



SARA reference: 2501-44279 SRA
Council reference: COM/2024/374
Applicant reference: 6172

7 March 2025

Chief Executive Officer
Gold Coast City Council
mail@goldcoast.qld.gov.au

Dear Sir/Madam

SARA referral agency response—2 Highlands Street and 2 Fairway Street, Stapylton

(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 7 February 2025.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	7 March 2025
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit for Material change of use for a Warehouse and ancillary office, Reconfiguring a lot for an Access easement and Operational work for a Change to ground level
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Development impacting on state transport infrastructure
SARA reference:	2501-44279 SRA
Assessment manager:	Gold Coast City Council
Street address:	2 Highlands Street and 2 Fairway Street, Stapylton
Real property description:	Lot 204 and 205 on SP316171

Applicant name: FPI Queensland Pty Ltd

Applicant contact details: Gassman Development Perspectives
mail@gassman.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 Gabriel Escobar, Senior Planning Officer, on (07) 5644 3212 or via email SEQSouthPlanning@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski
Manager, Planning Services

cc FPI Queensland Pty Ltd, c/- Gassman Development Perspectives, mail@gassman.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—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 3.1). If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

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

The reasons for SARA's decision are:

The proposal has been assessed and complies with State code 6: Protection of State transport networks of the State Development Assessment Provisions. Specifically, the development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury,
- does not result in a worsening of the physical condition or operating performance of the state transport network,
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure,
- provides public passenger transport infrastructure to enable development to be serviced by public passenger transport,
- provides safe and direct access to public passenger transport infrastructure or active transport infrastructure, including access by cycling and walking.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.1, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

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.