DELIVERING FOR QUEENSLAND | Queensland Government

Department of
State Development,
Infrastructure and Planning

SARA reference: 2607-53431 SRA
Applicant reference: 18-13/001435
Council reference: MCU/23/0009

28 August 2026

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

Attention: Brian Millard

Dear Mr Millard

SARA referral agency response – Change (Other) to Development Permit for Material Change of Use - Kennedy Highway, Mareeba

(Given under section 28 of the Development Assessment Rules)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 17 July 2026.

Response

Outcome:	Referral agency response – with conditions
Date of response:	28 August 2026
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	Change Application (Other Change) To Existing Development Permit for Material Change of Use - Extractive Industry (Expansion of Existing Quarry)
SARA role:	Referral agency	

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley Street, Cairns
PO Box 2358, Cairns QLD 4870

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SARA trigger:	o Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017) Material change of use that involves clearing native vegetation o Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) Development impacting on state transport infrastructure o Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) Material change of use of premises near a state transport corridor
SARA reference:	2607-53431 SRA
Assessment manager:	Mareeba Shire Council
Street address:	1886 Kennedy Highway, Mareeba
Real property description:	Lot 175 on FTY1871 and Lot 46 on SP328230
Applicant name:	Jacqshar Pty Ltd
Applicant contact details:	C/- Planning Plus PO Box 399 REDLYNCH QLD 4870 info@planningplusqld.com.au
Human Rights Act 2019 considerations:	Consideration of the *Human Rights Act 2019* sections 15 to 35 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.

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For further information please contact Taryn Pace, Principal Planning Officer, on (07) 4037 3244 or via email CairnsSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Kaye Atkins
Executive Director, Planning Services

cc Jacqshar Pty Ltd, info@planningplusqld.com.au

enc Attachment 1—Changed conditions to be imposed
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

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Attachment 1—Changed 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
Material change of use		
Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017) - Material change of use that involves clearing native vegetation —The chief executive administering the *Planning Act 2016* nominates the Director-General of the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development 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.	Clearing of native vegetation must: (a) only occur within area A (A^1 - A^4) as shown on the attached: (i) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2607-53431 SRA, Sheet 1, Version 3; and (ii) Attachment to Plan: 2607-53431 SRA, Derived Reference Points, prepared by Queensland Government, no reference and undated.	At all times
2.	Enter into an agreed delivery arrangement to deliver an environmental offset, in accordance with the *Environmental Offsets Act 2014*, to counterbalance the significant residual impacts on the matter/s of state environmental significance being: • clearing prescribed regional ecosystems that are of concern regional ecosystems being: o Stage 1: 0.44ha Of Concern Regional Ecosystem 7.11.33a o Stage 2: 0.63ha Of Concern Regional Ecosystem 7.11.33a o Stage 3: 0.76ha Of Concern Regional Ecosystem 7.11.33a o Stage 4: 1.33ha Of Concern Regional Ecosystem 7.11.33a o Expansion Stage 1: 0.05ha Of concern Regional Ecosystem 7.11.33a • 7.87 hectares of Essential habitat for Litoria serrata (tapping green eyed frog) within the following regional ecosystems: o Stage 1: total 0.76ha of Essential Habitat (0.44ha Of Concern RE 7.11.33a and 0.32ha Least Concern RE 7.11.51a) o Stage 2: total 0.67ha of Essential Habitat (0.63ha Of Concern RE 7.11.33a and 0.04ha Least Concern RE 7.11.51a) o Stage 3: total 1.96ha of Essential Habitat (0.76ha Of Concern RE 7.11.33a and 1.2ha Least Concern RE 7.11.51a) o Stage 4: total 2.57ha of Essential Habitat (1.33ha Of Concern RE 7.11.33a and 1.24ha Least Concern RE 7.11.51a) o Stage 5: total 1.14ha of Essential Habitat mapped as Least Concern RE 7.11.51a o Stage 6: total 0.76ha of Essential Habitat mapped as Least Concern RE 7.11.51a	Prior to commencing any works that impact on clearing prescribed regional ecosystems that are Of concern regional ecosystems and clearing defined regional ecosystems that are Essential habitat

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	o Expansion Stage 1: 0.05ha Of concern Regional Ecosystem 7.11.33a	

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Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the *Planning Act 2016*, its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.

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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:

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.0 and version 3.6:
    - State code 1: Development in a State-controlled Road environment (State code 1)
    - State code 6: Protection of state transport networks (State code 6)
    - State code 16: Native vegetation clearing (State code 16).

