

25 August 2025

65 Rankin Street PO Box 154 MAREEBA QLD 4880

P: 1300 308 461 F: 07 4092 3323

W: www.msc.qld.gov.au E: info@msc.qld.gov.au

Planning Officer:

Carl Ewin

Direct Phone:

07 4086 4656

Our Reference:

MCU/25/0009

Your Reference:

2023-10-83

M McDougall C/- Aspire Town Planning and Project Services PO Box 1040 MOSSMAN QLD 4873

Dear Applicants,

# **Decision Notice Planning Act 2016**

I refer to your application and advise that on 20 August 2025, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

#### **APPLICATION DETAILS**

**Application No:** 

MCU/25/0009

Street Address:

8392 Mulligan Highway, Desailly

Real Property Description:

Lot 22 on SP302231

Planning Scheme:

Mareeba Shire Council Planning Scheme 2016

#### **DECISION DETAILS**

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use – Tourist Park
Date of Decision:	20 August 2025

#### **CURRENCY PERIOD OF APPROVAL**

The currency period for this development approval is **six (6) years** starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

#### **INFRASTRUCTURE**

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "necessary infrastructure condition" for the provision of trunk infrastructure as defined under Chapter 4 of the Planning Act 2016.

#### ASSESSMENT MANAGER CONDITIONS

ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

- (a) <u>Development assessable against the Planning Scheme</u>
  - Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
    - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
    - to ensure compliance with the following conditions of approval.

#### 2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

#### 3. General

3.1 The applicant is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

- 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

#### 3.4 Waste Management

The applicant shall ensure there is no on-site disposal of refuse associated with the approved use unless such refuse is disposed of in refuse bins provided in accordance with the following:

- (i) No refuse is to be stored on site outside the refuse bins at any time.
- (ii) An on-site refuse storage area for all refuse bins must be provided and be screened from view from adjoining properties and road reserve by a one (1) metre wide landscaped screening buffer, 1.8 metre high solid fence or building.

Lids or coverings must be installed on all refuse storage bins when not in use to prevent wildlife scavenging.

#### 3.5 Emissions

Emissions associated with the development must not cause an 'environmental nuisance' within the meaning of the *Environmental Protection Act (1994)* to any sensitive receptor.

Tourist Park guests are not permitted to play amplified music of any kind.

#### 3.6 Bushfire Management

- 3.6.1 A Bushfire Management Plan, incorporating evacuation procedures, campfire guidelines and fire break/trail maintenance for the campground must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.
- 3.6.2 The applicant must ensure any open fires are appropriately managed and contained.
- 3.7 A site manager/s must be present on-site at all times to ensure compliance with these conditions of approval.

#### 3.8 Signage

3.8.1 No more than one (1) advertising sign for the approved development is permitted on the subject site.

- 3.8.2 The sign must not exceed a maximum sign face area of 6m2 and must not move, revolve, strobe or flash.
- 3.8.3 The sign must be kept clean, in good order and safe repair for the life of the approval.
- 3.8.4 The sign must be removed when no longer required.
- 3.8.5 The erection and use of the advertisement must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions.
- 3.9 The maximum length of stay for any self-contained campers must not exceed seven (7) consecutive days.

#### 4. Infrastructure Services and Standards

- 4.1 Stormwater Drainage/Water Quality
  - 4.1.1 The applicant/developer must take all necessary steps to ensure a nonworsening effect on surrounding land as a consequence of the development.
  - 4.1.2 All stormwater drainage must be discharged to an approved legal point of discharge.

#### 4.2 Car Parking/Internal Driveways

- 4.2.1 The applicant/developer must ensure that the development is provided with sufficient on-site car parking. No parking of vehicles associated with the development is permitted to occur outside the property boundary or within road reserve.
- 4.2.2 All car parking spaces, and trafficable areas must be surface treated with gravel or maintained with an intact grass cover so as to minimise erosion and must be appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.
- 4.2.3 All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

#### 4.3 Non-Reticulated Water Supply

All non-potable water supplied to campground visitors must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

In the event that the campground is provided with a potable water supply, it must be treated so as to be potable (safe for drinking in accordance with National Health Medical Research Guidelines).

#### 4.4 On-Site Wastewater Management

- 4.4.1 No black or grey water from any campground guest is to be discharged on site.
- 4.4.2 Any accidental discharge of black or grey water on site must be reported to Council immediately.
- 4.4.3 Should permanent ablutions facilities be constructed onsite, all on site wastewater disposal associated with these facilities must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.
- 4.4.4 Any on-site wastewater treatment system with a total daily peak design capacity of at least 21 equivalent persons (EP) is an Environmentally Relevant Activity (ERA 63 Sewerage Treatment) and an Environmental Authority is required.

