Adaptation works in a coastal environment: development approval requirements and SARA's role in QCoast₂₁₀₀ supported works

Department of State Development, Infrastructure, Local Government and Planning

Celeste Bownds – Senior Planning Officer









Outline

- » Overview of SARA and the development application process
- » Development applications for QCoast2100 works and likely referral triggers
- » Referral to SARA mandatory application requirements, supporting information
- » The SARA technical agencies and SDAP
- » How to apply
- » Pre-lodgement advice
- » Common issues
- » Tips



The State Assessment and Referral Agency (SARA)

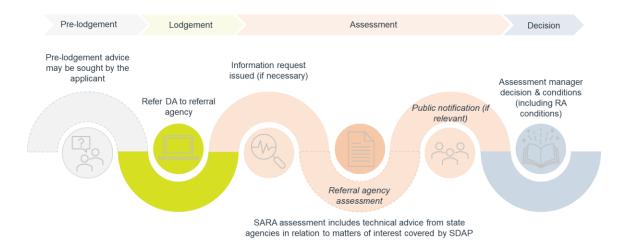
- » SARA is the 'shopfront' to all the state agencies in the development assessment process
- » State interests include coastal processes, marine plants, waterways, declared Fish Habitat Areas, statecontrolled roads, railways, native vegetation, koala habitat etc
- » SARA works with the relevant technical agencies and assesses the application against the State Development Assessment Provisions (SDAP)





The State Assessment and Referral Agency (SARA)

- » In most cases local government is the assessment manager and SARA is the referral agency
- » SARA is only involved where there is a matter of state interest
- » The application is referred to SARA after it has been lodged with the local government





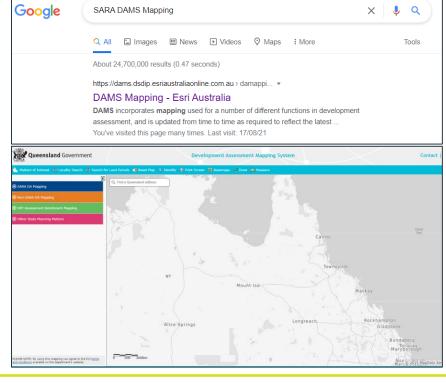
QCoast2100 works – typical referral triggers

- » Expected referral trigger:
 - tidal works, or work in a coastal management district assessment by DES and MSQ
- » Other likely triggers:
 - marine plants, waterway barrier works, declared Fish Habitat Area- assessment by DAF
 - wetland protection area assessment by DES
- » Other possible triggers see Schedule 10 of the Planning Regulation
 - determined by the site of the works and the nature of the works proposed



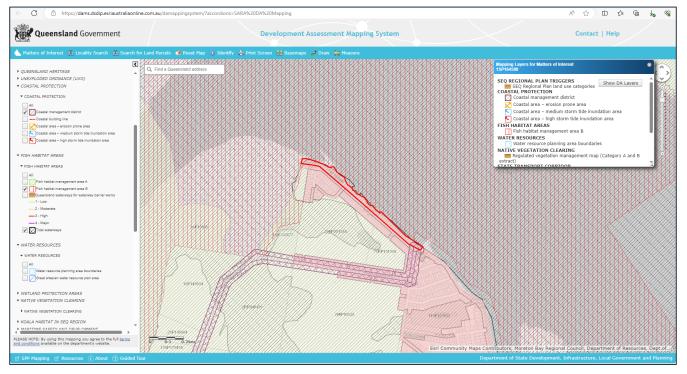
QCoast2100 works – typical referral triggers

- » Some state interests are mapped refer to the SARA DAMS mapping
 - mapped state interests relevant to coastal works: coastal management district, waterways, declared Fish Habitat Areas, wetland protection areas
- » Some state interests are not mapped
 - marine plants
- » See Schedule 10 of the Planning Regulation for all state referral triggers
- » If a DA is likely and there are likely referral triggers, seek prelodgement advice





