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> Administration Office 64 - 66 Front St Mossman P 07 4099 9444 F 07 4098 2902

6 December 2019

Enquiries: Neil Beck

Our Ref: CA 2019_3212/1 (930732)

Your Ref: 1905-10980 SPL

Department of Innovation, Tourism Industry Development & Commonwealth

Games

C/- Sarah Wilson (GHD)

Level 13, 203 Robina Town Centre Drive

ROBINA QLD 4226

Dear Madam

Development Application for Material Change of Use (Environmental Facility), Operational Works & Operational Works for Prescribed Tidal Works & Operational Work for Interfering / Disturbing Marine Plants – Located on Unallocated State Land & Road Reserve (Captain Cook Highway) Adjacent Lot 3 USL8610, Lot 121 RP749352 & Lot 161 SR673 – Mowbray

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: CA 2019_3212/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully

For

Paul Hoye

Manager Environment & Planning

cc. State Assessment and Referral Agency (SARA) **E**: CairnsSARA@dilgp.qld.gov.au encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - o Concurrence Agency Response
- Advice For Making Representations and Appeals (Decision Notice)



Decision Notice

Approval (with conditions)

Given under section 63 of the Planning Act 2016

Applicant Details

Name: Department of Innovation, Tourism Industry Development &

Commonwealth Games

Postal Address: C/- Sarah Wilson (GHD)

L13-203 Robina Town Centre Drive

ROBINA QLD 4226

Email: Sarah.Wilson@ghd.com

Property Details

Street Address: Road Reserve & Unallocated State Land Mowbray

Real Property Description: Road Reserve and Unallocated State Land adjacent Lot 3

USL8610, Lot 121 RP749352 & Lot 161 SR673

Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for Combined Application comprising Material Change of Use (Environmental Facility), Operational Works & Operational Works for Prescribed Tidal Works & Operational Works for Interfering / Disturbing Marine Plants.

Decision

Date of Decision: 6 December 2019

Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s)

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing or Document	Reference	Date
Carpark		
Mowbray river carpark cover sheet and drawing index Prepared by GHD	42-21067-C001	20/6/2019
Mowbray river carpark control line set- out plan Prepared by GHD	42-21067-C002	20/6/2019
Mowbray river carpark typical cross section Prepared by GHD	42-21067-C003	20/6/2019
Mowbray river carpark general arrangement Prepared by GHD	42-21067-C004	20/6/2019
Mowbray river carpark intersection set- out plan Prepared by GHD	42-21067-C005	20/6/2019
Mowbray river carpark culvert layout and section Prepared by GHD	42-21067-C007	20/6/2019
Mowbray river carpark annotated cross section control line MCA1 Prepared by GHD	42-21067-C008	20/6/2019
Mowbray river carpark annotated section control line MCA1 Prepared by GHD	42-21067-C009	20/6/2019
Mowbray river carpark annotated cross section control line MCA1 Prepared by GHD	42-21067-C010	20/6/2019
Mowbray River Pedestrian Bridge		
Mowbray River Pedestrian Bridge and Associated Works General Arrangement Plan Prepared by GHD	SK010	November 2019
Mowbray River Pedestrian Bridge Elevation Pier Details and Water Levels Prepared by GHD	SK011	November 2019
Bridge work abutment details Prepared by GHD	42-21067-S002	20/6/2019

Bridge work piers 1 and 4 details	42-21067-S003	20/6/2019
Prepared by GHD		
Bridge work piers 2 and 3 details	42-21067-S004	20/6/2019
Prepared by GHD		
Bridge work grinder and deck slab details – sheet 1	42-21067-S005	20/6/2019
Prepared by GHD		
Bridge work grinder and deck slab details – sheet 2	42-21067-S006	20/6/2019
Prepared by GHD		
Bridge work balustrade details Prepared by GHD	42-21067-S007	20/6/2019
Bridge work pile details Prepared by GHD	42-21067-S008	20/6/2019
Structural notes sheet 1	42-21067-S009	20/6/2019
Prepared by GHD		
Structural notes sheet 2	42-21067-S010	20/6/2019
Prepared by GHD		
Structural notes sheet 3	42-21067-S011	20/6/2019
Prepared by GHD		
Sheet piled underpass and viewing platform		
Sheet piled underpass	SK003	April 2019
Prepared by GHD		
Trail underpass general arrangement	42-21067-S012	28/06/2019
Prepared by GHD		
Trail underpass set out and reinforcement details	42-21067-S013	28/06/2019
Prepared by GHD		
Stormwater Instructure		
Mowbray River Pedestrian Bridge and Associated Works General Arrangement Plan	SK010	November 2019
Prepared by GHD		
Trail underpass general arrangement	42-21067-S012	28/06/2019
Prepared by GHD		

Existing Access Track within Captain Cook Highway Road Reserve		
Existing access track north of Captain Cook Highway	Figure 4-7	November 2019
Prepared by GHD		
Mowbray River Pedestrian Bridge		

Note – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

Assessment Manager Conditions & Advices

1. Environmental Management Plan

The Principal Contractor appointed to undertake the works must prepare and implement an Environmental management plan (EMP) for the proposed works.

A copy of the EMP is to be submitted to Council prior to the pre-start meeting, or alternatively five (5) working days prior to commencement of works on site.

2. Sediment and Erosion Control

a. A copy of the contractor's Erosion and Sediment Control (ESC Plan) Plan is to be submitted to Council and endorsed by the Consulting Engineer. Measures nominated by the ESC Plan must be in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association) and the Environment Protection (Water) Policy and Clauses CP1.06, CP1.13 and D5.10 of Council's FNQROC Development Manual and reflected in the EMP prepared for the site.

The ESC Plan must be relevant to the construction methodology proposed and must be updated where necessary as works progress.

- b. During the construction period, the Consulting Engineer and Council shall randomly audit and inspect ESC Plan measures for compliance with the Engineer endorsed contractor's ESC Plan.
- d. It is the contractor's responsibility to ensure that the ESC Plan is updated and amended to reflect any changes in the construction methodology. All such amendments shall be approved by the Engineer and presented to Council.
- e. The contractor shall be held responsible for any rectification works required to clean up dust, pollutants and sediments that may leave the site as a result of construction activities.
- f. The contractor or their representative shall be responsible for communicating with third parties affected by any dust, pollutants or sediment leaving the site as a result of any construction activity that is associated with the project site.

3. Acid Sulfate Soils

Following any vegetation removal required for the project but prior to undertaking bulk earthworks, acid sulfate soil sampling and associated testing must be undertaken for soils below the long-term river levels. Should ASS or PASS be present, treatment and disposal of this material must be undertaken in accordance with the approved EMP.

4. Earthworks Plan

An updated earthworks plan is required to provide greater detail in the area between the carpark and the underpass, including the interface from each of the ramps to the existing road batter. In particular, the updated earthworks plan must include:

- (a) detail of the surface levels between the carpark turnaround and the landing at the start of the ramps to the pedestrian bridge and the underpass. The level detail must be included on a single plan and must be consist with other plans, (that is stormwater pit lid levels, batter interface lines, etc);
- (b) detail of the batters, grades, levels and interface between the turnaround, the northern ramp to the underpass, stormwater inlet pit, incoming surface drain, retaining wall and the road embankment up to shoulder level. The batter treatment between the ramp up to the pedestrian bridge and the ramp down to the underpass must also be detailed. The batter height and slope adjacent the concrete stairs is approximately 2m high and approximately 1v to 1h.
- (c) detail of the batters, grades, levels and interface between the southern ramp from the underpass, stormwater inlet pit, incoming surface drain, retaining wall and the road embankment up to shoulder level.

Advice: The inlet pits are noted as having lid levels at 4.0m AHD but no earthworks batters are shown around the inlets and existing contours are not consistent with this level.

The proximity and grade of the batters adjacent each ramp are to be shown to ensure that the long term stability of the batter and potential maintenance issues (debris onto the ramps) can be confirmed prior to construction.

Batter treatment details are to be provided (grassed, planting etc).

The revised earthworks plan is to be endorsed by the Chief Executive Office prior to the pre-start meeting and prior to any works commencing on site.

5. Stormwater

An updated stormwater plan is required prior to construction together with appropriate calculations as required in FNQROC Development Manual. The contributing catchments, stormwater flows and design recurrence intervals are to be including in the supporting calculations as required under FNQROC Clause AP1.33.

The updated stormwater plan is to be approved prior to the pre-start meeting. Council recommends this approval be obtained prior to procurement of materials.

The updated stormwater plan must consider the following:

(a) The invert levels of the diameter 900mm pipes indicate that the trench will be in the order of 4m below the current bridge abutment and road levels. Construction requirements for stabilising the trench are to be provided. The constructed pipes

are potentially in the zone of influence of the road embankment and the loading on the pipes are to be confirmed. The pipe class is to be reviewed and certified by the RPEQ once the design loads are confirmed. Where the concrete path has reduced cover (less than 300mm) to the pipes, advice of surround is to be included on the drawings.

- (b) Details and extent of the outlet protection works at the downstream end of the diameter 900mm pipe systems on each side of the road. The drawings must also show:
 - the extent of current rock pitching and rock protection around the bridge,
 - the areas of this protection to be removed for the construction of the works;
 and.
 - the footprint to be reinstated or provided with additional batter protection.
- (c) Review of the levels (cover), pipe class and sizing for the 450mm diameter pipes under the crossovers (carpark entry and side road) and confirmation of the design.

Advice: Section B on GHD Drawing 42-21067-C003 nominates the pavement treatments for the carpark access road design as: 50mm AC over 380mm pavement and 150mm Special Embankment. For the carpark crossover, the cover to the class 2 pipe below the AC surface appears to be approximately 260mm putting the top of pipe within the pavement layer. The class of pipe in this application is queried. An alternative pipe surround treatment may be required. The pipe size is also to be confirmed noting the downstream twin 900mm diameter pipes.

- (d) Confirmation of the grading of the stormwater drain into the large inlet pit at the upstream end of the 900mm diameter pipes. This can be confirmed on the earthworks plan noting the need to define batter extents and interfaces.
- (e) The batter slopes of the surface drains are to be 1v in 4h for maintenance for those sections adjacent the carpark areas. That is, on the northern side of the Captain Cook Highway between road chainages 56650m and 56840m. Any departures from this batter slope will need to be justified based on site constraints.

The revised stormwater plan is to be endorsed by the Chief Executive Office prior to the pre-start meeting and prior to any works commencing on site.

6. Carpark redesign

An updated carpark grading plan is required to demonstrate how a continuous accessible path of travel will be provided from accessible parking and accessible passenger loading zones, and public streets or walkways to the accessible facility that the parking services, as required in the respective parts of AS/NZS1428 Design for Access and Mobility.

In particular, the following elements must be addressed:

(a) carpark sealing

The carpark is to be imperviously sealed and linemarked. Appropriate signage and linemarking must be provided for disabled parking at the western end of the carpark area.

Advice:

The turnaround areas at each end of the carpark are required to be sealed to protect the integrity of the pavement in-service.

The existing surface of the old highway to be utilised is to be replaced due to

condition and grade (crossfall) issues.

The gravel carparking on the northern side of the old highway (between approximate Road Chainages 56770m and 56830m) is to be sealed and line marked to provide safety and amenity for all users and to provide appropriate disabled parking.

Council will consider an alternative treatment to the AC surfacing nominated on the design given the need to mobilise additional plant and equipment for AC compared with two coat bitumen seal specified on the state-controlled road.

(b) Carpark Grading

An updated carpark grading plan is required to address the adverse crossfall on the existing sealed section of the former Captain Cook Highway. The steep crossfall does not provide an accessible path to the facility for people with disabilities to in accordance with the principles and grades nominated in AS/NZS1428. The maximum crossfall must have regard to the longitudinal slope in accordance with Table C1 of AS1428.1.

The levels provide on GHD Drawing 42-21067-C005 between points S07 and S14 indicate crossfall is in the order of 9% to the south. This compares with grade S61 and S09 that grades at approximately 3% to the north. Revised design is to be provided to address this adverse crossfall.

(c) Bollards

To prevent vehicular access beyond the carpark and turning areas, the spacing of bollards is to be amended to reflect the 1500mm maximum spacing nominated in FNQROC Standard Drawing S4300.

(d) Carpark Pavement Thickness

Consideration may be given for a reduced pavement thickness given the expected traffic frequency and vehicle types utilising the carpark. The pavement thickness, inclusive of the special embankment fill appears to be thicker than would normally be expected for a facility of this type.

(e) Detail the removal and rehabilitation of redundant access roads and services to the extent necessary.

The revised carpark plan is to be endorsed by the Chief Executive Office prior to the prestart meeting and prior to any works commencing on site.

7. Ramp Grades

(a) Ramps leading to the underpass.

The ramps leading to and from the underpass do not appear to be compliant with the grades required for walkways or pathways in the respective parts of AS/NZS1428 - Design for Access and Mobility.

The Northern Ramp appears to be graded at 1 in 14 but does not have landings and the nominated spacings. The southern ramp appears to be graded at 1 in 5 (20%). Access to the crocodile viewing platform may be restricted for some users on this basis.

The carpark, pedestrian bridge and the crocodile viewing platform are a self-contained experience or attraction. To avoid potential for future complaints of discrimination under the DDA 1992, consideration is to be given to an alternative design that achieves compliance with this Australian Standard for the access from the carpark to the crocodile viewing platform. The review of the engineering drawings indicates that the addition of one landing on the down ramp will achieve this.

If access is not provided to the crocodile viewing platform as nominated above, justification is to be provided by a suitably qualified Disability Access Consultant on why the access from the carpark area and the ramp is not provided in accordance with the requirements of AS1428.

(b) Ramp leading off the northern side of the pedestrian Bridge over Mowbray River.

The ramp leading north from the pedestrian bridge is nominated at a grade of 1v in 8h and the drawing identifies this as a "Non-compliant disabled ramp".

Justification is to be provided on why the ramps are not designed to the requirements of AS1428.

8. Fence type at (and leading to) crocodile viewing platform & pedestrian bridge over Mowbray River

Consideration is to be given to an alternative to the nominated fence type for the underpass and crocodile viewing platform. Noting the consequences of a fall through the railings of the tubular fence proposed, alternatives that reduce the ability for a person to fall through the fence are to be considered.

Given the termination of the pedestrian trail following completion of the bridge on the northern side of Mowbray River, consideration be given to fencing off the northern side of the bridge to discourage pedestrian and vehicle access from the existing access track as detailed on Figure 4-7 dated November 2019.

9. Vegetation

Existing vegetation must be retained in all areas except those affected by the approved works. Any further clearing requires an Operational Works Approval.

Council must be notified two (2) business days prior to the proposed date of commencement of works in order to assist in fielding enquiries from the public.

10. Landscaping

Appropriate landscaping treatments are to be undertaken to all disturbed areas as a result of the works and detailed on the amended plan as required by Condition 6. All landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Works Acceptance Certificate.

11. Public Notification of Works

The contractor or nominated representative must provide:

a. Public notification of the development in local newspapers in accordance with Section CP1.11 of the *FNQROC Development Manual*.

b. Signage identifying the location of the project, details of the construction project, contact numbers (including out-of-office hours emergency numbers) must be provided at the entrance point of the development. All signage must be appropriately positioned, prior to the commencement of any works on the site.

12. Completion of Works

Following completion of the works, areas adjacent to the works must be levelled, seeded and grassed to the satisfaction of the Chief Executive Officer to ensure such areas are presentable and left in a mowable condition (where appropriate).

