

Guideline: State Development Assessment Provisions

State Code 22: Environmentally Relevant Activities

EPP/2018/4543

Version 2.00

Prepared by: Environmental Planning and Policy, Department of Environment and Science

© State of Queensland 2019.

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.



Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms.

You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

For more information on this licence, visit <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Version	Effective date	Description of changes
1.00	03/07/2018	
2.00	01/03/2019	Departmental names are update, Policy Register number and format added. Description of Category C vegetation updated to reflect VMA changes, Update flow chart to reflect new Planning Regulation numbering.

Disclaimer

While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is generally and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

If you need to access this document in a language other than English, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone Library Services on +61 7 3170 5470.

This publication can be made available in an alternative format (e.g. large print or audiotape) on request for people with vision impairment; phone +61 7 3170 5470 or email <library@des.qld.gov.au>.

Contents

1.0	Overview	4
1.1	Purpose.....	4
2.0	Integrated Development Assessment (DA)	4
2.1	ERAs and Environmental Authorities (EAs)	4
2.2	Assessment pathways for Prescribed ERAs	4
2.3	Integrating DA and EA assessment.....	5
3.0	Recommended actions prior to lodging a development application	6
4.0	Information requirements for a development application.....	6
5.0	Addressing SDAP State Code 22 - Table 22.2.2.....	7
	Performance Outcome PO1: Noise	7
	Performance Outcome PO2: Air	8
	Performance Outcome PO3: Odour	9
	Performance Outcome PO4: Water	10
	Performance Outcome PO5: Hazardous contaminants	11
	Performance Outcome PO6: Storage of material in areas subject to flooding	12
	Performance Outcome PO7: Matters of State Environmental Significance (MSES)	13
	Performance Outcome PO8: Protection of Category C and R regulated vegetation	15
	Performance Outcome PO9: Intensive animal industry - poultry farming (ERA 4(2)).....	16

1.0 Overview

1.1 Purpose

This document provides guidance regarding *State Code 22: Environmentally Relevant Activities* of the State Development Assessment Provisions (SDAP) (<https://planning.dsdmip.qld.gov.au/planning/better-development/the-development-assessment-process/the-states-role/state-development-assessment-provisions>).

This document is not a statutory document. The use of this guideline does not guarantee compliance with all planning and environmental requirements for an Environmentally Relevant Activity (ERA). This document should be interpreted as advice that only applies to a development application for a material change of use for an ERA, applied under the Planning Regulation 2017.

2.0 Integrated Development Assessment (DA)

2.1 ERAs and Environmental Authorities (EAs)

ERAs have the potential to release contaminants into the environment which could cause environmental harm and are grouped by the Environment Protection Regulation 2008 (the EP Regulation) as follows:

- Prescribed ERAs—a broad range of aquaculture, industrial, agricultural and municipal activities including sewage treatment plants, metal processing, waste storage, intensive animal production and extractive industries. The full list is contained in Schedule 2 of the EP Regulation.
- Resource activities—mining, petroleum, gas extraction (including coal seam gas - CSG), greenhouse gas storage (GSG) and geothermal activities.
- Agricultural ERAs—specified cattle and cane farming in specified Great Barrier Reef catchments.

All Department of Environment and Science's (DES) Prescribed ERAs and Resource Activities require an Environmental Authority (EA) with proposals assessed against the relevant requirements of the Environmental Protection Framework (EPF) by DES.

Legislative components of the EPF include the *Environmental Protection Act 1994*, the EP Regulation 2008 and Environmental Protection Policies (EPPs) for Air, Noise and Water. In addition to an Environmental Authority, Prescribed ERAs denoted with a 'C' in column 3 of schedule 2 of the EP Regulation (also known as Concurrence ERAs) can be State assessable development under the Planning Regulation 2017. These will require development assessment in compliance with SDAP State Code 22 if the proposed development is a material change of use for an ERA.

