

Consultation summary

AP2022/011 - SDA application for a material change of use and operational work in the Cairns South State Development Area

The community was invited to have their say on the SDA application for material change of use for High Impact Industry (Asphalt Manufacturing and Concrete Batching Plant) and Operational Work in the Cairns South State Development Area (SDA) from 26 April 2023 to 25 May 2023.

A total of 40 submissions were received during the consultation period:

- 10 submissions from local suburbs including Wrights Creek, Packers Camp and Gordonvale
- 8 submissions within 10 to 20 km, including Bentley Park, Mount Sheridan, and Bungalow
- 13 submissions within 30 km including Cairns, Kanimbla and Kamerunga
- 9 submissions within 60 km including Freshwater, Palm Cove, and Atherton.

Three submissions were from local businesses, Harden Park Lawns, MSF Sugar Pty Ltd and Great Northern Birdwatching tours. Eight of the submissions were from members of bird organisations: one submission was on behalf of Birdlife Australia; 2 submissions from Birdlife Northern Queensland and 5 submissions from Cairns Birding group.

All submissions expressed concerns over the proposed development, suggesting the development was not appropriate in this area, with some recommending it should be moved to an alternate location, and concerns over the impacts to current community values and local businesses.

The main issue raised by 34 of the 40 submitters was concerns regarding the impact to the local wildlife, in particular, the local and migratory birdlife. The majority of these respondents questioned the accuracy of appendix WildNet Records Conservation Significant Species List, suggesting this data was out of date, and providing alternate data. The concerns were based on the loss of habitat and the potential negative impacts from noise and light on the migrating birds resting within this zone.

Noise, odour, air quality, water runoff, the visual impact and traffic, were some of the main concerns for the respondents that live nearest to the proposed site. There were particular concerns with the lack of flood modelling and potential for ground water contamination.

Many submitters were apprehensive with the impact of the development operating 24 hours a day, with one respondent suggesting that given the scale, intensity, and close proximity of the industrial uses to residences, mitigation measures to minimise the identified adverse impacts on the residential amenity of the residence would not be effective.

Many (22 respondents) expressed concern that there was insufficient consultation with the relevant stakeholders including the local birding groups.

Table 1 summaries the issues raised, and the various comments received regarding these issues and the number of submitters that raised these issues.

Table 1 Summary table of issue raised in submissions

Issue/concern raised	No. of submitters that raised this issue
<p>Impact on local birdlife and wildlife</p> <ul style="list-style-type: none"> The supporting information has not considered or determined the impact of the proposal on environmental values of existing flora and fauna in the surrounding area. It is noted the assessment is generally limited to the subject site currently used for sugar cane production. No consideration has been given to the impact of the proposal to the north of the subject site. This area contains a significant habitat for migratory birds and other locally significant bird species. The proposal will have a detrimental impact on the environmental values and shows a lack of local knowledge in relation to environmental values within the locality. Concern that the potential noise and lights will impact on the already at risk and endangered migrating birds and their resting within this zone. The site is the home and temporary refuge site for several species of rare and endangered birds. It is a significant birding site for migrating birds and a haven for local species This would just be another loss of habitat for these birds. Report appears outdated and understated with regards to bird species in the area. Table 2 of WildNet Records seems incorrect as the area is well known as the migration passage and feeding site. There is also remnant forest along Wrights Creek that has not been fully reported with a comprehensive species list. However, Spotted Whistling Duck, Mangrove Robin, Little Kingfisher have been seen here. 	34
<p>Noise</p> <ul style="list-style-type: none"> The noise from the Bruce Hwy is already able to be heard from residences in Crossland Rd. Creating this plant will create an unacceptable invasive level of noise and light pollution particularly at night, affecting sleep and mental health of residents. This is a significant birding site for migrating birds and a haven for local species. Belief the impact of a "High Intensity Industry", operating 24/7, with noise would have a negative impact of the flora and fauna. 	32
<p>Air quality</p> <ul style="list-style-type: none"> Concerns over air pollution including dust from concrete facilities will create significant dust and pollution as by products which will be a health hazard to all living in the affected area. Potential impact on wind direction from the south easterly direction and travelling towards the suburbs of Bentley Park, Mount Sheridan, White Rock and Woree. 	31
<p>Visual impact including impact of lighting at night</p> <ul style="list-style-type: none"> We are a registered star gazing area with tourists visiting our area at night to star gaze away from the city lights. With the plant running 24/7 the lighting will impact our skies. Loss of scenic mountain views as 27-metre tower will be a blemish on the visual appeal of the area, which is traditionally rural. 	31

