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**Development Application for an Impact
Assessable Material Change of Use
application involving a 'Utility – Public' in
the Open Space, Rural and Public
Purposes Zone
Jilalan Rail Yard Upgrade Project
Queensland Rail**

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Executive summary

Applicant:	<p>Connell Hatch (on behalf of QR Limited) c/- Stephen Cole Connell Hatch Locked Bag 1800 SPRING HILL QLD 4004</p> <p>Phone: 07 3135 8523 Fax: 07 3135 8400 Email: coles@conwag.com</p>
Proposal:	<p>QR Limited is proposing to upgrade the existing facilities at the Jilalan Rail Yard. The existing facility is to be upgraded and expanded, and will include a larger rail holding yard, additional provisioning facilities and an additional maintenance workshop together with bypass lines to allow through traffic to pass without entering the servicing facility as occurs at present.</p> <p>The expansion of the yard will generally be to the north, south and east of the existing yard and railway. A rail turning angle and Oonooie Road realignment works are the major exceptions, located on the western side of the existing rail.</p> <p>In order to provide an assessment of potential impacts (both positive and negative) on the environment as a result of the construction and operation of the proposed Jilalan Rail Yard Upgrade Project (JRYUP), an EIS has been developed (refer Appendix A) in accordance with the final Terms of Reference (ToR) issued by the Coordinator-General (CG) in July 2007.</p> <p>This planning report builds on the planning and land use assessment that was undertaken as part of the EIS.</p>
Application Type:	Application for a Development Permit for a Material Change of Use (Impact Assessable) for "Utilities - Public".
Site Address:	Refer to Table 1
Owner:	Refer to Table 1
Zoning:	"Open Space Zone", "Rural Zone" and "Community Purposes Zone" under the <i>Sarina Shire Council Planning Scheme 2005</i> (henceforth referenced as the " <i>Sarina Plan</i> ").
Overlays:	Natural Hazards Management Area, Economic Resources Overlay Code and Conservation Areas Overlay Code
Assessment Manager:	Pursuant to Schedule 8A, Table 1 of the <i>Integrated Planning Act 1997</i> , the Assessment Manager for the Application is Sarina Shire Council

1. Introduction

1.1 Background

Queensland Rail Limited (QR) are proposing to upgrade the existing facilities at the Jilalan Rail Yard. The existing Jilalan Yard is located 3 km south of Sarina, which is approximately 35 km south of Mackay. The yard is approximately 20 km south of the Port of Hay Point (refer to the Locality Plan in Figure 1).

The Jilalan Rail Yards were commissioned in 1971 for smaller head end power trains and have progressively been expanded to meet the increasing demands of coal exports. It is utilised by QR for maintaining and servicing coal trains operating on the Goonyella Rail System which facilitates the transportation of coal to export terminal facilities at the Port of Hay Point.

To meet the demands of current and future industry growth within the coal market, the Goonyella Rail System will require significant infrastructure developments. The upgrade at Jilalan is proposed to ensure the Goonyella Rail System has the ability to cater for the increased number of trains expected to be operating in this system.

The Jilalan facility is proposed to be upgraded and expanded, which will include a larger rail holding yard, additional provisioning facilities and an additional maintenance workshop together with bypass lines to allow through traffic to pass without entering the servicing facility as occurs at present.

In order to provide an assessment of potential impacts (both positive and negative) on the environment as a result of the construction and operation of the proposed Jilalan Rail Yard Upgrade Project (JRYUP), an EIS has been developed (refer Appendix A) in accordance with the final Terms of Reference (ToR) issued by the Coordinator-General (CG) in July 2007.

The EIS has been prepared to facilitate public and agency review of the Project. It is intended to provide sufficient information to facilitate a development permit approval as defined under the *Integrated Planning Act 1997* (IP Act).

1.2 Overview

This report has been prepared by the Connell Hatch to support a Development Application for the proposed upgrade of the existing facilities at the Jilalan Rail Yard.

The primary aims of the JRYUP are to provide:

- A new bidirectional locomotive provisioning facility
- A new wagon maintenance facility
- Refurbishment of an existing wagon maintenance building into a new locomotive maintenance facility
- New bypass tracks to eliminate conflicts between through rail traffic and the new yard facilities
- New tracks to store three trains, assembled and ready for immediate deployment
- New station and yard control facility

The detailed Site Plans in Appendix B shows the location of the existing and proposed project infrastructure.

The existing Jilalan Rail Yard is located on land comprising of QR corporate freehold land parcels and existing 'rail corridor land' that is administered by Queensland Transport on behalf of the State and subleased to QR. Table 4.1 in Chapter 4 of the EIS (refer Appendix A) summarises the tenure of all properties within the existing rail area.

