



SARA reference: 2106-23029 SRA
Council reference: MCUC2021_4156/1
Applicant reference: PR149569

21 July 2021

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

Attention: Daniel Lamond

Dear Sir/Madam

SARA response—Helicopter Base and Pilot's Accommodation at Captain Cook Highway, Mowbray

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 19 June 2021.

Response

Outcome:	Referral agency response – with conditions.	
Date of response:	21 July 2021	
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 for Air Services and Ancillary Use (Pilots Accommodation)
SARA role:	Referral Agency.	

SARA trigger: **Schedule 10, Part 20, Division 4, Table 3** (Planning Regulation 2017) Material change of use within a wetland protection area

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017) Material change of use near a state-controlled road

SARA reference: 2106-23029 SRA

Assessment Manager: Douglas Shire Council

Street address: Captain Cook Highway, Mowbray

Real property description: Lot 78 on SR416

Applicant name: Algona Developments Pty Ltd

Applicant contact details: C/- RPS Cairns
135 Abbott Street
Cairns QLD 4870
ian.doust@rpsgroup.com.au

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 Anthony Westbury, Planning Officer, on 40373215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

cc Algona Developments Pty Ltd, ian.doust@rpsgroup.com.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
Material change of use		
Schedule 10, Part 20, Division 4, Table 3, Item 1 – Material change of use of premises within a wetland protection area—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Stormwater runoff leaving the site or discharging into the Wetland Protection Area (WPA) must not exceed a maximum concentration of 50 mg/L of total suspended solids.	At all times.
2.	<p>(a) A sewerage treatment plan must be prepared by an appropriately qualified person that establishes measures to reduce the risk of contamination of the groundwater dependent wetland, taking into account:</p> <ul style="list-style-type: none"> (i) nature of the substrate (ii) proximity of the aquifer to surface (iii) measures for monitoring (in particular monitoring contamination of groundwater and leachates into the wetland) (iv) measures for rapid clean-up and remediation should contamination occur. <p>(b) Submit the plan from part (a) of this condition to palm@des.qld.gov.au or mail to:</p> <p>Department of Environment and Science Permit and Licence Management GPO Box 2454 Brisbane Qld 4001</p> <p>(c) Undertake the development generally in accordance with the plan</p>	<p>(a) and (b) Prior to the commencement of works.</p> <p>(c) For the duration of the work.</p>
3.	Earthworks must only occur during April - October of the dry season.	For the duration of the works.
4.	Erosion and sediment control measures which are in accordance with the Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association), are to be installed and maintained to prevent the release of sediment to Wetland Protection Area on Lot 118 on SR286, Lot 25 on SR664 and Lot 17 on USL8610.	For the duration of the works.
5.	Maintain an 82m wide buffer for the purpose of protecting the environmental values within the Wetland Protection Area as shown on Proposed Concept for Helipad, prepared by RPS Australia East Pty Ltd, dated 18.05.2021 drawing reference PR149569-1, revision C.	At all times.

6.	Prior to arrival on site, all vehicles and machinery is to be cleaned down in accordance with the Department of Agriculture and Fisheries <i>Queensland Vehicle and machinery checklists Clean-down procedures 2014</i> .	At all times during construction works.
Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
7.	The road access location is to be located generally in accordance with TMR Layout Plan (20A – 54.49km), prepared by Queensland Government Transport and Main Roads, dated 25/06/2021, Reference TMR21-033283 (500-708) and Issue A.	At all times.
8.	Direct access is not permitted between the Captain Cook Highway and the subject site.	At all times.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

