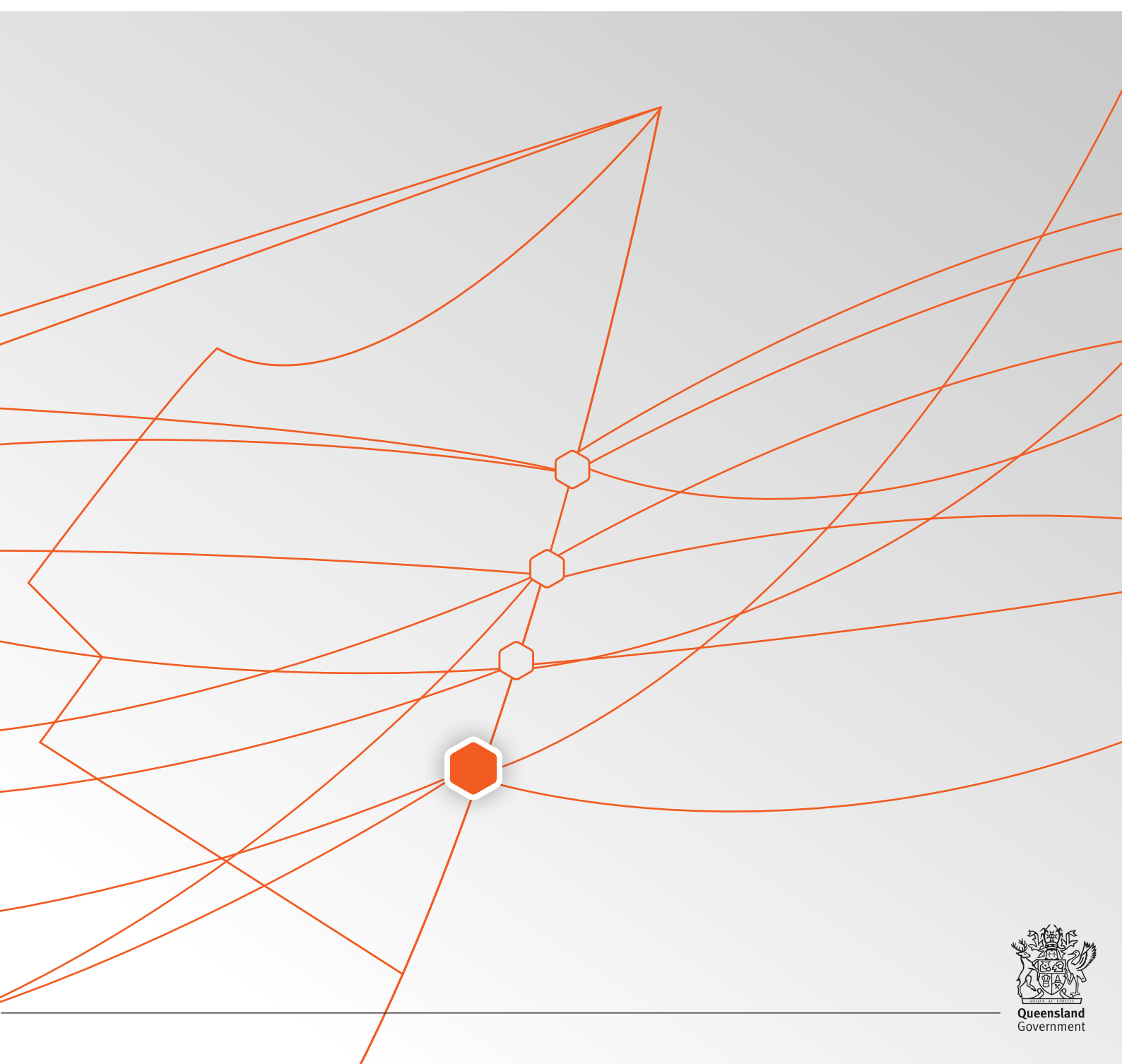


Priority port master planning

Preliminary draft port overlay

Priority Port of Gladstone

Queensland | Australia | 2017



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Department of State Development
PO Box 15009 City East, Queensland 4002.
1 William Street Brisbane Qld 4000 (Australia)

Phone: 13QGOV (137468)
Fax: 07 3405 1122
Email: info@dsd.qld.gov.au
Web: www.dsd.qld.gov.au



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**Priority Port of Gladstone master
planning**

2017

Preliminary draft port overlay

Department of State Development

*Bringing ideas
to life*

Priority Port of Gladstone master planning

2017

Aurecon Australasia Pty Ltd

ABN 54 005 139 873

Level 14, 32 Turbot Street
Brisbane QLD 4000

Locked Bag 331
Brisbane QLD 4001
Australia

T +61 7 3173 8000

F +61 7 3173 8001

E brisbane@arecongroup.com

W arecongroup.com

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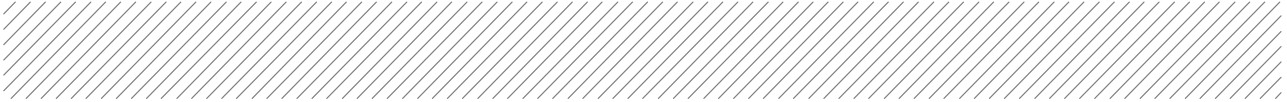
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Interpretation:

Words that are in bold are terms that are defined within the dictionary contained in Section 6.

1 Purpose and application of the port overlay

1.1 Background and purpose of the port overlay

The *Sustainable Ports Development Act 2015* (Ports Act) provides for the protection of the Great Barrier Reef World Heritage Area (GBRWHA) through managing port-related development in and adjacent to the area. The Ports Act establishes a legislative framework for sustainable port development in Queensland, and supports action of the state's key port-related commitments within the *Reef 2050 Long-Term Sustainability Plan* (Reef 2050).

The Ports Act requires that a master plan be prepared for each of the priority ports of Gladstone, Abbot Point, Townsville, and Hay Point/Mackay.

The Ports Act requires that a port overlay be made for the priority port's **master planned area** as soon as practicable after a master plan takes effect. The port overlay implements the master plan for the **master planned area**.

1.1.1 Priority Port of Gladstone port overlay

The purpose of this port overlay is to implement the priority Port of Gladstone master plan under the Ports Act to ensure that the strategic vision, objectives, desired outcomes, state interests and priority management measures (PMMs) are achieved.

The port overlay prescribes:

- how the PMMs in the master plan are to be achieved, including the entity or entities responsible for the measures (Section 3)
- matters which regulate **development** in the **master planned area** by stating aspects of development that may not take place or including measures to reduce the risk of environmental harm, or serious adverse natural, cultural, economic or social impacts in the **master planned area** (Section 4)
- matters an **assessment manager** under the *Planning Act 2016* (Planning Act) must consider in assessing a **development application** for **development** in the **master planned area** (Section 4)
- matters which a local government or port authority must consider when making or amending a local planning instrument or land use plan (Section 5).

1.2 Application

1.2.1 Area to which this port overlay applies

The port overlay applies to all of the **master planned area** shown on the **master plan precinct map** (Figures 1a and 1b – Proposed boundary for the priority Port of Gladstone master planned area and precincts) within Schedule 1 (mapping). The **master planned area** includes land, waterways, tidal areas and marine waters.

The land and marine components of the **master planned area** have been divided into distinct precincts and are identified on the **master plan precinct map** and further described in Section 1.2.2. These are the:

- Environmental management precinct
- Infrastructure and supply chain corridors precinct
- Interface precinct
- Marine infrastructure precinct
- Marine precinct
- Marine services and recreation precinct
- Port, industry and commerce precinct.

Whilst the port overlay applies to all of the **master planned area**, it does not regulate **development** within the Gladstone state development area (SDA), or a priority development area (PDA). There are no PDAs within the **master planned area**.

1.2.2 Precincts

The priority Port of Gladstone master plan states the purpose below for each precinct of the **master planned area** shown on the **master plan precinct map** within Schedule 1 (mapping).

1.2.2.1 Environmental management precinct

The purpose of this precinct is to limit **development** and manage **environmental values**.

Uses that do not compromise the **environmental values** of the area may be acceptable, including limited public access such as boardwalks or visitor centres. Limited **development** in the southern part of Quoin Island and existing townships on Facing Island may also be acceptable where the long-term purpose of the precinct is not compromised.

Necessary infrastructure such as telecommunications and electricity network infrastructure may be located in this precinct to service adjoining industry or residential development if no other alternative is available.

The precinct includes:

- Mount Larcom landform
- Aldoga reserve (Lot 87 SP144431)
- Facing Island
- part of Curtis Island
- other inshore islands.

1.2.2.2 Infrastructure and supply chain corridors precinct

The purpose of this precinct is to allow for the **development** of critical land and marine **supply chain infrastructure** to and from the port, and within the **master planned area**.

Potential **development** within this precinct must ensure the safe and efficient operation and management of **supply chain infrastructure**. **Development** within this precinct will be appropriately designed and located to accommodate the delivery of infrastructure.

This precinct includes:

- planned Port Access Road extension
- potential mainland to Curtis Island road and/or rail link.

1.2.2.3 Interface precinct

The purpose of this precinct is to manage the interface between **sensitive land uses** and adjoining port and industry operations.

Development within this precinct must not hinder the growth or **development** of port, industrial or supply chain activities. **Development** in the interface precinct must be appropriately designed and located to **minimise** potential impacts on **sensitive land uses**.

This precinct includes:

- areas of strategic port land (SPL) at Auckland Point and Barney Point
- areas adjacent to SPL at Auckland Point and Barney Point within the Gladstone Regional Council (GRC) local government area.

1.2.2.4 Marine infrastructure precinct

The purpose of this precinct is to ensure port and shipping access to navigation channels and waterside areas, and provide for marine-based port infrastructure and operational requirements (e.g. navigation channels, port berths and wharves, jetties, floating pontoon facilities, conveyors, pipelines, material placement areas, emergency anchorages), appropriate recreational and commercial activities while minimising potential impacts from development on **environmental values**.

This precinct also includes areas for the beneficial reuse of dredged material, which are likely to be required within the timeframe of the master plan.

This precinct generally extends to the highest astronomical tide (HAT) and includes:

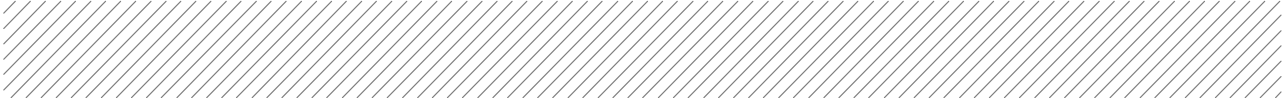
- intertidal and marine areas
- part of Calliope River
- part of Boyne River.

1.2.2.5 Marine precinct

The purpose of this precinct is to provide for limited port and industry **development**, and non-port-related marine activities, which **minimise** impacts on **environmental values**.

Uses that do not compromise the **environmental values** of the marine area may be acceptable, including small scale maritime infrastructure, boat ramps, pontoons and coastal protection structures, coastal rescue services, commercial, tourism and recreational uses. **Development** must be appropriately designed and located to **minimise** impacts on **environmental values** within and surrounding the **master planned area**.

Material placement areas for the placement of dredged material used for the creation of environmental benefits such as artificial wetlands could be undertaken within this precinct.



This precinct generally extends to the HAT and includes intertidal and marine areas adjoining the marine infrastructure precinct that are not critical to the operation or growth of the port and includes:

- intertidal and marine waters
- South Trees Inlet.

1.2.2.6 Marine services and recreation precinct

The purpose of this precinct is to provide for a range of maritime activities, associated marine industries and recreational areas.

Development within this precinct includes marina activities and associated marine industries, small boat harbour, coastal rescue services, commercial, light industry, educational facilities, public open space and public access to the waterfront and harbour.

The precinct will provide direct access to the harbour for tourism and recreational activities, including commercial fishing and facilities to support cruise ship passengers.

Within this precinct, public access to the waterfront and the harbour (including boat ramps, marina, open space and community facilities) will be provided and maintained where it does not compromise public safety or the security of port operations, or result in adverse impacts on **environmental values**.

This precinct includes:

- Gladstone marina facility and surrounds
- part of Auckland Inlet
- Auckland Inlet marine facilities
- Central Queensland University campus
- East Shores recreational hub.

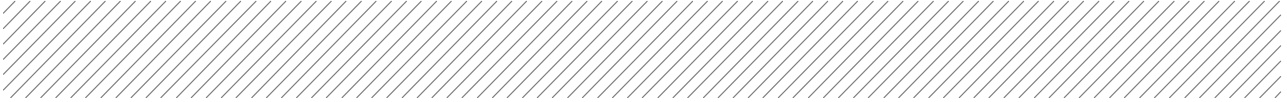
1.2.2.7 Port, industry and commerce precinct

The purpose of this precinct is to provide for port operations, industry, port-related commercial activities and other supporting or related **development**.

A significant portion of this precinct incorporates the Gladstone SDA, which contains defined **development** precincts to manage and regulate industrial and port-related development, and supporting land uses within the SDA (refer Gladstone SDA Development Scheme). The Gladstone SDA contains important infrastructure corridors to connect industry to the Port of Gladstone via the Gladstone SDA.

Development within this precinct includes industries which are of regional, state, national and global economic significance, and **supply chain infrastructure** that supports the operation of the port and industry.

The precinct may also include associated infrastructure required for daily operations of the port such as security, customs and quarantine requirements, parking facilities, utility installations, and materials transportation infrastructure to support industry. Within this precinct, locations that accommodate safe, direct public access to the waterfront and harbour (such as boat ramps) are supported where they are located in areas that do not compromise industrial activity.



Development within this precinct provides for a range of industries, including uses that would benefit from being located in close proximity to the port. For example, uses in this precinct may include manufacturing industries, refineries, warehouses, wholesale trade, transport services, distribution centres and associated residue storage and waste management facilities. It also allows for commercial operations that do not compromise port-related activities, including storage of goods, and rural and agricultural uses that may act as a buffer to external sensitive receptors.

This precinct provides for extraction of extractive resources and minerals, and forestry. This precinct also includes areas that may be suitable for the beneficial reuse of dredged material which are likely to be required within the timeframe of the master plan.

This precinct includes:

- land within the Gladstone SDA
- land within the GRC local government area
- some existing SPL
- some future SPL.

1.2.3 Status of the port overlay

The port overlay is a statutory instrument under the *Statutory Instruments Act 1992* and has the force of law as provided for under the Ports Act. The port overlay is not subordinate legislation.

1.2.4 How the PMMs are to be achieved

Section 3 of the port overlay details each PMM and how it is to be achieved to ensure the consistent implementation of the strategic vision, objectives, desired outcomes and state interests for all of the **master planned area**.

The port overlay states how the PMMs are to be achieved, including the entity or entities responsible for the PMMs, to manage potential impacts to **environmental values** that have been identified through the master planning process.

1.2.5 How this port overlay regulates development

The port overlay seeks to ensure that the strategic vision, objectives, desired outcomes and state interests identified in the master plan are considered in development assessment decisions made for **development** within the **master planned area**.

Section 4 of the port overlay states the level of assessment for particular **development**, and the matters an **assessment manager** must consider in assessment of a **development application**.

1.2.6 How this port overlay regulates plan making

Section 5 of the port overlay prescribes the requirement for the chief executive officer of the GRC to consider the port overlay when making or amending the GRC Planning Scheme and the requirement for the chief executive officer of the Gladstone port authority to consider the port overlay when making or amending the Gladstone Ports Corporation (GPC) land use plan (GPC LUP).

1.3 Interpretation

Section 6 includes definitions of particular terms and abbreviations to assist in the interpretation of the port overlay. The terms used in the port overlay have the meaning assigned to that term by:

- (1) the Ports Act, or
- (2) another Act as referenced in Section 6 for that term, or
- (3) another Regulation as referenced in Section 6 for that term, or
- (4) the *Acts Interpretation Act 1954*, or
- (5) the ordinary meaning, if the term is not otherwise defined in one of the instruments referenced above.

1.4 Legislative context and relationship to other instruments

1.4.1 Sustainable Ports Development Act 2015

The Ports Act provides a legislative framework for sustainable port development in Queensland and to action the state's key port-related commitments of Reef 2050. The Ports Act establishes the requirement for master planning for the priority ports of Gladstone, Abbot Point, Townsville, and Hay Point/Mackay.

Under the Ports Act, the master plan for each priority port must:

- state the strategic vision, objectives and desired outcomes for all of the **master planned area**
- identify the state interests affected or likely to be affected by existing uses or future **development** at, or for, the port
- include an Environmental Management Framework (EMF) that states the objectives and PMMs for minimising impacts on **environmental values** within and surrounding the **master planned area**.

The Ports Act requires that as soon as practicable after a master plan takes effect for a priority port, the minister must make a port overlay for a priority port's **master planned area**.

The Ports Act binds all persons, including the state and, to the extent that the legislative power of the Parliament permits, the Commonwealth and the other states. However, the Commonwealth or the state cannot be prosecuted for an offence against the Ports Act.

1.4.2 Relationship with Planning Act 2016

The Planning Act applies to **development** within the **master planned area**.

Where there is an inconsistency between the port overlay and a planning instrument under the Planning Act, the port overlay prevails to the extent of the inconsistency.

Where the port overlay states matters the **assessment manager** must consider in assessing a **development application**, the **assessment manager** must, in assessing the application, under the Planning Act, consider those matters. The **assessment manager's** decision under the Planning Act about the **development application** must not be inconsistent with the port overlay.

1.4.3 Transport Infrastructure Act 1994

The *Transport Infrastructure Act 1994* (Transport Infrastructure Act) applies to development within the **master planned area**, including areas of SPL under the jurisdiction of GPC as the prescribed port authority for the Port of Gladstone.



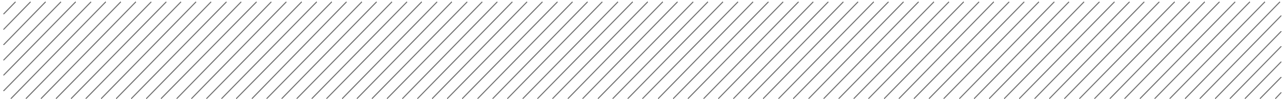
1.4.4 State Development and Public Works Organisation Act 1971

The *State Development and Public Works Organisation Act 1971* (SDPWO Act) includes provisions for the planning, establishment and regulation of SDAs. Development within the Gladstone SDA is regulated under the Gladstone SDA Development Scheme in accordance with the SDPWO Act.

Whilst the port overlay applies to all of the **master planned area**, it does not regulate development within the Gladstone SDA.

In accordance with the Ports Act, the Coordinator-General (CG) is required to consider whether the Gladstone SDA Development Scheme is inconsistent with the port overlay. Where there is an inconsistency, the CG must decide whether to amend the Gladstone SDA Development Scheme to remove the inconsistency, or table a report in the Legislative Assembly detailing the reasons if the CG decides not to amend the development scheme.

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2 Strategic vision, objectives, desired outcomes and state interests for the master planned area

2.1 Purpose

The priority Port of Gladstone master plan includes a strategic vision for the **master planned area** to guide development until the year 2050. In addition to the strategic vision, the master plan also:

- states objectives which clarify how the strategic vision will be achieved
- states desired outcomes that contribute to achieving the strategic vision and objectives
- identifies state interests for all of the **master planned area** that must be dealt with consistently across development assessment, plan making and operational matters in order to achieve the strategic vision of the master plan.

2.2 Strategic vision

The strategic vision for the priority Port of Gladstone **master planned area** as stated in the master plan is:

The master planned area for the priority Port of Gladstone will enable Queensland's largest multi-commodity port and associated industrial area to develop in a sustainable manner. Development will provide for management of the local expression of the **Outstanding Universal Value (OUV)** of the **Great Barrier Reef World Heritage Area (GBRWHA)**, and any potential impacts on **environmental values**, community wellbeing and cultural heritage within and surrounding the **master planned area**.

2.3 Objectives

The objectives for the **master planned area** clarify how the strategic vision will be achieved. The objectives are to:

- facilitate the economic growth of the state and the Gladstone region
- enable the ongoing sustainable growth of trade through the priority Port of Gladstone
- continue to use and develop land and marine infrastructure efficiently where practicable
- **minimise** impact from **development** on the **OUV of the GBRWHA**
- recognise and **minimise** impact from **development** on **environmental values**, including the natural, social and cultural environments within and surrounding the **master planned area**

- maintain wellbeing for the community in the Gladstone region
- promote the safety and security of people and property
- provide for community use of public space.

2.4 Desired outcomes

The desired outcomes contribute to achieving the strategic vision and objectives for all of the **master planned area** and include:

- land and marine areas are available for the development of the port and associated industries, and other **development** that supports and/or does not compromise port-related activities
- provides for major industries of regional, state, national and global significance
- provides for adequate supply chain development and infrastructure, including connections between land and marine areas
- provides port and **supply chain infrastructure** that meets the needs of changing user requirements and has capacity to meet market demand
- use of port and **supply chain infrastructure** is optimised, depending on the economic, environmental and social context, prior to any expansion or **development** of infrastructure where practicable
- encroachment from incompatible uses on infrastructure corridors and nodes is avoided
- **dredging** is undertaken where necessary to support the ongoing operation and growth of the priority Port of Gladstone
- **maintenance dredging** is undertaken in accordance with the dredge management plan and guidelines developed under the *Maintenance Dredging Strategy for Great Barrier Reef World Heritage Areas Ports*
- material generated from **capital dredging** is beneficially reused or placed on land where it is environmentally safe to do so
- provides economic benefit and employment opportunities for the Gladstone region
- recognises the economic value of extractive resources and other minerals
- recognises the economic, recreational and **environmental values** of forest products (including within state forests)
- **minimises** impact from **development** on **environmental values**, including those that contribute to the **OUV of the GBRWHA**
- recognises existing Commonwealth and state offset legislation and policies
- **minimises** impact from **development** on sensitive uses within and surrounding the **master planned area**
- **minimises** impact from **development** on cultural heritage values, including listed cultural heritage sites
- **minimises** impact from **development** on the scenic amenity of land and marine areas
- provides appropriate public access to the waterfront and harbour where practicable having regard to existing and future port operational needs.



2.5 State interests

The master planning process for the priority Port of Gladstone has been conducted with a focus on identifying, balancing and delivering on the interests of the state.

State interests are matters that are affected, or likely to be affected by existing uses within the **master planned area**, and future **development** at, or for, the port. State interests will be consistently applied across the **master planned area** in order to implement the master plan. The state interests are:

- **managing port-related development** – operation of the priority Port of Gladstone and its growth and development
- **economic** – sustainable economic growth of the priority Port of Gladstone and the surrounding region
- **environment** – **OUV of the GBRWHA** and other **environmental values**
- **community** – wellbeing of the community of the Gladstone region.

