



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0515-021119

2 July 2015

Mango Beach Port Douglas Pty Ltd
PO Box 487
Smithfield QLD 4878

Dear Sir / Madam

Information request—concurrence agency

Development application for operational works associated with a reconfiguration of a lot (3 lots into 7 lot community title and balance lot) on land at 42-52 Mitre Street, Craiglie and more particularly described as Lot 1 on C2253, Lot 2 on C2253 and Lot 6 on C2253 in the Douglas shire

(Given under section 276 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* (the act) on 29 May 2015 and considered properly referred on 4 June 2015.

The department has carried out an initial review of the application and has determined that in accordance with section 276 of the act, the following additional information is requested to complete the assessment of the application:

Item	Information requested
Schedule 7, Table 2, Item 13	
State Development Assessment Provisions version 1.5 dated 10 October 2014, Module 10 (Coastal protection), 10.1 Tidal works, or development is a coastal management district state code	
1.	<p>The purpose of the state code is to ensure tidal works and development in the coastal management district:</p> <ol style="list-style-type: none"> 1) is managed to protect and conserve environmental, social and economic coastal resources 2) enhances the resilience of coastal communities to coastal hazards. <p>IDAS Form 23 submitted with the development application indicates the proposed works will be interfering with quarry material as defined under the <i>Coastal Protection and Management Act 1995</i> (e.g. excavating or moving sand, gravel or any other earth material on state coastal land such as esplanades) on state coastal land above high-water mark.</p> <p>The development application states that there is a need to mitigate flood and stormwater adjacent to Lot 6 on C2253. It is understood the works will occur by excavating a natural drain that exists within a gully in the public esplanade and that all sand is to be left behind.</p> <p>The proposed drainage works in the esplanade are within the coastal management district, and the eastern boundaries of the proposed lots are within the erosion prone area and subject to medium storm tide inundation.</p> <p>It is noted the submitted plan shows the contours of the public esplanade but it is not known what the actual works entail in terms of excavation, building works and adverse effects to environmental values.</p> <p><u>Performance outcome 9 on Module 10 states:</u> <i>Development avoids impacts on matters of state environmental significance, or where this is not reasonably possible, impacts are minimised and an environmental offset is provided for any significant residual impacts to matters of state environmental significance that are prescribed environmental matters.</i></p> <p>The following information is required to address performance outcome 9 and to demonstrate that there will be now significant residual impacts to matters of state environmental significance:</p> <ol style="list-style-type: none"> 1. identify matters of state environmental significance at the site or adjacent to the site that may be impacted by the proposed development 2. describe how the development avoids impacts on matters of state environmental significance 3. describe how the development minimises impacts on matters of state environmental significance 4. determine whether there will be any significant residual impact to matters of state environmental significance that are prescribed environmental matters, as a result of the development 5. where a significant residual impact is identified, detail proposed environmental offsets for the development

Habitat for Endangered, Vulnerable and Special Least Concern Wildlife	
2.	<p>A wildlife online search with a one kilometer buffer shows that there are records of 17 special least concern species of birds and three sightings of the beach stone-curlew which is listed as vulnerable under the <i>Nature Conservation Act 1992</i>. Most of the species recorded are shorebirds.</p> <p>For matters of state environmental significance (onsite and within the proposed works within the public esplanade) that are native wildlife protected under the <i>Nature Conservation Act 1992</i>:</p> <ol style="list-style-type: none"> 1. Provide a Species Management Plan in accordance with the <i>Nature Conservation Act 1992</i> and its regulations. The Species Management Plan must include, but not be limited to: <ul style="list-style-type: none"> • identification of specific locations utilised as key habitat areas (for roosting, foraging, nesting or breeding) of protected wildlife both on the development site and on the adjoining area/habitat; • actions to be undertaken by the permittee in order to ensure that roosting, foraging, nesting or breeding locations of the protected wildlife are not interfered with as a result of the change of use of the site; • procedures that meet the legislative requirements under the <i>Nature Conservation Act 1992</i> and its regulation for activities that may tamper with an animal breeding place, as a result of the proposed development. 2. Conduct a flora survey in any areas where vegetation is proposed to be removed, in accordance with the Nature Conservation (Wildlife Management) Regulation 2006 protected plants – flora survey guidelines published by the Department of Environment and Heritage Protection. <p>A copy of the guideline can be downloaded via http://www.ehp.qld.gov.au/licences-permits/plants-animals/protected-plants/map-request.php</p>
Rehabilitation management plan	
3.	<p>The development application makes no mention of a Rehabilitation Management Plan with regard to the operational works, particularly within the public esplanade.</p> <ol style="list-style-type: none"> 1. Provide information on the species/rehabilitation objectives for excavation activities in the esplanade and onsite.

