

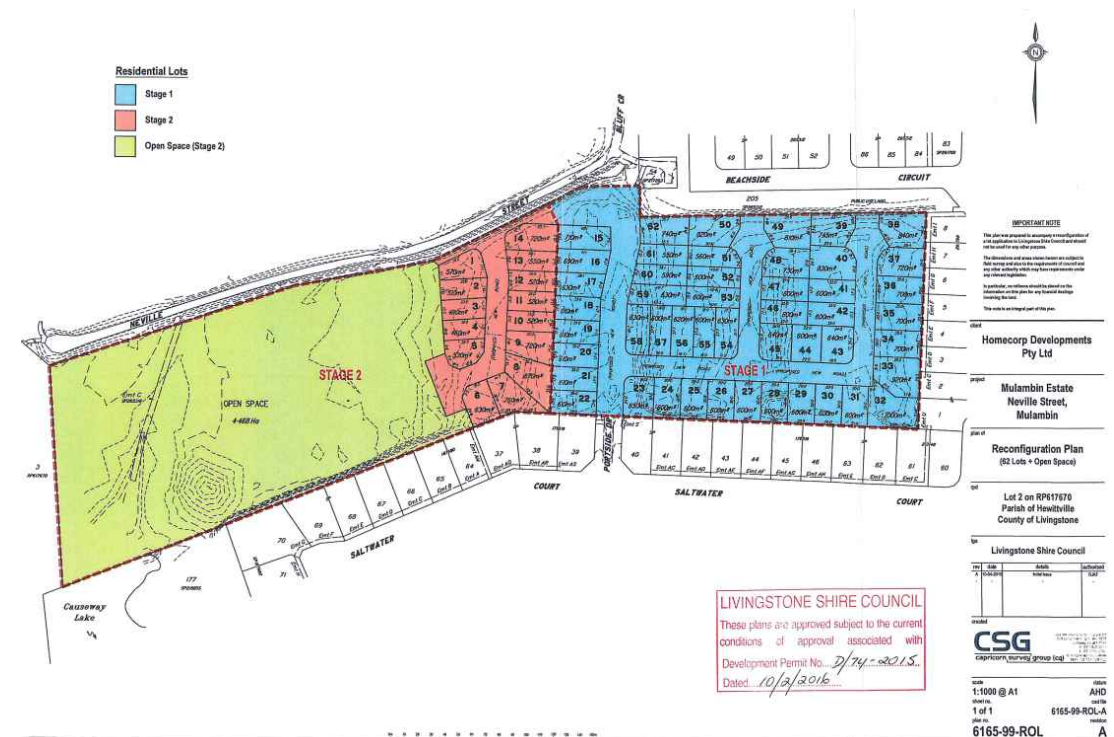
Neville Street, Mulambin

- The previous approval
- Our proposal
- State (SARA) approval
- Council and submitter concerns
- What we've changed
- Lots sizes – some context
- Ecology
- Hydrology
- Need
- Conclusions



The previous approval

- The site was previously approved by Livingstone Shire Council in 2016 for 62 residential lots, with an average lot size of 645m² and minimum lot size of 460m².
- That approval lapsed in 2020.
- The proposal was also approved by the State (SARA), which considered key matters including vegetation and coastal impacts.
- The level of reporting and analysis undertaken for the current application far exceeds that of the original approval.



LSC's grounds for approval in 2016....

- a) The proposal is considered to be a **logical extension** of the existing **residential estates** of Beachside Estate, Mulambin Shores and Mulambin Waters Estate **immediately adjoining** the subject site.
- b) The development **provides for a mix in allotment sizes**, not currently **available in the area**, including lots less than 500 square metres. The **variety of lots sizes** and hence housing stock choice facilitated by the proposal will support a range of lifestyle stages.
- c) The development will result in an **orderly and logical expansion** of **existing infrastructure** to service the community to the expected standards.
- d) The proposal **does not conflict with the relevant requirements** of the **State Planning Policy – July 2014** and will not adversely impact upon any State interests.

Our 2024 proposal

- Engage with Council in early 2024 to discuss the site and our intentions for residential subdivision
- Received in-principle support for our proposal – including density, lot sizes etc
- Council requested that we ensure the development is well clear of storm tide hazard mapping
- Council also requested that we provide a Traffic Impact Assessment, an Ecological Impact Assessment and a Stormwater Management Plan – which we did.
- We lodged in July 2024 seeking approval for **91 residential lots**
- Proposed an average lot size of 614m²



State (SARA) approval

- The application was referred to the State for assessment of coastal matters, native vegetation, and transport infrastructure.
- The State requested additional information, which we provided in full.
- Following review, the State issued an approval with conditions.
- The State confirmed that the proposed approach to vegetation clearing, marine plant protection, coastal hazard management and traffic impacts is appropriate and acceptable.

RA6-N



SARA reference: 2408-41758 SRA
Council reference: D-235-2024
Applicant reference: 240305

20 December 2024

Chief Executive Officer
Livingstone Shire Council
PO Box 2292
Yeppoon QLD 4703
DevelopmentAdministration@livingstone.qld.gov.au

Attention: Declan Cox

Dear Declan

SARA referral agency response—1-41 Neville Street, Mulambin (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 9 August 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	20 December 2024
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	Reconfiguring a Lot (1 into 85 residential lots and 1 drainage reserve lot).
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 and thresholds	

Council and submitter concerns

- Council (LSC) issued an information request covering engineering, stormwater, earthworks, traffic, water, sewer, and environmental matters.
- We responded in full and commenced public notification.
- All submissions were reviewed and addressed.
- Council engaged multiple independent experts to review key aspects of the proposal.
- We responded to further information requests following this review.
- Given the significant changes made, a second round of public notification was undertaken.
- As a result of the above, significant amendments to the proposal were made to address the concerns of Council and the community.

What we've changed

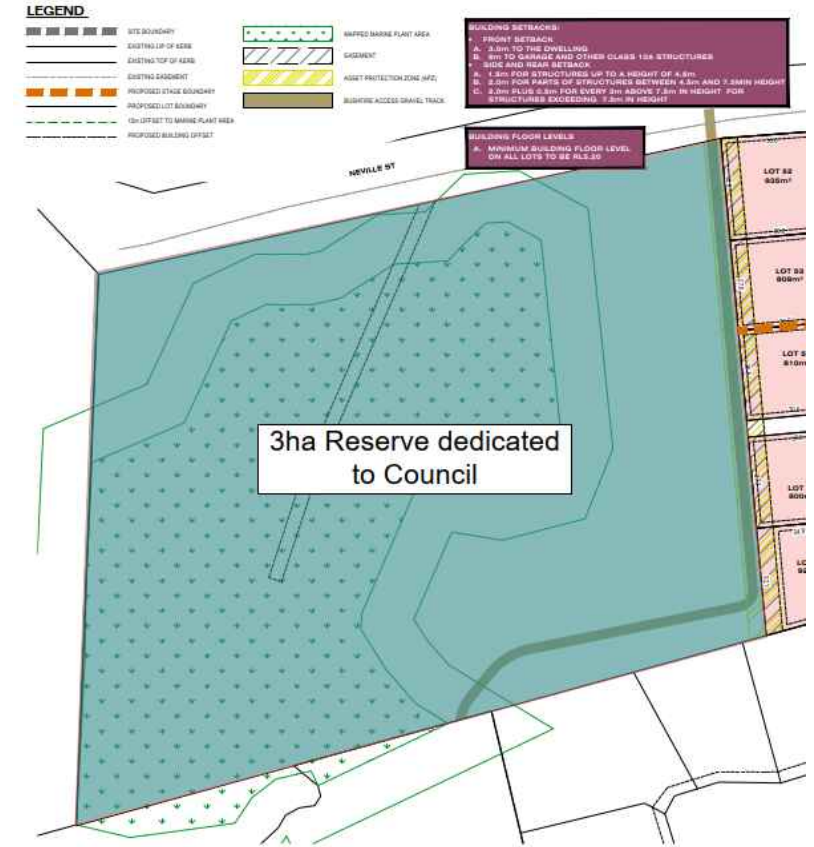
- Introduction of a new road connection to Bluff Crescent / Neville Street
- Reduced the development footprint by ~6,000m²
- Increase the proposed reserve area from 2.4ha to 3ha
- Revised the lot layout and lot sizes to provide fewer lots less than 600m²
- Removed the previously proposed 450m² lots
- Reduction in the total of number of lots from **91 to 77**
- Revised drainage strategy to address concerns with the existing drainage issues in the surrounding area

Lot sizes – some context

- Under the current planning scheme, surrounding areas including Mulambin Waters and Beachside estates have a preferred minimum lot size of **600m²**.
- The previous approval had an average lot size of **645m²**, with a minimum of **460m²**.
- Our revised proposal has increased the average lot size from **615m²** to **673m²**.
- The smallest proposed lot is now **540m²**, with only **four lots** of this size.
- For context, Council's recently adopted TLPI – Housing Supply & Affordability Measures allows a minimum lot size of **450m²** for applicable sites.