- The development complies with the assessment benchmarks of State code 1 and State code 6 of SDAP as appropriate access is provided to the site and the proposal does not seek to increase the extraction limit already approved on the site.
- The development complies with the assessment benchmarks of State code 16 of SDAP in that the development:
    - seeks to avoid and minimise impacts on native vegetation
    - avoids impacts on vegetation and minimises and mitigates impacts on vegetation where avoidance is not possible
    - maintains ecological processes and ensures the regional ecosystem remains in the landscape
    - provides environmental offsets through an agreed delivery arrangement in accordance with the *Environmental Offsets Act 2014* to counterbalance the significant residual impacts on 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
- the SDAP (version 3.0), as published by SARA
- the SDAP (version 3.6), 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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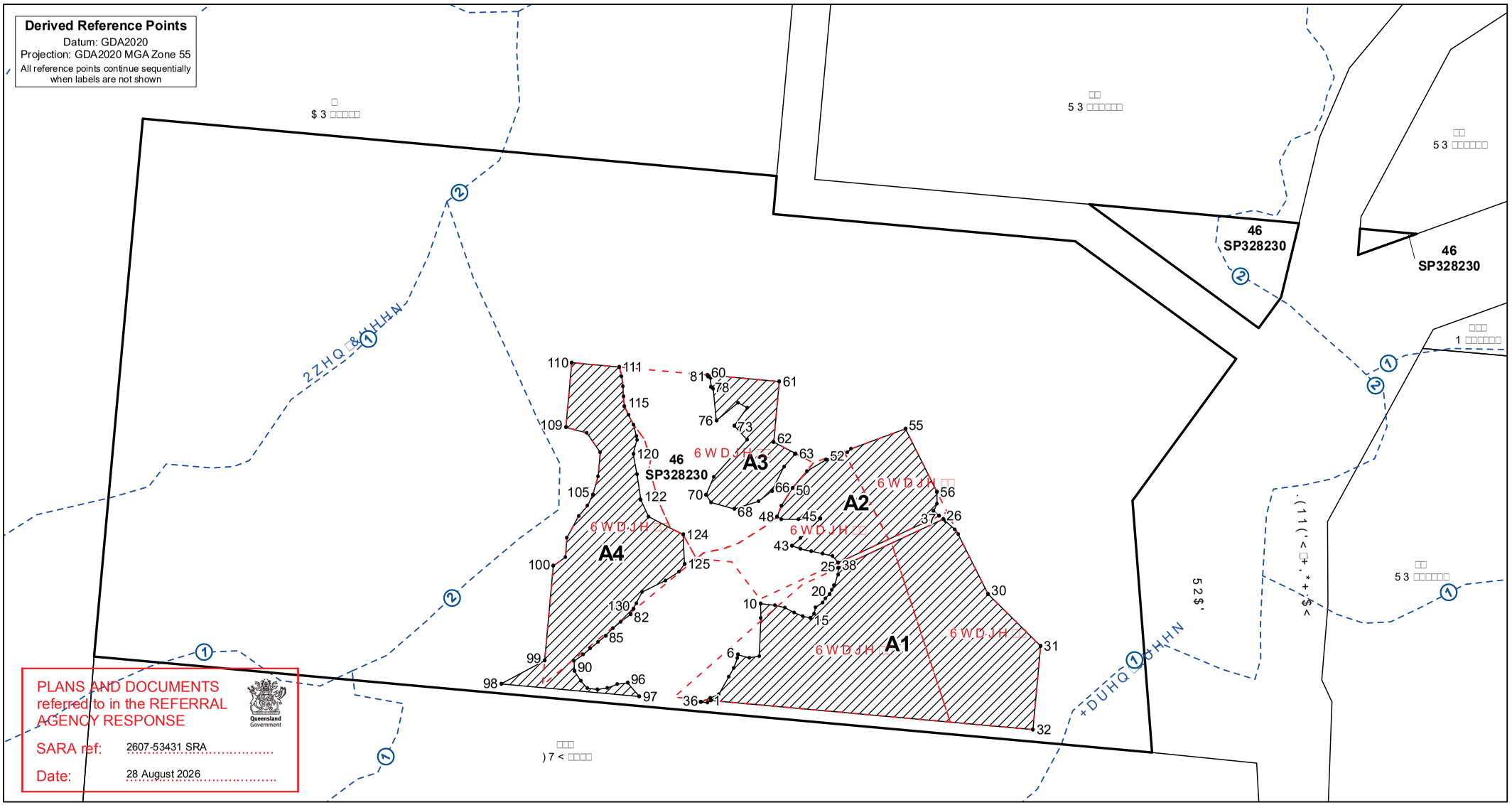
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Attachment 5—Documents referenced in conditions

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LEGEND

- 1 Derived Reference Points (see attachment)
- Subject Lot
- Area A - Clearing Permitted
- (1) Watercourse and/or drainage feature (Stream order label)
- Development Stages

Note: This is a colour map and must be reproduced in colour



N

Scale: 1:4,000 @ A3 paper size

0 100 200 300 400 metres

Projection: GDA2020 MGA Zone 55 Datum: GDA2020

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder.

Watercourse and drainage feature locations shown on the Vegetation Management Plan are derived from the certified Vegetation Management Watercourse and Drainage Feature Map. These alignments are approximate only and require ground truthing to identify the exact location of the watercourse or drainage feature.