Schedule 7, Table 2, Item 43B	
State Development Assessment Provisions version 1.5 dated 10 October 2014, Module 11 (Wetland protection area), 11.1 Wetland protection area state code	
4.	<p>The purpose of the state code is to ensure that development in wetland protection areas is planned, designed, constructed and operated to prevent the loss of degradation of wetland environmental values, or enhances the values of wetlands within these areas.</p> <p>The subject lots including the public esplanade are mapped within a wetland protection area. The development application has not provided sufficient detail to assess impacts on the regulated wetland.</p> <ol style="list-style-type: none"> 1. Provide an assessment against the Queensland Wetland Buffer Planning Guideline (DEHP, 2011) as to why there are no proposed buffers to the mapped high ecological significance wetland. <p>A copy of the guideline can be downloaded via http://wetlandinfo.ehp.qld.gov.au/resources/static/pdf/resources/reports/buffer-guide/wetland-buffer-guideline-14-04-13.pdf</p>
Drawings	
5.	<p>The submitted drawings do not contain sufficient detail to carry out a full assessment.</p> <p>Please amend Drawings 1503LUCAS-C1, 1503LUCAS-C2, 1503LUCAS-C7, 1503LUCAS-C9 and the plan titled Gully Outfall or alternatively provide new drawings, that indicate the following with regard to the operational works:</p> <ol style="list-style-type: none"> 1. the real property description and boundaries of the land (including tidal land) that would abut or adjoin the proposed works; 2. the proposed works (including existing works and vegetation to be removed) in relation to the real property description and boundaries of the land (including tidal land) that would abut or adjoin the proposed works; 3. the proposed works (including existing works and vegetation to be removed) in relation to the location of the coastal management district and coastal hazards; 4. the proposed works (including existing works and vegetation to be removed) in relation to relevant tidal planes (e.g. mean high water springs); and 5. show the finished levels of the works. <p>All plans provided need to satisfy the requirements outlined in the Department of Environment and Heritage Protection's Guideline for Constructing Tidal Works (EM2034).</p> <p>A copy of the guideline can be downloaded via http://www.ehp.qld.gov.au/coastal/development/pdf/gl-cd-constructing-tidal-works-em2034.pdf</p>

The due date for receipt of this information is 6 months after the day you receive this request. If necessary you may request an extension to this period. Unless a response to this request for further information has been received from you within this period or any extension during this period, your application will lapse.

A pro forma is attached to this notice to assist you in providing an information request response which complies with the requirements of the act.

Please be advised that the application will be assessed on the basis of the information provided. It is therefore recommended that you respond to all of the information requested by the department. Further details regarding the information request response period and the lapsing of development applications are set out in sections 279 and 280 of the act.

Your response to the information request must be submitted to the department through MyDAS or alternatively emailed to CairnsSARA@dilgp.qld.gov.au.

As the department is a concurrence agency, you must also give a copy of the information request response to the assessment manager under section 278(2) of the act.

If you require any further information, please contact Joanne Manson, Senior Planning Officer, SARA Far North QLD on 4037 3228 or via email joanne.manson@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin Clark', is positioned above the printed name.

Robin Clark
Manger (Planning)

cc: Douglas Shire Council, Ref: Op749/2015, Att: Neil Beck,
email: enquiries@douglas.qld.gov.au

Our reference: Operational works associated with ROL (Craiglie)
Your reference: SDA-0515-021119

Attn: CairnsSARA (Joanne Manson)

Response to information request—concurrence agency

Development application for operational works associated with a reconfiguration of a lot (3 lots into 7 lot community title and balance lot) on land at 42-52 Mitre Street, Craiglie and more particularly described as Lot 1 on C2253, Lot 2 on C2253 and Lot 6 on C2253 in the Douglas shire

(Given under section 278 of the *Sustainable Planning Act 2009*)

Assessment manager reference: OP749/2015

Local government area: Douglas Shire Council

As the applicant of the above development application, I am responding to your information request by:

- ☐ Enclosing all of the information requested.
- ☐ Enclosing part of the information requested and asking that the requesting authority proceed with the assessment of the application.
- ☐ Advising that I do not intend to supply any of the information requested and asking that the requesting authority proceed with the assessment of the application.

Name of applicant: Mango Beach Port Douglas Pty Ltd

Signature of applicant:

Date: