



SARA reference: 2204-28313 SRA
Council reference: OPW22/0034
Applicant reference: Amity Point Flow Slide Barrier Preliminary Approval

16 February 2023

Chief Executive Officer
Redland City Council
damailbox@redland.qld.gov.au

Attention: Edward McDermott

Dear Mr McDermott

SARA referral agency response—Amity Point flow slide barrier

(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 22 June 2022.

Response

Outcome:	Referral agency response – with conditions
Date of response:	16 February 2023
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:	Preliminary approval for Operational work for Prescribed tidal works (existing flow slide barrier)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 17, Division 3, Table 1, Item 1 (Planning Regulation 2017) - Operational work that is tidal works or work in a coastal management district Schedule 10, Part 17, Division 3, Table 2, Item 1 Planning Regulation 2017) - Operational work that is tidal works or work in a coastal management district

SARA reference: 2204-28313 SRA

Assessment manager: Redland City Council

Street address: 1, 9a, 11, 15, 17, 19 and 33 Ballow Street, 1, 1a, 2, 4 and 8 Birch Street, 8, 9a, 9b and 11 Cook Street, 1 and 4 Kindara Street, 3, 5, 7, 9 and 9a Millers Lane, 3 and 4 Mirimar Street, 6, 11 and 13 Toompany Street, 1A Llewellyn Street and Old Ballow Street, Amity

Real property description: Lots 7, 9-10, 26, 29 on A3395, Lot 1 on SP307049, Lots 9 and 12 on A3393, Lot 16 on A33931, Lot 13 on A33910, Lots 51-52 on RP905457, Lots 1-4 on RP880797, Lots 16 and 17 on RP126450, Lots 505-507, 801, 805 and 806 on A3392, Lot 2 on SP307049, Lots 519-522 on A33912, Lot 3 on SP283824, Lot 1 on RP78617, Lot 2 on RP79135, Lot 1 on SP251716, Lots 6, 25 and 30 on AP14321 and Lots 508-509 on AP14322

Applicant name: Redland City Council Infrastructure and Operations

Applicant contact details: c/- Water Technology Pty Ltd
tahlia.rossi@watertech.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Right Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

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 Ashleigh Slater, Planning and Development Services (SEQ South), on (07) 5644 3229 or via email SEQSouthPlanning@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Karley Lawler
Manager, Planning and Development Services (SEQ South)

cc Redland City Council Infrastructure and Operations c/- Water Technology Pty Ltd,
tahlia.rossi@watertech.com.au, richard.sharp@watertech.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

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 documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Preliminary approval for Operational work		
Schedule 10, Part 17, Division 3, Table 1, Item 1 (Operational work that is tidal works or work in a coastal management district)—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.	<p>The construction of the flow slide barrier must be undertaken general in accordance with the following plans:</p> <ul style="list-style-type: none"> (a) Cover Sheet prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0000, revision P2. (b) Overlay Map prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0001, revision P2. (c) Zone 1 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0002, revision P2. (d) Zone 2 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0003, revision P2. (e) Zone 3 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0004, revision P2. (f) Zone 4 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0005, revision P2. (g) Zone 5 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0006, revision P2. (h) Zone 6 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0005, revision P2. (i) Zone 7 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0008, revision P2. (j) Zone 8 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0009, revision P2. (k) Zone 9 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0010, revision P2. (l) Zone 10 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0011, revision P2. (m) Zone 11 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0012, revision P2. (n) Zone 12 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0013, revision P2. (o) Zone 13 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0014, revision P2. (p) Zone 14 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0015, revision P2. (q) Zone 15 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0016, revision P2. (r) Zone 16 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0017, revision P2. (s) Zone 17 prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0018, revision P2. 	At all times.

	<p>(t) Either:</p> <ul style="list-style-type: none"> (i) Typical Cross Section A prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0019, revision P2 or (ii) Typical Cross Section B prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0020, revision P2 or (iii) Typical Cross Section C prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0021, revision P2. <p><i>Note: Construction includes the ongoing top up of rocks from reserve stockpiles as required after each flow slide event or following any subsidence or erosion of rock.</i></p>	
2.	<p>For the construction of the flow slide barrier, only use clean materials which are free from prescribed water contaminants.</p> <p><i>Note: Construction includes the ongoing top up of rocks from reserve stockpiles as required after each flow slide event or following any subsidence or erosion of rock.</i></p>	At all times.
3.	<p>Development must prevent the release of sediment to tidal waters by installing and maintaining erosion and sediment control measures in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i>.</p>	At all times.
4.	<p>(a) In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines</i>, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.</p> <p>(b) Submit certification from an appropriately qualified person on acid sulfate soil, confirming that the affected soil has been neutralised or contained in accordance with (a) above to palm@des.qld.gov.au or mail to:</p> <p>Department of Environment and Science Permit and Licence Management Implementation and Support Unit GPO Box 2454 Brisbane Qld 4001</p> <p><i>Note: Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to soil chemistry or acid sulfate soil management and can give authoritative assessment, advice and analysis in relation to acid sulfate soil management using the relevant protocols, standards, methods or literature.</i></p>	<p>(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained.</p> <p>(b) At the time the soils have been neutralised or contained.</p>
5.	<p>A seven (7) metre wide development free buffer zone must be maintained landward of the flow slide barrier as per drawings:</p>	At all times.

	<p>(a) Cover Sheet prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0000, revision P2.</p> <p>(b) Either:</p> <ul style="list-style-type: none">(i) Typical Cross Section A prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0019, revision P2 or(ii) Typical Cross Section B prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0020, revision P2 or(iii) Typical Cross Section C prepared by Water Technology dated 20/12/2022, reference WT-ZZ-XX-DR-C-0021, revision P2.	
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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) (version 3.0). If a word remains undefined it has its ordinary meaning.
	As the development is located in a State marine park, a permit to undertake the activity may be needed from the Department of Environment and Science's Statewide Marine Works. Please see the following link for more information: https://www.qld.gov.au/environment/coasts-waterways/marine-parks/works . If you wish to enquire about obtaining a marine park permit please contact marineparksworks@des.qld.gov.au .

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

The proposed development is consistent with State code 7: Maritime safety of the SDAP, with no conditions. In particular, the proposed development:

- avoids lighting that has the potential to interfere with aids to navigation
- does not interfere with aids to navigation
- does not impede the safe movement of vessels in a navigable waterway.

The proposed development is consistent with State code 8: Coastal development and tidal works of the SDAP, with conditions. In particular, the proposed development:

- is coastal-dependent development and coastal protection works as it is for construction of the erosion control structure (flow slide barrier)
- is to protect the adjacent residential and council/state-owned lots from a demonstrated imminent threat, being continued coastal erosion and therefore cannot be located elsewhere
- has demonstrated that soft erosion measures are not feasible in this location
- is in accordance with the Amity Point Shoreline Erosion Management Plan, March 2019
- is subject to conditions to ensure the proposal, including any rock top up after an erosion event, is carried out in accordance with the plans
- maintains access to public state coastal land
- is subject to conditions to ensure environmental controls are installed, if required
- will not impact any matters of state environmental significance.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- SDAP, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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