Advice

- This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the *Planning Act 2016*.
- 2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.
- 3. For information relating to the *Planning Act 2016* log on to www.dsdmip.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to www.douglas.qld.gov.au.
- 4. The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 applies to action that has, will have or is likely to have a significant impact on matters of national environmental significance.

Further information on the *EPBC Act* can be obtained from the Department of the Environment, Water, Heritage and the Arts website www.environment.gov.au/epbc EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (Oct. 2009).

Further Development Permits

None applicable

Concurrence Agency Response

Concurrence Agency Response dated 5 December 2019 is attached.

Note - This Concurrence Agency Response maybe amended by agreement with the respective agency.

Reasons for Decision

The reasons for this decision are:

Sections 60, 62 and 63 of the Planning Act 2016:

- a) to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
- b) to ensure compliance with the *Planning Act 2016*.

Findings on material questions of fact:

- a) the development application was properly lodged to the Douglas Shire Council 2 August 2019 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
- b) the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.

Evidence or other material on which findings were based:

- a) the development triggered assessable development under the Assessment Table associated with the Rural Zone & Conservation Zone;
- b) Council undertook an assessment of the amended development application submitted on 28 November 2019 in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
- c) the applicant's amended submission and supporting information have been considered and the following findings are made:

Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Currency Period for the Approval

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

Approved Drawing(s) and/or Document(s)

DEPARTMENT OF INNOVATION, TOURISM INDUSTRY AND DEVELOPMENT **WANGETTI TRAIL MOWBRAY RIVER CARPARK** 42-21067

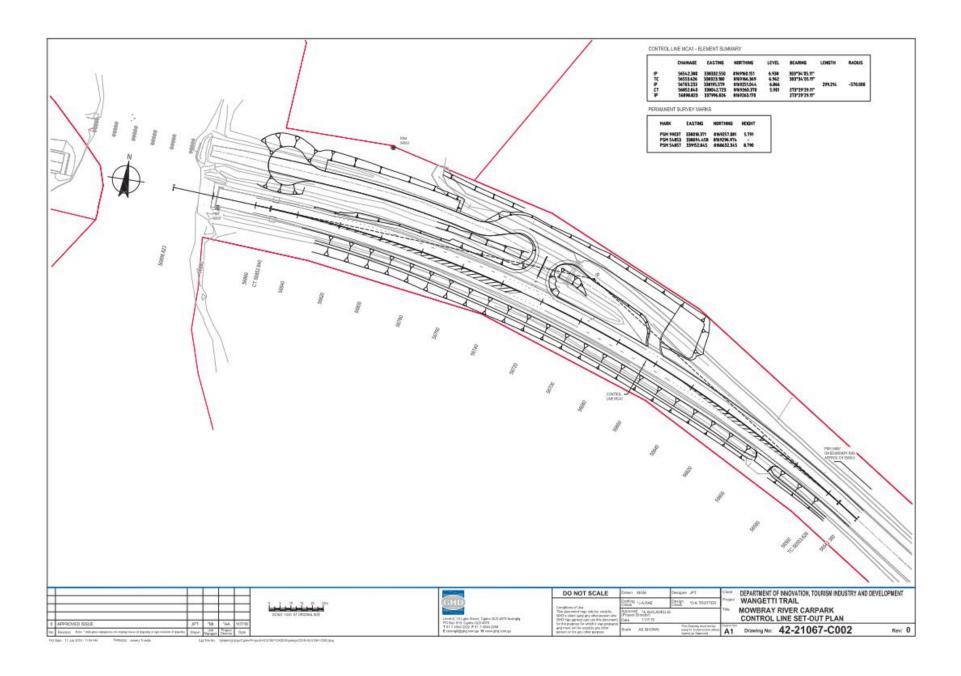


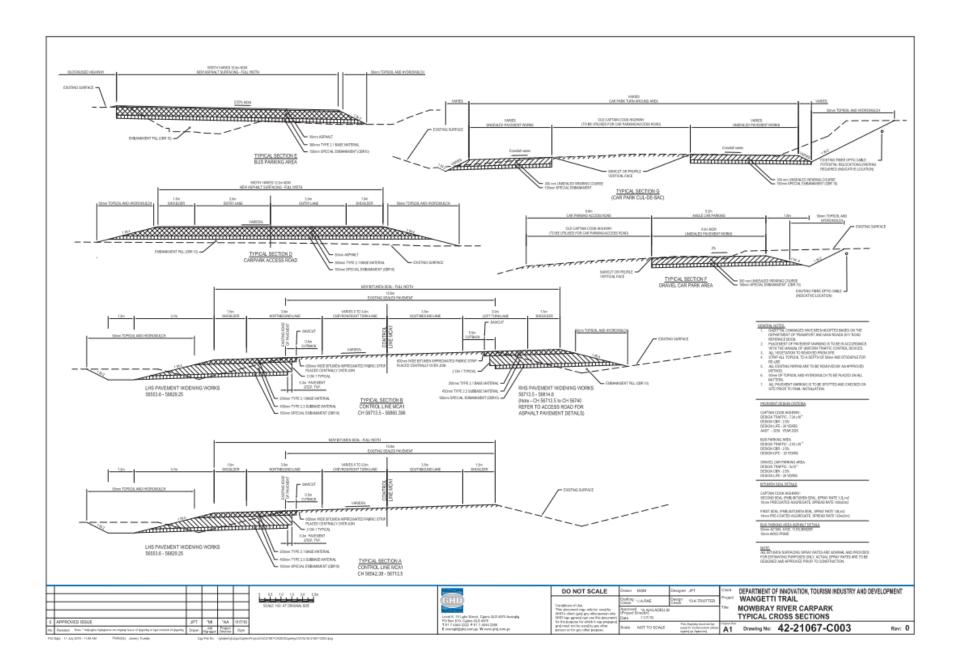


DRAWINGLIS	1	
DRD No.	1ft.t	
49-21061-000h	COVER SHEET AND DRAWING HIDEX.	
41-21001-0000	COMPROL LINE SET OUT PLAN	
43-21001-0000	TYPICAL CROSS SECTIONS:	
49-21961-C006	GENERAL ARRANGEMENT	
43-2181-00th	INTERSECTION SET-OUT PLAN	
49-21981-0008	INTERSECTION SETOUT POMPS AND DETAILS	
43-2188T-000F	CULVERT LAYOUT AND SECTION	
43 21001-0008	AMMORNTED CROSS SECTION CTRL LINE INCAT	
4121811-008	AMAGNITED CROSS SECTION CTRL LINE MCAT	
610717015 (3)	AMBOTETED CROSS SECTION CTRL LINE HIGHT	
45 2 100 1 (001)	AMMOTRTED CHORS SECTION CTFL LINE HIGH	
43-21867-0002	MAIOTATED CROSS SECTION CTRL LINE HIGH	

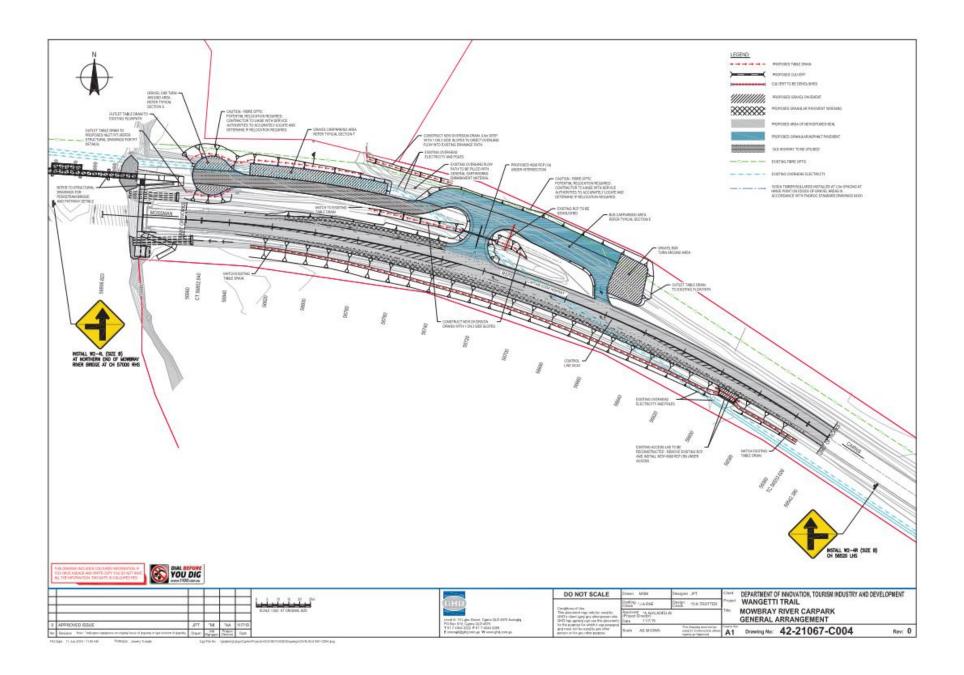
			- 12				
			DO NOT SCALE	Drawn MOM	Designer JPT		DEPARTMENT OF IMMOVATION, TOURISM INDUSTRY AND DEVELOPMENT
	101 101 102	GHD	020000000000000000000000000000000000000	Child -UARKE	Design 4D K TROTTER		WANGETTI TRAIL
	NOT TO SCALE	Level 6, 19 Ligher Blaces, Cigiero DLD 4870 Assissiphy (I)	rightons of Use. is glacumant rings sets be used by 67's often (get) gry after persen who. 67 hgs-agreed opin use this grounsets.	Append -A AHLADELLS (Project Director) Cets 11/7/9			MOWBRAY RIVER CARPARK COVER SHEET AND DRAWING INDEX
9 APPROVED ISSUE JPT 198 1AA 110719 Bit Soution their 1-infrastructure ranged to our of grants in hydroches of depoints (Superior Superior Superio		7-01 for 819. Cyting CLD 4010 T-01 7-4844-2220 F-01 7-4844-2288 E-manufal@ohd.com.go W-mon.gliq.com.go po	the purpose for which it was propagated. d mand, not be used by gap other such or for any other purpose.	Soule NOT TO SCALE	Trys Cogsing most incline and So (constructed select algority of Approval)	A1	Drawing No: 42-21067-C001 Rev: 0

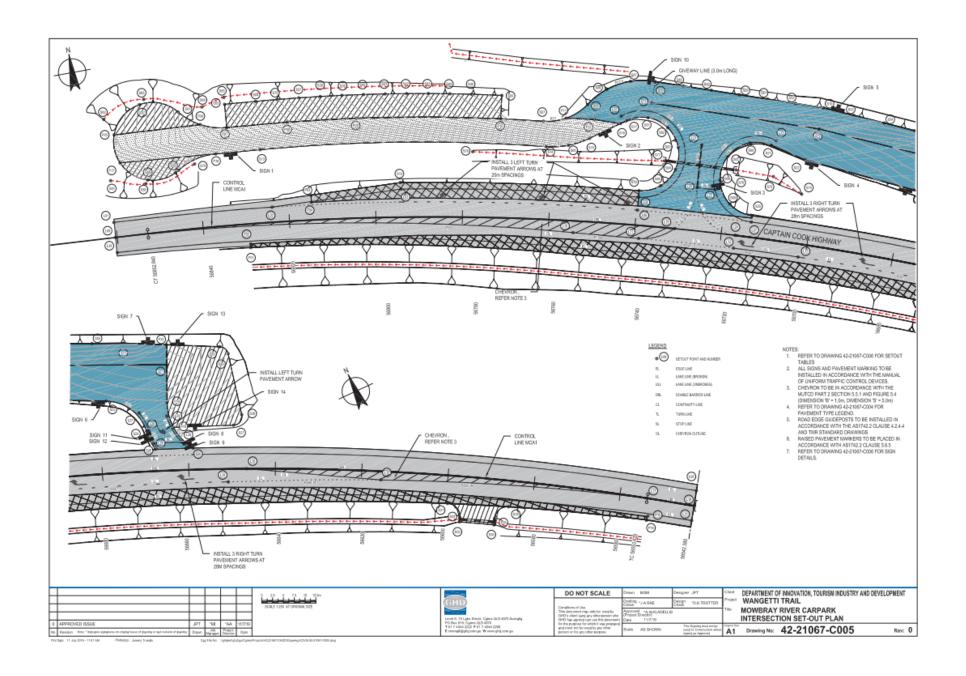
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		E - GENERAL POMES	_
POME	EASTING	NORTHING	LEVE
801	238054,523	816006.004	5.000
902	not used		
808	238065,414	136368618	5,00
504	330072.003	130.3828818	6.00
505	238129,896	8169277.369	7.13
506	suf used		
507	338157.332	8188360,791	7.10
508	238148.046	8198271.791	7.98
509	338164.303	8188219.241	7.28
810	338201,694	8160001.402	7.33
581	336229.036	8169249:515	7.36
812	238041,784	8188217,491	4.89
510	358071.671	8150274.905	5.89
814	238138,898	8168261/025	0.85
St5	330147.538	8188364.321	6.94
516	338154,711	8189366.11	7.36
\$17	339156-139	\$100,000,000	7.36
515	338158.237	8160290.000	7,89
519	336102.295	8100291.000	0.60
520	338180.999	8160239.805	7,89
821	238188.216	8168254.990	7.29
500	338195,262	6160250:296	7.30
823	238218.817	8169235.018	7,47
526	336234.404	6150036.780	7.33
525	238224.996	8168224.290	7.90
526	336202.003	8188220.751	7.90
527	336240.294	8160221.650	T.225
520	230246.116	8108033.085	7.23
529	335240.090	8160237.225	7.39
\$10	339247.621	8100295472	7.63
531	336260.005	8189184.571	6.68
812	236291.827	8109190415	9.60
550	336261.432	8169179.546	6.62
834	338290.144	8168178.007	6,00
505	336259.100	6169176.655	6.00