#### 4.5 Lighting

Lighting associated with the development must be set up to minimise light spillage and not cause nuisance to any neighbouring property. Where permanent outdoor lighting is proposed, the developer shall locate, design and install lighting in order to prevent the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed eight (8) lux when measured at any point 1.5 metre outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

#### **REFERRAL AGENCIES**

The referral agencies applicable to this application are:

- State Assessment Referral Agency Schedule 10, Part 3, Division 4, Table 3 (Clearing native vegetation)
- State Assessment Referral Agency Schedule 10, Part 9, Division 4, Subdivision 1, Table 1
   (State transport infrastructure generally Schedule 20, Purpose 26(d) LG area 2)
- State Assessment Referral Agency Schedule 10, Part 9, Division 4, Subdivision 2, Table 4
   (State transport corridors and future State transport corridors

A copy of any referral agency conditions are attached.

#### **APPROVED PLANS**

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
M24-4970B Sheet A101	Site Plan	Max Slade Designs	5/06/2025
M24-4970B Sheet A102	Overall Site Plan	Max Slade Designs	5/06/2025

#### **ADVISORY NOTES**

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

#### ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.
- (b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from <a href="www.dcceew.gov.au">www.dcceew.gov.au</a>.

(e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the

duty of care guidelines and cultural heritage search forms, may be obtained from <a href="https://www.dsdsatsip.qld.gov.au">www.dsdsatsip.qld.gov.au</a>.

(f) Motor Home Park/Caravan Park/Camping Ground

The applicant is advised that an application to Council for approval to operate under Council *Local Law No 1 (Administration) 2011* is required prior to the commencement of the motor home park/caravan park/camping ground.

(g) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act* 2014.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a *general biosecurity obligation*) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at <u>Electric ants in Queensland | Business Queensland</u> or contact Biosecurity Queensland 13 25 23.

#### **PROPERTY NOTES**

Not Applicable.

#### **FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

#### **SUBMISSIONS**

No submissions were received about the application.

