



SARA reference: 2109-24718 SRA  
 Council reference: ROL2021\_4227/1  
 Applicant reference: doc#1019444

18 October 2021

Douglas Shire Council  
 64-66 Front Street  
 MOSSMAN Qld 4873  
 daniel.favier@douglas.qld.gov.au

Attention: Daniel Favier

Dear Sir/Madam

## SARA response—461 Bonnie Doon Road, Bonnie Doon

(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 on 16 September 2021.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	18 October 2021
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

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Description:	Development permit	Reconfiguring a lot (3 Lots into 3 Lots and Access/Service Easement)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 2, Item 1 (Planning Regulation 2017)	
	Clearing native vegetation	
SARA reference:	2109-24718 SRA	

Assessment Manager: Douglas Shire Council  
Street address: 461 Bonnie Doon Road, Bonnie Doon  
Real property description: Lot 1 on RP738986; Lot 2 on RP738987 and Lot 2 on SR462  
Applicant name: Douglas Shire Council  
Applicant contact details: 64-66 Front Street  
MOSSMAN QLD 4873  
daniel.favier@douglas.qld.gov.au

## 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 Mary McCarthy, Senior Planning Officer, on 47583404 or via email CairnsSARA@dSDLGP.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson  
A/Manager (Planning)

cc Douglas Shire Council, daniel.favier@douglas.qld.gov.au

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

## 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 plans and specifications referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
<b>Reconfiguring a lot</b>		
<p><b>Schedule 10, Part 3, Division 4, Table 2, Item 1 —Clearing native vegetation –</b>            The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Resources 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.	The reconfiguring a lot must be undertaken generally in accordance with the following plan: <ul style="list-style-type: none"> <li>• Plan of Lots 1 and 2 and Emt's E &amp; G in Lot 2 – Cancelling Lot 1 on RP738986 &amp; Lot 2 on RP738987 and of Emt F in Lot 2 on SR462, prepared by RPS Australia East Pty Ltd, dated 19/01/2021, reference SP318409.</li> </ul>	Prior to submitting the Plan of Survey to the local government of approval

## Attachment 2—Advice to the applicant

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<b>General advice</b>	
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) v2.6. 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 department's decision are:**

- The proposed development involves clearing approximately 1.29ha of total assessable clearing within the subject lots.
- The department carried out an assessment against the State Development Assessment Provisions, State code 16 and found the proposed development, with conditions, complies with the relevant provisions of the state codes.
- The proposed development:
  - avoids clearing, or where avoidance is not reasonably possible, minimises clearing to conserve vegetation, avoids land degradation, avoids the loss of biodiversity and maintains ecological processes
  - avoids impacts on the vegetation that is essential habitat, least concern regional ecosystems or of concern regional ecosystems.

### **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 [2.6]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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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**

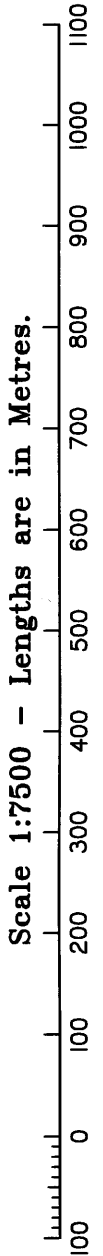
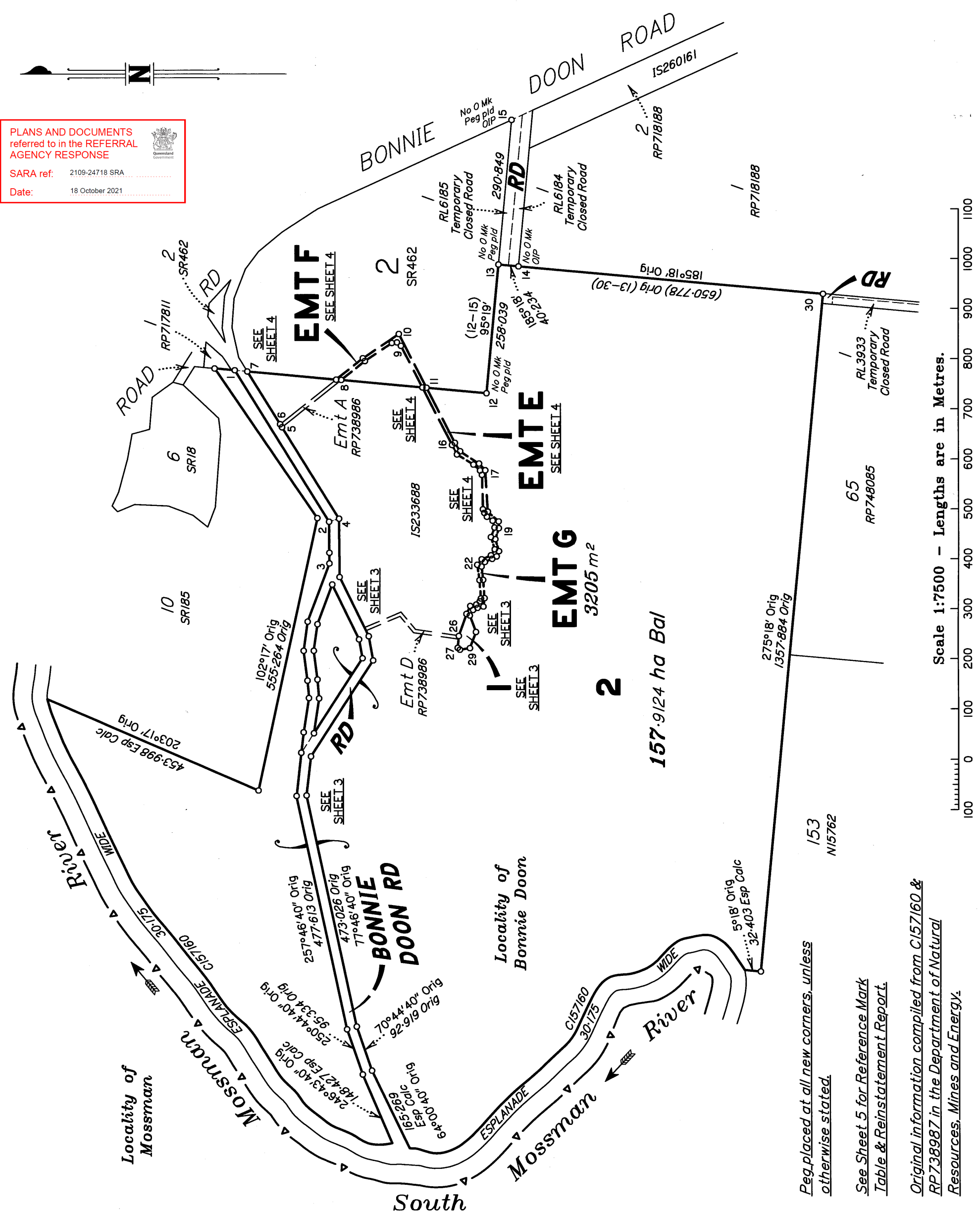
### **30 Representations about a referral agency response**

- 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.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE  
SARA ref: 2109-24718 SRA  
Date: 18 October 2021



Scale 1:7500 - Lengths are in Metres.

RPS Australia East Pty Ltd (ACN 140 292 762) hereby certify that the land comprised in this plan was surveyed by the corporation, by Matthew James WILLING, surveying associate and Daniel Geoffrey PINKHAM, surveying graduate, for whose work the corporation accepts responsibility, under the supervision of Adrian Edward SOLOMON, cadastral surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 07/12/2020.

*A. Ridgeway*  
Authorised Delegate

19.1.2021  
Date

0 50mm 100mm 150mm State copyright reserved.

