. Editor's note: A supporting technical assessment prepared by a suitably qualified and experienced person in turtles will assist in addressing this acceptable outcome.

Performance outcome	Acceptable outcome
PO5 Development on Facing Island or near Boyne Island Beach is located, designed and operated to: (a) protect habitat values of the turtle nesting beach; (b) maintain a vegetated buffer adjacent to the beach; (c) ensure access to the beach nesting area is managed in a way that protects a turtle nesting beach; and (d) ensure lighting does not impact on the ecological and habitat values of the turtle nesting beach.	**AO5.1** All exterior lighting is designed to **minimise** light pollution by: (a) minimising the use and intensity of external lighting to that required to achieve the light's purpose and to avoid reflection from the ground, buildings or other surfaces; (b) using lighting that is fully shielded, directed and mounted as low as possible so as to cast little or no upward light (above the horizontal) or light spill towards the coast; (c) using lighting of a wavelength less likely to cause nuisance to turtles; and (d) fitting lights with motion detection sensors and/or timers to ensure lighting is turned off when not required. AND **AO5.2** All windows and glass doors within line of sight of a turtle nesting beach, are tinted or otherwise screened to reduce light spill from indoor lighting.
Migratory shorebird habitat	
PO6 Development within the environmental management precinct and marine precinct does not have any significant residual impact on migratory shorebird habitat and roosting areas. Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping). This PO does not apply to areas of existing **development** and established approved operations.	**AO6.1 Development minimises** any disturbance of migratory shorebird habitat and roosting areas. Editor's note: A supporting technical assessment prepared by a suitably qualified and experienced person in migratory shorebirds will assist in addressing this acceptable outcome.
PO7 Development within the marine infrastructure precinct and infrastructure and supply chain corridors precinct manages any significant residual impact on migratory shorebird habitat and roosting areas. Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping).	**AO7.1 Development** avoids any disturbance to migratory shorebird habitat and roosting areas. OR **AO7.2** Where **development** cannot avoid the disturbance to migratory shorebird habitat and roosting areas any direct disturbance is **minimised**. Editor's note: A supporting technical assessment prepared by a suitably qualified and experienced person in migratory shorebirds will assist in addressing this acceptable outcome.
PO8 Development within South Trees Island **minimises** any significant residual impact on migratory shorebird habitat and roosting areas. Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping).	**AO8.1 Development** avoids any disturbance to migratory shorebird habitat and roosting areas. OR **AO8.2** Where **development** cannot avoid the disturbance to migratory shorebird habitat and roosting areas any direct disturbance is **minimised**. Editor's note: A supporting technical assessment prepared by a suitably qualified and experienced person in migratory shorebirds will assist in addressing this acceptable outcome.

Performance outcome	Acceptable outcome
Marine megafauna	
PO9 Development for **tidal works** involving pile driving avoids adverse impacts on **marine megafauna.**	**AO9.1 Development** employs **soft start procedures** each time pile driving activities commence. AND **AO9.2 Development** for **tidal works** involving piling ensures that an observation zone extending no less than 150 m radius around the pile driving works is established and monitored by an observer for the presence of **marine megafauna**, while pile driving works are in operation. If an observer identifies **marine megafauna** within the observation zone, works must cease. AND **AO9.3 Development** for **tidal works** involving piling must ensure that if works cease as specified by **AO9.2**, that works must only recommence once the **marine megafauna** has moved outside the observation zone.
Within the environmental management precinct – Mount Larcom landform area	
For caretaker's accommodation that is accepted (self-assessable) development	
PO10 Development is: (a) ancillary to the primary use; and (b) does not compromise the low density, natural and open space function of the area.	**AO10.1** No more than one **caretaker's accommodation** unit is established on the site. AND **AO10.2 Caretaker's accommodation** is a maximum of 100 m^2 GFA.
PO11 A new building and other structures: (a) are low rise; and (b) reflect the low density, natural and open space character of the area.	**AO11.1** Building height does not exceed 8.5 m. AND **AO11.2** The maximum combined site cover of buildings and structures does not exceed the lesser of 10% of the total site area or 500 m^2. AND **AO11.3** Non-residential buildings have a maximum combined GFA of 300 m^2.
PO12 Development density reflects the low density and environmental character of the locality.	**AO12.1 Development** density is limited to one **caretaker's accommodation** house per allotment (including one secondary dwelling). AND **AO12.2** Where a **caretaker's accommodation** house, any secondary building is: (a) a maximum of 80 m^2 GFA; (b) located within 50 m of the main building; and (c) linked to the main building by a defined footpath in the most direct route possible.
For all assessable development	
PO13 Development: (a) is consistent with the environmental character of the locality; and (b) protects rural, natural and scenic values of the locality.	No acceptable outcomes.