The general expansion of the yard will generally be to the north, south and east of the existing yard and railway. A rail turning angle and Oonooie Road realignment works are the major exceptions, located on the western side of the existing rail.

The land affected by the JRYUP is detailed in Table 1.

Table 1: Details of the land area affected by the JRYUP

Property Description	Lot	Plan	Tenure	Area (ha)	Owner/s
1RP728847	1	RP728847	FH	1.081	Queensland Rail – Property Division
2RP728847	2	RP728847	FH	0.4997	Queensland Rail – Property Division
3RP728847	3	RP728847	FH	0.4974	Queensland Rail – Property Division
4RP728847	4	RP728847	FH	0.4604	Queensland Rail – Property Division
1RP746879	1	RP746879	FH	0.0072	Queensland Rail – Property Division
7RP746880	7	RP746880	FH	0.8383	Queensland Rail – Property Division
10RP741154	10	RP741154	FH	18.6	Queensland Rail – Property Division
7RP725329	7	RP725329	FH	16.521	Queensland Rail – Property Division
13RP806561	13	RP806561	FH	18.49	Queensland Rail – Property Division
3SP168447	3	SP168447	FH	0.8367	Queensland Rail – Property Division
4SP168447	4	SP168447	FH	5.731	Queensland Rail – Property Division
101SP108584	101	SP108584	FH	6.09	Queensland Rail – Property Division
10RP745035	10	RP745035	FH	1.1	Queensland Rail – Property Division
10RP725330	10	RP725330	FH	18.62	Queensland Rail – Property Division
1RP725966	1	RP725966	FH	1.29	Charlie and Carmel Sammut Anthony and Julie Sammut
4RP725063	4	RP725063	FH	6.552	Charlie and Carmel Sammut Anthony and Julie Sammut
2RP747769	2	RP747769	FH	11.059	Charlie and Carmel Sammut Anthony and Julie Sammut
1RP747769	1	RP747769	FH	0.6706	Charlie and Carmel Sammut Anthony and Julie Sammut
18RP736235	18	RP736235	FH	83.88	Charlie and Carmel Sammut Anthony and Julie Sammut
4RP725966	4	RP725966	FH	0.0126	Charlie and Carmel Sammut Anthony and Julie Sammut
1RP723998	1	RP723998	FH	20.322	Lester T, Margaret M and Ronald J Gurnett
8RP741153	8	RP741153	FH	22.119	Marion Eva and Raymond Gary Keating
6RP746880	6	RP746880	FH	24.752	Mervyn and Kevin Keating
14RP806561	14	RP806561	FH	342.1	Australian National Power Alcohol Co Pty Ltd (CSR)
120SP112705	120	SP112705	LL	25.5	Queensland Transport – RP&F
121SP112705	121	SP112705	LL	0.0598	Queensland Transport – RP&F

Property Description	Lot	Plan	Tenure	Area (ha)	Owner/s
122SP112705	122	SP112705	LL	0.101	Queensland Transport – RP&F
123SP112705	123	SP112705	LL	2.841	Queensland Transport – RP&F
100SP112704	100	SP112704	LL	8.2	Queensland Transport – RP&F
161SP129945	161	SP129945	LL	28.9	Queensland Transport – RP&F
100USL39250	100	USL39250	SL	5.97	State of Queensland – Department of Natural Resources and Water
8SP108962	8	SP108962	FH	103.7	State of Queensland – Department of Natural Resources and Water
98CI2787	98	CI2787	LL	7.931	State of Queensland – Department of Natural Resources and Water

The Application is seeking approval for the following:

- Material Change of Use for “Utilities - Public.”

Connell Hatch has prepared a Development Application to obtain approval, pursuant to the *Integrated Planning Act 1997* (IP Act), to lawfully undertake the activities relating to the JRYUP, as described in Section 3 of this report.

In accordance with the final ToR issued by the Department of Infrastructure in July 2007, the following environmental assessments have already been undertaken in order to prepare the EIS:

- Flora and fauna (terrestrial and aquatic)
- Cultural heritage
- Surface and groundwater quality
- Topography, geology and soils
- Contaminated land and acid sulfate soils
- Noise and vibration
- Air quality
- Land use
- Socio-economic
- Health and safety
- Traffic impact
- Waste
- Hazard and risk

Specifically, the EIS provides:

- A basis for understanding the JRYUP, the existing environment that it would affect, both on and off the site, the potential impacts that may occur and the measures to be taken to mitigate impacts
- An outline of the effects of the proposed project on the area, including access for landowners or persons with rights or interests in the land
- A framework against which decision makers can consider:
 - The environmental aspects of the Project through legislative and policy provisions and decide whether the Project can proceed or not.
 - Set conditions for approval to ensure environmentally sound development and, where required by legislation, recommend an environmental management and monitoring programme

- A document for public consultation and informed consent on the Project

Subsequently, the main purpose of this Planning Report is to provide an assessment of how the proposed development meets the planning objectives of the various applicable Commonwealth, State and Local laws, specifically the Desired Environmental Outcomes of the Sarina Plan and the relevant land use and overlay codes.