- The subject site is adjacent to mapped wetlands and located within the wetland protection trigger area, with road frontage and existing vehicle access to Captain Cook Highway, a state-controlled road.
- The proposed development will be separated from the wetland by an 82m vegetation buffer of tall guinea grass which will assist in filtering and preventing chemicals such as hydrocarbons, septic tank seepage and heavy metals from entering the wetland.
- The proposed development is unlikely to change the existing surface water hydrology and adversely affect the wetland protection area, or significantly restrict the infiltration of rainwater into the groundwater table.
- Land degradation or soil degradation is unlikely to occur as a result of the proposed works.
- The proposed development is not likely to have adverse impacts to the water-quality of the wetland protection area.
- As the development is located at a high topography, the viability of the wetland is likely to be maintained with adequate management and monitoring practices in place.
- Given the proximity to the state-controlled road, it is unlikely that the use of helicopters in this area will cause measurable noise disturbance to fauna within the wetland protection area.
- Adverse impacts on matters of state environmental significance (MSES) have been avoided as the development is located outside of the areas containing the environmental values.
- The existing access is via a sealed shared access located approximately 170m from the subject site via an unsealed driveway. This access complies with the Department of Transport and Main Roads' access standards.
- There will be no significant change in the number of vehicles or types of vehicles utilising the existing shared vehicular access, and the proposed development will not require a new or changed access to the state-controlled road.
