



SARA reference: 2606-52795 SRA  
Council reference: RAL/2026/4503  
Applicant reference: 2026-026

16 June 2026

Chief Executive Officer  
Toowoomba Regional Council  
PO Box 3021  
TOOWOOMBA QLD 4350  
development@tr.qld.gov.au

Attention: James Leader

Dear Mr Leader

## SARA referral agency response—1401 Pierces Creek Road, Pierces Creek

(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 8 June 2026.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	16 June 2026
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	Reconfiguring a Lot for Boundary Realignment – Two (2) Lots into Two (2) Lots
SARA role:	Referral agency	
SARA trigger:	Reconfiguring a Lot for Boundary Realignment – Two (2) Lots into Two (2) Lots	- Reconfiguring a lot that involves clearing native vegetation (Planning Regulation 2017)
SARA reference:	2606-52795 SRA	

Assessment manager: Toowoomba Regional Council  
Street address: 1401 Pierces Creek Road, Pierces Creek  
Real property description: Lots 8 & 9 on RP861104  
Applicant name: Darran Gregory Hutchings C/- Precinct Urban Planning  
Applicant contact details: PO Box 3038  
TOOWOOMBA QLD 4350  
bayley@precinctplan.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 Zinal Chand, Planning Officer, on (07) 3432 2410 or via email ToowoombaSARA@dcdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson  
A/Manager

cc Darran Gregory Hutchings C/- Precinct Urban Planning, bayley@precinctplan.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) (A copy of the document referenced below is found in Attachment 5)

No.	Conditions	Condition timing
<p>Schedule 10, Part 3, Division 4, Table 2, Item 1 (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 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 condition(s):</p>		
1.	<p>The development must be carried out generally in accordance with the following plan:</p> <p>(a) Proposed Lots 8 &amp; 9 Cancelling Lots 8 &amp; 9 on RP861104, prepared by Define Group Surveyors Pty Ltd, dated 22/01/2025, Dra Ref. PROP – D419 – D5.dwg.</p>	<p>Prior to submitting the Plan of Survey to the local government for approval</p>

## Attachment 2—Advice to the applicant

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<b>General advice</b>	
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 3.6). If a word remains undefined it has its ordinary meaning.

## Attachment 3—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:

- SARA assessed the development against State code 16: Native vegetation clearing (State code 16) of the State Development Assessment Provisions (SDAP), version 3.5:
- The development complies with the assessment benchmarks of State code 16 of SDAP in that the development:
  - o avoids clearing, or where avoidance is not reasonably possible, minimises clearing to:
    - a. conserve vegetation
    - b. avoid land degradation
    - c. avoid the loss of biodiversity
    - d. maintain ecological processes
  - o minimises contributions to greenhouse gas emissions
  - o for vegetation retention purposes, is undertaken in a manner that retains or regenerates vegetation by sustainably managing the impacts of the clearing on regional ecosystems, biodiversity and ecological processes over time
  - o avoids impacts on vegetation and minimises and mitigates impacts on vegetation where avoidance is not possible.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.6), 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

