

SARA reference: 2607-53463 SRA  
Council reference: MCU/26/0011  
Applicant reference: 406005

25 August 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— 101 Bullaburrah Creek Road, Dimbulah

(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 22 July 2026.

### Response

|                   |                                                                                                                           |  |
|-------------------|---------------------------------------------------------------------------------------------------------------------------|--|
| Outcome:          | Referral agency response - No requirements                                                                                |  |
|                   | Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application. |  |
| Date of response: | 25 August 2026                                                                                                            |  |
| Advice:           | Advice to the applicant is in <b>Attachment 1</b>                                                                         |  |
| Reasons:          | The reasons for the referral agency response are in <b>Attachment 2</b>                                                   |  |

### Development details

|              |                    |                                                |
|--------------|--------------------|------------------------------------------------|
| Description: | Development permit | Material change of use for Extractive industry |
| SARA role:   | Referral agency    |                                                |

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) Development impacting on state transport infrastructure

SARA reference: 2607-53463 SRA

Assessment manager: Mareeba Shire Council

Street address: 101 Bullaburrah Creek Road, Dimbulah

Real property description: Lot 99 on HG91

Applicant name: Pioneer North Queensland Limited

Applicant contact details: C/- RPS AAP Consulting Pty Ltd  
135 Abbott Street  
Cairns QLD 4870  
stacey.devaney@rpsconsulting.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 3**.

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@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc Pioneer North Queensland Limited, stacey.devaney@rpsconsulting.com

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

## Attachment 1—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 3.6). If a word remains undefined it has its ordinary meaning. |

## Attachment 2—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 codes of the State Development Assessment Provisions (SDAP), version 3.6:

- State code 6: Protection of state transport networks (State code 6).

The development complies with the relevant provisions of State code 6 of SDAP in that the development:

- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure
- does not result in a worsening of the physical condition or operating performance of the state transport network.

### 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 3.6)
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*.

## **Attachment 3— Representations about a referral agency response provisions**

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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<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.