2. Subject land and locality description

2.1 Locality description

The Jilalan Rail Yard is located 3 km south of Sarina, which is approximately 35 km south of Mackay on the central Queensland coast. The yard is approximately 20 km south of the Port of Hay Point (refer Figure 1).

The land surrounding the yard is predominantly used for the cultivation of sugar cane, with associated residential dwellings sparsely scattered throughout. It is understood that cattle are also farmed on the property to the west of the rail, south of Oonooie Road.

An existing industrial facility is located adjacent to and east of the rail at the southern end of the project area. This facility is owned and operated by CSR and produces fertiliser from sugar mill waste and other biological matter. It is understood that an expansion of this operation to approximately double the current capacity is currently being considered.

The North Coast Line (NCL), a single track passenger and freight railway, runs parallel with the existing Goonyella Branch Line at the southern end of the project area and crosses under the Goonyella Branch Line north of the CSR facility. A cane rail system runs generally parallel to the NCL at this location, with both tracks running to Sarina. The NCL and the Cane Rail Line are not electrified. A cane rail siding is located on the eastern side of the NCL underpass.

2.2 Location of proposed works

The location of the Project is illustrated in Figure 1 and the proposed works shown in more detail in Appendix B.

The general expansion of the yard will generally be to the north, south and east of the existing yard and railway. A rail turning angle and Oonooie Road realignment works are the major exceptions, located on the western side of the existing rail.

3. Project description

A full and detailed description of the project is contained in Chapter 2 of the EIS (Appendix A). The Figures in Appendix B illustrate the general project infrastructure.

Further works include:

3.1 Bypass and provisioning lines

Two new bypass lines have been proposed around the existing yard and the proposed new wagon maintenance yard, with allowance for a future third bypass track. The provisioning lines will run generally parallel to the bypass lines. Vehicular access tracks will be required adjacent to most rail lines for track maintenance and train examination vehicles.

A locomotive provisioning facility will be located over the provisioning tracks. This will be used to provide sand, water, lubricants and toilet decanting facilities for the locomotives. Typical details of the provisioning facility are included in Appendix B.

3.2 Wagon maintenance facility

The proposed wagon maintenance facility will be located between the new provisioning facility and the existing Jilalan Rail Yard. The proposed facility will incorporate four bays for washing and maintaining coal wagons, with each bay accommodating one tandem pair of wagons (refer to Appendix B). The Project allows for future expansion of the building to accommodate a second tandem wagon pair in each bay.

3.3 Train storage trackwork

It is proposed that three new electrified tracks may be required to store assembled trains, ready for immediate deployment. These trains will be needed on short notice to either replace either damaged or faulty rollingstock or to provide additional rollingstock capacity when delivering coal from outer mines within the Goonyella System.

3.4 Locomotive maintenance facility

The existing wagon shed, which is currently used for maintenance of coal wagons, will be reconfigured into a locomotive maintenance facility. The existing three bay shed will be converted into two bays. A number of changes to the track layout within the existing yard may be required to facilitate these changes. Typical details of the proposed refurbishment are included in Appendix B.

3.5 Station building

A new station building is proposed to be situated between the provisioning tracks and the wagon maintenance tracks. The actual location will be the subject of further design. The building is intended to contain the control systems for the local yard signalling and will provide facilities for yard staff.

3.6 Oonooie Road realignment and overpass

Due to the increasing train numbers per day, it is proposed to replace the existing Oonooie Road open level crossing with an overpass over the Goonyella Branch Line. This will eliminate disruption to CSR vehicular traffic and local cane harvesting operations, from rail traffic on the operating Goonyella Branch Line. Appendix F illustrates the proposed road openings and closures.

3.7 Gurnetts Road realignment

The location of the proposed bypass lines will necessitate the realignment of the northern end of Gurnetts Road into a new roundabout on Armstrong Beach Road. The new section of Gurnetts Road will be sealed. Appendix F illustrates the proposed road openings and closures.

3.8 Smyths Road realignment

The location of the bypass lines will necessitate the realignment of Smyths Road, further east from its current location. The actual alignment will be the subject of further refinement during subsequent design stages. Appendix F illustrates the proposed road openings and closures.

3.9 Armstrong Beach Road bridge

The existing Armstrong Beach Road bridge over the rail lines will be replaced with a new bridge to the north of the existing structure. An additional bridge will also be constructed over the new provisioning and bypass lines. Appendix F illustrates the proposed road openings and closures.

