

25<sup>th</sup> September 2020

The Mayor  
Burdekin Shire Council  
PO Box 974  
Ayr Qld 4807

Dear Lyn

**Re: Proposed New Burdekin Shire Council Planning Scheme Consultation**

Kalamia Cane Growers Organisation Ltd (KCGOL) is appreciative of the opportunity to provide commentary in relation to the Burdekin Shire Council Planning Scheme April 2020.

By way of background Kalamia Cane Growers Organisation Ltd is a not for profit, member focused service association. KCGOL represents approximately 130 sugar cane growing entities in the Burdekin region. At present, these growers supply approximately 1.60 million tonnes of cane annually to Wilmar's four sugar mills.

Our organisation has some concerns in relation to interpretation of Section 3.6 Categories of development and assessment – Operational work, specifically in relation to "Filling and Excavation". KCGO also notes that the differential between excavation and filling ie. depth and volume has also been removed.

As you can appreciate an essential farming practice that is undertaken in the Burdekin region on a yearly basis by our members and sugar cane growers in general is laser levelling of fallow paddocks in readiness for planting. Reasons for undertaking this practice include:

- Irrigation efficiencies; and
- As a part of current State Government Legislation in relation to "Reef Protection Regulations" whereby under the erosion and sediment control measures to minimise soil loss and surface water runoff, growers are required to maintain a constant gradient of less than 1% for all areas under sugarcane cultivation.

Whilst not the only reason for undertaking laser levelling, other reasons could be paddock reconfiguration, but it is accepted most levelling operations redistribute soil by way of excavation and filling over the paddock and more times than not would be in excess of 50 cubic metres and of varying depths.

The practice of laser levelling is not limited to the sugar industry solely within the Burdekin region with other developing agricultural industries, eg. peanuts, rice, grains, I also undertaking a similar practice for irrigation benefits.

In terms of Burdekin Shire Council's current IPA Planning Scheme March 2011, Division 4, Table 8 is quite specific under the Assessment Category for Operational Work (Excavation and Filling) in that Rural Zone is deemed exempt, not having any "Self or Code Assessable" requirements attached.

However wording in proposed planning scheme, section 3.6 – Categories of development and assessment – Operational work in relation to "filling and excavation" is considered somewhat ambiguous, does not clearly articulate that an exemption for rural zone applies with "Accepted subject to requirements" and "Code assessment" wording having the inclusion of "and" & "or" attached to "If not in the rural zone". As an example is "accepted subject to requirements" deemed required if in the case of a rural zone where excavation/filling (laser levelling) to a depth of 300mm or 50 cubic metres is exceeded.

KCGO requests consideration to amendments to 3.6 to reflect "Exempt in the Rural Zone" in the same format as to the current IPA scheme.

Your consideration of this point that has been raised in our submission would be greatly appreciated.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L. Elphinstone', written in a cursive style.

Les Elphinstone  
**Manager**