



SARA reference: 2501-44257 SRA
 Council reference: MCU/24/0028
 Applicant reference: M3-24

19 February 2025

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

Attention: Carl Ewin

Dear Sir/Madam

SARA referral agency response—733 Bilwon Road, Biboohra

(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 15 January 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	19 February 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 a Rural Workers Accommodation (as defined by the Planning Regulation 2017)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3 (Planning Regulation 2017).	

Development application for clearing native vegetation - material change of use that is assessable development under a local categorising instrument

SARA reference: 2501-44257 SRA

Assessment manager: Mareeba Shire Council

Street address: 733 Bilwon Road, Bibboohra

Real property description: Lot 15 on RP855858

Applicant name: Galati Farming Pty Ltd
C/- U&i Town Plan

Applicant contact details: 35 Sutherland Street
Mareeba QLD 4880
ramon@uitownplan.com.au

Human Rights Act 2019 considerations: The decision has been assessed for compatibility with human rights under the *Human Rights Act 2019*. The decision was found not to limit human rights under the *Human Rights Act 2019* therefore, it is reasonable to conclude the decision is compatible with 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 (Chapter 1, 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 Sue Lockwood, Senior Planning Officer, on 40373214 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Galati Farming Pty Ltd c/- U&i Town Plan, ramon@uitownplan.com.au

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 provisions
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) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
10.3.4.3 – Development application for clearing native vegetation - material change of use that is assessable development under a local categorising instrument —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of 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 vegetation must: <ul style="list-style-type: none"> (a) only occur within Area A^(A1-A4) and C^(C1) as shown on the attached: <ul style="list-style-type: none"> (i) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2501-44257 SRA, Sheet 1 of 1, version 1, and (ii) Attachment to Vegetation Management Plan VMP 2501-44257 SRA Derived Reference Points for GPS. (b) not exceed 0.266 hectares. 	At all times
2.	Built infrastructure, other than for roads, tracks, fences and underground services, must not be established, constructed or located within Area C ^(C1) as shown on the attached: <ul style="list-style-type: none"> (a) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2501-44257SRA, Sheet 1 of 1, version 1, and (b) Attachment to Vegetation Management Plan VMP 2501-44257SRA Derived Reference Points for GPS. 	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) (version 3.2). If a word remains undefined it has its ordinary meaning.
2.	<p>Clearing native vegetation</p> <p>To request an electronic file of the GPS coordinates/Derived Reference Points contained in an Attachment of this decision notice, email a request to the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development at: vegetation.support@resources.qld.gov.au include application reference 2501-44257 SRA.</p>

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:

The development complies with the assessment benchmarks of State code 16: Native vegetation clearing of SDAP (version 3.2) in that the development:

- avoids clearing, or where avoidance is not reasonably possible, minimises clearing to:
 - o conserve vegetation
 - o avoid land degradation
 - o avoid the loss of biodiversity
 - o maintain ecological processes
- minimises contributions to greenhouse gas emissions
- minimises and mitigates impacts on vegetation where avoidance is not possible

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.2), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Google Maps
- Queensland Globe
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank – attached separately)

Attachment 5—Documents referenced in conditions

(page left intentionally blank – attached separately)

Derived Reference Points

Datum: GDA2020
Projection: GDA2020 MGA Zone 55
All reference points continue sequentially when labels are not shown

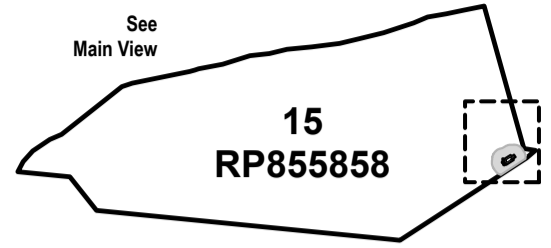
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2501-44257 SRA

