



SARA reference: 2210-31740 SRA
 Applicant reference: ARO0188
 Council reference: ROL 2022_4962/1

3 January 2023

Mr John Donald
 C/- Kelly Reaston Development and Property Services
 51 Sheridan Street
 CAIRNS QLD 4870
kelly@kellyreaston.com.au

Attention: Ms Kelly Reaston

Dear Sir/Madam,

SARA information request – Reconfiguring a lot (one lot into nine lots) at 368-380 Port Douglas Road, Port Douglas

(Given under section 12 of the Development Assessment Rules)

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

Wetland protection area

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| 1. | <p><u>Issue:</u>
 Insufficient details have been included in the plans to enable an assessment of the impact of the proposed development on the nearby High Ecological Significant (HES) wetland. Earthworks will be required to facilitate the proposed development, however no details have been provided. The nature and extent of earthworks required will require consideration at this stage to determine any potential impact of the development on the nearby wetland.</p> <p><u>Action:</u>
 Please provide appropriately scaled drawings and/or plans that include the following details:</p> <ul style="list-style-type: none"> • earthworks that will be required to facilitate the proposed development • measures employed to minimise impacts to the local receiving environment • any adjacent riverbanks, walls, sandbanks, structures, the limit of vegetation and/or other principal features of the immediate area • relevant tidal planes (e.g. highest astronomical tide, mean high water springs) • any other information required to accurately define the area and to allow the site to be |
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	readily identified from the plan.
2.	<p>Issue:</p> <p>The subject site is located within a mapped wetland protection buffer area associated with a HES wetland. A response to State code 9: Great Barrier Reef wetland protection areas (State code 9) was not provided and the application material and insufficient information has been provided to demonstrate that the proposed development does not have an adverse impact on hydrology (Performance outcome (PO) PO3), water quality (PO4 and PO5), land degradation (PO6), fauna management (PO7 – PO9) and Matters of State Environmental Significance (MSES) (PO10).</p> <p>The surface hydrology of a wetland is the fundamental aspect of wetland function and no assessment of groundwater hydrology has been provided with the proposed development. Existing surface water hydrology means all the natural formation of the land (the wetlands but also surrounding overland flows, creeks and channels) that allows for surface water to flow in and out of the wetland. With unnaturally high or inadequate volumes of water, the natural ecological function of a wetland will be altered or lost.</p> <p>Groundwater is usually the most significant contributor to a wetland's ongoing presence and function. Existing groundwater hydrology means all the natural parts of the landscape that contain or assist in the movement of groundwater into, through and out of the wetland. Development can pose a threat to the water quantity and quality of ground water systems.</p> <p>It is noted that a Stormwater Management Plan has been prepared and provided, however, this relates to managing stormwater within the development site and does not address how changes to stormwater flow, volume, velocity and quality, as a result of the development, will impact the neighbouring wetland.</p> <p>Action:</p> <p>Please provide additional information to enable the proposed development to be assessed against State code 9 including PO3 – PO10. In particular, a surface and groundwater hydrological assessment prepared by an appropriately qualified person is required. The hydrological assessment should address the information requirements contained in Guideline: State Development Assessment Provisions, State Code 9: Great Barrier Reef wetland protection areas.</p> <p>Note: Appropriately qualified person means a person or persons who has professional qualifications, training, skills and experience relevant to surface water and groundwater hydrology and management and can give authoritative assessment, advice and analysis in relation to surface water and groundwater hydrology and management using the relevant protocols, standards, methods or literature.</p>
State-controlled road	
3.	<p>Issue</p> <p>The current vehicular access to the site is via a shared access with adjacent Lot 4 on RP729037. The planning report submitted with the application material identifies that:</p> <p><i>‘There is an existing access to the site from the State controlled Port Douglas Road. This access will be retired and a new access will be required for the development. The only practical access due to the constraints of the site is the State controlled Port Douglas Road’.</i></p> <p>Insufficient information has been provided illustrating how Lot 4 on RP729037 will be accessed via Port Douglas Road and how the changed vehicular access complies with PO15 – PO19 and</p>

<p>PO25 – PO26 of State code 1: Development in a state-controlled road environment (State code 1).</p> <p>The design and function of the changed vehicular access for the development must ensure that the changed vehicular access can provide access to Lot 3 and Lot 4 on RP729037 via a single vehicular access location and does not impact on the function of the Port Douglas Road and Port Douglas Road / Old Port Road T-intersection.</p> <p>Action</p> <p>The applicant is required to provide a RPEQ traffic assessment that includes the following:</p> <ul style="list-style-type: none"> • Sufficient information to address and demonstrate compliance with PO15 – PO19 and PO25 – PO26 of State code 1 for a changed shared vehicular access and location. • Illustrate on a plan, a vehicular access that is designed to provide safe access to Lot 3 on RP729037 (the subject site) and Lot 4 on RP729037 via a single shared vehicular access without compromising the safety and function of Port Douglas Road. DTMR does not support two individual access locations to Lot 3 and Lot 4 on RP729037 via Port Douglas Road near the major and well utilised Port Douglas Road / Old Port Road T-intersection. <p>Note: As you proposed development involves a new or changed access it is also taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> from the Department of Transport and Main Roads (DTMR). DTMR's assessment of the application has regard to the Vehicular Access to State-Controlled Roads Policy (VAP).</p> <p>The VAP establishes principles to protect the safety, function and future planning of the state-controlled road network. Principle 2 of the VAP requires vehicular access to be consistent with the functional requirements of the state-controlled road. The VAP also provides strategies for achieving the principles. Strategy 3 for principle 2 requires that the number of access points to a state-controlled road are minimised to ensure through carrying function of the road is maintained. DTMR has advised that practical access can be safely achieved to Old Port Road.</p> <p>The existing vehicular access to Lot 3 and Lot 4 on RP729037 via Port Douglas Road was granted based on a shared vehicular access, which complies with Strategy 3 of Principle 2 of the VAP. DTMR has advised that the proposed access arrangement does not comply with Principle 2 of the VAP</p>
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How to respond

You have three months to respond to this request and the due date to SARA is 3 April 2023.

You may respond by providing either: (a) all of the information requested; (b) part of the information requested; or (c) a notice that none of the information will be provided. Further guidance on responding to an information request is provided in section 13 of the [Development Assessment Rules](#) (DA Rules).

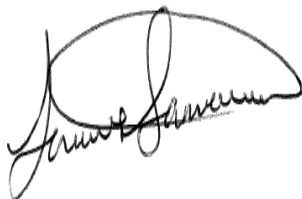
It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

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

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

If you require further information or have any questions about the above, please contact Belinda Jones, Principal Planning Officer, on 07 4037 3208 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/Manager (Planning)

cc Douglas Shire Council, enquiries@douglas.qld.gov.au

Development details	
Description:	Development permit Reconfiguring a lot (one lot into nine lots)
SARA role:	Referral agency
SARA trigger:	<ul style="list-style-type: none"> Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017) – Reconfiguring a lot near a state-controlled road Schedule 10, Part 9, Division 4, Subdivision 2, Table 3 (Planning Regulation 2017) – Reconfiguring a lot near a state-controlled intersection Schedule 10, Part 20, Division 4, Table 2 (Planning Regulation 2017) – Reconfiguring a lot in a wetland protection area
SARA reference:	2210-31740 SRA
Assessment criteria:	State code 1: Development in a state-controlled road environment State code 9: Great Barrier Reef wetland protection area