3.10 Smyths Road grade separation

It is currently proposed to replace the existing Smyths Road open level crossing with a grade separated structure as the increasing train numbers will impact on this crossing. This would enable Smyths Road traffic to cross the Goonyella Branch Line without being impeded by rail traffic. This is important to the cane farmers on the eastern side of the rail, who need to transport cane to the cane rail siding on the western side of Plane Creek. Appendix F illustrates the proposed road openings and closures.

4. Commonwealth, State, Regional and local regulatory framework

Chapter 4 of the EIS contains a comprehensive land use and planning assessment, in order to:

- Mitigate potential adverse impacts of the Project on land use in the vicinity of the proposed Jilalan Rail Yard Upgrade Project (JRYUP)
- Ensure that the Project has all the required environmental and planning approvals for JRYUP prior to commencement of construction
- Ensure the compliance of the Project with the relevant Commonwealth and State legislative framework that applies to the Project
- Ensure the compliance of the Project with the relevant state, regional and local planning controls

The section addresses the following:

- The existing land tenure and land use environment within, adjacent to and in the vicinity of the project area
- Likely and planned future land use environment within, adjacent to and in the vicinity of the project area during both the construction and operational phases of the Project
- Potential impacts of the Project on land uses within, adjacent to and in the vicinity of the project area
- Preventative strategies and mitigation measures relevant to land use issues

The following planning documents were examined to determine whether the Project will substantively comply with Local, Regional and State planning objectives (refer Chapter 4 and Appendix F of the EIS):

- *Sarina Shire Planning Scheme (May 2005) (Sarina Plan)*
- *Development and the Conservation of Agricultural Land (State Planning Policy 1/92)*
- *Development in the Vicinity of Certain Airports and Aviation Facilities (State Planning Policy 1/02)*
- *Planning and Managing Development Involving Acid Sulfate Soils (State Planning Policy 2/02)*
- *Mitigating the Adverse Impacts of Flood, Bushfire and Landslide Soils (State Planning Policy 1/03)*
- Draft Mackay-Whitsunday Regional Coastal Management Plan (March 2006)

Compliance with the provisions of the Sarina Plan is discussed in detail below.

4.1 Sarina Shire Council Planning Scheme 2005

The JRYUP traverses land under the jurisdiction of Sarina Shire Council (SSC). The Sarina Plan is an IP Act compliant planning scheme that commenced on 6 May 2005. The Sarina Plan contains two main statutory controls that aim to produce ecological sustainable development outcomes, firstly through a zoning based assessment process, secondly through overlays, the majority of which apply the relevant State Planning Policies.

4.1.1 Definition

The Sarina Plan defines the Project as:

Utilities – Public:

The use of premises for any of the following undertakings, namely:

(a) a coal terminal, railway, tramway, road or air transport, wharf, sea port, marina, harbour, sea or river undertaking; ...

4.1.2 Strategic framework

Division 2 - Strategic Framework of the Sarina Plan provides strategic direction for development being undertaken within Sarina Shire. While the Strategic Plan does not provide a basis for development assessment under the planning scheme, it does provide a guide on the potential land uses for infrastructure providers and the community generally, however, it does not contain any provisions relating to the rail corridor except the aim to ensure "railway corridors are protected from inappropriate development".

The Strategic Plan clearly identifies the importance of the Goonyella Branch Line as a rail corridor to the Port of Hay Point. The Strategic Plan does state that for Rural Areas "Good quality agricultural land and significant mineral and extractive resources are protected for their long term contribution to the Shire's economy".

This issue is addressed in Section 4.8 of the EIS (refer Appendix A). The Strategic Plan does not contain any identified changes in land use to the Jilalan/Armstrong Beach Area other than to protect the existing rail network and Good Quality Agricultural Land (GQAL).

4.1.3 Desired environmental outcomes

The desired environmental outcomes for the local government area are as follows:

a) *The overall biodiversity and coastal values of the Shire are maintained, and natural ecological processes are protected and enhanced.*

The design, construction and operational phases of the Project have the potential to negatively impact on the existing water quality of the receiving waterways and locally significant wetlands within the project footprint. However, potential sources of water contamination will be managed appropriately during the construction and operational phases of the Project. The Environmental Management Plans (EMPs) for the construction and operational phases (refer Chapter 17 of the EIS in Appendix A) include mitigation measures to ensure compliance with the relevant guidelines and to ensure that the environmental values of the waterways and downstream environs are protected.

b) *The Shire's natural resources, including its agricultural soils, fisheries, timber resources and construction materials, are protected and utilised in a manner that ensures their ecological and economic values are available for future generations.*

The findings of the Plane Creek Land Suitability Study (Wills and Baker 1988) indicated that GQAL is present within the project area and has been classified as:

