

Our reference: 1909-13127 SRA  
Council reference: CA3212/2019  
Your reference: Wangetti SP1

16 October 2019

Department of Innovation, Tourism Industry Development and the Commonwealth Games  
c/- GHD  
Level 13 – The Rocket  
203 Robina Town Centre Drive  
ROBINA QLD 4226  
Sarah.Wilson@ghd.com

Attention: Sarah Wilson

Dear Sir/Madam

## SARA information request – Wangetti Trail (SP1)

(Given under section 12 of the Development Assessment Rules)

This notice has been issued because the State Assessment and Referral Agency (SARA) has identified that information necessary to assess your application against the relevant provisions of the State Development Assessment Provisions has not been provided.

| <b>State Development Assessment Provisions (version 2.5), State code 11: Removal destruction or damage of marine plants</b> |   |
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| <b>Trail alignment and functional requirement</b>   |   |
| 1.  | <p><b>Issue:</b></p> <p>The majority of the Wangetti Trail SP1 alignment is almost entirely below Highest Astronomical Tide (HAT) and traverses highly dense, undisturbed and productive marine plants within intertidal and estuarine environments and is not considered to be a structure which has a functional requirement to be located on tidal lands and is generally not supported.</p> <p>The Environmental Assessment Stage 2 Wangetti Trail Planning, Planning Report for Operational work – SP1, Marine Plant Disturbance, GHD, July 2019, 41-32458-08-SP1-RPT-0003 and unrevised, states that two alternative alignments were considered to construct the Stage 1 Section of the trail (Alternative A and Alternative B). No details regarding these alternative alignments have been provided.</p> <p>It is noted adjacent land within Lot 90 on SR678, Lot 87 on SR370 and Lot 24 on SR423 and the road reserve of the Captain Cook Highway contain areas of cleared land, existing informal tracks and land above the level of HAT. These areas provide adequate space to</p> |
|   | <p>construct sections of the trail. Constructing the trail within these areas will ensure disturbance to marine plants and areas below HAT can be avoided, significantly reducing</p>   |

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|                                  | <p>the developments permanent disturbance to marine plants and fisheries resources.</p> <p><b>Action:</b></p> <p>To demonstrate compliance with PO1 and PO2, provide the following information:</p> <ul style="list-style-type: none"> <li>• Identify on scaled maps the trail alignment for Alternative A and Alternative B and provide the permanent and temporary marine plant disturbance areas in meters squares (m<sup>2</sup>).</li> <li>• Demonstrate that no alternative trail alignments or construction alternatives exist that will avoid impacts on marine plants and fisheries resources (i.e. raised boardwalk).</li> <li>• Discuss why areas of cleared land, existing informal tracks and land above the level of HAT within Lot 90 on SR678, Lot 87 on SR370 and Lot 24 on SR423 and the road reserve of Captain Cook Highway have not been used for the trail alignment.</li> </ul>   |
| <p><b>Trail construction</b></p> |  |
| <p>2..</p>                       | <p><b>Issue:</b></p> <p>The development application has not demonstrated why alternative designs that will reduce the developments impact on marine plants and fisheries resources are not viable in all locations below HAT (i.e. raised board walk). Raised boardwalks are the preferred method of constructing trails on tidal land as the permanent impacts and loss of tidal land is significantly reduced.</p> <p>The construction of a compacted trail with crushed rock and elevated soils has the potential to cause the trapping and stranding of fish on the landward side of the trail as natural tides and flood waters recede. It is not clear what levels the hard trail will be constructed to and the subsequent impacts it will have on the natural processes over tidal land. In addition, it has not been demonstrated that permanent fragmentation or loss of fisheries resources cannot be avoided by constructing a raised boardwalk in locations below HAT.</p> <p>The development application material states <i>“for some of the larger and more significant creek crossings, large boulders positioned within the creek bed will be moved into place to provide a natural rock causeway that will resist movement caused by high water flow”</i>. These works have the potential to trap fish and significantly impact the natural inundation levels of tidal land.</p> <p>The development application also states the trail will be one meter in width within areas of Threatened Ecological Communities (TEC) and 1.5 meters within areas not mapped as TEC. No mapping has been provided of the surveyed TEC communities and it is not clear what areas of the trail will be within areas of TEC.</p> <p><b>Action:</b></p> <p>To demonstrate compliance with PO1, PO4, PO6, PO7 and PO10 please provide the following information:</p> <ul style="list-style-type: none"> <li>• Demonstrate why construction of a raised boardwalk is not viable in all locations below HAT.</li> <li>• Provide maps identifying all locations where the trail will be constructed within TEC communities.</li> </ul> |
|                                  | <ul style="list-style-type: none"> <li>• Identify all locations where crushed rock will be used to construct the track and any</li> </ul>  |

