

**From:** "mydas-notifications-prod2@qld.gov.au" <mydas-notifications-prod2@qld.gov.au> on behalf of "MYDAS2" <mydas-notifications-prod2@qld.gov.au>  
**Sent:** Fri, 29 May 2026 10:35:54 +1000  
**To:** "Planning" <planning@msc.qld.gov.au>  
**Cc:** "charlton.best@dasilgp.qld.gov.au" <charlton.best@dasilgp.qld.gov.au>; "freshwaterplanning@outlook.com" <freshwaterplanning@outlook.com>  
**Subject:** 2510-48952 SRA application correspondence  
**Attachments:** 2510-48952 SRA - Attachment 5 - Documents referenced in conditions.pdf, GE83-N Representations about a referral agency response.pdf, 2510-48952 SRA - Response with conditions.pdf  
**Importance:** Normal

Please find attached a notice regarding application [2510-48952 SRA](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

*This is a system-generated message. Do not respond to this email.*

RA6-N



Email Id: RFLG-0526-0027-2053



# 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<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 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.<sup>2</sup>
- 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*

<sup>2</sup> 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.<sup>3</sup>

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<sup>3</sup> 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.

SARA reference: 2510-48952 SRA  
Council reference: RAL/25/0020  
Applicant reference: F23/37

29 May 2026

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 – Catherine Atherton Drive, Mareeba

(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 6 November 2025.

### Response

Outcome:	Referral agency response – with conditions
Date of response:	29 May 2026
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

Description:	Development permit	Reconfiguring a Lot - Subdivision (1 into 48 lots and balance land - The Rise Estate Stages 4-6)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 2, Item 1 (Planning Regulation	

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

2017) - Reconfiguring a lot that involves clearing native vegetation

SARA reference: 2510-48952 SRA

Assessment manager: Mareeba Shire Council

Street address: Catherine Atherton Drive, Mareeba

Real property description: Lot 100 on SP342247

Applicant name: The Rise Unit Trust

Applicant contact details: C/- Freshwater Planning Pty Ltd  
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

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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 Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dcdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Kaye Atkins  
Executive Director, Planning Services

cc The Rise Unit Trust, C/- Freshwater Planning 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.	Condition	Condition timing
<p>Schedule 10, Part 3, Division 4, Table 2, Item 1 – Reconfiguring a lot that involves clearing native vegetation – The chief executive administering the <i>Planning Act 2016</i> 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:</p>		
1.	<p>Building exclusion areas and new lot boundaries associated with the reconfiguring a lot must be located generally in accordance with the following plan:</p> <ul style="list-style-type: none"> <li>• Development Plan, Stages 4-6, Cancelling Lot 100 on SP342247, prepared by Twine Surveys Pty Ltd, dated 5.05.2026, reference 9495 Exclusion Plan, Sheet 1 of 7.</li> </ul>	<p>Prior to submitting the Plan of Survey to the local government for approval.</p>

## Attachment 2—Advice to the applicant

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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.

## Attachment 3—Reasons for referral agency response

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(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 of the State Development Assessment Provisions (SDAP), version 3.3:

- State code 16: Native vegetation clearing (State code 16).

The development complies with State code 16 of SDAP in that the development:

- avoids impacts on vegetation and minimises and mitigates impacts on vegetation where avoidance is not possible
- does not result in a significant residual impact on a matter 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 State Development Assessment Provisions (version 3.3)
- the Development Assessment Rules
- SARA DA Mapping system
- *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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