- Class 3 – suitable with moderate limitations
- Class 4 – marginally suitable with severe limitations
- Class 5 – unsuitable uplands

A potential impact of the Project will be the loss of approximately 100 ha of GQAL currently under production for sugar cane. However, the impact of the loss of agricultural land within the project area is minimised due to the proposed expansion being located adjacent to an existing rail yard. In order to mitigate the loss of GQAL within close proximity to the Plane Creek Sugar Mill, QR will upgrade the existing at-grade intersection of Oonooie Road with the North Coast Line to an above grade intersection, with an Oonooie Road overpass of the North Coast Line. This will provide 24 hour unrestricted access to the CSR Ethanol Distillery, Oonooie Facility and the sugar cane lands along Gurnetts Road.

- c) *Sarina Shire contains a prosperous community with a sustainable industrial and rural base, with a wide range of employment opportunities due to the diversity of local industries, including the Port of Hay Point, the Plane Creek Sugar Mill and Distillery, Jilalan QR maintenance yards, the cane industry and new rural industries, home based business activities and tourism (particularly at Sarina Beach and Salonika Beach), and through Sarina Township performing a strong role as the main service centre for the Shire.*

The JRYUP is expected to provide a range of employment opportunities available to local and interstate residents over the life of the JRYUP. An analysis of the preliminary project programme suggests a workforce peaking at approximately 300 persons. The JRYUP is State significant infrastructure project which is designed to cater for imminent growth in coal exports through the Dalrymple Bay and Hay Point Coal Terminals.

- d) *Reconfiguration of lots and material changes of use for urban and rural residential purposes are located where they increase the efficient and sustainable use of existing infrastructure in terms of water supply, stormwater management and waste disposal and protects infrastructure (including transport corridors) from inappropriate activities.*

The MCU application is not for urban or rural residential purposes

- e) *Places of cultural significance in the Shire (Indigenous and non-Indigenous settlement) are respected, the village character in the Shire settlements is maintained and the relationship of traditional owners to the land and water resources is recognised.*

Refer to Section 4.11.9 of the EIS (Appendix A)

- f) *Sarina Shire offers a high standard of living with a range of different residential lifestyles and housing types. New residential (both urban and rural residential) areas are developed in an efficient and sustainable manner with regard to infrastructure, are accessible to services provided in established settlements and maintain amenity by avoiding the establishment of adjacent incompatible land uses.*

This MCU application does not contain a residential component.

- g) *Residents of the Shire and visitors have a high level of access to community services and facilities, including public transport.*

The JRYUP will not affect the access of residents and visitors to community services and facilities.

4.1.4 Level of assessment

The proposed JRYUP is on land zoned either "Rural", "Open Space" or "Community Purposes" (the existing Jilalan facility and rail line). The zoning map of the project area and surrounding land is contained in Appendix D.

Table 3 Assessment Categories and Relevant Assessment Criteria for the Rural Zone – Making a Material Change of Use lists Utilities-Public as Impact Assessable Development, and also a use consistent with the objectives of the zone.

Table 1 Assessment Categories and Relevant Assessment Criteria for the Open Space Zone – Making a Material Change of Use lists Utilities-Public as Impact Assessable Development, and also a use consistent with the objectives of the zone.

Table 11 Assessment Categories and Relevant Assessment Criteria for the Community Purposes Zone – Making a Material Change of Use lists Utilities-Public as Exempt Development. The Community Purpose Zone Code also identifies Utilities-Public as a use consistent with the objectives of the zone.

There is no specific Use Code associated with the proposed 'Utilities – Public', however, the JRYUP will require assessment against the Open Space Zone Code, the Rural Zone Code and the Community Purposes Zone Code as well as the relevant Overlay Codes.

The following Overlay Codes are applicable:

- Natural Hazards Management Areas Overlay Code (the site has been identified as a 'Low / Medium Bushfire Hazard', the site involves excavating or otherwise removing 100 m³ or more of material at or below 5 m AHD where land is between the 5 m and 20 m contour)
- Conservation Areas Overlay Code (the site area is within 100 m of wetlands and within 100 m of a fish habitat area, as identified on Overlay Map COM2/ the site area is within an "of concern" area identified in Overlay Map COM1)
- Economic Resources Overlay Code (the site area is within, or within 40 m of, a "good quality agricultural land" area identified in Overlay Map EROM1)

The Major Transport and Energy Corridors Overlay Code is exempt for "Utilities – Public".

The Sarina Plan Overlay Maps applicable to the proposed JRYUP are contained in Appendix E.

4.1.5 Assessment against the Sarina Plan provisions

Rural Zone Code

The overall outcomes sought for the Rural Zone Code are addressed in Table 2 below.

