

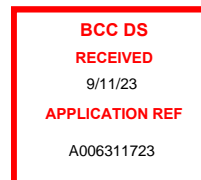


SARA reference: 2308-36043 SRA
Council reference: A006311723

8 November 2023

Chief Executive Officer
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001
dalodgement@brisbane.qld.gov.au

Attention: Carly Manley



Dear Carly

SARA referral agency response—288 Fleming Road, Tingalpa QLD 4173

(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 27 September 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	8 November 2023
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 (1 lot into 8 lots) – Staged Management Subdivision and Access Easement
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 17, Division 3, Table 5, item 1 (Planning Regulation 2017) Tidal works or works in a coastal management district	

Schedule 10, Part 3, Division 4, Table 2, Item 1 - Clearing native vegetation

SARA reference: 2308-36043 SRA

Assessment manager: Brisbane City Council

Street address: 288 Fleming Road, Tingalpa QLD 4173

Real property description: Lot 51 on RP136252

Applicant name: Sunnygold International Pty Ltd

Applicant contact details: C/- DTS Group Qld Pty Ltd
PO Box 3128
West End QLD 4101
planning@dtsqld.com.au

Human Rights Act 2019 considerations: Consideration of the *Human Rights Act 2019* sections 15 to 37 has been undertaken as part of this decision. It has been concluded 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 Dit Sang Lee, Senior Planner, on 07 3452 7485 or via email BrisbaneSARA@dasilp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Beutel
Manager - Development Assessment

cc Sunnygold International Pty Ltd C/- DTS Group Qld Pty Ltd , planning@dtsqld.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	Condition timing
Reconfiguring a lot		
10.17.3.5.1 –Tidal works or work in a coastal management district—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Environment and Science 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 must be undertaken generally in accordance with the following plans:</p> <ul style="list-style-type: none"> - Proposed Management Subdivision – Stage 1, dated 11 October 2023, reference number A1 1452 and revision L - Proposed Management Subdivision – Stage 2, dated 11 October 2023, reference number A1 1528 and revision D. 	Prior to submitting the Plan of Survey to the local government for approval

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) (version 3.0). 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's decision are:

The development will comply with State code 8: Coastal development and tidal works and State code 16: Native vegetation clearing if carried out in accordance with the proposed conditions. Specifically, the proposed development:

- protect life, buildings and infrastructure from the impacts of coastal erosion
- maintain coastal processes
- maintain appropriate public use of, and access to and along, State coastal land
- avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated.
- avoids impacts on vegetation that are matters of state environmental significance and where it cannot be avoided, the development minimises and mitigates impacts
- minimises clearing to conserve vegetation

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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