5th May 2021

For the attention:
Liam Jukes
Senior Planner – Major Assessment
City Development Branch
Council of City of Gold Coast

CC: Phillip Zappala,
Supervising Planner - Major Assessment

Dear **Liam Jukes,**

Re: Nucrush Quarry development application COM/2019/81 - OBJECTION -

State Planning Policy applies where state interests not appropriately integrated in local planning

The State Planning Policy (SPP): *"The SPP is Queensland's pre-eminent state planning instrument. It expresses the state interest in land-use planning and development. Promoting these state interests through plan-making and development assessment decisions will help to secure a liveable, sustainable and prosperous Queensland"* (Attachment A1).

"The SPP has effect throughout Queensland and sits above regional plans and local planning instruments in the hierarchy of planning instruments under the Planning Act 2016 (Planning Act). This means the SPP prevails over these instruments, to the extent they are inconsistent with the SPP" (Attachment A1).

The State Planning Policy: *"identifies 17 state interests in land use planning and development categorised in to five themes relating to:*

- *Liveable communities and housing*
- *Economic growth*
- *Environment and heritage*
- *Safety and resilience to hazards*
- *Infrastructure*

By clearly expressing performance outcomes for each state interest, the state planning policy promotes transparent and accountable decision making and confidence in the planning system" and *"At its core, this new approach to planning is about being responsive to changing community needs and creating great places for Queenslanders to live, work and raise their families"* (Attachment A2).

The seventeen state interests within the five themes states above are shown in Attachment A3 and are listed in Attachment A4.

Does the SPP apply for this DA?

The State Planning Policy applies if: *"The SPP applies as a 'matter to have regard to' under the Planning regulation 2017 only if the relevant state interests in the SPP are identified as having not been appropriately integrated into a local planning instrument, and only to the extent of any inconsistency"* (Attachment A5).

As it is abundantly clear the 1000m separation buffer and the 100m transport route requirements for a Key Resource Area have not been appropriately integrated by the Gold Coast Council for KRA 68, Oxenford Quarry (with hundreds of homes, businesses, kindergartens, etc. within these areas), I believe the SPP requirements need to be considered with respect to this development application.

Liveable Communities and Housing (of State Planning Policy)

The SPP states in 'Planning for liveable communities and housing': *"Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes"* (Attachment B1).

The proposed substantial reduction in separation buffers, the removal of existing 'Buffer land' and 'Permanent trees and shrub screening' and a complete disregard for the prohibited development area (Rural 'B') to the north; a reduction in visual and personal amenity (dust, noise, etc) and a significant increase in production and the number of haulage vehicles traversing through a suburban area (resulting in a decrease in road safety, an increase in both carcinogenic diesel fumes and fine dust contamination) would, I believe be contra to the SPP requirements for liveable communities and contra to the requirements of the SPP: *"[the SPP approach] is about being responsive to changing community needs and creating great places for Queenslanders to live, work and raise their families"*(Attachment A2).

Dust

The large amount of dust (including respirable crystalline silica and assumed asbestos in the form of actinolite) is a significant and much ignored health risk and the dust in the area has a marked impact on the personal amenity for local residents. It is noted the DA only discusses dust issues with respect to a time weighted average (TWA) exposure i.e. The exposure of a fit healthy young male working a maximum of 8 hrs per day for five days a week, with personal protection equipment (PPE) provided. It apparently does not consider the chronic 24/7 that residents are exposed to. A serious omission when considering the health, safety and personal amenity of the local residents.

Blasting

Also, there is the personal amenity issue of the regular blasting (which will need to get bigger and/or more often to cater for proposed increase in production). There have been hundreds of objections raised, against this DA, by local residents concerned for their families health and welfare and the concerns for the safety of their property too. It is noted the DA is geared towards proving it can meet the Environmental Authority conditions. However, I have severe doubts it can do this as highlighted in earlier objections. Please note, that the monitoring is carried out I believe incorrectly (not at the nearest sensitive receptor as current approval and common sense would dictate). Monitoring at these further locations facilitates larger blasts (BIGGER BLASTS = BIGGER PROFITS) to maximise the displaced rock for each blast despite the reduced separation buffers which are way below the 1000m guidelines.

This is scaring and disturbing local residents and their families and pets and potentially damaging their homes and property.

I believe the incorrect monitoring is facilitated by the DES environmental authority (current: EPPR 00245613 and/or the proposed EA0002207) negligently failing to insist on the monitoring to be performed at the closest sensitive receptor (as is required, yet ignored, by the current Council

approval). In fact unbelievably and negligently, in my opinion, no criteria for distance is included in the blast monitoring requirements thus enabling the quarry to regularly use the Kopps Road and Yallaroi Road monitoring locations at up to 1.65 km from blast epicentre, whilst ignoring the closest sensitive receptors such as '24 Wimbledon Way' which is a couple of hundred metres away. I consider this morally unacceptable as the results at the monitored location may well be compliant but closer sensitive receptors may well not be compliant, suffering ground vibration way above acceptable limits. However, the morally unacceptable, yet DES endorsed monitoring procedures, ensure this, maybe non-complaint, blasting is not reported and thus officially never happened. I believe this negligent and reprehensible blast monitoring is permitted by the DES being complicit in its failure to specify their Environmental Authorities correctly by including the required "nearest sensitive dwelling or building" in their requirements.

Blasting at Reedy Creek (KRA96) failed quarry proposal

One final note on the personal amenity residents are subjected to re blasting at Oxenford. In the failed Boral Reedy Creek quarry (KRA 96) appeal case the judge stated: *"Notwithstanding that all relevant guidelines and policies would be met, the amenity of some residents living near the quarry would be negatively affected as a consequence of vibration and over pressure/noise caused by blasting"* (Attachment B2). i.e. It doesn't matter if the environmental authority blasting requirements are actually met there will still be personal amenity issues with blasting close to local residents. And, it should be remembered that in the Reedy Creek case there was a fraction of the homes within the separation buffer compared to Oxenford KRA 68.

The Boral Reedy Creek proposed quarry was for a two million tonnes per annum (Attachment B3) requires a blast every week (Attachment B4). It should be noted that it is believed the Nucrush quarry is claiming it will continue blasting approximately every month as it has been prior to this. However, it is obvious an increased production, from an average of 600k pa (Attachment B5) to one million tonnes per annum, would require an increase in blast frequency. Looking at the Boral appeal it is clear that 2Mtpa requires blasting every week, therefore, I believe it is a safe assumption the blasting at Nucrush Oxenford would have to increase to a two weekly rate to meet these targets. It is therefore I believe, highly misleading that the DA proposal seems to be suggesting there will be less blasts in the future: *"the average number of blasts per year has fallen to 11.4, or approximately 1 per month"* (Attachment B6). There is no other, as far as I am aware, indication of the proposed frequency of blasting within the DA. However, to me, it is clear this will have to increase blast frequency to be in line with the proposed increased output (and as per the Boral Reedy Creek indications requiring weekly blasts for 2Mtpa, therefore the assumption 1Mtpa will require two weekly blasts).

I do not consider the above points as *'Planning for liveable communities and housing'*. It is, instead, ignoring the hundreds of local residents who have found themselves living within the separation buffer and/or transport buffer of a proposed super quarry and the many highly serious and potentially dangerous negative connotations this comes with.

State Interest - Environment - Biodiversity (of State Planning Policy)

The SPP states in 'State Interest - Biodiversity': *"Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes"* (Attachment C1). The proposed destruction of, I believe, a total of approximately 190,000

square meters of koala habitat and environmentally significant biodiversity and priority species areas would be clearly contra to this SPP biodiversity requirement.

State Interest - Environment - Water quality (of State Planning Policy)

The SPP states in 'State Interest - Water quality: *"The environmental values and quality of Queensland waters are protected and enhanced"* (Attachment D1).

The proposed subterranean quarrying method that will lower the water table and the associated groundwater for up to a 1.4km radius (Cone of effect as per DA estimates). This will result in the water table that is currently at the same height and in equilibrium with the adjacent Coomera River will be severely altered. Possibly affecting the level of the Coomera River? The resultant excess groundwater (that is thought to be substantial at up to 432 million litres per annum - Attachment D2) that will leech into the quarry pit will have to be dewatered. The development application gives no details of this but it is thought the dewatering will be via the hydraulic link to the Coomera River. However, in the process of leeching from the sides of the pit and the floor of the pit it is thought this water will be contaminated eg. Acid sulfates (Attachment D3), pyrite (which when exposed to oxygen will chemically react turning the dormant pyrite into sulphuric acid), etc. However, there appears to be no containment pits or settlement pits shown within the DA to allow decontamination and therefore it is thought contaminated water will be pumped into the Coomera River. Therefore, it is thought, the SPP requirement for water quality will certainly not be: *"The environmental values and quality of Queensland waters are protected and enhanced"* by this development application.

State Interest - Infrastructure - Transport (of State Planning Policy)

The SPP states in 'State Interest - Transport: *"The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported"* (Attachment E1).

However, the non-compliant transport route, with hundreds of homes and assorted community facilities such as health centres, parks and kindergartens, etc. within the required 100m either side of the transport route (that should be clear of all forms of suburbia) with an estimated haulage vehicle movements in excess of three hundred and seventy per day (including Nucrush concrete production facility that does not appear to be included in the DA). This is, I believe, certainly not a safe and efficient movement of people and goods in the residential area.

The development application has failed to perform a safety analysis on the transport route to the Pacific Motorway as is required. It also has, shamefully in my opinion, failed to inform local residents that there is a proposed increase in haulage trucks of over 20%. However, this is without it would seem allowing for the on-site Concrete Production facility deliveries required that seems to be culpably missed from the development application that will add a sufficient number of additional trucks to the total (e.g. deliveries of sand, cement, fly ash, additives etc. to the site that is also required to produce concrete).

This is a single lane in either direction narrow road in many places, that caters for school buses, is also part of the principle cycle network, yet has no pedestrian or cycle ways through much of the route of the Transport route to the Pacific Motorway.

It would seem: *"The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported"* would be severely compromised by permitting

far more heavy haulage trucks on this route and for the proposed next 100 plus years. This is in no way encouraging sustainable transport and neither does it allow the safe and efficient movement of people and goods throughout this residential area.

State Interest - Natural Hazards, risk and resilience (of State Planning Policy)

The SPP states in 'State Interest - Natural hazards, risk and resilience: *"The risks associated with natural hazards, including the projected impacts of climate control, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards"* (Attachment F1).

However, I strongly believe that blasting within a couple of hundred metres of homes and down to 150 metres in places (Attachment F2) and within 40 metres of the Maudsland Road and within less than this on the Tamborine Oxenford Road (Attachment F3) could severely compromise the area with respect to landslide risk by blasting within these areas at such close proximity to homes and very busy public roads.

I believe blasting at such a ridiculously close range to public roads and residential homes and within a landslide hazard risk area is completely contra to the requirements of the SPP that is to: *"protect people and property and enhance the community's resilience to natural hazards".*

State Interest - Mining and extractive resources (of State Planning Policy)

The SPP states in 'State Interest - Mining and extractive resources: *"Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible"* (Attachment G1).

However, in the Case of KRA 68 hundreds of residential homes have been permitted to compromise the 1000 m separation buffer (or 1000 m Blast Exclusion Zone) by the Gold Coast Council as shown in Attachment G2.

Even the highly modified separation buffer that appears to have been engineered in the vague hope of showing some form of separation buffer (way below the 1000m guidelines) in 'KRA Reports and Maps': https://dsdmipprd.blob.core.windows.net/general/key-resource-area-reports-and-maps-41-to-80.pdf is highly compromised (despite its minimal separation buffer of a couple of hundred metres in places) by a number of sensitive receptors (Attachment G3). These include ten homes in Bakers Ridge Drive, four homes in Yallaroi Road, property in Appollo Place, etc. Please note ALL these homes are within the modified separation buffer as shown in the Key Resources area reports and maps and are a fraction of the required 1000m separation buffer as per DES guidelines stipulate.

Similarly, hundreds of homes have compromised the transport route to the Pacific Motorway (Attachments G4, G5 and G6) and to its sister site in Hart Street, Upper Coomera (Attachment G7).

Thus, making this Key Resource area no longer viable, as per City Plan 8.2.7 Extractive Resources overlay code - Separation Area and 100m Transport route separation area': Acceptable Outcome AO2: *"No acceptable outcome provided"* (attachment G8).

This is reiterated in the State Planning Policy for mining: 'Spp-guidance-mining-and-extractive-resources-july-2017.pdf' which states: *"Transport route separation area: The area surrounding the transport route needed to maintain separation of people from undesirable levels of noise, dust and*

ground vibration produced as a residual impacts from the transportation of extractive material. The distance is measured 100m from the centre line of the indicated transport route for a KRA". (Attachment G9).

The Nucrush quarry is now wholly located within a residential community in every conceivable direction and as such, I do not believable it can be construed as a viable KRA, due to its diminished and compromised separation buffers, its non-compliant transport route and its failure to align with either the V6 version or the latest V8 version of the Gold Coast City Plan.

Does identification of a KRA authorise extraction?

It should be noted that the State Planning Policy 2017, Part E, Mining and Extractive resources, states: *"Identification of a key resource area does not in any way authorise the extraction of the resource or provide a right to establish or operate an extractive industry. Identification of a key resource area rather indicates the importance of protecting the deposit for the future. Local government assesses the development applications for extractive industries in accordance with its planning scheme"* (Attachment H1).