For Prescribed ERAs requiring concurrence agency assessment, the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) coordinates assessment through State Assessment Referral Agency (SARA). Technical assessment of DA and EA components is undertaken by either DES or Department of Agriculture and Fisheries (DAF) (if the proposal is for intensive animal industries).

Resource Activities require an EA, but Agricultural ERAs do not require an EA and are subject to different approval processes described on the [Environmentally Relevant Activities webpage](https://environment.des.qld.gov.au/licences-permits/activities/) (<https://environment.des.qld.gov.au/licences-permits/activities/>).

2.2 Assessment pathways for Prescribed ERAs

Some prescribed ERAs are not subject to development assessment under the Planning Regulation and SDAP State Code 22 as summarised in *Flow Chart: Assessment of Prescribed ERAs*.

A common scenario is where an incoming ERA is being added to an existing operation licensed by an EA and the development proposal's estimated impact of emission (described as Aggregate Environmental Score or AES in the EP Regulation) is less than or similar to the existing operation. In these instances, the proposal does not trigger assessment by the state as a Prescribed ERA. Note that proposals may still require a DA if triggered by other parts of the relevant local planning scheme or other parts of the Planning Regulation 2017.

The development assessment of some prescribed ERAs (asphalt manufacturing, plastic product manufacturing, metal forming, metal recovery and surface coating below certain thresholds, waste incineration; and boat maintenance or repair) have been devolved to some local governments. In these instances, the local government assesses both the DA and the EA. Local governments listed in Schedule 8A of the EP Regulation have elected not to assume the responsibility for assessing devolved ERAs. SARA retains the assessment agency role for ERAs in these LGAs (Balonne, Barcaldine, Barcoo, Bulloo, Carpentaria, Central Highlands, Charters Towers, Cook, Croydon, Diamantina, Gympie, Hinchinbrook Lockyer Valley, Longreach, Mareeba, Scenic Rim, Tablelands and

Winton).

Flow Chart: Assessment pathways for Prescribed ERAs



2.3 Integrating DA and EA assessment

Under s115 (2) of the EP Act, a development application for a Concurrence ERA is also an application for an environmental authority. The DA and all additional information required for assessing the EA application, is lodged, validated and assessed together in compliance with the development assessment requirements under the Planning Act 2016 (Planning Act) and the Development Assessment Rules (DA Rules).

Only at the commencement of the decision stage do the two assessments diverge, with the DA being decided under the Planning Act (by SARA on advice from DES) and the EA application decided under the EP Act by DES.

The DA component of the integrated assessment focuses on the location and design of the proposal. The EA component focusses on the operational aspects of the proposal.

The assessment of the DA considers how the choice of site and the design of the proposal avoids or minimises harm to the environment and adjacent sensitive receptors / land uses by considering:

- suitability of the location for proposal given its predicted impacts on the surrounding environment, sensitive receptors and sensitive land uses
- suitability of the layout and design of proposal to avoid or minimise impacts on the surrounding environment, sensitive receptors and sensitive land uses
- adequacy of the layout to store hazardous contaminants
- adequacy of the layout to store environmentally hazardous materials outside areas subject to flooding

- adequacy of the layout to avoid, minimise or offset impacts on Matters of State Environmental Significance (MSES).

The EA considers how the ongoing operation of the proposal and its ultimate rehabilitation and remediation can avoid or minimise impacts on the environment and adjacent sensitive receptors / land uses without requiring redesign or relocation of the proposal by considering:

- Risk management (predicting the probability of events and requiring management strategies and action plans addressing risks)
- Operation (maintaining emissions below specified levels of emission)
- Monitoring (maintaining monitoring regimes and submitting reports confirming levels of emission)
- Rehabilitation and restoration of the site (including financial assurances relating to rehabilitation of sites)