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|  | <p>creek crossings where rocks are proposed.</p> <ul style="list-style-type: none"> <li>• Provide detailed information of the compacted trail construction and the impacts it will have to the existing profiles of tidal land.</li> <li>• Demonstrate the compacted trail will not impact tidal flow and fragment tidal lands.</li> <li>• Provide information of the existing tidal land levels (i.e. contour lines).</li> <li>• Discuss the natural tidal inundation levels and connectivity of all adjacent habitat under elevated flow events. This discussion should include any impacts the proposed works will have on the existing connectivity.</li> <li>• Discuss all potential impacts the proposed works will have on marine plants and fisheries resources.</li> </ul>  |
| <p><b>Marine plant disturbance</b></p>                       |  |
| <p>3.</p>  | <p><b>Issue:</b></p> <p>Development required for construction of the Mowbray River bridge, the highway underpass, observation viewing platform and the two storm water drains on the Mowbray River requires the disturbance of marine plants. Marine plants include those plants growing on and adjacent to tidal land.</p> <p>The Concept Gully Crossings GA – Option, GHD, May 2019, 42-21067, Revision A identifies large areas of scour protection may be required on the banks of each crossings which may involve marine plant disturbance.</p> <p>Table 3.2 of the Environmental Assessment Stage 2 Wangetti Trail Planning, Planning Report for Operational work – SP1, Marine Plant Disturbance, GHD, July 2019, 41-32458-08-SP1-RPT-0003, summarises the permanent and temporary disturbance areas for all ancillary works, however the disturbance areas for each individual component is not clear.</p> <p>In addition, the Marine Plant Disturbance plan, Locality SP1 – South, GHD, 23/07/2019, 41-32458 and revision 2 does not delineate the areas of permanent and temporary disturbance resulting from the construction of all ancillary works at the Mowbray River bridge location.</p> <p>It is also not clear if the marine plant disturbance maps and calculations have accounted for high fisheries significant plants, particularly in areas where the trail is directly adjacent to HAT and the disturbance areas for the mangrove experience board walk and observation platform within Lot 5 on AP13754.</p> <p><b>Action:</b></p> <p>To demonstrate compliance with PO4 provide the following information:</p> <ul style="list-style-type: none"> <li>• Provide construction plans detailing the location and elevation of the mangrove experience board walk and observation deck.</li> <li>• Submit scaled drawings of the permanent and temporary disturbance areas for all ancillary infrastructure proposed at Mowbray River location.</li> <li>• Provide the individual marine plant disturbance area in meters squared (m<sup>2</sup>) for each works component.</li> <li>• Provide updated marine plant disturbance areas accounting for high fisheries significant plants.</li> </ul> |
| <p><b>Bridge 38 – temporary marine plant disturbance</b></p> |  |