Economic Need and the Council's view

It should be noted that in the recent 2017 Boral Reedy Creek v Gold Coast Council Appeal case the judge states: *"The council's position is that the City has extensive approved reserves of hard rock that are able to, and do, produce hard rock, substantially in excess of demand within the City. Having regard to the focus of evidence (cf Exhibit 9 p 107), the Council's position is that none of the City of Gold Coast and Southeast Queensland (as limited) and Northern New South Wales (as limited) are undersupplied with hard rock and to the extent that some demand for the hard rock might be established, it does not justify a hard rock quarry on (the subject land). If the council's position is correct, there cannot be a strong need for the project"* (Attachment I1) and *"The court can be comfortably satisfied that the City has extensive approved resources of hard rock that are able to, and do, produce hard rock, substantially in excess of demand within the City and that none of the City of Gold Coast and Southeast Queensland (as limited) and Northern New South Wales (as limited) are under supplied with hard rock"* (Attachment I1).

Given that the Gold Coast Council were clearly satisfied that there was an oversupply of hard rock within the region I feel sure the Gold Coast Council will be aware that there is no apparent Economic Need for the Oxenford quarry for the Gold Coast region.

Residential Development

When considering development approvals with regard to KRA's it is noted that: *"The designation of a site as a KRA ensures the development applications within the KRA are assessed for possible adverse impact on the access to the significant resource but does not restrict all development. Quarry operations may be permitted if management of potential impacts to acceptable levels is feasible"* (Attachment J1). I would argue the Gold Coast Council, having allowed hundreds of homes to be built over the intervening years within the 1000 metre separation buffer and also hundreds of homes within the Transport route 100m separation corridor, has clearly raised potential impacts for these affected

local residents above an acceptable level making the quarry no longer feasible within this now predominantly residential area.

Further, in relation to reconfiguring of lots: *"the SPP does not support increasing the number of sensitive land uses or other land uses incompatible with resource extraction within the KRA, e.g. the reconfiguration of a lot that increases the number of lots. Sensitive land uses are typically residential, educational or health related where noise and air quality must be maintained to a high standard"* (Attachment J1). Approval of this development application will severally limit the requirements to reconfigure the lots along the transport route as planned as per 'Oxenford Investigation Area Community Consultation Outcomes' document 'PD113/1275/14/02' dated 13th June 2019 (Attachment J2) which states: *"Preliminary recommendations were provided for a long-term opportunity to accommodate approximately 1,447 dwellings within the investigation area, comprising a mix of low density (i.e. detached dwelling) and low-medium density housing (RD2 up to 1 dwelling per 300sqm of net ha)".* Thus, 205 properties each approximately 4,000 sqm, giving (at 300sqm blocks as quoted above) potentially up to 2,733 properties at an estimated five per Lot (See Attachment J3). The affected Lots, within the Nucrush transport route are shown in Attachment J4. Therefore, approval of this development application would clearly jeopardise the state requirements for the proposed reconfiguration of lots within the Oxenford Investigation area (PD113/1275/14/02). Has this been considered?

Finally: *"the SPP does not support increasing the number of sensitive land uses or other land uses incompatible with resource extraction within the KRA, e.g. the reconfiguration of a lot that increases the number of lots. Sensitive land uses are typically residential, educational or health related where noise and air quality must be maintained to a high standard"* (Attachment J1). The proposed quarry encroachment to within 150 metres of homes and 345 metres of the Oxenford State School would be in direct opposition to the requirement where a high quality of noise and air quality must be maintained. Reducing the separation buffers, as proposed, will have a marked effect on these sensitive land users (as it will in every conceivable direction as the quarry proposes expansion in all these areas).

Conclusion

It can be clearly seen that the development application COM/2019/81 does not align with either the requirements of the Gold Coast City Plan or the requirements of the State Planning Policy.

To permit this, as I see it, highly flawed development application, with its proposals to engulf the clearly defined (believed to be for the life of the quarry) 'Buffer Land' and 'Permanent trees and shrub screening' areas and 'Prohibited development land' (Rural 'B'), as shown on an annotated version of the 'Third Schedule' in Attachment K1, would, I believe, be completely unacceptable and contra to the clear intent of the Council's original rezoning agreement and Deed of Novation agreed at the quarry's inception.

The failure of the applicant to rezone the 'Prohibited development', Rural 'B', area to the northeast back in 1989, as agreed, and the subsequent failure of the Council to ensure this rezoning was performed as contractually required, does not, in my opinion, permit the applicant to now include this protected area as part of the extractive footprint. The clear intent of this area is a buffer area to protect local residents for the life of the quarry. It's subsequent, I believe incorrect inclusion as part of the KRA, does not give the applicant the automatic right to quarry this protected area. Just as the

apparent incorrect designation of an area of Lot 906 ('Quarantined Land' area) did not give the applicant the automatic right to include this as extractive footprint either. Hence, the necessary recent updates (February 2021) to remove this area from the development application.

The designation as a KRA does not give the applicant the automatic right to quarry these areas as seems to be assumed. As quoted above, the State Planning Policy 2017, Part E, Mining and Extractive resources, states: *"Identification of a key resource area does not in any way authorise the extraction of the resource or provide a right to establish or operate an extractive industry. Identification of a key resource area rather indicates the importance of protecting the deposit for the future. Local government assesses the development applications for extractive industries in accordance with its planning scheme"* (Attachment H1).

The DES guidelines are for a 1000 m separation buffer (and 1000m Blast Exclusion Zone). At the quarry's inception the council wanted, as I see it an overly generous, separation buffer of 500 from the quarry boundary metres (given the requirement for 1000m separation buffer for blasting quarries). They finally settled for 350 metres from the extractive footprint having agreed the 'prohibited development', Rural 'B', area to ensure the quarry would not and could not encroach on the planned housing to be built in the north and northeast sectors. It is thus very hard to accept that the applicant, now these homes are built, wishes to ignore these clear agreements and quarry these buffer areas that are there to protect local residents for the life of the quarry.

Finally, it should be remembered (as stated in the SPP guidance document): *"The SPP does not prioritise one state interest over another, providing flexibility for decision makers to respond to specific regional and local circumstances"* (Attachment L1). In my eyes it is clear that the *"Liveable communities and housing", "Matters of environmental significance"*, *"safe and efficient movement of people", "safety and resilience to hazards"* and "quality of Queensland waters" overrides the requirements of the Nucrush quarry to destroy large areas of currently protected environmentally significant land, to reduce the separation buffers to an untenable 150 metres from homes, zero metres from open Space area to the North, less than 40 metres of the Tamborine Oxenford Road, decrease the safety on the urban roads in the area by significantly increasing the number of haulage trucks in the area, lower the water table for up to a 1.4 km cone of effect and potentially contaminate the Coomera River for what I see as no Economic Need for the Gold Coast (which seems to be confirmed by the Gold Council also as per attachment I1). Especially, considering the hundreds of homes, businesses, etc. within the required 1000 metre separation area and the hundreds of homes within the transport route separation area. This coupled with the applicant's proposal to completely disregard the currently agreed buffer areas, despite homes being far closer and far more numerous now than were ever envisaged, makes this quarry and its expansion and 100 year extension, I believe, completely and utterly untenable.

Thank you in anticipation,

Kind regards

Tony Potter

* Disclaimer. Please note my findings are believed correct and are to the best of my ability. However, there may be errors and assumptions I have made that are incorrect. I do not believe this to be the case, but, realise with the vast amounted of submitted data from the applicant, errors and assumptions on my part may occur. Hopefully this is not the case, but please accept my apologises if this is so. Thank you.

Attachment A1 - State Planning Policy 2017 Overview

FactsheetSPPOverview-Applicationandoperation.pdf

State Planning Policy July 2017

Overview – Application and operation

This fact sheet outlines how to use and apply the SPP July 2017.

Summary

On 3 July 2017, the State Planning Policy (SPP) July 2017 replaced the previous SPP April 2016.

The SPP is Queensland's pre-eminent state planning instrument. It expresses the state interests in land-use planning and development. Promoting these state interests through plan-making and development assessment decisions will help to secure a liveable, sustainable and prosperous Queensland.

The SPP July 2017 contains a number of changes to align with the *Planning Act 2016* and improve clarity regarding how to apply and use the SPP.

What does the SPP do?

The SPP has effect throughout Queensland and sits above regional plans and local planning instruments in the hierarchy of planning instruments under the *Planning Act 2016* (Planning Act). This means that the SPP prevails over these instruments, to the extent that they are inconsistent with the SPP.

The SPP July 2017 outlines the guiding principles that should underpin plan-making processes and development decisions in Queensland to achieve a planning system that is:

- outcome focused
- integrated
- efficient
- positive
- accountable.

The SPP July 2017 also identifies 17 state interests in land-use planning and development. These state interests are grouped into five broad themes, illustrated in the figure below:

Attachment A2 - State Planning Policy Foreword

Foreword

Queensland is experiencing a new era in planning.

New planning laws, commencing in mid-2017, are helping to secure the liveability, sustainability and prosperity of our communities, for both current and future generations.

We are in the midst of an exciting period of growth in Queensland so it is important we provide certainty and clarity about the way we are managing these changes. This is what the State Planning Policy is all about.

The State Planning Policy is the primary state planning instrument in our planning system. It provides clear and comprehensive details of the policies needed to ensure that planning in Queensland is outcomes focused, efficient, and accountable.

Across Queensland, we are responding to the challenges and opportunities of growth through smart planning. Key to this is emphasising the importance of facilitating affordable living and housing outcomes through the planning system.

We are serious about putting sustainability and climate change on the planning agenda, while promoting great urban design outcomes for our built environment.

Well-designed places and spaces are increasingly underpinning the economic and social successes of our communities. That is why we are ensuring our places are designed to reflect the way that people interact with their communities and not the other way around.

We recognise the importance of holistically integrating land use and infrastructure planning in delivering economic, social and environmental benefits for Queensland. We have therefore included this as a new state interest for planning and development.

The State Planning Policy now identifies 17 state interests in land use planning and development categorised into five themes relating to:

- liveable communities and housing
- economic growth
- environment and heritage
- safety and resilience to hazards
- infrastructure.

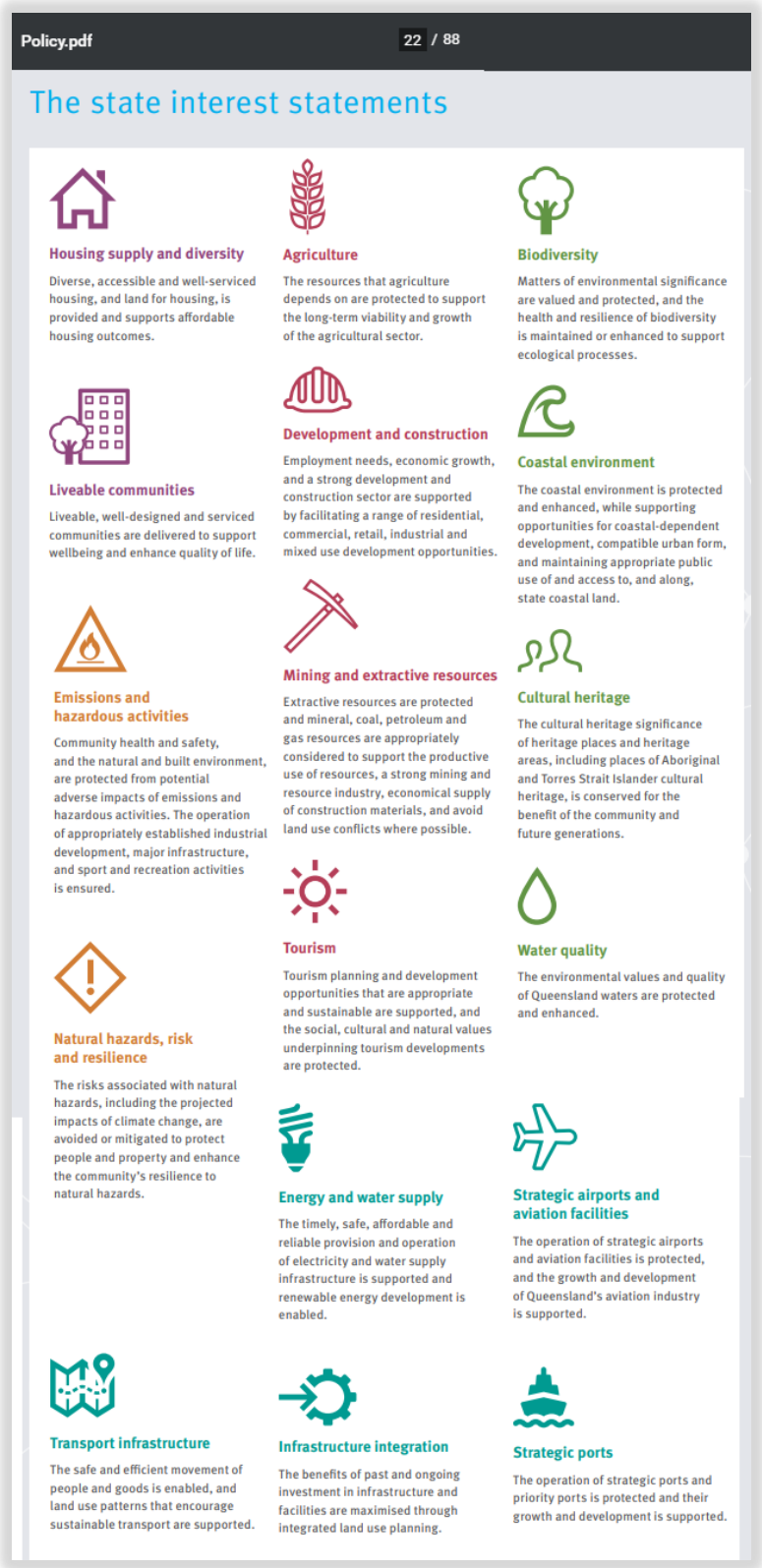
By clearly expressing performance outcomes for each state interest, the State Planning Policy promotes transparent and accountable decision making and confidence in the planning system. Our performance-based planning system encourages and responds to change by allowing for innovation and flexibility in plan making.