3.0 Recommended actions prior to lodging a development application

- If an existing ERA operates on site:
 - Consider the existing development approval and EA applicable to the site.
 - Confirm the Aggregate Environmental Score (AES) of the existing approved ERA.
 - If the proposal expands an existing activity, confirm whether the proposal has an AES that is equal or higher than the AES of existing activities and therefore triggers SARA assessment.
- Confirm whether the proposal requires development assessment by considering the flow chart in Section 2.2.
- Appoint appropriate professionals to prepare air, noise water quality or odour reports to inform the preliminary design of the proposal, in particular, the location, layout and key design elements of the proposal.
- Confirm the extent of MSES on the site and flood risk.
- Confirm the planning scheme requirements relevant to the proposal and where necessary organise a pre-application meeting with the local government.
- Organise a pre-application meeting with DSDMIP regarding development assessment under the *Planning Regulation 2017*. For information on how to organise a pre-lodgement meeting with DSDMIP, please contact your local DSDMIP regional office (www.dsdmip.qld.gov.au/contact-us-dsdmip/).
- Organise a pre-application meeting with DES regarding the EA. For information on how to organise a pre-lodgement with DES, contact Permit and Licence Management (PaLM) on 13 74 68 or at palm@des.qld.gov.au.
- Modify any preliminary drafts of the proposal's location, layout and design and update supporting reports based on pre-lodgement advice.

4.0 Information requirements for a development application

Generally, any development application for an ERA should include the following:

- The attachment for an application for an environmental authority (search for ESR/2015/1725 on the Queensland Government website www.qld.gov.au).
- Description of the proposal.
- Professionally prepared scaled site plans indicating the relationship of the proposal with the cadastral boundary, any existing uses, adjacent sensitive receptors and land uses and onsite and surrounding environmental areas (particularly MSES).
- If there is an existing ERA on site, include previous development approvals (including condition packages), EA and AES.
- Prepare a report or reports specifically addressing State Code 22, any relevant local planning scheme requirements and Environmental Authority requirements. More guidance on the detail of how EAs are assessed by the State is contained in the DES Guideline *Assessment requirements for making a decision for an environmental authority for an environmentally relevant activity* (search for ESR/2015/1725 on the Queensland Government website at www.qld.gov.au).
- Prepare and append any relevant supporting studies (such as noise, air odour or water quality reports) which address relevant State Code 22, local government planning scheme requirements and EA requirements.
- Specifically address any information requirements for each of the individual Performance Outcomes as outlined in Section 5.0 of this Guideline.
- To assist integrated assessment of DAs and EAs, it is recommended that technical reports include a section which details:
 - any site selection process considering the impact of emissions which has resulted in the selection of the proposed development's location.
 - any design modifications specifically made to mitigate impacts.

5.0 Addressing SDAP State Code 22 - Table 22.2.2

This part of the guideline provides additional information to assist applicants with demonstrating compliance with the performance outcomes or acceptance outcomes of the code. Each section includes the relevant provision and the supporting information and actions that may be required to demonstrate compliance with that provision, including the methodology for technical assessments that may be required.

Applicants are reminded that the supporting actions contained in this section cover the minimum effort required to respond to the criteria and additional assessments may be required dependent on the individual project and site circumstances.

Performance Outcome PO1: Noise

PO1 Development is suitably located and designed to avoid or mitigate environmental harm to the acoustic environment.	AO1.1 Development meets the acoustic quality objectives for sensitive receptors identified in the <i>Environmental Protection (Noise) Policy 2008</i> .
---	---

PO1: Context

ERAs may include noise sources which impact upon environmental values, in particular, the wellbeing of an individual, including the individual's opportunity to have sleep, relaxation, and conversation without unreasonable interference from intrusive noise.

The management hierarchy of EPP (Noise) states that the preferred order of preference in addressing noise impacts is to avoid, minimise and manage noise impacts on surrounding sensitive receptors.

Note that 'sensitive receptors' are defined in in Schedule 1 of EPP (Noise). Where there is potential for rezoning or subdivision of nearby land that may be impacted by noise from the ERA, the development assessment should also consider impacts on potential future land uses.