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3 Priority management measures

3.1 Purpose

The priority Port of Gladstone master plan includes the EMF which:

- identifies and maps the **OUV of the GBRWHA** and other **environmental values** within and surrounding the **master planned area**
- identifies potential impacts that **development** in the **master planned area** may have on the **OUV of the GBRWHA** and other **environmental values**
- states the EMF objectives and PMMs for minimising the potential impacts that have been identified through the master planning process.

The purpose of this section is to detail the PMMs for the **master planned area**.

3.2 Priority management measures

Table 3.1 contains each of the PMMs for the **master planned area**, including identification of the precinct/s to which each PMM applies. The implementation provisions for each of the PMMs, including detail on how each PMM will be achieved, together with the entity or entities responsible, and associated timeframes are detailed in Sections 3.3 to 3.11.

Table 3.1 Priority management measures

Priority management measure	Master plan precinct to which the PMM applies						
	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
<p>1 Aboriginal cultural heritage notification Prior to undertaking any ground disturbance activities within the master planned area, proponents who are not already required to undertake notification under the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>, an Indigenous Land Use Agreement registered under the <i>Native Title Act 1993</i>, or an agreement with an Aboriginal Party made in accordance with the <i>Native Title Act 1993</i> and other agreements under the <i>Aboriginal Cultural Heritage Act 2003</i> will notify the relevant Aboriginal party prior to the works being undertaken</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<p>2 Environmental values monitoring and reporting program Prepare an environmental values monitoring and reporting program for the environmental values within and surrounding the master planned area that will be impacted by development within the master planned area</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<p>3 Environmental assessment guideline Prepare an environmental assessment guideline for developments likely to have a significant adverse impact on the environmental values that contribute to the OUV of the GBRWHA to ensure that environmental assessment processes are appropriately and consistently applied across the master planned area for matters relating to the OUV of the GBRWHA and other environmental values</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<p>4 Land management plan guideline Prepare and implement a land management plan guideline to ensure that the OUV of the GBRWHA and other environmental values are consistently identified and managed within the environmental management precinct of the master planned area</p>	Yes	No	No	No	No	No	No



Priority management measure	Master plan precinct to which the PMM applies						
	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
5 Facing Island land management plan Prepare and implement a land management plan for the Facing Island land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No
6 Inshore islands land management plan Prepare and implement a land management plan for the Inshore islands land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No
7 Mount Larcom landform land management plan Prepare and implement a land management plan for the Mount Larcom landform land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No
8 Aldoga reserve land management plan Prepare and implement a land management plan for the Aldoga reserve land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No
9 Curtis Island land management plan Prepare and implement a land management plan for the Curtis Island land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No

3.3 PMM 1 – Aboriginal cultural heritage notification

3.3.1 Purpose

The purpose for requiring Aboriginal cultural heritage notification is to ensure the cultural heritage duty of care under the ACH Act is implemented.

In addition, the purpose of the Aboriginal cultural heritage notification is to:

- ensure consistency in the management of cultural heritage across the planning and development assessment processes that apply to all of the **master planned area**
- ensure consistent involvement of the relevant **Aboriginal party** in the management of cultural heritage within the **master planned area**
- ensure consistency in the management of cultural heritage across terrestrial, intertidal and marine areas that apply to all of the **master planned area**
- encourage awareness of cultural heritage requirements.

3.3.2 Notification requirements

A **proponent** involved in **ground disturbance activities** must give **notification** to the relevant **Aboriginal party** at least 20 business days before the day on which the **ground disturbance activities** commence.

Notification under this section is not required if the:

- **proponent** has already undertaken notification under the provisions of the ACH Act, an Indigenous Land Use Agreement registered under the *Native Title Act 1993*, or an agreement with an Aboriginal Party made in accordance with the *Native Title Act 1993* and other agreements under the ACH Act, or
- works are associated with maintenance, emergency or **disaster management**, or
- works are associated with **ground disturbance activities** within established approved operations, existing land uses or reclaimed areas, or
- **ground disturbance activities** involve earthworks, including filling or excavating land, that are less than 100 m³.

3.4 PMM 2 – Environmental values monitoring and reporting program

3.4.1 Purpose

The purpose of the environmental values monitoring and reporting program is to prepare a program that:

- identifies foreseeable gaps and duplication in existing research and monitoring programs within and surrounding the **master planned area** beyond current committed program timeframes
- identifies future research and monitoring programs that are required beyond current committed programs during the master plan timeframe to monitor, report and increase the understanding of the health and presence of the **OUV of the GBRWHA** and other **environmental values**, including (but not limited to) seagrass, coral, and marine fauna and migratory shorebird habitat
- ensures consistency in describing and mapping of the **OUV of the GBRWHA** and other **environmental values** during development assessment and plan making processes that apply to the **master planned area**

- identifies any gaps in knowledge or monitoring efforts for a receptor or location likely to be influenced by port development or operation which contributes to the **OUV of the GBRWHA** and/or other **environmental values**
- reviews collected data and informs the development of environmental values monitoring and reporting objectives for a five year period
- supports the identification of actions and measures for future **development** and operational management of the **OUV of the GBRWHA** and other **environmental values** within the **master planned area**
- identifies any opportunities for improvement, including cost efficiencies and economies of scale, and innovation in data collection and management methods or protocols (e.g. avoiding duplication of research, ensure consistency in data collected, statutory requirements).

3.4.2 Implementation

The **responsible entity** for the preparation of the environmental values monitoring and reporting program is the chief executive administering the Ports Act.

Preparation of the environmental values monitoring and reporting program must be completed by the end of 2018.

In preparing the environmental values monitoring and reporting program, the chief executive must:

- consult with the **advisory entities** that the chief executive considers appropriate, including (but not limited to):
 - Secretary of the Department of the Environment and Energy (DoEE) administering the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
 - Secretary of DoEE administering the *Great Barrier Reef Marine Park Act 1975*
 - Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the Transport Infrastructure Act
 - Chief executive administering the *Land Act 1994*
 - Chief executive administering the *Water Act 2000*
 - Chief executive administering the *Vegetation Management Act 1999*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Nature Conservation Act 1992*
 - Department of Science, Information Technology and Innovation (DSITI)
 - Chief executive officer of the Gladstone port authority
 - Chief executive officer of the GRC
 - Gladstone Healthy Harbour Partnership (GHHP)
 - James Cook University (JCU)
 - Queensland University of Technology (QUT)
 - University of Queensland (UQ)
 - Commonwealth Scientific and Industrial Research Organisation (CSIRO)
 - Australian Institute of Marine Science (AIMS)
 - Queensland Energy Resources (QER)
- undertake public notification of the draft environmental values monitoring and reporting program

- publish the environmental values monitoring and reporting program on the departmental website of the chief executive administering the Ports Act.

3.5 PMM 3 – Environmental assessment guideline

3.5.1 Purpose

The purpose of the environmental assessment guideline is for the consistent assessment of **development** likely to have a significant adverse impact on the **environmental values** of the area, including those that contribute to the **OUV of the GBRWHA**, and to ensure that environmental assessment processes are appropriately and consistently applied across the **master planned area**. It will:

- outline the general approach and requirements for applicable assessment processes, including the matters that an **applicant** should address as part of a **development application** under the Planning Act
- guide the **assessment manager** on matters that should be considered during applicable assessment processes under the Planning Act
- outline the general approach and requirements for an Environmental Impact Statement (EIS) or Impact Assessment Report (IAR), including matters that a **proponent** should address as part of an EIS under the SDPWO Act and/or EP Act, or IAR under the SDPWO Act
- guide the **EIS assessment manager** on matters that should be considered during the preparation of a terms of reference (ToR) for an EIS under the SDPWO Act and/or EP Act or during the evaluation of an IAR under the SDPWO Act
- ensure consistency across all applicable assessment processes.

3.5.2 Content of the environmental assessment guideline

The environmental assessment guideline must include the following information.

- **Information regarding the guideline:**
 - the purpose of the guideline
 - the outcomes and objectives to be achieved
 - interpretation and when the guideline is to be applied (e.g. defining significant adverse impact on **environmental values**)
 - a list of abbreviations, terms and acronyms used in the guideline and definitions.
- **The minimum scope of supporting information required for applicable assessment processes (including but not limited to):**
 - development description
 - legislative requirements
 - identification of the **OUV of the GBRWHA** and other **environmental values** relevant to the proposed **development**
 - assessment of the potential impacts (direct and indirect) to the **OUV of the GBRWHA** and other **environmental values** relevant to the proposed **development**
 - management and mitigation response, including how potential impacts to the **OUV of the GBRWHA** and other **environmental values** have been considered and addressed.
- **Any other scope of supporting information required for assessment processes.**

3.5.3 Implementation

The **responsible entity** for the preparation of the environmental assessment guideline is the chief executive administering the Ports Act.

The environmental assessment guideline must be completed by the end of 2019.

In preparing the environmental assessment guideline, the chief executive must:

- consult with the **advisory entities** that the chief executive considers appropriate, including (but not limited to):
 - Secretary of DoEE administering the EPBC Act
 - Secretary of DoEE administering the *Great Barrier Reef Marine Park Act 1975*
 - Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Land Act 1994*
 - Chief executive administering the *Water Act 2000*
 - Chief executive administering the *Vegetation Management Act 1999*
 - Chief executive administering the *Nature Conservation Act 1992*
 - Chief executive administering the Transport Infrastructure Act
 - Chief executive administering the Planning Act
 - Chief executive officer of the Gladstone port authority
 - Chief executive officer of the GRC
 - DSITI
 - QER
- consider the requirement to undertake public notification of a draft environmental assessment guideline
- once the guideline is made, publish the environmental assessment guideline on the departmental website of the chief executive administering the Ports Act.

3.6 PMM 4 – Land management plan guideline

3.6.1 Purpose

The purpose of the land management plan guideline is to:

- guide the preparation of land management plans, through outlining the general approach, contents and requirements
- ensure land management plans are consistent with the intent of the environmental management precinct of the **master planned area**
- ensure sufficient background information and management actions/requirements are included to manage the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the **master planned area**
- promote the use of innovative solutions and approaches to the identification and management of the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the **master planned area**.

3.6.2 Content of the land management plan guideline

The land management plan guideline must include the following information.

- **Context for the guideline:**
 - the purpose of the guideline
 - the objectives to be achieved
 - when the guideline is to be applied
 - a list of abbreviations, terms and acronyms used in the guideline and definitions.
- **Process for preparing a land management plan:**
 - identify any consultation requirements, including entities that should be consulted during the preparation of a land management plan.
- **Land management plan requirements:**
 - legislative requirements
 - management intent
 - identification of the **OUV of the GBRWHA** and other **environmental values** as they relate to the **land management plan area** and surrounding areas
 - identification and assessment of potential impacts (direct and indirect) to the **OUV of the GBRWHA** and other **environmental values**
 - mapping requirements
 - management and mitigation response.
- **Minimum monitoring and review requirements:**
 - identify the proposed monitoring strategy for the implementation of the land management plan
 - identify requirements and suitable timeframes for reviewing and amending the land management plan.
- **Minimum reporting requirements:**
 - compliance requirements for implementation of a land management plan
 - any supporting environmental assessment and associated reporting must be undertaken by suitably qualified and experienced person/s in the relevant field
 - a reference list for any material and literature cited/relied upon, including any regulatory authorities or stakeholders consulted and copies of any correspondence, is to be included, where applicable.

3.6.3 Implementation

The **responsible entity** for the preparation of the land management plan guideline is the chief executive administering the Ports Act.

The land management plan guideline must be completed by the end of 2019.

In preparing the land management plan guideline, the chief executive must:

- consult with the **advisory entities** that the chief executive considers appropriate, including (but not limited to):
 - Secretary of DoEE administering the EPBC Act
 - Chief executive administering the *Biosecurity Act 2014*

- Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Nature Conservation Act 1992*
 - Chief executive administering the *Vegetation Management Act 1999*
 - Chief executive administering the *Water Act 2000*
 - Chief executive administering the *Land Act 1994*
 - DSITI
 - Chief executive officer of the Gladstone port authority
 - Chief executive officer of the GRC
 - **land holders**
- publish the land management plan guideline on the departmental website of the chief executive administering the Ports Act.

3.7 PMM 5 – Facing Island land management plan

3.7.1 Purpose

The purpose of the Facing Island land management plan is to inform **land holders** in undertaking land management activities to manage the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the Facing Island land management plan area.

3.7.2 Implementation

A land management plan is to be prepared for the Facing Island land management plan area, as shown on Figure 2 (Facing Island land management plan area) contained in Schedule 1 (mapping), in accordance with the land management plan guideline.

The **responsible entity** for the preparation of the Facing Island land management plan is the chief executive officer of the Gladstone port authority.

The Facing Island land management plan must be completed by the end of 2020.

In preparing the Facing Island land management plan, the chief executive officer of the Gladstone port authority must:

- consult with the **advisory entities** that the chief executive officer of the Gladstone port authority considers appropriate, including (but not limited to):
 - Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Nature Conservation Act 1992*
 - DSITI
 - Chief executive officer of the GRC
- submit the land management plan to the chief executive administering the Ports Act within an agreed timeframe for review and approval.

The **land holder/s** is responsible for implementing the Facing Island land management plan.

3.8 PMM 6 – Inshore islands land management plan

3.8.1 Purpose

The purpose of the Inshore islands land management plan is to inform **land holders** in undertaking land management activities to manage the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the Inshore islands land management plan area.

3.8.2 Implementation

A land management plan is to be prepared for the Inshore islands land management plan area, which includes the inshore islands below as shown on Figure 3 (Inshore islands land management plan area) contained in Schedule 1 (mapping), in accordance with the land management plan guideline.

- Bushy Island
- Diamantina Island
- Garden Island
- Picnic Island
- Rat Island
- She Oak Island.

The **responsible entities** for the preparation of the Inshore islands land management plan are the chief executive administering the *Land Act 1994* and the chief executive officer of the GRC.

The Inshore islands land management plan must be completed by the end of 2020.

In preparing the Inshore islands land management plan, the chief executive administering the *Land Act 1994* and chief executive officer of the GRC must:

- consult with the **advisory entities** that the chief executive administering the *Land Act 1994* and chief executive officer of the GRC considers appropriate, including (but not limited to):
 - Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Nature Conservation Act 1992*
 - DSITI
 - Chief executive officer of the Gladstone port authority
 - **Land holders**
- submit the land management plan to the chief executive administering the Ports Act within an agreed timeframe for review and approval.

The **land holder/s** is responsible for implementing the Inshore islands land management plan.

3.9 PMM 7 – Mount Larcom landform land management plan

3.9.1 Purpose

The purpose of the Mount Larcom landform land management plan is to inform **land holders** in undertaking land management activities to manage the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the Mount Larcom landform land management plan area.

3.9.2 Implementation

A land management plan is to be prepared for the Mount Larcom landform land management plan area, as shown on Figure 4 (Mount Larcom landform land management plan area) contained in Schedule 1 (mapping), in accordance with the land management plan guideline.

The **responsible entity** for the preparation of the Mount Larcom landform area land management plan is the chief executive administering the *Land Act 1994*.

The Mount Larcom landform land management plan must be completed by the end of 2020.

In preparing the Mount Larcom landform land management plan, the chief executive administering the *Land Act 1994* must:

- consult with the **advisory entities** that the chief executive administering the *Land Act 1994* considers appropriate, including (but not limited to):
 - Chief executive administering the *Environmental Protection Act 1994*
 - Minister for Economic Development Queensland (MEDQ)
 - The CG administering the SDPWO Act
 - DSITI
 - Department of National Parks, Sport and Racing (DNPSR)
- submit the land management plan to the chief executive administering the Ports Act within an agreed timeframe for review and approval.

The **land holder/s** is responsible for implementing the Mount Larcom landform area land management plan.

3.10 PMM 8 – Aldoga reserve land management plan

3.10.1 Purpose

The purpose of the Aldoga reserve land management plan is to inform **land holders** in undertaking land management activities to manage the potential direct and indirect impacts to the **environmental values** within and surrounding the Aldoga reserve land management plan area.

3.10.2 Implementation

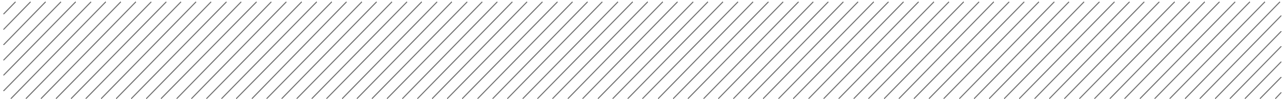
A land management plan is to be prepared for the Aldoga reserve land management plan area, as shown on Figure 5 (Aldoga Reserve – Lot 87 SP144431 land management plan area) contained in Schedule 1 (mapping), in accordance with the land management plan guideline.

The **responsible entity** for the preparation of the Aldoga reserve land management plan is MEDQ.

The Aldoga reserve land management plan must be completed by the end of 2020.

In preparing the Aldoga reserve land management plan, MEDQ must:

- consult with the **advisory entities** that MEDQ considers appropriate, including (but not limited to):
 - Chief executive administering the *Environmental Protection Act 1994*
 - The CG
 - DSITI
 - Chief executive officer of the GRC

- 
- submit the land management plan to the chief executive administering the Ports Act within an agreed timeframe for review and approval.

The **land holder/s** is responsible for implementing the Aldoga reserve land management plan.

3.11 PMM 9 – Curtis Island land management plan

3.11.1 Purpose

The purpose of the Curtis Island land management plan is to inform **land holders** in undertaking land management activities to manage the potential direct and indirect impacts to the **OUV of the GBRWHA** and other **environmental values** within and surrounding the Curtis Island land management plan area.

3.11.2 Implementation

A land management plan is to be prepared for the Curtis Island land management plan area, as shown on Figure 6 (Curtis Island management plan) contained in Schedule 1 (mapping), in accordance with the land management plan guideline.

The **responsible entity** for the preparation of the Curtis Island land management plan is DNPSR and the CG.

The Curtis Island land management plan must be completed by the end of 2020.

In preparing the Curtis Island land management plan, DNPSR and the CG must:

- consult with the **advisory entities** that DNPSR and the CG considers appropriate, including (but not limited to):
 - Chief executive administering the *Environmental Protection Act 1994*
 - Chief executive administering the *Fisheries Act 1994*
 - Chief executive administering the *Nature Conservation Act 1992*
 - DSITI
 - Chief executive officer of the Gladstone port authority
 - Chief executive officer of the GRC
- submit the land management plan to the chief executive administering the Ports Act within an agreed timeframe for review and approval.

The **land holder/s** is responsible for implementing the Curtis Island land management plan.



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

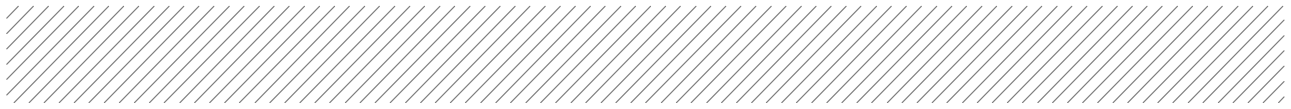
This section details the requirements of the port overlay in relation to development assessment processes under the GRC Planning Scheme and the GPC LUP.

4.2.1 Gladstone Regional Council Planning Scheme

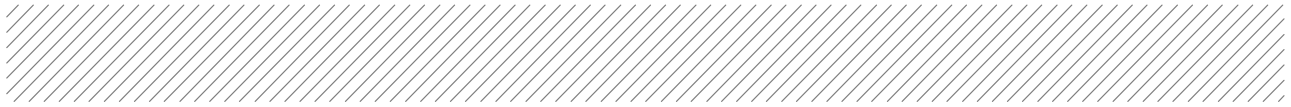
Table 4.1 identifies the assessment benchmarks that are assessable under the GRC Planning Scheme as a categorising instrument, and prescribed by the port overlay in Section 4.4.

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) <u>Caretaker's accommodation</u> (b) <u>Telecommunication facility</u>	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 <u>medium density residential zone</u>		
Material change of use within the <u>medium density residential zone</u> where the development is accepted development (self-assessable) for any of the following: (a) <u>Caretaker's accommodation</u> (b) <u>Dual occupancy</u> (c) <u>Sales office</u>	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 <u>medium density residential zone</u>	No change to assessment level	Residential and port industry interface code
Within the <u>low impact industry zone</u>		
Material change of use within the <u>low impact industry zone</u> where the development is accepted development (self-assessable) for any of the following: (a) <u>Office</u> (b) <u>Caretaker's accommodation</u> (c) <u>Sales office</u>	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 <u>low impact industry zone</u> 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 <u>open space zone</u>		
Material change of use within the <u>open space zone</u> 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 <u>open space zone</u> 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 <u>sport and recreation zone</u>		
Material change of use within the <u>sport and recreation zone</u> 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 <u>special purpose zone</u>		
Material change of use within the <u>special purpose zone</u> 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 <u>rural zone</u>		
Any of the following within the <u>rural zone</u> where the development is exempt for any of the following: (a) <u>Environment facility</u> (b) <u>Outstation</u> (c) <u>Emergency services</u> (d) <u>Substation</u> (e) <u>Utility infrastructure</u>	Code assessable	Environmental values management code
Material change of use within the <u>rural zone</u> where the development is accepted development (self-assessable) for <u>caretaker's accommodation</u>	No change to assessment level if complying with accepted development (self-assessable) outcomes	Environmental values management code
Material change of use within the <u>rural zone</u> where the development is accepted development (self-assessable) for the following: (a) <u>Roadside stall</u> (b) <u>Telecommunications facility</u>	Code assessable	Environmental values management code
Material change of use within the <u>rural zone</u> where the development is code assessable for any of the following: (a) <u>Nature based tourism</u> (b) <u>Emergency services</u> (c) <u>Substation</u> (d) <u>Utility installation</u>	No change to assessment level	Environmental values management code
Any other material change of use within the <u>rural zone</u> 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 <u>port industry precinct</u> or <u>light industry and commercial precinct</u>	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:

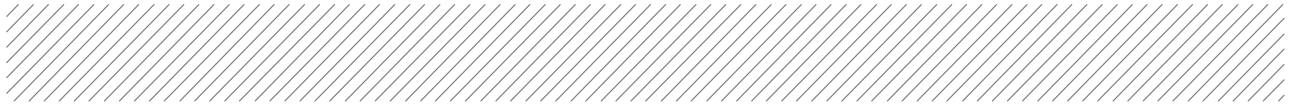
- **development** does not compromise or adversely impact on the operation of the **port navigable waterway**
- **development** does not compromise or adversely affect the undertaking of **dredging** where necessary to support the ongoing and potential future expanded operation of the Port of Gladstone
- **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

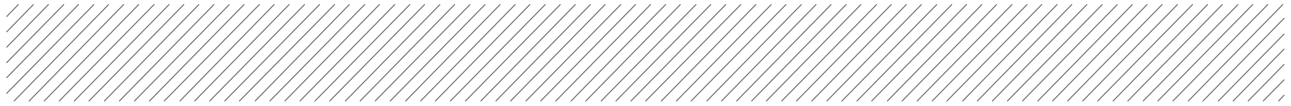
Table 4.5 contains the marine infrastructure management code for accepted (self-assessable) and assessable development.