DAMS Mapping





Referral to SARA

- » Mandatory requirements:
 - Confirmation notice
 - Form 1
 - Evidence of owner's consent
 - Payment of referral fees
- » Supporting information:
 - Plans and designs, consultant reports, any written documentation that is relevant to the project
 - Response to the relevant state codes of SDAP

	ble 1—Assessable development und	ler s 28			
Co	lumn 1	Column 2			
5 Matters referral agency's assessment must have regard to		_			
6 Matters referral agency's assessment may be against		_			
7	Matters referral agency's assessment may have regard to	_			
8	Fee for referral—				
	 (a) if— (i) the operational work involves the disposal of dredge spoil or other solid waste material in tidal water; or 	6,859 fee units			
	(ii) the operational work is for the construction of an artificial waterway				
	(b) if the operational work is for coastal management purposes that involve beach nourishment or stinger net enclosures	Nil			
	(c) if the operational work is directly related to the provision of lifesaving or rescue services by a volunteer community organisation	Nil			
	(d) if the operational work is tidal works for a single boat ramp, jetty, pontoon or similar structure	856 fee units			
	(e) otherwise	3.430 fee units			



SDAP – State codes

Planning framework	State Development Assessment I	Drovici	one
	State Development Assessment	100151	0115
> Legislation	The State Assessment and Referral Agency (SARA) assesses development applications against th	e State Developme	ent Assessment
> Plan-making	Provisions (SDAP).		
> Infrastructure planning	SDAP defines the state's interest in development assessment and includes the assessment bench	marks or matters S	SARA will assess a
> Development assessment	application against. The state uses SDAP to deliver a coordinated, whole-of-government approach to the state's asse	ssment of develop	ment applications
State Assessment and Referral Agency	The state day server to dearter a coordinated, minut or gore minute approach or the state a save	sament of develops	inche approactions
 SARA application material 	Using versions of SDAP		
> State Development Assessment Provisions	SDAP is updated from time to time to reflect legislative and policy changes.		
> Dispute resolution	New versions of SDAP are typically published for information purposes two weeks before the		
> How is the planning framework performing?	the current version of SDAP (i.e. the version that has commenced) at the time of submitting the manager.	heir application to 1	the assessment
> Mapping			
> Online planning services	SDAP: Current version		
	SDAP version	Date of publication	Date of commenceme
	SDAP version 3.0. SDAP v3.0 involved a policy neutral review of all parts of SDAP to reflect contemporary drafting principles, improve clarity and address some known issues and provide clearer information on how to use SDAP and reference to code specific guidance.	4 February 2022	18 February 2022
	Key code changes are outlined in the 'What has changed in SDAP' section below.		
	Download a complete version of SDAP v3.0 (2 4.4 MB).		
	Download individual codes:		
	State code 1: Development in a state-controlled road environment (P 329.5 KB)		
	State code 1 response template (#) 80.6 KB) Planning Guidance: State code 1 Development in a state-controlled environment		
	State code 2: Development in a railway environment (A 437.7 KB)		





State Development Assessment Provisions

Version 3.0

Dated 29 December 2021 Commenced 18 February 2022

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Contents

Policy context

Using the state codes

Interpretation

State codes

Locational

State code 1: Development in a state-controlled road environment State code 2: Development in a uniawy environment State code 3: Development in a lusewy environment State code 4: Development in a state-controlled transport lunnel environment State code 5: Development in a state-controlled transport lunnel environment State code 6: Protection of state transport networks State code 6: Coastal development and tidal works State code 8: Coastal development and tidal works State code 10: Taking or interfering with water State code 10: Taking or interfering with water State code 12: Development in a declared fish habitat area State code 11: Unexploided ordnance State code 14: Cuevensitand heritage

Use-based

State code 15: Removal of quarry material from a watercourse or lake State code 16: Native vegetation clearing State code 17: Aquaculture State code 18: Constructing or raising waterway barrier works in fish habitats State code 20: Referable dams State code 20: Referable dams State code 20: Environmentally relevant activities

State code 22: Environmentally relevant activities State code 23: Wind farm development

Advice only State code 24: Urban design outcomes for significant projects

Appendices

Appendix 1: Development requiring assessment under the Planning Regulation 2017 Appendix 2: FastTrack5 qualifying criteria

State Development Assessment Provisions v3.0



State code 8: Coastal development and tidal works

Purpose statement

The purpose of this code is to ensure that development is designed and located to:

- 1. protect life, buildings and infrastructure from the impacts of coastal erosion:
- 2. maintain coastal processes;
- conserve coastal resources:
- 4. maintain appropriate public use of, and access to and along, State coastal land;
- 5. account for the projected impacts of climate change; 6. avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated;
- 7. does not result in a significant residual impact on a matter of state environmental significance unless the significant residual impact is acceptable, and an offset is provided.