PO1: Development considerations

Where development presents a reasonable risk of detrimental noise impacts, applicants can demonstrate that the development proposal is suitably located or designed by submitting a noise report prepared by a suitably qualified professional demonstrating compliance in accordance with the DES Guideline *Application requirements for activities with noise impacts* (search for ESR/2015/1838 on the Queensland Government website at www.qld.gov.au).

Performance Outcome PO2: Air

PO2 Development is suitably located and designed to avoid or mitigate environmental harm to the air environment.	AO2.1 Development meets the air quality objectives of the <i>Environmental Protection (Air) Policy 2008</i> .
--	---

PO2: Context

ERAs may release contaminants to air, which can impact human health and wellbeing, aesthetics (for instance, discoloration of building exteriors), the health and biodiversity of ecosystems and agricultural use of the environment.

The management hierarchy of the EPP (Air) specifies that release of contaminants to the air is managed in the following order of preference: avoid (e.g. using technology that avoids air emissions), recycle (e.g. reusing air emissions in another industrial process), minimise (e.g. treat air emissions before disposal) and manage.

Development assessment of ERAs with air emissions focuses on whether the location selected for the activity is suitable in relation to possible impacts on sensitive receptors.

Note that sensitive receptors are described in the DES Guideline *Application requirements for activities with impacts to air* as (but not limited to):

- dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises
- motel, hotel or hostel
- kindergarten, school, university or other educational institution
- medical centre or hospital
- protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area
- public park or garden
- place used as a workplace including an office for business or commercial purposes.

Where there is potential for rezoning or subdivision of nearby land that may be impacted by air emissions, the air quality impact assessment should also consider impacts on possible future land uses.

PO2: Development considerations

Submit an air quality assessment which demonstrates suitable location and design achieving compliance with the numerical air quality objectives described in Schedule 1 of EPP (Air). In instances where an application cannot demonstrate compliance with AO2.1, the applicant will be required to demonstrate how PO2 is achieved.

When preparing an air emissions assessment report, refer to the DES Guideline *Application requirements for activities with impacts to air* (search for ESR/2015/1840 on the Queensland Government website at www.qld.gov.au) and DES's *Air Quality Sampling Manual*, available through DES's library catalogue at <https://www.qld.gov.au/environment/library>.

Applicants can demonstrate that their proposal is suitably located and designed by submitting an air quality assessment which through monitoring/modelling demonstrates the suitability of the location and design, demonstrating that the activity will not exceed the air quality objectives described in Schedule 1 of EPP (Air) at existing and possible future sensitive receptors.

Performance Outcome PO3: Odour

<p>PO3 Development, other than intensive animal industry for poultry farming, is suitably located and designed to avoid or mitigate environmental harm on adjacent sensitive land uses caused by odour.</p>	<p>No acceptable outcome is prescribed.</p>
---	---

PO3: Context

While odour arising from an activity is unlikely to cause serious environmental harm, the environmental nuisance arising from odour can impact on environmental amenity and warrants specific consideration under a specific performance outcome separate from the consideration of other air emission impacts.

The EPP (Air) specifies one of its environmental values as 'protecting the aesthetics of the environment', a value which includes maintaining the air environment free from offensive odours which cause environmental nuisance. Ambient air quality objectives relating to odour-causing compounds are available in Schedule 1 on EPP (Air), including objectives for carbon di-sulfide, formaldehyde, hydrogen sulphide, toluene, styrene and tetrachloroethylene.

Like other air quality considerations, assessing odour impacts requires reference to EPP (Air) management hierarchy for air emissions: avoid, recycle, minimise and manage air emissions.

Development assessment of odour impacts of ERAs against PO3 focuses on managing odour emissions, through the suitable location of emission sources to avoid or minimise nuisance to sensitive land uses.

Note that sensitive land uses are as defined in Schedule 24 of the *Planning Regulation 2017*.