#### **RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

#### **OTHER DETAILS**

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

**BRIAN MILLARD** 

**COORDINATOR PLANNING & BUILDING** 

Enc: Approved Plans/Documents

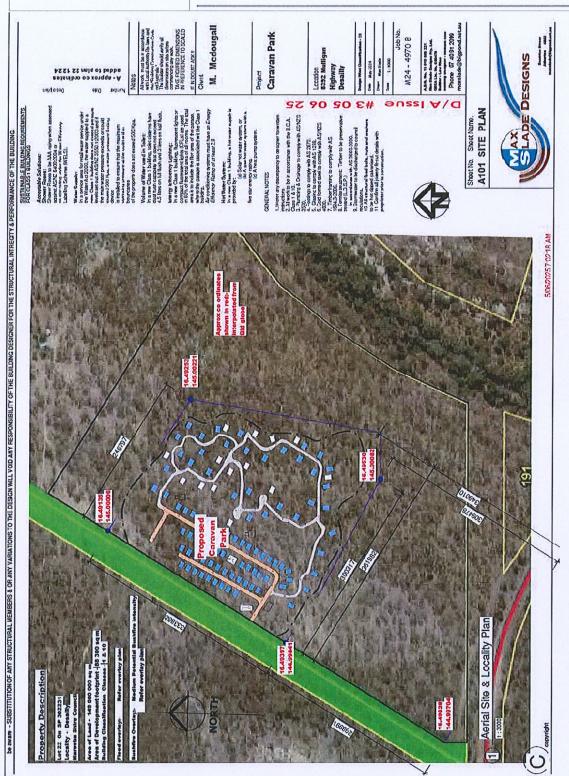
Referral Agency Response

**Appeal Rights** 

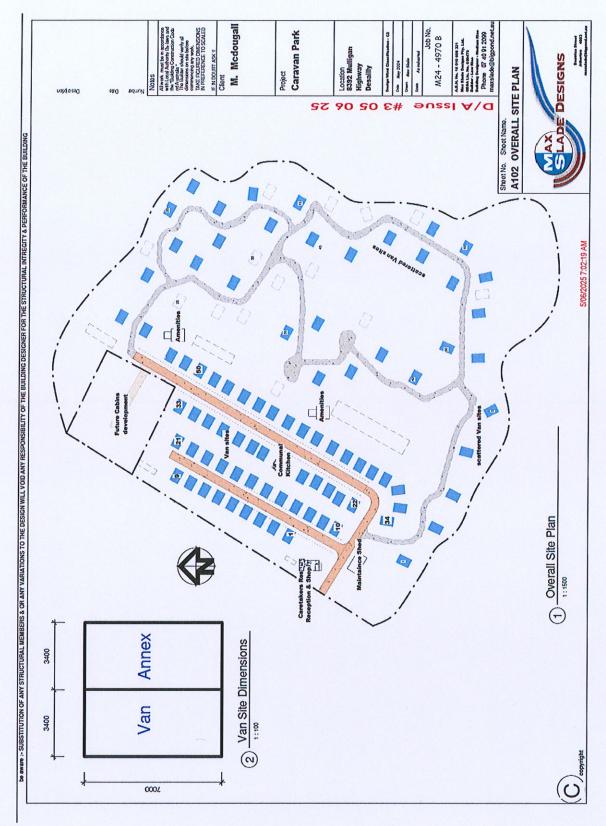
Copy: Department of State Development, Manufacturing, Infrastructure and Planning

CairnsSARA@dsdilgp.qld.gov.au

### **Approved Plans/Documents**



25/8/2025



25/8/2025 B. 22 C

### **Referral Agency Response**

RA6-N



SARA reference: Council reference: 2505-45884 SRA

MCU/25/0009

Applicant reference: 2023-10-83

4 July 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—8392 Mulligan Highway, Desailly

(Referral agency response given under section 58 of the Planning Act 2016)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 6 June 2025.

#### Response

Outcome:

Referral agency response - with conditions

Date of response:

4 July 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 - Tourist Park

SARA role:

Referral agency

SARA trigger:

Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017). Development application for a material change of use that is assessable development under a local categorising instrument.

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Far North Queensland regional office Ground Floor, Cnr Grafton and Hartley Street, Caims PO Box 2358, Caims QLD 4970

Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017). Infrastructure - state transport

infrastructure (thresholds).

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017). Development application for a material

change of use near a state transport corridor.

SARA reference: Assessment manager: 2505-45864 SRA Mareeba Shire Council

Street address:

8392 Mulligan Highway, Desailly

Real property description:

Lot 22 on SP302231

Applicant name:

Malcolm Hugh McDougall

CI- Aspire Town Planning and Project Services

Applicant contact details:

PO Box 1040 Mossman QLD 4873 admin@aspireqld.com

State-controlled road access

This referral included an application for a road access location, under section 62A(2) of Transport Infrastructure Act 1994. Below are

the details of the decision:

Approved

Reference: TMR25-045965

Date: 2 July 2025

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at

caims.office@tmr.qld.qov.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 (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.

State Assessment and Referral Agency

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For further information please contact Sue Lockwood, A/Principal Planning Officer, on 40373214 or via email CaimsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

**Javier Samanes** A/ Manager (Planning)

Malcolm Hugh McDougall, admin@aspireqld.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 provisions

Attachment 5 - Documents referenced in conditions

State Assessment and Referral Agency

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2505-45884 SRA

Attachment 1—Referral agency conditions

(Under section 58(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.	Condition	s	Condition timing
- clea Direct Rural	aring native v tor-General of Developmen	rial change of use that is assessable development under a loc regetation—The chief executive administering the <i>Planning Ac</i> of the Department of Natural Resources and Mines, Manufacto In to be the enforcement authority for the development to whic or the administration and enforcement of any matter relating to	et 2016 nominates the uring and Regional and th this development
1.	Clearing o	f vegetation must:	At all times
		ccur within Area A (A <sup>1-68</sup> ) and Area C (C 1-2) as shown on ached:	
	(i)	Vegetation Management Plan, prepared by Queensland Government, reference VMP 2505-45864 SRA, Sheet 1, version 1.	
	(ii)	Attachment to Vegetation Management Plan VMP 2505- 45864 SRA Derived Reference Points for GPS.	
2.	as relevan	tructure, other than for fences, roads, underground services t, must not be established, constructed or located within Area wn on the attached:	At all times
	(a) Vegeta Govern version	ation Management Plan, prepared by Queensland ment, reference VMP 2505-45864 SRA, Sheet 1 of 1, n 1.	
		ment to Vegetation Management Plan VMP 2505-45864 erived Reference Points for GPS.	
3.	vegetation full copy of	n(s) engaged or employed to carry out the clearing of under this development approval must be provided with a this development approval and must be made aware of the of clearing authorised by this development approval.	Prior to clearing
applica admin Main f	ation for a m istering the A Roads to be	elopment impacting on state transport infrastructure and 10.9. aterial change of use near a state transport corridor—The chie Planning Act 2016 nominates the Director-General of the Depa the enforcement authority for the development to which this de- inistration and enforcement of any matter relating to the follow	ef executive artment of Transport and evelopment approval
4.	(34B - 45.4	ss is located generally in accordance with TMR Layout Plan 42km) prepared by Queensland Government Transport and s, dated 27/06/2025, Reference TMR25-045965, Issue C.	At all times
	Main Road	s, dated 27/00/2025, Reference TMR25-045905, Issue C.	
5.	(a) Provide	e road works comprising of a Channelised Right-turn (short) ent and an Auxiliary Left-turn (short) treatment, including ghting at the intersection.	Prior to the commencement of use and to be maintained at all times
5.	(a) Provide treatme Flag Li	e road works comprising of a Channelised Right-turn (short) ent and an Auxiliary Left-turn (short) treatment, including	commencement of use and to be maintained at
5.	(a) Provide treatme Flag Li (b) Design condition	e road works comprising of a Channelised Right-turn (short) ent and an Auxiliary Left-turn (short) treatment, including ghting at the intersection.  and construct the road works, required in part (a) of this	commencement of use and to be maintained at

