



SARA reference: 2304-34256 SRA
Applicant reference: 1207
Council reference: DA/4609

5 May 2023

Brian Boserio
C/- MD Land Surveys
228 Draper Street
Parramatta Park QLD 4870
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Attention: Erin Berthelsen

Dear Sir/Madam

SARA information request – Reconfiguring of a lot (1 lot into 14 lots)

(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 (SDAP) has not been provided.

Access – State-controlled road	
1.	<p>Issue:</p> <p>The proposed development has not demonstrated compliance with PO15 – PO16 and PO25 – PO27 of State code 1: Development in a state-controlled road environment (State code 1). The application addresses access and road impacts associated with proposed Lots 1 – 13, however insufficient information has been provided to indicate how proposed Lot 900 will be accessed in accordance with State code 1.</p> <p>The boundary between the north-west portion of proposed Lot 900 and the state-controlled road (Mulligan Highway) is not detailed on the proposed plan of development. The existing access to this portion of the lot, located near the Bob & Jenny Scott bridge, is not an approved access and DTMR have raised concerns regarding road safety impacts. A new vehicle access in a safe location is required to be identified, either from a new internal road via Gampe Drive or directly from Mulligan Highway.</p> <p>Action:</p> <p>To demonstrate compliance with PO15 – PO16 and PO25 – PO27 of State code 1, provide a traffic impact assessment (TIA) prepared by a qualified RPEQ traffic professional identifying an alternative location for a new vehicular access from the Mulligan Highway to the north-west portion of proposed Lot 900. The TIA should be prepared in accordance with the Department of Transport and Main Roads Guide to Traffic Impact Assessment (GTIA) and must demonstrate that:</p> <ul style="list-style-type: none"> • the vehicular access is situated in a safe location with no constraints such as road culverts, drainage or topographical features; and • the new vehicular access has appropriate road visibility (minimal distance of 250m) in either direction of the proposed vehicular access location. <p>Alternatively, the proposed plan of development should be amended so that the north-west portion of proposed Lot 900 is provided access via a new internal road from Gampe Drive, similar to that which services the south-west portion of proposed Lot 900.</p>
Clearing native vegetation	
2.	<p>Issue:</p> <p>Clearing of native vegetation will occur a result of the proposed development, including vegetation clearing that will become exempt development as a result of the proposed development, such as firebreaks and safety buffers. Insufficient information has been provided to demonstrate how clearing of native vegetation associated with the proposed development has been reasonably avoided or minimised where it cannot be reasonably avoided. As such, it has not been demonstrated that the development complies with PO80 of State code 16: Native vegetation clearing (State code 16) of the SDAP.</p> <p>Action:</p> <p>Provide additional information to demonstrate that clearing of native vegetation has been reasonably avoided or reasonably minimised where it cannot be avoided. Ensure that the response addresses the following key matters of concern:</p> <ul style="list-style-type: none"> • How infrastructure has been consolidated to avoid and/or minimise clearing; and • Why the development has not been located in existing cleared areas or within areas mapped as containing Category X vegetation, so that the clearing of Category B vegetation is avoided.

	<p>In responding, consider the SDAP Guidance material for State code 16: Clearing native vegetation. This document provides information in relation to meeting the avoid and minimise performance outcomes.</p>
3.	<p>Issue:</p> <p>The site contains watercourses and drainage features including a stream order 1 and 2 that contain category B of both least concern and of concern vegetation. The proposed development will establish a clearing exemption for boundary lines, including clearing of mapped watercourses which run along the boundaries of proposed Lots 12, 13, 2, 3, 4, 7 and 900.</p> <p>Insufficient information has been provided to demonstrate how the proposed development meets PO80, PO83 and PO88 of State code 16 in relation to the impacts of the development on watercourses:</p> <ul style="list-style-type: none"> • PO80 - Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ul style="list-style-type: none"> o reasonably avoided; or o reasonably minimised where it cannot be reasonably avoided. • PO83 – Maintain the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature. • PO88 - Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems. <p>Action:</p> <p>Demonstrate compliance with PO80, PO83 and PO88 of State code 16 in relation to clearing along waterways. In addressing the code, consider the assessable clearing of vegetation within the feature or the stream orders prescribed relevant distance of the defined bank contained in table 2 of State code 16 of the SDAP. Further information regarding locating the defining bank on the ground is available in General guide to vegetation clearing codes.</p>
4.	<p>Issue:</p> <p>Insufficient information has been provided to demonstrate that the composition, structure and function of of concern regional ecosystems is maintained and that clearing of vegetation in these areas has been reasonably avoided or minimised where it cannot be reasonably avoided. As such, it has not been demonstrated that the proposed development complies with PO80 and PO88 of State code 16 in relation to of concern regional ecosystems.</p> <p>The proposed development will result in the clearing of, or the establishment of clearing exemptions, in relation to Category B of concern regional ecosystems in the following locations:</p> <ul style="list-style-type: none"> • Along the boundaries of proposed Lots 5 – 13 and Lot 900 • To establish vehicle access to Lots 5, 6 and 7 • To construct the new road from Gampe Drive to service proposed Lots 9, 10 and 900, and • Residential clearing on proposed Lots 12 and 13. <p>Action:</p> <p>Demonstrate how the proposed development achieves compliance with PO80 and PO88 of State code 16 in relation to the clearing of Category B of concern regional ecosystems. In your response, have regard to the key impact areas identified above.</p>

5.	<p>Issue: The development application material does not include tree height details that is necessary to calculate the firebreak/safety buffer distances and determine the clearing that would become exempt as a result of the proposed development, in relation to new built infrastructure.</p> <p>Action: Please provide tree height data or alternatively confirm the tree heights of the regional ecosystems identified on the lot, based on the data in the Queensland Herbarium CorVeg database.</p> <p>If the tree height data is disputed, and a reduced firebreak/safety buffer is considered appropriate, suitable evidence is required to support an alternate firebreak/safety buffer width. Evidence must include tree height measurements and photographs of the full extent (base of trunk to highest point) of the tallest vegetation adjacent to the proposed built infrastructure. Photographs should show a survey staff or object of known height in relation to the measured tree and be accompanied by a record of its GPS location. The GPS location should use a datum of GDA94 or GDA2020 with grid coordinates in MGA zone 5 and digital/spatial shapefiles provided.</p>
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How to respond

You have three months to respond to this request and the due date to SARA is 5 August 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 Isley Peacey, Senior Planning Officer, on 4037 3214 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Cook Shire Council, mail@cook.qld.gov.au

Development details	
Description:	Development permit Reconfiguring a lot (1 lot into 14 lots)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 (Planning Regulation 2017) - Reconfiguring a lot near a State transport corridor Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 (Planning Regulation 2017) - Reconfiguring a lot near a State-controlled road intersection Schedule 10, Part 3, Division 4, Table 2, Item 1 (Planning regulation 2017) – Clearing native vegetation
SARA reference:	2304-34256 SRA
Assessment criteria:	State Development Assessment Provisions (SDAP), version 3.0 including: <ul style="list-style-type: none"> • State code 1: Development in a state-controlled road environment • State code 16: Native vegetation clearing