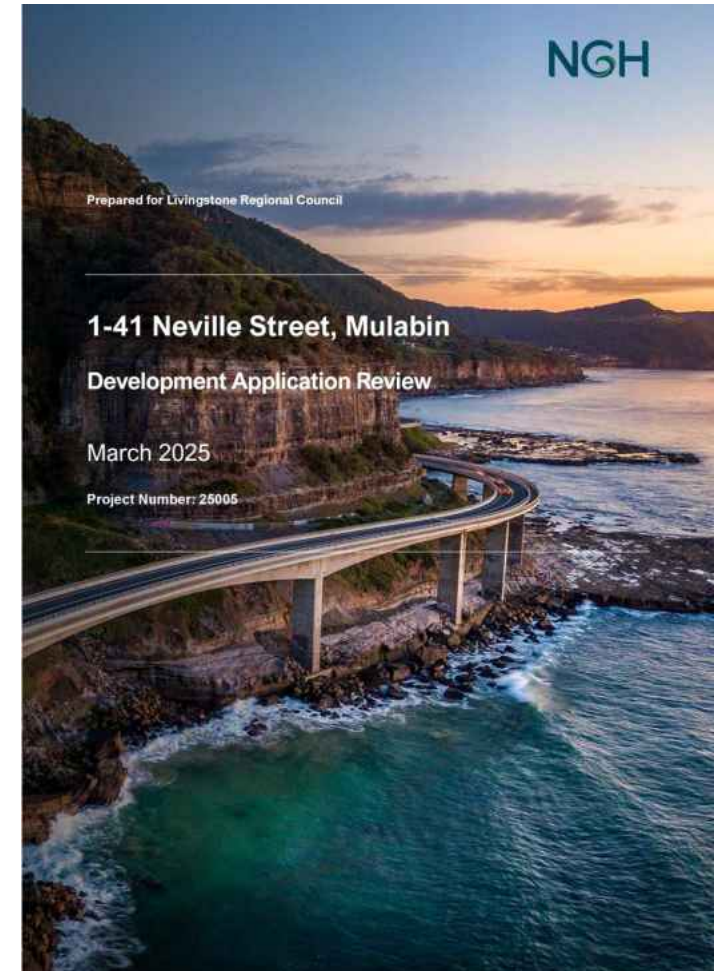
Ecology

- Comprehensive ecological assessments, including on-ground verification, were conducted by qualified consultants.
- State approval for native vegetation clearing was granted, with the referral response issued on 20 December 2024.
- As part of the approval, biodiversity offsets are required to address any residual environmental impacts.
- Vegetation clearing has been minimised, particularly around marine plants and wetland buffers adjacent to Mulambin Creek.
- A 3-hectare environmental reserve will be dedicated to Council for permanent protection and long-term conservation.



Ecology

- Despite claims by some submitters, no EPBC Matters of National Environmental Significance (MNES) are triggered.
- Regardless, this is a separate process that is not regulated by Council.
- Council sought an **independent third-party assessment** of the ecological/biodiversity impact aspect development application and engaged respected ecology firm NGH.
- The NHG report concluded:
“The proposal can comply with the environmentally relevant Planning Scheme codes and policies through the implementation of reasonable and relevant conditions. From an environmental compliance perspective, there are no sufficient grounds for refusal.”



Hydrology

- Extensive reporting in relation to **stormwater management, flooding and coastal hazards** has been undertaken.
- State approval for relevant storm tide and hydrology matters was granted 20 December 2024.
- Council again sought **third-party advice from an expert independent engineering consultant** in relation to flooding, storm tide, stormwater management and groundwater.
- This independent engineering consultant supports approval of the development subject to conditions.
- Council Officers have subsequently concluded that what we are proposing is not only compliant with the planning scheme, but it is entirely appropriate.