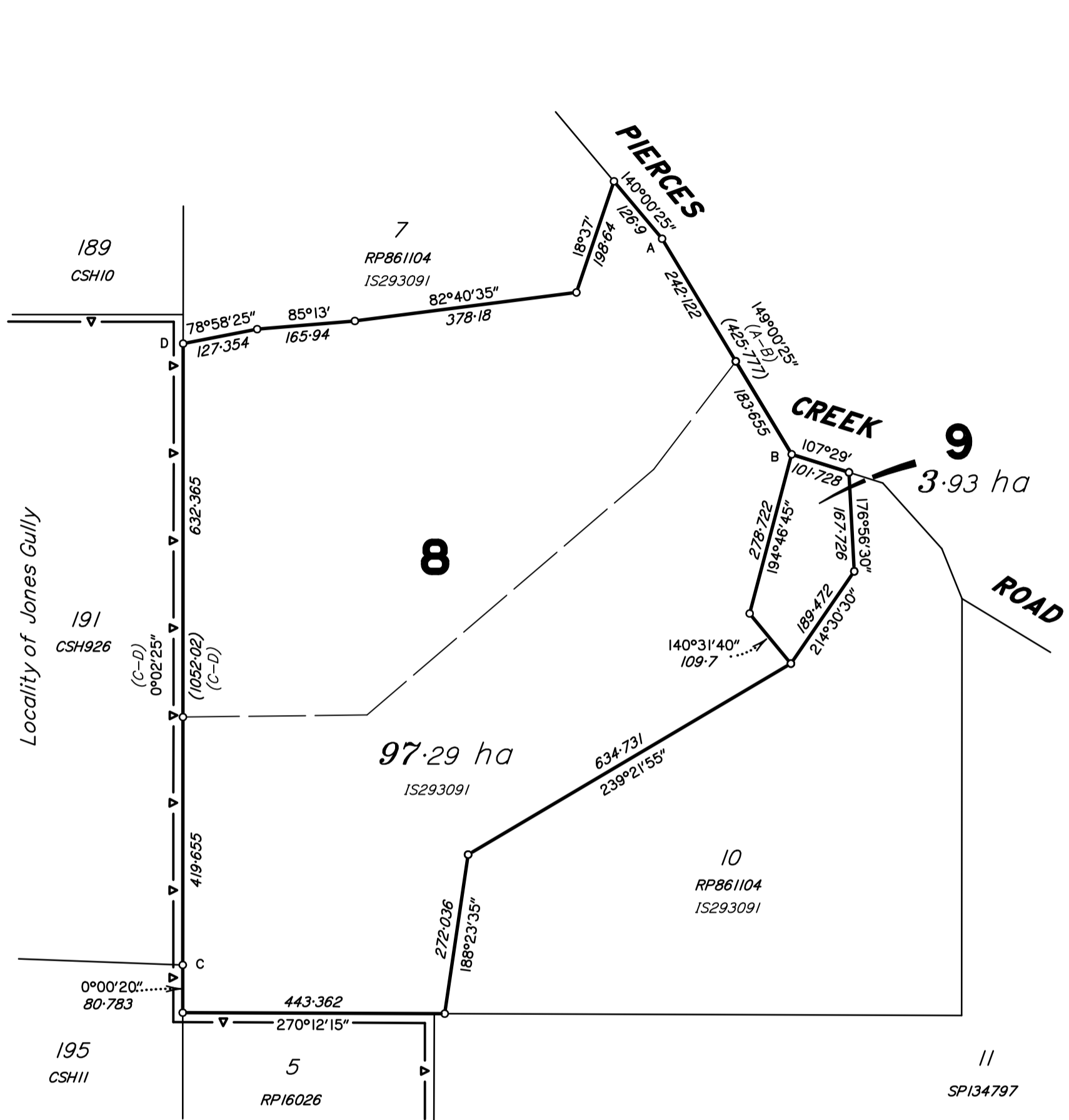
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## **Attachment 5—Document referenced in condition**

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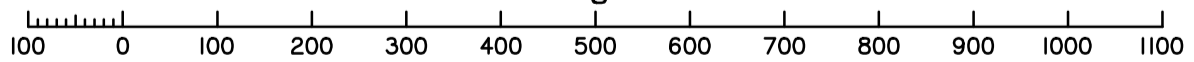


PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL



SARA ref: 2606-52795 SRA  
Date: 16 June 2026

Scale 1:8000 - Lengths are in metres.



**Important Note:**  
This plan was prepared for the stated client to accompany an application to council and should not be used for any other purpose. The dimensions, areas and number of lots shown hereon are subject to cadastral survey and the requirements of Council and any other Authority which may have requirements under relevant legislation. No reliance should be placed on this plan for financial dealings involving this land. This note is an integral part of this plan.

**DEFINE GROUP**  
ACN 630 494 585 (QLD) PTY LTD  
SURVEYORS

P: 07 4572 3890  
E: admin@definegroup.com.au  
W: www.definegroup.com.au

Job: D419  
Plan:  
File:

Locality: PIERCES CREEK  
Local Govt: TOOWOOMBA REGIONAL

**PROPOSED LOTS 8 & 9**

*Cancelling Lots 8 & 9 on RP861104*

Scale: 1:8000 at (A3)

Site Address: 1401 Pierces Creek Road

Client:  
DARRAN HUTCHINGS

Meridian: IS293091 | Date: 22/01/2025 | Map: 9343-43434 | Dra Ref: PROP - D419 - D5.dwg

# 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.