PO3: Development considerations

This PO and its AO can be satisfied by demonstrating that odour emission sources are suitably separated from sensitive land uses.

Applicants can demonstrate that their proposal is suitably located and designed by submitting an odour impact assessment in compliance the DES Guideline *Odour impact assessment from developments*.

Specific guidelines have been developed for intensive animal industries as follows:

- *Intensive Animal Feedlotting: Appendix B: Separation Distance Guidelines in National Guidelines for Beef Cattle Feedlots in Australia*, 3rd Edition.
- *Pig Keeping: A4 Modelling Protocols and Parameters in National environmental guidelines for piggeries*, 2nd Edition (Revised), Tucker, RW, McGahan, EJ, Galloway, JL and O'Keefe for Australian Pork Limited, 2010.
- Poultry farm odour requirements detailed in PO9 below.

Performance Outcome PO4: Water

PO4 Development is suitably located and designed to avoid or mitigate environmental harm to the receiving waters environment.	AO4.1 Development meets the management intent, water quality guidelines and objectives of the <i>Environmental Protection (Water) Policy 2009</i> .
---	---

PO4: Context

Water quality (including groundwater) may be impacted by an ERA through run off from contaminated areas or disturbed areas, and the through direct release of effluent to waters.

Water quality objective in the *Environmental Protection Policy 2009* (e.g. for nitrogen content, dissolved oxygen, turbidity, biological indicators), are derived to protect the environmental values of the water. They are based on technically derived water quality guidelines based on numerical measures or descriptive statements. The waterway uses and values (also called environmental values—EVs) include:

- aquatic ecosystems
- primary industries, (including irrigation, stock watering, aquaculture, general farm use)
- recreational use (swimming, boating, visual recreation)
- drinking water supply
- industrial water
- cultural and spiritual values.

Each of these EVs require its own specific set of guidelines because the acceptable guideline values to support one type of EV may not be acceptable to maintain another EV. For example, the guideline values for pesticides required to protect fish and other fauna are usually lower than those required for protection of irrigated crops. Another reason is that the indicators relevant to one EV may be different to those used for other EVs. The lowest WQO for a quality indicator for all relevant EVs is the accepted WQO for a particular water body.

EPP Water defines the environmental values and attendant WQOs for a number of waterways in Queensland, as per the documents described in Schedule 1 for specific river catchment environmental values and water quality objectives. These documents may be sourced directly at <http://www.des.qld.gov.au/water/policy/>. Interactive information on EVs and WQOs is also available at the wetland info section of the DES website <http://wetlandinfo.des.qld.gov.au/wetlands/facts-maps/>, where you can search by river catchment name.

In the event there is no specific river catchment environmental values and water quality objectives, refer to *Queensland Water Quality Guidelines 2009* at <http://www.des.qld.gov.au/water/pdf/water-quality-guidelines.pdf>

The EP Regulation requires that an EA be refused if the proposed ERA involves, or may involve:

- The release of water or waste to a wetland for treatment, and the authority considers that, because of the ERA:
 - the wetland will be destroyed or reduced in size
 - the biological integrity of the wetland may not be maintained.
- The release of waste directly to groundwater, and:
 - the waste is not being, or may not be, released entirely within a confined aquifer; or
 - the release of the waste is affecting adversely, or may affect adversely, a surface ecological system; or
 - the waste is likely to result in a deterioration in the environmental values of the receiving groundwater.

PO4: Development Considerations

To satisfy this PO or its AO, a proposal will need to demonstrate that that the ERA and its components is located and designed in a way that avoids or minimises impacts on receiving waters including groundwater.

Applicants can demonstrate that their proposal is suitably located and designed by submitting a water quality assessment which demonstrates the suitability of the location and design in achieving water quality objectives described in Schedule 1 of EPP (Water), and/or demonstrating that environmental values are no adversely affected by the proposal.

