



Queensland Treasury

SARA reference: 2008-18329 SRA
 Council reference: D/81-2020
 Applicant reference: GTP 2010

14 September 2020

Chief Executive Officer
 Rockhampton Regional Council
 PO Box 1860
 Rockhampton Qld 4700
 enquiries@rrc.qld.gov.au

Attention: Kathy McDonald

Dear Sir/Madam

SARA response— Boundary realignment at 94 Hopkins Road, Stanwell

(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 18 August 2020.

Response

Outcome:	Referral agency response – with conditions
Date of response:	14 September 2020
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 for 2 lots into 2 lots
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)	

SARA reference: 2008-18329 SRA
Assessment Manager: Rockhampton Regional Council
Street address: 94 Hopkins Road, Stanwell; 94 Hopkins Road, Stanwell
Real property description: 2208LIV40782; 51LIV40184
Applicant name: KJ & SM Welsh
Applicant contact details: PO Box 450
Rockhampton QLD 4700
gg@gideontownplanning.com.au

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 Kate Lipke, Principal Planning Officer, on 49242916 or via email RockhamptonSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc KJ & SM Welsh, gg@gideontownplanning.com.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
Reconfiguring a lot		
<p>10.3.4.2.1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy 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):</p>		
1.	The clearing of vegetation under this development approval is limited to the area identified as Area A as shown on attached Technical Agency Response Plan (TARP) 2008-18329 SRA dated 09/09/2020.	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) v2.6. 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 SARA's decision are:

- The development involves the realignment of a boundary between two freehold lots to follow an existing fence line.
- The subject lots contain Category B, Category C and Category X mapped areas on the Regulated Vegetation Management Map. A portion of the new lot boundary to be created passes through the Category B mapped area.
- The development can comply with State code 16: Native vegetation clearing with the application of conditions.

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)
- 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 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*