	SCENI STONE STATE	E - GENERAL POINTS	
POINT	EASTING	HORTHING	LEVEL
336	200386309	100175.5%	6.608
537	508082-587	8160095.113 8160094.644	6.006
838	308987.525 208932.465	F100250.514	6,526
539			
540	30898TA07	F160280.234	6,638
541	208102-260	F100090.473	6.725
542	338101.314	8160281.661	6,816
96	308112-207	P100290.788	6.907
544	50811T.540	E100279.895	6.975
345	308122.019	F100079.802	7,067
546	308153-098	8100274.462	7.200
847	308198.750	8169276.311	7,225
546	308170.579	8169272.101	7,248
349	308176,777	8160209.061	7,292
550	308162-984	8160297,621	7,277
801	338180.190	8169295.681	7.290
902	208195.307	8109063.581	7.305
883	308308.212	F100058.430	7.305
994	308214.800	P100255.457	7.561
595	308221 A28	£160252.485	T.562
396	notused		
557	008946-019	£160259.E70	5.156
398	308944.807	F169272.603	4,875
539	338052.291	8109273.558	5.006
360	308142.000	F165250.303	6.704
501	208101.274	F100058.330	TABO
862	308165.363	F100250.238	7,525
965	208106-917	P100058.305	7.445
594	308105.300	£160250.467	7,250
965	308161.353	P100253.336	3.120
586	308163-405	£100258.409	7.164
367	308171367	F169254.309	2.118
566	508175.100	£160049,150	T.071
369	308176308	F101010.299	7,000
570	308E7T-580	P100095.630	6.196
871	238238.071	F100240.783	7,894
972	3301596,760	P100058,749	7.533
873	338162.009	F100259.536	7,347
974	338190.116	PHID4166	6.519
575	338187,391	F105247.806	5.450
576	338179.967	P100291.002	6.371
677	338163,246	P105201.616	6.325
876	338119.864	P105265.755	9.070
579	338056.156	PREM 136	4.732
580	338044.277	F100071.037	4.304
501	238036.371	P10073.094	4.360
802	33805F,314	F100200.104	4,014
965	238047.199	F100201.090	4732
704	338060,130	F100200.000	5,100
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	SETOUT POINT TWILE - NAVEMENTS					
PONT	EASTING	NORTHING	LEVB.			
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PO2	238085.677	8180203.008	5.843			
P00	338881.381	8168362.487	5.459			
POS	338081.176	8188280.804	6,409			
P05	338009.058	8168284.296	5.840			
POS	338058.000	8190285.044	5,646			
P07	230094.904	6400291-296	5,776			
POS	338079.911	816030000	6.734			
P09	220004.011	6100279.145	6:500			
P10	338127,700	8160272.100	7,629			
PH	33814D-600	9160300.560	7.217			
P12	338148.986	8168368.110	7.263			
Pt3	ndrused					
P14	336231.529	8/68/212-887	7.495			
P15	338021.980	8169162.573	6.814			
P16	338029.880	818/191.818	4.703			
P17	110008.253	8168277.612	4.865			
P18	338081.429	F100275.701	5.310			
Pt9	330238.403	01680327.002	7.549			
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L06	338334.227	8169/K1.215
L08	338055,184	816829E.880
L10	338139.584	8169241.253
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L30	338004.571	8169257.557
L31	338330.34*	8799797.300

SIGN 1 SIGN 14	R5-35R
SIGN 2 SIGN 13	65-35L
SIGN 3 SIGN 8	STOP R1-1 (SIZE A)
SIGN 4 SIGN 7	#5-20L
SIGN 5 SIGN 6	R5-20R
SIGN 9 SIGN 12	NO ENTRY R2-4 (SIZE B)
SIGN 10	R1-2 (SZE A)
SIGN 11	R2-eRB

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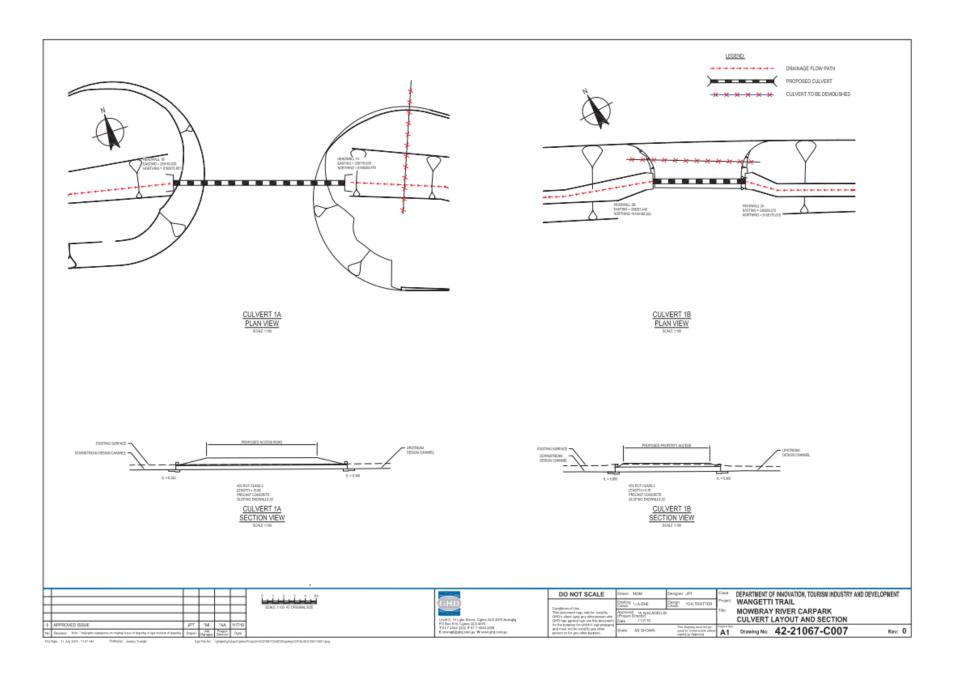
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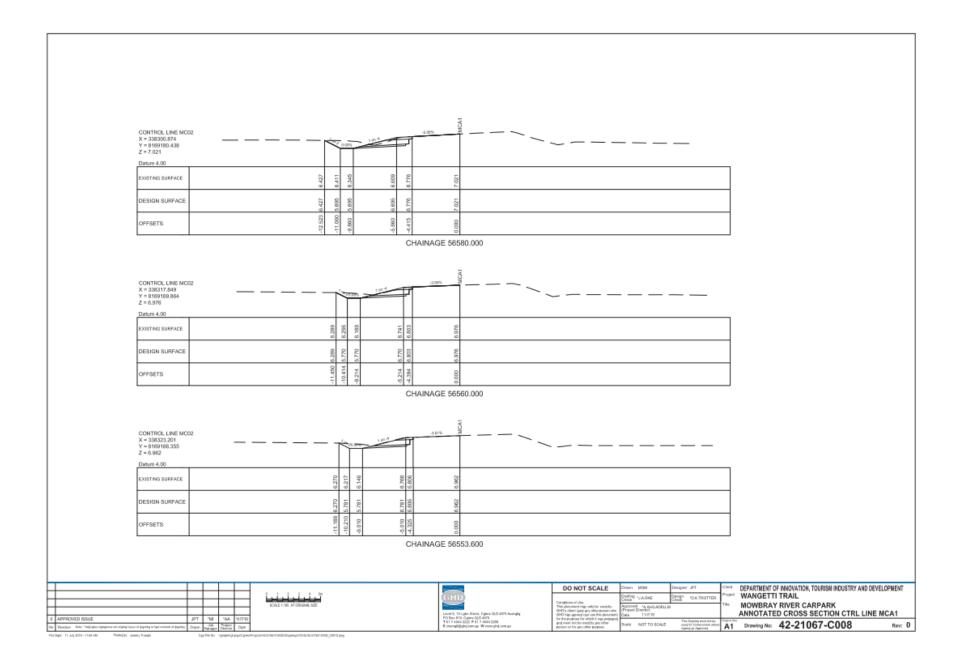
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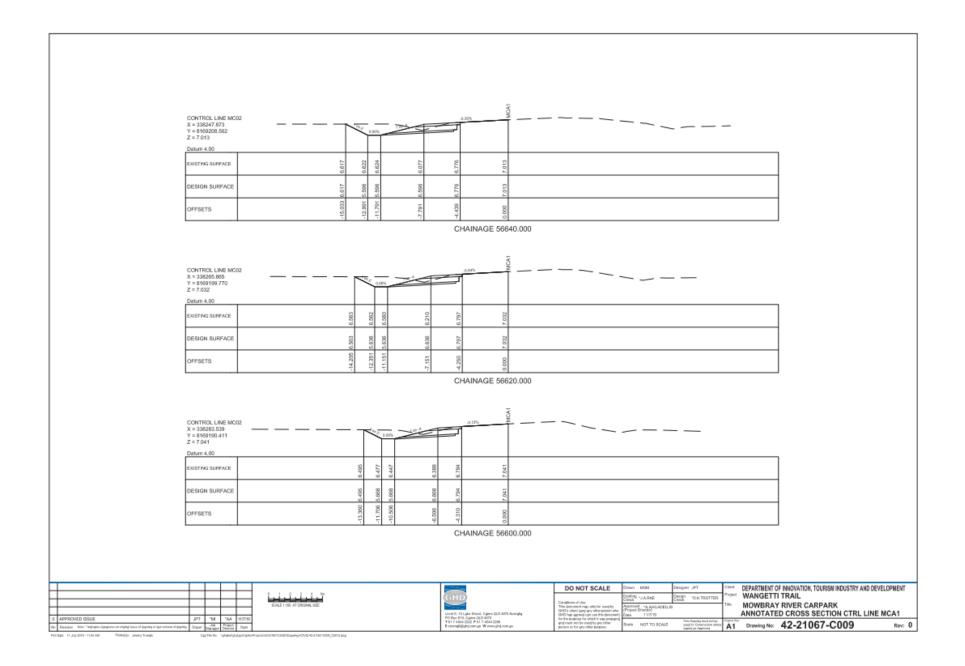
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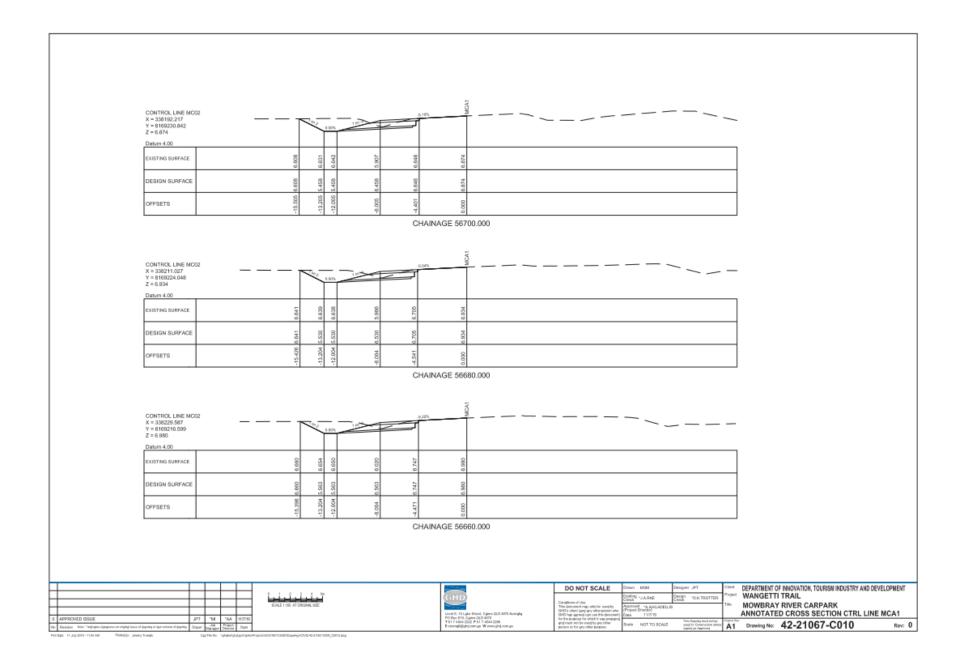
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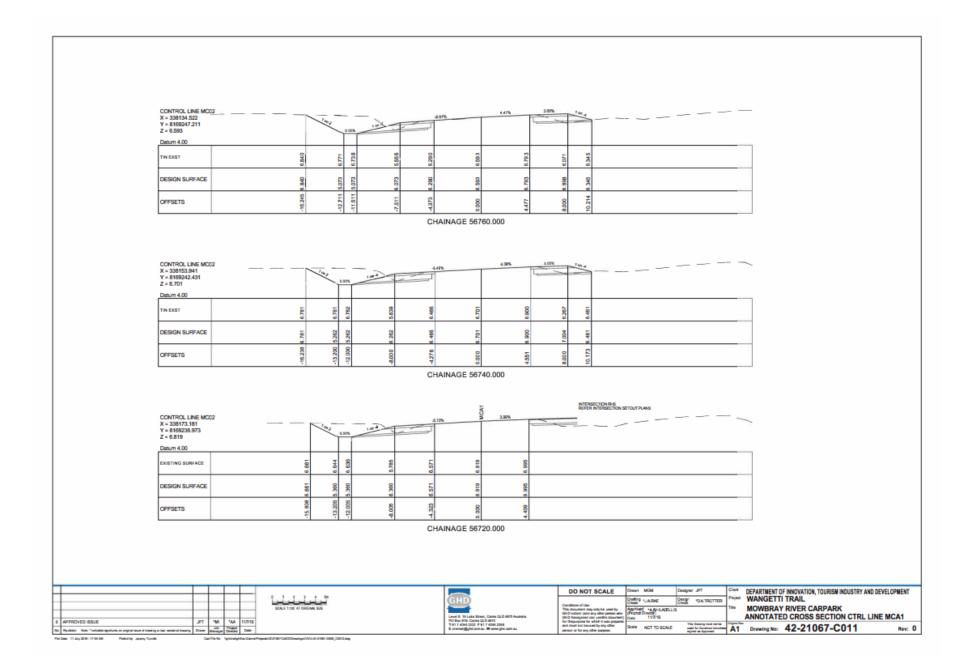
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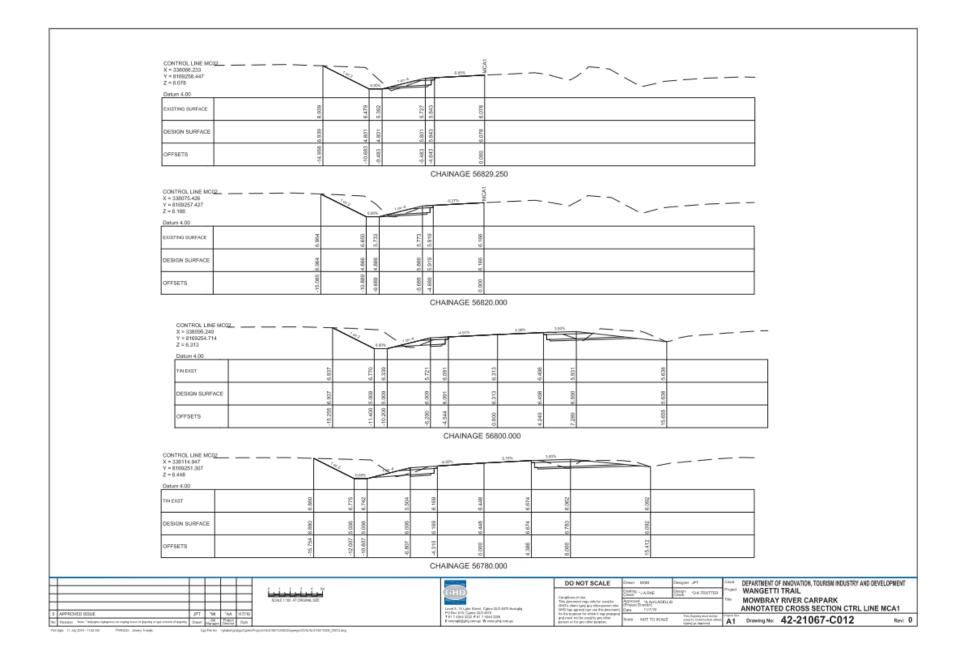