State Assessment and Referral Agency

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	short turn slot (CHR(S)) two-lane rural road.	
	<ul> <li>Figure 8.3: Rural AUL(S) treatment with a short left- turn lane.</li> </ul>	
	Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition	
	<ul> <li>Volume 3 – Guide to Road Design, dated October 2024, and</li> </ul>	
	<ul> <li>Volume 6 – Lighting, dated March 2021</li> </ul>	
6.	(a) Close and remove the existing vehicular property access located between Lot 22 on SP302231 and Mulligan Highway.	Prior to the commencement of use
	(b) The road works to close and remove access, referred to in part (a) of this condition, must be in accordance with Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition. The road works must:	
	(i) remove the unsealed driveway crossover; and	
	(ii) reinstate the table drain and revegetation between the road pavement edge and the property boundary.	

#### Attachment 2—Advice to the applicant

#### General advice

Terms and phrases used in this document are defined in the Planning Act 2016, its regulation
or the State Development Assessment Provisions (SDAP) (version 3.2). If a word remains
undefined it has its ordinary meaning.

#### 2. Advertising advice

If the development is proposing to erect an advertising device that will be visible from a state-controlled road, the applicant should seek advice from the Department of Transport and Main Roads (DTMR) to ensure that advertising device(s) visible from a state-controlled road, and beyond the boundaries of the state-controlled road, is unlikely to create a traffic hazard for the state-controlled road.

Note: DTMR has powers under section 139 of the Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015 to require removal or modification of an advertising sign and / or a device which is deemed to create a danger to traffic

For more information regarding the RAM or the Third-Party Advice process, please contact DTMR at <a href="mailto:Far.North.Queensland.IDAS@tmr.qld.qov.au">Far.North.Queensland.IDAS@tmr.qld.qov.au</a>.

#### 3. McLeod River Crossing Project

The McLeod River Crossing project is identified as 'Category B' transport planning. Concept planning is progressing, but no funding has been allocated to this project.

#### Further development permits required

#### 4. Road Works Approval

Under section 33 of the Transport Infrastructure Act 1994, written approval is required from DTMR to carry out road works.

Please contact DTMR on 4045 7144 to make an application for road works approval.

This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).

Please DTMR as soon as possible to ensure that gaining approval does not delay construction.

State Assessment and Referral Agency

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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:

The proposed development can be conditioned to comply with the relevant provisions of the State development assessment Provisions (SDAP) State code 1: Development in a state-controlled road environment, in that the development:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road.
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure
- · does not adversely impact the function and efficiency of state-controlled roads.
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate statecontrolled roads, or road transport infrastructure.
- does not significantly increase the cost to the state to plan, construct, upgrade or maintain statecontrolled roads, or road transport infrastructure.

The proposed development can be conditioned to comply with the relevant provisions of SDAP State code 6: Protection of state transport networks, in that the development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury.
- does not result in a worsening of the physical condition or operating performance of the state transport network.

The proposed development can be conditioned to comply with the relevant provisions of SDAP State code 16: Native vegetation cleaning, in that the development:

- minimises clearing to:
  - o conserve vegetation
  - o avoid land degradation
  - o avoid the loss of biodiversity
  - o maintain ecological processes.
- avoids impacts on vegetation and 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
- State Planning Policy mapping system
- section 58 of the Human Rights Act 2019

### Attachment 4—Representations about a referral agency response provisions

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(page left intentionally blank - attached separately)

State Assessment and Referral Agency

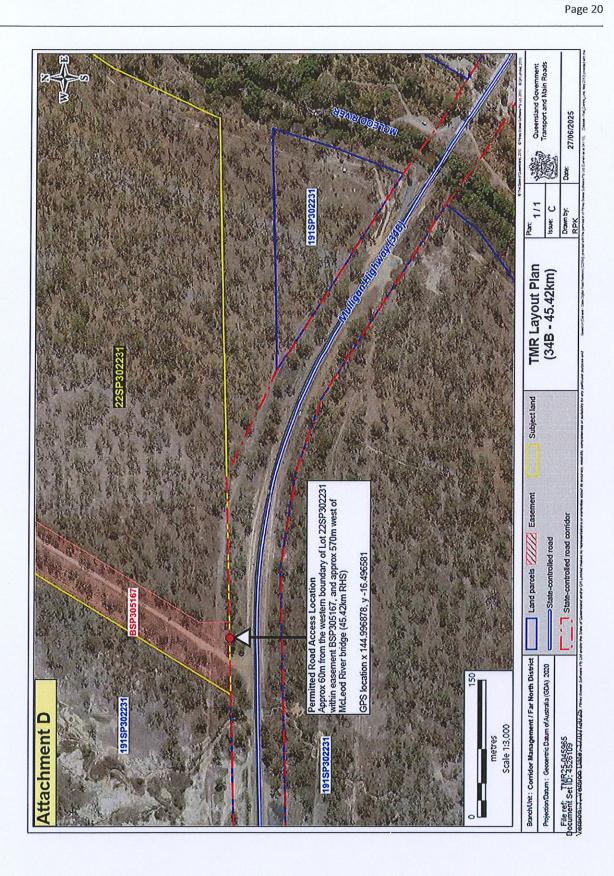
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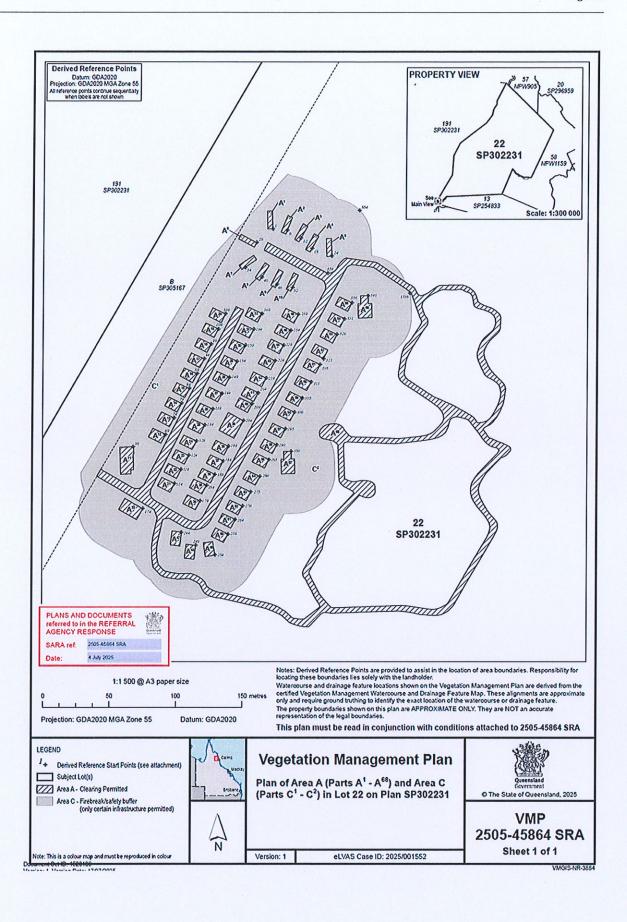
#### Attachment 5—Documents referenced in conditions

(page left intentionally blank – attached separately)

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net Derived Reference Proints are provided to assist in the location of area boundaries. Responsibility for locating these boundaries it as solely with the landholder and delegated contractoris). Coordinates start at a point indicated on the accompanying plan and continue sequentially when labels are not shown. PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2505-45864 SRA