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	
<p>PO1 Development within the <u>marine infrastructure precinct</u> avoids adverse impacts on the operational efficiency of a port navigable waterway and port berths.</p>	<p>AO1.1 Development does not encroach upon a port navigable waterway.</p> <p>AND</p> <p>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).</p> <p>OR</p> <p>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).</p>
<p>PO2 Development within the <u>marine infrastructure precinct</u> avoids adverse impacts on aids to navigation.</p>	<p>AO2.1 Development does not remove any material that may destabilise an aid to navigation, including ground tackle.</p> <p>AND</p> <p>AO2.2 Development does not create any temporary or permanent obstruction of aids to navigation.</p> <p>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.</p> <p>AND</p> <p>AO2.3 Development keeps sight lines of any aids to navigation which cross the land clear of obstructions.</p> <p>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.</p> <p>AND</p> <p>AO2.4 Development ensures ongoing access to aids to navigation for maintenance purposes.</p> <p>AND</p> <p>AO2.5 Development does not result in electrical or electro-magnetic emissions which may impede the operation of aids to navigation.</p>



Performance outcome	Acceptable outcome
	<p>Editor's note:</p> <p>(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:</p> <ul style="list-style-type: none"> (a) fixing a ship's position, or (b) deciding a safe course for a ship, or (c) warning a ship of dangers or obstructions. <p>Examples include beacon, buoy, light, lighthouse, marine mark, radio aid or signal.</p> <p>(2) An aid to navigation includes any structure or equipment ancillary to the aid to navigation.</p> <p>Examples include the battery house providing a lighthouse with power; lifesaving equipment that is part of an aid to navigation.</p> <p>(3) However an aid to navigation does not include a device on board a ship.</p> <p>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.</p>
Dredging	
<p>PO3 Development for capital dredging and maintenance dredging are undertaken within the <u>marine infrastructure precinct</u> for the purpose of establishing, constructing, improving or maintaining port facilities.</p>	<p>No acceptable outcome.</p>
<p>PO4 Development within the <u>marine infrastructure precinct</u> avoids adversely impacting on dredging.</p>	<p>AO4.1 Development does not encroach upon a port navigable waterway.</p> <p>AND</p> <p>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).</p> <p>OR</p> <p>AO4.3 Development involving the removal or demolition of structures, including piles, in a port navigable waterway, ensures the entire structure is removed.</p>



Performance outcome	Acceptable outcome
Potential material placement areas and associated access works	
<p>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.</p>	<p>AO5.1 Development is located outside a potential material placement area unless it is:</p> <p>(1) Development associated with capital and/or maintenance dredged material placement.</p> <p>OR</p> <p>(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.</p> <p>OR</p> <p>(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.</p> <p>OR</p> <p>(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.</p>
<p>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.</p>	<p>No acceptable outcome.</p>
<p>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.</p>	<p>AO7.1 The siting of a potential material placement area ensures:</p> <p>(1) A setback of at least 20 m from a boundary which adjoins an existing or approved sensitive land use.</p>

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.

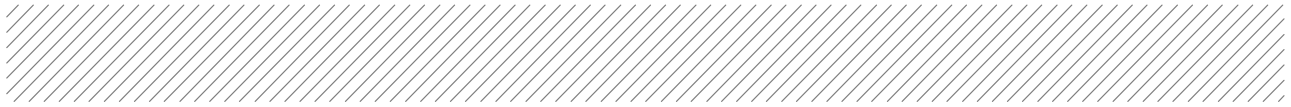
The purpose of the residential and port industry interface code will be achieved through the following outcomes:

- **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.

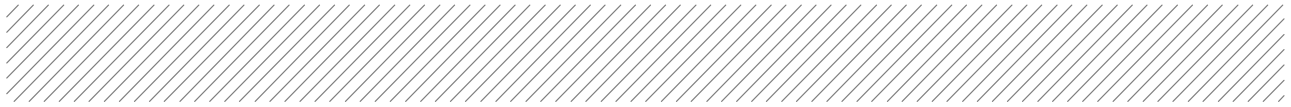
4.4.3.3 Criteria for assessment

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

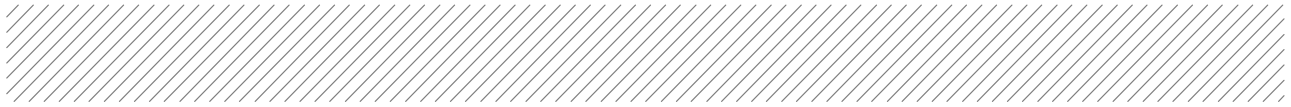
Performance outcome	Acceptable outcome
Siting and design	
<p>PO1 Port industry activities at Barney Point are located and sited to be consistent with the surrounding development.</p>	<p>AO1.1 Buildings or structures have a minimum setback of:</p> <ul style="list-style-type: none"> (a) 10 m from an arterial, sub-arterial road; (b) 6 m from any other road frontage; and (c) 3 m from the side or rear boundaries. <p>AND</p> <p>AO1.2 Buildings and structures are setback a minimum of 6 m from the property boundary of any existing residential zoned land.</p>
<p>PO2 Port industry activities at Barney Point minimise adverse impacts and achieve better outcomes to the surrounding sensitive land uses and receiving environments.</p>	<p>AO2.1 The impact from development is minimised in relation to (but not limited to the following):</p> <ul style="list-style-type: none"> (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.
<p>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.</p>	<p>AO3.1 Site layout and building design incorporates appropriately located waste storage areas which meet the needs of regularity of visits to the site.</p> <p>AND</p> <p>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.</p>



Performance outcome	Acceptable outcome
<p>PO4 The site coverage of all buildings and associated structures must allow for sufficient:</p> <ul style="list-style-type: none"> (a) building setbacks; (b) landscaping; (c) car parking; (d) loading and unloading area; and (e) vehicle manoeuvring and access. 	<p>AO4.1 Site coverage does not exceed 70% of the site area.</p>
<p>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.</p>	<p>AO5.1 Living areas, bedrooms and balconies are orientated or located away from boundaries that adjoin development within the <u>port, industry and commerce precinct</u>.</p>
Visual amenity and outdoor lighting	
<p>PO6 Port industry activities at Barney Point must not result in significant loss of visual amenity of the streetscape.</p>	<p>AO6.1 No maximum building height is specified, however, building height should reflect surrounding development.</p>
<p>PO7 Development for port industry activities at Barney Point is designed to be consistent with the character of the surrounding area.</p>	<p>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:</p> <ul style="list-style-type: none"> (a) façade treatments; (b) roof pitch and design; (c) recesses, overhangs and shading; and (d) colours and building textures. <p>AND</p> <p>AO7.2 A formal entry is provided to all buildings, designated to address, be visible and accessible from, the principal road frontage.</p>
<p>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.</p>	<p>AO8.1 Depending on the size, type and location of the open storage area, appropriate screening can include:</p> <ul style="list-style-type: none"> (a) fencing (minimum height of 1.8 m); and/or (b) vegetation (e.g. direct seeded trees, gardens).
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p> <p>AND</p> <p>AO10.2 Content of signage exhibits a direct correlation to a business, operation or activity at the port.</p>



Performance outcome	Acceptable outcome
<p>PO11 Port industry activities at Barney Point incorporate landscaping that is:</p> <ul style="list-style-type: none"> (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. <p>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.</p>	<p>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:</p> <ul style="list-style-type: none"> (a) 5 m along arterial road; or (b) 3 m along all other roads. <p>AND</p> <p>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.</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>AO11.4 Landscaping uses low maintenance, drought tolerant plant species.</p>
<p>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.</p>	<p>AO12.1 The extent of filling or excavation is less than 1.5 m high within 2 m of the boundary.</p>
<p>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.</p>	<p>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.</p> <p>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.</p> <p>Energy efficient lighting technologies are adopted.</p> <p>AND</p> <p>AO13.2 Outdoor lighting is to be designed and located to avoid impacts on nesting turtles and/or emerging hatchlings.</p>
<p>PO14 Development within the <u>interface precinct</u> is appropriately located, sited and designed in a manner that minimises any visual amenity impacts from adjoining port industry activities.</p>	<p>AO14.1 Living areas, bedrooms and balconies are orientated or located away from boundaries that adjoin port industry activities.</p> <p>OR</p> <p>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 <u>port, industry and commerce precinct</u> (e.g. fencing, landscaping, awnings).</p>



Performance outcome	Acceptable outcome
Air quality	
<p>PO15 All port industry activities at Barney Point maintain the air quality and consequently, public health standards by providing:</p> <ul style="list-style-type: none"> (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. 	<p>No acceptable outcome.</p> <p>Editor's note: The provisions of the <i>Environmental Protection (Air) Policy</i> as in effect under the <i>Environmental Protection Act 1994</i>.</p>
<p>PO16 Development for sensitive land uses achieves acceptable levels of air quality.</p>	<p>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.</p>
Acoustic amenity	
<p>PO17 Port industry activities at Barney Point minimise adverse noise and vibration impacts to sensitive land uses and receiving environments.</p>	<p>AO17.1 No acceptable outcome.</p> <p>Editor's note: The provisions of the <i>Environmental Protection (Noise) Policy</i> as in effect under the <i>Environmental Protection Act 1994</i>.</p>
<p>PO18 Development for sensitive land uses is appropriately located, sited and designed in a manner that minimises any acoustic impacts from adjoining port activities.</p>	<p>AO18.1 Living areas, bedrooms and balconies are orientated or located away from boundaries that adjoin port industry activities.</p> <p>AND</p> <p>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).</p> <p>AND</p> <p>AO18.3 Development achieves the noise generation levels set out in the <i>Environmental Protection (Noise) Policy 2008</i>, as amended.</p>
Public access	
<p>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.</p> <p>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.</p>	<p>AO19.1 Development maintains existing public access to the foreshore.</p> <p>OR</p> <p>AO19.2 Development demonstrates that restrictions (if required) to public access are necessary for the safe and secure operation of the development.</p>

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**.

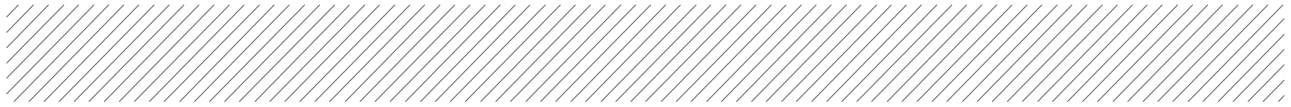
The purpose of the environmental values management code will be achieved through the following outcomes:

- **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**.

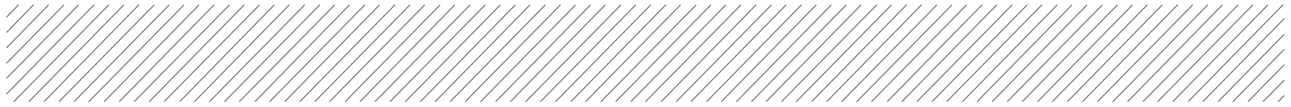
4.4.4.3 Criteria for assessment

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

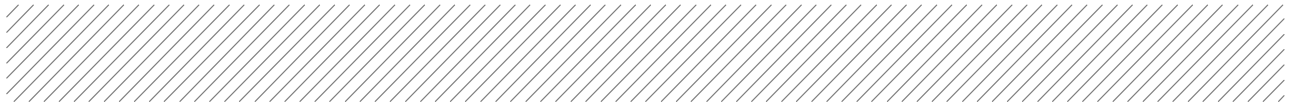
Performance outcome	Acceptable outcome
OUV of the GBRWHA and all other environmental values	
Seagrass	
<p>PO1 Development within the <u>marine precinct</u> does not have any significant residual impact on seagrass.</p> <p>Editor's note: For guidance on significant residual impact refer to the Significant Residual Impact Guideline</p> <p>Figure 9 (seagrass) identifies areas of known seagrass in Schedule 1 (mapping).</p>	<p>A01.1 Development minimises any disturbance of seagrass.</p>



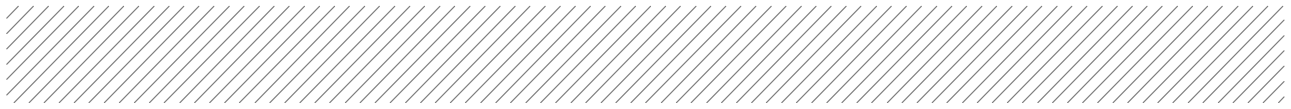
Performance outcome	Acceptable outcome
<p>PO2 Development within the <u>marine infrastructure precinct</u> minimises any significant residual impact on seagrass.</p> <p>Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for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



Performance outcome	Acceptable outcome
<p>PO5 Development on Facing Island or near Boyne Island Beach is located, designed and operated to:</p> <ul style="list-style-type: none"> (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. 	<p>AO5.1 All exterior lighting is designed to minimise light pollution by:</p> <ul style="list-style-type: none"> (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. <p>AND</p> <p>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.</p>
Migratory shorebird habitat	
<p>PO6 Development within the <u>environmental management precinct</u> and <u>marine precinct</u> does not have any significant residual impact on migratory shorebird habitat and roosting areas.</p> <p>Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping).</p> <p>This PO does not apply to areas of existing development and established approved operations.</p>	<p>AO6.1 Development minimises any disturbance of migratory shorebird habitat and roosting areas.</p> <p>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.</p>
<p>PO7 Development within the <u>marine infrastructure precinct</u> and <u>infrastructure and supply chain corridors precinct</u> manages any significant residual impact on migratory shorebird habitat and roosting areas.</p> <p>Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping).</p>	<p>AO7.1 Development avoids any disturbance to migratory shorebird habitat and roosting areas.</p> <p>OR</p> <p>AO7.2 Where development cannot avoid the disturbance to migratory shorebird habitat and roosting areas any direct disturbance is minimised.</p> <p>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.</p>
<p>PO8 Development within South Trees Island minimises any significant residual impact on migratory shorebird habitat and roosting areas.</p> <p>Editor's note: Figure 12 (migratory shorebird habitat) identifies indicative areas of known migratory shorebird habitat and roosting areas in Schedule 1 (mapping).</p>	<p>AO8.1 Development avoids any disturbance to migratory shorebird habitat and roosting areas.</p> <p>OR</p> <p>AO8.2 Where development cannot avoid the disturbance to migratory shorebird habitat and roosting areas any direct disturbance is minimised.</p> <p>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.</p>



Performance outcome	Acceptable outcome
Marine megafauna	
<p>PO9 Development for tidal works involving pile driving avoids adverse impacts on marine megafauna.</p>	<p>AO9.1 Development employs soft start procedures each time pile driving activities commence.</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>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.</p>
Within the environmental management precinct – Mount Larcom landform area	
For caretaker’s accommodation that is accepted (self-assessable) development	
<p>PO10 Development is:</p> <p>(a) ancillary to the primary use; and</p> <p>(b) does not compromise the low density, natural and open space function of the area.</p>	<p>AO10.1 No more than one caretaker’s accommodation unit is established on the site.</p> <p>AND</p> <p>AO10.2 Caretaker’s accommodation is a maximum of 100 m² GFA.</p>
<p>PO11 A new building and other structures:</p> <p>(a) are low rise; and</p> <p>(b) reflect the low density, natural and open space character of the area.</p>	<p>AO11.1 Building height does not exceed 8.5 m.</p> <p>AND</p> <p>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 m².</p> <p>AND</p> <p>AO11.3 Non-residential buildings have a maximum combined GFA of 300 m².</p>
<p>PO12 Development density reflects the low density and environmental character of the locality.</p>	<p>AO12.1 Development density is limited to one caretaker’s accommodation house per allotment (including one secondary dwelling).</p> <p>AND</p> <p>AO12.2 Where a caretaker’s accommodation house, any secondary building is:</p> <p>(a) a maximum of 80 m² GFA;</p> <p>(b) located within 50 m of the main building; and</p> <p>(c) linked to the main building by a defined footpath in the most direct route possible.</p>
For all assessable development	
<p>PO13 Development:</p> <p>(a) is consistent with the environmental character of the locality; and</p> <p>(b) protects rural, natural and scenic values of the locality.</p>	<p>No acceptable outcomes.</p>



Performance outcome	Acceptable outcome
<p>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:</p> <ul style="list-style-type: none">(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.

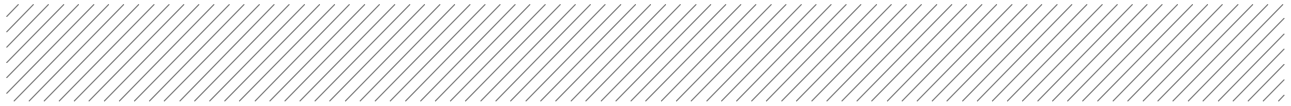
The purpose of the infrastructure and supply chain management code will be achieved through the following outcomes:

- **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	
<p>PO1 Buildings, structures, services and utilities do not compromise the potential development of supply chain infrastructure.</p> <p>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.</p>	<p>AO1.1 Buildings, structures, services and utilities are not located within the <u>infrastructure and supply chain corridors precinct</u> unless development is associated with supply chain infrastructure.</p>
<p>PO2 Operational works, including excavation and/or filling does not compromise the development of the <u>infrastructure and supply chain corridors precinct</u>.</p>	<p>AO2.1 Operational works, including excavation and filling does not undermine, cause subsidence, or groundwater seepage.</p> <p>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.</p>
<p>PO3 Development within marine areas does not compromise the potential development of port berths.</p>	<p>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).</p>
<p>PO4 Marine infrastructure and services do not compromise the potential development of the <u>infrastructure and supply chain corridors precinct</u>.</p>	<p>AO4.1 Infrastructure and services are not located within the <u>infrastructure and supply chain corridors precinct</u> unless for development associated with supply chain infrastructure.</p> <p>AND</p> <p>AO4.2 Construction activities do not encroach into the <u>infrastructure and supply chain corridors precinct</u> unless the activities are associated with the construction of supply chain infrastructure.</p>
Within all precincts	
Principles of port optimisation	
<p>PO5 Development for port industry activities and/or future supply chain infrastructure is demonstrated to be feasible having regard to principles of port optimisation.</p> <p>Editor's note: Supporting technical details addressing port optimisation submitted with the development application will assist in addressing this performance outcome.</p>	<p>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).</p> <p>OR</p> <p>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).</p> <p>OR</p> <p>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.</p>



Performance outcome	Acceptable outcome
Optimisation of port berths, jetties and wharves	
<p>PO6 Development for a berth is designed and operated to maximise berth utilisation and efficiency.</p> <p>Editor's note: Supporting technical details addressing port optimisation submitted with the development application will assist in addressing this performance outcome.</p>	<p>AO6.1 Development considers opportunities to optimise the efficiency of existing berths prior to the development of additional berths.</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>AO6.3 Development provides opportunities for berths to facilitate sharing by multiple cargo types.</p>
<p>PO7 Development for a berth is appropriately located in proximity to land having regard to the operational needs of the intended industry or cargo.</p> <p>Editor's note: Supporting technical details addressing port optimisation submitted with the development application will assist in addressing this performance outcome.</p>	<p>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).</p> <p>AND</p> <p>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.</p>
<p>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.</p> <p>Editor's note: Supporting technical details addressing port optimisation submitted with the development application will assist in addressing this performance outcome.</p>	<p>No acceptable outcome.</p>
<p>PO9 Development that involves a wharf is designed and optimised for the intended industry or cargo.</p> <p>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.</p>	<p>AO9.1 Development design reduces the extent of wharf decking to the minimum area required for the intended industry or cargo.</p>
Optimisation of storage facilities	
<p>PO10 Development for a storage facility associated with port industry activities is located, designed and operated to maximise berth utilisation and efficiency.</p>	<p>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.</p> <p>OR</p> <p>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.</p>