Performance outcome	Acceptable outcome
PO14 Development responds sensitively to on-site and surrounding topography, drainage patterns, access, vegetation and the visual amenity and vistas of the Mount Larcom landform area from surrounding areas, such that: (a) any earthworks are **minimised**; (b) the retention of natural drainage lines are maximised; and (c) the retention of existing vegetation is maximised.	No acceptable outcomes.

4.4.5 Infrastructure and supply chain management code

4.4.5.1 Application

The infrastructure and supply chain management code applies to **development**:

- located in the infrastructure and supply chain corridors precinct;
- within all precincts in relation to the principles of port optimisation for and associated with, **port industry activities**; and
- identified as requiring assessment against the supply chain infrastructure management code by the categories of assessment tables in Section 4.2.

When using this code, reference should be made to the following mapping contained within Schedule 1 (mapping):

- Figure 7 (port berths).

4.4.5.2 Purpose and outcomes

The purpose of the supply chain infrastructure management code is to protect and manage land and marine areas in the infrastructure and supply chain corridors precinct.

The purpose of the infrastructure and supply chain management code will be achieved through the following outcomes:

- **development** does not compromise or adversely impact on the development of (or the upgrading of existing) land and marine based **supply chain infrastructure** critical to the Port of Gladstone supply chain
- development including **sensitive land uses** is appropriately designed in order to mitigate the potential operational effects of **supply chain infrastructure**
- **development** for **port industry activities** and **supply chain infrastructure** is appropriately located, designed, constructed and operated having regard to principles of **port optimisation** in order to support sustainable ongoing growth of port capacity that does not compromise the **OUV of the GBRWHA** and other **environmental values.**

4.4.5.3 Criteria for assessment

Table 4.8 Infrastructure and supply chain management code – accepted (self-assessable) and assessable development

Performance outcome	Acceptable outcome
Within the infrastructure and supply chain corridors precinct	
PO1 Buildings, structures, services and utilities do not compromise the potential development of **supply chain infrastructure.** Editor's note: Written advice from the relevant infrastructure entity that there are no planned upgrades of existing or future infrastructure corridors will assist in addressing this performance outcome.	**AO1.1** Buildings, structures, services and utilities are not located within the infrastructure and supply chain corridors precinct unless **development** is associated with **supply chain infrastructure.**
PO2 Operational works, including excavation and/or filling does not compromise the development of the infrastructure and supply chain corridors precinct.	**AO2.1 Operational works**, including excavation and filling does not undermine, cause subsidence, or groundwater seepage. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that Registered Professional Engineer of Queensland (RPEQ) certified engineering drawings and supporting technical details be submitted with the application.
PO3 Development within marine areas does not compromise the potential development of **port berths.**	**AO3.1** Infrastructure and services are not located within areas identified as **port berths** as shown on Figure 7 (port berths) in Schedule 1 (mapping).
PO4 Marine infrastructure and services do not compromise the potential development of the infrastructure and supply chain corridors precinct.	**AO4.1** Infrastructure and services are not located within the infrastructure and supply chain corridors precinct unless for **development** associated with **supply chain infrastructure.** AND **AO4.2** Construction activities do not encroach into the infrastructure and supply chain corridors precinct unless the activities are associated with the construction of **supply chain infrastructure.**
Within all precincts	
Principles of port optimisation	
PO5 Development for **port industry activities** and/or future **supply chain infrastructure** is demonstrated to be feasible having regard to principles of **port optimisation**. Editor's note: Supporting technical details addressing port optimisation submitted with the **development application** will assist in addressing this performance outcome.	**AO5.1 Development** is co-located on or with existing operational infrastructure (e.g. on a common user wharf or within a shared services corridor). OR **AO5.2 Development** is co-located on or within existing decommissioned infrastructure or corridors (e.g. repurposing or co-locating on or within redundant or decommissioned facilities). OR **AO5.3 Development** can demonstrate that co-location is not feasible, but that the **development** has considered other aspects of port optimisation in its location, design, siting, construction and/or operational practices.