Date: 4 July 2025

Part ID Unique ID Easting Northing	Part ID Unique ID Easing Northing	Part ID Unique ID Easting Northing	Part ID Unique ID Easting Northing
A1 1 256515 8175617	A18 101 266600 8175509	A38 201 206474 8175462	A58 301 256532 8175473
A1 2 206815 8175617 A1 3 266614 8175630	A18 102 266453 8175636	A38 202 206477 8175458	A58 302 296523 8175477
A1 3 200614 8175630 A1 4 200616 8175630	A18 103 266473 6175500 A19 104 266476 6175542	A36 203 205406 6175453 A30 204 205407 6175473	A50 303 29650 8175453 A50 304 296506 8175479
A1 4 200618 6175630 A1 5 200618 6175617	A19 105 256475 8175535	A30 204 205407 6175473 A30 206 205400 6175400	A58 304 200506 8175179 A59 306 200542 8175430
A2 6 200029 8175616	A19 106 266406 8175540	A30 208 206479 8175408	A50 300 200530 6175454
A2 7 200028 6175613 A2 8 200025 6175614	A19 107 266453 8175546 A19 108 266478 6175542	A30 207 208406 8175479 A30 208 208407 8175473	A60 507 200509 8175458 A60 508 200502 8175454
A2 9 200530 8175527	A00 109 25643 8175563	A40 200 200504 8175495	A50 509 290542 8175420 A50 510 290542 8175420
A2 90 200830 617565	A20 110 266430 8175546	A40 210 200500 8175479	A50 509 250542 8175400 A50 510 250542 8175400
A2 11 200029 6175616	A20 111 266471 8175561	A40 211 206401 6175404	A80 311 206548 8179502
A3 12 200540 8175610 A3 13 200530 8175607	A20 112 266474 8175567 A20 113 266433 8175563	A40 212 206494 8175400 A40 213 206504 8175405	A60 312 296545 8175426 A60 313 296506 8175600
A3 14 2000.00 8175000	A21 114 266446 8175406	A41 214 200500 6175434	ASO 314 296539 8179506
A3 15 286841 8175600 A3 15 28686 8175619 A3 17 286840 8175610	A21 115 2664Q 8175419 A21 116 26643 81754Q4 A21 117 26636 81754Q	A41 215 200005 6175-617 A41 216 200-605 6175-622	A60 315 296548 8179502 A61 316 296565 6179515
A3 15 200545 8175619 A3 17 200540 8175610	A21 116 26633 6175424 A21 117 26636 8175430	A41 216 205405 6175402 A41 217 205400 6175405	A61 316 230005 6179615 A61 317 230061 6179006
A4 15 200548 6175002	A21 118 255445 8175426	A41 218 200506 8175404	A61 318 296542 81/9613
A4 19 20954/ 6175509	A72 119 256451 8175436	A42 219 200514 81/5505	A61 319 200545 81/2019
A4 20 2000A3 6175601 A4 21 2000A0 6175613	A22 120 26647 6175429 A22 121 266438 6175434	A42 220 200511 6175406 A42 221 200501 6175503	A61 300 296565 8179615 A62 321 296567 8179619
	A72 122 26641 8175460	A42 222 200505 6175009	AR2 322 200MB 8179624
A4 23 2005-40 8175/002	A22 123 26651 8175436	A42 223 206514 81/5/925	A82 322 296548 8179524 A82 323 296561 8179530
A5 24 20/2003 617/506 A3 20 20/2009 617/506	A23 124 26656 6175447	A43 224 290521 6175518 A43 225 290517 6175511	AC2 304 296960 6179636 AC2 305 296967 6179619
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			Page 1 st 5

c: 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 sho

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE SARA ref: 2505-45864 SRA

4 July 2025 Date:

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			Page 2 of 5

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating trace boundaries les solely with the bindholder and delegated contractoris). Coordinates start at a point indicated on the accompaning pain and confirm sequentially when labels are not shown. PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2505-45864 SRA

Date: 4 July 2025

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			Page 2 of 5

Note: Derived Reference Points are provided to assist in the location of area boundaries.

Responsibility for locating these boundaries less solely with the bandwider and delegated contractor(s).

Constitutes that if it is not included for the increases.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2505-45864 SRA