**Plan of Lots 1 & 2 and  
Emt's E & G in Lot 2**  
Cancelling Lot 1 on RP738986 & Lot 2 on RP738987  
**and of Emt F in Lot 2 on SR462**  
LOCAL GOVERNMENT: DOUGLAS SHIRE LOCALITY: BONNIE DOON  
Meridian: MGA Zone 55 vide GNSS Observations Survey Records: No

Scale: 1:7500  
Format: STANDARD



SP318409

Peg placed at all new corners, unless otherwise stated.  
See Sheet 5 for Reference Mark Table & Reinstatement Report.  
Original information compiled from C157160 & RP738987 in the Department of Natural Resources, Mines and Energy.

**WARNING : Folded or Mutilated Plans will not be accepted.**  
**Plans may be rolled.**  
**Information may not be placed in the outer margins.**

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2109-24718 SRA  
Date: 18 October 2021

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

**1. Certificate of Registered Owners or Lessees.**

✓ We DOUGLAS SHIRE COUNCIL  
DOUGLAS JOHN CREES 1/2 INTEREST  
ANTHEA JANE CREES 1/2 INTEREST  
AS TENANTS IN COMMON

(Names in full)

\* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

\* Rule out whichever is inapplicable

**2. Planning Body Approval.**

\*  
hereby approves this plan in accordance with the :  
%

Dated this ..... day of .....

..... #

..... #

\* Insert the name of the Planning Body.

% Insert applicable approving legislation.

# Insert designation of signatory or delegation

**3. Plans with Community Management Statement :**

CMS Number :  
Name :

**4. References :**

Dept File :  
Local Govt :  
Surveyor : PRI46198

6. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
21306022	Lot 1 on RP738986	1 & 2	---	---
21310127	Lot 2 on RP738987	1 & 2	---	Emt's E & G
50727961	Lot 2 on SR462	---	---	Emt F

**ENCUMBRANCE EASEMENT ALLOCATIONS**

Easement	Lots to be Encumbered
601118579 (Emt A on RP738986)	2
601118579 (Emt D on RP738986)	1 & 2

**EXISTING ADMINISTRATIVE ADVICE ALLOCATIONS**

Administrative Advice	Lots to be Encumbered
709620603	2

Easement 601118579 to be partially surrendered (Emt's B & C on RP738986) prior to the registration of this plan.

**9. Building Format Plans only.**

I certify that :  
\* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or roads.  
\* Part of the building shown on this plan encroaches onto adjoining \* lots and road

Cadastral Surveyor/Director\* Date  
\*delete words not required

**10. Lodgement Fees :**

Survey Deposit	\$ .....
Lodgement	\$ .....
.....New Titles	\$ .....
Photocopy	\$ .....
Postage	\$ .....
TOTAL	\$ .....

**7. Orig Grant Allocation :**

**8. Passed & Endorsed :**

By: RPS Australia East Pty Ltd  
Date: 19. 1. 2021  
Signed: *J. Ridgway*  
Designation: Cadastral Surveyor