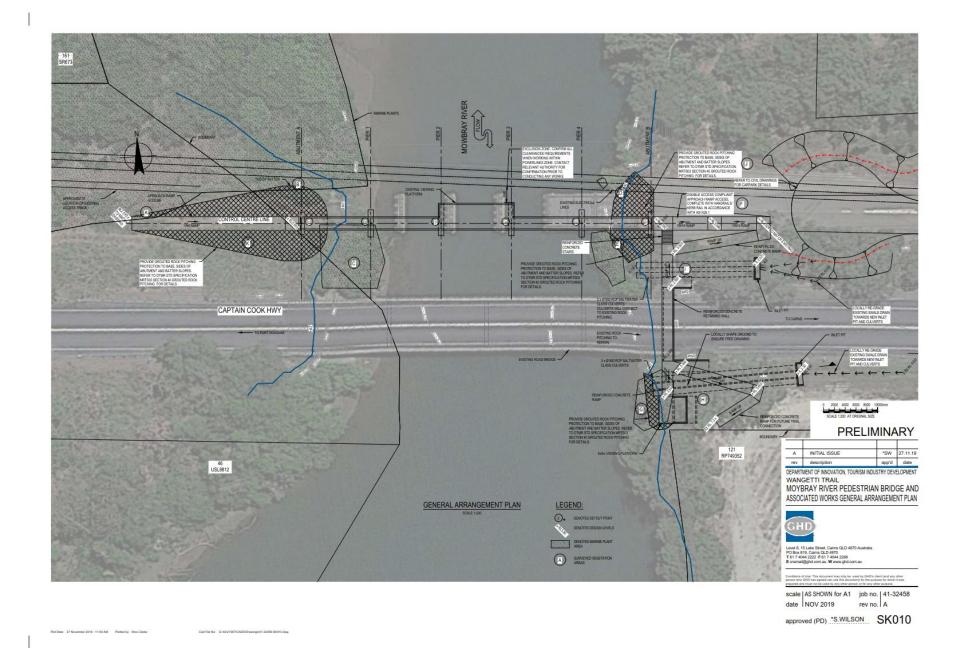




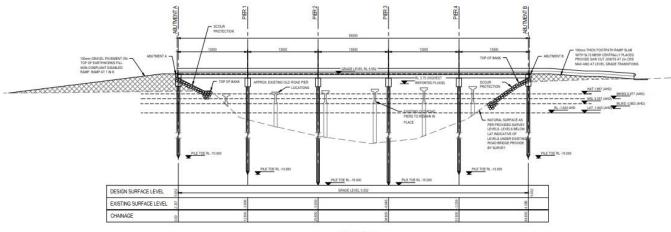








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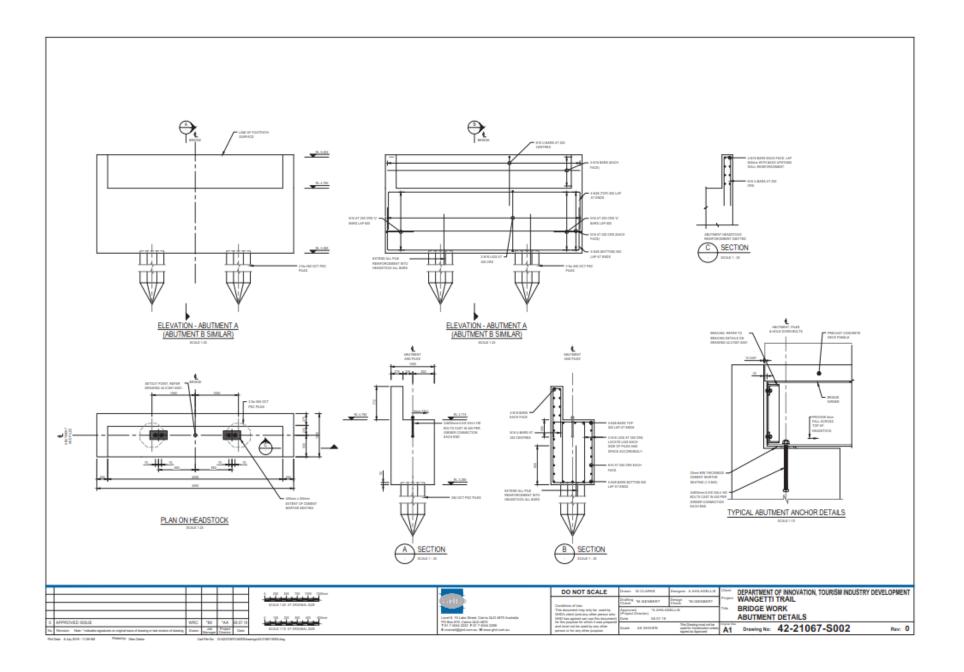
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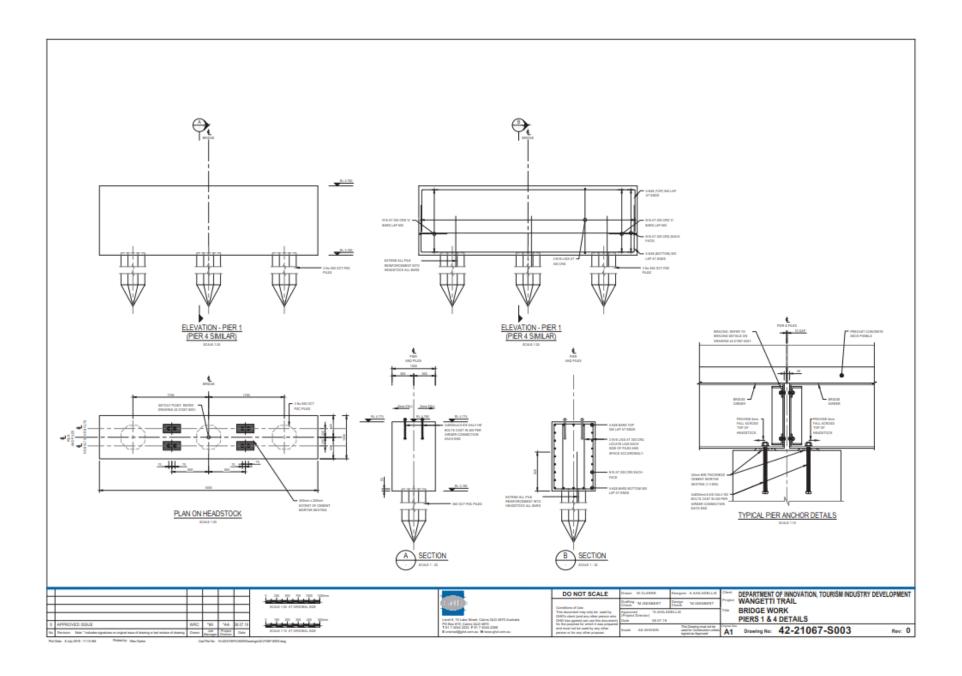
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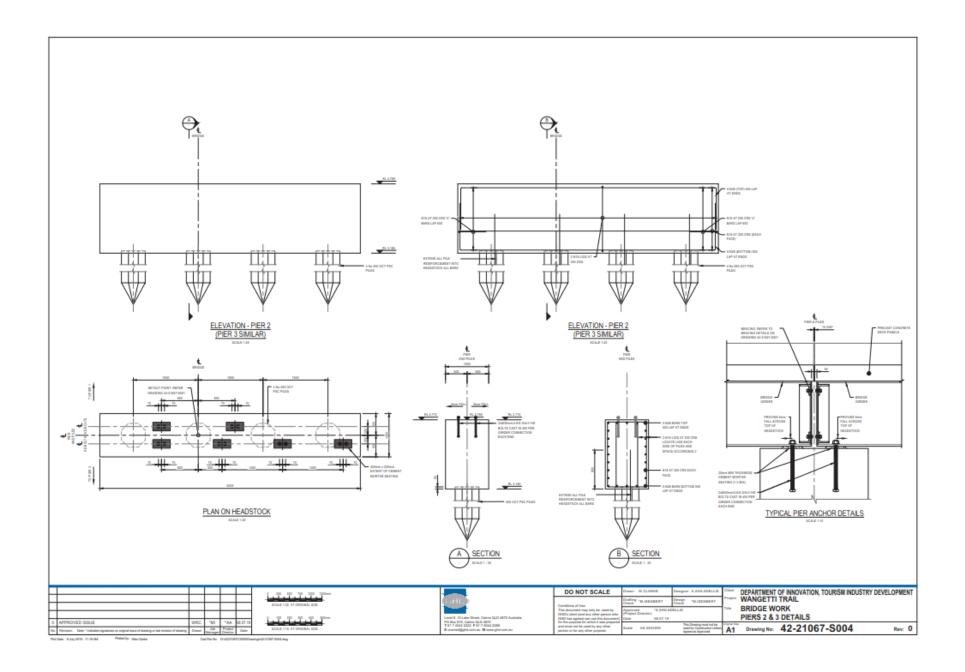
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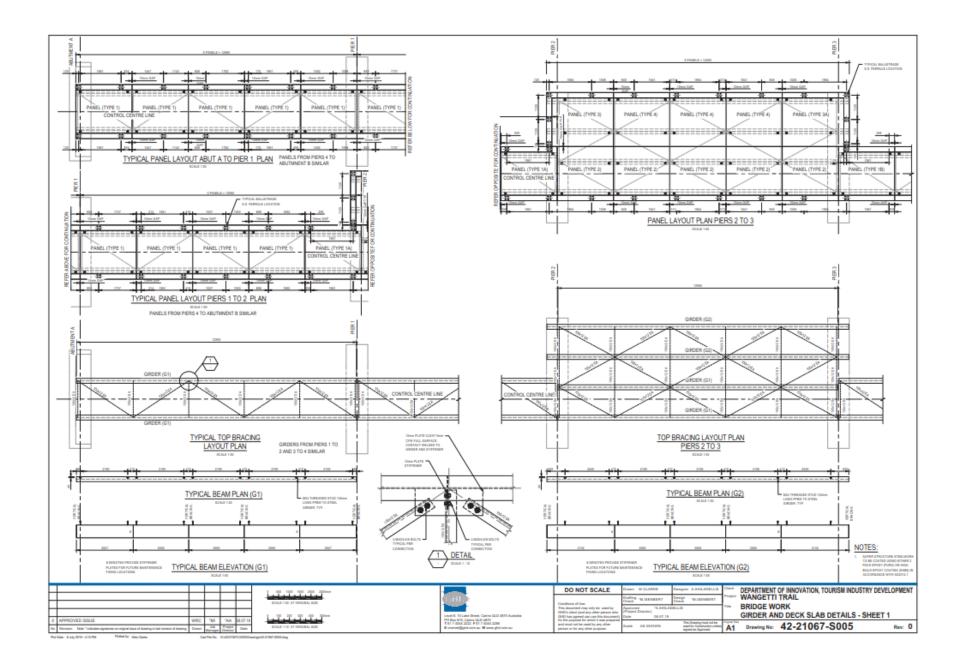
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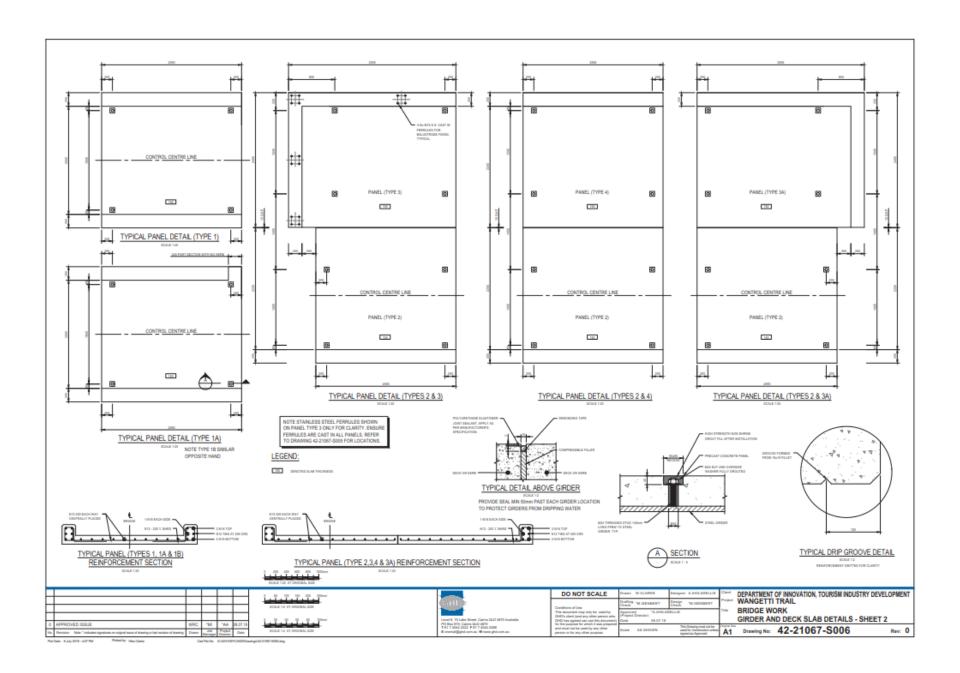
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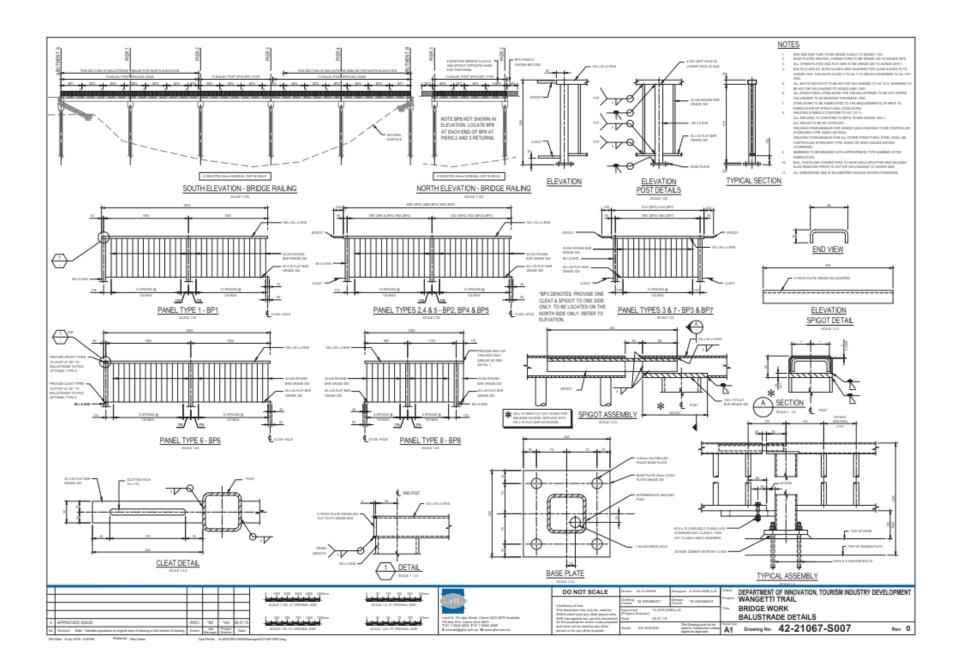