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Vegetation Management Plan

Plan of Area A (Parts A1 - A4) in Lot 46 on Plan SP328230

This plan must be read in conjunction with conditions attached to 2607-53431 SRA

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VMP 2607-53431 SRA

Sheet 1 of 1

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Attachment: 2607-53431 SRA
Derived Reference Points
Datum: GDA2020, Projection: MGA Zone 55

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

Queensland Government

SARA ref: 2607-53431 SRA

Date: 28 August 2026

Notes: Derived Reference Points are provided to assist in the location of area boundaries.
Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).
Coordinates start at a point indicated on the accompanying plan and continue sequentially when labels are not shown.

Part ID	Unique ID	Easting	Northing
A1	1	350360	8136005
A1	2	350369	8136009
A1	3	350380	8136028
A1	4	350385	8136037
A1	5	350389	8136047
A1	6	350389	8136051
A1	7	350401	8136048
A1	8	350412	8136049
A1	9	350414	8136089
A1	10	350413	8136105
A1	11	350428	8136103
A1	12	350439	8136101
A1	13	350449	8136095
A1	14	350458	8136092
A1	15	350466	8136090
A1	16	350470	8136094
A1	17	350471	8136101
A1	18	350479	8136106
A1	19	350482	8136110
A1	20	350486	8136115
A1	21	350489	8136119
A1	22	350491	8136124
A1	23	350491	8136124
A1	24	350495	8136135
A1	25	350495	8136142
A1	26	350606	8136194
A1	27	350608	8136192
A1	28	350618	8136183
A1	29	350622	8136178
A1	30	350653	8136115
A1	31	350708	8136060
A1	32	350700	8135972
A1	33	350361	8136003
A1	34	350357	8136000
A1	35	350350	8136001
A1	36	350351	8136001
A2	37	350602	8136197
A2	38	350495	8136148
A2	39	350489	8136155
A2	40	350479	8136157
A2	41	350466	8136160
A2	42	350456	8136162
A2	43	350447	8136166
A2	44	350456	8136174
A2	45	350476	8136194
A2	46	350453	8136194
A2	47	350435	8136194
A2	48	350431	8136196
A2	49	350435	8136208
A2	50	350447	8136227
A2	51	350462	8136244
A2	52	350483	8136256
A2	53	350505	8136264
A2	54	350509	8136268
A2	55	350566	8136289
A2	56	350599	8136222
A2	57	350599	8136222
A2	58	350599	8136210
A2	59	350596	8136202
A3	60	350358	8136346
A3	61	350433	8136339
A3	62	350427	8136275
A3	63	350451	8136263
A3	64	350450	8136262
A3	65	350438	8136249
A3	66	350425	8136223
A3	67	350411	8136213
A3	68	350386	8136205
A3	69	350361	8136211
A3	70	350356	8136219
A3	71	350364	8136238
A3	72	350399	8136277
A3	73	350386	8136292
A3	74	350399	8136311
A3	75	350390	8136316
A3	76	350367	8136298
A3	77	350364	8136331
A3	78	350361	8136333
A3	79	350360	8136343
A3	80	350359	8136344
A3	81	350358	8136344
A4	82	350277	8136094
A4	83	350266	8136086
A4	84	350258	8136079
A4	85	350250	8136071
A4	86	350242	8136064
A4	87	350234	8136058
A4	88	350226	8136051
A4	89	350217	8136044
A4	90	350217	8136034
A4	91	350224	8136023
A4	92	350231	8136016
A4	93	350241	8136014
A4	94	350252	8136016
A4	95	350263	8136020
A4	96	350273	8136021
A4	97	350286	8136007
A4	98	350140	8136020
A4	99	350186	8136045
A4	100	350195	8136145

Part ID	Unique ID	Easting	Northing
A4	101	350208	8136154
A4	102	350209	8136174
A4	103	350222	8136197
A4	104	350231	8136208
A4	105	350237	8136220
A4	106	350242	8136239
A4	107	350245	8136264
A4	108	350230	8136285
A4	109	350208	8136290
A4	110	350214	8136359
A4	111	350265	8136354
A4	112	350267	8136344
A4	113	350269	8136334
A4	114	350269	8136323
A4	115	350270	8136313
A4	116	350274	8136303
A4	117	350280	8136293
A4	118	350282	8136281
A4	119	350283	8136277
A4	120	350279	8136262
A4	121	350283	8136241
A4	122	350287	8136214
A4	123	350295	8136196
A4	124	350332	8136178
A4	125	350333	8136147
A4	126	350328	8136138
A4	127	350313	8136129
A4	128	350289	8136117
A4	129	350282	8136105
A4	130	350279	8136099

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules[1] regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.

28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—

(a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or

(b) the Minister has given the concurrence agency a direction under section 99 of the Act; or

(c) the applicant has given written agreement to the change to the referral agency response.[2]

28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.

28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—

(a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and

(b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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1 Pursuant to Section 68 of the *Planning Act 2016*

2 In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

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Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. 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.[3]

[3] An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

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