At its core, this new approach to planning is about being responsive to changing community needs and creating great places for Queenslanders to live, work and raise their families.

The Honourable Jackie Trad MP
Deputy Premier
Minister for Transport
Minister for Infrastructure and Planning

Attachment A3 - Five themes, seventeen state interests

Attachment A4 - The seventeen state interests



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The state interest statements

Housing supply and diversity

Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.

Agriculture

The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.

Biodiversity

Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.

Liveable communities

Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.

Development and construction

Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.

Coastal environment

The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependent development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.

Emissions and hazardous activities

Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.

Mining and extractive resources

Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.

Cultural heritage

The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations.

Tourism

Tourism planning and development opportunities that are appropriate and sustainable are supported, and the social, cultural and natural values underpinning tourism developments are protected.

Water quality

The environmental values and quality of Queensland waters are protected and enhanced.

Natural hazards, risk and resilience

The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.

Energy and water supply

The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.

Strategic airports and aviation facilities

The operation of strategic airports and aviation facilities is protected, and the growth and development of Queensland's aviation industry is supported.

Transport infrastructure

The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.

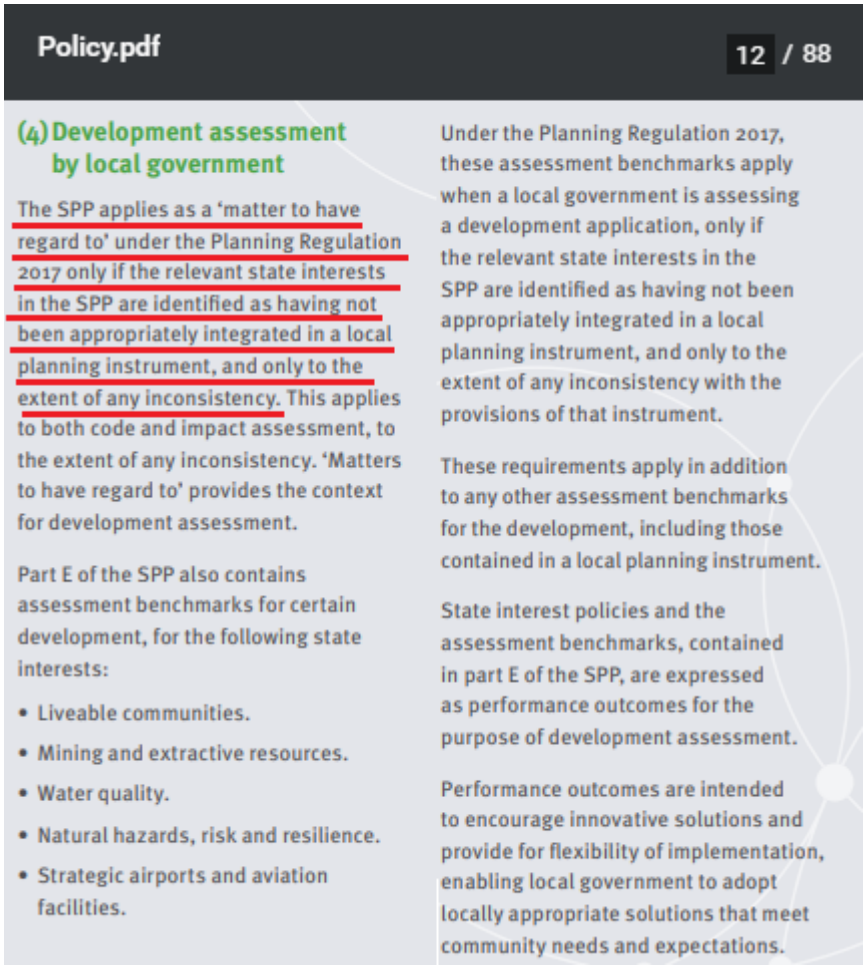
Infrastructure integration

The benefits of past and ongoing investment in infrastructure and facilities are maximised through integrated land use planning.

Strategic ports

The operation of strategic ports and priority ports is protected and their growth and development is supported.

Attachment A5 - State Planning Policy applies for this DA



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(4) Development assessment by local government

The SPP applies as a 'matter to have regard to' under the Planning Regulation 2017 only if the relevant state interests in the SPP are identified as having not been appropriately integrated in a local planning instrument, and only to the extent of any inconsistency. This applies to both code and impact assessment, to the extent of any inconsistency. 'Matters to have regard to' provides the context for development assessment.

Part E of the SPP also contains assessment benchmarks for certain development, for the following state interests:

- Liveable communities.
- Mining and extractive resources.
- Water quality.
- Natural hazards, risk and resilience.
- Strategic airports and aviation facilities.

Under the Planning Regulation 2017, these assessment benchmarks apply when a local government is assessing a development application, only if the relevant state interests in the SPP are identified as having not been appropriately integrated in a local planning instrument, and only to the extent of any inconsistency with the provisions of that instrument.

These requirements apply in addition to any other assessment benchmarks for the development, including those contained in a local planning instrument.

State interest policies and the assessment benchmarks, contained in part E of the SPP, are expressed as performance outcomes for the purpose of development assessment.

Performance outcomes are intended to encourage innovative solutions and provide for flexibility of implementation, enabling local government to adopt locally appropriate solutions that meet community needs and expectations.

Attachment B1 - SPP Liveable Communities

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Planning for liveable communities and housing

State interest – housing supply and diversity

Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

(1) Land for housing development and redevelopment in areas that are accessible and well-connected to services, employment and infrastructure are identified.

(2) The development of residential land is facilitated to address and cater for all groups in the current and projected demographic, economic and social profile of the local government area, including households on low to moderate incomes.

(3) A diverse, affordable and comprehensive range of housing options in accessible and well-serviced locations, is facilitated through:

(a) appropriate, responsive and proactive zoning

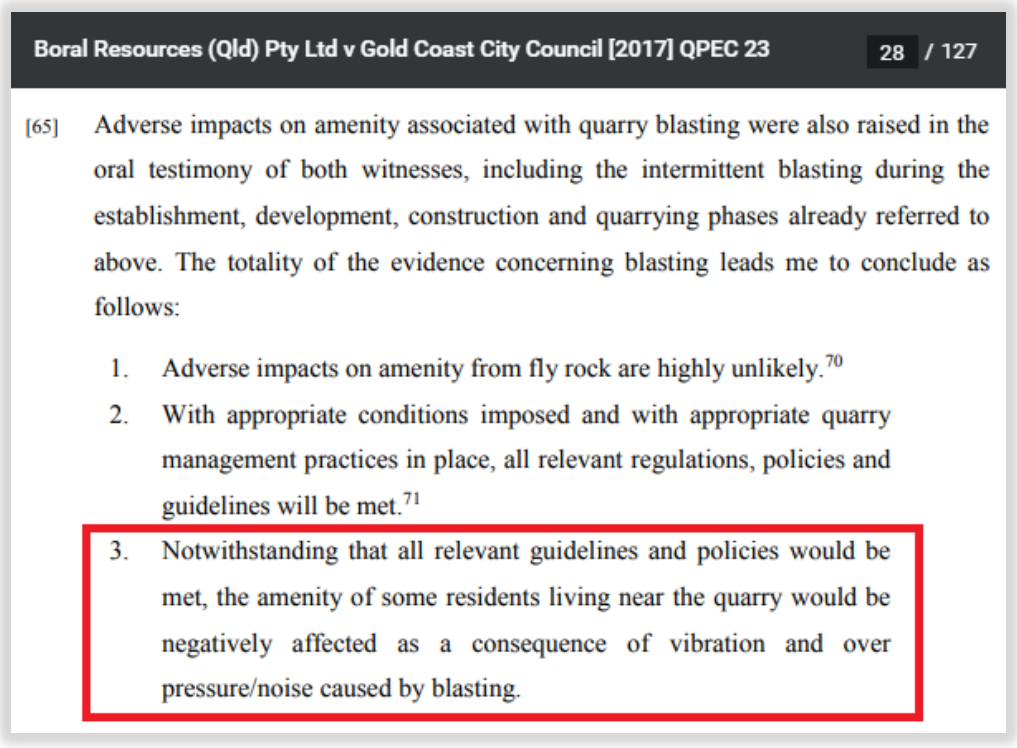
(b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living

(c) considering incentives to promote affordable and social housing outcomes, particularly in areas in close proximity to services and amenities.

(4) Best practice, innovative, and adaptable housing design and siting is provided for and encouraged.

(5) Sufficient land for housing is provided in appropriate locations to support the projected non-resident workforce population associated with approved large-scale mining, agriculture, industry or infrastructure projects.

Attachment B2 -Blasting and Personal amenity

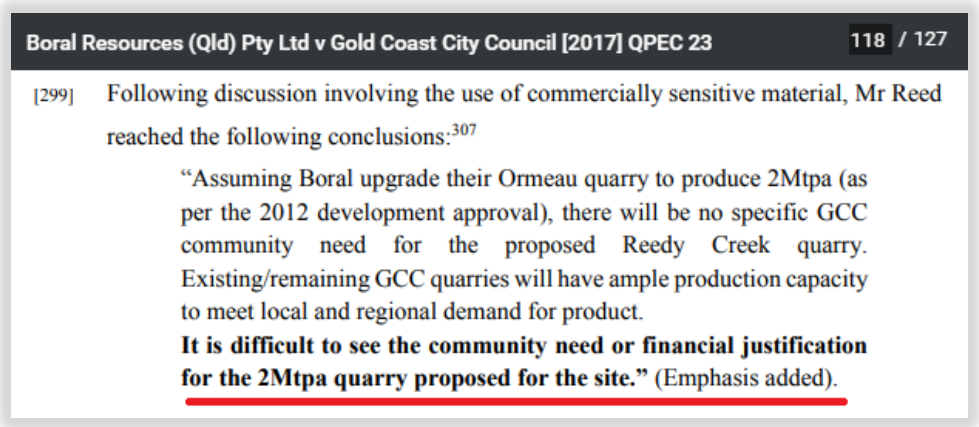


Boral Resources (Qld) Pty Ltd v Gold Coast City Council [2017] QPEC 23 28 / 127

[65] Adverse impacts on amenity associated with quarry blasting were also raised in the oral testimony of both witnesses, including the intermittent blasting during the establishment, development, construction and quarrying phases already referred to above. The totality of the evidence concerning blasting leads me to conclude as follows:

1. Adverse impacts on amenity from fly rock are highly unlikely.[70]
2. With appropriate conditions imposed and with appropriate quarry management practices in place, all relevant regulations, policies and guidelines will be met.[71]
3. Notwithstanding that all relevant guidelines and policies would be met, the amenity of some residents living near the quarry would be negatively affected as a consequence of vibration and over pressure/noise caused by blasting.

Attachment B3 - Boral Reedy Creek proposed two million tonnes per annum

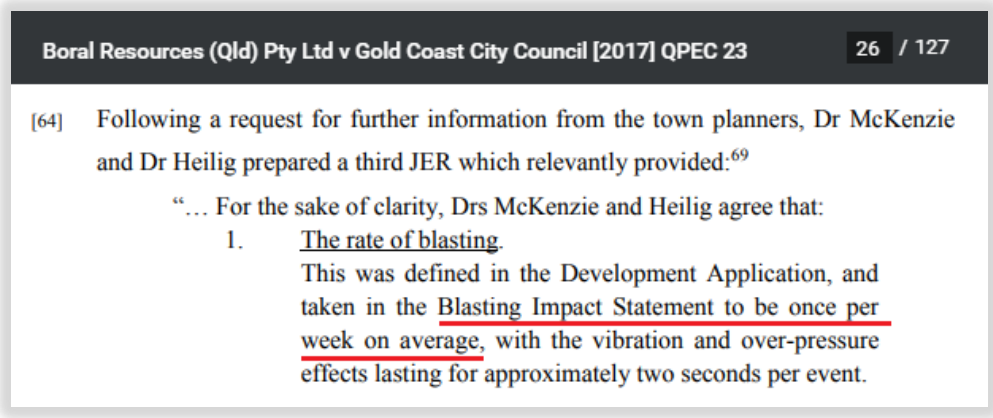


Boral Resources (Qld) Pty Ltd v Gold Coast City Council [2017] QPEC 23 118 / 127

[299] Following discussion involving the use of commercially sensitive material, Mr Reed reached the following conclusions:[307]

> "Assuming Boral upgrade their Ormeau quarry to produce 2Mtpa (as per the 2012 development approval), there will be no specific GCC community need for the proposed Reedy Creek quarry. Existing/remaining GCC quarries will have ample production capacity to meet local and regional demand for product.
> **It is difficult to see the community need or financial justification for the 2Mtpa quarry proposed for the site."** (Emphasis added).