11. Insert Plan Number

**SP318409**

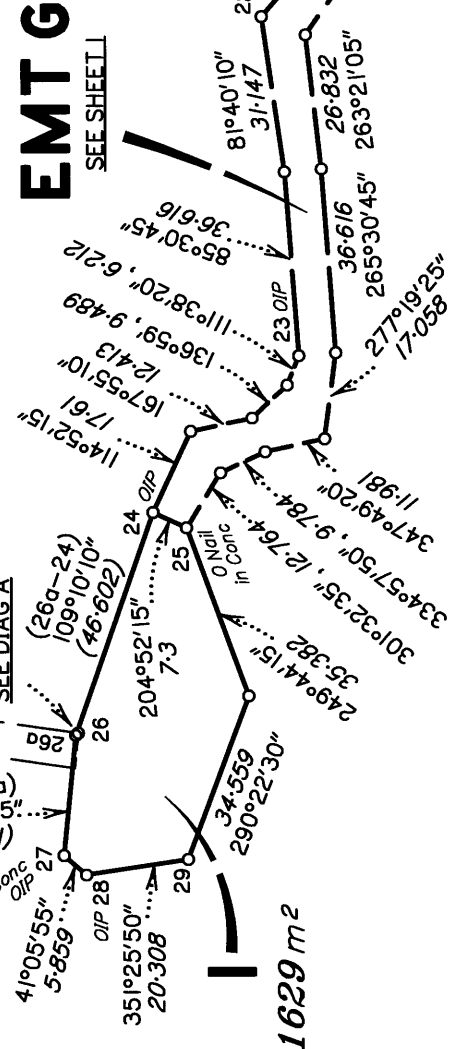
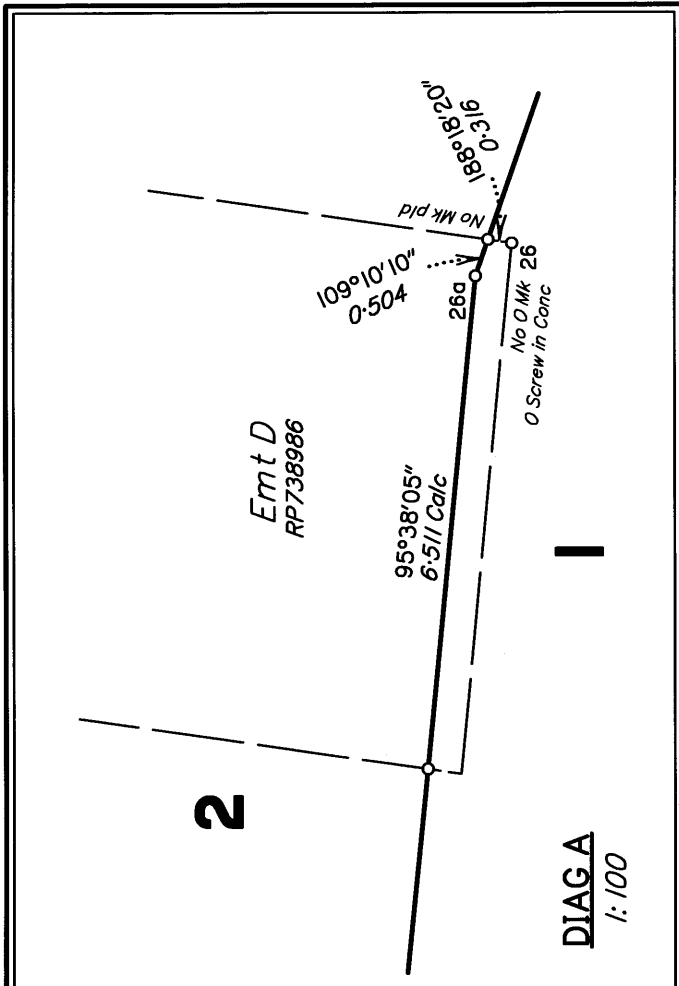