Table 2: Compliance with overall outcomes – Rural Zone

Relevant Section	Project Compliance
(a) Good quality agricultural land is protected from fragmentation; unless otherwise demonstrated by overwhelming community need; and	Refer to Section 4.8 of the EIS (Appendix A) which shows compliance with <i>Development and the Conservation of Agricultural Land (State Planning Policy 1/92)</i>
(b) Existing rural activities are protected from intrusion of incompatible uses, except for urban residential expansion adjoining the northern part of Sarina Township between the Bruce Highway and Sarina Beach Road; and	Refer to Section 4.8 of the EIS (Appendix A) which shows compliance with <i>Development and the Conservation of Agricultural Land (State Planning Policy 1/92)</i>
(c) A wide range of agricultural and animal husbandry uses, and other compatible primary production uses occur in the Rural Zone; and	Not applicable. The Project is not an agricultural and animal husbandry use or other compatible primary production uses
(d) The rural character of the Shire is retained; and	Refer to Section 4.8 of the EIS (Appendix A) which shows compliance with <i>Development and the Conservation of Agricultural Land (State Planning Policy 1/92)</i>
(e) The productive capacity of land is maintained; and	
(f) Residential uses are primarily ancillary to other uses in the Rural Zone; and	Not applicable. The Project is not a residential use.
(g) Non-agricultural uses, such as recreation, roadside stall, home based business, host home accommodation, educational or tourism related uses are of a low intensity and scale; and	Not applicable. The Project is not a recreation, roadside stall, home based business, host home accommodation, educational or tourism related use

Relevant Section	Project Compliance
<p>(h) Other uses are located in the Rural Zone if they cannot practically be located in urban areas due to their:</p> <ul style="list-style-type: none"> (i) nature; or (ii) scale; or (iii) effects; or (iv) necessary relationship to a particular cultural heritage feature, natural resource or feature, infrastructure or activity; and 	<p>The proposed JRYUP could not occur in an urban area due to the nature, scale and effects of the Project. It is also necessary for reasons of safety and efficiency to expand the existing rail yard, rather than locate a new rail yard in the urban areas of Sarina.</p>
<p>(i) Uses and works are located, designed and managed where they:</p> <ul style="list-style-type: none"> • Are compatible with other uses and works; and • Maintain the safety of people and works; and • Maintain the health and safety of residents and visitors in the rural area and the amenity they enjoy; and • Maintain the scenic values of the natural environment enjoyed by residents and visitors in the rural area; and • Avoid significant adverse effects on the natural and cultural heritage values of the environment; and • Maximise the efficient use and extension and safe operation of infrastructure; and • Cause no adverse impact (due to site specific or cumulative effects) on water quality (surface and ground); • Do not compromise the operation or expansion of the major port and related facilities at Hay Point; • Do not compromise the efficiency and safety of any road and are connected to the Shire road network and urban centres by roads capable of accommodating the type and volume of traffic likely to be generated • Are provided with a water supply, liquid and solid waste disposal system and electricity supply adequate for all on-site purposes; and • Do not intrude into buffer areas around activities requiring separation from incompatible uses (such as Extractive Industry, Intensive Animal Industry, Stables, Kennels and Catteries). 	<p>JRYUP is an expansion and upgrade of an existing rail facility to meet the current and future industrial growth in the coal market and to cater for the increased number of trains expected to be operating in the system.</p> <p>The upgrade will occur outside of the urban areas to minimise risk and safety of residents and impacts on amenity.</p> <p>The design, construction and operational phases of the Project have the potential to negatively impact on the existing water quality of the receiving waterways and locally significant wetlands within the project footprint. Potential sources of water contamination will be managed appropriately during the construction and operational phases of the Project. The Environmental Management Plans (EMPs) for the construction and operational phases (refer Chapter 17 of the EIS, contained in Appendix A) include mitigation measures to ensure compliance with the relevant guidelines and to ensure that the environmental values of the waterways and downstream environs are protected.</p> <p>An analysis has been carried out of construction and operational traffic flows for the JRYUP. Traffic impacts at both construction and operation are expected to be minimal and existing conflict points between road and rail are expected to be removed by grade separation, improving safety and traffic flow around the site and its access points.</p> <p>The development will be supplied with water supply, liquid and solid waste disposal system where required, in accordance with Council standards.</p> <p>EMPs for the construction and operational phases of the Project will be drafted to ensure that all impacts as a result of the JRYUP are appropriately managed.</p>

The Specific Outcomes and Probable Solutions of the Rural Zone Code are addressed in Appendix C.

Open Space Zone Code

The overall outcomes sought for the Open Space Zone Code are addressed in Table 3 below.