Attachment B4 - Boral Reedy Creek proposed 2Mtpa requires a blast every week

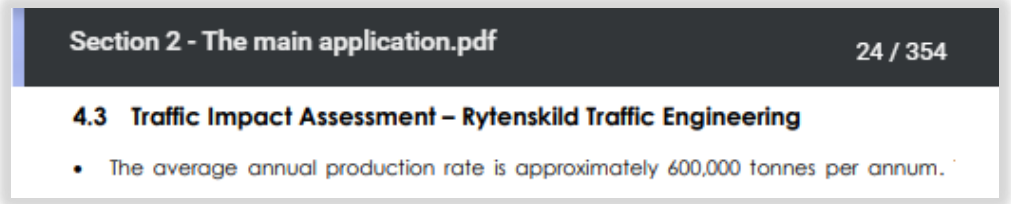


Boral Resources (Qld) Pty Ltd v Gold Coast City Council [2017] QPEC 23 26 / 127

[64] Following a request for further information from the town planners, Dr McKenzie and Dr Heilig prepared a third JER which relevantly provided:[69]

> "… For the sake of clarity, Drs McKenzie and Heilig agree that:
> 1. The rate of blasting.
> This was defined in the Development Application, and taken in the Blasting Impact Statement to be once per week on average, with the vibration and over-pressure effects lasting for approximately two seconds per event.

Attachment B5 -Blasting rate inferred as decreasing from 15 blasts to 11.4 blasts per annum

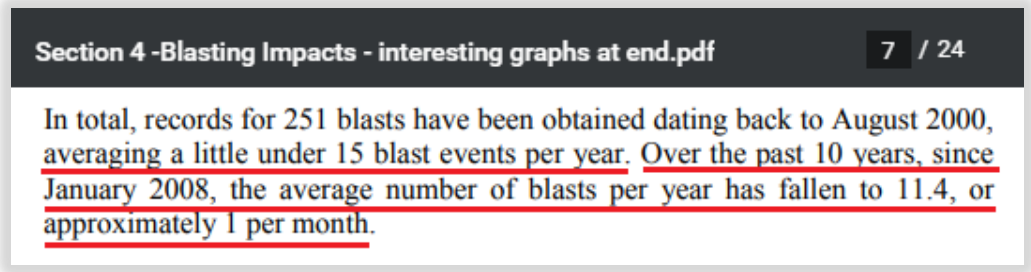


Section 2 - The main application.pdf 24 / 354

4.3 Traffic Impact Assessment – Rytenskild Traffic Engineering

- The average annual production rate is approximately 600,000 tonnes per annum.

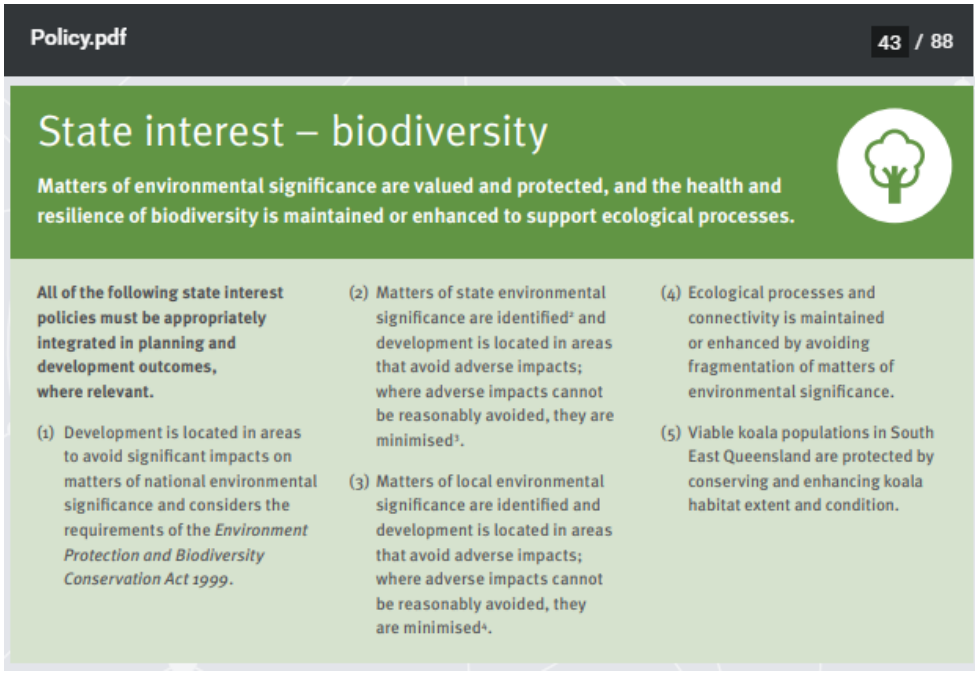
Attachment B6 -Blasting rate inferred as decreasing from 15 blasts to 11.4 blasts per annum



Section 4 -Blasting Impacts - interesting graphs at end.pdf 7 / 24

In total, records for 251 blasts have been obtained dating back to August 2000, averaging a little under 15 blast events per year. Over the past 10 years, since January 2008, the average number of blasts per year has fallen to 11.4, or approximately 1 per month.

Attachment C1 - SPP State Interest - Biodiversity



Policy.pdf 43 / 88

State interest – biodiversity

Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

(1) Development is located in areas to avoid significant impacts on matters of national environmental significance and considers the requirements of the *Environment Protection and Biodiversity Conservation Act 1999*.

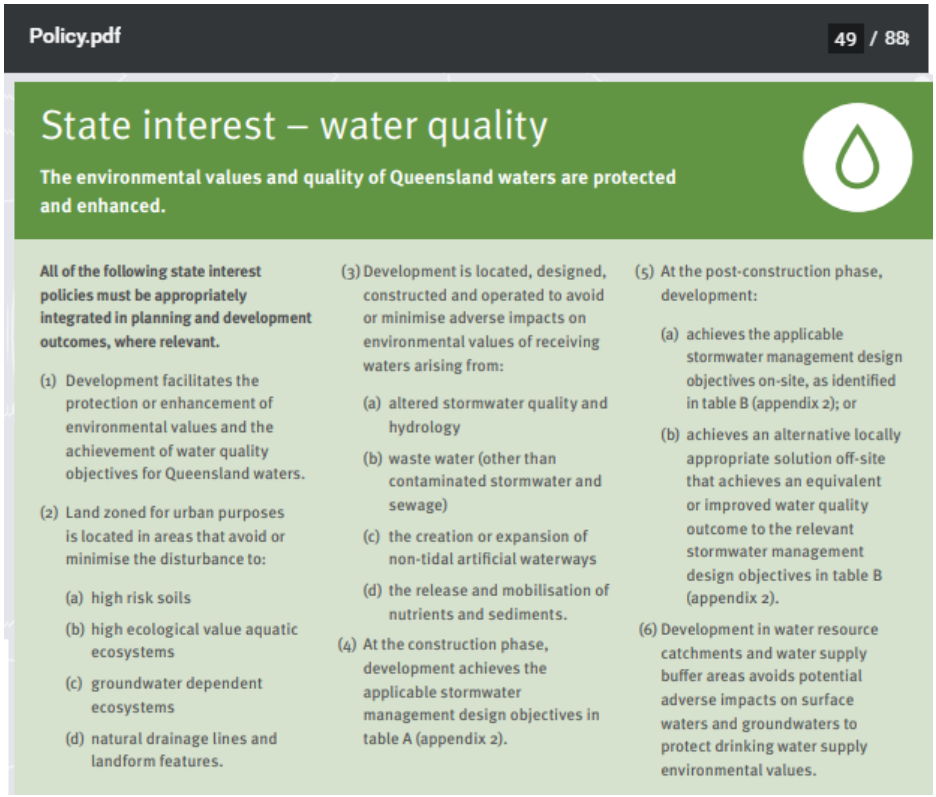
(2) Matters of state environmental significance are identified[2] and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised[3].

(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised[4].

(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.

(5) Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.

Attachment D1 - SPP State Interest - Water quality



Policy.pdf 49 / 88

State interest – water quality

The environmental values and quality of Queensland waters are protected and enhanced.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

(1) Development facilitates the protection or enhancement of environmental values and the achievement of water quality objectives for Queensland waters.

(2) Land zoned for urban purposes is located in areas that avoid or minimise the disturbance to:

(a) high risk soils

(b) high ecological value aquatic ecosystems

(c) groundwater dependent ecosystems

(d) natural drainage lines and landform features.

(3) Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from:

(a) altered stormwater quality and hydrology

(b) waste water (other than contaminated stormwater and sewage)

(c) the creation or expansion of non-tidal artificial waterways

(d) the release and mobilisation of nutrients and sediments.

(4) At the construction phase, development achieves the applicable stormwater management design objectives in table A (appendix 2).

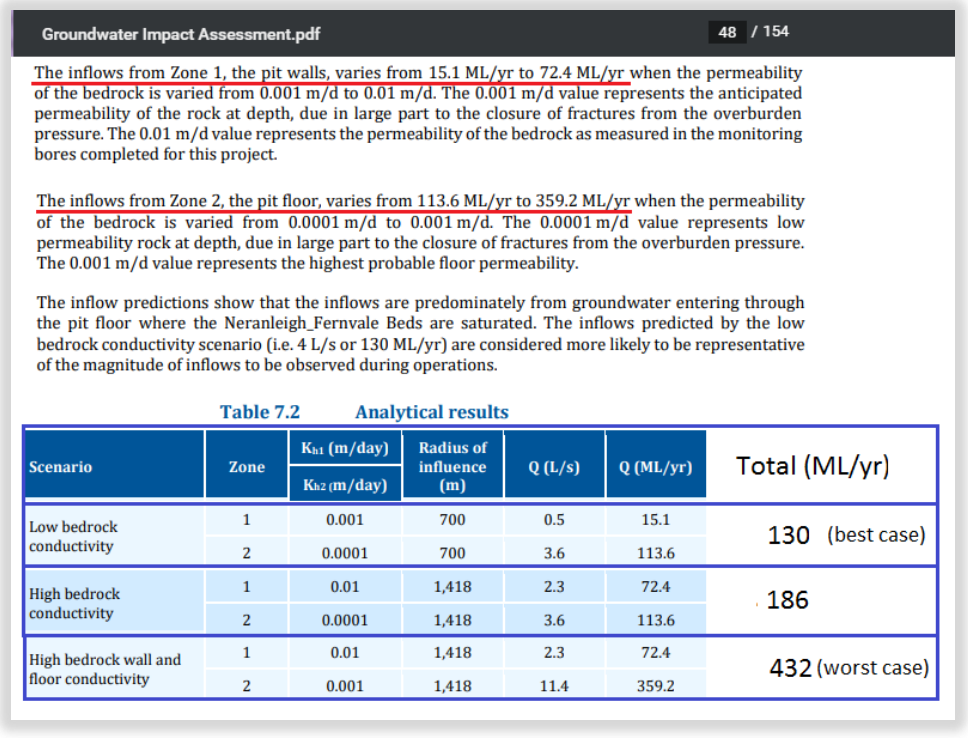
(5) At the post-construction phase, development:

(a) achieves the applicable stormwater management design objectives on-site, as identified in table B (appendix 2); or

(b) achieves an alternative locally appropriate solution off-site that achieves an equivalent or improved water quality outcome to the relevant stormwater management design objectives in table B (appendix 2).

(6) Development in water resource catchments and water supply buffer areas avoids potential adverse impacts on surface waters and groundwaters to protect drinking water supply environmental values.

Attachment D2 - Groundwater Inflow up to 432 million litres per year



Groundwater Impact Assessment.pdf 48 / 154

The inflows from Zone 1, the pit walls, varies from 15.1 ML/yr to 72.4 ML/yr when the permeability of the bedrock is varied from 0.001 m/d to 0.01 m/d. The 0.001 m/d value represents the anticipated permeability of the rock at depth, due in large part to the closure of fractures from the overburden pressure. The 0.01 m/d value represents the permeability of the bedrock as measured in the monitoring bores completed for this project.

The inflows from Zone 2, the pit floor, varies from 113.6 ML/yr to 359.2 ML/yr when the permeability of the bedrock is varied from 0.0001 m/d to 0.001 m/d. The 0.0001 m/d value represents low permeability rock at depth, due in large part to the closure of fractures from the overburden pressure. The 0.001 m/d value represents the highest probable floor permeability.

The inflow predictions show that the inflows are predominately from groundwater entering through the pit floor where the Neranleigh_Fernvale Beds are saturated. The inflows predicted by the low bedrock conductivity scenario (i.e. 4 L/s or 130 ML/yr) are considered more likely to be representative of the magnitude of inflows to be observed during operations.

Table 7.2 Analytical results

Scenario	Zone	K_{h1} (m/day) / K_{h2} (m/day)	Radius of influence (m)	Q (L/s)	Q (ML/yr)	Total (ML/yr)
Low bedrock conductivity	1	0.001	700	0.5	15.1	130 (best case)
	2	0.0001	700	3.6	113.6	
High bedrock conductivity	1	0.01	1,418	2.3	72.4	186
	2	0.0001	1,418	3.6	113.6	
High bedrock wall and floor conductivity	1	0.01	1,418	2.3	72.4	432 (worst case)
	2	0.001	1,418	11.4	359.2	

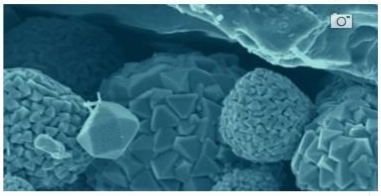
Attachment D3 - Acid sulfates explained

www.qld.gov.au/environment/land/management/soil/acid-sulfate/explained

Queensland Government

Acid sulfate soils explained

Common in many parts of the world, acid sulfate soils are saturated with water, almost oxygen-free and contain microscopic crystals of iron sulfide minerals (commonly pyrite).