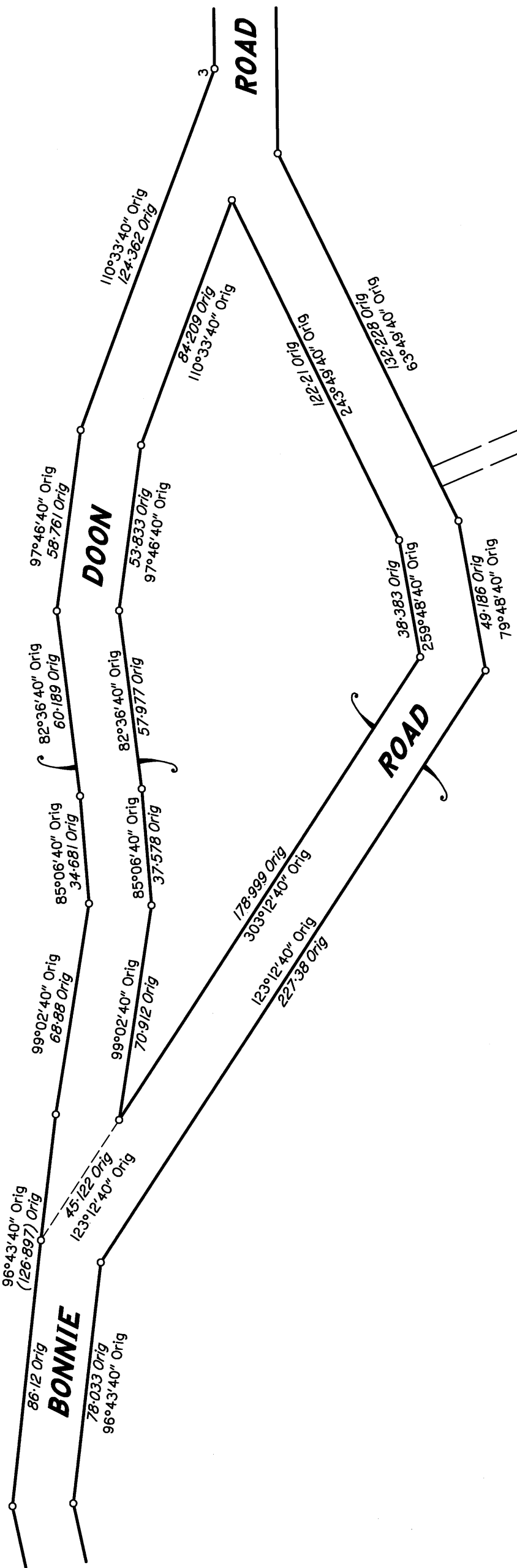
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2109-24718 SRA