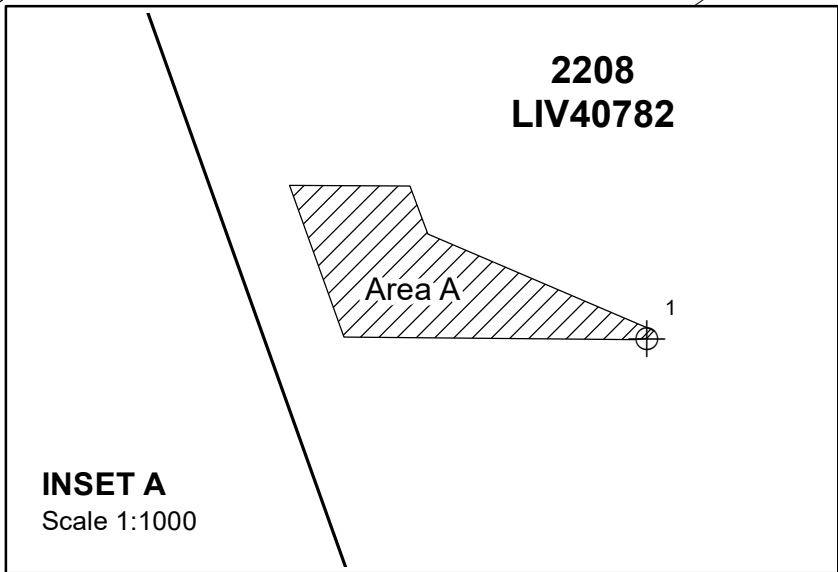
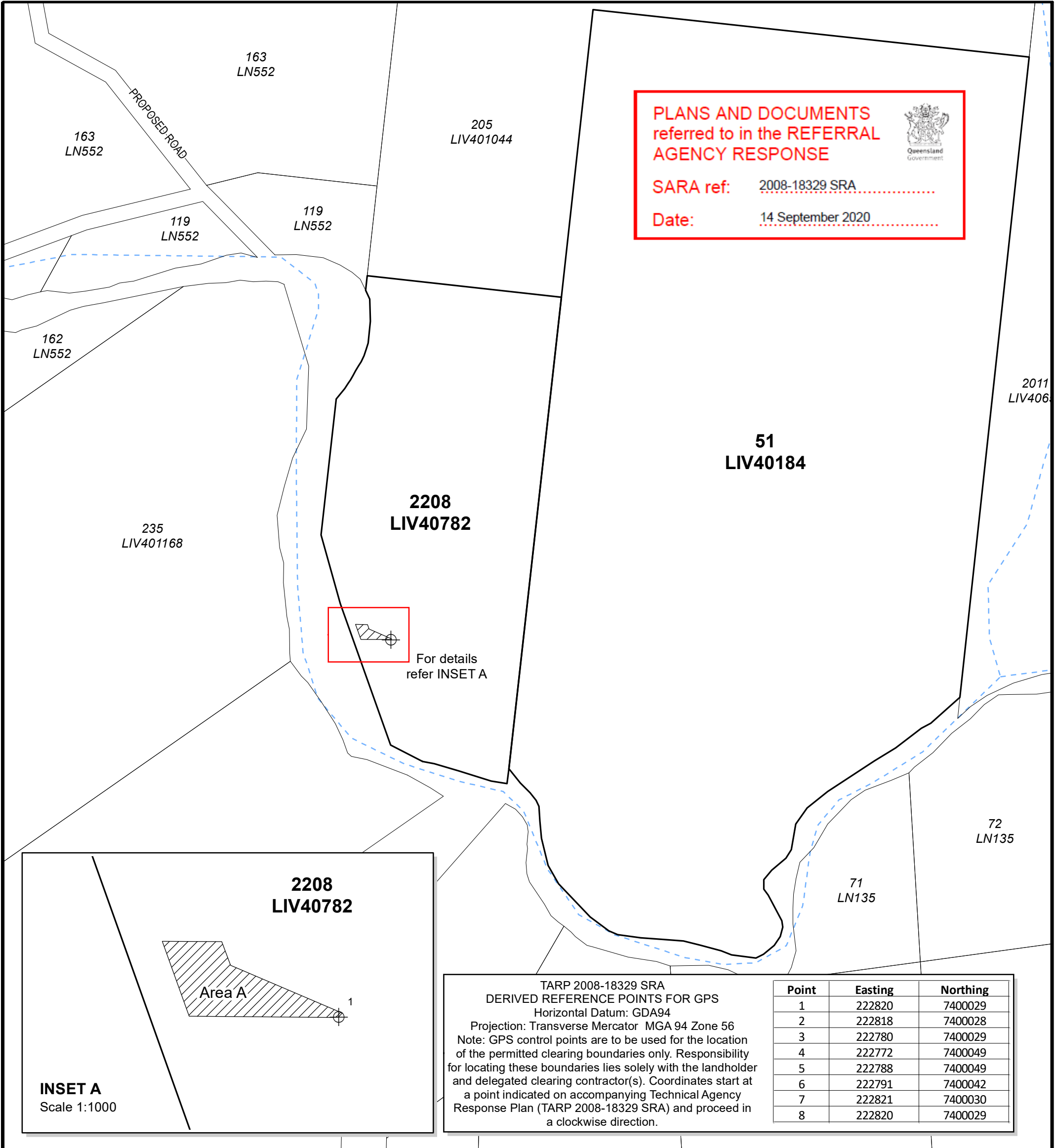
² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

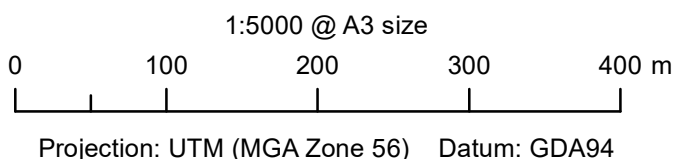
30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

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.



TARP 2008-18329 SRA
 DERIVED REFERENCE POINTS FOR GPS
 Horizontal Datum: GDA94
 Projection: Transverse Mercator MGA 94 Zone 56
 Note: GPS control points are to be used for the location of the permitted clearing boundaries only. Responsibility for locating these boundaries lies solely with the landholder and delegated clearing contractor(s). Coordinates start at a point indicated on accompanying Technical Agency Response Plan (TARP 2008-18329 SRA) and proceed in a clockwise direction.

Point	Easting	Northing
1	222820	7400029
2	222818	7400028
3	222780	7400029
4	222772	7400049
5	222788	7400049
6	222791	7400042
7	222821	7400030
8	222820	7400029



Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.
This plan must be read in conjunction with Decision Notice 2008-18329 SRA

Legend

- Derived Reference Start Point
- Subject Lot(s)
- Area A (0.05 ha)
- Watercourses and drainage features

Note: This is a colour plan and should only be reproduced in colour.

Technical Agency Response Plan
Plan of Area A in Lot 2208 on LIV40782

LOCAL GOVT: ROCKHAMPTON REGIONAL
 LOCALITY OF STANWELL

eLVAS Case ID:2020/012570 Compiled from: DCDB & VMO Notes

Prepared by: RH Department: DNRME Region: CENTRAL Date: 09/09/2020

Version: 1

TARP
2008-18329 SRA
 Sheet 1 of 1