Table 3: Compliance with overall outcomes – Open Space Zone

Relevant Section	Project Compliance
<p>(a) The multiple values of the Open Space Zone are protected. These values include:</p> <ul style="list-style-type: none"> • Significant habitat areas and wildlife-corridors linking these habitat areas; • Wetlands; • Natural coastal landforms and processes; • Scenic landscapes; • Forestry resources; • Buffer areas between incompatible land uses; 	<p>The two properties zoned Open Space that are partially required by the Project are not scenic landscapes, forestry resources or buffer areas between incompatible land uses. The piece of Unallocated State Land at the north of the project area contains wetlands; however, these are predominantly outside of the project area.</p>
<p>(b) Wildlife corridor functions of riparian zones, State forests and unallocated State land are protected. Corridors are established between large areas of remnant habitat such as the Connors Ranges, Cape Palmerston National Park and other coastal wetland/remnant vegetation areas;</p>	<p>The JRYUP will not have an impact on connections between coastal wetlands around Llewellyn Bay and the Cape Palmerston National Park. The Project will have an impact on riparian zones located within the project area, including Elizabeth and Willy Creeks and a piece on Unallocated State Land. However, the appropriate mitigation measures will be undertaken to ameliorate these impacts.</p>
<p>(c) The cultural heritage values of areas such as Freshwater Point and Rocky Dam Creek (in coastal areas) are protected;</p>	<p>The Project is located away from cultural heritage areas such as Freshwater Point and Rocky Dam Creek.</p>
<p>(d) Informal outdoor recreation areas including pedestrian and cycle pathways, public parkland, and other open space recreation activities are provided for where they are consistent with the ecological values of the land involved;</p> <p>Infrastructure and access provided in the Open Space zone respects the ecological and recreation values of the land involved.</p>	<p>The Project will not contain informal outdoor recreation areas, as they are not appropriate to the predominantly rural area.</p>

The Specific Outcomes and Probable Solutions of the Open Space Zone Code are addressed in Appendix C.

Community Purposes Zone Code

The overall outcomes sought for the Community Purposes Zone Code are addressed in Table 4 below.

Table 4: Compliance with overall outcomes – Community Purposes Zone

Relevant Section	Project Compliance
(a) Land in the Community Purposes Zone is utilised for community purposes including: <ul style="list-style-type: none"> • Community Facilities; • Open Space; • Telecommunications facility; • Utilities – Local; and • Utilities – Public; 	This development application is seeking approval for a material change of use for 'Utilities – Public', as defined under the Sarina Plan.
(b) The efficient function and the expansion potential of Community Facilities are protected; and	There are no Community Facilities near the project area.
(c) The amenity of adjoining residential uses is protected.	There are several residential dwellings located in close proximity to the project area (refer Figure 4.3 of the EIS, contained in Appendix A). It is noted that these properties are located within 500 m of existing rail infrastructure. While the proposed JRYUP is an intensification of an existing railway use, it should be noted that the broader amenity of the Shire will be protected as a result of the co-location of rail infrastructure at Jilalan. Furthermore, properties directly affected by JRYUP will be acquired in accordance with the <i>Acquisition of Land Act 1967</i> .

The Specific Outcomes and Probable Solutions of the Community Purposes Zone Code are addressed in the code compliance table in Appendix C.

Natural Hazards Management Areas Overlay Code

The site has been identified as a 'Low / Medium Bushfire Hazard'. Furthermore, the proposal involves excavating or otherwise removing 100 m³ or more of material at or below 5 m AHD where land is between the 5 m and 20 m contour. As a result, the provisions of the Overlay Code apply.

The overall outcomes sought for the Natural Hazards Management Areas Overlay Code are addressed in Table 5 below.

Table 5: Compliance with overall outcomes – Natural Hazards Management Areas

Relevant Section	Project Compliance
(a) Development in natural hazard management areas is planned and designed to minimise the risk to life and property and the cost to the community"	The village will be planned and designed to minimise the risk to life and property by providing adequate firebreaks, implementing a safety management plan and ensuring fire-fighting and other emergency vehicles have appropriate vehicular access to the Jilalan Rail Yard.
(b) Development ensures that reference points for identification of acid sulfate soils are appropriately managed to avoid risk to the environment and safety.	<p>Discussions with DNRW representatives indicate that acid sulfate soils (ASS) have been identified during previous DNRW investigations within the Plane Creek floodplain and are therefore expected to underlie the northern portion of the project area in the vicinity of the Smyths Road crossing.</p> <p>Further investigations will be undertaken during the detailed design phase to assess the presence/absence and the nature and extent of ASS within this area. The findings of this investigation will assist in the development of a ASS mitigation measures that will ensure that ASS treatment requirements during construction are adequately identified.</p>

The Specific Outcomes and Probable Solutions of the Natural Hazards Management Areas Overlay Code are addressed in the code compliance table in Appendix C.