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



Schedule 1 Mapping



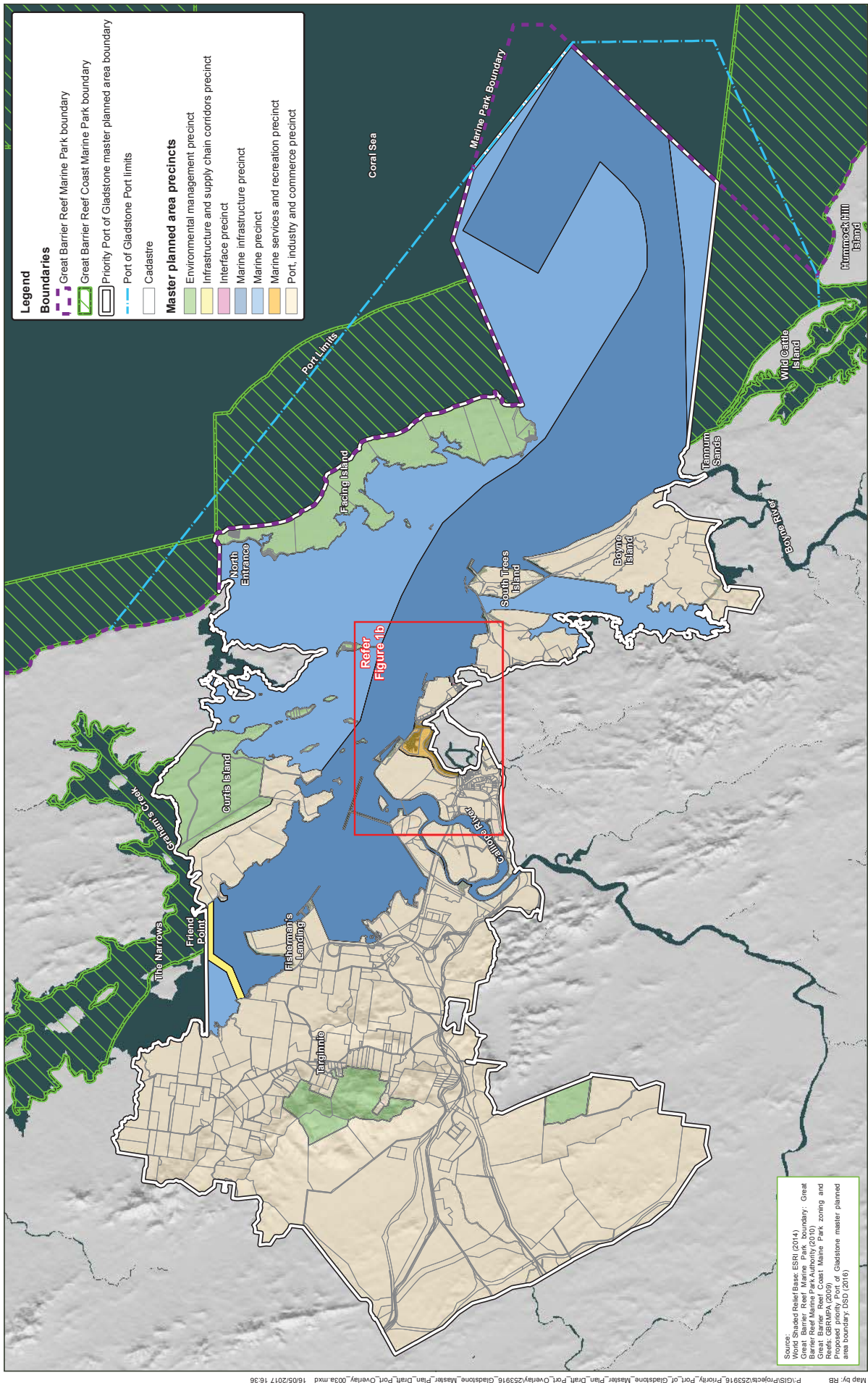
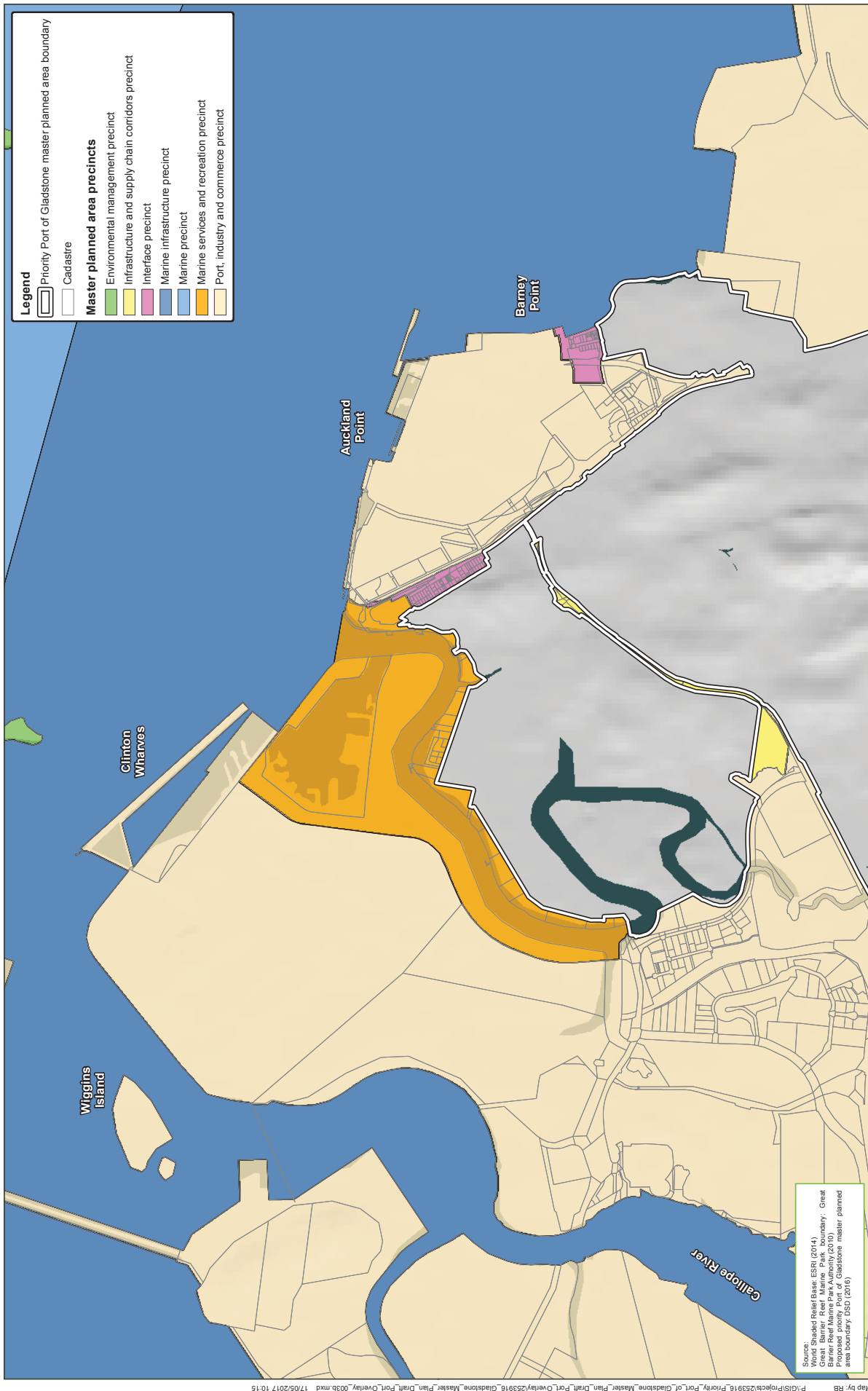


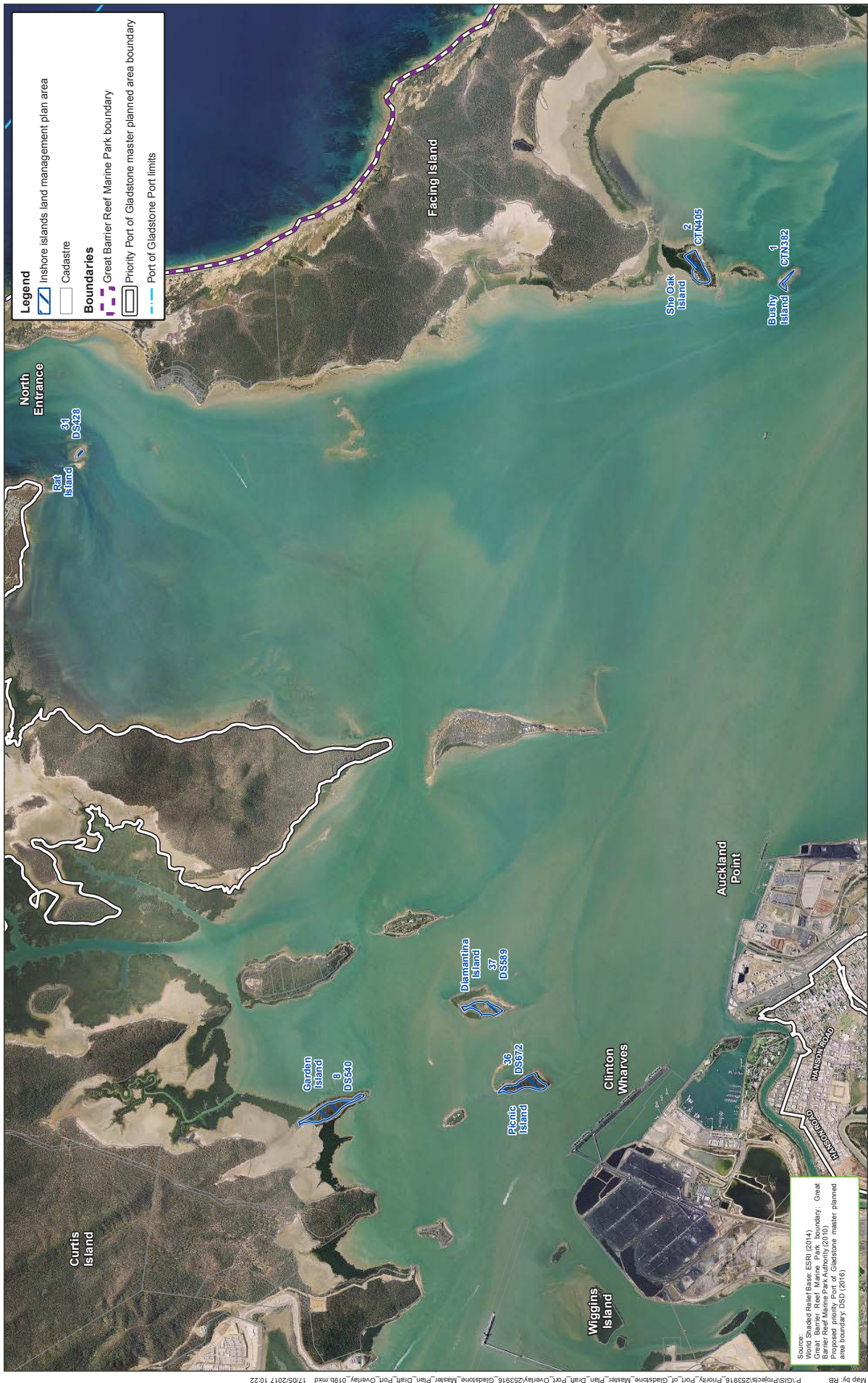
Figure 1a: Boundary for the priority Port of Gladstone master planned area and precincts



Priority Port of Gladstone master planning preliminary draft port overlay
Figure 1b: Boundary for the priority Port of Gladstone master planned area and precincts

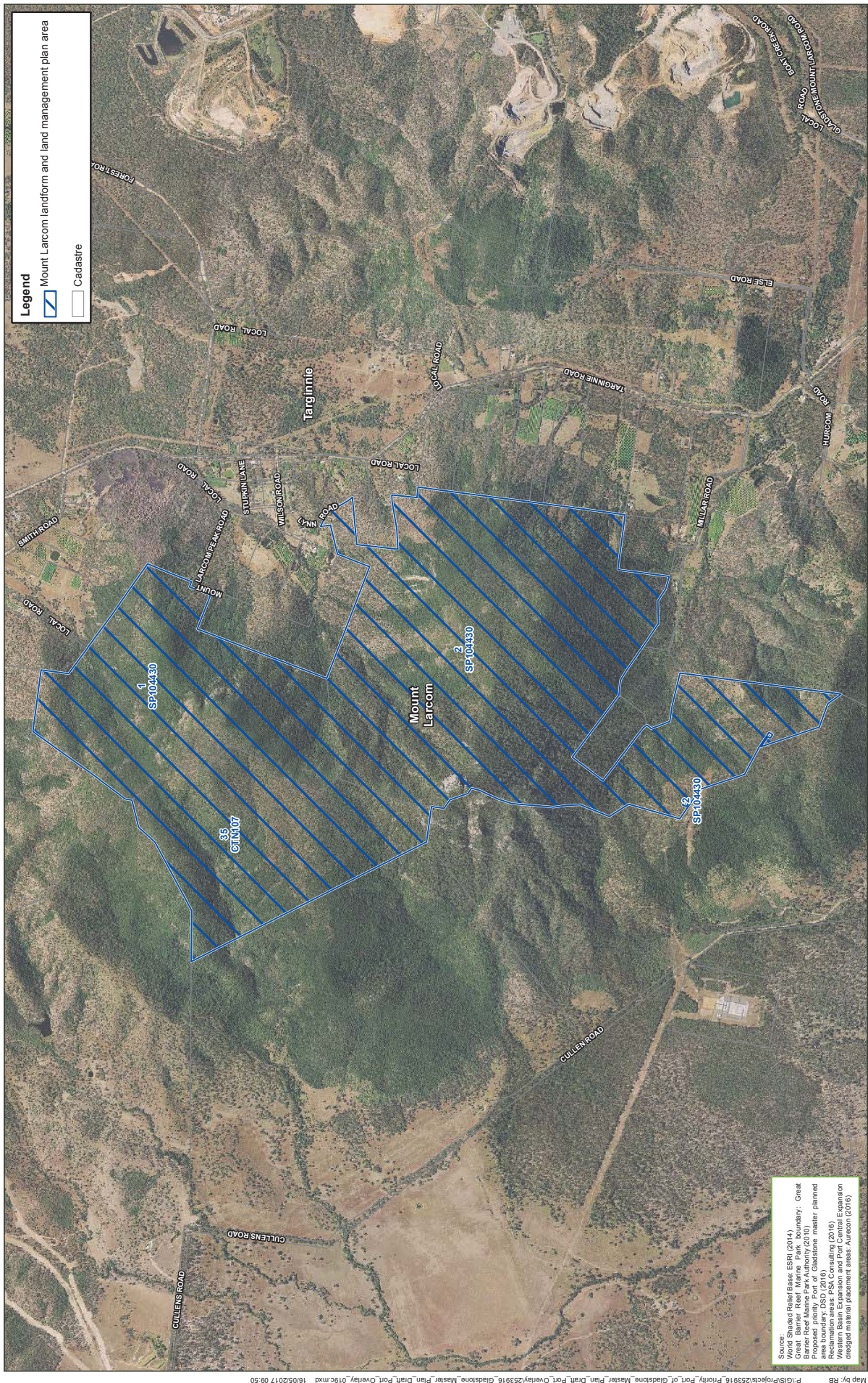


Priority Port of Gladstone master planning preliminary draft port overlay
 Figure 2: Facing Island land management plan area



Priority Port of Gladstone master planning preliminary draft port overlay

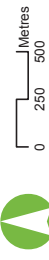
Figure 3: Inshore islands land management plan area



Priority Port of Gladstone master planning preliminary draft port overlay

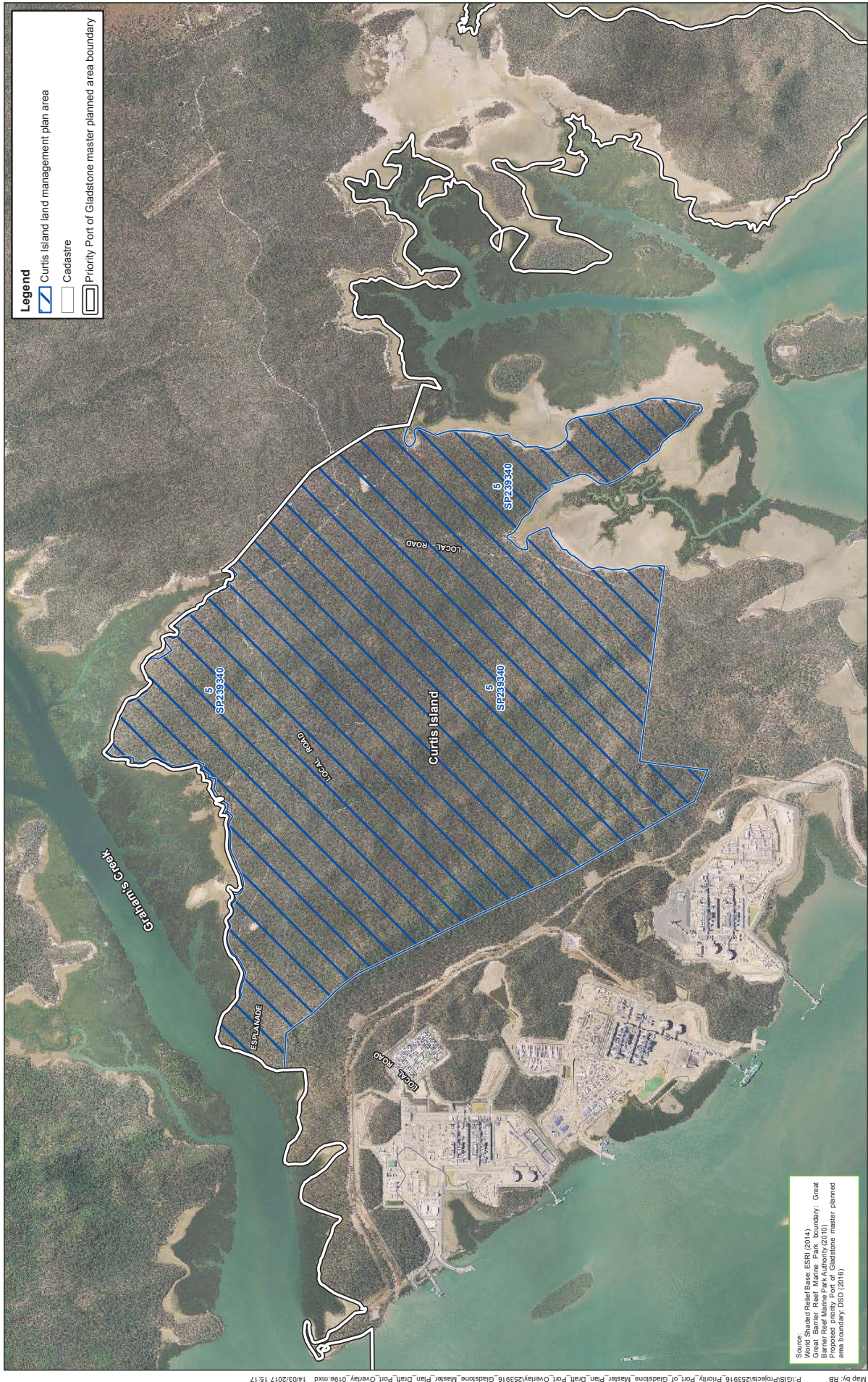
Figure 4: Mount Larcom landform and land management plan area

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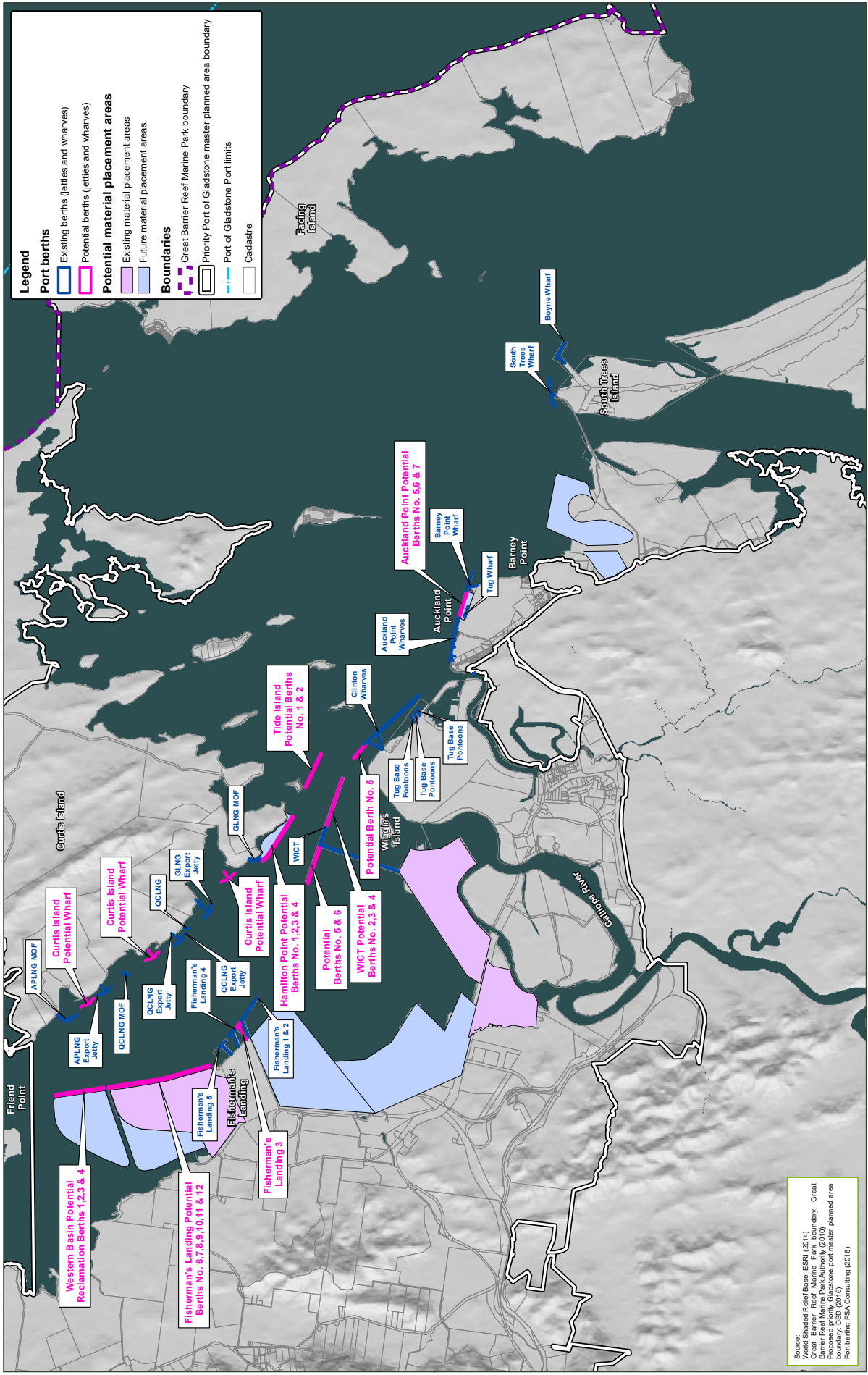


Source:
 World Standard Reef Phase ESRP (2014)
 Reef Plan
 Barrier Reef Marine Park Authority (2010)
 Proposed priority Port of Gladstone master planned
 Reclamation areas PSA Consulting (2016)
 Western Basin Expansion and Port Central Expansion
 dredged material placement areas: Aurecon (2016)

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Priority Port of Gladstone master planning preliminary draft port overlay
Figure 6: Curtis Island land management plan area

