



SARA reference: 2410-43198 SRA
Council reference: MCUI 2024_5682/1
Applicant reference: AU015874

12 December 2024

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

SARA referral agency response— Sand Extraction at Captain Cook Highway, Killaloe (Lot 1 on RP893855)

(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 13 November 2024.

Response

Outcome:	Referral agency response – with conditions	
Date of response:	12 December 2024	
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 an extractive industry for the extraction of approximately 30,000 tonne of sand per year.
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning	

Regulation 2017) - Material change of use impacting on state transport infrastructure (extractive industry using machinery having an annual throughput of product of over 10,000t)

SARA reference: 2410-43198 SRA
 Assessment manager: Douglas Shire Council
 Street address: Captain Cook Highway, Killaloe
 Real property description: Lot 1 on RP893855
 Applicant name: NQ Asphalt Pty Ltd
 Applicant contact details: C/- RPS AAP Consulting Pty Ltd
 135 Abbott Street
 Cairns QLD 4870
 owen.caddick-king@rpsgroup.com.au

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.

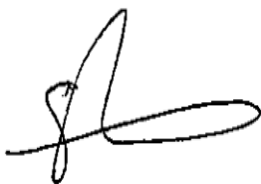
Representations

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 Anthony Westbury, A/Senior Planning Officer, on 4037 3215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Carl Porter
 A/ Manager Planning

cc NQ Asphalt Pty Ltd c/- RPS AAP Consulting Pty Ltd, owen.caddick-king@rpsgroup.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
 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
	Schedule 10, Part 9, Division 4, Subdivision 1, Table 4, Item 1 – Material change of use impacting on state transport infrastructure—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.	The haul route must be undertaken via the Captain Cook Highway / Bonnie Doon Road intersection generally in accordance with NQ Asphalt Pty Ltd Lot 1 on RP893855 Site Plan – Proposed Sand Extraction, prepared by RPS, dated 26-08-2024, drawing AU015874-2.	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) v3.1. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 6: Protection of state transport networks, of the SDAP, in that:

- The proposed development is unlikely to compromise the safety, function, and efficiency of the state-controlled road network.
- The proposed development is appropriately separated from the Captain Cook Highway to avoid adverse impacts from increased stormwater and drainage flow.
- The Captain Cook Highway / Bonnie Doon Road intersection is improved by a channelised right turn lane and can adequately accommodate the haul vehicle traffic from the proposed development.

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 3.1)
- the Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response

(page left intentionally blank – attached separately)

Attachment 5—Documents referenced in conditions

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