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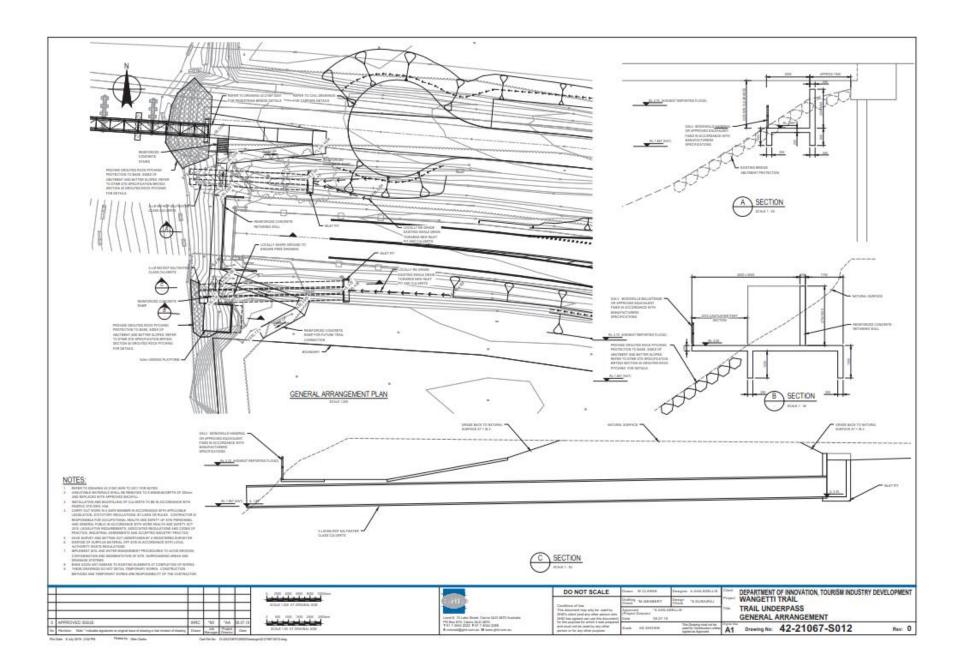
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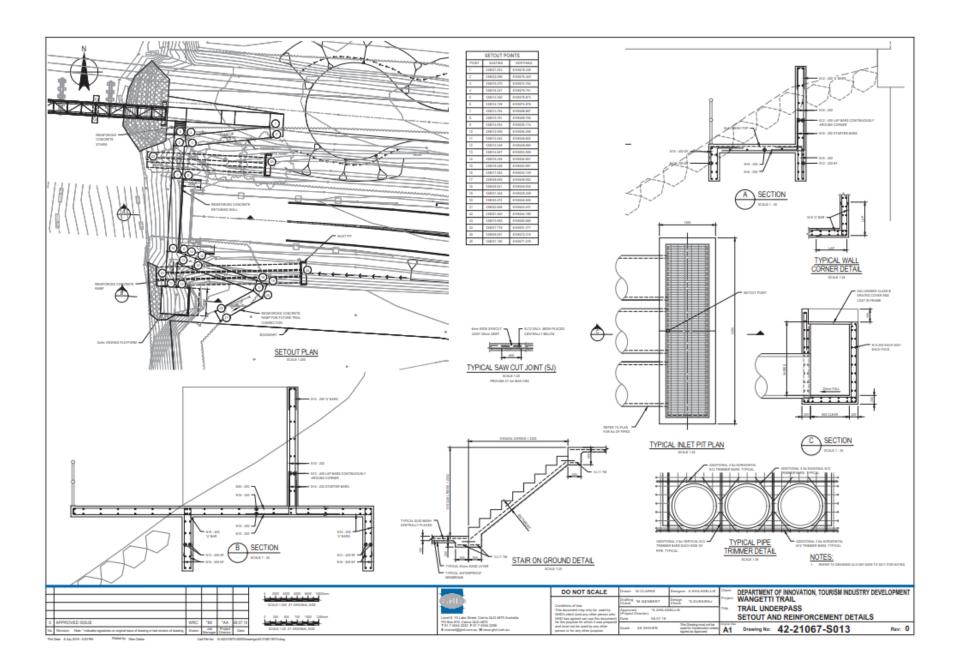
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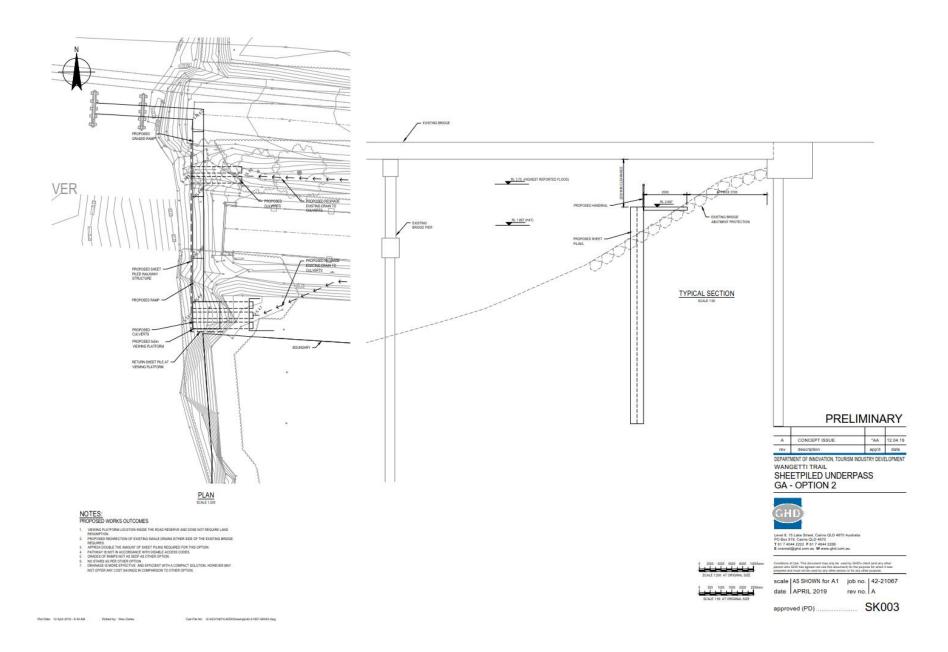
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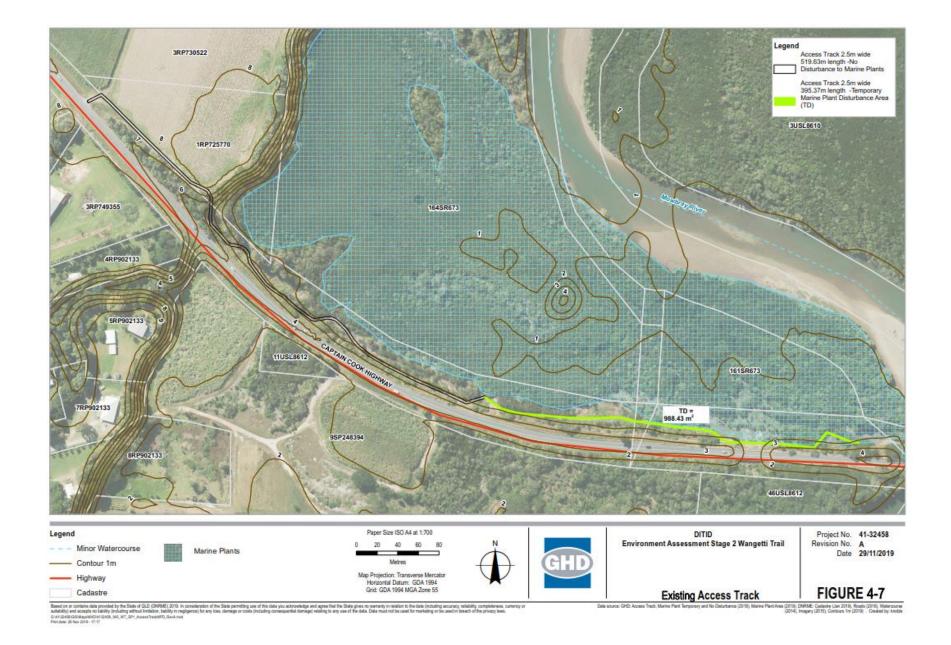
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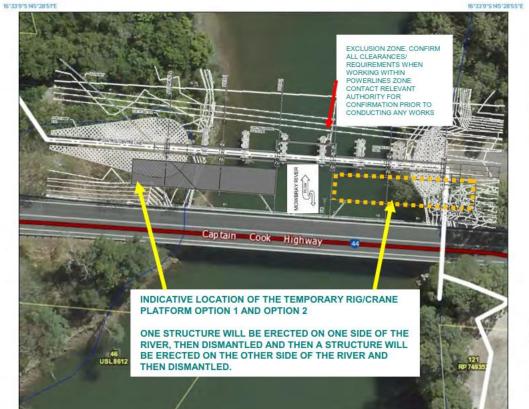






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Figure 4 Indicative location of the temporary rig/crane platform for option 1 and option 2



Printed at: A4
Print date: 31/10/2019

Datum: Geocentric Datum of Australia 1994
Projection: Web Mercator EPSG 10/2100

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Department of
State Development,
Manufacturing,
Infrastructure and Planning

SARA reference: 1909-13127 SRA
Council reference: CA3212/2019
Applicant reference: Wangetti Trail SP1

5 December 2019

Chief Executive Officer Douglas Shire Council PO Box 723 Mossman QLD 4873 enquires@douglas.qld.gov.au

Attention: Neil Beck

Dear Sir/Madam

SARA response—Wangetti Trail SP1

(Referral agency response given under section 56 of the Planning Act 2016)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 12 August 2019.

Response

Outcome: Referral agency response – with conditions.

Date of response: 5 December 2019

Conditions: The conditions in **Attachment 1** must be attached to any

development approval.

Advice: Advice to the applicant is in **Attachment 2**.

Reasons: The reasons for the referral agency response are in **Attachment 3**.

Development details

Description: Development permit Material change of use (environmental

facility) and operational work (prescribed

tidal works)

SARA role: Referral Agency

SARA trigger: Schedule 10, Part 6, Division 3, Subdivision 3, Table 2, Item 1

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1

Schedule 10, Part 17, Division 3, Table 1, Item 1

(Planning Regulation 2017)

Development application for removal, destruction or damage of marine

Far North Queensland regional office Ground Floor, Cnr Grafton and Hartley Street, Cairns PO Box 2358, Cairns QLD 4870 plants, development within 25 metres of state transport infrastructure

and tidal works or work in a coastal management district.

SARA reference: 1909-13127 SRA

Assessment Manager: Douglas Shire Council

Street address: Captain Cook Highway, Mowbray

Real property description: Adj Lot 3 on USL8610 and Adj Lot 161 on SR673

Applicant name: Department of Innovation, Tourism Industry Development and the

Commonwealth Games

c/- GHD

Applicant contact details: Level 13 – The Rocket

203 Robina Town Centre Drive

ROBINA QLD 4226 Sarah.Wilson@ghd.com

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules)

Copies of the relevant provisions are in Attachment 4.

A copy of this response has been sent to the applicant for their information.

For further information please contact Joanne Manson, A/Manager (Planning), SARA Far North QLD on 40373228 or via email CairnsSARA@dsdmip.gld.gov.au who will be pleased to assist.

Yours sincerely

Robin Clark

Director Planning, Northern

Losa Clark

cc Department of Innovation, Tourism Industry Development and the Commonwealth Games c/- GHD,

Sarah.Wilson@ghd.com, Geraldine.Squires@ghd.com, Kerry.Nisbet@ditid.qld.gov.au,

Timothy.Hortz@ditid.qld.gov.au

enc Attachment 1 - Referral agency conditions

Attachment 2 - Advice to the applicant

Attachment 3 - Reasons for referral agency response

Attachment 4 - Representations provisions

Attachment 5 - Approved plans and specifications

Attachment 1—Referral agency conditions
(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Mater	ial change of use involving operational work	
of ma Gener develo	dule 10, Part 6, Division 3, Subdivision 3, Table 2, Item 1- Removal, or rine plants — The chief executive administering the <i>Planning Act 2016</i> real of the Department of Agriculture and Fisheries to be the enforcement of the which this development approval relates for the administration or relating to the following conditions:	nominates the Director- ent authority for the
1.	The construction works for work package A1 must be carried out generally in accordance with Table 3–3 Summary of impacts and mitigation measures related to each aspect of SP1, including relevant infrastructure aspect/s of Planning Report for Operational Work – SP1 Marine Plant Disturbance prepared by GHD, dated July 2019, reference 41-32458-08-SP1-RPT-0003	For the duration of the works
2.	Enter into an agreed delivery arrangement to deliver an environmental offset in accordance with the <i>Environmental Offsets Act 2014</i> to counterbalance the significant residual impacts on the matters of state environmental significance being 100.2m ² of marine plants.	Prior to commencing any works that impact on marine plants
3.	Development authorised under this approval is limited as follows: The permanent marine plant disturbance being limited to	At all times
	100.2 m ² and shown in Figure 4–6 Vegetation Surveyed below HAT and impacted by work package 1A, prepared by GHD, dated Nov 2019, reference 4132458 and revision A.	
	AND	
	The temporary marine plant disturbance being limited to 1299.21 m ² and shown in:	
	Figure 4–6 Vegetation Surveyed below HAT and impacted by work package 1A, prepared by GHD, dated Nov 2019, reference 4132458 and revision A.	
	AND	
	Figure 4–7 Existing Access Track prepared by GHD, dated 29/11/2019, reference 41-32458 and Revision A.	
4.	Provide written notice to notifications@daf.qld.gov.au , when the development authorised under this approval: (a) will start, and	At least 5 business days but no greater than 20 business days
	(b) when it has been completed.	prior to the commencement of works
	These notices must state this permit number 1904-10946 SRA.	Within 15 business days of the completion of the fisheries

		development works
5.	Spoil is not disposed of on tidal lands or within waterways and is managed to prevent acid soil development.	At all times
6.	This fisheries development (as defined by the <i>Fisheries Act 1994</i>) constitutes a place that is required to be open for inspection by an inspector at all times, pursuant to section 145 of the <i>Fisheries Act 1994</i> .	At all times
7.	Marine plants authorised for removal and other material used in the development (e.g. debris, construction material, soil etc.) are to be promptly removed from the intertidal zone.	For the duration of the works the subject of this approval and to be maintained
8.	Mark with corner pegs, the boundary of the temporary marine plant disturbance areas, in accordance with Table 3–3 Summary of impacts and mitigation measures related to each aspect of SP1, including relevant infrastructure aspect/s of Planning Report for Operational Work – SP1 Marine Plant Disturbance prepared by GHD, dated July 2019, reference 41-32458-08-SP1-RPT-0003	Prior to the commencement of the works, and to be maintained until the works have been completed
9.	Tidal land profiles that are temporarily disturbed by the development works (other than those within the permanent development footprint, as shown on Figure 4–6 Vegetation Surveyed below HAT and impacted by work package 1A prepared by GHD, dated Nov 2019, reference 4132458 and revision A, must be promptly restored to prework profiles.	Upon completion of the works the subject of this approval
Mater	rial change of use	
chief e Depai which	dule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 — State tradexecutive administering the <i>Planning Act 2016</i> nominates the Director-Gertment of Transport and Main Roads to be the enforcement authority for this development approval relates for the administration and enforcement following conditions:	eneral of the or the development to
10.	The trail underpass works must be carried out generally in accordance with Trail Underpass General Arrangement prepared by GHD, dated 08.07.2019, reference number 42-21067-S012 and Revision 0.	Prior to the commencement of use and to be maintained at all times
11.	The road accesses are to be located generally in accordance with Mowbray River Carpark General Arrangement prepared by GHD, dated 11/7/19, reference number 42-21067-C004 and Revision 0.	At all times
12.	(a) Road works comprising of a bitumen sealed rural auxiliary left-turn lane (AUL) and a channelised right-turn (CHR), must be provided generally in accordance with Mowbray River Carpark – General Arrangement prepared by GHD, dated 11/7/19, reference number 42-21067-C004 and Revision 0.	At all times
	(b) The road works must be designed and constructed in accordance with Austroads Guide to Road Design: Part 4 Intersection and Crossing - General and 4A Unsignalised and Signalised Intersections in particular:	