Microscopic image of pyrite in soil

Acid sulfate soils are safe and harmless when not disturbed. If acid sulfate soils are dug up or drained they come into contact with oxygen. The pyrite in the soil reacts with the oxygen and oxidises.

This process turns pyrite into sulfuric acid, which can cause damage to the environment and to buildings, roads and other structures.

The acid also attacks soil minerals, releasing metals like aluminium and iron. Rainfall can then wash the acid and metals from the disturbed soil into the surrounding environment.

Read more on the impacts of disturbing acid sulfate soils.

What do acid sulfate soils look like?

When acid sulfate soils are undisturbed, they are dark blue-grey (sometimes black) and wet, with no structure. They are often high in clay, but can be sands or sometimes even gravels.

When acid sulfate soils are disturbed, the iron released from the pyrite oxidation forms a range of brightly coloured minerals—first yellow, then brown then red. Cracks open up on the soil surface, and the soil shrinks as it dries out. Most importantly, the soil pH drops from nearly neutral to extremely acidic, often below pH 2.

A healthy mangrove forest, with the dark blue-grey soil colours common to undisturbed acid sulfate soils

Read more on identifying acid sulfate soils.

In Queensland

Acid sulfate soils can form in parts of inland Queensland where there are appropriate conditions (listed above)—e.g. some of the salt lakes in western Queensland have acid sulfate soils present.

Around 35,000 years ago, the sea level in Queensland was higher and large swamps existed in many places along the coast. Since then, the sea has retreated and newer layers of soil have been transported from the hills, covering the former swamps.

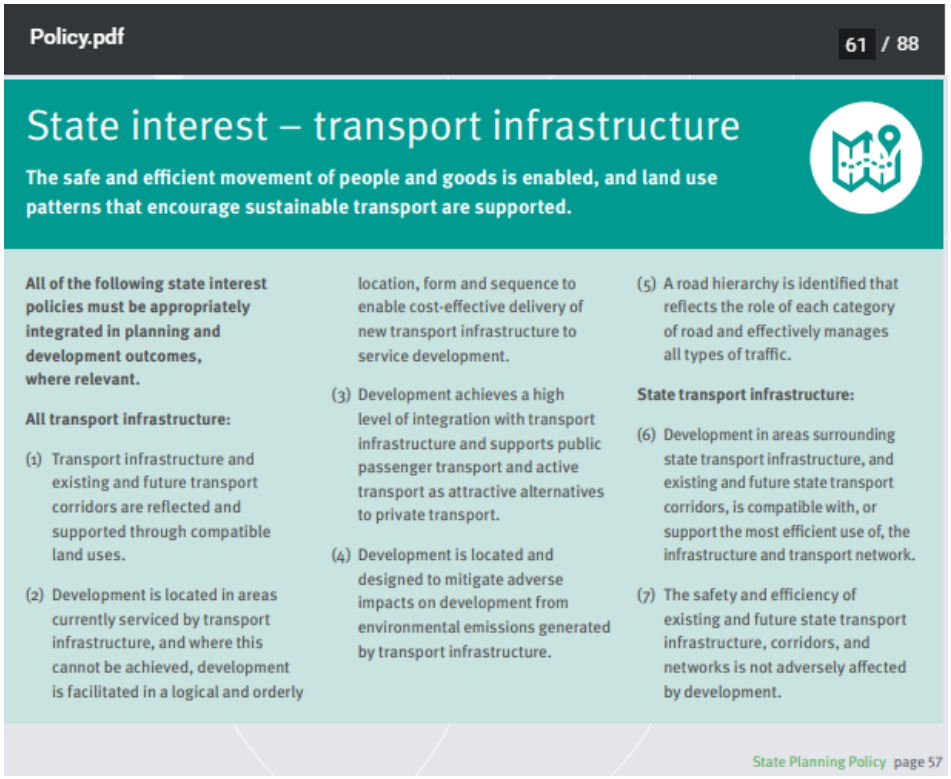
This is why many coastal plains have a layer of acid sulfate soil hidden below the current soil. Coastal areas lower than 5m AHD (Australian Height Datum) are likely to have acid sulfate soils present. Acid sulfate soils can also be found buried beneath newer soils at elevations below 20m AHD.

Acid sulfate soils have only been mapped in some parts of Queensland. However by looking at coastal areas below 20m AHD, estimates about the extent of acid sulfate soil in Queensland can be made.

Around 23,000km^2 of the Queensland coast is likely to contain acid sulfate soils, with around 6600km^2 in catchments that flow to the Great Barrier Reef. By comparison, the area governed by Brisbane City Council is 1367km^2.

Read more on acid sulfate soils reports and maps.

Attachment E1 - SPP State Interest - Transport infrastructure



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State interest – transport infrastructure

The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

All transport infrastructure:

(1) Transport infrastructure and existing and future transport corridors are reflected and supported through compatible land uses.

(2) Development is located in areas currently serviced by transport infrastructure, and where this cannot be achieved, development is facilitated in a logical and orderly location, form and sequence to enable cost-effective delivery of new transport infrastructure to service development.

(3) Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.

(4) Development is located and designed to mitigate adverse impacts on development from environmental emissions generated by transport infrastructure.

(5) A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.

State transport infrastructure:

(6) Development in areas surrounding state transport infrastructure, and existing and future state transport corridors, is compatible with, or support the most efficient use of, the infrastructure and transport network.

(7) The safety and efficiency of existing and future state transport infrastructure, corridors, and networks is not adversely affected by development.

State Planning Policy page 57

Attachment F1 - SPP State Interest - Natural Hazards, risk and resilience

State interest – natural hazards, risk and resilience

The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

(1) Natural hazard areas are identified, including:
- (a) bushfire prone areas
- (b) flood hazard areas
- (c) landslide hazard areas
- (d) storm tide inundation areas
- (e) erosion prone areas.

(2) A fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas:

(3) Land in an erosion prone area is not to be used for urban purposes, unless the land is located in:
- (a) an urban area in a planning scheme; or
- (b) an urban footprint identified in a regional plan.

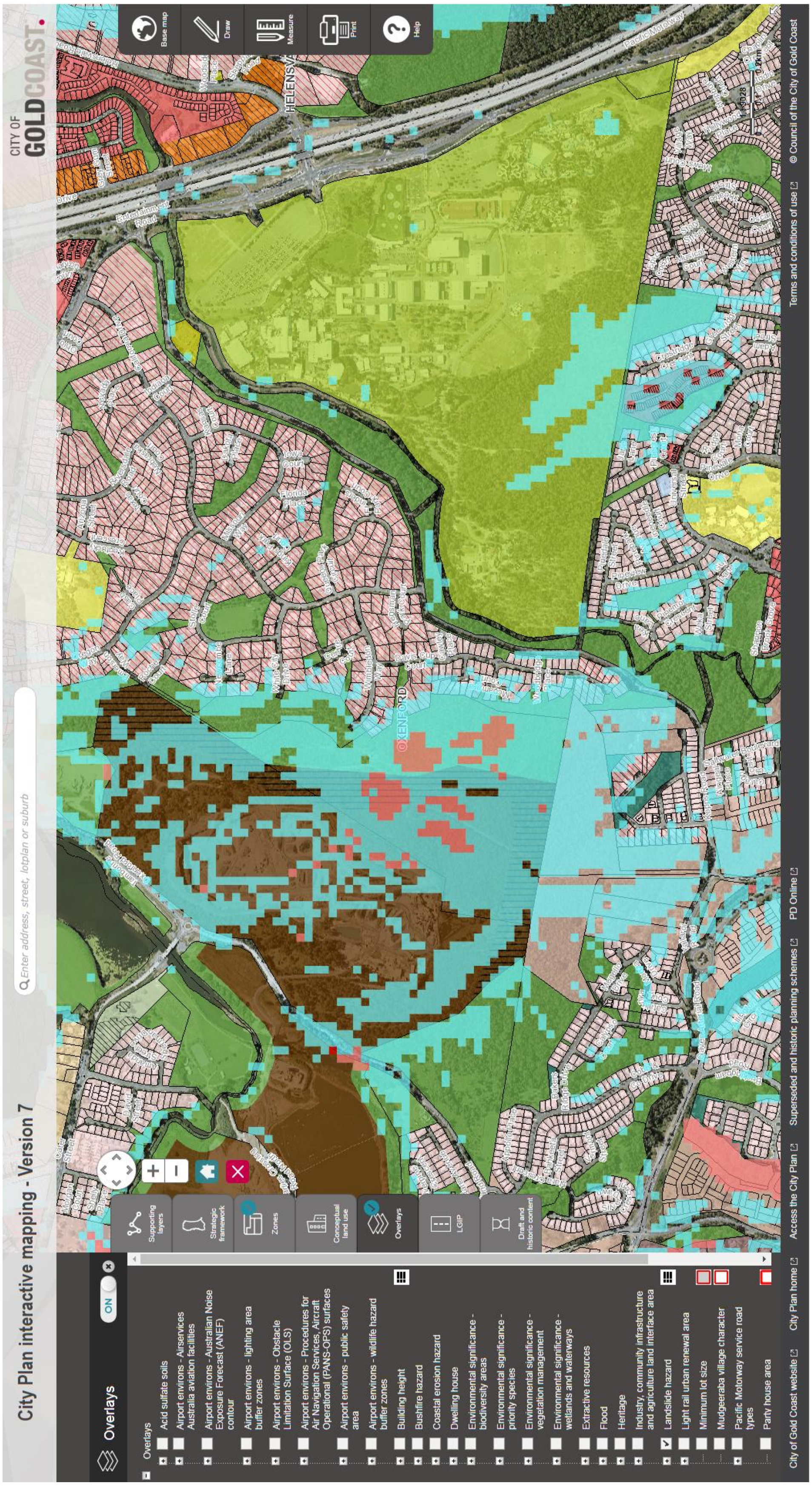
(4) Development in bushfire, flood, landslide, storm tide inundation or erosion prone natural hazard areas:
- (a) avoids the natural hazard area; or
- (b) where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.

(5) Development in natural hazard areas:
- (a) supports, and does not hinder disaster management capacity and capabilities
- (b) directly, indirectly and cumulatively avoids an increase in the exposure or severity of the natural hazard and the potential for damage on the site or to other properties
- (c) avoids risks to public safety and the environment from the location of the storage of hazardous materials and the release of these materials as a result of a natural hazard
- (d) maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.

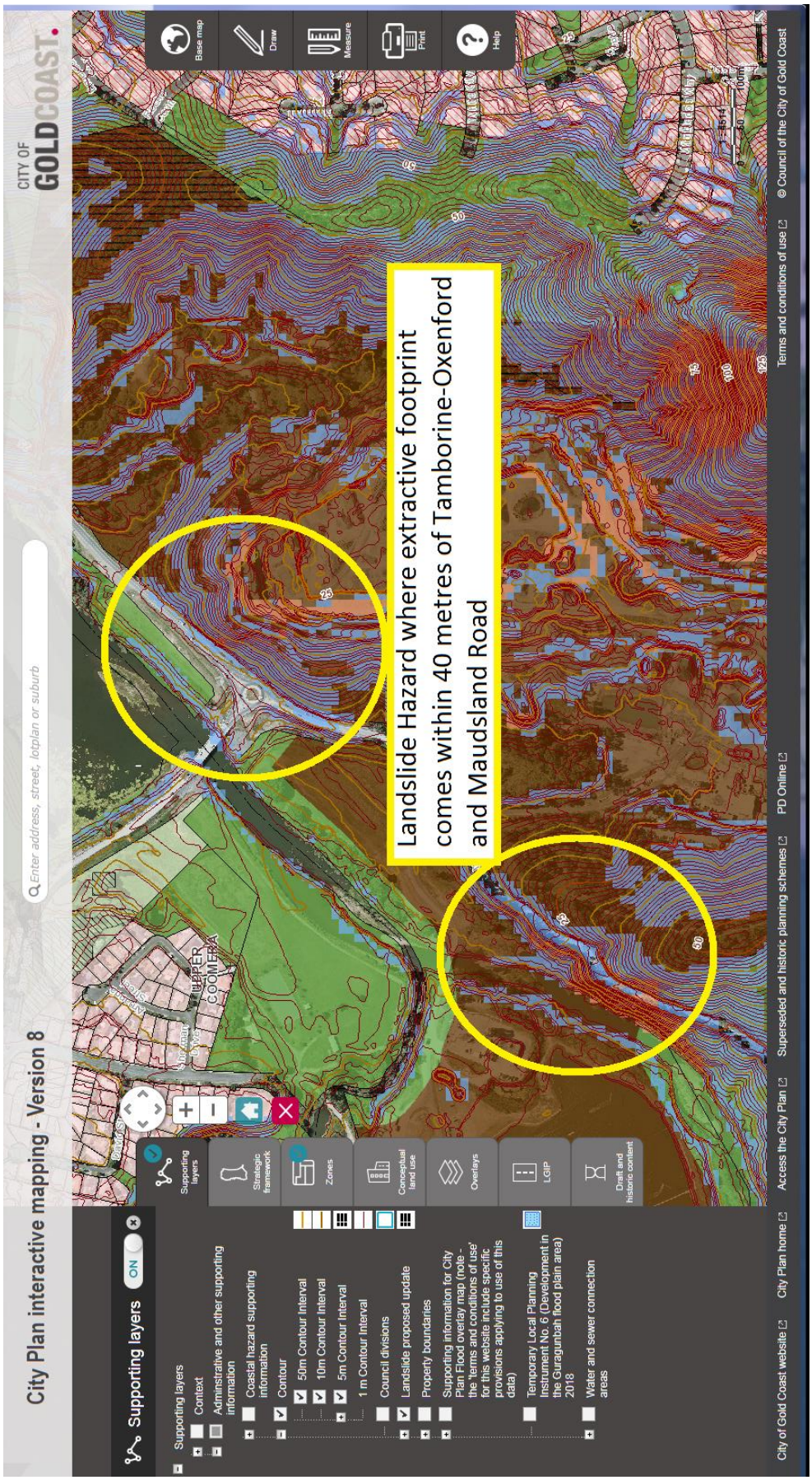
(6) Community infrastructure is located and designed to maintain the required level of functionality during and immediately after a natural hazard event.