In addition to the above, the purpose of this code is to

ensure that development involving operational works which

Using this code

- The assessment benchmarks for this code comprise:
- a purpose statement which identifies the overall intent of the code;
- performance outcomes which set benchmarks to achieve the purpose statement of the code; acceptable outcomes which identify one way to achieve
- the relevant performance outcome
- Development complies with the code where: · it complies with the acceptable outcomes for the
- performance outcome: or it complies with all the performance outcomes, where
- not complying with the acceptable outcomes; or development does not meet relevant performance outcome(s) and SARA determines, on balance, that the
- development complies with the purpose statement. This code also includes the glossary of terms for definitions

relevant to this code and reference documents; including the guideline State Development Assessment Provisions State Code 8: Coastal development and tidal works, which provides direction on how to address this code.

is not assessed by local government is designed and located to protect life and property from the impacts of storm tide inundation.

Performance outcomes PO3 Development is sited, designed and constructed to limit the risk of impacts of coastal erosion to an acceptable level by: locating development outside the erosion prone area; or mitigating or otherwise accommodating the risks posed by coastal erosion. PO4 Development in the erosion prone area does not significantly increase the risk or impacts to people and property from coastal erosion. PO5 Development (other than coastal protection work) in the erosion prone area does not directly or indirectly increase the severity of coastal erosion either on or off the site PO6 In erosion prone areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development. Artificial waterways PO7 Development of artificial waterways, canals and dry-land marinas conserves coastal resources by: ensuring changes to water flows, water levels and sediment movement do not adversely impact the natural waterway to which it is connected demonstrating appropriate storage, treatment and disposal of dredged material for the life of the development. Coastal protection work PO8 Works for beach nourishment minimises adverse impacts on coastal processes. PO9 Works for beach nourishment do not increase the severity of erosion on adjacent land. PO10 Erosion control structures (excluding revetments) are only constructed where there is an imminent threat to significant buildings or infrastructure, and there is no feasible option for either; 1. beach nourishment or relocation or abandonment of structures. PO11 Erosion control structures (revetments only) are only constructed where: there is an imminent threat to significant buildings or infrastructure, and there is no feasible option for either: a. beach nourishment: or

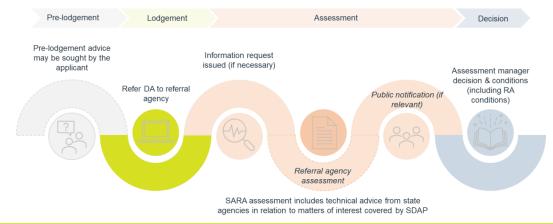
b. relocation or abandonment of structures; or

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	OUTC Table 8.1		PO8 Works for beach nourishment minimises adverse impacts on coastal processes.	rit	ty of
	Perform	•	PO9 Works for beach nourishment do not increase the severity of erosion on adjacent land.		
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	b. 1 c. 1		beach nourishment; or relocation or abandonment of structures.	e)	xcept
	2. can 3. is lo a. b.		PO11 Erosion control structures (revetments only) are only constructed where: 1. there is an imminent threat to significant buildings or infrastructure, and there is no feasible option for either:	n	d
	4. is or PO2 Det 1. does 2. ensu Note: In or coastal ma Where the Protection		 a. beach nourishment; or b. relocation or abandonment of structures; or 2. the development: a. is in a consistent alignment with adjacent lawful revetments; or 	ca :ai	rosion ated ited; or roposed
		1	b. is consistent with an agreement with a local government that a revetment is appropriate in the proposed location.	E	
Ĺ	State Dev State cod		PO12 Erosion control structures minimise interference with coastal processes and reduce the severity of erosion on adjacent land.		8-2
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SARA referral agency response

- » SARA as a referral agency must decide to tell the assessment manager that the state:
 - has no requirements, or
 - instructs the assessment manager to include conditions to attach to any development approval, or
 - instruct the assessment manager to refuse the development application.