REPORT

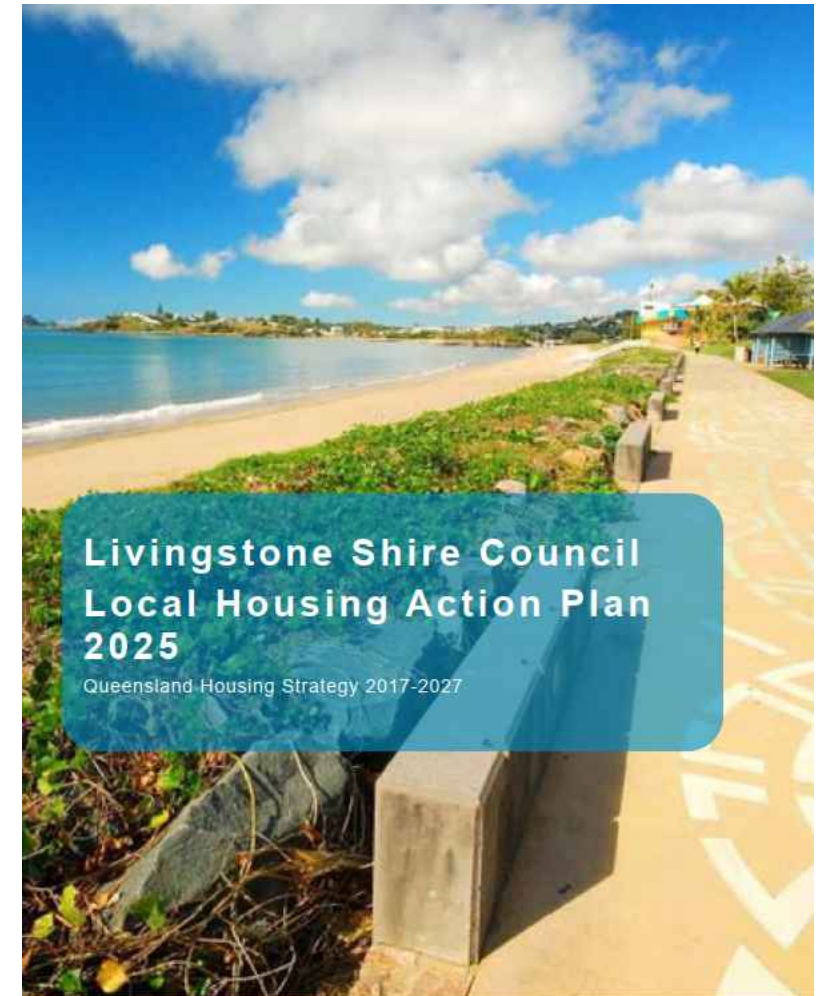
**FLOOD IMPACT ASSESSMENT
PROPOSED RESIDENTIAL SUBDIVISION
1-41 NEVILLE STREET
MULAMBIN, QLD**

Prepared for Red Emperor Pty Ltd atf Red Emperor Trust



Need

- The proposed development is a logical expansion of the adjoining urban development.
- Residential subdivision is the best use of this land, based on its location, availability of infrastructure and the overwhelming need for housing.
- There is considerable need for additional housing supply on the Capricorn Coast, as recognised in both the recently adopted TLPI and Council's Local Housing Action Plan 2025.
- The expectation that the site would be retained in its present state in perpetuity is unreasonable, particularly in the context of prior approvals relating to the land.





Aerial image 1996

Conclusions

- While community concerns are acknowledged, planning decisions must be based on planning grounds.
- Many submitters' properties were once vegetated and undeveloped, similar to the subject site.
- The proposal is supported by strong planning, engineering, and ecological grounds, as reflected in Council Officers' recommendation.
- If refused, we would be compelled to appeal — with a strong case backed by Council Officers, State agencies, and independent peer reviews.
- Endorsing the recommendation of the Officers would avoid unnecessary legal costs and delays.

Conclusions

The following list of the various State, Council and external parties that have reviewed and recommended approval of the proposal:

State departments:

- SARA in relation to all State interests
- DRNM in relation to vegetation
- DESI in relation to coastal hazards
- TMR in relation to traffic matters

Council departments:

- Planning
- Development Engineering
- Natural Resource Management
- Public and Environmental Health

External, independent consultants engaged by Council:

- George Milford – Milford Planning – external planning consultant
- Blake Stephens – Siris & Associates - external flooding and hydrology consultant
- NHG Pty Ltd – external environmental consultants – ecology, bushfire, stormwater and landscaping