Performance outcome	Acceptable outcome
Optimisation of port berths, jetties and wharves	
PO6 Development for a berth is designed and operated to maximise berth utilisation and efficiency. Editor's note: Supporting technical details addressing port optimisation submitted with the **development application** will assist in addressing this performance outcome.	**AO6.1 Development** considers opportunities to optimise the efficiency of existing berths prior to the **development** of additional berths. AND **AO6.2 Development** provides for an adequate number of berths, or stages the construction of multiple planned berths having regard to utilisation and efficiency whilst minimising the development footprint. AND **AO6.3 Development** provides opportunities for berths to facilitate sharing by multiple cargo types.
PO7 Development for a berth is appropriately located in proximity to land having regard to the operational needs of the intended industry or cargo. Editor's note: Supporting technical details addressing port optimisation submitted with the **development application** will assist in addressing this performance outcome.	**AO7.1 Development** for a **land backed berth** is used for container, general cargo and break bulk, roll on-roll off (RoRo) or material offloading facilities (MOF). AND **AO7.2 Development** for a berth is designed to reduce the distance (and associated development footprint) between the berth and any associated land based storage facilities.
PO8 For **development** that cannot comply with PO7, the **development** that involves a jetty is located and designed to optimise the jetty length having regard to any requirements for reclamation or dredging. Editor's note: Supporting technical details addressing port optimisation submitted with the **development application** will assist in addressing this performance outcome.	No acceptable outcome.
PO9 Development that involves a wharf is designed and optimised for the intended industry or cargo. Editor's note: RPEQ certified engineering drawings and supporting technical details addressing port optimisation submitted with the **development application** will assist in addressing this performance outcome.	**AO9.1 Development** design reduces the extent of wharf decking to the minimum area required for the intended industry or cargo.
Optimisation of storage facilities	
PO10 Development for a **storage facility** associated with **port industry activities** is located, designed and operated to maximise berth utilisation and efficiency.	**AO10.1 Development** for or including a **storage facility** (e.g. cargo storage, stockyard) is designed to reduce the distance (and associated development footprint) between the facility and any associated berth. OR **AO10.2 Development** for or including a **storage facility** demonstrates that the design and operation of the **storage facility** incorporates other aspects in its design and operational practices which achieve principles of **port optimisation**.

5 Plan making

5.1 Purpose

The purpose of this section is to require the chief executive officer of the GRC and the chief executive officer of the Gladstone port authority to consider the port overlay content in making or amending the GRC Planning Scheme under the Planning Act and GPC LUP under the Transport Infrastructure Act in relation to the **master planned area** as required under Section 21 of the Ports Act.

5.2 GRC Planning Scheme

The chief executive officer of the GRC must consider the content of this port overlay when making or amending the GRC Planning Scheme under the Planning Act.

5.3 GPC LUP

The chief executive officer of the Gladstone port authority must consider the content of this port overlay when making or amending the GPC LUP under the Transport Infrastructure Act.

6 Dictionary and references

Aboriginal party see *Aboriginal Cultural Heritage Act 2003*, section 35

access works means a physical means and point of entry and exit that facilitates access between a road and land, and which may be either temporary or permanent and for private or public use

ACH Act means the *Aboriginal Cultural Heritage Act 2003*

adjoin (or adjoining) means development that is directly adjacent (i.e. shares a common boundary)

advisory entity (or entities) means one or more entity providing advice for the implementation of the priority management measure (PMM)

aid (or aids) to navigation see *Transport Operations (Marine Safety) Act 1994*, section 104

alternative material placement area (or areas) means an area (or areas) not identified as a potential material placement area shown on Figure 8 (potential material placement areas) in Schedule 1 (mapping) that may be used as an area for the placement of dredged material. Alternative material placement areas will not be included within navigational channels, swing basins and berth pockets.

applicant see Planning Act, section 279

assessment manager see the Planning Act, schedule 2

beneficially reused means dredged material that has been used for a purpose that provides social, economic or environmental benefits (or a combination of these). That is, the dredged material is managed as a valuable resource rather than a product destined for disposal. Beneficial reuse can involve the placement of dredged material on-land and in the aquatic zone (i.e. underwater or in intertidal areas). Consideration of beneficial reuse in the Queensland context to date has been focused on applications that provide economic benefits such as on-land processing and industry reuse or land reclamation (Royal Haskoning DHV and AMA 2016).

best practice environmental management see the *Environmental Protection Act 1994*, section 21

capital and/or maintenance dredged material placement means placing the dredged material from the **port navigable waterway** into a material placement area, for example a reclamation area. Dredged material placement also includes the establishment of the bund walls for a reclamation area.

capital dredged material means the seafloor material and water associated with capital dredging

capital dredging see *Sustainable Ports Development Act 2015* (Ports Act), schedule 1

caretaker's accommodation see Gladstone Regional Council Planning Scheme 2015, schedule 1

coastal resources see the *Coastal Protection and Management Act 1995*, section 12