How to apply to SARA

- » MyDAS2
 - prepare and lodge/refer to SARA
 - integration with the SARA DAMS mapping
 - select and make electronic payment of fees
 - request pre-lodgement advice
 - change applications

Landing page						
HOME APPLICATION	rs 3					4 II
						Queensland Government
	Welcome to MyI					Gerenment
	I want to					
	Development Assessment	Referral				Fost Approval Change (minor and other change) or extend an approval
	Program Servergense a consolitation I want to proprie a consolitation application to give to an accessment manager leg. Council or SARA	Refer application I ward to refer my application to SERA NOT including instear change applications (Nete: this developed include other change applications - see post approval actions)				Heart Carpania an apprication to Grange Innion or other Changel or extends a countingment approxa. More: this does not include changes to current applications - see related actions under the application).
	Pro-Jedgement advice Tam seeing pro-Jodgement advice from SABA		Pre-referral response Toant a pre-referral response from SARA			
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Enter billing details 2008-7019 SER		11/08/2020			CaseDMcar_BrisbaneRegion_1: Rufus and Majo Mojo	
	Update profile		24/03/2020 Refux and Mojo		Refue and Mojo	Majo



Pre-lodgement advice

- » Seek pre-lodgement advice no fee
- » Meeting and/or written advice
- » The level and detail of advice will depend on the quality and details of information provided
- » Early SARA input = early identification of issues



Common issues

- » Lack of information to demonstrate the issue and reason for works
- » No discussion of lesser impact design options and why these were not considered viable
- » Not identifying the entire scope of work
- » Inadequate detail on plans to assess the impact on state interests e.g. no lines of tide, not identifying areas of marine plants and other vegetation, location of works in relation to property boundaries or identifying features is not clear
- » Conflicting plans included in the supporting information
- » Limited or no information about works methods or the location and impacts of temporary works (e.g. construction or site access, bunding, equipment and materials set down)



Tips

- » Check the DAMS mapping to identify mapped state interests
- » Consider all aspects of the works permanent and temporary works, mitigation and restoration
- » Seek pre-lodgement advice to identify issues or concerns early
- Include information about the need for the works, the options considered (design, works methods, etc), how impacts will be avoided, minimised and mitigated
- » Refer to the state code guidelines when responding to the SDAP
- » Include a statutory declaration if eligible for a fee concession

38 Required fee for registered non-profit organisations and government-funded community development

- (1) This section applies to a prescribed development application if 1 or both of the following apply—
 - (a) the application is made by a registered non-profit organisation;
 - (b) the application is for a community-related use, activity or facility, and all of the following apply—
 - (i) the development is funded, wholly or partly, by the State or Commonwealth;
 - (ii) the application is accompanied by a statutory declaration by the applicant stating the amount of the funding;
 - (iii) the required fee that would, other than for this section, be payable to the assessment manager or a referral agency for the application, is more than 5% of the amount stated in the statutory declaration.
- (2) The required fee payable to the assessment manager or referral agency for the application, is 50% of the fee that would, other than for this section, be payable for the application.