Date: 18 October 2021

SEE SHEET 4

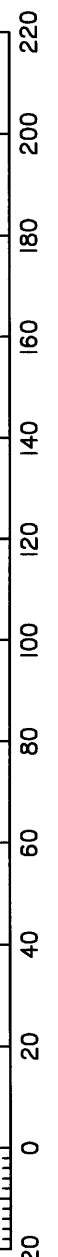


2

*Peg placed at all new corners, unless otherwise stated.*

*See Sheet 5 for Reference Mark Table.*

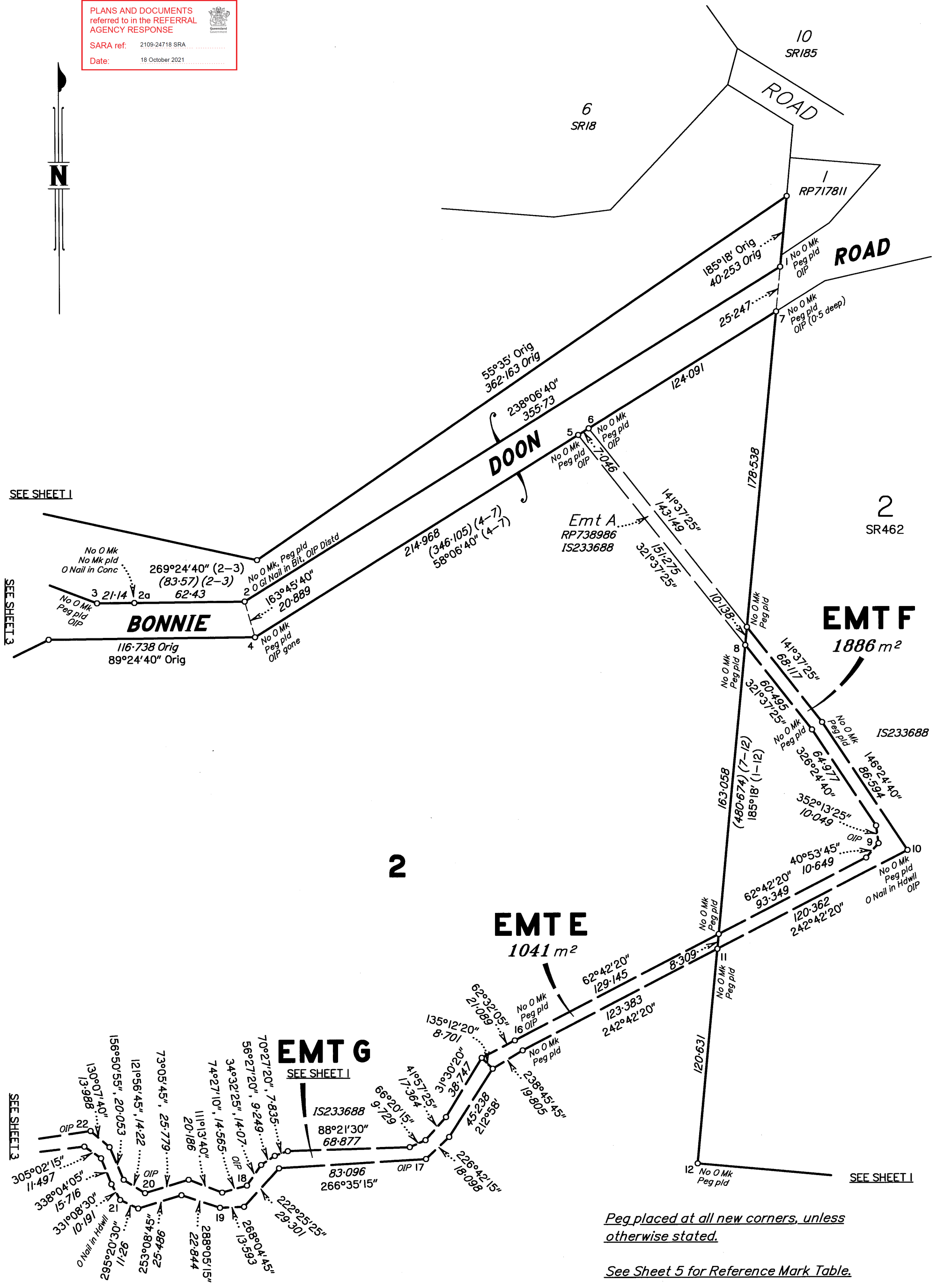
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Insert Plan Number **SP318409**

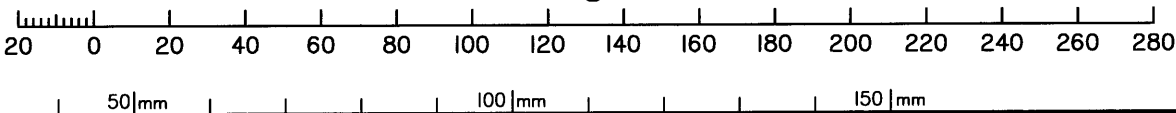
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE  
SARA ref: 2109-24718 SRA  
Date: 18 October 2021



*Peg placed at all new corners, unless otherwise stated.*

*See Sheet 5 for Reference Mark Table.*

Scale 1:2000 - Lengths are in Metres.



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Insert Plan Number **SP318409**




Reinstatement Report

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2109-24718 SRA

Date: 18 October 2021



Plans Searched: RP738986, RP738987, C157160, DP890709, SR461, SR130, IS233688, IS260161, SR462 & RP718188.

Datum of survey is from stations 1-2 fixed by OIP at station 1 & O Nail at station 2. This fix resulting in distance in agreement with DP890709 (0.005m excess from deed) and meridian difference of +5°19'20".