Commonwealth Marine Park Act means the *Great Barrier Reef Marine Park Act 1975* (Cth)

development application see Planning Act, schedule 2

development approval see the Planning Act, section 49(1)

development see Planning Act, schedule 2

disaster management means arrangements about managing the potential adverse effects of an event, including, for example, arrangements for mitigating, preventing, preparing for, responding to and recovering from a disaster

disaster means a serious disruption in a community, caused by the impact of an event, that requires a significant coordinated response by the state and other entities to help the community recover from the disruption

dredged material means capital and maintenance dredged material required for the ongoing operation and future expansion of the port

dredged material placement area (DMPA) means a defined location approved for the placement of dredged material

dredging see the Queensland Maintenance Dredging Strategy for GBRWHA Ports

ecologically sustainable development (ESD) means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased (DoEE 1992).

Economic Development Act means the *Economic Development Act 2012*

EIS assessment manager means the Coordinator-General for a coordinated project under the *State Development and Public Works Organisation Act 1971* or the chief executive administering the *Environmental Protection Act 1994* for an EIS under that Act

EIS means environmental impact statement

EMF means environmental management framework

environmental offsets see *Environmental Offsets Act 2014*, section 7(2)

environmental values see the *Environmental Protection Act 1994*, section 9

EPBC Act means *Environment Protection and Biodiversity Conservation Act 1999*

Fisheries Act means *Fisheries Act 1994*

fishing means the activity of catching fish, either for recreational or commercial purposes

GFA means gross floor area

GPC LUP means the GPC Port Land Use Plan

GPC means the Gladstone Ports Corporation

GRC means the Gladstone Regional Council

GRC Planning Scheme means the Gladstone Regional Council Planning Scheme

Great Barrier Reef Coast Marine Park see *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*, schedule 11

Great Barrier Reef World Heritage Area (GBRWHA) means the Great Barrier Reef World Heritage Area under the *Great Barrier Reef Marine Park Act 1975* (Cth), section 3

ground disturbance activities means:

(a) The initial disturbance by machinery of the topsoil or surface rock layer of the ground, such as grubbing, ploughing or drilling; and

(b) The removal of native vegetation by disturbing root systems and exposing underlying soil.

ground improvement works means a technique that improves the engineering properties of the soil mass treated. Usually, the properties that are modified are shear strength, stiffness and permeability.

IAR means impact assessment report

Land Act means the *Land Act 1994*

land backed berth means a berth that is located immediately adjacent to land, providing direct access between a berth (or berths) and associated storage facilities. Land backed berths are generally prioritised for container, general cargo, breakbulk and material offloading facilities (MOF) as they typically require a larger footprint area materials handling and equipment, and typically require direct access between a berth (or berths) and associated storage facilities to facilitate efficient materials transfer.

land holder (or land holders) means a person (or persons) who is/are the occupier of a place or the owner, or a person (or persons) in control of a place

land management plan area means an area within the environmental management precinct of the **master planned area** shown on a land management plan area figure within Schedule 1 (mapping) that is required to be managed in accordance with a land management plan prepared for the area under the provisions of the port overlay

lowest astronomical tide (LAT) means the lowest level which can be predicted to occur under average meteorological conditions and any combination of astronomical conditions

maintenance dredged material means the seafloor material and water associated with maintenance dredging

maintenance dredging means dredging carried out for the purposes of removing sediments that have accumulated in existing channels, berths, approaches and swing basins of a port to maintain an approved capital dredging profile

management measure (or measures) means specific and measurable actions proposed or taken to avoid, **minimise** or manage potential or actual adverse harm or impact

marine megafauna means large marine species which may include cetaceans (whales and dolphins), reptiles (marine turtles), Dugongs, Chondrichthyes (sharks, rays, skates and chimaeras) and pinnipeds (seals or sea lions)

marine plants see the Fisheries Act, section 8

master plan means the priority Port of Gladstone master plan 2017

master plan precinct map means the defined master planned area boundary and precincts within the master planned area shown on Figures 1a and 1b (boundary for the priority Port of Gladstone master planned area and precincts)

master planned area see Ports Act section 6, however for this port overlay see all of the area shown on Figure 1 (master planned area) in Schedule 1 (mapping)

MEDQ means the Minister for Economic Development Queensland

minimise (or minimises, or minimised) means the process and actions implemented to avoid, or mitigate, or offset potential environmental impacts

notification means a written notice that must be:

(a) Written in plain English and signed by a person duly authorised by the applicant of the ground disturbance activities; and

(b) Hand delivered, sent by prepaid post, sent by facsimile or (if in pdf or other format that is a scanned image of the original communication, including a handwritten signature, and attached to an email stating that the attachment is a notification under the priority Port of Gladstone port overlay) sent by email to the relevant address for the Aboriginal party.

operational work (or works) see Planning Act, schedule 2

Outstanding Universal Value (OUV) (as defined in the UNESCO Operational Guidelines for the Implementation of the World Heritage Convention) means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole.

