



SARA reference: 2401-38814 SRA
 Applicant reference: P72321
 Council reference: MCU/23/0025

16 January 2025

Chief Executive Officer
 Mareeba Shire Council
 PO Box 154
 MAREEBA QLD 4880
 planning@msc.qld.gov.au

Attention: Brian Millard

Dear Sir/Madam

SARA referral agency response— Multiple Dwelling (56 Residential Units) at 9-11 Thongon St, Kuranda

(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 25 January 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	16 January 2025
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:	Development permit	Material change of use for multiple dwelling (56 residential units)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – Development impacting on state transport	

infrastructure (50 or more dwellings)

SARA reference: 2401-38814 SRA
 Assessment manager: Mareeba Shire Council
 Street address: 9-11 Thongon Street, Kuranda
 Real property description: Lot 310 on NR7409 and Lot 311 on NR7409
 Applicant name: 9-11 Thongon St Kuranda Pty Ltd
 Applicant contact details: C/- Planz Town Planning
 PO Box 181
 Edge Hill QLD 4870
 info@planztp.com

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights 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 Anthony Westbury, A/Senior Planning Officer, on 4037 3215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
 Manager (Planning)

cc 9-11 Thongon St Kuranda Pty Ltd c/- Planz Town Planning, info@planztp.com

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
 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)

No.	Conditions	Condition timing
<p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 4, Item 1 – Development impacting on state transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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):</p>		
1.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the railway corridor, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the railway corridor; (ii) concentrate or increase the velocity of flows to the railway corridor; (iii) interfere with and/or cause damage to the existing stormwater drainage on the railway corridor; (iv) surcharge any existing culvert or drain on the railway corridor; and (v) reduce the quality of stormwater discharge onto the railway corridor. <p>(b) Submit RPEQ certification with supporting documentation to the Far North District Compliance Unit (far.north.queensland.idas@tmr.qld.gov.au) within the Department of Transport and Main Roads, confirming that the development has been designed in accordance with part (a) of this condition. The supporting documentation must include:</p> <ul style="list-style-type: none"> (i) the detailed designs for the detention tank, including a layout/design plan, sections, cross sections, elevations and outlet design; (ii) the hydraulic/hydrological analysis and calculations (including routing calculations) that demonstrate the detention tank has sufficient capacity, and the low flow outlet conduits are appropriately sized, to accommodate site flows for all the following AEP events: 63.2%, 50%, 20%, 10%, 5%, 2% and 1%; and (iii) RPEQ certified as constructed plans of the work. 	<p>(a) At all times.</p> <p>(b) Prior to obtaining development approval for operational work or building work, whichever occurs first.</p>

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) v3.0. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 6: Protection of state transport networks, of the SDAP, in that:

- The proposed development is unlikely to compromise the safety, function, and efficiency of the state-controlled road network, and the Tablelands System Railway (Cairns to Forsayth).
- Connection to the state-controlled network is via the Kennedy Highway / Rob Veivers Drive / Myola Road signalised intersection and the Kennedy Highway / Fallon Road / Warril Drive signalised intersection. These intersections can adequately accommodate, filter and distribute the increased traffic generated from the development.
- Increased stormwater and drainage flow to the railway corridor is appropriately managed to avoid adverse impacts to the Tablelands System Railway.

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 3.0)
- the Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response

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