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| 4.   | <p><b>Issue:</b><br/>The Marine Plant Disturbance, Figure 2-1 Sheet 1 of 8, GHD, 24/07/2019, 41-32458 and revision 1 detailing bridge B38 identifies that large temporary marine plant disturbance areas below HAT are required to construct the crossing.</p> <p>Suitable areas of cleared vegetation exist directly adjacent to the proposed temporary disturbance areas on Lot 901 on SP274759. If equipment laydown areas and other construction services were installed or conducted within Lot 901 on SP274759, this would reduce the area of temporary marine plant disturbance required to construct the crossing.</p> <p><b>Action:</b><br/>To demonstrate compliance with PO4 provide the following information:</p> <ul style="list-style-type: none"> <li>• Discuss why areas within Lot 901 on SP274759 cannot be used to facilitate construction and laydown of materials for Bridge B38.</li> </ul>  |
| <b>Boardwalk construction</b>                      |   |
| 5.   | <p><b>Issue:</b><br/>Allowing suitable light penetration beneath elevated boardwalk structures reduces the fragmentation of tidal lands. It is noted the boardwalk sections will be constructed from timber. However, the light penetration the decking surface will provided is not clear. As per DAF's operational policy: <a href="#">Management and protection of marine plants and tidal fish habitats FHMOP001</a>, all boardwalks should provide 40% light penetration.</p> <p><b>Action:</b><br/>To demonstrate compliance with PO6 provide the following information:</p> <ul style="list-style-type: none"> <li>• Provide the light penetration details (percentages) of the boardwalk surface and how it will meet this performance outcome.</li> </ul>  |
| <b>Matters of State environmental significance</b> |   |
| 6.   | <p><b>Issue:</b><br/>It is noted, that as a result of the proposed development not all marine plant disturbance cannot be avoided. However, the development must first avoid and minimise all impacts to marine plants a Matter of State Environmental Significance (MSES).</p> <p>Currently the application material does not demonstrate how impacts on MSES are:</p> <ul style="list-style-type: none"> <li>• avoided, by designing the trail alignment to avoid tidal land and marine plant disturbance were possible, and</li> <li>• mitigated, by proposing lesser impact options to construct the trail over tidal land i.e. board walk.</li> </ul> <p>Offsets to counterbalance the any significant residual impact on MSES and consequent compliance with PO31 are only applicable if appropriate avoidance, minimisation and mitigation efforts have been adequately pursued.</p> <p><b>Action:</b><br/>Provide information about the consideration of alternatives that avoid marine plants and the steps that minimise impacts.</p> |

## How to respond

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You have three months to respond to this request and the due date to SARA is **15 January 2020**.

You may respond by providing either:

- (a) all of the information requested
- (b) part of the information requested; or
- (c) a notice that none of the information will be provided.

Further guidance on responding to an information request is provided in section 13 of the [Development Assessment Rules](#) (DA Rules).

It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

You are requested to upload your response and complete the relevant tasks in [MyDAS2](#).

As SARA is a referral agency for this application, a copy of this information request will be provided to the assessment manager in accordance with section 12.4 of the DA Rules.

If you require further information or have any questions about the above, please contact Joanne Manson, Principal Planning Officer, SARA Far North QLD on 40373228 or via email [CairnsSARA@dsmip.qld.gov.au](mailto:CairnsSARA@dsmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc Douglas Shire Council, [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

| Development details  |   |
|----------------------|---|
| Description:         | Development permit<br>Material change of use (environmental facility) and operational work (prescribed tidal works)   |
| SARA role:           | Referral agency   |
| SARA trigger:        | Schedule 10, Part 17, Division 3, Table 1<br>Schedule 10, Part 6, Division 3, Subdivision 3, Table 2<br>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017)<br><br>Tidal works or work in a coastal management district<br>Removal, destruction or damage of marine plants<br>State transport corridor |
| SARA reference:      | 1909-13127 SRA  |
| Assessment criteria: | State Development Assessment Provisions (version 2.5): <ul style="list-style-type: none"> <li>• State code 8: Coastal development and tidal works</li> <li>• State code 11: Removal, destruction or damage of marine plants</li> <li>• State code 1: Development in a state-controlled road environment</li> </ul>                    |