	 Figure 8.4: Auxiliary left-turn lane treatment (AUL) on a rural road, and Figure A 30: Channelised right turn (CHR) on a two-lane rural road. 	
13.	Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.	Prior to the commencement of use
Opera	tional work	
the De which	Iule 10, Part 17, Division 3, Table 1, Item 1— Tidal works or work in at —The chief executive administering the <i>Planning Act 2016</i> nominates partment of Environment and Science to be the enforcement authority this development approval relates for the administration and enforcement following conditions:	the Director-General of ty for the development to
14.	 The development for tidal works and work in the coastal management district must be carried out generally in accordance with the following plans: Mowbray River Carpark General Arrangement, prepared by GHD, dated 11.07.2019, reference number 42-21067-C004 and revision 0. Bridge Work General Arrangement, prepared by GHD, dated 08.07.2019, reference number 42-21067-S001 and revision 0. Trail Underpass General Arrangement, prepared by GHD, dated 08.07.2019, reference number 42-21067-S012 and revision 0. Mowbray River Pedestrian Bridge and Associated Works General Arrangement Plan, prepared by GHD, dated Nov 2019, reference number 41-32458-SK010 and revision A Mowbray River Pedestrian Bridge Elevation, Pier Details and Water Levels, prepared by GHD, dated Nov 2019, reference number 41-32458-SK011 and revision A 	For the duration of the works
15.	For the proposed works, only use clean materials and ensure that the works do not cause contamination. To achieve this: • Ensure all equipment is cleaned and free of contaminants prior to interacting with tidal waters • Ensure all rock or other materials necessary for the construction is cleaned and free of contaminants prior to final placement in or adjacent to tidal waters	For the duration of the works
16.	 (a) An erosion and sediment control plan must be prepared by a suitably qualified person in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association), (b) Provide the erosion and sediment control plan to the palm@des.qld.gov.au or mailed to: Department of Environment and Science 	(a) Prior works occurring(b) Prior to works occurring

	Permit and License Management	
	Implementation and Support Unit	
	GPO Box 2454	
	Brisbane Qld 4001	
	(c) Undertake the development generally in accordance with the erosion and sediment control plan; and	(c) While works are occurring
	(d) Provide written evidence from a suitably qualified person that all elements of this condition have been complied with.	(d) Upon completion of the works
17.	Should the Mowbray River Bridge or the Viewing Platform collapse, fail or otherwise suffer structural consequences which impact their integrity or ability to function as intended, the works must be:	As soon as reasonably practicable subsequent to the damage
	(a) reinstated in accordance with this development approval; or	
	(b) removed and disposed of at an appropriately licensed facility.	
18.	(a) In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.	(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained.
	(b) Certification by a suitably qualified person, confirming that the affected soil has been neutralised or contained, in accordance with (a) above is to be provided to palm@des.qld.gov.au or mailed to: Department of Environment and Science	(b) At the time the soils have been neutralised or contained.
	Permit and License Management	
	Implementation and Support Unit	
	GPO Box 2454	
	Brisbane Qld 4001	
	Note : A suitably qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to soil chemistry or acid sulfate soil management and can give authoritative assessment, advice and analysis in relation to acid sulfate soil management using the relevant protocols, standards, methods or literature.	

Attachment 2—Advice to the applicant

General advice

- Terms and phrases used in this document are defined in the *Planning Act 2016* its regulation or the State Development Assessment Provisions (SDAP) [v2.5]. If a word remains undefined it has its ordinary meaning.
- Advice should be obtained from the Department of Transport and Main Roads (DTMR) if you intend to erect, alter or operate an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.

Note: DTMR has powers under section 139 of the Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015 to require removal or modification of an advertising sign and/for a device which is deemed that it creates a danger to traffic.

This approval is limited to marine plant disturbance required for construction of the Mowbray River pedestrian bridge, observation viewing platform, highway underpass and stormwater culverts. No marine plant disturbance or construction elements of the walking trail north of the pedestrian bridge and south of the observation viewing platform are approved under this application.

Further development permits required

4. In accordance with section 33 of the *Transport Infrastructure Act 1994* (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (DTMR) to carry out road works, including road access works on a state-controlled road.

Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works.

This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).

The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

To undertake the trail underpass works, the applicant will require a Road Corridor Permit for any ancillary works and encroachments within the state-controlled road reserve under section 50(2) and Schedule 6 of the *Transport Infrastructure Act 1994* and Part 5 and Schedule 1 of the *Transport Infrastructure (State-Controlled Roads) Regulation 2006*.

The applicant should contact DTMR on 4045 7144 to make an application for a Road Corridor Permit. The approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).

Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- The proposed development is located on Mowbray River and within 25 metres of the Captain Cook Highway, Mowbray.
- The proposed development comprises of Mowbray River pedestrian bridge, underpass, viewing platform, stormwater infrastructure and car park.
- The proposed development is to facilitate pedestrian access across Mowbray River from the proposed northern section of the Wangetti Trail and is a necessary component of the Wangetti Trail project.
- The department has carried out an assessment against the relevant provisions of the State Development Assessment Provisions and found that the proposed development:
 - o maintains the extent, distribution, diversity and condition of marine plant communities and protects the ecological functions to which they contribute
 - o maintains the health and productivity of fisheries resources and fisheries habitat
 - o minimises impacts on the management, use, development and protection of fisheries resources and fish habitat
 - avoids impacts on marine plants that are matters of state environmental significance, and where avoidance is not reasonably possible, minimises and mitigates impacts, and provides an offset for significant residual impacts where appropriate
 - o does not compromise the structural integrity of the state-controlled road
 - does not result in a worsening of the physical condition or operating performance of the statecontrolled road
 - does not compromise the state's ability to maintain and operate the state-controlled road
 - o does not compromise the safety, function and efficiency of the state-controlled road
 - o is designed and located to protect life, buildings and infrastructure from the impacts of coastal erosion
 - o designed and located to maintain coastal processes
 - o designed and located to conserve coastal resources; and
 - o designed and located to maintain appropriate use of, and access to and along, state coastal land.

Material used in the assessment of the application:

- The development application material and submitted plans
- Information request response
- SARA advice notice response
- Changed application and submitted plans
- Planning Act 2016
- Planning Regulation 2017
- The State Development Assessment Provisions (version [2.5]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

Attachment 5—Approved plans and specifications

(page left intentionally blank - attached separately)

Development Assessment Rules—Representations about a referral agency response (concurrence)

The following provisions are those set out in sections 28 and 30 of the *Development Assessment Rules*¹ regarding **representations about a referral agency response (concurrence).**

Part 6: Changes to the application and referral agency responses and Part 7: Miscellaneous

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
 - (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
 - (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1;
 and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

30 Representations about a referral agency response

An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response. ³

An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Table 3-3 Summary of impacts and mitigation measures related to each aspect of SP1, including relevant infrastructure aspect/s Construction works for work package 1A

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
Landscape character and visual amenity	Construction Works proposed within rural and conservation zoning that does not currently contain any development may result in decreased landscape character Operation No landscape and visual amenity impacts associated with operation of the SP1 Project	 Construction Materials and machinery will be stored tidily on site, in previously cleared areas, wherever possible Clearing of mature landscape trees and marine plants will be avoided, wherever possible, within temporary construction laydown areas not required for operation Where appropriate, trail will be designed around mature landscape trees Temporary barriers and traffic management signage will be removed as soon as practical after construction Operation N/A 	•		✓	
Surface hydrology	Construction Changes in water quality resulting from overland flow and stormwater run-off from exposes surfaces Pollution resulting from chemical or fuel sources	 Water quality during construction will be managed through a Water Quality Management Plan, which will include the following management measures: Storing fuels, chemicals, wastes and other potentially environmentally hazardous substances in contained areas away from watercourses and managed through a Hazardous Substances Management Plan Regular checks of vehicles and equipment for oil leaks 	×	•		•

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		 Development of a Waste Management Plan Waterway profiles at temporary construction access roads and temporary construction facility areas will be reinstated and disturbed areas promptly stabilised following completion of construction works Emergency spill response 				
	Erosion and sedimentation from construction activities and vegetation clearing	 Erosion and sediment controls relevant to construction activities will be implemented and managed through the implementation of an ESCP The extent and duration of soil exposure will be minimised as far as reasonably practicable Water quality during construction will be managed through a Water Quality Management Plan 	√	•	√	•
	Demolition of existing Old Mowbray Bridge piers and potential contamination of waterway with construction debris	 Contractor to undertake demolition works in accordance with environmental permits and approvals. Contractor to create demolition methodology for removal of existing supports. Debris to be removed in manageable sizes for crane lifts Erosion and sediment controls relevant to construction activities, particularly the Mowbray River bridge crossing, will be 	×	*	•	*

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		managed through the implementation of an ESCP				
	Impacts to local hydrology, drainage patterns and water quality of creeks and water bodies	 Maintain water quality and hydrological regime of the Project area Comply with the requirements of Environment Protection (Water) Policy 2009 and catchment management plans prepared for local waterways 				
	Development within the Coastal Management District including tidal areas.	 Maintaining coastal processes such as tidal flow and the flow of waterways through the inclusion of appropriately sized crossings Avoiding reclamation in tidal areas. Managing acid sulfate soils and coastal erosion Developing and implementing sediment and erosion control plans for all cuts, fill and culverts in close proximity to or directly in a watercourse Limiting the amount of temporary and permanent fill to be used in coastal management areas 	•		•	
OCUMENTS	Operation Ongoing trail use may result in erosion and sedimentation to surrounding surface water and the introduction of waste material which may negatively impact water quality.	 Placement of signage at entrances and exits of the trail informing trail-users of the appropriate use of bins for waste material Providing bins at the entrances and exits of the trail for trail-users to dispose of any waste material before entering and leaving the trail 	~	✓	✓	√

5 December 2019

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		 Active and passive discouragement – no promotion of areas that should be avoided or signage warning of restricted areas 				
Coastal processes	Construction Development within the Coastal Management District including tidal areas. Operation No impacts to coastal processes associated with operation of the SP1 Project	 Maintaining coastal processes such as tidal flow and the flow of waterways through the inclusion of appropriately sized crossings Avoiding reclamation in tidal areas. Managing acid sulfate soils and coastal erosion through the development and implementation of an acid sulfate soils management plan Developing and implementing sediment and erosion control plans for all cuts, fill and culverts in close proximity to or directly in a watercourse Limiting the amount of temporary and permanent fill to be used in coastal management areas 	•			
Groundwater	Construction Impacts to water quality may occur as a result of piling for bridge construction	 Contaminated groundwater will be captured and treated before release Water quality during construction will be managed through a Water Quality Management Plan 	×	×	✓	×
	Operation No groundwater impacts associated with operation of the SP1 Project	N/A	N/A	N/A	N/A	N/A

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
Topography, geology and soils	Construction It is likely that the construction of the trail will result in some changes to the landscape that will potentially increase the risk of erosion, these include: Clearing of vegetation Construction of all SP1 infrastructure Construction during high rainfall events	The nominated design and construction contractor will responsible for developing an Erosion and Sediment Control Plan (ESCP) during the construction phase of SP1 in accordance with the Best Practice Erosion and Sediment Control Manual (IECA, 2008). The ESCP will include mitigation measures such as: No go areas to be marked with flagging tape to ensure that all work activities remain within the designated work site and areas of vegetation to be retained to be clearly marker to mitigate the risk of accidental clearing Installation of sediment fencing along the downslope extent of works, particularly at bridge crossings and around the Mowbray River Minimisation of construction footprint through staged clearing activities and utilisation of cleared or modified areas where possible Stockpiling is to be located above tidal extents				
CUMENTS SALES	Construction activities below 5 m AHD in areas that are likely to contain Potential Acid Sulfate Soils (PASS) or Actual Acid Sulfate Soils (AASS) that could result in the	The Construction Contractor will develop an Acid Sulfate Soil Management Plan as part of the CEMP, in line with the Queensland acid sulfate soils technical manual: soil management guidelines.	√	√	√	~

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
	acidification of the surrounding environment.					
	Operation Trail users may displace soil and progressively wear down natural trail elements	 Regular maintenance of SP1 alignment to clearly define trail areas and promote use of designated areas Signage to encourage trail users to stay on designated track alignment 	✓	✓	✓	✓
	Erosion and sedimentation from ongoing use of trail	 Active and passive discouragement – no promotion of areas that should be avoided or signage warning of restricted areas 	√	×	√	×
Terrestrial ecology	Construction Construction activities resulting in the removal of vegetation, including areas of TEC, RE and marine plants.	Design of the SP1 alignment has minimised the disturbance of TEC and marine pants, wherever possible	√	√	√	✓
	Direst loss and disturbance of marine plants	Development of offset strategy	✓	✓	✓	✓
	Construction activities may impact flora and fauna biodiversity in the area	 Minimisation of construction footprint through staged clearing activities and utilisation of cleared or modified areas where possible 	√	√	√	√
	Introduction or increase of invasive species as a result of construction related disturbance, transportation of seed material and additional waste	 Implement a vehicle wash down area during the construction of the trail to ensure that vehicles are cleaned of all potential weeds CEMP to include measures to reduce introduction of weeds and pest 	✓	√	✓	✓

5 December 2019

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		 Trail construction will avoid disruption of forest canopy wherever possible to avoid additional sunlight that can promote weed growth on forest floor General waste will be securely disposed of in provided bins 				
	Development within Ecologically Significant Areas	 Design shall minimise encroachment into significant vegetation through the inclusion of exclusion zones along the alignment for areas of high ecological value. Appropriate provision will be made for fauna passage and continuation of watercourses and overland flow paths Environmental quality will be preserved through the inclusion of management requirements into the contract documentation for acid sulfate and contaminated soils 	•			
	Injury or loss of native flora and fauna	 CEMP to include measures to reduce impacts on flora and fauna and maintain remaining vegetation through: Nomination of no go zones Fauna spotter/ catcher onsite during clearing Retain habitat trees (e.g. trees with hollows) wherever practical Traffic management 	√	•	\	•

SARA ref:

1909-13127 SRA

Date: 5 December 2019

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
	Operation Removal, destruction or damage of marine plants from operational activities	Where marine plants require maintenance, the plants will be trimmed and cut by hand to minimise disturbance impact	√	✓	✓	✓
	Weed infestation from trail users tracking in weed material on shoes, bikes and equipment	 Development of a weed and pest species management plan to mitigation spread of invasive species by trail users Signage to encourage trail users to clean clothing, shoes and equipment before entering trail Providing boot wash facility at both ends of the trail to ensure users do not track pest weeds onto the trail Signage to discourage trail users from picking or carrying flowers or plants from one area to another 	•	•	•	✓
	Food and water waste leading to increased pest activities	 Signage to encourage trail users to dispose of waste prior to entering trail, as well as providing bins at both ends of the trail 	√	×	✓	√
	Trampling of plants as a result of trail users walking off track	 Providing guidelines to trail users around clearly walking on the trail 	✓	✓	✓	✓
	Interference of local wildlife by domestic animals	 Providing guidelines to trail users around not allowing domestic animals along the trail Signage around awareness of protected species 	✓	√	√	√

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
	Dangerous Fauna (Cassowary) inhabit the SP1 Project area. Animal interactions may result in injury/fatality from dangerous fauna	 To minimise the risks to public safety during this period, local education and community engagement will be used Warning signage to notify trail users 	~	✓	✓	√
Aquatic Ecology	Construction Introduction of additional sediment and materials to aquatic environment	 Water quality during construction will be managed through a Water Quality Management Plan Storing fuels, chemicals, wastes and other potentially environmentally hazardous substances in contained areas away from watercourses and managed through a Hazardous Substances Management Plan Regular checks of vehicles and equipment for oil leaks Development of a Waste Management Plan Waterway profiles at temporary construction access roads and temporary construction facility areas will be reinstated and disturbed areas promptly stabilised following completion of construction works Emergency spill response Appropriate permits and/or licences will be obtained for all water required during construction 	*	✓	✓	
CUMENTS	Removal, destruction or damage of marine plants from construction activities	Clearing of marine plants will be avoided, where possible, within temporary	✓	✓	✓	√