Date: 4 July 2025

				ited on the accompanying pix				n		
Part IO	Unique ID		Northing	Part ID Unique ID		Northing	Part D Unique D		Northing	Part D Unique ID Easting Northing
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CI	1202	206415	8175453	C1 1X12	2054(3)	8175423	C2 1402	200006	8175431	C2 1902 296565 8179566
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Ct		206453	6175462	C2 1302	2000	8175470	C2 1402 2	106455	\$175.822	C2 1582 256500 8175413
C1		206450	8175458	C2 1363 C2 1364	206060 206067	6175463 6175463		136457	8175302	C2 1563 296503 8175419 C2 1564 296464 8175424
CI		205452	8175457	C2 1385	200200	BICAR			0173.D1	C2 196 2960 817517
C1 C1	1206	206474	6175452	C2 1306	200204	8175466 8175464	C2 1456 2	<b>100.408</b>	01/5.203	C2 1566 256407 6175430
CI		206480 206486	8175467	C2 1367	2000054 2000000	8175462	C2 1487 2 C2 1488 2	106470	8173.324	C2 1587 296487 8175413
CI	1269	200477	8175458	C2 130	206857	8175460	C2 1439 2	136474	8175/07	C2 1908 295404 8175407 C2 1909 295401 8175432
CI	1200	206474	8175452	C2 1300	206261	8175458	C2 1400 2	100574	8175587	C2 1500 296497 8175439
CI	1201	206482 206473	8175417	C2 1301 C2 1302	2000	8175468			8175558	C2 1501 295401 8175330 C2 1502 295482 8175423
CI	1253	206470	81/5441	C2 1303	20264	8175465	C2 1402 2		8175550	C2 1503 295479 A175327
C1 C1	1294	2004/79	8175436	C2 1304	ZIZIA	8175465	C2 1434 2	136579	8175500	C2 1504 296408 8175322
C1	126	286482 286476	8175433	C2 1305	200 200	8175452			8175508 8175508	C2 1506 296401 8175398 C2 1506 296401 8175390
CI	1207	205468	01/5437	C2 1307	2000	8175448	C2 1407 2	100004	8175002	C2 1506 296401 8175330 C2 1507 296406 8175330
C1	1208	206453	8175430	C2 1300	20200	6175446	C2 1408 2	196618	01/55/3	C2 1508 206477 8175332
CI	1229 1X0	286473 286478	8175432	C2 1300 C2 1400	2000 2000	8175434	C2 1409 2	12330	8175670 8175670	C2 1500 2964/3 8175356 C2 1500 296463 8175381
			-114-00				100 /			
										Fage 4 of 5

Notes: Derived Reference Points are provided to assist in the location of area boundaries.

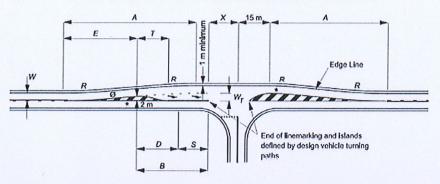
Responsibility for locating these boundaries les solely with the budholder and delegated contractions).

Coordinates start at a point indicated on the accompanying plan and continue sequentially when tabels are not sho

	D DOCUMENTS in the REFERRAL ESPONSE	
SARA ref:	2505-45964 SRA	
Date:	4 July 2025	113.7731.174

at D	Unique ID	Exsting	Northing	PartiD	Unique ID	Excarg	Northing	Part ID	Unque ID	Easting	Northing	Part D	Unque D	Exiting	Northing
C5	1501	205486	8175.X8	5/1000	100							100000000000000000000000000000000000000			
C5	1602	205476	81753/2												
C3	1600	205475	8175.92												
CZ	1604	2064629	8175361	-								-			
C2	1000	286462	01/53/1	a second											
CZ	1506	206476	6175372												
C2	1507	205462	6175379				-	-							
C5	1000	205456	8175 XO					-				-			
C2	1600	205454	6175370												
C5	1610	205461	8175369												
CZ	1511	286482	8175379	-				-	-						
C5 C5 C5	1612	205450	8175379	-			-	-				-		7 - 10 - 11	-
CZ	1613	206451	8175300									-			
C2	1614	205444	\$1/530					-				-			
C2	1615	205443	\$175.XO												
C2	ters	205450	8175379	-				-							





#### Notes:

Ø - double barrier line not to be used this side of the island.

\* - Islands are to comprise linemarking only, i.e. no raised or depressed medians. Diagonal rows of RRPMs within the painted islands chould be used to improve the delineation of diagonal pavement marking.

The holding line is typically placed in prolongation of the kerb line or edge line, however, it may be set back if there is a problem with the design vehicle over-running the holding line, or if it is desired to hold vehicles back some distance from the intersecting roadway (AS 1742.2 - 2009). The setback needs to be balanced such that sight distance is not negatively impacted to create a safety issue and the needs of pedestrians is met.