The boundary from stations 2-3 has been fixed by OIP at station 3 resulting in deed angle at station 2 and distance in agreement with DP890709 (0.005m excess from deed). This fix confirmed by good agreement to O Nail at station 2a.

Station 4 has been fixed by maintaining original secant connection (SR130) from station 2.

The boundary from stations 4 - 7 has been fixed by OIP at station 7 resulting in road frontage bearing parallel to Stations 2-1 and 0.035m excess from deed. This fix also resulting in original distance from stations 1-7 in agreement with RP738986 & SR462.

This fix resulting in disagreement to OIP's at stations 5 & 6. These differences originating from a different reinstatement of the road frontage alignment compared to RP738986.

The boundary from stations 15-13 fixed by OIP at station 15 & maintaining original MGA bearing from IS260161. It was identified that the OIP reference at station 14 has booking error on IS260161 where the true connection should be 263°03' rather than 203°03'. The distance from station 15-13 being in agreement with closing distance of road reserve on RP718188.

The boundaries from stations 12-13 has been fixed by maintaining bearing from stations 15-13 and holding deed angle at station 12 to station 7. This resulting in overall distance from stations 12-15 0.059m short from RP738986 and SR462. This fix also resulting in 0.687m excess from deed between stations 7 & 12 and angle up 0°01'20" at station 7. A close calculation of Lot 2 on SR462 identifies similar excess along this boundary confirming this reinstatement.

The reinstatement of original boundaries for Easements E, F & G and Lot 1 are based on connection to original reference marks from IS233688 & RP738986. The reinstatement identified a meridian difference of +0°02'10" from IS233688.

All other boundaries are compiled from original plans.

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST	
1	OIP	13x/RP738986	185°18'	1.5	
2	O GI Nail in Bit	12/DP890709	224°04'20"	4.415	
2	OIP Distd	12/DP890709	52°01'30"	10.826	New Ref
2a	O Nail in Conc	15/DP890709	131°57'20"	9.055	
3	OIP	27a/SR461	89°24'40"	1.006	
4	OIP gone	62a/RP738986	343°45'40"	3.0	
4	Pin		346°19'30"	3.952	
5	OIP	25/RP738986	321°37'25"	0.544	New Ref N&C
6	OIP	28/IS233688	358°20'	0.66	New Ref N&C
7	OIP (0.5 deep)	14x/RP738986	5°18'	1.006	
8	Pin		188°17'	1.183	
9	OIP	23/RP738986	102°46'30"	10.255	New Conn
10	O Nail in Hdwl	27/IS233688	333°43'10"	2.47	
10	OIP	27/IS233688	9°00'10"	5.913	
11	Pin		305°36'	0.927	
12	Pin		200°44'	12.73	
13	Pin		138°35'	0.864	
14	OIP	5/IS260161	263°03'	2.115	New Ref N&C
15	OIP	4/SR462	335°29'	1.006	
16	OIP	25/IS233688	220°53'	11.648	New Ref N&C
17	OIP	24/IS233688	38°36'30"	7.478	New Conn
18	OIP	23/IS233688	42°11'	6.019	New Conn
19	Screw in Hdwl		76°57'	3.424	
20	OIP	21/IS233688	80°07'	6.001	New Conn
21	O Nail in Hdwl	20/IS233688	99°45'	1.702	New Conn
22	OIP	18/IS233688	169°21'	4.66	New Conn
23	OIP	16/IS233688	118°56'	2.725	New Conn
24	OIP	31/IS233688	276°48'	10.602	New Conn
25	O Nail in Conc	30/IS233688	276°31'	10.415	New Conn
26	O Screw in Conc	7/IS233688	185°00'40"	6.53	
27	O Nail in Conc	8/IS233688	134°25'	6.784	New Conn
27	OIP	8/IS233688	109°07'	7.838	New Conn
28	OIP	4/RP738986	174°31'	7.4	New Conn
29	Pin		37°57'	4.276	