(7) Coastal protection work in an erosion prone area is undertaken only as a last resort where coastal erosion or inundation presents an imminent threat to public safety or existing buildings and structures[5], and all of the following apply:
- (a) The building or structure cannot reasonably be relocated or abandoned.
- (b) Any erosion control structure is located as far landward as practicable and on the lot containing the property to the maximum extent reasonable.
- (c) Any increase in coastal hazard risk for adjacent areas from the coastal protection work is mitigated.

Attachment F2 - Landslide hazard areas - Throughout extractive footprint and residential homes in the area



Attachment F3 - Landslide hazard areas - Within 40 meteres of public road.



Attachment G1 - Mining and extractive resources

Policy.pdf 37 / 88

Mining and extractive resources

State interest – mining and extractive resources

Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.

All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

Extractive resources:

(1) Key resource areas (KRAs) are identified, including the resource/ processing area, separation area, transport route and transport route separation area.

(2) KRAs are protected by:

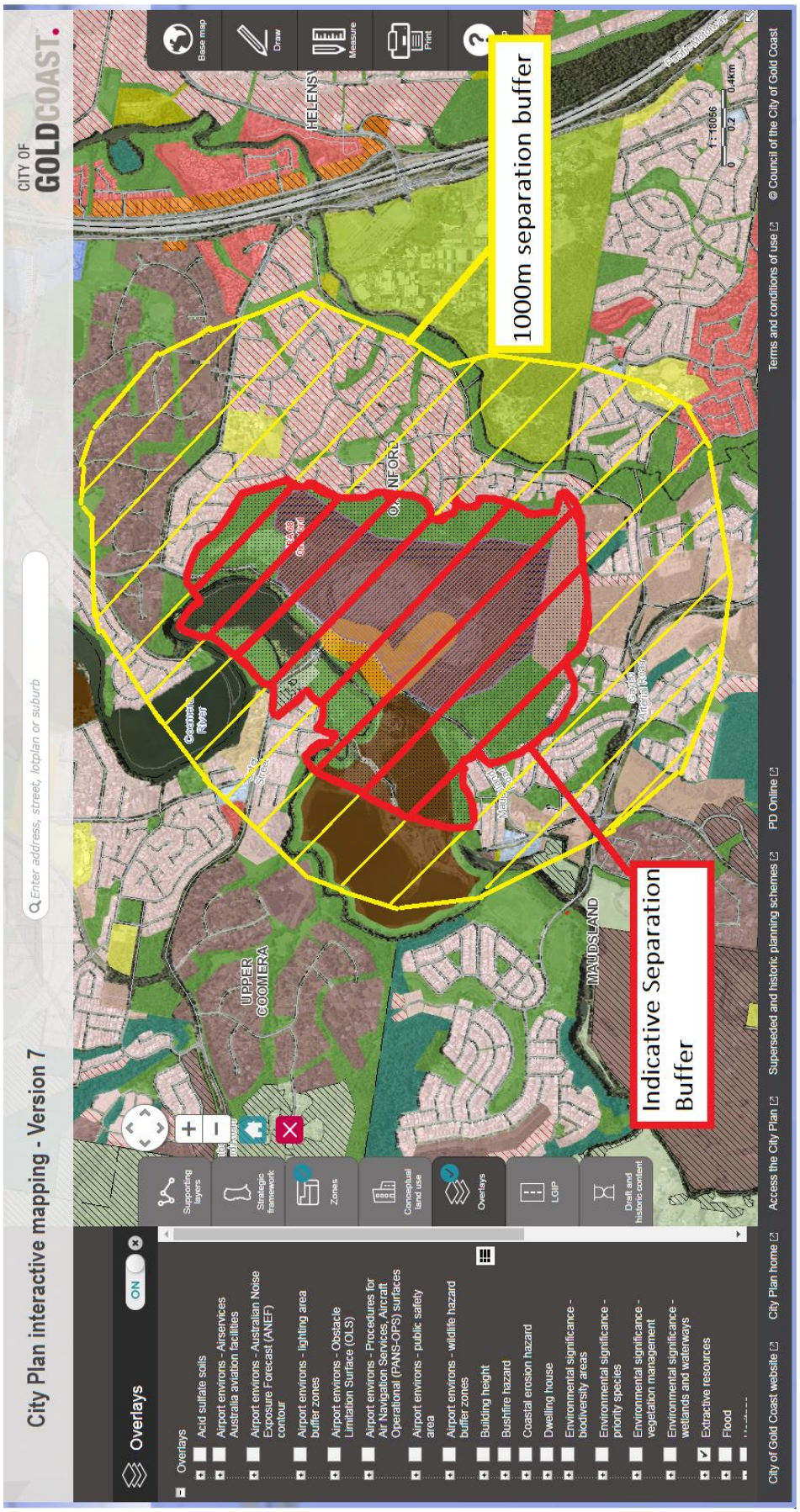
(a) maintaining the long-term availability of the extractive resource and access to the KRA

(b) avoiding new sensitive land uses and other incompatible land uses within the resource/ processing area and the related separation area of a KRA that could impede the extraction of the resource

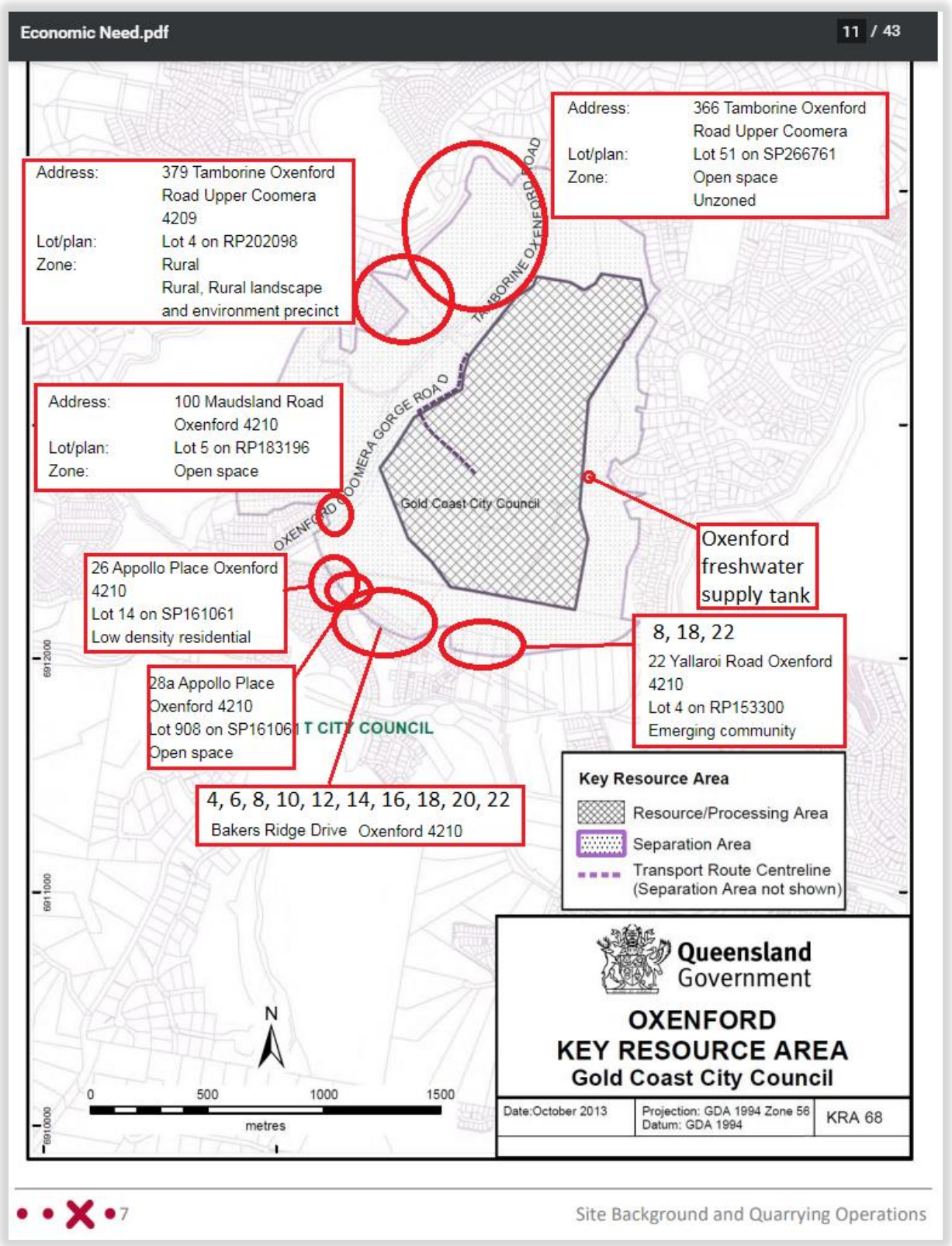
(c) avoiding land uses along the transport route and transport route separation area of a KRA that are likely to compromise the ongoing use of the route for the haulage of extractive materials

(d) avoiding new development adjacent to the transport route that is likely to adversely affect the safe and efficient transportation of the extractive resource.

Attachment G2 - The 1000 metre separation buffer



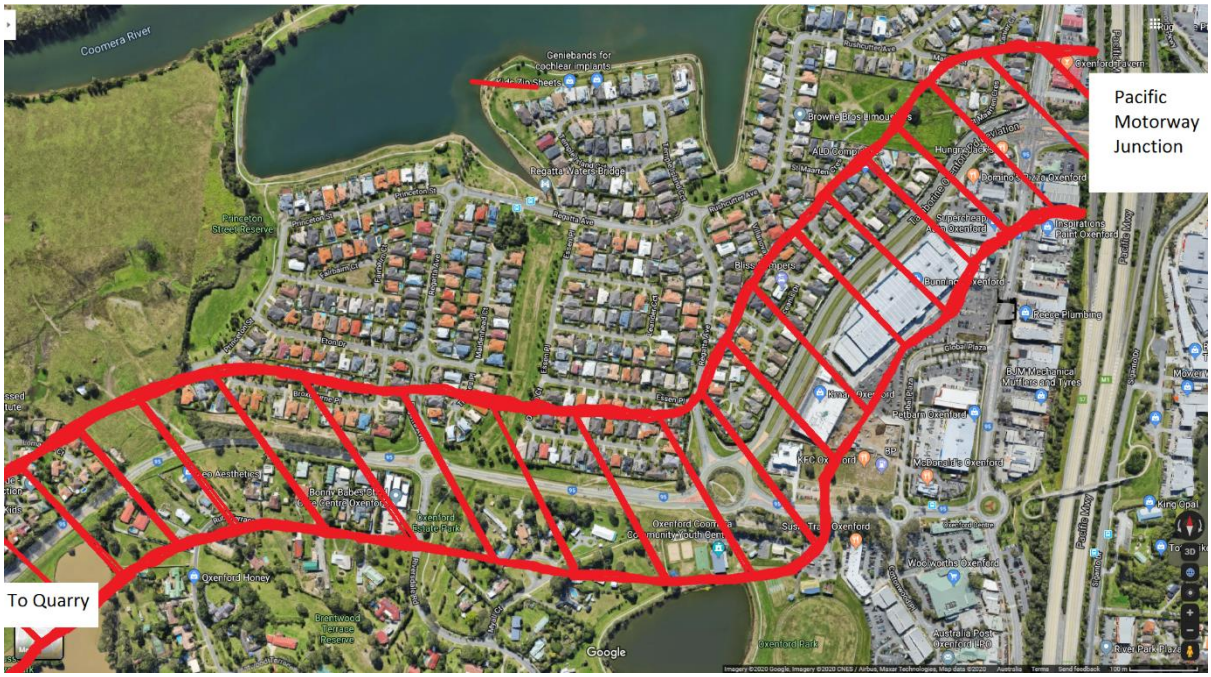
Attachment G3 - The KRA claimed separation buffer



Attachment G4 - 4km Transport route to Pacific Motorway (quarry end)