Also refer to the DES Guideline *Application requirements for activities with impacts to water* (search for ESR/2015/1837 on the Queensland Government website at www.qld.gov.au) and the department's *Monitoring and Sampling Manual 2009* (search for Monitoring and Sampling Manual at the DES website).

Performance Outcome PO5: Hazardous contaminants

<p>PO5 Development is designed to include elements which:</p> <ol style="list-style-type: none">1. prevent or minimise the production of hazardous contaminants and waste as by-products, or2. contain and treat hazardous contaminants on-site rather than releasing them into the environment, and3. provide secondary containment to prevent the accidental release of hazardous contaminants to the environment from spillage or leaks.	<p>No acceptable outcome is prescribed.</p>
---	---

PO5: Context

The release of hazardous contaminants or waste to the environment has the potential to impact on environmental values, particularly when liquids enter groundwater and surface water. Where ERAs are producing bulk hazardous contaminants or waste requiring storage on site, development is required to design storage structures to a standard which avoids release, including locating storage areas so that adequate on site space is available for secondary containment around storage structures; and ensure that stormwater runoff cannot enter a site and transport hazardous materials and waste off site.

PO5: Development considerations

Proposals with storages of hazardous contaminants and waste must demonstrate that they are designed appropriately to minimise the risk of release of the contaminants to the environment. Beyond the construction of tanks and containers to store hazardous contaminants that are constructed to an appropriate standard (e.g. Australian Standards that deals with strength and structural integrity), storage of liquid contaminants must be designed to provide secondary containment.

Development proposals should be accompanied by sufficiently scaled plans which demonstrate that it is adequately laid out with sufficient space on site for:

- Structures and ponded areas for the storage of hazardous contaminants and waste;
- Secondary containment areas around storage areas; and
- Structures and levies required to control stormwater runoff which may enter the site's storage areas and disperse the hazardous contaminants and waste.

Sites storing hazardous contaminants must be designed with appropriate secondary containment measures, according to relevant standards, for example Australian Standards. This can be demonstrated through site plans, engineer's drawings, certifications or statements.

For contaminated water storages such as tailings dams or treatment ponds, the construction must be in compliance with *Structures which are dams or levees constructed as part of environmentally relevant activities* (search for ESR/2016/1934 on the Queensland Government website at www.qld.gov.au) and its associated manual regarding the design and construction of regulated structures (land based 'high consequence' structures, levies, bunds and voids), *Manual for assessing consequence categories and hydraulic performance of structures* (search for ESR/2016/1933 on the Queensland Government website at www.qld.gov.au).

For additional guidance in satisfying PO5 and where a development proposal is generating waste, refer to DES guideline *Application requirements for activities with waste impacts* (search for ESR/2015/1836 on the Queensland Government website at www.qld.gov.au).

Performance Outcome PO6: Storage of material in areas subject to flooding

PO6 Environmentally hazardous materials located on site are stored to avoid or minimise their release into the environment due to inundation during flood events.	No acceptable outcome is prescribed.
---	--------------------------------------

PO6: Context

PO6 aims to reduce pollution and hazard during major flood events. Environmentally hazardous material is not defined by the EP Regulation. In practice, it is not limited to hazardous contaminants and can also include any bulk material which can detrimentally impact on environmental values.

Common examples of environmentally hazardous materials required to be located outside areas subject to flood events include storages of:

- mulch
- tailings and effluent from intensive animal industries
- stockpiles (including inert material such as sand)
- stored materials or containers of contaminants likely to move during a flood, (e.g. baled waste, drums or intermediate bulk containers containing chemicals etc.)
- putrescibles (e.g. waste, such as compost, food waste, animal by-products, that contains organic matter capable of being decomposed by microorganisms).

Information on local flood prone areas is generally available in the relevant local planning scheme codes and associated mapping or otherwise from local government.

PO6: Development considerations

The location of storage areas on site must take into account flood prone areas as defined by the relevant local planning scheme. If part of the site floods, demonstrate that environmentally hazardous contaminants will be handled and stored outside of the flood area.