Conservation Areas Overlay Code

The site area is within 100 m of wetlands identified on Overlay Map COM2 and the JRYUP area is within an “of concern” area identified in Overlay Map COM1. As such, the provisions of the Conservation Areas Overlay Code are to be addressed.

The overall outcomes sought for the Conservation Areas Overlay Code are addressed in Table 6 below:

Table 6: Compliance with overall outcomes – Conservation Areas Overlay Code

Relevant Section	Project Compliance
<p>(a) The biodiversity and other ecological values of the following areas are protected and enhanced:</p> <ul style="list-style-type: none"> • National parks and other public areas of national and international ecological significance, including the Great Barrier Reef Marine Park and World Heritage Area, Cape Palmerston National Park, Cape Palmerston—Mount Funnel Area, Mount Blarney Environmental Park, Mount Hector Environmental Park; • Endangered and of-concern remnant ecosystems; • Riparian corridors, including those along Plane Creek, Alligator Creek, Plum Tree Creek and Rocky Dam Creek; • Wetlands, including those at Alligator Creek, Louisa Creek, Sarina Inlet, Oonooie, Rocky Dam Creek area and Ince Bay area; • Coastal fore-dunes and beaches; • Declared fish habitat areas at Rocky Dam and Cape Palmerston and buffers around these fish habitat areas; • Potential habitat for rare and threatened and vulnerable species; and • Vegetation corridors that link major habitats. 	<p>Refer Chapter 6 of the EIS (Appendix A) for a comprehensive assessment of the potential impacts and mitigation measures within the proposed JRYUP area and surrounds in terms of biodiversity and significance of the ecological values.</p>
<p>(b) Places, areas, or sites identified as having significant value for conservation are protected from development or the effects of development that may significantly reduce those values, as applicable, in terms of:</p> <ol style="list-style-type: none"> (i) Physical change; (ii) Damage or removal; (iii) Accessibility; and (iv) Visual detracton. 	<p>Refer Chapter 6 of the EIS (Appendix A) for a comprehensive assessment of the potential impacts and mitigation measures within the proposed JRYUP area and surrounds in terms of biodiversity and significance of the ecological values.</p>
<p>(c) Places, areas, or sites identified for conservation that constrain development due to potential risk to the natural or built environment or human health or safety, are avoided or measures taken with regard to development that reduce the risk to acceptable levels.</p>	<p>Refer Chapter 6 of the EIS (Appendix A) for a comprehensive assessment of the potential impacts and mitigation measures within the proposed JRYUP area and surrounds in terms of biodiversity and significance of the ecological values.</p>

The Specific Outcomes and Probable Solutions of the Conservation Areas Overlay Code are addressed in the code compliance table in Appendix C.

Economic Resources Overlay Code

The site is located within 40 m of a "good quality agricultural land" (GQAL) area as identified in Overlay Map EROM 1. Therefore, the provisions of the Economic Resources Overlay Code apply to this Development Application.

The overall outcomes sought for the Economic Resources Overlay Code are addressed in Table 7 below.

Table 7: Compliance with overall outcomes – Economic Resources Overlay Code

Relevant Section	Project Compliance
(a) GQAL is protected from intrusion of incompatible development	Refer Section 4.8 of the EIS (Appendix A) which shows compliance with Development and the Conservation of Agricultural Land (State Planning Policy 1/92).
(b) Lots containing good quality agricultural land are of a size and shape which maximise their agricultural potential and protects this resource from fragmentation and alienation	Refer to comment above.
(c) Sites containing significant sources of construction materials are protected from encroachment by incompatible development	The site is located approximately 2 km from the nearest source of construction materials.

The Specific Outcomes and Probable Solutions of the Economic Resources Overlay Code are addressed in the code compliance table in Appendix C.

5. Conclusion

This report has been prepared to support an application to Sarina Shire Council for a Material Change of Use for 'Utilities – Public', to support the development of the JRYUP.

Approval of the works will allow the development of State significant infrastructure which will meet the demands of current and future industrial growth within the coal market.

The Planning Report has provided an assessment of how the proposed development meets the planning objectives of the Sarina Shire Council Planning Scheme 2006 and builds on the planning and land use assessment undertaken as part of the EIS.

The Planning Report and EIS have also illustrated that impacts during construction and operation can be managed through the implementation of appropriate safeguards and management measures.

After consideration of the proposal, it is our recommendation that Sarina Shire Council approve the application for the Material Change of Use (Utilities – Public) to enable the JRYUP to proceed.

Appendix A

EIS (CD) (not included)

Appendix B

Site Plans

Appendix C

Assessment against Codes

Appendix D

Zoning Map

Appendix E

Planning Scheme Overlay Maps

Appendix F

Proposed Road Closures and Openings