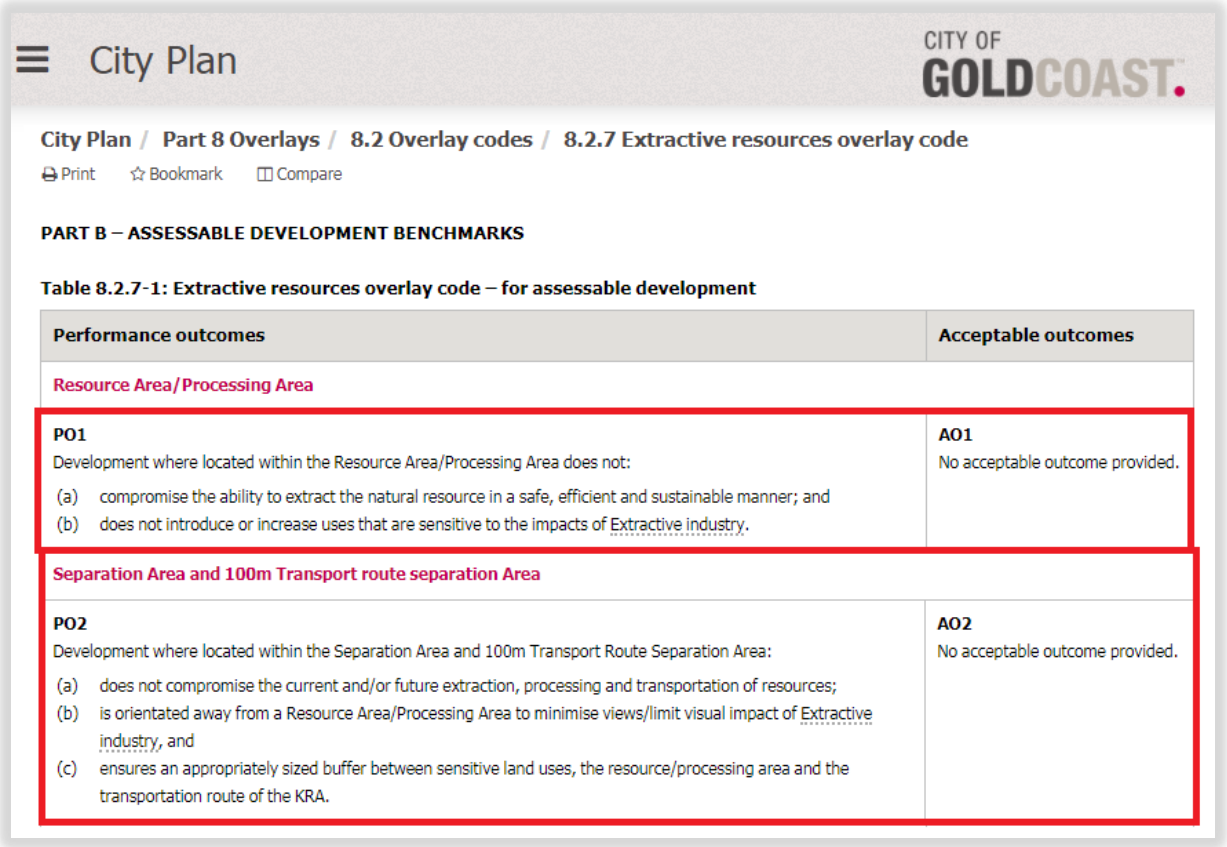
Attachment G5 - 4kmTransport route to Pacific Motorway (midsection end)

Attachment G6 - 4kmTransport route to Pacific Motorway (Motorway end)



Attachment G7 - Transport route to sister site in Hart Street, Upper Coomera (via state road and local council owned road)

Attachment G8 - City Plan Extractive Resources Overlay Code - 8.2.7



City Plan

CITY OF GOLDCOAST.

City Plan / Part 8 Overlays / 8.2 Overlay codes / 8.2.7 Extractive resources overlay code

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PART B – ASSESSABLE DEVELOPMENT BENCHMARKS

Table 8.2.7-1: Extractive resources overlay code – for assessable development

Performance outcomes	Acceptable outcomes
Resource Area/Processing Area	
PO1 Development where located within the Resource Area/Processing Area does not: (a) compromise the ability to extract the natural resource in a safe, efficient and sustainable manner; and (b) does not introduce or increase uses that are sensitive to the impacts of Extractive industry.	**AO1** No acceptable outcome provided.
Separation Area and 100m Transport route separation Area	
PO2 Development where located within the Separation Area and 100m Transport Route Separation Area: (a) does not compromise the current and/or future extraction, processing and transportation of resources; (b) is orientated away from a Resource Area/Processing Area to minimise views/limit visual impact of Extractive industry, and (c) ensures an appropriately sized buffer between sensitive land uses, the resource/processing area and the transportation route of the KRA.	**AO2** No acceptable outcome provided.

Attachment G9 - Transport Route:

As extracted from: State Planning Policy - Mining and extractive resources

Table 2: KRA components

Component	Detail
Resource/ processing area	The extent of the extractive resource and any operational areas associated with the extraction and processing of the resource. The boundary of the area is defined by the potential for extractive industry activities, and includes the resource area where blasting and other primary extraction would take place. The area can include adjacent areas where other extractive activities (such as crushing, screening and stockpiling) may occur.
Separation area	The separation area is the area surrounding the resource/processing area required to maintain separation from people who may be affected by residual impacts such as noise, dust and ground vibrations of existing or future extractive operations in the resource/processing area. The minimum distance is 200 metres for resources that do not require blasting or crushing to extract (sand, gravel and clay) and 1,000 metres for hard rock resources where blasting and crushing of material is required. An extractive resource might extend beyond the boundary of the resource/processing area and, where this occurs, an extractive industry could take place in the separation area, provided that the function of the separation area is not compromised. In some cases the separation area may be less than the minimum distances in consideration of local features such as topography or existing development commitments for incompatible land uses.
Transport route	The shortest practical route used to transport extracted resources to market. The transport route is a road or a rail link from the boundary of the resource/processing area to a major road or railway.
Transport route separation area	The area surrounding the transport route needed to maintain separation of people from undesirable levels of noise, dust and ground vibration produced as residual impacts from the transportation of extractive material. The distance is measured 100m from the centre line of the indicated transport route for a KRA.

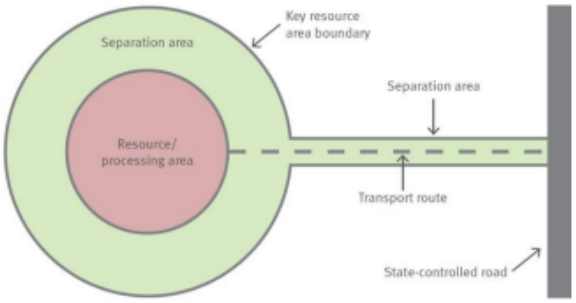


Figure 2: Components of KRAs

Attachment H1 - State Planning Policy 2017, Part E, Mining and Extractive resources

Policy.pdf

Mining and extractive resources

Part E

State interest policies and assessment benchmarks

Why are mining and extractive resources of interest to the state?

The resources industry is a key driver of the Queensland economy and one of the state's largest export earners. It is a diverse industry that supports the needs of other industries and the community through the supply of valuable commodities including minerals, coal, petroleum and gas resources. Ongoing resource exploration and development is vital to the delivery of employment, infrastructure, skills and prosperity.

Mining of minerals, coal, petroleum and gas resources are not regulated under the planning system and accordingly, are not assessed against the SPP or local government planning schemes. The *Regional Planning Interests Act 2014* (RPI Act) seeks to manage the impact and support co-existence of resource activities and other regulated activities in areas of regional interest.

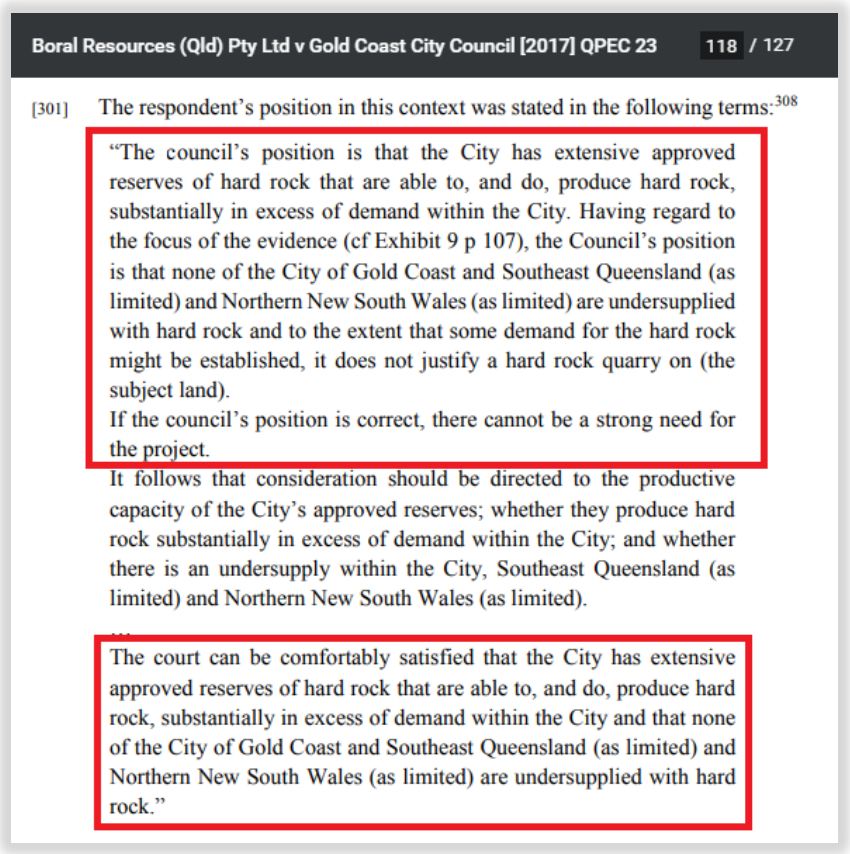
However, planning schemes should consider the location of minerals, coal, petroleum and gas deposits to ensure that the issues and opportunities generated by resources development are recognised as part of the planning process. This will strengthen opportunities for the beneficial co-existence of mining and other activities and avoid sterilisation of valued resources.

The supply of extractive resources such as sand, gravel, rock, clay and soil is essential to support development and construction activities and the delivery of infrastructure. Given the high-volume, low-value nature of extractive resource products, it is generally necessary to obtain extractive resources from locations that are close to markets. Such locations are at risk of encroachment from land uses that are sensitive to the impacts of extractive processes.

The state has an interest in ensuring that mining and other resource activities are considered in land use planning because of the economic benefits to Queensland and the contribution to our quality of life. The purpose of identifying key resource areas is to protect important extractive resources from incompatible land uses.

Identification of a key resource area does not in any way authorise the extraction of the resource or provide a right to establish or operate an extractive industry. Identification of a key resource area rather indicates the importance of protecting the deposit for the future. Local government assesses development applications for extractive industries in accordance with its planning scheme.

Attachment I1 - Gold Coast Council confirm there is no Economic need



Boral Resources (Qld) Pty Ltd v Gold Coast City Council [2017] QPEC 23 118 / 127

[301] The respondent's position in this context was stated in the following terms:[308]

"The council's position is that the City has extensive approved reserves of hard rock that are able to, and do, produce hard rock, substantially in excess of demand within the City. Having regard to the focus of the evidence (cf Exhibit 9 p 107), the Council's position is that none of the City of Gold Coast and Southeast Queensland (as limited) and Northern New South Wales (as limited) are undersupplied with hard rock and to the extent that some demand for the hard rock might be established, it does not justify a hard rock quarry on (the subject land).

If the council's position is correct, there cannot be a strong need for the project.

It follows that consideration should be directed to the productive capacity of the City's approved reserves; whether they produce hard rock substantially in excess of demand within the City; and whether there is an undersupply within the City, Southeast Queensland (as limited) and Northern New South Wales (as limited).

...

The court can be comfortably satisfied that the City has extensive approved reserves of hard rock that are able to, and do, produce hard rock, substantially in excess of demand within the City and that none of the City of Gold Coast and Southeast Queensland (as limited) and Northern New South Wales (as limited) are undersupplied with hard rock."

Attachment J1 - KRA and development approvals

business.qld.gov.au/industries/mining-energy-water/resources/quarries/key-resource-areas/development-approvals

Residential development

Rights to build a single dwelling house on an existing unoccupied lot or to extend an existing dwelling are not affected by the KRA designation regardless of whether the lot is entirely or partly within any of the parts of a KRA.

The local government remains the assessment manager for development applications for dwelling houses as required under the local government planning scheme.