Proposals should include plans which indicate;

- the extent of relevant flood event inundation on the site.
- the location of all proposed buildings and storage areas.
- any specific design measures aiming to address the PO.

Performance Outcome PO7: Matters of State Environmental Significance (MSES)

<p>PO7 Development:</p> <ol style="list-style-type: none"> 1. avoids impacts on matters of state environmental significance, or 2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible, and 3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance. <p><i>Statutory note: (3) For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see www.portbris.com.au.</i></p> <p><i>Note: Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is considered appropriate, the offset should be delivered in accordance with the Environmental Offsets Act 2004.</i></p>	<p>No acceptable outcome is prescribed.</p>
--	---

PO7: Context

MSES is protected by the 'avoid, minimise, offset' policy hierarchy.

If development within MSES has demonstrated that it cannot avoid adverse impacts, then it should be demonstrated how impacts are minimised and mitigated. Residual significant impacts are to be offset. As SARA places an emphasis on the avoidance of detrimental impacts on MSES, it should not be assumed that offsets will be automatically supported.

If offsetting is being considered, a pre-application meeting with SARA is recommended to determine whether offsetting is a feasible option.

PO7: Development considerations

Proposals will need to include scaled plans clearly identifying the extent of on-site MSES and the location of proposed development.

To determine the extent of MSES on site, refer to:

- the SPP Interactive Mapping System on the DSDMIP website ; OR
- Environmental Reports Online (MSES) from the DES website: (<https://environment.des.qld.gov.au/report-request/environment/>).

Note that mapping and reports downloaded from the above sites are of high accuracy but property-scale field surveys undertaken by suitably qualified professionals are highly recommended to determine the actual extent of the mapped or reported values.

MSES mapping does not map the extent of MSES marine plants and fish passage waterways. Specific survey and mapping is recommended to confirm the extent of MSES on-site.

Submission of an ecological assessment prepared to the standards specified in Appendix A of the *State Planning Policy Guideline – Biodiversity* is required if:

- a detailed site survey confirms the development site is at a location where the extent or description on-site MSES differs from the current MSES mapping
- a detailed site survey reveals that the site is located in areas with marine plants or traversed by waterways allowing fish passage (for mapping methodology refer to [Guide for the determination of waterways using the spatial data layer Queensland waterways for waterway barrier works, 2013](https://www.daf.qld.gov.au/__data/assets/pdf_file/0007/75886/spatial-data-layer-user-guide-jan-13.pdf) (https://www.daf.qld.gov.au/__data/assets/pdf_file/0007/75886/spatial-data-layer-user-guide-jan-13.pdf))
- development is located within MSES on-site or adjoins MSES (on or off the site) and may cause an impact on MSES.

Development which does not avoid or minimise impacts on MSES may not be approved if applications cannot demonstrate how development avoids and minimises impacts on MSES.

To assist assessment of PO7 of development within MSES, it is recommended that ecological assessments are structured to discuss the 'avoid and minimise' framework, in particular, how the development proposal reduces impact on MSES through location and design measures.

If there is an impact on MSES, submit a report which determines whether there is a significant residual impact (SRI) in accordance with the DSDMIP *Significant Residual Impact Guideline*.

SARA will advise in writing whether SRI on MSES are acceptable and, if so, will also advise the applicant to prepare an Offset Delivery Plan in accordance with the 'environmental offset framework' in the Queensland Government website and refer to *Queensland Environmental Offsets Policy – General Guide, September 2015*.

Performance Outcome PO8: Protection of Category C and R regulated vegetation

<p>PO8 Development:</p> <ol style="list-style-type: none">1. avoids impacts on category C areas of vegetation and category R areas of vegetation, or2. minimises and mitigates impacts on category C areas and category R areas of vegetation after demonstrating avoidance is not reasonably possible.	<p>No acceptable outcome is prescribed.</p>
--	---

PO8: Context

PO8 is intended to avoid any detrimental impacts on Category C and Category R regulated vegetation.

