

SARA reference: 2504-45811 SRA  
Council reference: DA/4887  
Applicant reference: R2-25

11 July 2025

Chief Executive Officer  
Cook Shire Council  
PO Box 3  
Cooktown QLD 4895  
mail@cook.qld.gov.au

Attention: Lisa Miller

Dear Sir/Madam

## SARA referral agency response – 152 Shiptons Flat Road, Rossville

(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 30 April 2025.

### Response

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|                   |                                                                                    |
|-------------------|------------------------------------------------------------------------------------|
| Outcome:          | Referral agency response – with conditions                                         |
| Date of response: | 11 July 2025                                                                       |
| 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                                                                                                                                                 | Development permit for Reconfiguring a lot - boundary realignment (2 lots into 2 lots) |
| SARA role:    | Referral agency                                                                                                                                                    |                                                                                        |
| SARA trigger: | Schedule 10, Part 3, Division 4, Table 2, Item 1 (Planning Regulation 2017). Development application for reconfiguring a lot involving native vegetation clearing. |                                                                                        |

SARA reference: 2504-45811 SRA

Assessment manager: Cook Shire Council

Street address: 152 Shiptons Flat Road, Rossville

Real property description: Lot 61 on SP144060 and Lot 1 on SP301676

Applicant name: D & S Bates

Applicant contact details: C/- U&i Town Plan  
35 Sutherland Street  
MAREEBA QLD 4880  
ramon@uitownplan.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 Sue Lockwood, A/Principal Planning Officer, on 07 4037 3200 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Carl Porter  
A/ Manager Planning

cc D & S Bates c/- U&i Town Plan, ramon@uitownplan.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 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. | Conditions of Development Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Condition Timing                                                            |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
|     | Schedule 10, Part 3, Division 4, Table 2, Item 1 (Planning Regulation 2017) - Reconfiguring a lot involving native vegetation clearing — 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 conditions: |                                                                             |
| 1   | <p>The reconfiguration of a lot must be carried out generally in accordance with the following plan:</p> <ul style="list-style-type: none"> <li>Subdivision Plan - Boundary Realignment (full extent) prepared by U&amp;i Town Plan dated 27/05/2025, plan number 6.</li> </ul>                                                                                                                                                                                                                                                      | Prior to submitting the Plan of Survey to the local government for approval |

## 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 3.2. 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*)

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### The reasons for the SARA's decision are:

The proposed development can be conditioned to comply with the relevant provisions of SDAP State code 16: Native vegetation clearing, in that the development:

- minimises clearing to:
  - o conserve vegetation
  - o avoid land degradation
  - o avoid the loss of biodiversity
  - o maintain ecological processes.
- 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 3.2)
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*

## **Attachment 4—Representations about a referral agency response provisions**

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(page left intentionally blank – attached separately)

# 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.

## **Attachment 5—Documents referenced in conditions**

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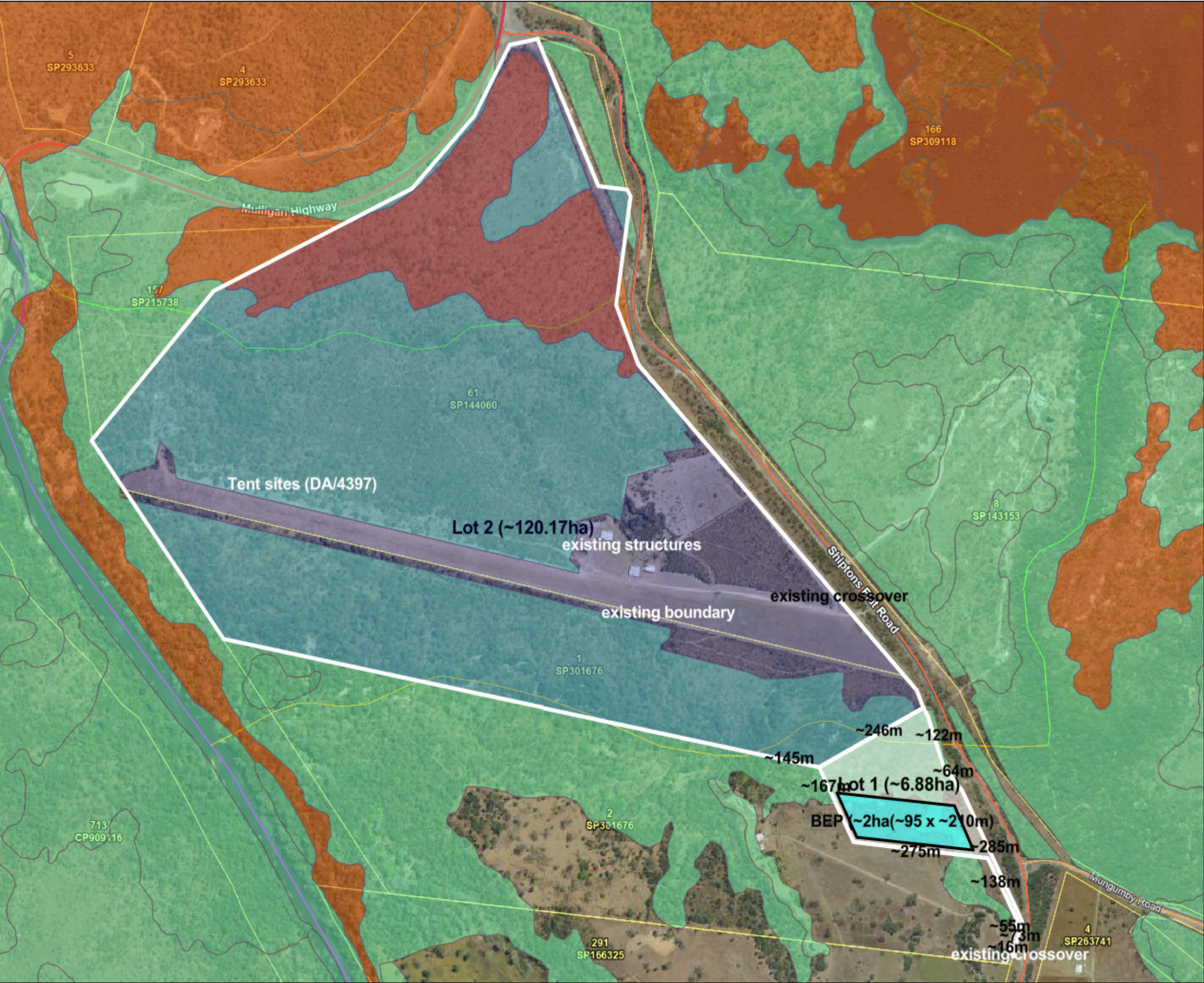
(page left intentionally blank – attached separately)

# Subdivision Plan - Boundary Realignment (full extent)

152 Shiptons Flat Road, Rossville (Lot 1 on SP301676 & Lot 61 on SP144060) Plan# 6.0, Date: 27.05.25, prepared by U&i Town Plan

15°40'34"S 145°12'24"E

15°40'34"S 145°13'48"E



15°41'37"S 145°12'24"E

15°41'37"S 145°13'48"E



Legend located on next page

**PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE**



**SARA ref:** 2504-45811 SRA

**Date:** 11 July 2025



Scale: 1:7760

Printed at: A3  
Print date: 27/5/2025

Not suitable for accurate measurement.  
**Projection:** Web Mercator EPSG 102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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**Queensland  
Government**

Department of Natural Resources and Mines, Manufacturing, and Regional  
and Rural Development