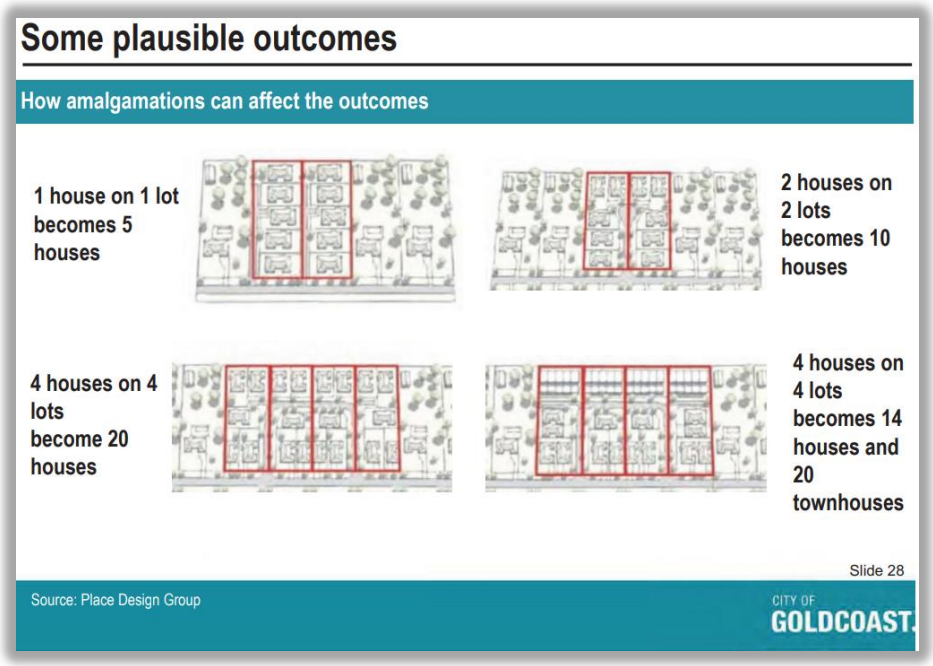
The designation of a site as a KRA ensures that development applications within the KRA are assessed for possible adverse impact on the access to the significant resource but does not restrict all development. Quarry operations may be permitted if management of potential impacts to acceptable levels is feasible.

However, the SPP does not support increasing the number of sensitive land uses or other land uses incompatible with resource extraction within the KRA, e.g. the reconfiguration of a lot that increases the number of lots. Sensitive land uses are typically residential, educational or health related where noise and air quality must be maintained to a high standard.

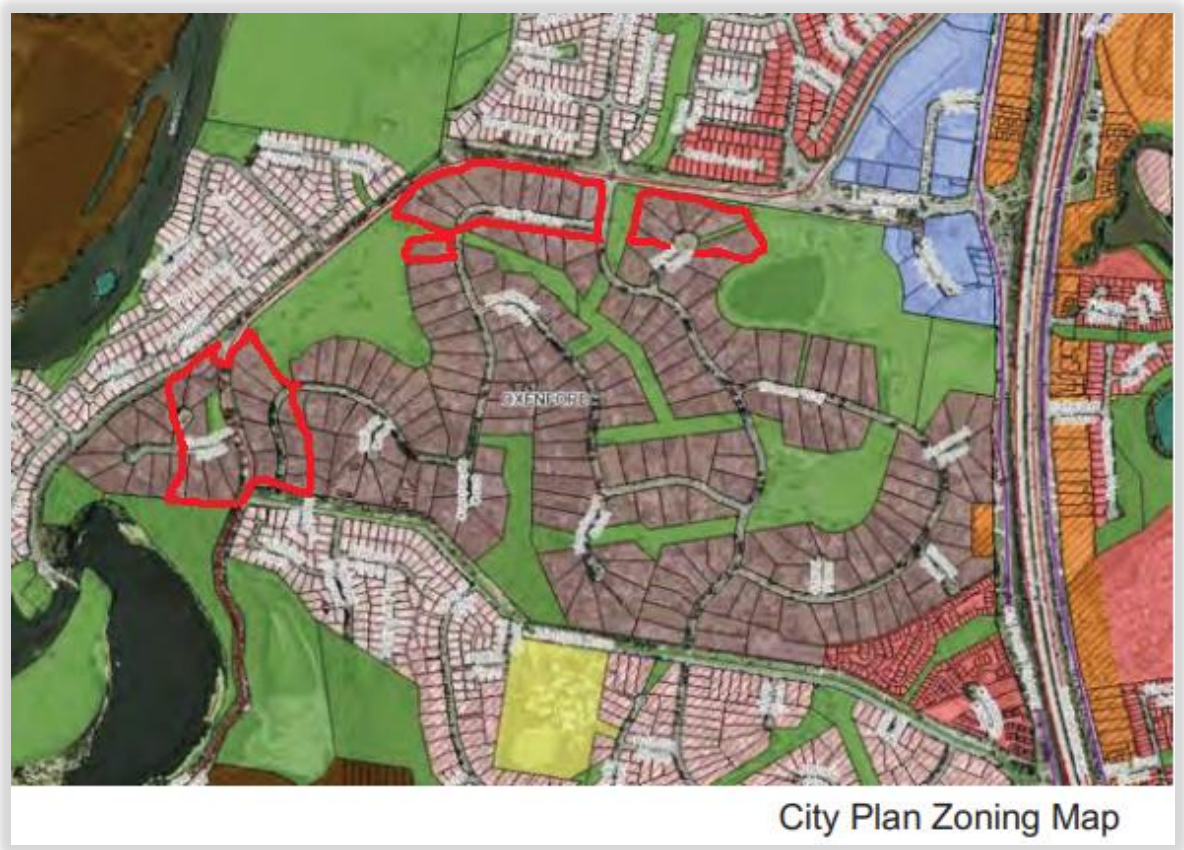
Attachment J2 - Figure 1: Map of Oxenford investigation area (page 5)

Figure 1: Map of Oxenford investigation area

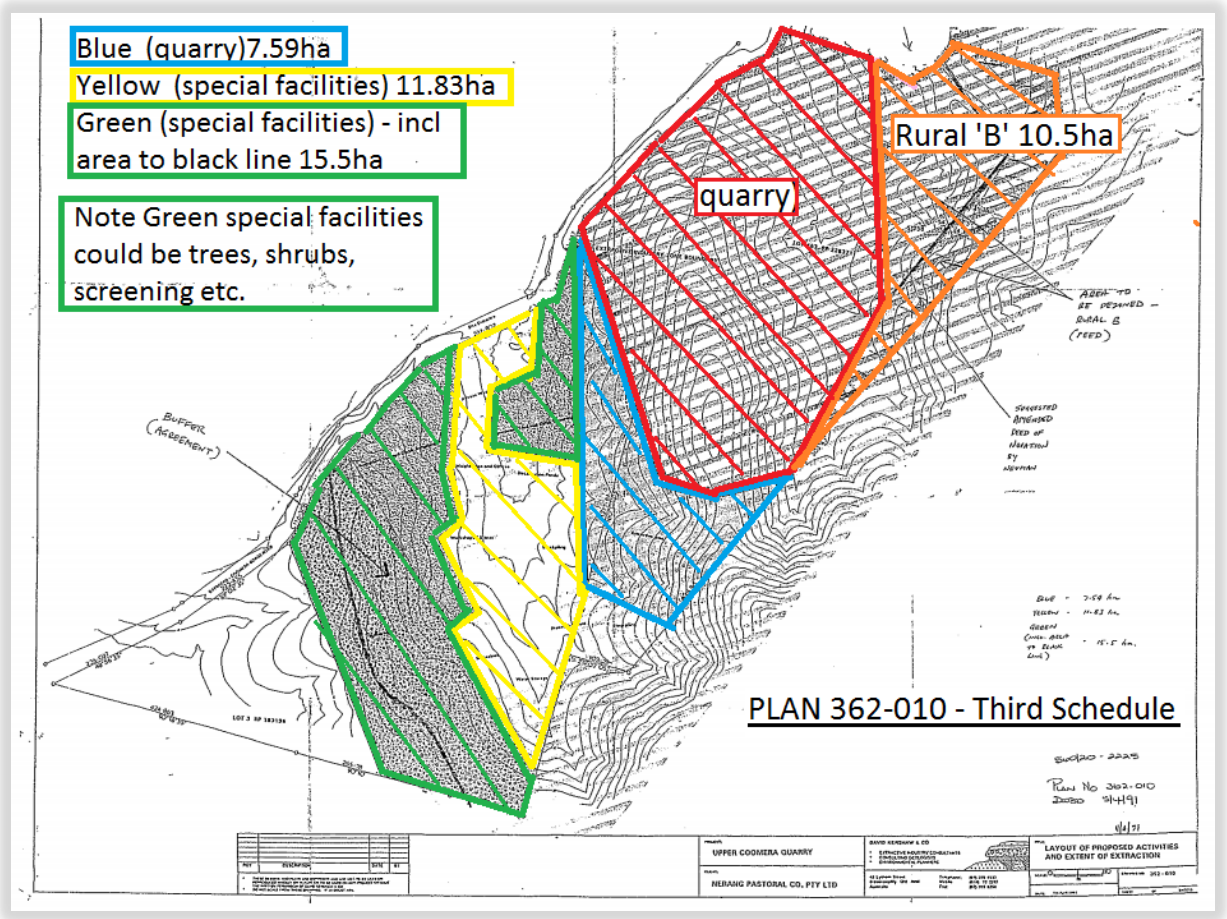
Attachment J3 - Suggested outcomes- 1 rural house into 5 houses (Slide 28)



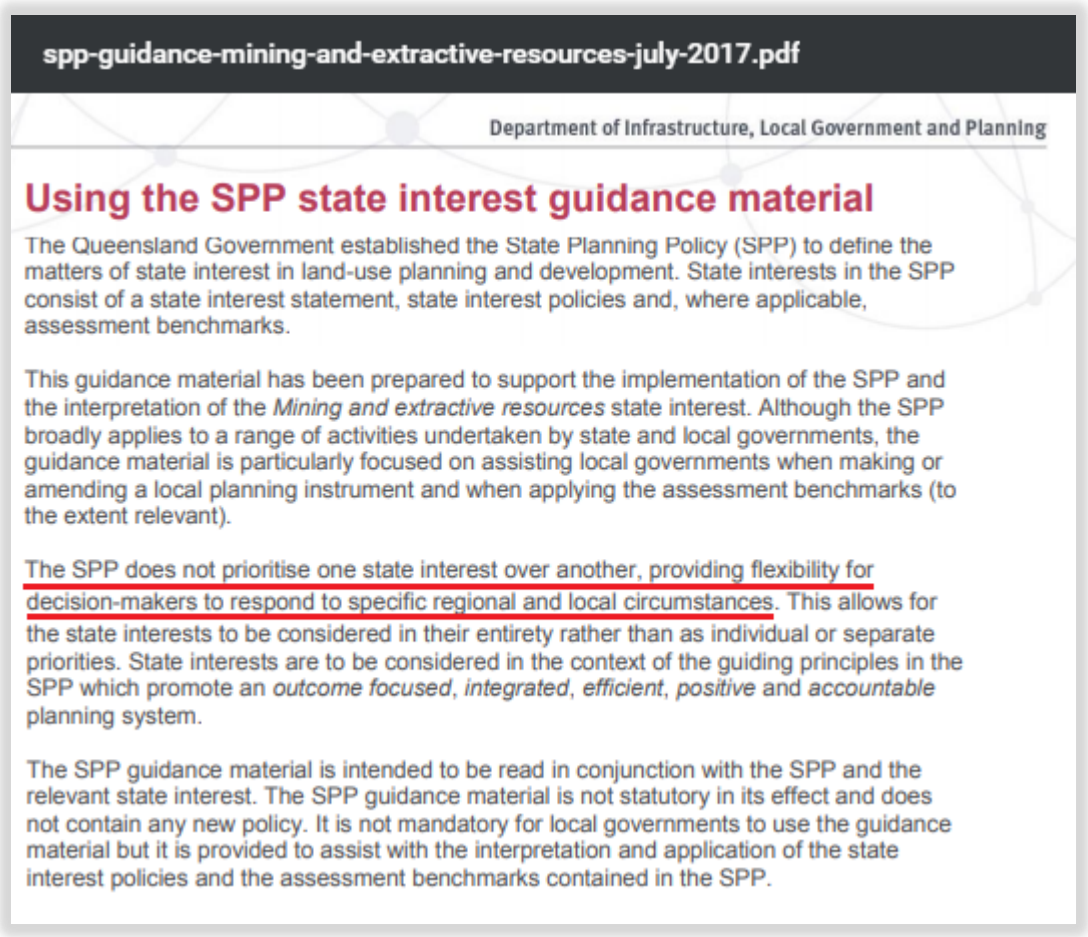
Attachment J4 - Showing the 37 affected Lots within the 'Protected Haulage Route' 100m wide separation corridor along the Tamborine Oxenford Road (from the Quarry to the Pacific Highway)



Attachment K1 - Annotated Third Schedule of Rezoning Agreement (Plan 362-010)



Attachment L1 - The SPP does not prioritise one state interest over another



spp-guidance-mining-and-extractive-resources-july-2017.pdf

Department of Infrastructure, Local Government and Planning

Using the SPP state interest guidance material

The Queensland Government established the State Planning Policy (SPP) to define the matters of state interest in land-use planning and development. State interests in the SPP consist of a state interest statement, state interest policies and, where applicable, assessment benchmarks.

This guidance material has been prepared to support the implementation of the SPP and the interpretation of the *Mining and extractive resources* state interest. Although the SPP broadly applies to a range of activities undertaken by state and local governments, the guidance material is particularly focused on assisting local governments when making or amending a local planning instrument and when applying the assessment benchmarks (to the extent relevant).

The SPP does not prioritise one state interest over another, providing flexibility for decision-makers to respond to specific regional and local circumstances. This allows for the state interests to be considered in their entirety rather than as individual or separate priorities. State interests are to be considered in the context of the guiding principles in the SPP which promote an *outcome focused*, *integrated*, *efficient*, *positive* and *accountable* planning system.

The SPP guidance material is intended to be read in conjunction with the SPP and the relevant state interest. The SPP guidance material is not statutory in its effect and does not contain any new policy. It is not mandatory for local governments to use the guidance material but it is provided to assist with the interpretation and application of the state interest policies and the assessment benchmarks contained in the SPP.