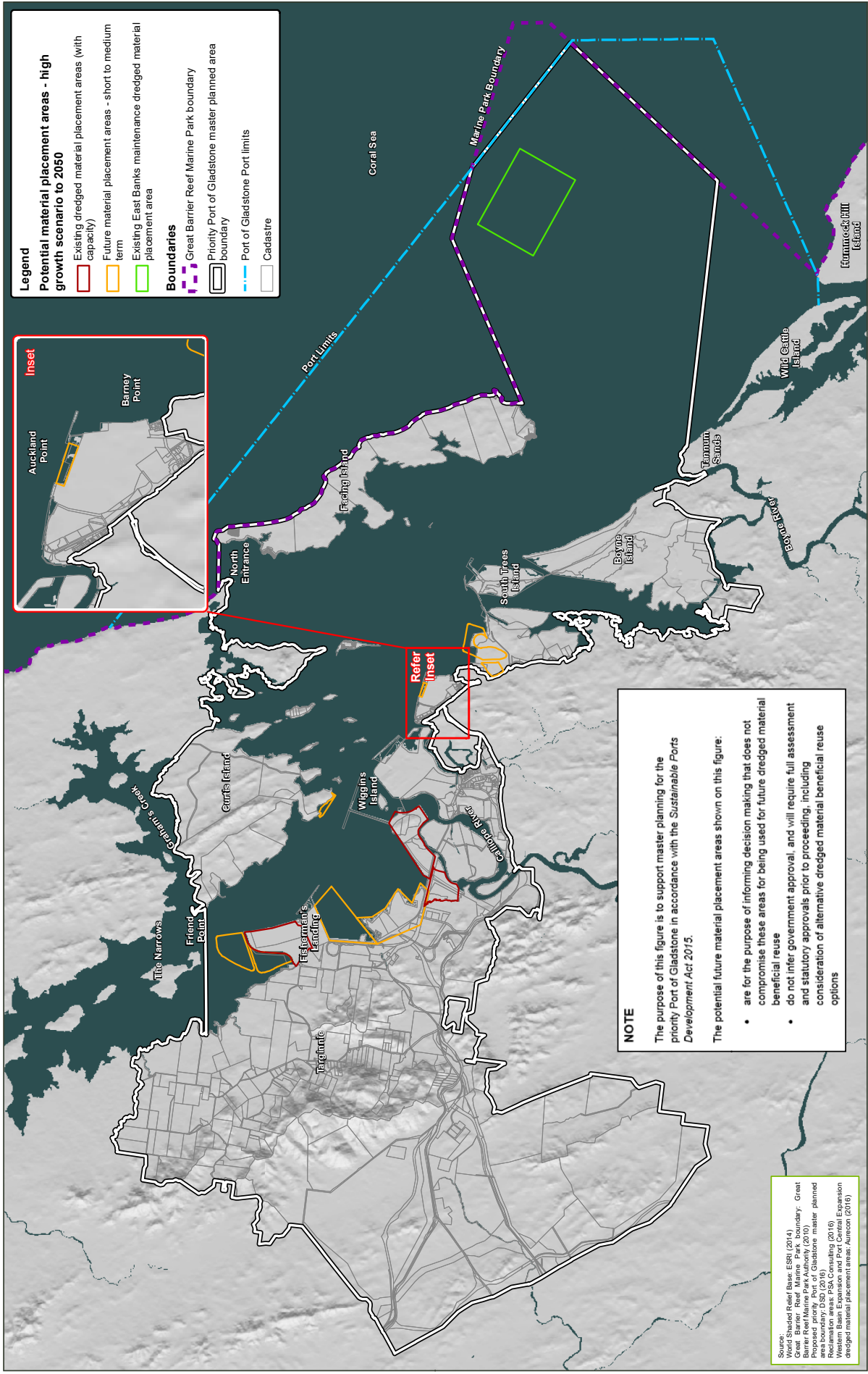


Priority Port of Gladstone master planning preliminary draft port overlay
 Figure 7: Port berths

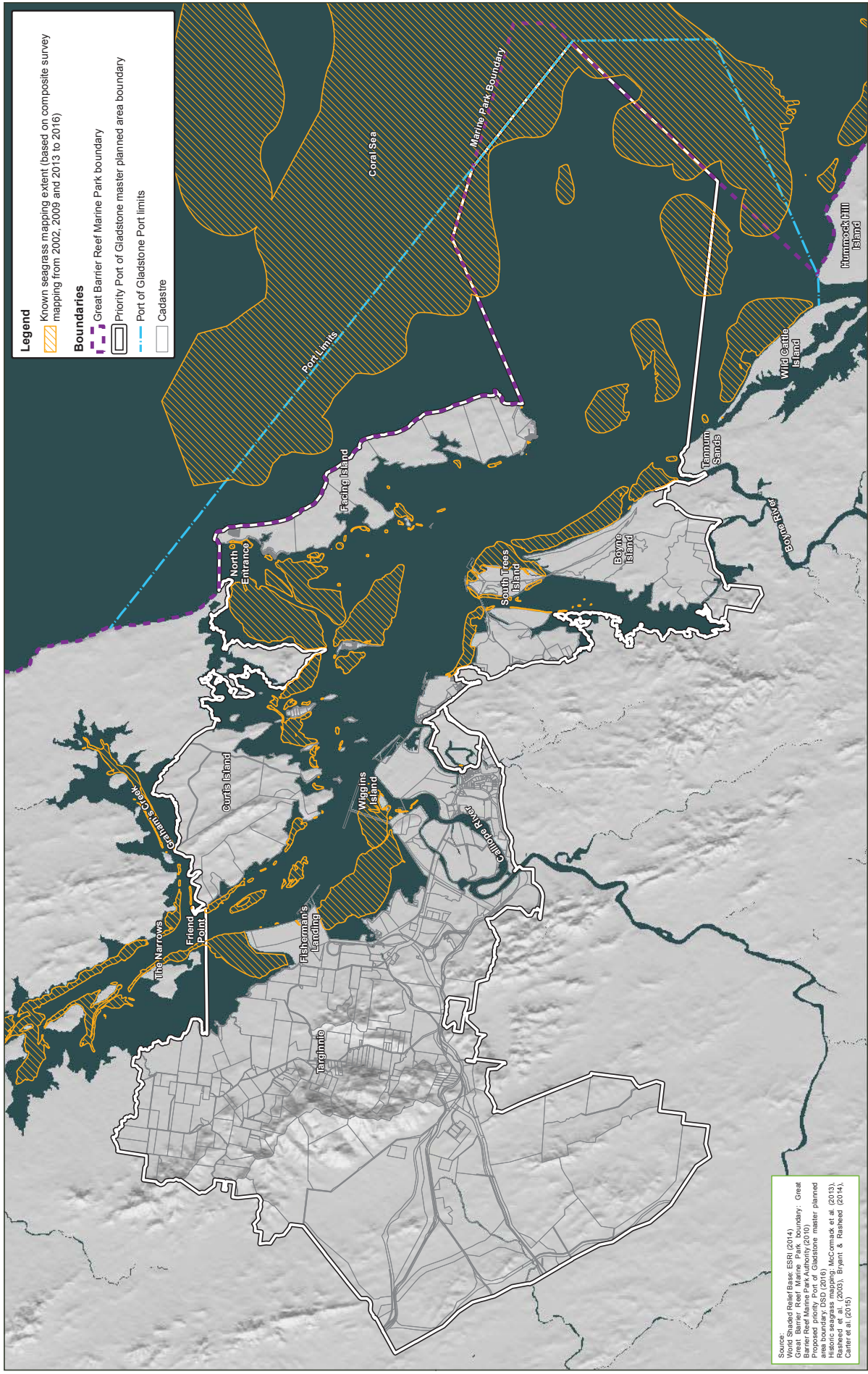
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 Coordinate system: GDA 1984 MGA Zone 56

0 0.5 1 1.5 2 2.5 km

Source:
 World Shaded Relief Base: ESR (2014)
 Great Barrier Reef Marine Park boundary: Great Barrier Reef Marine Park Authority
 Proposed Priority Gladstone port master planned area boundary: PSP (2016)
 Port berths: PSA Consulting (2016)



Priority Port of Gladstone master planning preliminary draft port overlay
Figure 8: Potential material placement areas



Priority Port of Gladstone master planning preliminary draft port overlay

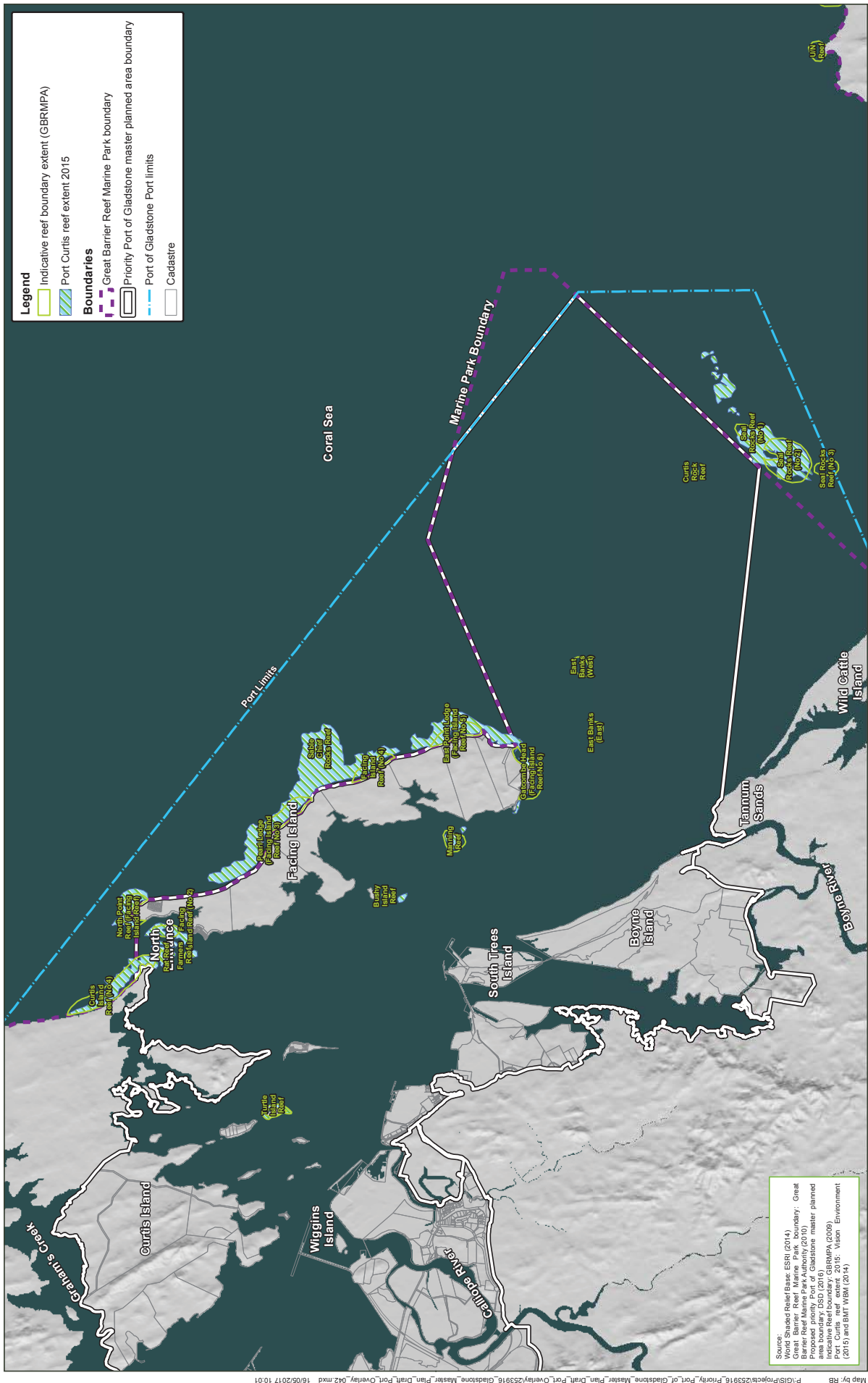
Figure 9: Seagrass

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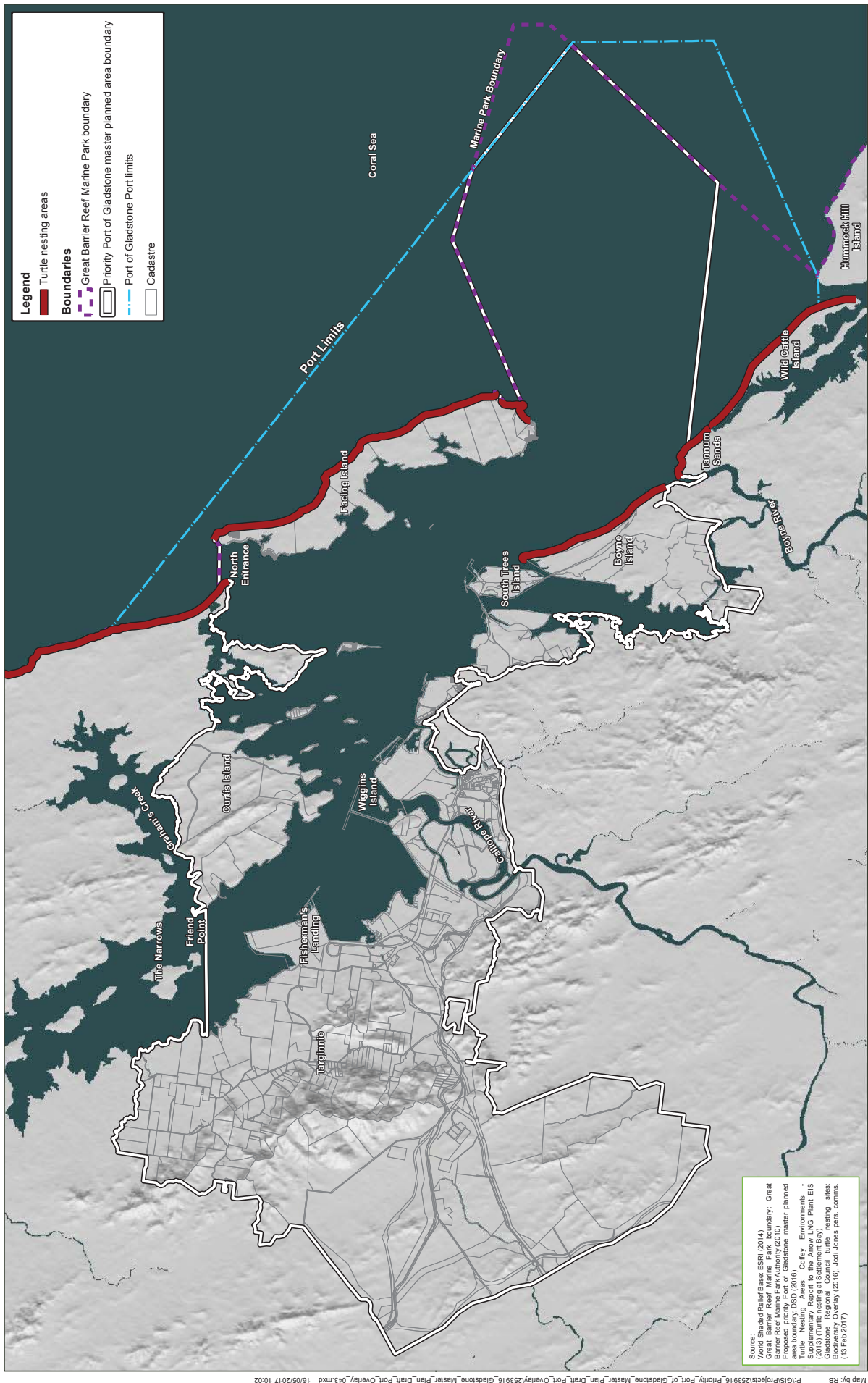


Source:
 World Seagrass Distribution Database (ESRI) (2014)
 Great Barrier Reef Marine Park Authority (2010)
 Proposed priority Port of Gladstone master planned area boundary (2010)
 Historic seagrass mapping (McComack et al. (2013),
 Raaijmakers et al. (2005), Bryant & Raaijmakers (2014),
 Center et al. (2015))

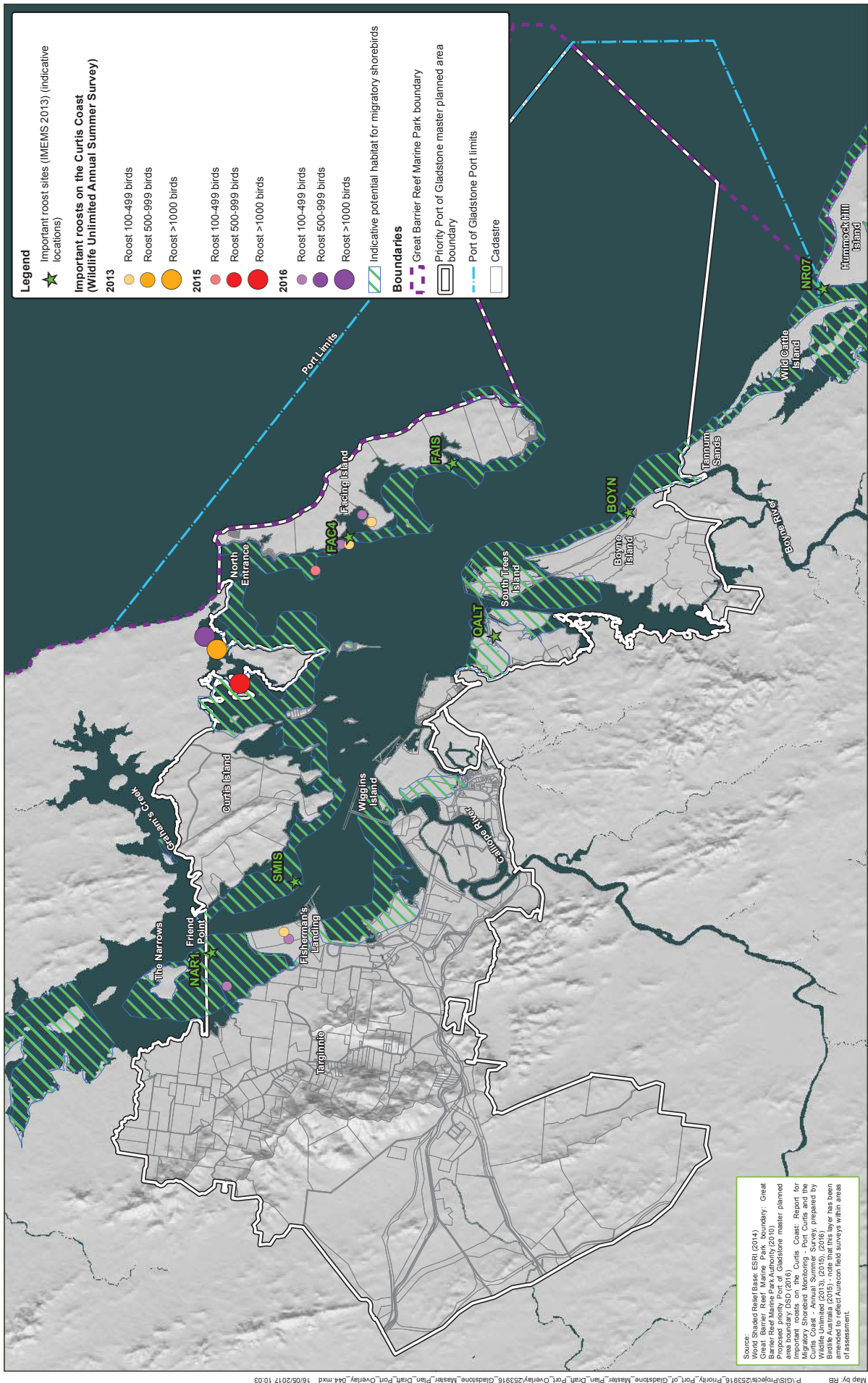
Map by RB P:\GIS\Projects\253916_Priority_Port_of_Gladstone_Master_Plan_Draft_Port_Overlay\253916_Gladstone_Master_Plan_Draft_Port_Overlay_041.mxd 16/05/2017 10:00



Priority Port of Gladstone master planning preliminary draft port overlay
Figure 10: Coral

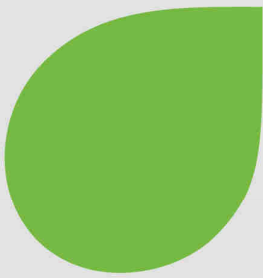


Priority Port of Gladstone master planning preliminary draft port overlay
Figure 11: Turtle nesting beaches



Priority Port of Gladstone master planning preliminary draft port overlay
Figure 12: Migratory shorebird habitat

Appendix A
Preliminary draft port
overlay supporting
information



Supporting information

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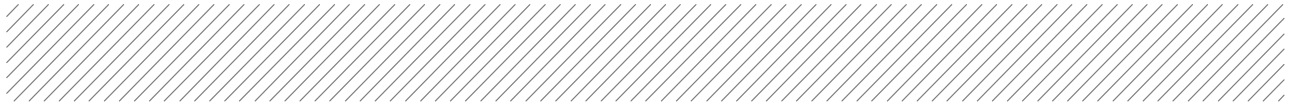
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DRAFT

Glossary of abbreviations and acronyms

Term	Meaning
ACH Act	<i>Aboriginal Cultural Heritage Act 2003</i>
AMA	Australasian Marine Associates
BOS	Biodiversity Offset Strategy
CG	Coordinator-General
CHMP	Cultural Heritage Management Plan
DNPSR	Department of National Parks, Sport and Racing
DNRM	Department of Natural Resources and Mines
DSD	Department of State Development
EA	Environmental Authority
ED Act	<i>Economic Development Act 2012</i>
EHP	Department of Environment and Heritage Protection
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EMF	Environmental Management Framework
EP Act	<i>Environmental Protection Act 1994</i>
EP Reg	<i>Environmental Protection Regulation 2008</i>
ERA	Environmentally Relevant Activity
ESD	ecologically sustainable development
GBR	Great Barrier Reef
GBRWHA	Great Barrier Reef World Heritage Area
Gladstone SDA	Gladstone State Development Area
GPC	Gladstone Ports Corporation
GPC Port LUP	Gladstone Ports Corporation Port Land Use Plan 2012
GRC	Gladstone Regional Council
GRC Planning Scheme	Gladstone Regional Council Planning Scheme 2015
ha	hectares
ILUA	Indigenous Land Use Agreement
LGA	Local government area
LNG	liquid natural gas
LUP	Land Use Plan
MEDQ	Minister for Economic Development Queensland
OUV	Outstanding Universal Value
PDA	Priority Development Area
Planning Act	<i>Planning Act 2016</i>
PMM	priority management measure
Ports Act	<i>Sustainable Ports Development Act 2015</i>



Term	Meaning
Reef 2050	Reef 2050 Long-Term Sustainability Plan
SDA	State Development Area
SDPWO Act	<i>State Development and Public Works Organisation Act 1971</i>
SPL	Strategic Port Land
UNESCO	United Nations Educational, Scientific and Cultural Organization

DRAFT

1 Introduction

1.1 Background

1.1.1 Port master planning

The Queensland Government is currently advancing master planning for the priority ports of Gladstone, Abbot Point, Townsville, and Hay Point/Mackay in accordance with the *Sustainable Ports Development Act 2015* (Ports Act).

Master planning for priority ports is one of the port-related actions of the *Reef 2050 Long-Term Sustainability Plan* (Reef 2050), and is mandated under the Ports Act. Priority port master planning has a timeframe up to 2050 to align with the Reef 2050 (DSD 2016).

Through port master planning, the Queensland Government seeks to effectively manage the land and marine areas needed for the efficient development and operation of the priority ports, while ensuring that the Outstanding Universal Value (OUV) of the Great Barrier Reef World Heritage Area (GBRWHA) is an intrinsic consideration in port development, management and governance (DSD 2016).