- The proposed development will be setback approximately 46m from the carriageway of the Captain Cook Highway and screened by mature vegetation along the property boundary.
- Required excavation and filling is located approximately 20m from the Captain Cook Highway road reserve and is unlikely to impact the state controlled road.
- The subject site can be connected to council services, infrastructure and essential utilities without the connections being located in a state-controlled road.
- The pilot's accommodation is located at least 30m from the Captain Cook Highway and can be appropriately constructed to minimise traffic noise from vehicles using the state-controlled road.
- The proposed development is unlikely to compromise the safety, efficiency, and operating conditions of Captain Cook Highway.
- The proposed development will avoid adverse impacts on wetland environmental values.
- With conditions, the proposed development complies with the relevant provisions of the following:
 - o State code 1: Development in a state-controlled road environment.
 - o State code 9: Great Barrier Reef wetland protection area.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6)
- 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

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

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.

¹ 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.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. 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

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.

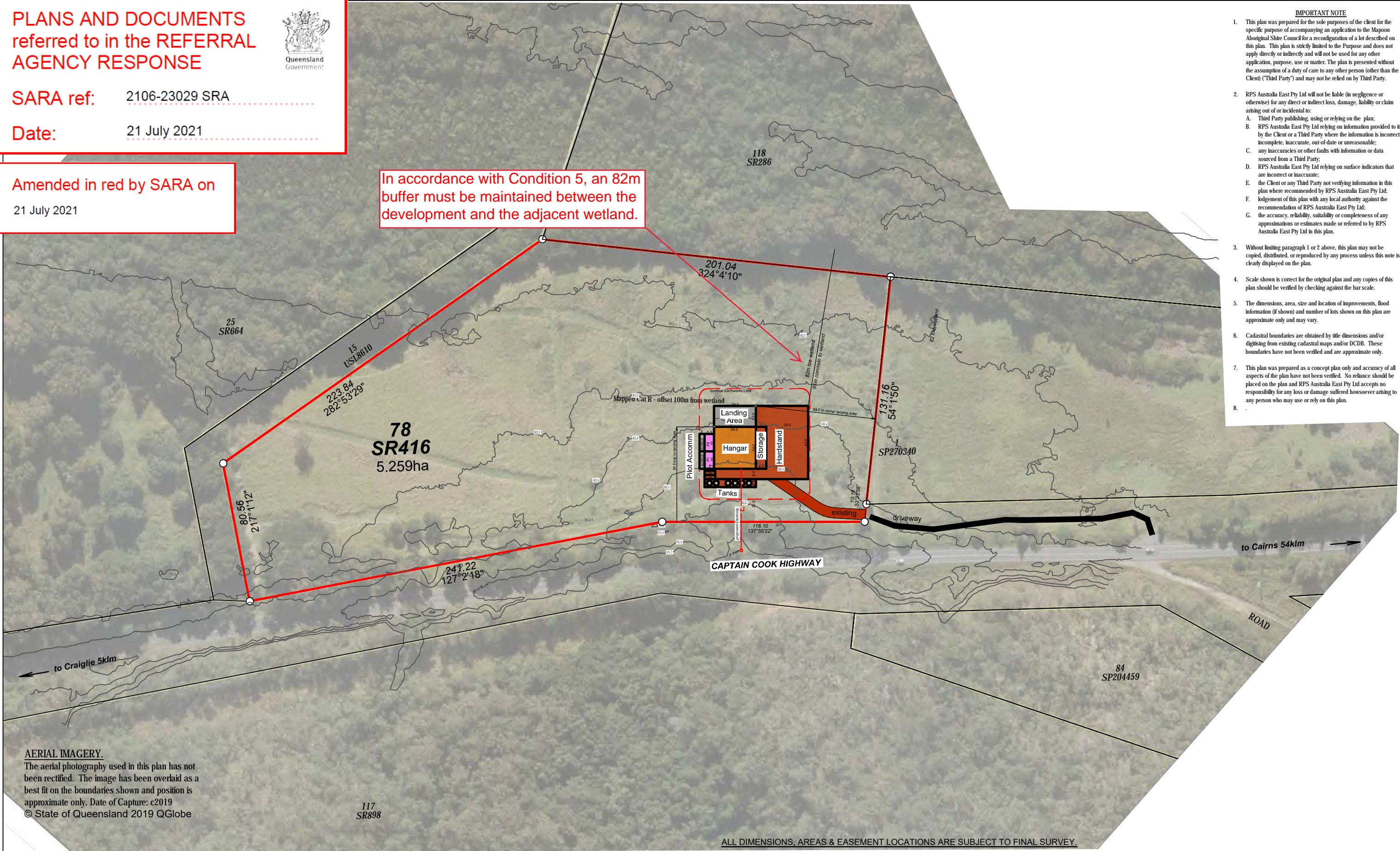
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2106-23029 SRA
Date: 21 July 2021