PLANS AND DOCUMENTS referred to in the REFERRAL

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		construction laydown areas not required for operation No go areas to be marked with flagging tape to ensure that all work activities remain within the designated work site and areas of vegetation to be retained to be clearly marked to mitigate the risk of accidental clearing				
	Direst loss and disturbance of marine plants	Development of offset strategy	✓	✓	✓	√
	Dangerous Fauna (Crocodiles) inhabit the SP1 Project area. Falls into water or any entry to the water could result in injury/fatality from dangerous fauna	Contractor to implement JSEA safe work method statement	×	×	✓	✓
	Injury or loss of native flora and fauna	CEMP to include measures to reduce impacts on flora and fauna and maintain remaining vegetation through: Nomination of no go zones Fauna spotter/ catcher onsite during clearing Retain habitat trees (e.g. trees with hollows) wherever practical Traffic management	•	•	•	✓
	Operation Removal, destruction or damage of marine plants from operational activities	Where marine plants require maintenance, the plants will be trimmed and cut by hand to minimise disturbance impact	√	✓	✓	✓

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
	Additional disturbance to aquatic environments associated with increased foot traffic and potential deviation from designated trail areas	 Signage to encourage trail users to stay on designated track alignment Regular maintenance of SP1 alignment to clearly define trail areas and promote use of designated areas 	✓	√	√	√
	Dangerous Fauna (Crocodiles) inhabit the SP1 Project area. Falls into water or any entry to the water could result in injury/fatality from dangerous fauna	 To minimise the risks to public safety during this period, local education and community engagement will be used Warning signage to notify trail users 	×	×	✓	✓
Air quality	Construction Generation of dust associated with machinery movement and construction of the SP1 alignment Generation of exhaust emissions associated with machinery and vehicles	 Implementation of dust suppression methods such as watering down of areas and mulching of cleared vegetation to use as ground cover Avoidance or minimisation of dust generation during severe weather conditions i.e. minimising dust generation during periods of intense wind Selection of machinery to be fit-forpurpose and low emission, wherever possible 	•	•	•	•
	Operation No air quality impacts associated with operation of the SP1 Project	N/A	N/A	N/A	N/A	N/A
Noise and vibration	Construction Additional noise and vibration may negatively impact immediate and surrounding areas	 Impacts will be mitigated through a Construction EMP developed by the Construction Contractor 	✓	√	√	√

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		 SP1 will abide by environmental impact best practice guidelines by using low impact construction methods Prior and during the construction phase of SP1, provision of information to nearby residents regarding construction activities and timing should be undertaken, alongside information on who to contact if issues arise. Construction activities will only occur during daytime hours, with no night time works proposed 				
	Operation Additional noise and vibration associated with trail use may negatively impact flora and fauna	 Signage around awareness of fauna species and sensitive areas Active and passive discouragement – no promotion of areas that should be avoided or signage warning of restricted areas Regular maintenance of SP1 alignment to clearly define trail areas and promote use of designated areas 	√	√	•	√
Waste	Construction Construction of the SP1 alignment may result in the introduction of waste material from construction workers	 Development of a Waste Management Plan Storing fuels, chemicals, wastes and other potentially environmentally hazardous substances in contained areas away from watercourses and managed through a Hazardous Substances Management Plan 	√	✓	✓	✓

SARA ref: 1909-13127 SRA

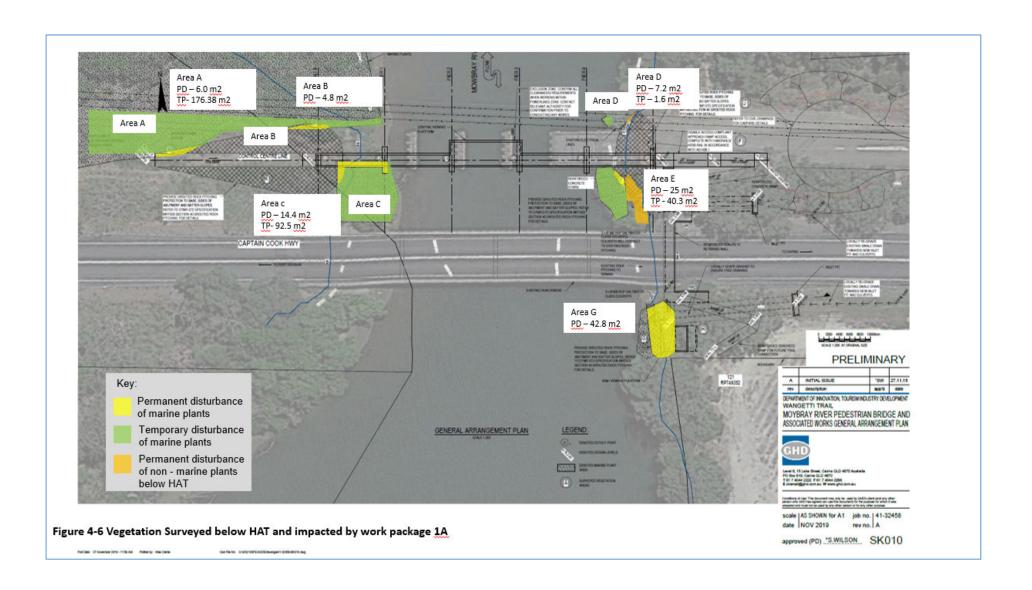
Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		General waste will be securely disposed of in provided bins				
	Operation Ongoing trail use may result in erosion and sedimentation to surrounding surface water and the introduction of waste material which may negatively impact water quality.	 Placement of signage at entrances and exits of the trail informing trail-users of the appropriate use of bins for waste material Providing bins at the entrances and exits of the trail for trail-users to dispose of any waste material before entering and leaving the trail Active and passive discouragement – no promotion of areas that should be avoided or signage warning of restricted areas 	✓	•	✓	•
Existing infrastructure	Construction Potential for earthworks to expose and damage existing buried services and plant collision with overhead services	 Contractor is to locate services on site prior to doing excavations and relocate services as required. Contractor to implement JSEA/SWMS for plant working near overhead utilities and use spotters as required 	√	√	√	✓
	Mechanical excavation striking the fibre optic cable running through site	 Contractor to adhere to acceptable construction methods and times in accordance with environmental management plans 	✓	✓	✓	√
	Damage to existing Road Bridge from excavation of the rock protection for the underpass retaining wall	 Contractor to implement JSEA safe work method statement. Contractor to implement access management plan for access to site of works 	×	×	√	√
	Operation	N/A	N/A	N/A	N/A	N/A

SARA ref: 1909-13127 SRA

Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
	No impacts to existing infrastructure associated with operation of the SP1 Project					
Transport	Construction Increased traffic and road congestion as a result of workers and material deliveries	 Employ workers from within the local area and source materials locally, wherever possible Appropriate scheduling of deliveries to reduce frequency Construction traffic to use existing roads and/or gravel road surfaces wherever possible 	√	•	•	•
	Operation No transport impacts associated with operation of the SP1 Project	N/A	N/A	N/A	N/A	N/A
Greenhouse gasses	Construction Production of greenhouse gasses as a result of machinery use	 Selection of machinery to be fit-for- purpose and low emission, wherever possible 	✓	✓	√	✓
	Operation No greenhouse gas impacts associated with operation of the SP1 Project	N/A	N/A	N/A	N/A	N/A
Social and economic environment	Construction SP1 has the potential to impact on native title	 SP1 will abide by environmental impact best practice guidelines to develop a project that is low impact Where works are proposed in an area where native title exists, an indigenous 	√	√	√	√

SARA ref: 1909-13127 SRA

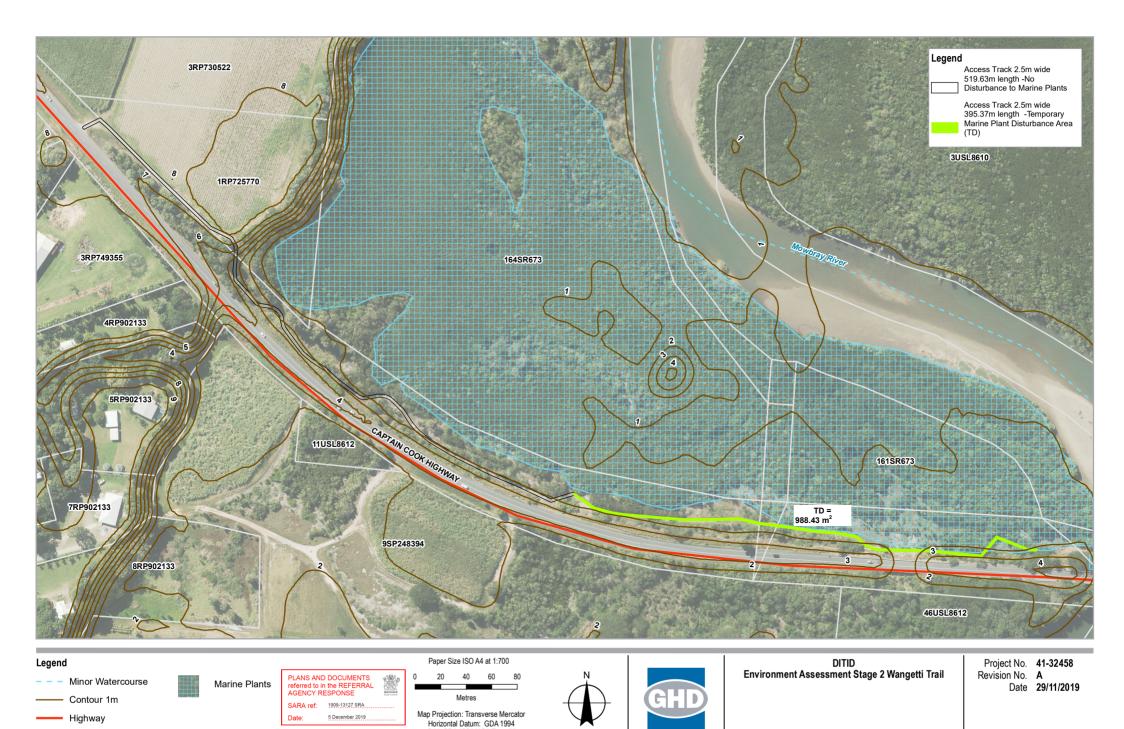
Aspect	Impact	Mitigation Measure	Trail	Boardwalk	Bridges	Ancillary works
		land use agreement (ILUA) is likely to be required				
	Construction may result in impacts to roads users	 Appropriate traffic management during construction 	*	×	×	✓
	Operation Change of social demographics and regional economy as a result of SP1 Project	• Employ workers from within the local area, wherever possible	√	√	√	✓
Cultural heritage	Construction Potential to find unrecorded cultural heritage	 CEMP to include procedure for discovery of unexpected cultural finds Implementation of FIND-STOP-NOTIFY procedure 	√	√	✓	√
	Operation Additional access to sensitive and restricts sites that may impact on Traditional Owner cultural values	 Highlighting the importance of cultural heritage sites with clear signage recommending trail-users do not impact on the areas Regular maintenance of SP1 alignment to clearly define trail areas and promote use of designated areas 	√	√	✓	✓



