

SARA reference: 2001-15087 SDA
Applicant reference: -

20 February 2020

Catchment Solutions
85 Gordon Street
MACKAY QLD 4740
tpower@catchmentsolutions.com.au

Attention: Trent Power

Dear Catchment Solutions

SARA Decision notice— 3274 Glenroy Road, Morinish; 675 Fairview Road, Morinish

(Assessment Manager decision notice given under section 63 of the *Planning Act 2016*)

The development application described below was confirmed as properly made by the Department of State Development, Manufacturing, Infrastructure and Planning (the department) on 31 January 2020.

Decision

Outcome:	Approved, subject to conditions
Date of decision:	20 February 2020
Conditions:	The approval is subject to the conditions in Attachment 1 .
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for decisions are in Attachment 3 .
Currency period:	This development approval will lapse if development is not started within the currency periods stated in section 85 of the <i>Planning Act 2016</i> .

Development Details

Description:	Development permit	Operational work for remediation works (creek bed and bank stabilisation work) involving grade control rock chutes
SARA role:	Assessment manager	
SARA trigger:	Schedule 10, Part 6, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)	Operational work that is constructing or raising waterway barrier works is assessable development
SARA reference:	2001-15087 SDA	
Street address:	3274 Glenroy Road, Morinish; 675 Fairview Road, Morinish	

Real property description: 85RP900583; 86RP900583
 Local government area: Rockhampton Regional Council
 Applicant name: Catchment Solutions
 Applicant contact details: 85 Gordon Street
 Mackay QLD 4740
 tpower@catchmentsolutions.com.au

Additional details

Native title considerations: Native Title has been extinguished over the proposed dealing area as the whole area is covered by a Previous Exclusive Possession Act (PEPA) in accordance with section 23B(2)(c)(ii) of the *Native Title Act 1993*.

Further development permits: No further development permits are required to be obtained before the development can be carried out.

Level of assessment: Code assessable

Dispute resolution

Representations: The rights of applicants to make representations about this decision notice during the applicant's appeal period is set out in Chapter 3, Part 5 of the *Planning Act 2016*. Copies of the relevant provisions are in **Attachment 4**.

Appeal: The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act*. Copies of the relevant appeal provisions are in **Attachment 5**.

For further information please contact Carl Porter, Principal Planning Officer, on 07 4924 2918 or via email RockhamptonSARA@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
 Manager Planning

enc **Attachment 1** – Assessment manager conditions
Attachment 2 – Advice to the applicant
Attachment 3 – Reasons for the decision
Attachment 4 – Negotiated decision provisions
Attachment 5 – Appeal provisions
Attachment 6 – Approved plans and specifications

cc Rockhampton Regional Council, enquiries@rrc.qld.gov.au

Attachment 1—Assessment manager conditions

(Given under section 63(2)(e)(ii) of the *Planning Act 2016*)

(Copies of the plans and specifications referenced below are found at **Attachment 6**)

No.	Conditions of development approval	Condition timing
Operational work		
Schedule 10, Part 6, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Agriculture and Fisheries 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>Development authorised under this approval is limited as follows:</p> <p>(a) the operational works to raise or construct a waterway barrier works that is three (3) grade control rock chutes within Ten Mile Creek at Mount Fairview, Morinish and shown in:</p> <ul style="list-style-type: none"> • Reef Trust IV Stream Bank Erosion Remediation; Overall Plan View, Sheet Layout & Notes, Neilly Group Engineering, 15/01/2020, 001, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 1 – Setout, Neilly Group Engineering, 15/01/2020, 002, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 1 – Longitudinal Section, Neilly Group Engineering, 15/01/2020, 003, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 2 - Setout, Neilly Group Engineering, 15/01/2020, 004, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 2 – Longitudinal Section, Neilly Group Engineering, 15/01/2020, 005, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 3 - Setout, Neilly Group Engineering, 15/01/2020, 006, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Rock Chute 3 – Longitudinal Section, Neilly Group Engineering, 15/01/2020, 007, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Typical Sections, Neilly Group Engineering, 15/01/2020, 008, Rev B • Reef Trust IV Stream Bank Erosion Remediation; Typical Sections, Neilly Group Engineering, 15/01/2020, 009, Rev B 	At all times
2.	<p>Provide written notice to notifications@daf.qld.gov.au, when the development authorised under this approval:</p> <p>(a) will start, and</p> <p>(b) when it has been completed.</p> <p>These notices must state this permit number: 2001-15087 SDA</p>	<p>At least 5 business days but no greater than 20 business days prior to the commencement of the works</p> <p>Within 15 business days of the completion of the fisheries development works</p>
3.	This fisheries development (as defined by the <i>Fisheries Act 1994</i>) constitutes a place that is required to be open for inspection by an	At all times

No.	Conditions of development approval	Condition timing
	inspector at all times, pursuant to section 145 of the <i>Fisheries Act 1994</i> .	
4.	Land profiles that are temporarily disturbed by the development works (other than those within the permanent development footprint) must be promptly restored to pre-work profiles.	Upon completion of the works the subject of this approval
5.	Up and downstream fish passage must be provided across the waterway barriers.	At all times
6.	In-stream works are to be completed as quickly as possible, but must be avoided during times of: (a) elevated flows.	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) [v2.5]. If a word remains undefined it has its ordinary meaning.
2.	The placement of temporary waterway barriers to facilitate construction may be conducted under the Department of Agriculture and Fisheries accepted development requirements (ADR) for constructing or raising waterway barrier works, provided that all relevant requirements are met. If any proposed temporary waterway barrier works cannot meet the ADR, this aspect of the works will need to be covered in an application for a change to this development approval.

Attachment 3—Reasons for the decision

(Given under section 63(5) of the *Planning Act 2016*)

The reasons for the department's decision are the development:

- is for waterway remediation works in the form of three grade control rock chutes to address sediment runoff
- will provide adequate fish passage based on existing conditions of the waterways and the design of the grade control rock chutes
- can be conditioned to minimise impacts on fisheries and fish habitats
- complies with State code 18: Construction or raising waterway barrier works in fish habitats with the application of conditions.

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 [2.5]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4—Negotiated decision provisions

Attachment 5—Appeal provisions

Attachment 6—Approved plans and specifications

(given under section 43 (b) of the Planning Regulation 2017)