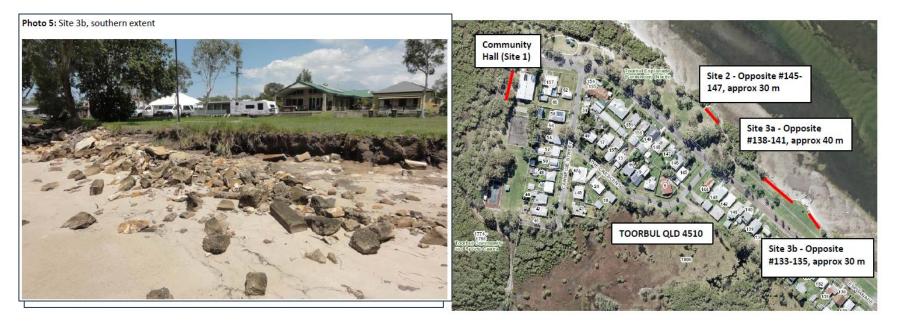


Toorbul seawall

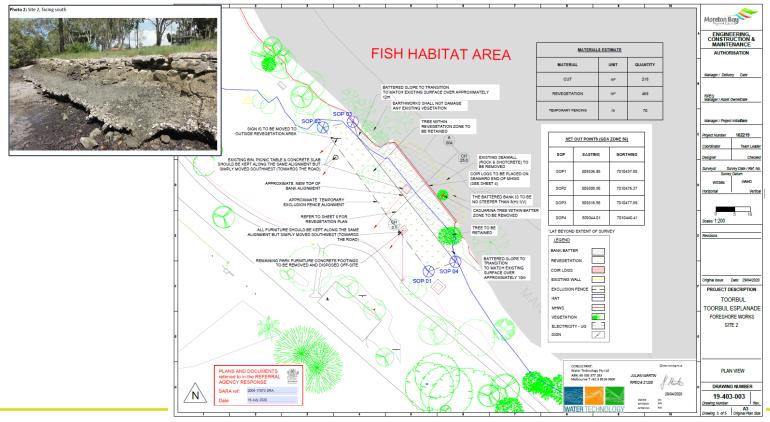




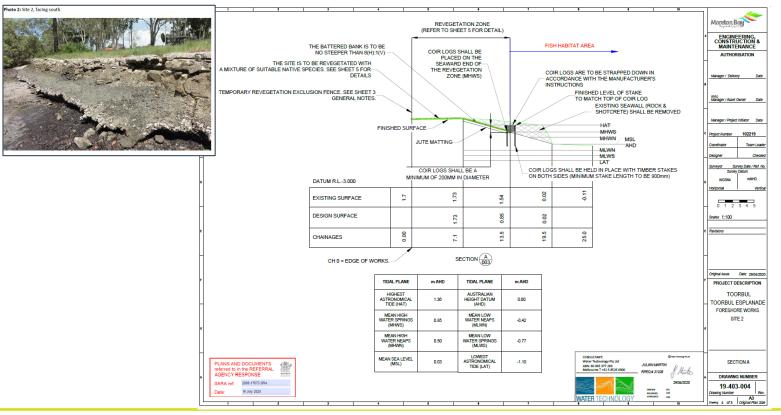
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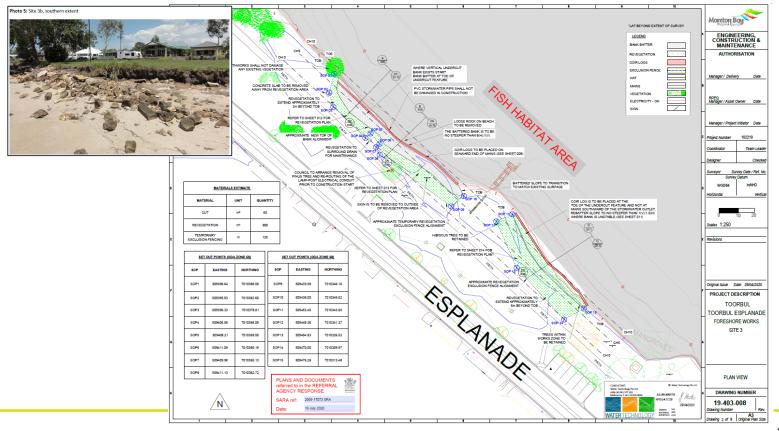




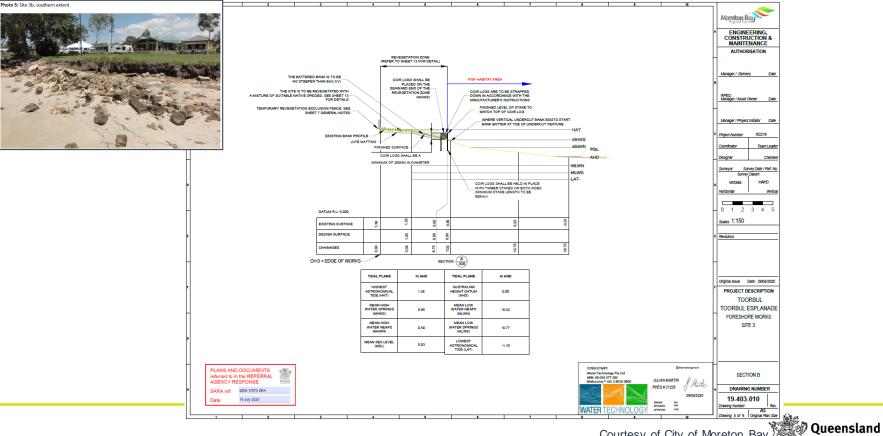








Government



Courtesy of City of Moreton Bay

Government

For more information:

- » SARA, development assessment, prelodgement services, MyDAS2:
 - Google State Assessment and Referral Agency
 - Visit https://planning.statedevelopment.qld.gov.au

Contact:

- » celeste.bownds@dsdilgp.qld.gov.au
- » SEQ North SARA office: <u>SEQNorthSARA@dsdilgp.qld.gov.au</u>
- » For the SARA office in your region:
 - https://planning.statedevelopment.qld.gov.au/contact-us



THANK YOU

