

SARA reference: 2510-48566 SRA
Council reference: RAL/25/0019
Applicant reference: F24/38

7 November 2025

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

Dear Sir/Madam

SARA referral agency response—2164 and 2332 Mareeba - Dimbulah Road, Arriga

(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 10 October 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	7 November 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	Reconfiguring a Lot – Boundary Realignment (3 lots into 3 lots) and creating an Access Easement
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a lot near a state transport corridor (Planning	

Regulation 2017)

SARA reference: 2510-48566 SRA

Assessment manager: Mareeba Shire Council

Street address: 2164 and 2332 Mareeba - Dimbulah Road, Arriga

Real property description: Lot 28 on SP202897, Lot 155 on SP311517 and Lot 156 on SP311517

Applicant name: Keyes AG Holdings Pty Ltd
C/- Freshwater Planning Pty Ltd

Applicant contact details: 17 Barron View Drive
Freshwater QLD 4870
freshwaterplanning@outlook.com

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

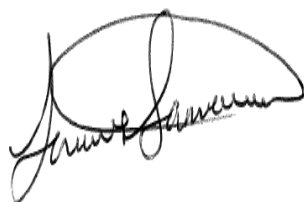
Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Helen Reilly, Planning Officer, on 4037 3239 or via email CairnsSARA@dssip.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
Manager

cc Keyes AG Holdings Pty Ltd, freshwaterplanning@outlook.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

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
Reconfiguring a Lot (Boundary Realignment – 3 Lots into 3 Lots and creating an Access Easement)		
10.9.4.2.1.1 – Reconfiguring a lot near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	(a) Provide an access easement on the title of proposed Lot 14 for shared access to proposed Lot 15 generally in accordance with Development Plan entitled Plan of Lots 14 – 16 and Easement A in Lot 14 Cancelling Lot 28 on SP202897 and Lot 155 and 156 on SP311517 prepared by Twine Surveys, dated 24.10.24, referenced 9552 Lot Layout Sheet 2 of 2 and revision B as amended in red. (b) Provide evidence that part (a) of this condition has been complied with to Cairns Corridor Management Unit within the Department of Transport and Main Roads via Far.North.Queensland.IDAS@tmr.qld.gov.au.	(a) At the time of Plan of Survey registration. (b) Within 20 business days of registration of the easements

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 3.3). If a word remains undefined it has its ordinary meaning.
Transport noise corridor	
2.	Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated transport noise corridor. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. Transport noise corridor means land designated under Chapter 8B of the <i>Building Act 1975</i> as a transport noise corridor. Information about transport noise corridors is available at state and local government offices. A free online search tool can be used to find out whether a property is located in a designated transport noise corridor. This tool is available at the State Planning Policy Interactive Mapping System website: https://spp.dsdip.esriaustraliaonline.com.au/geoviewer/map/planmaking and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport Noise Corridors are located under Information Purposes within <i>Transport Infrastructure of the State Planning Policy (SPP) mapping system</i>.

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 does not adversely impact the structural integrity, obstruct road infrastructure or create a safety hazard for users of the state-controlled road
- the proposed development does not result in adverse stormwater, overland flow or drainage impacts to the state-controlled road because the proposed lots
- the proposed development does not require a new or changed access to the state-controlled road
- the proposed development has no nearby public passenger transport infrastructure, public passenger services or active transport infrastructure along the road frontage of the subject land
- the proposed development does not propose any filling, excavation, building foundations and retaining structures that would adversely impact the structural integrity of the state-controlled road.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.3), 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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Attachment 5—Documents referenced in conditions

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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.

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

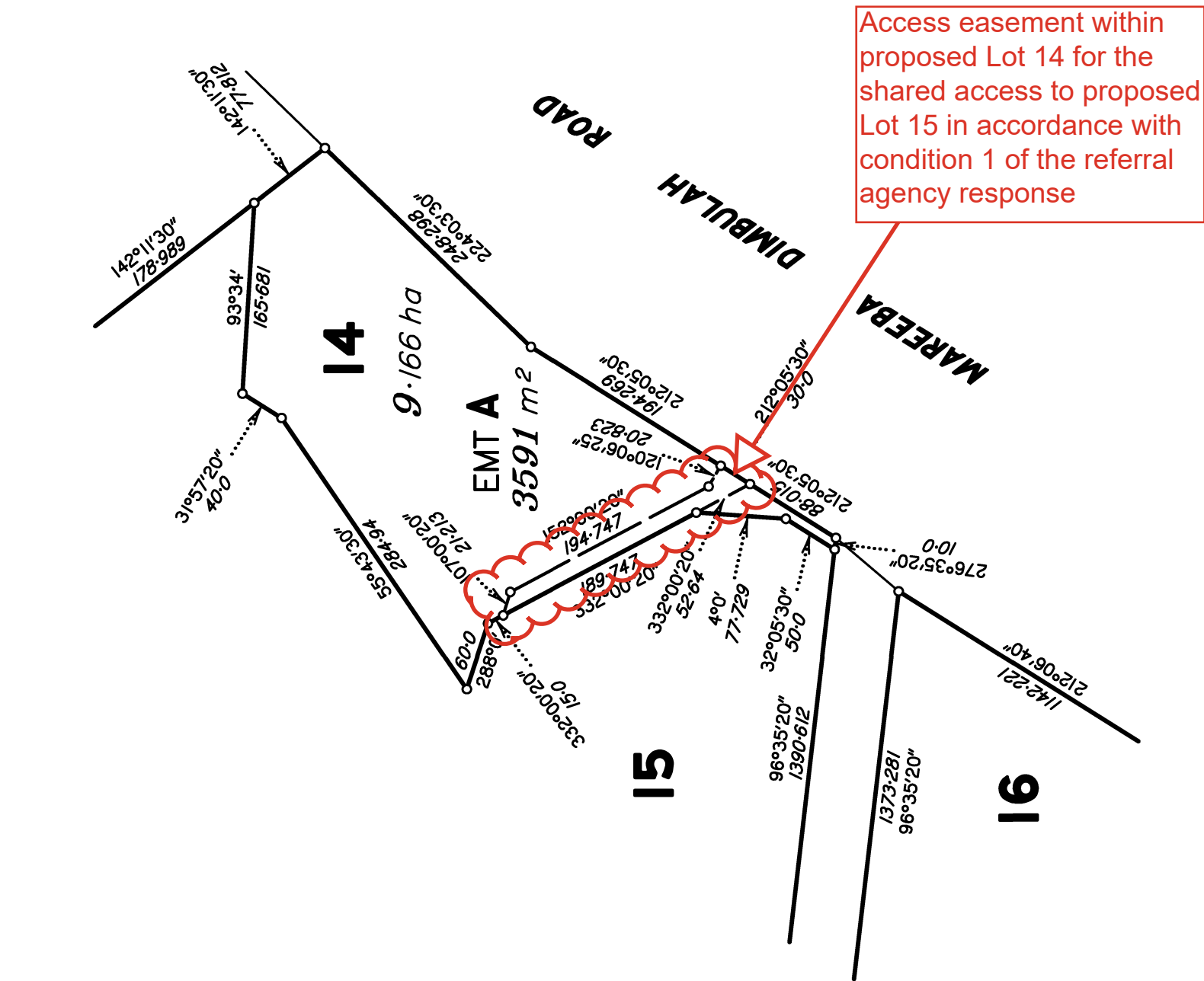
² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

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.



Amended in red by SARA on
7 November 2025

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2510-48566 SRA
Date: 7 November 2025

0 250|m 500|m 750|m

LOCAL GOVERNMENT: MSC
LOCALITY: Arriga
Scale 1:5000 (A3)
Reference: 9552
Lot Layout – 24.10.24 Rev B

DEVELOPMENT PLAN
Plan of Lots 14 – 16
and Easement A in Lot 14
Cancelling Lot 28 on SP202897
and Lot 155 and 156 on SP311517



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