The overarching purpose of master planning for each of Queensland's priority ports is to:

- define a long-term strategic vision, objectives and desired outcomes for each port master planned area
- identify the state interests in relation to the priority ports and articulate how those interests are to be considered in all planning decisions made within each port master planned area
- present an environmental management framework (EMF) that states priority management measures (PMMs) for managing potential impacts on environmental values in the master planned area and surrounding areas in accordance with the principles of ecologically sustainable development (ESD).

As part of master planning, the Ports Act prescribes the requirement for a port overlay to be made for each master planned area. The port overlay is a regulatory tool to implement the master plan over the master planned area.

1.1.2 Priority Port of Gladstone

The priority Port of Gladstone is located within the GBRWHA and is Queensland's largest multi-cargo port and the fifth largest coal export terminal in the world (by throughput). The port is located within a diverse region containing a range of urban communities, major industrial precincts and environmental values. There is significant opportunity for continued growth in the import and export of a range of commodities to Australia and the world, with the Port of Gladstone playing a pivotal role in the future growth of the national port trade. The Gladstone Ports Corporate (GPC) is the relevant port authority, responsible for the operation and management of the Port of Gladstone under the *Transport Infrastructure Act 1994* (Transport Infrastructure Act).

The Department of State Development (DSD) has prepared a draft master plan for the priority Port of Gladstone. In parallel with DSD's preparation of the draft master plan, Aurecon was commissioned by DSD to prepare a preliminary draft port overlay for the priority Port of Gladstone.

The purpose of the preliminary draft port overlay is to enable an early draft port overlay to be made available at the same time as the statutory draft master plan public notification process in order to demonstrate:

- the relationship and workability between the master plan and port overlay documents, including how the master plan will be implemented by the port overlay
- provide additional opportunity for public notification on the draft port overlay prior to the statutory notification period for the port overlay under the Ports Act.

1.2 The preliminary draft port overlay supporting report

This supporting report has been prepared to accompany the preliminary draft port overlay for the purpose of documenting the drafting process, as well as providing important background detail to support the understanding of, and justification for, the preliminary draft port overlay content. To achieve this purpose, the supporting report includes:

- information regarding the background legislative context relevant to port master planning and the preliminary draft port overlay (**Section 2**)
- detail regarding the methodology and process undertaken to prepare the preliminary draft port overlay, including the consultation undertaken and how the results of the consultation have been considered and addressed in the drafting process to date (**Section 3**)
- detail regarding how the preliminary draft port overlay implements the master plan for the master planned area (**Section 4**)
- technical detail and notes on the preliminary draft port overlay content covering each of the port overlay matters, including:
 - PMMs (**Section 5**)
 - development assessment matters (**Section 6**)
 - plan making matters (**Section 7**)
- a list of reference documents (**Section 8**).



2 Priority Port of Gladstone master planning

2.1 Overview

This section provides a summary of the master planning process for the priority Port of Gladstone, together with details regarding the master planned area and the relevant legislative framework as it relates to the master planned area, master plan and preliminary draft port overlay.

2.2 Priority Port of Gladstone master planning process

The Queensland Government is leading the master planning process for the priority Port of Gladstone, working with GPC, Gladstone Regional Council (GRC) and other key stakeholders. The master planning process involves the preparation of a master plan and port overlay for the priority Port of Gladstone. Figure 2.1 details the current master planning process for Gladstone, including the parallel processes associated with the preparation of the master plan and port overlay.

2.2.1 Evidence base

As part of the master planning process, DSD has developed an evidence base to support and inform the preparation of the master plan and port overlay for the priority Port of Gladstone. The evidence base collates information on the economic, environmental, community and cultural aspects of the priority Port of Gladstone. The evidence base supports the master planning process and includes:

- Master planning evidence base assessment – Priority Port of Gladstone (AECOM 2016)
- Infrastructure and supply chain analysis – Priority Port of Gladstone (PSA Consulting 2016)
- Risk Assessment – Priority Port of Gladstone (Aurecon 2016)
- Addendum to evidence base – Priority Port of Gladstone (Aurecon 2017).

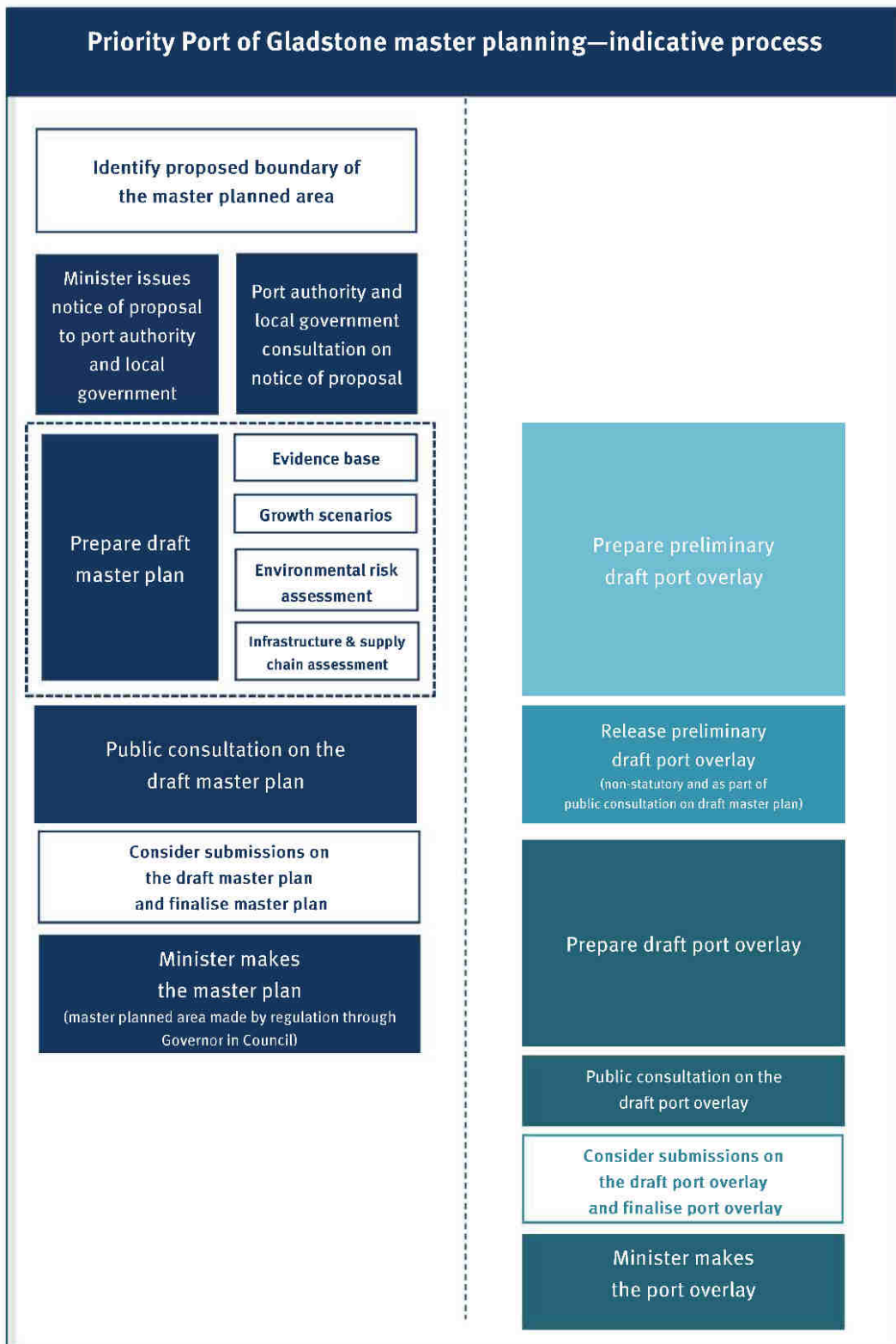
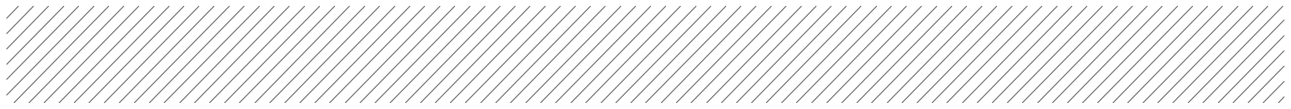


Figure 2.1 Priority Port of Gladstone master planning process

Source: DSD 2016

2.3 Priority Port of Gladstone master planned area

In mid-2015, DSD undertook public consultation on a proposed boundary for the priority Port of Gladstone master planned area. The proposed boundary was determined by DSD in consultation with GPC and other key stakeholders (DSD 2016).

The master planned area covers approximately 73,000 hectares (ha) across an area where development is currently regulated and managed under a number of statutory instruments, including:

- Gladstone State Development Area (SDA) Development Scheme 2015 (Gladstone SDA Development Scheme)
- Gladstone Ports Corporation (GPC) Port Land Use Plan 2012 (GPC Port LUP)
- Gladstone Regional Council Planning Scheme 2015 (GRC Planning Scheme)

The master planned area has been divided into distinct precincts. The precincts and the considerations utilised to identify the precinct boundaries are summarised in Table 2.1.

Table 2.1 Evidence base considerations in defining precinct boundaries

Evidence base considerations	Precinct
Areas with identified environmental values, including those that contribute to the OUV of the GBRWHA, and identified in planning instruments as having a predominantly environmental management purpose, where development should be limited	Environmental management
Existing and planned infrastructure and supply chain corridors over land and marine areas, where not already adequately identified in planning instruments	Infrastructure and supply chain corridors
Areas where there are known or possible incompatible land use activities that are not adequately addressed in planning instruments	Interface
Existing and planned marine infrastructure corridors and nodes	Marine infrastructure
Marine areas identified as having environmental values, including those that contribute to the OUV of the GBRWHA, where development should be limited	Marine
Areas identified in planning instruments to provide for marine services and recreation	Marine services and recreation
Areas identified in planning instruments to predominantly provide for port operations, industry and commerce	Port, industry and commerce

2.4 Legislative framework

Section 1.4 of the preliminary draft port overlay describes the legislative context of the port overlay and its relationship to other key instruments, including the *Planning Act 2016* (Planning Act), *Transport Infrastructure Act* and *State Development and Public Works Organisation Act 1971* (SDPWO Act).

The sections below provide further background detail on each of these key pieces of legislation together with other legislation relevant to the implementation of the port overlay.

2.4.1 Sustainable Ports Development Act 2015

2.4.1.1 Background

The Ports Act provides a legislative framework for sustainable port development in Queensland and to action the state's key port-related commitments of Reef 2050.

In doing this, the Ports Act responds to the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Committee recommendations on the Great Barrier Reef (GBR), ensuring the OUV of the Great Barrier Reef World Heritage Area (GBRWHA) is an intrinsic consideration in future port development.

To facilitate sustainable port development, the Ports Act:

- restricts new port development in and adjoining the GBRWHA to within current port limits and outside both the Commonwealth and state marine parks
- prohibits major capital dredging for the development of new, or the expansion of, existing port facilities within the GBRWHA outside the identified priority ports of Gladstone, Abbot Point, Townsville and Hay Point/Mackay
- prohibits the sea-based disposal of port-related capital dredged material anywhere within the GBRWHA, unless the material is beneficially reused.

In addition to the above, the Ports Act also achieves its purpose establishing the requirement for master planning for the priority ports of Gladstone, Abbot Point, Townsville, and Hay Point/Mackay.

As part of master planning, the Ports Act seeks to also achieve its purpose in a way that includes:

- long-term planning that provides a strategic and coordinated approach to managing economic, environmental, cultural and social values in the GBRWHA
- concentrating port development in priority ports
- recognising the diverse functions of the port network, including trade and tourism operations
- efficiently using port and supply chain infrastructure
- expanding port and supply chain capacity in a staged and incremental way to meet emerging demand for imports and exports
- identifying and protecting land and infrastructure critical to the effective operation of the port network.

2.4.1.2 Master plan

The Ports Act establishes the requirement to prepare and make a master plan for the priority Port of Gladstone. As a strategic document, the master plan takes a long-term outlook until 2050 and seeks to:

- establish a long-term vision for the master planned area that considers the capacity for future growth whilst adequately considering the principles of ESD
- enable coordinated planning of port-related land and marine areas beyond the current boundaries of SPL and existing port limits
- identify the local expression of the OUV of the GBRWHA and all other environmental values within and surrounding the master planned area that must be considered and managed as part of decision making for port-related development
- enable greater transparency in understanding the relationships and impacts of port development beyond existing SPL.

To support achievement of the above, the master plan establishes a strategic vision, objectives, desired outcomes, state interests and an EMF for the master planned area.

Under the Ports Act, a master plan must:

- identify a master planned area
- identify a long-term strategic vision, objectives and desired outcomes for the master planned area
- identify the state interests affected, or likely to be affected, by existing uses at the port and future development, at or, for the port
- adequately consider the principles of ESD

- include an EMF that identifies and maps environmental values within and surrounding the master planned area; identifies the impacts from development in the master planned area on the environmental values; and states the EMF objectives and PMMs for managing the impacts on the environmental values.

2.4.1.3 Port overlay

The Ports Act establishes the requirement to prepare and make a port overlay for the priority Port of Gladstone. The port overlay must be prepared in accordance with the Ports Act, and in making the port overlay, the minister must be satisfied that the port overlay implements the master plan for the whole of the master planned area.

The purpose of the port overlay is to provide regulatory effect for the priority Port of Gladstone master plan under the Ports Act, ensuring that the strategic vision, objectives, desired outcomes, state interests and PMMs of the master plan are implemented, managed and achieved.

Under the Ports Act, the port overlay must:

- state the purpose of the overlay
- state how the PMMs in the master plan are to be achieved, including the entity or entities responsible for the measures
- include any other matter prescribed by regulation.

In addition to the above, the port overlay may also contain:

- matters to be considered during development assessment processes under a local planning instrument and LUP
- the matters which a local government or port authority must consider when making or amending a planning instrument or LUP
- other matters to otherwise regulate development in the master planned area by, for example, stating aspects of development that may not take place; or including measures to reduce the risk of environmental harm, or serious adverse cultural, economic or social impacts, within and surrounding the master planned area
- other relevant matters, not related to development assessment that are necessary to ensure the consistent management and implementation of the strategic vision, objectives, desired outcomes and state interests for the master planned area.

The port overlay is a statutory instrument under the *Statutory Instruments Act 1992* and has the force of law as provided for under the Ports Act. The port overlay is not subordinate legislation.

The port overlay prevails over a planning instrument under the Planning Act to the extent of any inconsistency (for example, where a provision in a local government's planning scheme is inconsistent with the port overlay, the overlay would prevail to the extent of that inconsistency). Furthermore, the port overlay prevails over a port LUP made under the Transport Infrastructure Act to the extent of any inconsistency.

2.4.1.4 Capital dredging and dredged material placement

The Ports Act allows capital dredging to occur within the priority Port of Gladstone master planned area for the purpose of:

- creating or enlarging a channel, basin, port, berth or other similar thing; or*
- removing material that is unsuitable as a foundation for a port facility; or*
- creating a trench for a pipe, cable or tube; or*
- an activity incidental to an activity mentioned in subparagraph (i) to (iii).*

However, capital dredging does not include dredging carried out for the purpose of:

- (i) *maintaining a channel, basin, port, berth or other similar thing for its intended use; or*
- (ii) *protecting human life or property.*

Section 36(2) of the Ports Act requires an approving authority for development that is, or relates to, capital dredging, to include a condition that material generated from capital dredging must not be deposited, or disposed of, in a restricted area (GBRWHA but outside the Commonwealth marine park) unless the material is beneficially reused.

The Ports Act gives examples of ways in which the material may be beneficially reused, including but not limited to:

- land reclamation (raising land above the high water mark)
- beach nourishment (replenishment of a beach system using imported material to balance erosion losses or to re-establish a wider dunal buffer zone)
- environmental restoration purposes, such as creating or restoring wetlands or nesting islands.

While the Ports Act does not define beneficial reuse of dredged material, the *Maintenance Dredging Strategy for Great Barrier Reef World Heritage Area Ports: Technical Supporting Document* states that:

'beneficial reuse can be defined as using dredged material 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 (ie underwater or in intertidal areas). Consideration of beneficial reuse in the Queensland context to date has been focused on applications that provided economic benefits such as on-land processing and industry reuse or land reclamation.'

(Royal Haskoning DHV and AMA 2016)

2.4.2 Planning Act 2016

2.4.2.1 Background

The Planning Act is Queensland's principal planning legislation which establishes a system for land use planning, development assessment and related matters that facilitates the achievement of ecological sustainability. The Planning Act establishes a planning system for development assessment, plan making and dispute resolution. The system is performance based, which allows for innovation and flexibility in how development can be achieved, whilst ensuring responsiveness to community needs and expectations.

2.4.2.2 Relevance to the port overlay

Under the Ports Act, Section 26 includes the relationship with planning instruments under the Planning Act and state that:

If there is an inconsistency between a port overlay and a planning instrument under the Planning Act, the port overlay prevails to the extent of the inconsistency.

The port overlay, prescribes categories of assessment and assessment benchmarks that apply to the master planned area.

Under the Ports Act, Section 30(5) and 30(6) states that:

- (5) *If the port overlay states matters the assessment manager for the development application must consider in assessing the application, the assessment manager must, in assessing the application under the Planning Act, consider the matters.*

- (6) *The assessment manager's decision under the Planning Act about the development application must not be inconsistent with the port overlay.*

The port overlay states the matters that GRC must consider in making or amending the GRC Planning Scheme under the Planning Act (refer Section 5.2) for the master planned area.

2.4.3 Transport Infrastructure Act 1994

2.4.3.1 Background

The overall objective of the Transport Infrastructure Act is to provide a regime that allows for and encourages the effective integrated planning and efficient management of a system of transport infrastructure. In particular, the objectives of Transport Infrastructure Act are to allow the government to have a strategic overview of the provision and management of all transport infrastructure, including roads, busways, rail (heavy and light), ports, air and public marine transport.

Port authorities

Section 275 of the Transport Infrastructure Act prescribes the functions of port authorities which include (but are not limited to) such functions as:

- to establish, manage and operate effective and efficient port facilities, and services its port
- to make land available for the establishment, management and operation of effective and efficient port facilities and services in its port by other persons, as well as other purposes consistent with the operation of its port
- to provide or arrange for the provision of ancillary services or works necessary or convenient for the effective and efficient operation of its port
- to keep appropriate levels of safety and security in the provision and operation of the facilities and services
- to provide other services incidental to the performance of its other functions or likely to enhance the usage of the port
- to perform any other functions conferred on it under the Transport Infrastructure Act or another Act or under the regulations.

Strategic port land

Chapter 8 of Transport Infrastructure Act establishes the regime under which port authorities operate as landowners and land managers of SPL and port facilities. Generally, port authorities are responsible for establishing, managing and operating effective and efficient port facilities and services within its port.

A LUP is prepared by a port authority for the planning and development of SPL and is the key tool for development assessment of future activities on SPL. Under the Planning Act, a port authority has statutory power as the assessment manager for development on SPL and within SPL tidal areas, and works identified as assessable development under its port LUP.

2.4.3.2 Relevance to the port overlay

Under the Ports Act, Section 27 includes the relationship with LUPs under Transport Infrastructure Act and states that:

If there is an inconsistency between a port overlay and a land use plan made under the Transport Infrastructure Act, chapter 8, part 4, the port overlay prevails to the extent of the inconsistency.

The port overlay also states the matters that GPC must consider in making or amending the GPC LUP under the Transport Infrastructure Act (refer Section 5.3) for the master planned area.

2.4.4 State Development and Public Works Organisation Act 1971

2.4.4.1 Background

The SDPWO Act provides for state planning and development through a system to coordinate and regulate public works, streamline the assessment of major project proposals, and manage major land and infrastructure assets. In doing so, the Act seeks to facilitate timely, coordinated and environmentally responsible land use and infrastructure planning to support Queensland's economic and social development.

Coordinated projects

The SDPWO Act also holds provisions for the declaration and assessment of a 'coordinated project' by the Coordinator-General (CG) where a project is considered to have economic, social and/or environmental significance to Queensland. Once declared, the CG is responsible for coordinating and evaluating the project through an environmental impact assessment process under either an Environmental Impact Statement (EIS) or Impact Assessment Report (IAR).

State Development Areas

Section 77 of the SDPWO Act holds provision for the planning, establishment and regulation of SDAs by the CG, with the approval of the Governor in Council and the involvement of the minister. The declaration of an SDA promotes economic development, including the development of land for large scale, heavy industry, multi-user infrastructure corridors and major public infrastructure sites.

The Gladstone SDA was first declared in 1993. Whilst being subject to a number of amendments, which include increases in the area, it now comprises an area of 29,000 ha with approximately 4,590 ha set aside as an environmental management precinct. Land use within the Gladstone SDA is regulated by the CG through the Gladstone SDA Development Scheme.

2.4.4.2 Relevance to the port overlay

Whilst the port overlay applies to all of the master planned area, it does not regulate development within the Gladstone SDA. The CG will continue to be the assessment manager for development regulated by the Gladstone SDA Development Scheme within the master planned area.

In accordance with the Ports Act, the CG is required to consider whether the Gladstone SDA Development Scheme is inconsistent with the port overlay after the port overlay takes effect. Where there is an inconsistency, the CG must decide whether to amend the Gladstone SDA Development Scheme to remove the inconsistency, or table a report in the Legislative Assembly detailing the reasons should the CG decide not to amend the Gladstone SDA Development Scheme.

Section 3.5 of the preliminary draft port overlay establishes the requirement for an environmental assessment guideline to be prepared and implemented for matters relating to the OUV of the GBRWHA and other environmental values.

The purpose of the environmental assessment guideline includes outlining the general approach and requirements for an EIS or IAR, including matters that a proponent should address as part of an EIS or IAR, and guidance for the EIS assessment manager on matters that should be considered during the preparation of a terms of reference for an EIS or IAR, or during the evaluation of an EIA or IAR.

2.4.5 Economic Development Act 2012

2.4.5.1 Background

The *Economic Development Act 2012* (ED Act) includes provision for the planning, establishment and regulation of Priority Development Areas (PDAs) by the Minister for Economic Development Queensland (MEDQ).

Whilst the port overlay applies to all of the master planned area, it does not regulate development within a PDA.

The Ports Act holds similar provisions for PDAs as it does for SDAs in requiring MEDQ to consider the requirements of the port overlay in making or amending a Development Scheme for a PDA. Where there is an inconsistency, the MEDQ must decide whether to amend the Development Scheme for the PDA to remove the inconsistency, or table a report in the Legislative Assembly detailing the reasons should MEDQ decide not to amend the Development Scheme.