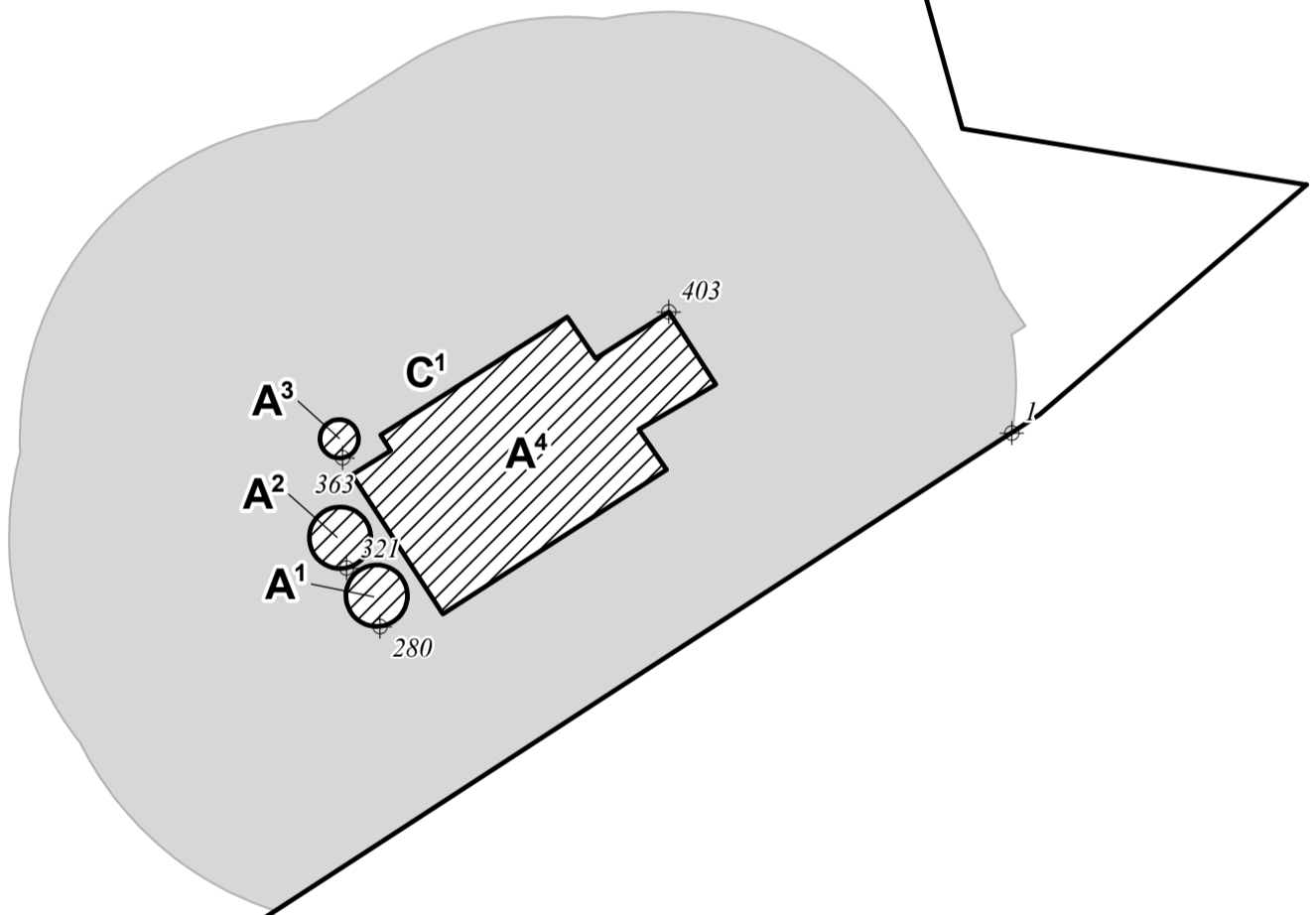
Date: 19 February 2025

PROPERTY VIEW



Scale: 1:15,000

**15
RP855858**



1:500 @ A3 paper size



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.

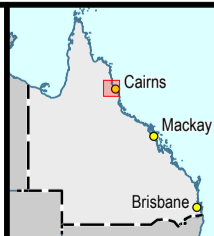
Watercourse and drainage feature locations shown on the Vegetation Management Plan are derived from the certified Vegetation Management Watercourse and Drainage Feature Map. These alignments are approximate only and require ground truthing to identify the exact location of the watercourse or drainage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

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

This plan must be read in conjunction with conditions attached to 2501- 44257 SRA

LEGEND

- Derived Reference Points (see attachment)
- Subject Lot(s)
- Area A - Clearing Permitted
- Area C - Firebreak/safety buffer (only certain infrastructure permitted)
- Watercourse and/or drainage feature (Stream order label)