Amended in red by SARA on 21 July 2021

In accordance with Condition 5, an 82m buffer must be maintained between the development and the adjacent wetland.



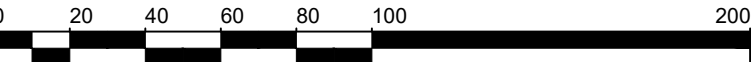
- IMPORTANT NOTE**
1. This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Mapeen Aboriginal Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
 2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
 - A. Third Party publishing, using or relying on the plan;
 - B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
 - C. any inaccuracies or other faults with information or data sourced from a Third Party;
 - D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
 - F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
 - G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
 3. Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
 4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
 5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
 6. Cadastral boundaries are obtained by title dimensions and/or digitising from existing cadastral maps and/or DCDB. These boundaries have not been verified and are approximate only.
 7. This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.
 8. .

AERIAL IMAGERY.
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only. Date of Capture: c2019
© State of Queensland 2019 QGlobe

ALL DIMENSIONS, AREAS & EASEMENT LOCATIONS ARE SUBJECT TO FINAL SURVEY.



Mowbray Helicopter Site
Proposed Concept for Helipad
lot 78 SR416 - Captain Cook Highway, Mowbray

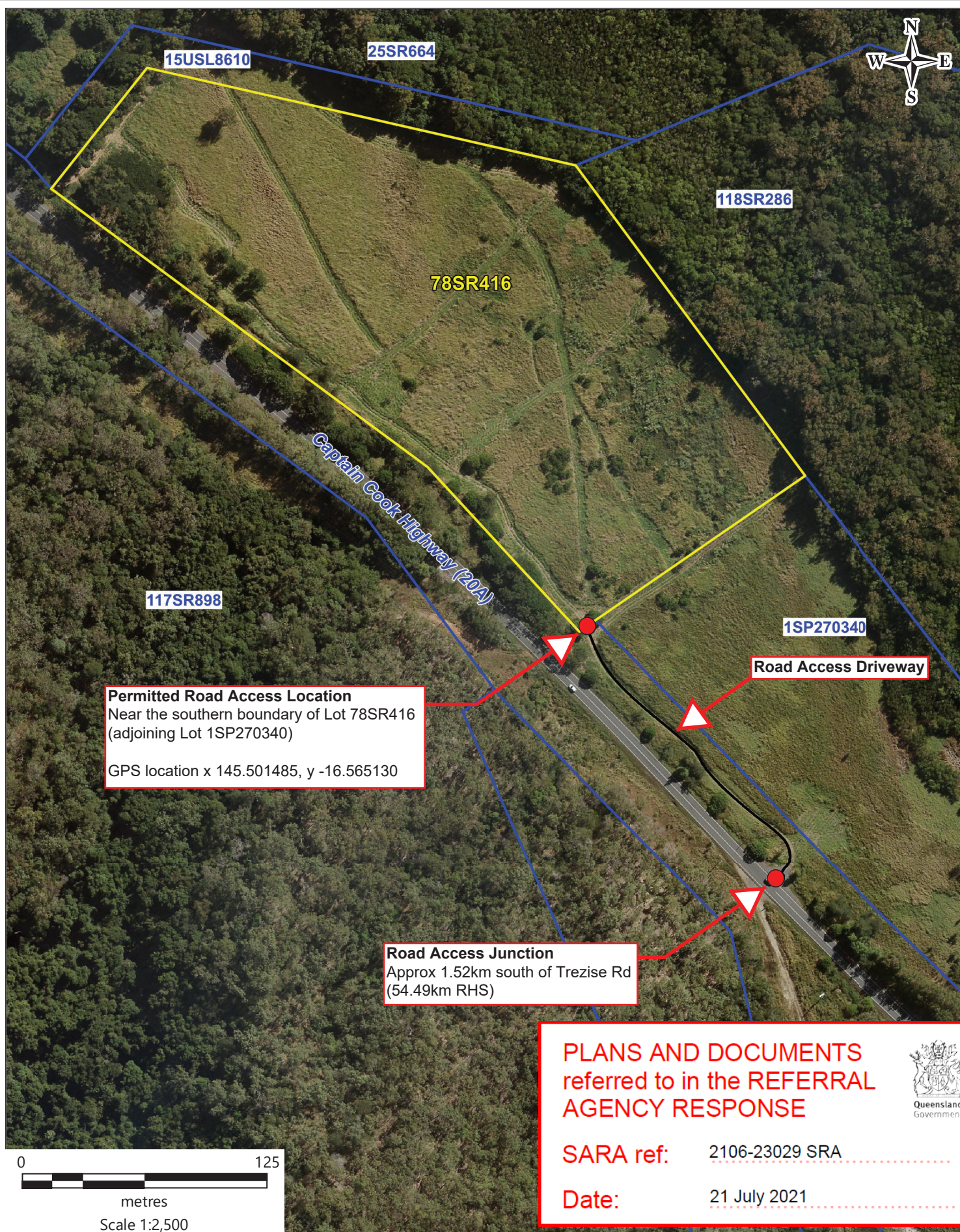




PRELIMINARY - FOR DISCUSSION PURPOSES ONLY

Datum: MGA94 Z55 | Scale: 1:2000 @ A3 | Date: 18-5-2021 | Drawing: PR149569-1 C

RPS Australia East Pty Ltd
ACN 140 292 762
135 Abbott St
PO Box 1949
CAIRNS QLD 4870
T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com





Branch/Unit : Corridor Management / Far North District	
Projection/Datum : Geocentric Datum of Australia (GDA) 2020	
	Parcels
	Subject Land

TMR Layout Plan (20A - 54.49km)



Queensland Government
Transport and Main Roads

Plan: 1 / 1	Issue: A	Date: 25/06/2021
Drawn by: RPK	File ref: TMR21-033283 (500-708)	