



SARA reference: 2202-27340 SRA  
Council reference: COM/2022/13  
Applicant reference: 6098

16 March 2022

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

Attention: Ms Natasha Sidabutar

Dear Ms Sidabutar

## SARA response—60 Stapylton Jacobs Well Rd, 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 15 February 2022.

### Response

|                   |                                                                                                                                                                            |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Outcome:          | Referral agency response - No requirements<br><br>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: | 16 March 2022                                                                                                                                                              |
| Advice:           | Advice to the applicant is in <b>Attachment 1</b> .                                                                                                                        |
| Reasons:          | The reasons for the referral agency response are in <b>Attachment 2</b> .                                                                                                  |

### Development details

|                     |                                                                                                                                                  |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Description:        | Development Permit for Reconfiguring a Lot for a boundary realignment<br><br>Development Permit for Operational Work for change to ground level. |
| SARA role:          | Referral agency                                                                                                                                  |
| SARA triggers:      | Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – State transport thresholds                                                     |
| SARA reference:     | 2202-27340 SRA                                                                                                                                   |
| Assessment manager: | Gold Coast City Council                                                                                                                          |
| Street address:     | 60 Stapylton Jacobs Well Rd, Stapylton (historical address)                                                                                      |

Real property description: Lots 120-122 on SP316137  
Applicant name: FPI Queensland Pty Ltd  
c/- Gassman Development Perspectives  
Applicant contact details: admin@gassman.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 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Fletcher Smith, Senior Planning Officer, on (07) 5644 3209 or via email SEQSouthPlanning@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Karley Lawler  
**Manager, Planning and Development Services (SEQ South)**

cc FPI Queensland Pty Ltd c/- Gassman Development Perspectives, admin@gassman.com.au  
enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations provisions

## Attachment 1—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, version 2.6. (SDAP). If a word remains undefined it has its ordinary meaning. |

## Attachment 2—Reasons for referral agency response

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

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

- The proposed development complies with State code 6: Protection of state transport networks. In particular:
  - ☐ The development footprint is located a significant distance from the state-controlled road to is unlikely to create any impacts through construction.
  - ☐ Traffic and stormwater impacts will be managed and mitigated through the conditions of approval which have been issued under a preliminary approval for which this development is made pursuant too.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- *Human Rights Act 2019*
- Planning Regulation 2017
- SDAP
- The Development Assessment Rules
- SARA DA Mapping system.

## **Attachment 3—Change representation provisions**

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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.