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 1909-13127 SRA

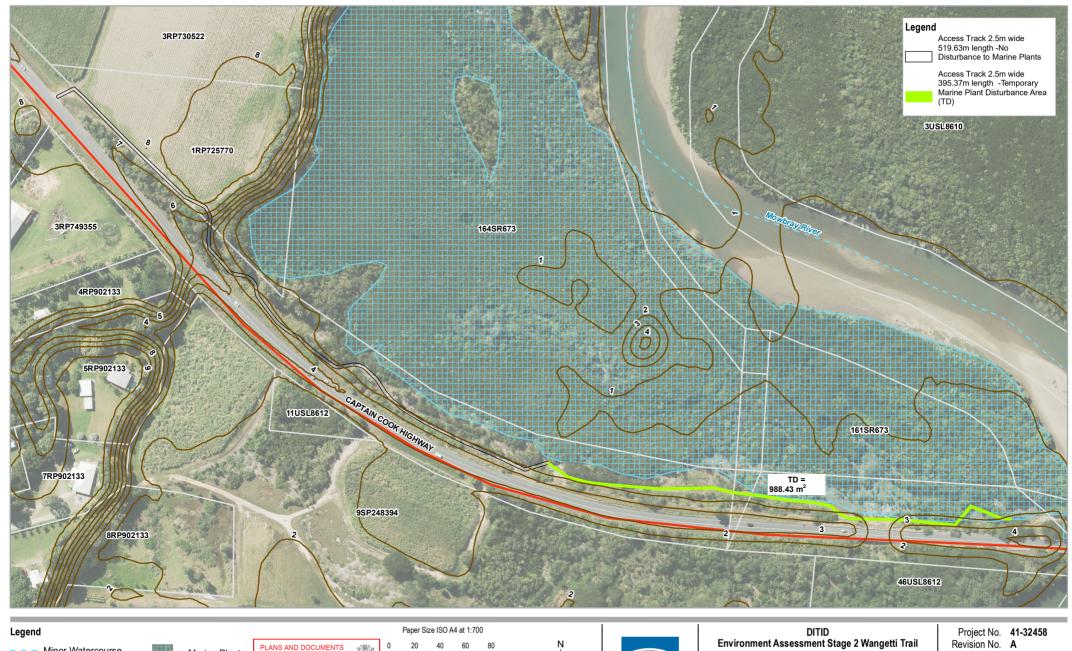
Date: 5 December 2019





5 December 2019

Highway





referred to in the REFERRAL

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5 December 2019

Metres

Marine Plants

Minor Watercourse

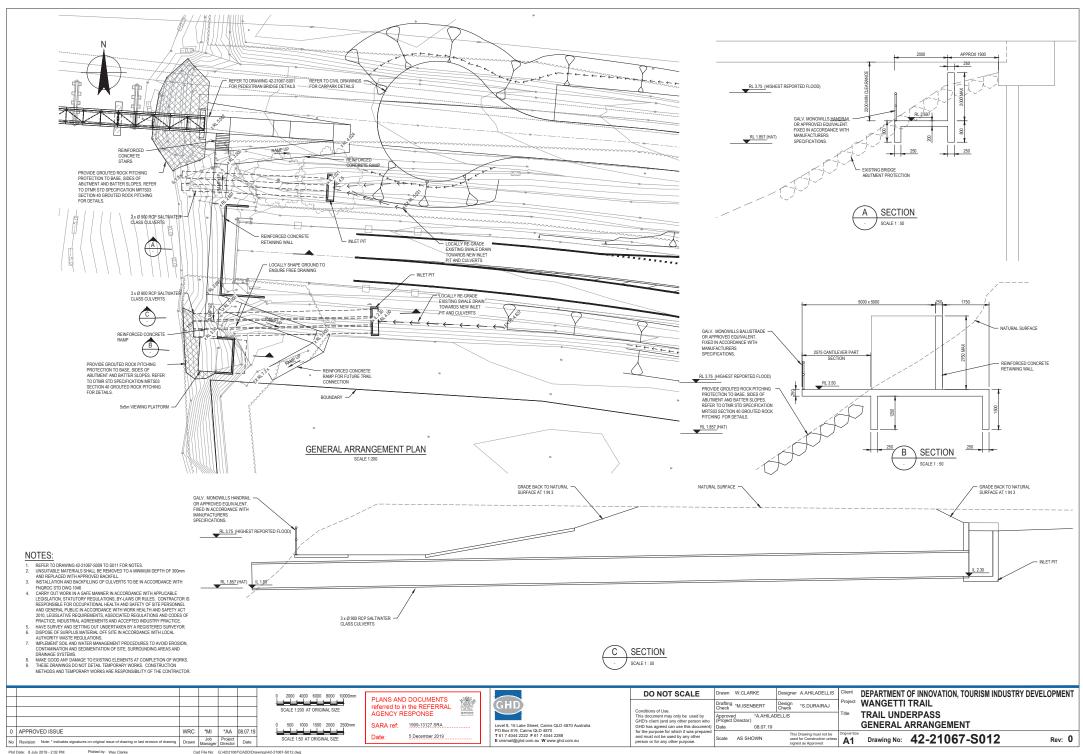
Contour 1m

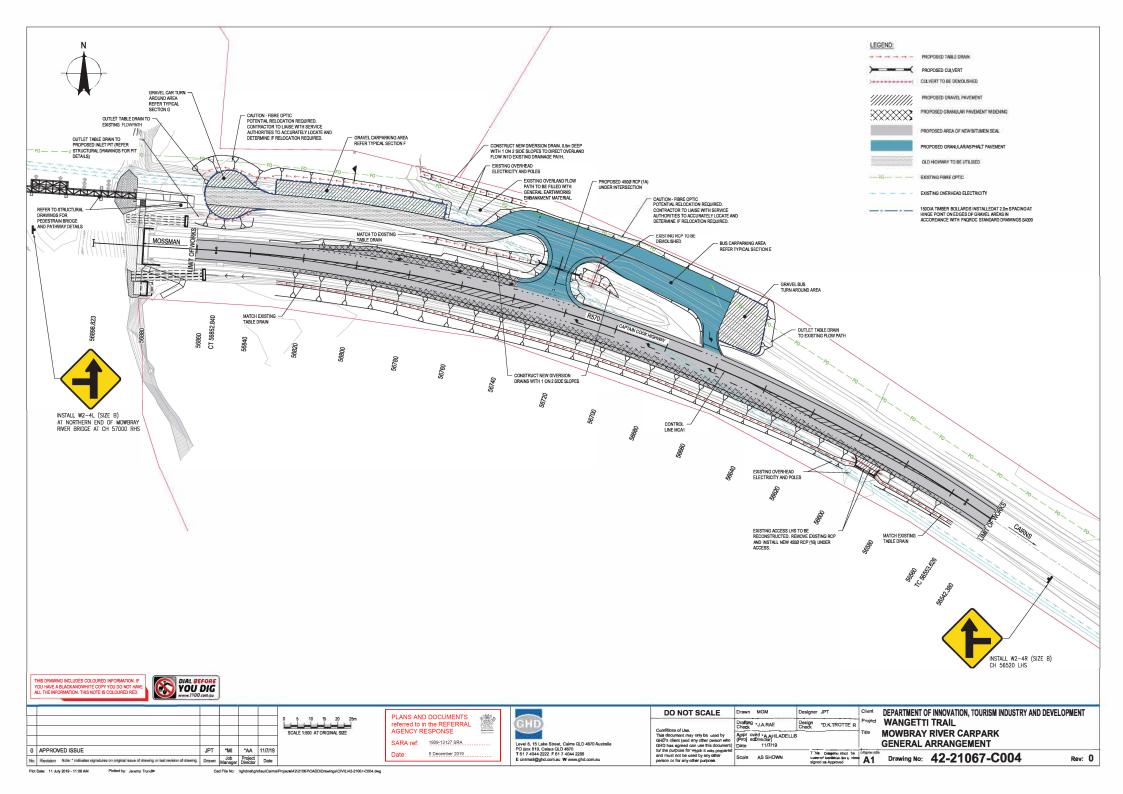


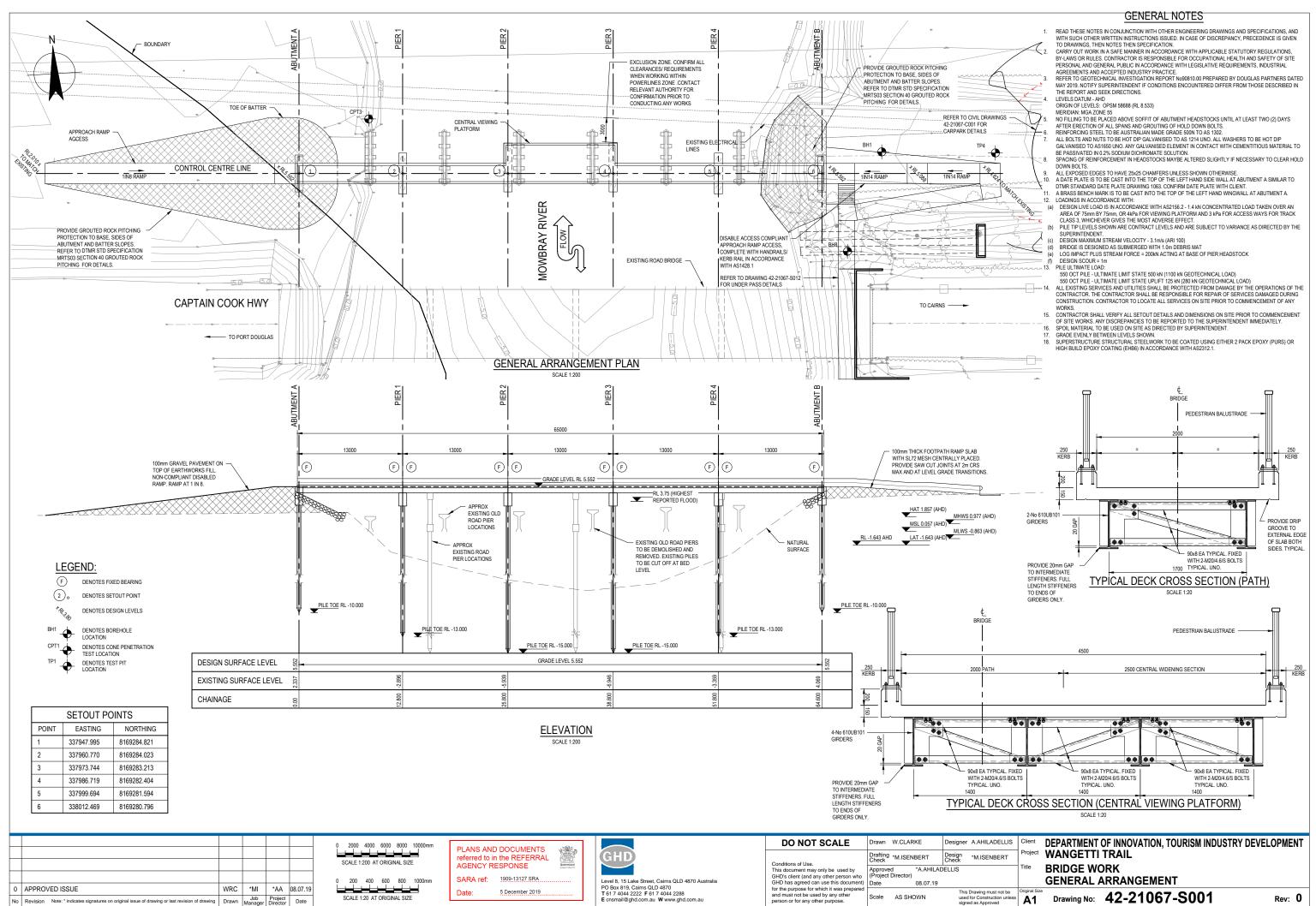
Environment Assessment Stage 2 Wangetti Trail

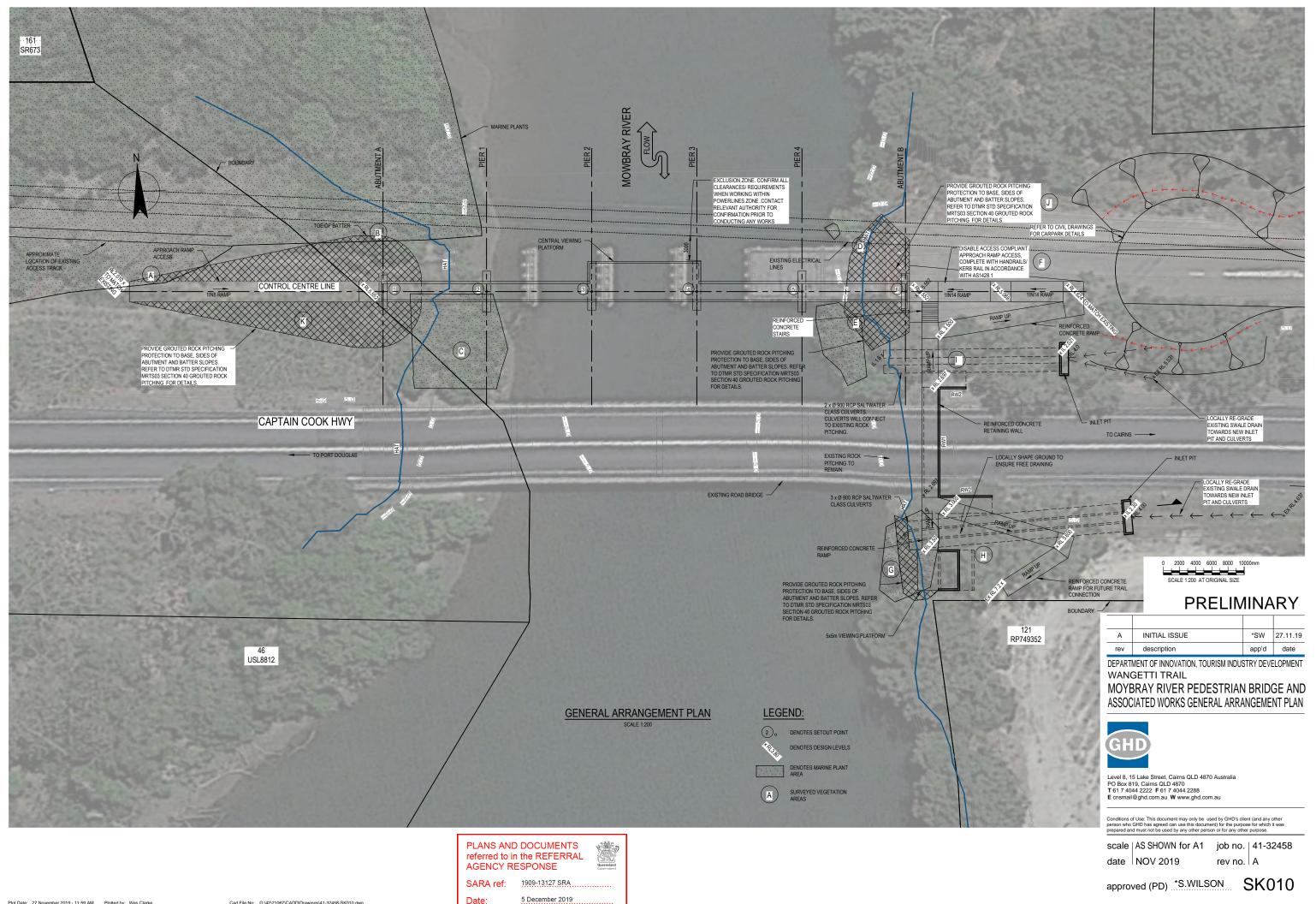
Revision No. A Date 29/11/2019

Existing Access Track

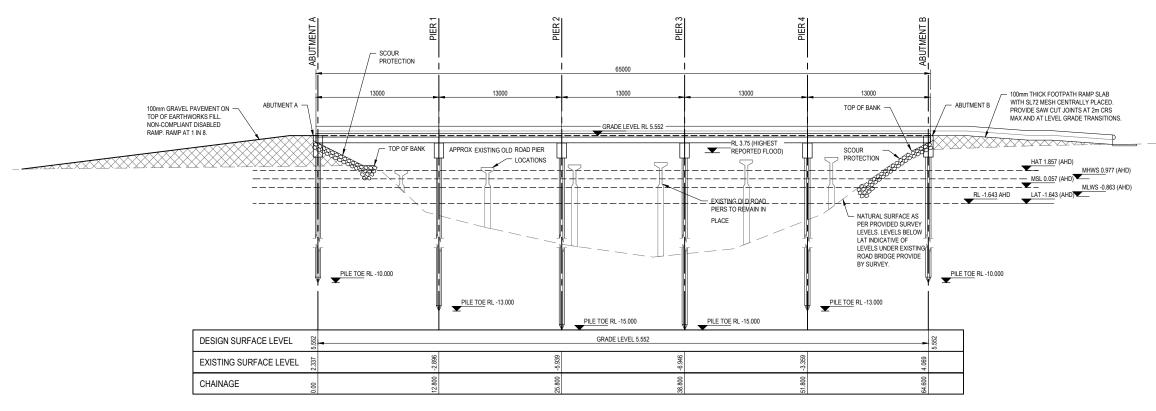




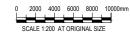




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PRELIMINARY

Α	INITIAL ISSUE	*SW	27.11.19
rev	description	app'd	date
DEDARTMENT OF INNOVATION TO IDIOM INDUCTOR DEVEL ORMENT			

DEPARTMENT OF INNOVATION, TOURISM INDUSTRY DEVELOPMENT WANGETTI TRAIL

MOWBRAY PEDESTRIAN BRIDGE ELEVATION

PIER DETAILS AND WATER LEVELS



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Extracts from the Planning Act 2016 - Making Representations During Applicant's Appeal Period

Planning Act 2016 Chapter 3 Development assessment

s 74

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - as if a reference in section 75 to a development approval were a reference to an approval of a change application;
 and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (change representations) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than-
 - a matter stated because of a referral agency's response; or

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- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
- if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
 - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - the applicant receives notice that the assessment manager does not agree with the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

 The assessment manager must assess the change representations against and having regard to the matters that

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- must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
- (3) A decision notice (a negotiated decision notice) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

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Extracts from the Planning Act 2016 - Appeal Rights

Planning Act 2016 Chapter 6 Dispute resolution

[s 229]

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—

conduct means an act or omission.

representative means-

- (a) of a corporation—an executive officer, employee or agent of the corporation; or
- (b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's-

- (a) knowledge, intention, opinion, belief or purpose; and
- (b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- Schedule 1 states—
 - (a) matters that may be appealed to-
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and

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- (iii) who is a co-respondent in an appeal of the matter;
- (iv) who may elect to be a co-respondent in an appeal of the matter.
- An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice— 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for an appeal relating to the Plumbing and Drainage Act 2018—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

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- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note-

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - the establishment cost of trunk infrastructure identified in a LGIP; or
 - the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

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- (a) the respondent for the appeal; and
- (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
- (f) for an appeal to the P&E Court—the chief executive;
 and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The service period is—

- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started;
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - if a copy of the notice of appeal is given to the person within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

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(7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

decision includes-

- (a) conduct engaged in for the purpose of making a decision; and
- other conduct that relates to the making of a decision;
 and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise,

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- whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- The Minister, or chief executive, (the appointer) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - to negotiate and mediate outcomes between parties to a proceeding; and
 - (ii) to apply the principles of natural justice; and
 - (iii) to analyse complex technical issues; and
 - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

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