Issue/concern raised	No. of submitters that raised this issue
<ul style="list-style-type: none"> The proposal exceeds the nominated building and structures height and is not consistent with the rural character of the surrounding area and will be visually intrusive. Flood lights at night would have a negative impact of the flora and fauna including birdlife. 24-hour operation will create light pollution. 	
<p>Water quality including groundwater contamination</p> <ul style="list-style-type: none"> The supporting information has failed to identify or assess the cumulative impact of the proposal as part of the further development of the SDA for industrial purposes on ground water contamination. The surrounding rural uses rely on the use of ground water sources to maintain production and productivity. The contamination of the current ground water supply will have an adverse impact on the ability of the surrounding rural uses, including HPL to maintain such production and productivity. I suspect this area is highly sensitive, with water run off going to the mangroves and inlet. Local agricultural activities are already accessing underground water, no doubt Industry will do so to an even greater extent with ongoing issues to the water table. Concerns about pollution entering the waterway and flowing into Trinity inlet which will have a harmful effect on native species and aquatic life. There is a concern that any chemical spill on site could run into an adjoining watercourse, run into Trinity Inlet and from there, cause damage to the Great Barrier Reef. 	27
<p>Impact on tourism</p> <ul style="list-style-type: none"> Birders visit this site from around Australia and indeed around the world. Professional guides bring their clients there because birds come to this unpretentious site bi-annually. Cairns is famous for its wildlife and natural history, as a green area for tourists to admire. We should ensure that our areas remain as pristine as possible so that people can enjoy the wildlife within our region. 	27
<p>Traffic</p> <ul style="list-style-type: none"> The Traffic Report has not fully assessed the impact of the proposal on the surrounding traffic network and the additional traffic generated by the proposal that will use this northern connection and the impact on the existing road capacity and traffic safety. There will be an increase in heavy vehicle traffic at all hours which will create further noise and increased traffic flow. The existing rural road infrastructure may not support the heavier traffic to and from the site. There are many slow-moving farm vehicles, especially for the 6 months of crushing season when sugar cane is harvested. 	8
<p>SDA/zoning</p> <ul style="list-style-type: none"> It seems incongruous that this heavy industrial business would be in an essentially agricultural area. The SDA is not consistent with the intent and strategic allocations within both the FNQ Regional Plan and CairnsPlan (2016). The proposal is inconsistent with the planning intent of the Cairns South SDA Development Scheme. 	6

Issue/concern raised	No. of submitters that raised this issue
<ul style="list-style-type: none"> The supporting information has not addressed the mitigation of adverse impacts on amenity for sensitive land uses and the impacts of noise and air pollution on sensitive land uses. 	
<p>Flooding</p> <ul style="list-style-type: none"> The cumulative impact of the proposal combined with the expected development within the remaining parts of the SDA cannot be determined until the flood modelling has been completed; and iii) given the above considerations, no decision on the proposal can be made until the findings of the flood modelling are known. The proponent's consultant's suggestion that anticipated impact from filling within the subject property will create <u>insignificant afflux</u> to adjoining properties is somewhat of a bold statement in the absence of a flood study. The State can place no weight on the assertions in terms of flooding contained in a high-level engineering report that is not supported by a flood study. Our house has been recently inundated with water from the new highway development and further development and loss of these lower areas of flood land would result in our house taking on more water. Our land currently is struggling to get water away. The location of the proposed Asphalt and Concrete Plant is already a flood plain. Any infrastructure will affect the water flow, particularly into Mackey Creek, which borders numerous properties along Crossland Rd and Redbank Rd. The wet season already provides flooding which residence were built for, and the development will increase the likelihood of residences becoming inundated. 	5
<p>Reduction in home valuations for local homes</p>	2
<p>Water usage</p> <ul style="list-style-type: none"> The reallocation of the current water allocation away from agricultural production to an industry use is unreasonable and unacceptable. The entire water allocation should be retained for agricultural production and where required allocated to other agricultural production locations within the Mulgrave-Russell Groundwater Management Area. 	1
<p>Already operating</p> <ul style="list-style-type: none"> Proposed industry is already operating - there are significant mounds of material on site with trucks bringing more. 	1