Category C vegetation is regrowth vegetation classified as 'endangered', 'of concern' or 'least concern' regional ecosystems that has not been cleared for at least 15 years (i.e. not remnant vegetation) and is located on freehold land, indigenous land, or State leasehold land granted for agricultural or grazing purposes.

Category R vegetation is any native woody vegetation located within 50m of a watercourse within the Burdekin, Mackay, Whitsundays or Wet Tropics Great Barrier Reef catchments.

PO8: Development Considerations

Environmental offsets cannot be required for mitigating impacts on Category C and R vegetation. Instead, development will focus on avoiding impacts, and where avoidance is not feasible, minimising impacts on these regional ecosystems.

Information requirements for PO7 are similar to PO9 with one significant difference - offset requirements do not apply to Category C and R vegetation.

When preparing an ecological assessment, differentiate discussion of Category C and R vegetation from other vegetation categories to assist assessment.

Performance Outcome PO9: Intensive animal industry - poultry farming (ERA 4(2))

<p>PO9 Poultry farming development (where farming more than 200,000 birds) is suitably located and designed to avoid or mitigate environmental harm on adjacent sensitive land uses caused by odour.</p>	<p>AO9.1 For poultry farming involving 300,000 birds or less, development meets the separation distances as determined using the S-factor methodology to:</p> <ol style="list-style-type: none">1. a sensitive land use in a rural zone; and2. boundary of a non-rural zone. <p>OR</p> <p>AO9.2 Development meets the separation distances as determined by odour modelling using the following criteria:</p> <ol style="list-style-type: none">1.2.5 odour units, 99.5 percent, 1 hour average for sensitive land use in a rural zone; or2.1.0 odour units, 99.5 percent, 1 hour average for the boundary of a non-rural zone. <p>Statutory note: Guidance for determining if the development will cause environmental harm caused by odour is provided in the <i>Development of Meat Chicken Farms in Queensland, Department of Agriculture and Fisheries, 2016</i> and the <i>Guideline - Odour Impact Assessment from Developments, Department of Environment and Heritage Protection, 2013</i>.</p>
--	--

PO9: Context

As discussed in PO3 above, while odour arising from an activity is unlikely to cause serious environmental harm, the environmental nuisance arising from it can have an impact on environmental amenity. As such, odour generation is a specific consideration under a performance outcome separate from the consideration of other air emission impacts.

PO9 and its AOs are intended to ensure that odour impacts from poultry farming are specifically considered when locating and designing developments. Development assessment of odour impacts of poultry farming against PO9 and its AOs focuses on managing odour emissions through the suitable location of emission sources to avoid or minimise nuisance to sensitive land uses.

Like other air quality considerations, assessing odour impacts requires reference to the EPP (Air) management hierarchy for air emissions: avoid, recycle, minimise and manage air emissions.

Note that sensitive land uses are defined in the *Planning Regulation 2017*.

PO9: Development considerations

This PO and its AOs can be satisfied by demonstrating that odour emission sources are suitably separated from sensitive land uses.

Applicants should demonstrate that their proposal is suitably located and designed by submitting either:

- AO9.1 is applicable for poultry farms with 300 000 birds or less. For this scale of development a report which demonstrates that the minimum separation distance between the proposal and adjacent sensitive land uses based on the S-factor method in Appendix 2 of the *Development of Meat Chicken Farms Guideline, Department of Agriculture, Fisheries and Forestry, 2016*.
- AO9.2 is applicable for poultry farms with more than 300 000 birds. For this scale of development an odour impact assessment that demonstrates that the proposal avoids or minimises environmental harm on sensitive land uses. For further information, refer to the *Odour impact assessment from developments, Department of Environment and Heritage Protection, 2013* and the *Development of Meat Chicken Farms Guideline, Department of Agriculture, Fisheries and Forestry, 2016*.