2.4.5.2 Relevance to the port overlay

There are no proposed or declared PDAs within the priority Port of Gladstone master planned area, and as such, the port overlay does not currently contain any provisions in relation to PDAs. However, in the future should a PDA be proposed or declared within the master planned area, then MEDQ will be required to consider the requirements of the port overlay in making or amending any Development Scheme for that PDA.

2.4.6 Aboriginal Cultural Heritage Act 2003

2.4.6.1 Background

The *Aboriginal Cultural Heritage Act 2003* (ACH Act) binds all persons, including the state, the purpose is to provide recognition, protection and conservation of Aboriginal cultural heritage. Section 23 of the ACH Act states that *'a person who carries out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal cultural heritage'* (the 'cultural heritage duty of care'). The ACH Act is administered by the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP).

Additionally, the ACH Act requires the development of a Cultural Heritage Management Plan (CHMP) if:

- a lease, licence, permit, approval or other authority is required for a project, under another Act, and that Act or another Act requires an EIS for the project
- under the Planning Act, a development application is required to be made for a project and the chief executive of the ACH Act is a concurrence agency and the chief executive requires a CHMP for the project.

Notwithstanding the above, Section 86 of ACH Act indicates that a CHMP is not required where a Native Title agreement, such as an Indigenous Land Use Agreement (ILUA) is in place.

As part of developing and implementing a CHMP under the ACH Act, a proponent has the requirement to undertake notification to the relevant Aboriginal party.

2.4.6.2 Relevance to the port overlay

Section 3.3 of the preliminary draft port overlay prescribes requirements for a proponent to demonstrate compliance with the duty of care under the ACH Act to ensure consistency in the management of cultural heritage as well as the involvement of relevant Aboriginal party/ies in planning and development assessment processes that apply to the master planned area.

2.4.7 Environmental Protection Act 1994

2.4.7.1 Background

The object of the *Environmental Protection Act 1994* (EP Act) is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends. The EP Act, which is administered by the EHP, seeks to achieve this by an integrated management system that is consistent with ESD. The EP Act also establishes a 'general environmental duty' upon all persons to prevent and minimise environmental harm.

Environmental impact assessment

Chapter 3 of the EP Act includes provisions for an EIS process that applies primarily for resource activities. Resource activities which trigger an EIS under the EP Act require a project-specific terms of reference (which is used in parallel with EHP's generic terms of reference) to support and guide the preparation of the EIS.

Environmentally relevant activities

The EP Act, together with the Planning Act, provides a licencing regime for Environmentally Relevant Activities (ERAs), which are prescribed under Schedule 2 of the *Environmental Protection Regulation 2008* (EP Reg). Approval in the form of an Environmental Authority (EA) is required to lawfully undertake a prescribed ERA. Where a prescribed ERA is also listed as a concurrence activity in Schedule 2, a Development Permit for a Material Change of Use (MCU) under the Planning Act is also required.

The EP Act also requires that any person carrying out an ERA must be a Registered Suitable Operator. A Suitable Operator is a person or corporation who has been registered by EHP as being suitable to undertake an ERA.

2.4.7.2 Relevance to the port overlay

The requirement to prepare and implement an environmental assessment guideline, detailed in Section 3.5 of the preliminary draft port overlay, applies to the EIS process under the EP Act in the same way as for an EIS or IAR under the SDPWO Act, as described in Section 2.4.4.2.

The objectives of the environmental assessment guideline include providing guidance to an EIS assessment manager on matters they should consider during the preparation of the project-specific terms of reference for an EIS under the EP Act.

Additionally, Section 4.3 of the preliminary draft port overlay prescribes assessment benchmarks that must be considered by an assessment manager during development assessment triggered by the Planning Regulation. Included within these requirements are assessment benchmarks which relate to assessable development involving a MCU for an ERA that is prescribed under the EP Act.



3 Methodology and structure of the preliminary draft port overlay

3.1 Overview

This section:

- describes the general methodology used to prepare the preliminary draft port overlay
- provides detail regarding the consultation process undertaken as part of the methodology, including the key issues and outcomes of the consultation
- presents an overview of the structure of the preliminary draft port overlay.

3.2 Methodology

To date, the process of master planning for the priority Port of Gladstone has involved the preparation of an evidence base to inform the preparation of the draft master plan and the preliminary draft port overlay.

The preliminary draft port overlay draws upon the findings of the evidence base, and, in seeking to achieve the strategic vision, objectives, desired outcomes, state interests and EMF of the draft master plan, includes content in relation to PMMs, development assessment and plan making.

The key evidence base issues which have been incorporated into the preliminary draft port overlay have been identified in the following documents:

- Master planning evidence base assessment – Priority Port of Gladstone (AECOM 2016)
- Infrastructure and supply chain analysis – Priority Port of Gladstone (PSA Consulting 2016)
- Risk Assessment – Priority Port of Gladstone (Aurecon 2016)
- Addendum to evidence base – Priority Port of Gladstone (Aurecon 2017).

A key objective of the preliminary draft port overlay is to avoid duplicating provisions under existing statutory instruments.

Figure 3.1 illustrates the general methodology utilised to define the key evidence base issues and draft master plan matters that have informed the development of the preliminary draft port overlay.

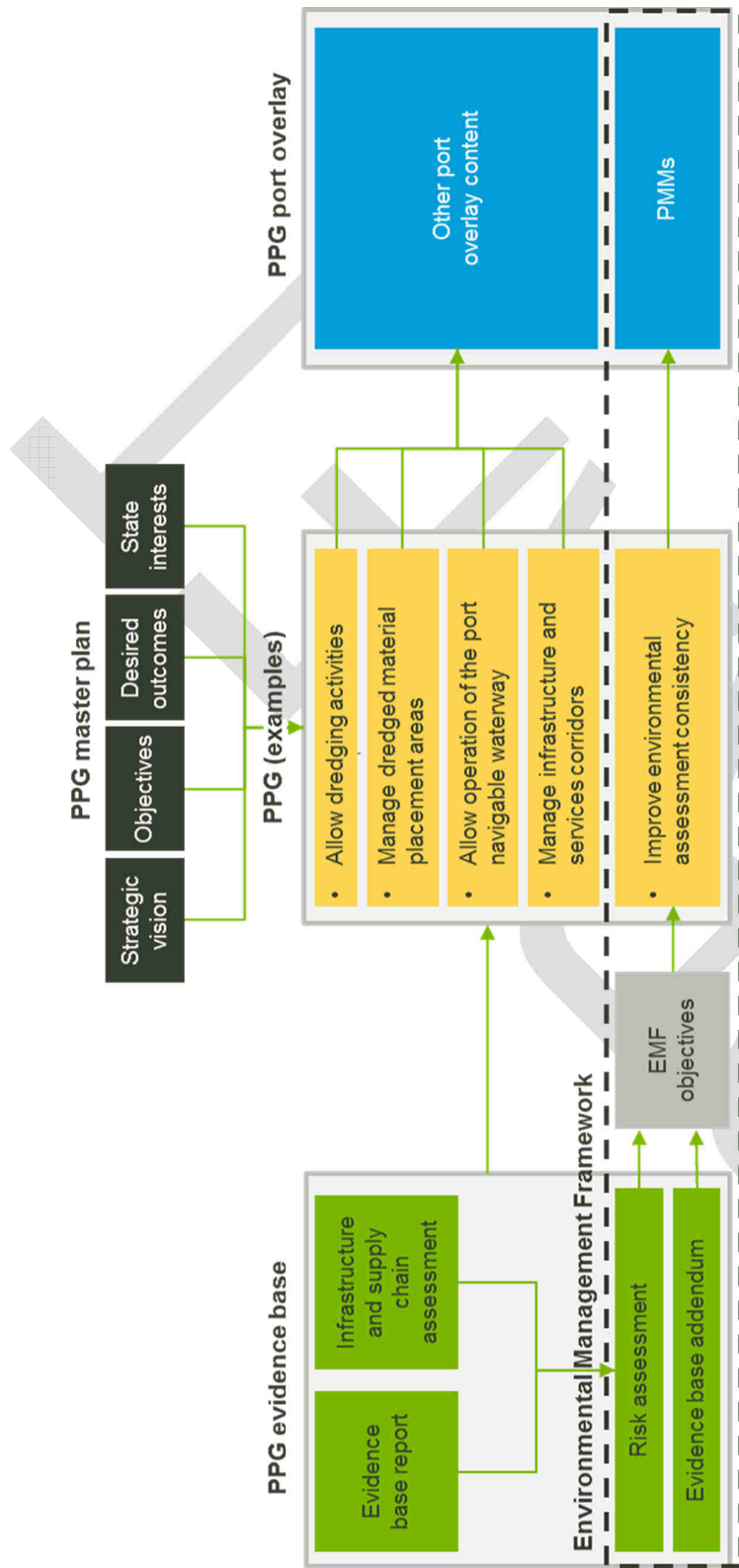


Figure 3.1 Methodology for preparation of the preliminary draft port overlay

3.3 Consultation process

The consultation process undertaken to date for the preparation of the preliminary draft port overlay includes:

- ongoing involvement by GPC in the drafting process
- ongoing discussions with relevant stakeholders
- stakeholder group workshops in Brisbane (6 December 2016 and 7 February 2017)
- stakeholder group workshops in Gladstone (9 December 2016 and 9 February 2017).

3.4 Preliminary draft port overlay structure

The structure of the preliminary draft port overlay is as follows:

- **Section 1** – provides an introduction to the preliminary draft port overlay detailing the background and purpose, and explains its application and role within the legislative framework
- **Section 2** – presents the strategic vision, objectives, desired outcomes and state interests for the master planned area, established by the master plan
- **Section 3** – presents the PMMs for the master planned area, established by the master plan, together with the implementation provisions for each PMM, including detail on how each PMM will be achieved
- **Sections 4 and 5** – provides the development assessment provisions (**Section 4**) and plan making considerations (**Section 5**) for the master planned area
- **Section 6** – provides a dictionary of terms to support interpretation of the preliminary draft port overlay along with relevant document references
- **Schedule** – contains the mapping to support the preliminary draft port overlay.

Figure 3.2 illustrates the structure of the preliminary draft port overlay.

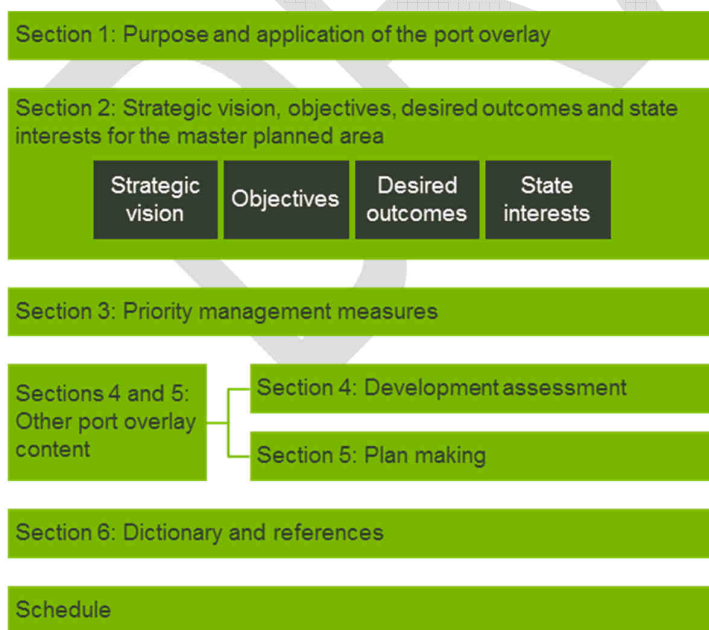


Figure 3.2 Structure of the preliminary draft port overlay



4 Implementing the master plan for the master planned area

4.1 Overview

This section details how the preliminary draft port overlay implements the master plan for the master planned area.

4.2 Strategic vision, objectives, desired outcomes and state interests

Section 2 of the preliminary draft port overlay presents the strategic vision, objectives, desired outcomes and state interests as detailed in the master plan, to support consistency and transparency between the master plan and the preliminary draft port overlay.

4.3 Priority management measures

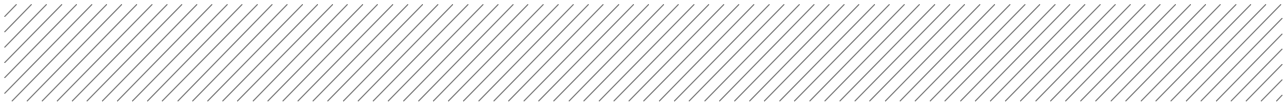
Detailed in Section 3 of the preliminary draft port overlay, PMMs are specific measures identified from the draft master plan in response to the evidence base. PMMs have been identified to:

- address the gaps in the existing statutory requirements and operational environmental management measures to address potential impacts associated with development within the master planned area
- address inconsistencies in the implementation of existing statutory requirements and operational environmental management measures over the master plan timeframe
- secure the continuation of non-statutory measures (i.e. voluntary) over the master plan timeframe.

Table 4.1 presents each of the PMMs for the master planned area, including identification of the precinct/s to which each PMM applies. The implementation provisions for each of the PMMs, including detail on how each PMM will be achieved, together with the entity or entities responsible, and associated timeframes are detailed in Sections 3.3 to 3.11.

4.4 Implementation

Section 2.6 (and specifically Table 2.1) of the preliminary draft port overlay presents a summary matrix identifying each of the issues covered by the preliminary draft port overlay and summarising the key provisions developed (and relevant sections) in order to address each issue.



To supplement the overview summary provided within Section 2.6 of the preliminary draft port overlay, Table 4.2 provides a detailed breakdown of each key issue identified during the evidence base process to be addressed within the preliminary draft port overlay. Table 4.2 identifies how each issue is addressed in the master plan objectives, desired outcomes, state interests and PMMs, along with the corresponding mechanism included within the preliminary draft port overlay content which addresses each issue, and in turn supports implementation of the master plan. Further discussion regarding the operation and implementation of the port overlay content is provided in Sections 5 to 7 of this report.

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Table 4.1 Priority management measures

Priority management measures	Applicable master plan precinct to which the PMM applies							Relevant section/s of the preliminary draft port overlay
	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	
<p>1 Aboriginal cultural heritage notification Prior to undertaking any ground disturbance activities within the master planned area, proponents who are not already required to undertake notification under the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>, an Indigenous Land Use Agreement registered under the <i>Native Title Act 1993</i>, or an agreement with an Aboriginal Party made in accordance with the <i>Native Title Act 1993</i>, and other agreements under the <i>Aboriginal Cultural Heritage Act 2003</i> will notify the relevant Aboriginal party prior to the works being undertaken</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Section 3.3
<p>2 Environmental values monitoring and reporting program Prepare an environmental values monitoring and reporting program for the environmental values within and surrounding the master planned area that will be impacted by development within the master planned area</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Section 3.4
<p>3 Environmental assessment guideline Prepare an environmental assessment guideline for development likely to have a significant adverse impact on the environmental values that contribute to the OUV of the GBRWHA to ensure that environmental assessment processes are appropriately and consistently applied across the master planned area for matters relating to the OUV of the GBRWHA and other environmental values</p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Section 3.5
<p>4 Land management plan guideline Prepare and implement a land management plan guideline to ensure that the OUV of the GBRWHA and other environmental values are consistently identified and managed within the environmental management precinct of the master planned area</p>	Yes	No	No	No	No	No	No	Section 3.6

Priority management measures	Applicable master plan precinct to which the PMM applies							Relevant section/s of the preliminary draft port overlay
	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	
5 Facing Island land management plan Prepare and implement a land management plan for the Facing Island land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No	Section 3.7
6 Inshore islands land management plan Prepare and implement a land management plan for the Inshore islands land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No	Section 3.8
7 Mount Larcom landform land management plan Prepare and implement a land management plan for the Mount Larcom landform land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No	Section 3.9
8 Aldoga reserve land management plan Prepare and implement a land management plan for the Aldoga reserve land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No	Section 3.10
9 Curtis Island land management plan Prepare and implement a land management plan for the Curtis Island land management plan area in accordance with the land management plan guideline	Yes	No	No	No	No	No	No	Section 3.11

Table 4.2 Summary of the key issues identified during the evidence base process and the implementation components of the master plan and preliminary draft port overlay

Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay	
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment
			Managing port-related development ¹	Economic ²			
OUV of the GBRWHA and all other environmental values							
Development activities within the master planned area that have the potential to impact on the OUV of the GBRWHA and other environmental values	Minimise impact from development on the OUV of the GBRWHA Recognise and minimise impact from development on environmental values, including the natural, social and cultural environments within and surrounding the master planned area	Minimises impact from development on environmental values, including those that contribute to the OUV of the GBRWHA Minimises impact of development on the scenic amenity of land and marine areas	✓	✓	✓	Sections 3.6 to 3.11 – land management plan guideline and preparation and implementation of land management plans Section 3.4 – PMM 2 Environmental values monitoring and reporting program Section 4.4.4 – Environmental values management code Figures 9 to 12 – Local expression of the OUV of the GBRWHA and all other environmental values	Not applicable
Include PMM implementation and approvals timeframes, and a prioritisation framework for all PMMs to identify the required order of PMM implementation.			✓				
The port overlay should consider including a marine measures and other controls to be implemented by development within the master plan marine precinct.			✓				Section 4.4.4 – Environmental values management code Figures 9 to 12 – Local expression of the OUV of the GBRWHA and all other environmental values
Renaming the draft environmental protection precinct to the draft environmental management precinct			✓				Figure 1a and 1b – Proposed boundary for the priority Port of Gladstone master planned area and draft precincts



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay		
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment	
			Managing port-related development ¹	Economic ²				Environment ³
<p>Inclusion of Lot 87 on SP144431 into the proposed environmental management precinct.</p> <p>Ensure compatibility in the location and design of future residential development with the draft interface precinct, and give due consideration to the close proximity of existing and future port and industrial development.</p> <p>Information and mapping in relation to the OUV of the GBRWHA must be reviewed and updated on a regular basis in order to:</p> <ul style="list-style-type: none"> ■ identify gaps in knowledge or monitoring efforts ■ support improvements in data collection and management. <p>Develop and set appropriate environmental objectives for the future</p> <p>DSD to review the Reef 2050 Integrated Monitoring and Reporting Program Strategy (GBRMPA 2015) and liaise with GBRMPA and other relevant stakeholders to ensure that the monitoring and reporting requirements PPM that relates does not duplicate that of the Reef 2050 Integrated Monitoring and Reporting Program (RIMReP)</p>			✓	✓		Section 3.10 – PPM 8 Aldoga Reserve (Lot 87 SP144431) land management plan	Not applicable	
			✓	✓		Not applicable	Section 4.4.3 – Residential and port industry interface code	
			✓			Section 3.4 – PPM 2 Environmental values monitoring and reporting program	Not applicable	



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay		
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 - Development assessment	
			Managing port-related development ¹	Economic ²				Environment ³
The PMM that relates to the impact assessment guideline requirements should be incorporated into the terms of reference for an EIS prepared under the SDPWO Act, and/or the Planning Act						Section 3.5 – PMM 3 Environmental assessment guideline	Not applicable	
An environmental assessment guideline should be incorporated into the Gladstone SDA Development Scheme, GPC Port LUP and GRC Planning Scheme during their next review and amendment processes								
Environmental management of the portion of Curtis Island within the environmental management precinct						Section 3.11 – PMM 9 Curtis Island land management plan	Not applicable	
Consideration should be given to the management of stormwater runoff within the master planned area and upstream catchment areas						Not applicable	Section 4.4.4 – Environmental values management code	
Shipping channels								
The expansion of existing channels and berths is critical to ensuring that deep draft vessels (e.g. import and export cape size) are not limited in their movement in and out of the priority Port of Gladstone	Facilitate the economic growth of the state and the Gladstone region	Provides for adequate supply chain development infrastructure, including connections between land and marine areas	✓	✓		Not applicable	Section 4.4.2 – Marine infrastructure management code Section 4.4.5 – Infrastructure and supply chain management code	
The operation of cape size vessels in the main shipping channel is the primary control on the capacity of the priority Port of Gladstone to grow in line with the potential for industrial growth	Enable the ongoing sustainable growth of trade through the Port of Gladstone	Provides economic benefit and employment opportunities for the Gladstone region						

Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay			
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 - Development assessment	Section 4 - Development assessment	
			Managing port-related development ¹	Economic ²				Environment ³	Community ⁴
Master planning should address the need to protect marine berth areas and shipping channels									
Capital dredging									
It is critical that future capital dredging needs within the priority Port of Gladstone are included in the master plan Capital dredging underpins the medium and long-term growth of the port and industries in the master planned area Current industries are reliant upon the growth of the port facilities to significantly increase their import, export and production	Enable the ongoing sustainable growth of trade through the Port of Gladstone	Dredging is undertaken where necessary to support the ongoing and future expanded operation of the Port of Gladstone	✓	✓	Section 5.6.1	Not applicable			Section 4.4.2 – Marine infrastructure management code
Maintenance dredging									
Recognition of existing commitments for maintenance dredged material to be placed at sea at the East Banks dredged material placement area (DMPA) Maintenance dredging is essential to the ongoing operation and growth of the port Maintenance dredging is required for shipping channels, berth pockets and swing basins A section outlining long-term maintenance dredging requirements should be included in the master plan The master plan should recognise requirements for the placement of dredged material from maintenance dredging	Enable the ongoing sustainable growth of trade through the Port of Gladstone	Dredging is undertaken where necessary to support the ongoing operation of the Port of Gladstone	✓	✓	Section 5.6.2	Not applicable			Section 4.4.2 – Marine infrastructure management code



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay	
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment
			Managing port-related development ¹	Economic ²			
<p>Beneficial reuse or onshore placement of dredged material</p> <p>Due to prohibitions under the Ports Act, capital dredged material will need to be beneficially reused within the GBRWHA or placed onshore</p> <p>The master plan should where possible, identify the extent of potential material placement areas for capital dredged material and the long-term use of these areas</p> <p>Identification of potential dredged material placement areas considered as part of the GPC Port of Gladstone Gatcombe and Goiding Cutting Channel Duplication Project EIS Dredge Material Placement Options Investigation (DMPOI)</p>	<p>Enable the ongoing sustainable growth of trade through the Port of Gladstone</p> <p>Minimise impact from development on the OUV of the GBRWHA</p> <p>Recognise and minimise impact from development on environmental values, including the natural, social and cultural environments within and surrounding the master-planned area</p>	<p>Material generated from capital dredging is beneficially reused or placed on land where it is environmentally safe to do so</p>	✓	✓	✓	Not applicable	<p>Section 4.4.2 – Marine infrastructure management code</p> <p>Figure 8 – Potential material placement areas</p>
<p>Infrastructure and supply chain</p> <p>Allow existing and potential berths and wharf centres to be maintained and developed to a standard capable of handling the necessary infrastructure and supply chain requests to allow industries to continue to operate and grow, or new industries to emerge</p>	<p>Continue to use and develop land and marine infrastructure efficiently where practicable</p> <p>Enable the ongoing sustainable growth of trade through the Port of Gladstone</p>	<p>Use of port and supply chain infrastructure is optimised, depending on the economic, environment and social context, prior to any expansion or development of new infrastructure where practicable</p>	✓	✓	Not applicable	<p>Section 4.4.2 – Marine infrastructure management code</p> <p>Section 4.4.5 – Infrastructure and supply chain management code</p> <p>Figure 7 – Port berths</p>	

Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay		
	Objectives	Desired outcome	State interests Managing port-related development ¹	Other sections			Section 3 - PMMs	Section 4 – Development assessment
				Economic ²	Environment ³	Community ⁴		
<p>Identification of marine infrastructure crossings within the master planned area from the mainland to islands which have existing and/or the potential to be developed for industry (e.g. bridges for road/rail, submarine pipelines, electricity transmission, distribution lines)</p>	<p>Continue to use and develop land and marine infrastructure efficiently where practicable</p>	<p>Encroachment from incompatible uses on infrastructure corridors and nodes is avoided</p>	<p>✓</p>				<p>Not applicable</p>	<p>Figures 1a and 1b – Boundary for the priority Port of Gladstone master planned area and precincts (Infrastructure and supply chain corridors precinct) Section 4.4.5 – Infrastructure and supply chain management code</p>
<p>Three new road links are required to ensure the port can service industries within the master planned area and sub-regionally, including:</p> <ul style="list-style-type: none"> ■ Port Access Road ■ Gladstone SDA link to the Bruce Highway ■ Curtis Island Road and Rail Bridge ■ West Banks Island material placement area road and rail link <p>New infrastructure links would provide strong dedicated freight routes that enhance the port's accessibility and allow over-size and over-mass loads that are destined for central Queensland coal and gas fields</p>	<p>Continue to use and develop land and marine infrastructure efficiently where practicable Enable the ongoing sustainable growth of trade through the Port of Gladstone</p>	<p>Encroachment from incompatible uses on infrastructure corridors and nodes is avoided</p>	<p>✓</p>				<p>Not applicable</p>	<p>Section 4.4.5 – Infrastructure and supply chain management code</p>



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay	
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment
			Managing port-related development ¹	Economic ²			
<p>The Office of the Coordinator-General is currently preparing a road infrastructure study for the Gladstone SDA</p> <p>The timing of development in the Gladstone SDA needs to be carefully managed so that the number of development fronts and associated demand for access roads is both reasonable and affordable</p> <p>Current anticipated roadworks that are required in the Gladstone SDA include:</p> <ul style="list-style-type: none"> ■ upgrade of Landing Road ■ complete duplication of Gladstone-Mt Larcom Road/Port Curtis Way ■ second crossing of the Calliope River ■ new Aldoga South Road <p>Intersection of the Bruce Highway and Gladstone-Mt Larcom Road</p>	<p>Enable the ongoing sustainable growth of trade through the Port of Gladstone</p>	<p>Provides for adequate supply chain development infrastructure, including connections between land and marine areas</p>					



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay	
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment
			Managing port-related development ¹	Economic ²			
Land uses adjoining and in proximity to infrastructure and services corridors critical to the functioning of the priority Port of Gladstone must be appropriately managed to avoid incompatible development impacting upon the future capacity and functioning of the port supply chain	Facilitate the economic growth of the state and the Gladstone region Enable the ongoing sustainable growth of trade through the Port of Gladstone	Provides for adequate supply chain infrastructure, including connections between land and marine areas Provides port and supply chain infrastructure that meets the needs of changing user requirements and has capacity to meet market demand Encroachment from incompatible uses on infrastructure corridors and nodes is avoided	✓	✓		Not applicable	Section 4.4.5 – Infrastructure and supply chain management code
Economic and Infrastructure The continued attraction of industry with import and/or export requirements is recognised as a strong growth opportunity for the Port of Gladstone There is significant potential to expand upon existing bulk materials handling at the Port of Gladstone, particularly at Port Central and Fisherman's Landing Gladstone is in a position to facilitate new exports or imports of new or temporary commodities at short notice at Port Central due to the winding down of the construction phase of the liquid natural gas (LNG) facilities on Curtis Island	Facilitate the economic growth of the state and the Gladstone region Enable the ongoing sustainable growth of trade through the Port of Gladstone	Land and marine areas are available for the development of the port and associated industries, and other development that supports and/or does not compromise port-related activities Provides for major industries of regional, state, national and global significance Provides economic benefit and	✓	✓		Not applicable	Section 4.4.2 – Marine infrastructure management code Section 4.4.5 – Infrastructure and supply chain management code Figure 7 – Port berths



Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay			
	Objectives	Desired outcome	State interests		Other sections	Section 3 - PMMs	Section 4 – Development assessment	Section 4 – Development assessment	
			Managing port-related development ¹	Economic ²				Environment ³	Community ⁴
Optimisation of port infrastructure is a specific action of Reef 2050 and needs to be addressed in the master planning for each of the priority ports		employment opportunities for the Gladstone region Use of port and supply chain infrastructure is optimised, depending on the economic, environment and social context, prior to any expansion or development of new infrastructure where practicable	✓	✓	Section 5.5.1				
Land use interfaces									
In some instances, land use planning instruments do not provide adequate separation distances between incompatible land use interfaces. This is highlighted in the context of the residential interfaces	Maintain quality of life for community in the Gladstone region	Minimises impact from sensitive uses within and surrounding the master planned area	✓	✓		Not applicable			Section 4.4.3 – Residential and port industry interface code
Increased residential density resulting in an increase in the number of residents living adjacent to existing industrial areas and potential for increase in associated construction and operational impacts									
Ensure compatibility in the location and design of future residential development with the draft interface precinct, and give due consideration to the close proximity of existing and future port and industrial development.									

Key issues identified during the evidence base process	Master plan cross reference					Mechanisms within the preliminary draft port overlay			
	Objectives	Desired outcome	State interests Managing port-related development ¹		Other sections	Section 3 - PMMs	Section 4 – Development assessment		
			Economic ²	Environment ³				Community ⁴	
Future expansions and new port and industrial developments must be appropriately designed to minimise and/or mitigate potential impacts on residential and other sensitive land uses.									
Cultural heritage									
Potential impacts to Aboriginal cultural heritage sites within the master planned area	Recognise and manage impacts on all environmental values, including the natural, social and cultural environments within and surrounding the master planned area	Minimises impact from development on cultural heritage values, including listed cultural heritage sites		✓		Section 3.3 – PMM 1 Aboriginal cultural heritage notification	Not applicable		
Aboriginal cultural heritage notification	Maintain quality of life for community in the Gladstone region								
Community and social									
Maintaining public access to the foreshore and marine areas	Enhance community use of public space	Provides appropriate public access to the waterfront and harbour where practicable having regard to existing and future port operational needs		✓		Not applicable	Section 4.4.3 – Residential and port industry interface code		

Table notes:

✓ means relevant state interest addressing key issue

1. Planning – operation of the priority Port of Gladstone and its growth and development
2. Economic – sustainable economic growth of the priority Port of Gladstone and the surrounding region
3. Environment – OUV of the GBRWHA and all other environmental values
4. Community – wellbeing of the community of the Gladstone region



5 Preliminary draft port overlay content – PMMs

5.1 Overview

Section 3 of the preliminary draft port overlay includes content that addresses operational matters for the master planned area, which do not apply to either the development assessment or plan making processes.

These operational matters are addressed through nine PMMs for the master planned area. Section 3 contains the specific provisions detailing how each PMM is to be achieved, including:

- purpose
- the minimum PMM preparation and implementation requirements:
 - technical requirements
 - relevant timeframes associated with implementing the PMM
 - the responsible entity or entities for the PMM
 - any advisory entities (including but not limited to) that the responsible entity or entities should consult with for implementing the PMM.

5.2 Implementation

The responsible entity or entities for each PMM is required to implement that PMM in accordance with the relevant provisions (for that PMM) under Section 3 of the preliminary draft port overlay to support implementation of the master plan's strategic vision, objectives, desired outcomes and state interests for the master planned area.

6 Preliminary draft port overlay content - development assessment

6.1 Overview

Section 4 of the preliminary draft port overlay contains the development assessment provisions, including assessment benchmarks required to implement the master plan in accordance with Section 21 of the Ports Act.

These provisions apply to development assessment processes under the:

- GRC Planning Scheme
- GPC Port LUP
- other matters that are assessable under the Planning Regulation, when GRC and GPC are not the assessment manager.

6.1.1 Provision types

Within Section 4, the preliminary draft port overlay contains the following types of development assessment provisions:

- categories of assessment – stating whether a particular type of development is exempt, accepted (self-assessable), code or impact assessable
- assessment benchmarks – which include statements of land use intent for applicable precincts and development codes
- supporting mapping.

6.1.2 Development assessment requirements

Section 4 of the preliminary draft port overlay presents the development assessment provisions in the following structure:

- the categories of assessment and applicable assessment benchmarks under the GRC Planning Scheme (**Section 4.2.1**)
- the categories of assessment and applicable assessment benchmarks under the GPC Port LUP (**Section 4.2.2**)
- the assessment benchmarks for other development assessment processes (**Section 4.3**)
- assessment benchmarks (**Section 4.4**).

6.1.3 Requirement to consider the port overlay

In relation to development assessment under the Planning Act, the Ports Act gives effect to the port overlay as a statutory instrument, requiring an assessment manager to:

- consider the content of the port overlay when assessing a development application; and
- ensure that any decision made by an assessment manager under the Planning Act, is not inconsistent with the port overlay.

The sections below provide a discussion of the development assessment provisions of the preliminary draft port overlay under each of the GRC Planning Scheme, GPC Port LUP and Planning Regulation, together with further detail regarding the assessment benchmarks, and in particular the development assessment codes.

6.2 GRC Planning Scheme

6.2.1 Background

The GRC Planning Scheme is the local planning instrument that applies to all land and tidal areas under the jurisdiction of GRC within the master planned area. This excludes development on land within the Gladstone SDA (other than for operational works), SPL and tidal areas under the jurisdiction of GPC.

6.2.2 Drafting methodology

Table 4.1 within the preliminary draft port overlay identifies the development assessment provisions within the port overlay that apply to the GRC Planning Scheme.

To support interpretation of these provisions, Table 4.1 adopts the same format as the GRC Planning Scheme assessment tables, and refers to the same terms as defined and referred to in the GRC Planning Scheme.

In preparing Table 4.1 (categories of assessment – GRC Planning Scheme), consideration was given to:

- the land use intent for each of the planning scheme zones that are within the boundary of the master planned area
- the categories of assessment for each planning scheme zone, including the provisions of the relevant zone code/s
- any applicable overlays and/or development codes (and associated categories of assessment changes) that apply to a particular area or respond to a particular issue or constraint.

In each instance, consideration of these provisions sought to identify and address:

- inconsistencies between the development intent of a particular zone under the GRC Planning Scheme and the purpose and development intent of each draft precinct of the master planned area as prescribed by the master plan
- gaps or inconsistencies in existing categories of assessment and assessment benchmarks required to achieve the strategic vision, desired outcomes, objectives, state interests and EMF of the master plan
- gaps or inconsistencies in how particular evidence base issues are addressed (e.g. through development assessment or overlay codes).

6.2.3 Drafting justification

The categories of assessment presented in Table 4.1 of the preliminary draft port overlay reflect an approach which has sought to avoid changes to the categories of assessment as much as possible, with changes only occurring in relation to (in certain instances):

- allowing accepted development (self-assessable) to remain accepted development if complying with the prescribed preliminary draft port overlay assessment benchmark
- requiring exempt development to be accepted development (self-assessable) to capture a preliminary draft port overlay assessment benchmark
- requiring impact assessment only where there is an over-riding need to limit development within an environmental management precinct area of the master planned area.

In general, the drafting approach for Table 4.1 has involved reviewing the current provisions for each existing GRC Planning Scheme zone and identifying those land uses (as already defined under the GRC Planning Scheme) which are either consistent or inconsistent with the objectives of the relevant master plan precinct, and proposing further development control through the levels of assessment and assessment benchmarks. These provisions have been necessary in order to address existing gaps in development assessment to ensure that the master plan strategic vision, objectives, desired outcomes, state interests and EMF can be achieved.

It is the intent of Table 4.1 that where no change to the assessment level is proposed by the preliminary draft port overlay, that the level of assessment level is as per what is prescribed by the GRC Planning Scheme. In taking this approach, the preliminary draft port overlay supports addressing existing gaps without duplicating the existing GRC Planning Scheme.

6.3 GPC Port LUP

6.3.1 Background

The GPC Port LUP applies to all SPL and SPL tidal areas under the jurisdiction of GPC within the master planned area.

6.3.2 Drafting methodology

Table 4.2 within the preliminary draft port overlay identifies the development assessment provisions within the port overlay that apply to the GPC Port LUP.

In preparing Table 4.2 (categories of assessment – GPC Port LUP), consideration was given to:

- the land use intent for each of the localities and precincts that are within the boundary of the master planned area
- the categories of assessment for each type of development, including the relevant development codes that apply to development within each precinct.

In each instance, consideration of these provisions sought to identify and address:

- inconsistencies between the development intent of a particular precinct under the GPC Port LUP and the purpose and development intent of each draft precinct of the master planned area as prescribed by the master plan
- gaps or inconsistencies in existing assessment benchmarks (land use intent and development codes) to achieve the strategic vision, objectives, desired outcomes, state interests and EMF of the master plan
- gaps or inconsistencies in how evidence base issues are addressed (e.g. primarily through the development codes).

6.3.3 Drafting justification

The categories of assessment presented in Table 4.2 of the preliminary draft port overlay reflect an approach which has:

- resulted in no changes to the current categories of assessment under the GPC Port LUP.
- incorporated relevant code provisions from the GPC Development Code (February 2012 Version 1) which relate to the management of potential impacts from port industry activities and port development on surrounding sensitive land uses into the residential and port industry interface code. The incorporating of these existing code provisions has been necessary given GPC's Development Code is non-statutory, and therefore their inclusion in the preliminary draft port overlay seeks to give these provisions statutory effect through the preliminary draft port overlay.
- introduced new assessment benchmarks (development codes) for particular types of development.

These provisions have been necessary in order to address existing gaps in development assessment to ensure that the master plan strategic vision, objectives, desired outcomes, state interests and EMF can be achieved.

6.4 Other development assessment processes

6.4.1 Background

The Planning Regulation prescribes certain types of development that are not triggered by a local planning instrument or port LUP to be assessable development.

6.4.2 Drafting methodology

Table 4.3 within the preliminary draft port overlay identifies the relevant development assessment processes that apply to the master planned area, that are not triggered through assessment under either the GRC Planning Scheme or GPC Port LUP.

In preparing Table 4.3 (applicable assessment benchmarks for assessable development under the Planning Regulation), consideration was given to:

- types of assessable development which have the potential to occur with the master planned area but are not likely to be captured under any preliminary draft port overlay content applicable to the GRC Planning Scheme or GPC Port LUP.
- the assessment benchmarks that apply under the Planning Regulation, including:
 - State Development Assessment Provisions (SDAP) and associated mapping
 - the Integrated Development Assessment System (IDAS) code for development applications for prescribed tidal work.

In each instance, consideration of these provisions sought to identify gaps or inconsistencies in how particular evidence base issues are addressed (e.g. tidal works, disturbance of marine plants).

6.4.3 Drafting justification

The assessment benchmarks presented in Table 4.3 for particular assessable development under the Planning Regulation reflect an approach which has:

- sought to not change the existing categories of assessment under the Planning Regulation
- introduced new assessment benchmarks (development codes) to particular types of development.

These provisions have been necessary in order to address existing gaps in development assessment to ensure that the master plan strategic vision, objectives, desired outcomes, state interests and EMF can be achieved.

6.5 Assessment benchmarks

6.5.1 Overview

Section 4.4 of the preliminary draft port overlay includes the detail of each of the assessment benchmarks developed in order to address the key issues identified through the evidence base, and ensuring that the master plan strategic vision, objectives, desired outcomes, state interests and EMF can be achieved.

The assessment benchmarks for the preliminary draft port overlay are:

- the purpose and development intent of the applicable precinct within the master planned area as shown on the master plan precinct map within Schedule 1 and detailed in Section 1.2.2 of the preliminary draft port overlay, where for the following precincts only:
 - infrastructure and supply chain corridors precinct (where not regulated by the GRC Planning Scheme or GPC Port LUP)
 - marine precinct
 - marine infrastructure precinct.
- development codes:
 - marine infrastructure management code
 - residential and port industry interface code
 - environmental values management code
 - infrastructure and supply chain management code.

Not all assessment benchmarks apply to all precincts or development within the master planned area. Accordingly, Table 4.4 of the preliminary draft port overlay sets out when each assessment benchmark is to be applied.

The sections below detail the key considerations and drafting rationale for each development code, as they relate to the key issues identified in the evidence base and ensuring that the master plan strategic vision, objectives, desired outcomes, state interests and EMF can be achieved.

6.5.2 Marine infrastructure management code

Section 4.4.2 of the preliminary draft port overlay details the marine infrastructure management code.

The need to prepare a marine infrastructure management code has arisen due to the following key gaps in existing development assessment provisions, which are further reinforced by the code's purpose and outcomes (Section 4.4.2.2):

- a need to address the existing absence within existing planning instruments of land use control controls across marine areas
- the need to ensure effective and coordinated management of key marine infrastructure such as channels, berths and swing basins
- a need to establish provisions which do not currently exist in relation to the beneficial reuse of dredged material, ensuring potential material placement areas are identified and managed to support ongoing and future expansion of the Port of Gladstone whilst managing potential impacts on environmental values within and surrounding the master planned area.



6.5.3 Residential and port industry interface code

Section 4.4.3 of the preliminary draft port overlay details the residential and port industry interface code.

The need to prepare a residential and port industry interface code has arisen in relation to the identification of the following key gap in existing development assessment provisions, which are further reinforced by the code's purpose and outcomes (Section 4.4.3.2):

- inconsistencies in regulating land uses within the interface areas of Auckland Point and Barney Point across planning instruments (i.e. GRC Planning Scheme and GPC Port LUP).

6.5.4 Environmental values management code

Section 4.4.4 of the preliminary draft port overlay details the environmental values management code.

The need to prepare an environmental values management code has arisen in relation to the identification of the following key gaps in existing development assessment provisions, which are further reinforced by the code's purpose and outcomes (Section 4.4.4.2):

- improved transparency in the management of potential environmental impacts, through identifying and mapping specific environmental values which have a contribution to the local expression of the OUV of the GBRWHA and other environmental values, being in relation to:
 - seagrass meadows
 - coral reefs
 - turtle nesting beaches
 - migratory shorebird habitat
- identified limitations and inconsistencies in the regulating of particular environmental values across local and state assessment provisions
- inconsistencies between the master plan environmental management precinct purpose and the GRC Planning Scheme in relation to regulating land use within the Mount Larcom landform area.

6.5.5 Infrastructure and supply chain management code

Section 4.4.5 of the preliminary draft port overlay details the infrastructure and supply chain management code.

The need to prepare an infrastructure and supply chain management code has arisen in relation to the identification of the following key gaps in existing development assessment provisions, which are further reinforced by the code's purpose and outcomes (Section 4.4.5.2):

- a need to establish provisions which do not currently exist in relation to the protection of future supply chain infrastructure that is not afforded protection under local planning provisions or through state provisions (e.g. state-controlled road or rail corridors)
- a need to establish provisions which do not currently exist to require principles of port optimisation to be formally considered and documented during the development assessment process in relation to development for port industry activities and supply chain infrastructure.



7 Preliminary draft port overlay content - plan making

7.1 Overview

Section 5 of the preliminary draft port overlay includes the requirement for port overlay content to be considered in plan making matters for the master planned area, as prescribed by the Ports Act.

Specifically, whilst the preliminary draft port overlay addresses plan making requirements for the GRC Planning Scheme and GPC Port LUP (refer Section 7.2.1), the Ports Act also contains provisions in relation to the Gladstone SDA Development Scheme (refer Section 7.2.2).

7.2 Implementation

7.2.1 GRC Planning Scheme and GPC Port LUP

Under the provisions of the Ports Act, the port overlay cannot direct GRC or GPC to amend the GRC Planning Scheme or GPC Port LUP in a particular way (e.g. to make amendments to assessment benchmarks in a particular way).

However, the Ports Act imposes the requirement that GRC and GPC must consider the content of the port overlay when making or amending the GRC Planning Scheme or GPC Port LUP.

To the extent of any inconsistency between the port overlay and the GRC Planning Scheme or GPC Port LUP, the port overlay prevails.

7.2.2 Gladstone SDA Development Scheme

In accordance with Section 19(4) of the Ports Act, the port overlay cannot regulate development in the Gladstone SDA that is assessable under the Gladstone SDA Development Scheme.

However, Sections 31 and 32 require the CG must consider whether the Gladstone SDA Development Scheme is consistent with the port overlay, as soon as practicable after the port overlay takes effect. To the extent that there is any inconsistency, the CG must decide whether to amend the Gladstone SDA Development to remove the inconsistency or table a report in the Legislative Assembly about the reasons for not amending the Gladstone SDA Development Scheme.

As there is no statutory requirement under the Ports Act requiring that the CG consider specific matters in relation to the port overlay, Section 5 of the preliminary draft port overlay does not prescribe any plan making requirements for the Gladstone SDA Development Scheme.



8 References

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Aurecon Australasia Pty Ltd

ABN 54 005 139 873

Level 14, 32 Turbot Street

Brisbane QLD 4000

Locked Bag 331

Brisbane QLD 4001

Australia

T +61 7 3173 8000

F +61 7 3173 8001

E brisbane@aurecongroup.com

W aurecongroup.com

Aurecon offices are located in:

Angola, Australia, Botswana, China,
Ghana, Hong Kong, Indonesia, Kenya,
Lesotho, Macau, Mozambique,
Namibia, New Zealand, Nigeria,
Philippines, Qatar, Singapore, South Africa,
Swaziland, Tanzania, Thailand, Uganda,
United Arab Emirates, Vietnam.

Department of State Development

PO Box 15009 City East Queensland 4002 Australia

tel 13 QGOV (13 74 68)

info@dsd.qld.gov.au

www.statedevelopment.qld.gov.au