Vegetation Management Plan

Plan of Area A (Parts A¹ - A⁴) and Area C (Part C¹) in Lot 15 on Plan RP855858



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**VMP
2501- 44257 SRA
Sheet 1 of 1**


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

Version: 1

eLVAS Case ID: 2025/000118

Attachment: 2501-44257 SRA
Derived Reference Points
Datum: GDA2020, Projection: MGA Zone 55

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2501-44257 SRA
Date: 19 February 2025

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
C1	1	332077	8134957
C1	2	332028	8134925
C1	3	332028	8134925
C1	4	332027	8134925
C1	5	332025	8134926
C1	6	332025	8134926
C1	7	332025	8134926
C1	8	332024	8134927
C1	9	332023	8134927
C1	10	332022	8134928
C1	11	332022	8134928
C1	12	332022	8134928
C1	13	332021	8134929
C1	14	332020	8134930
C1	15	332020	8134930
C1	16	332019	8134930
C1	17	332018	8134931
C1	18	332018	8134932
C1	19	332017	8134933
C1	20	332017	8134933
C1	21	332017	8134934
C1	22	332016	8134935
C1	23	332015	8134936
C1	24	332015	8134936
C1	25	332015	8134936
C1	26	332015	8134936
C1	27	332015	8134936
C1	28	332015	8134937
C1	29	332014	8134937
C1	30	332014	8134939
C1	31	332013	8134939
C1	32	332013	8134940
C1	33	332013	8134940
C1	34	332012	8134941
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C1	39	332011	8134945
C1	40	332011	8134946
C1	41	332011	8134946
C1	42	332011	8134947
C1	43	332011	8134948
C1	44	332011	8134949
C1	45	332011	8134950
C1	46	332011	8134950
C1	47	332011	8134951
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C1	49	332011	8134953
C1	50	332011	8134953
C1	51	332011	8134954
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C1	55	332011	8134956
C1	56	332011	8134956
C1	57	332011	8134958
C1	58	332011	8134959
C1	59	332011	8134959
C1	60	332012	8134960

Part ID	Unique ID	Easting	Northing
C1	61	332012	8134960
C1	62	332012	8134962
C1	63	332012	8134963
C1	64	332012	8134963
C1	65	332012	8134963
C1	66	332013	8134964
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C1	69	332014	8134966
C1	70	332014	8134967
C1	71	332015	8134968
C1	72	332015	8134969
C1	73	332015	8134969
C1	74	332016	8134969
C1	75	332017	8134970
C1	76	332017	8134971
C1	77	332018	8134971
C1	78	332018	8134972
C1	79	332019	8134972
C1	80	332020	8134973
C1	81	332020	8134974
C1	82	332020	8134974
C1	83	332021	8134974
C1	84	332022	8134975
C1	85	332023	8134975
C1	86	332023	8134975
C1	87	332023	8134975
C1	88	332024	8134976
C1	89	332026	8134976
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C1	91	332027	8134977
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C1	94	332030	8134977
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C1	97	332031	8134977
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C1	99	332038	8134982
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C1	119	332060	8134984
C1	120	332061	8134984

Part ID	Unique ID	Easting	Northing
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C1	122	332063	8134983
C1	123	332065	8134982
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C1	136	332077	8134966
C1	137	332077	8134966
C1	138	332078	8134964
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C1	140	332077	8134962
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C1	178	332035	8134944
C1	179	332036	8134944
C1	180	332036	8134944

SARA ref: 2501-44257 SRA

Date: 19 February 2025

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Derived Reference Points

Datum: GDA2020, Projection: MGA Zone 55

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Coordinates start at a point indicated on the accompanying plan and continue sequentially when labels are not shown.

Part ID	Unique ID	Easting	Northing
C1	181	332036	8134944
C1	182	332036	8134944
C1	183	332037	8134944
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Part ID	Unique ID	Easting	Northing
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A1	295	332034	8134947
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A1	298	332034	8134948
A1	299	332035	8134948
A1	300	332035	8134948

Part ID	Unique ID	Easting	Northing
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A1	302	332036	8134948
A1	303	332036	8134948
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A2	353	332035	8134949
A2	354	332035	8134949
A2	355	332034	8134949
A2	356	332034	8134949
A2	357	332034	8134948
A2	358	332034	8134948
A2	359	332034	8134948
A2	360	332033	8134948

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 Rules¹ 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.

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.

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.