Recommendations resulting from the public consultation process

Issue/concern raised	Response and proposed conditions
Impact on local birdlife and wildlife	With regards to the impact on local wildlife, Condition 15 requires a Site Based Management Plan has been prepared which has management requirements in place to prevent or minimise environmental impacts, including fauna.
Noise	Matters relating to noise, air quality and visual impacts, including lighting at night are addressed through the following conditions.
Air quality and Odour	<ul style="list-style-type: none"> • Condition 11 – Complaints provides for the proponent to respond to complaints and keep a register on how each issue was resolved. • Condition 14 relates to noise matters and requires noise to be managed in accordance with the noise assessment report.
Visual impact including impact of lighting at night	<ul style="list-style-type: none"> • Condition 16 relates to the construction management plan which manages noise and dust during construction hours. • Condition 21 relates to lighting and manages obtrusive effects of outdoor lighting in accordance with the Australian Standard. <p>Furthermore, these matters are also addressed through conditions provided by Department of Environment and Science through the Environmental Authority approval for the activity.</p>
Water quality including groundwater contamination and flooding	<p>Matters relating to water quality are addressed through the following conditions.</p> <ul style="list-style-type: none"> • Condition 16 – requires management of stormwater flows and quality in accordance with the <i>Environmental Protection Act 1994</i> during the construction phase. • Condition 17 relates to erosion and sediment control and requires that measures must be installed and maintained in accordance with approved plans. • Condition 18 and 19 relate to flooding, drainage and stormwater and requires a stormwater management plan and a local drainage study of land to be prepared in accordance with the <i>Cairns South Development Area Baseline Hydraulic Modelling</i> prepared by AECOM for the Cairns South SDA.
Impact on tourism	The Cairns South SDA declared in 2018 was established to facilitate economic growth and diversification of the Cairns economy as well as job creation to support the long-term needs of the Cairns region. As part of the declaration process, the SDA underwent significant consultation with the community and other key stakeholders. The land use precincts in the SDA support industrial development and the impacts on tourism from this proposed development are considered negligible as the location is away from the Cairns urban area and other tourist locations. The proposed development will also support future tourism developments as the existing concrete batching facilities in Cairns are not able to meet the demand for future growth in the region.
Traffic	Traffic management has been addressed in Condition 23 of this package. A traffic management plan is required for the management of traffic around and through the site. TMR has also provided conditions relating to traffic management and impacts on the State Controlled Road network.
Project location SDA/zoning	The proposed use is located in the High Impact Industry Precinct of the Cairns South SDA. The application has been assessed against the criteria of the Cairns South SDA development scheme and is considered the compliant against the requirements of the development scheme.

Issue/concern raised	Response and proposed conditions
Reduction in home valuations for local homes	The impact on valuations of homes in the area was not considered as part of this assessment. The nearest homes are over 500m from the proposed use and are associated with existing cane farms. Impacts from noise, odour and other uses have been addressed through conditions and a complaints based approach is also being proposed through conditions of the approval.
Water usage	The proposed use will be utilising an existing water allocation approved by the Department of Regional Development, Manufacturing and Water and the office and amenity facilities will be using reticulated water provided through the existing watermain along Pine Creek Yarrabah road. These matters are addressed in Condition 25 of this package.
Already operating	Economic Development Queensland (EDQ) is currently the landowner of this site. EDQ have advised that the cane has been removed but a request to store equipment on the site was refused until the development approval was granted.