OUV of the GBRWHA means the local expression of the OUV of the GBRWHA within and surrounding the **master planned area**

Planning Act means the *Planning Act 2016*

Planning Regulation means the regulation enacted under the *Planning Act 2016*

PMM means priority management measure

port authority see the *Transport Infrastructure Act 1995,* schedule 6

port berths means jetties, berths/wharves and associated infrastructure for the general locations shown on Figure 7 (port berths) in Schedule 1 (mapping)

port facilities see the *Transport Infrastructure Act 1995*, section 267A

port industry activities means activities carried out for or in association with core port, industrial or commercial activities necessary for the efficient functioning of the Port of Gladstone supply chain and future Port of Gladstone trade and economic growth for the region

port optimisation means the act of making a port system, design or decision as cost-effective, operationally efficient and/or functional as possible. This may include for example, making efficient use of strategic port land, berths and/or land based facilities, minimising capital intensive marine based infrastructure, minimising the distance between land based facilities and berths and/or minimising capital and maintenance dredging. Port optimisation requires a balance to be achieved across a number of these issues.

For port infrastructure, optimisation usually centres on the resources that are scarcest. However, different development may require different aspects of the infrastructure to be optimised, having regard to the economic, environmental and social context of the project.

port navigable waterway means waters where shipping movements may occur within existing and future commercial shipping channels, swing basins and berth pockets of sufficient depth and width to allow safe passage by all vessel sizes and types within the Port of Gladstone

Ports Act means the *Sustainable Ports Development Act 2015*

potential material placement area (or areas) means one (or more) of the defined existing and future potential material placement areas shown on Figure 8 (potential material placement areas) in Schedule 1 (mapping) to be utilised for the placement of capital and maintenance dredged material, until such time as the material placement has been completed and the area is suitable for ground improvement works, or the area is no longer determined to be suitable for material placement. This term does not include alternative material placement areas.

proponent means a person who proposes or is responsible for a project or activity

Priority Development Area (PDA) see the *Economic Development Act 2012,* schedule 1

reclamation see the *Coastal Protection and Management Act 1995,* schedule

referral agency (or agencies) see the Planning Act, section 54(2)

responsible entity (or entities) means one or more entity responsible for the implementation of a priority management measure (PMM)

SDA means State Development Area

SDAP means the State Development Assessment Provisions

SDPWO Act means the *State Development and Public Works Organisation Act 1971*

sensitive land use (or uses) see the State Planning Policy 2016, part G

soft start procedure means controlled commencement of works within marine areas starting at low power and gradually and systematically increasing until full power is achieved. This method reduces the risk of injury to species by giving them time to vacate the area.

state coastal land see the *Coastal Protection and Management Act 1995,* section 17

State Development Area (SDA) see the *State Development and Public Works Organisation Act 1971,* schedule 2

storage facility (or facilities) means areas associated with the movement and storage of cargo and commodities, including (but not limited to) wet or dry bulk products and materials, container and or general cargo in association with import and export as part of the port supply chain. This includes, for example, activities associated with the operation of stockyards, terminals or tank farms.

Strategic Port Land (SPL) see the *Transport Infrastructure Act 1994,* section 286(5)

subterranean infrastructure means infrastructure constructed and operated below the sea floor

supply chain infrastructure means infrastructure, services and utilities identified as critical to supporting the future functioning of Port of Gladstone, and its associated trade and economic growth for the region. This includes, for example critical road and rail infrastructure and links, pipelines (e.g. water, oil, gas), transmission lines which service and link the Port of Gladstone

tidal waters see the *Coastal Protection and Management Act 1995,* schedule

Transport Infrastructure Act means the *Transport Infrastructure Act 1994*

ToR means terms of reference

References

Department of Environment and Energy (DoEE) 1992, National Strategy for Ecologically Sustainable Development, Department of Environment and Energy (Ecologically Sustainable Development Steering Committee), Canberra

Royal Haskoning DHV and the Australasian Marine Associates (AMA) 2016, Maintenance Dredging Strategy for Great Barrier Reef World Heritage Area Ports: Technical Supporting Document, prepared for the Department of Transport and Main Roads, Royal Haskoning DHV and AMA, Burleigh Heads