

Response

RE:

*SARA are currently reviewing the proposed change and discussing with our technical agency if the wetland trigger is still applicable.*

*As discussed could you please provide details of stormwater management (via return email).*

*Rosanna Nobile*

*Planning Officer*

*Planning and Development Services*

*Department of Housing, Local Government, Planning and Public Works*

On 7 January SARA issued an *Information Request* in relation to RAL 21 – 0138 Wilkinson's Road, Tuan, Queensland 4650.

In that document SARA cited the legislative basis to for the referral was:

- Schedule 10, Part 17, Division 3, Table 5, Item 1 (Planning Regulation 2017)
  - Reconfiguring a lot in a **coastal management district**

and

- Schedule 10, Part 29, Division 4, Table 2, Item 1 (Planning Regulation 2017)
  - Reconfiguring a lot in a **wetland protection area**

And that the relevant *assessment benchmarks* were:

- State Code 8: Coastal development and tidal works
- State Code 9: Great Barrier Reef wetland protection areas.

.....  
**Schedule 10 Part 17** refers to Tidal **works** or **work** in a coastal management district

Division 3, Table 5, of Part 17 provides for Referral agency's assessment for *reconfiguring a lot* within a coastal management district involving an *erosion prone area*

State Code 8 is the relevant assessment benchmarks against which the development is assessed.

As stated in my email of 19 September 2024 to Mr Lankowski my client's planning consultant responded to that information request on 20 June 2024 and that response addressed this issue.

**Schedule 10, Part 29** does not exist.

I suspect this is a typographical error and that the agency was referring to **Part 20** which referred to **Wetland protection area**

**Division 4 Table 2 prescribes** the referral agency for a development application for reconfiguring a lot (RAL) if assessable development under section 21 of the regulations (section 21 deals with *assessment managers* for a development - not *category of assessment*) and

A RAL development which is:

1. in a wetland protected area; and
2. more than 6 lots; and
3. any lot created is less than 5ha; and
4. involves ***operational work*** [other than 'for domestic housing activity']
  - a. that is high impact earthworks

The requirements are conjunctive.

On 9 July 2024 SARA issued an Advice Notice which identified what it saw as a still outstanding issue, relevant to compliance with **PO 3 of State Code 9** particularly concerning **future *Operational Works*** that would be required to upgrade the existing stormwater and bushfire protection facilities located within the Tuen Forestry Reserve and seeking information that such activities would not impact on the 'surface water or groundwater hydrology of the adjacent wetland'.

In my previous email I explained that high impact earthworks, for other than 'for domestic housing activity', will now no longer occur as part of this development and further that the development application is not for *Operational Works* and further under the enclosed layout plan for the development, only one lot is proposed to be located within *Great Barrier Reef Wetland Protection Area*.

Further, I note in Division 2 of this Part 20 that *Operational Work* that is 'high impact earthworks' in a wetland protection area is assessable development - unless the *Operational Work* is 'for a domestic housing activity'.

I am therefore at a loss as to understand the focus on the requirement for a Stormwater Management Plan, in assessing the amended development application, as that requirement is being handled by the assessment manager.

However I do understand that the authority has in their possession a Stormwater Management Plan prepared by Stormwater Consulting the contents of which, while relevant to the initial application is still useful, if one was wanting, out of curiosity to assess the potential for the amended development to impact the defined adjacent wetland, within the wetland protected area.

To assist you I have extracted the relevant sections from that Report that are still relevant to the current amended development and included them below, which should satisfy any curiosity the agency has in relation to the proposed amended development, although on my interpretation of the material available to me, **this aspect of the development is no longer referable.**

#### Extract

Stormwater Consulting  
Stormwater Management Plan  
Lot 51 Wilkinson Road, Tuen  
5 June 2024  
J9009 v1.1

The site is located within the Great Barrier Reef wetland protection area, as demonstrated in Figure 2.2 on the following page. (Only one now proposed lot)

The (original) proposed development would comply with PO3, PO4 and PO5 of State Code 9 (extract presented in Figure 2.3 below).

<b>Hydrology</b>
<b>PO3</b> Development maintains or improves the existing surface and groundwater hydrology in a <b>wetland protection area</b> .
<b>Water quality</b>
<b>PO4</b> Development does not unacceptably impact the water quality of the <b>wetland</b> in the <b>wetland protection area</b> and in the <b>wetland buffer</b> .
<b>PO5</b> Development does not use the <b>wetland</b> in the <b>wetland protection area</b> for stormwater treatment.

### 3.0 HYDROLOGIC ANALYSIS

#### Hydrologic Impact Assessment

The property is affected by overland flow from a catchment to the west, which flows through the site toward the north-eastern site corner (Point-1).

An open drain is located at the rear of the site, within Tuan Forest.

The open drain flows in a northerly direction, before turning to flow in an easterly direction where flows spread out, flowing across bushland before traversing across Wilkinson Road at Point-2, heading toward the Great Sandy Strait.

A catchment plan is presented in Figure 3, Appendix A.

### 5.0 STORMWATER QUALITY MANAGEMENT

#### State Planning Policy (July 2017)

The State Planning Policy (SPP) sets out the requirements for **water quality** in the interest of the State.

Developments which trigger the requirements summarised in Table 5.1 below would need to meet water quality objectives listed in Table B, Appendix 2 of the SPP.

Table 5.1 – Development Applications affecting Receiving Waters

- (2) Reconfiguring a lot for urban purposes that involves a land area greater than 2500 square metres **and** will result in **six or more lots**, or
- (3) *Operational works* for urban purposes that involve **disturbing more than 2500 square metres of land**.

The (original) proposed development triggers the SPP, hence water quality objectives indicated in Table B, Appendix 2 of the SPP would need to be met.

If there is some aspect that I have overlooked in arriving at my opinion I would appreciate your explanation. Outside of that, I look forward to you completing and delivering your advice to the assessment manager.

My regards

Warren Bolton

Tuesday, 24 September 2024