The dimensions of the treatment are defined below and values of A, D, R and T are shown in Table 7.1:

W = Nominal through lane width (m) (including widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy

Wr = Nominal width of turn lane (m), including widening for curves based on the design turning vehicle = 3.0 m minimum

A = Length of lateral movement (Table 7.1)

B = Total length of auxiliary lane including taper, diverge/deceleration and storage (m)

E = Distance from start of taper to 2.0 m width (m) and is given by:  $E = 2\left(\frac{A}{W_T}\right)$ 

T = Taper length (m) and is given by:  $T = \frac{0.33VW_T}{3.6}$ 

S = Storage length to cater for one design turning vehicle (m)

V = Design speed of major road approach (km/h)

X = Distance based on design vehicle turning path, typically 10–15 m

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 25

2505-45864 SRA

Date:

4 July 2025

Source: Department of Main Roads (2006).

#### 7.2.4 Rural Channelised T-junction - Full Length (CHR)

For this layout, all traffic is required to deviate and therefore the road alignment for the through movement must be designed to suit the operating speed. This deviation requires the pavement to be widened to provide a full-length right-turn lane as shown in Figure 7.3.

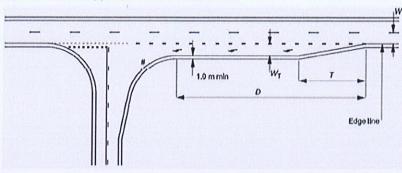
The minimum lengths of deceleration (D) for different design speeds are shown in Table 5.2 and should be based on the comfortable deceleration rate of 2.5 m/s². The storage length (S) is usually determined through the use of computer programs such as SIDRA.

Opportment of Transport and Main Roads note: Site specific requirements may not reflect this exemple in its entirely. Oresing details must reflect alls specific conditions for Start Version (Road Roman Winds).

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Document Set ID: 4528109

Figure 8.3: Rural AUL(S) treatment with a short left-turn lane



#### Notes:

- # For setting out details of the left-turn geometry, use vehicle turning path templates and/or Table 8.2.

  Approaches to left-turn slip lanes can create hazardous situations between cyclists and left-turning motor vehicles. Treatments to reduce the number of potential conflicts at left-turn slip lanes are given in AGRD Part 4.
- The holding line is typically placed in prolongation of the kerb line or edge line, however, it may be set back if there is
  a problem with the design vehicle over-running the holding line, or if it is desired to hold vehicles back some distance
  from the intersecting roadway (AS 1742.2 2009). The setback needs to be balanced such that sight distance is not negatively impacted to create a safety issue and the needs of pedestrians is met.
- The dimensions of the treatment are defined as follows. Values of D and T are provided in Table 8.2.
  - W = Nominal through lane width (m) (including widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy.
  - Wt = Nominal width of the turn lane (m), including widening for curves based on the design turning vehicle = 3.0 m minimum.
  - $T = Physical taper length (m) given by Equation 5 being: <math>T = \frac{0.33VWr}{2}$
  - V = Design speed of major road approach (knvh).

Source: Department of Main Roads (2006).

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref:

2505-45864 SRA

4 July 2025

Table 8.2:	Dimensions	for AUL(S	treatment of	n major leg

Design speed of major road approach (km/h)	Diverge/deceleration length <i>D</i> (m) <sup>(1)</sup>	Taper length <i>T</i> (m) <sup>(2)</sup>
50	15	15
60	25	15
70	35	20
80	45	20
90	55	25
100	70	30
110	85	30
120	100	35

Based on a 20% reduction in through road speed at the start of the taper and a value of deceleration of 3.5 m/s² (Table 5.2). Adjust for grade using the 'correction to grade', (Table 5.3).
 Based on a turn lane width of 3.0 m.

Source: Department of Main Roads (2006).

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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 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.

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<sup>1</sup> Pursuant to Section 68 of the Planning Act 2016

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

Page 2 of 2

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.

### **Appeal Rights**

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

#### **Chapter 6 Dispute resolution**

#### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the Planning Act 2016 states -
  - (a) Matters that may be appealed to -
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) The person-
    - (i) who may appeal a matter (the appellant); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.

#### (Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is -
  - (a) for an appeal by a building advisory agency 10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises 20 business days after a notice us published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice 20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

#### Note -

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund-
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

#### 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, table 1, item 1 each principal submitter for the development application; and
  - (d) for and appeal about a change application under schedule 1, table 1, item 2 each principal submitter for the change application; and
  - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  - (f) for an appeal to the P&E Court the chief executive; and
  - (g) for an appeal to a tribunal under another Act any other person who the registrar considers appropriate.
- (4) The service period is -
  - (a) if a submitter or advice agency started the appeal in the P&E Court 2 business days after the appeal has started; or
  - (b) otherwise 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

#### 231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –

decision includes-

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

#### 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.