

SARA reference: 2606-52799 SRA  
 Council reference: ROL 2026\_5944/1  
 Applicant reference: 440009

18 June 2026

Chief Executive Officer  
 Douglas Shire Council  
 PO Box 723  
 MOSSMAN QLD 4873  
 enquiries@douglas.qld.gov.au

Attention: Rebecca Taranto

Dear Sir/Madam

## **SARA referral agency response—Boundary Realignment (3 lots into 3 lots) at Warner Road, Cassowary**

(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:	18 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 - Boundary Realignment (3 Lots into 3 Lots)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 1, Item 1—Reconfiguring a lot involving native vegetation clearing (Planning Regulation 2017)	

SARA reference: 2606-52799 SRA  
Assessment manager: Douglas Shire Council  
Street address: Warner Road, Cassowary  
Real property description: Lot 42 on SP155094; Lot 43 on SP155094; and Lot 45 on SP346341  
Applicant name: Vladimir Anich  
Applicant contact details: C/- RPS AAP Consulting  
135 Abbott Street  
Cairns QLD 4870  
stacey.devaney@rpsconsulting.com

*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

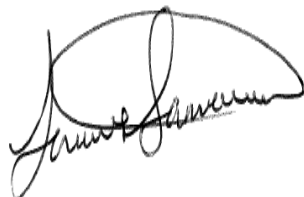
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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Anthony Westbury, Senior Planning Officer, on 4037 3215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes  
Manager

cc V Anich, stacey.devaney@rpsconsulting.com

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  
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
<p>Schedule 10, Part 3, Division 4, Table 1, Item 1—Reconfiguring a lot involving native vegetation clearing (Planning Regulation 2017) —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:</p>		
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>• Joe &amp; Lynn Anich, Reconfiguring a Lot - Cancelling Lot 45 on SP346341, Lot 42 on SP155094 &amp; Lot 43 on SP155094, prepared by RPS, dated 10-03-2026, Drawing 440009-1.</li> </ul>	<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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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 3.6). 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 SARA's decision are:

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.6:
  - State code 16: Development in a state-controlled road environment (State code 16).
- The development complies with the assessment benchmarks of State code 16 of SDAP in that the development:
  - appropriately avoids and minimises vegetation clearing, to avoid the loss of biodiversity and land degradation, maintain ecological processes, and conserve vegetation
  - locates new boundaries outside category B remnant vegetation as much as 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 SDAP (version 3.6), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*.

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

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

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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**

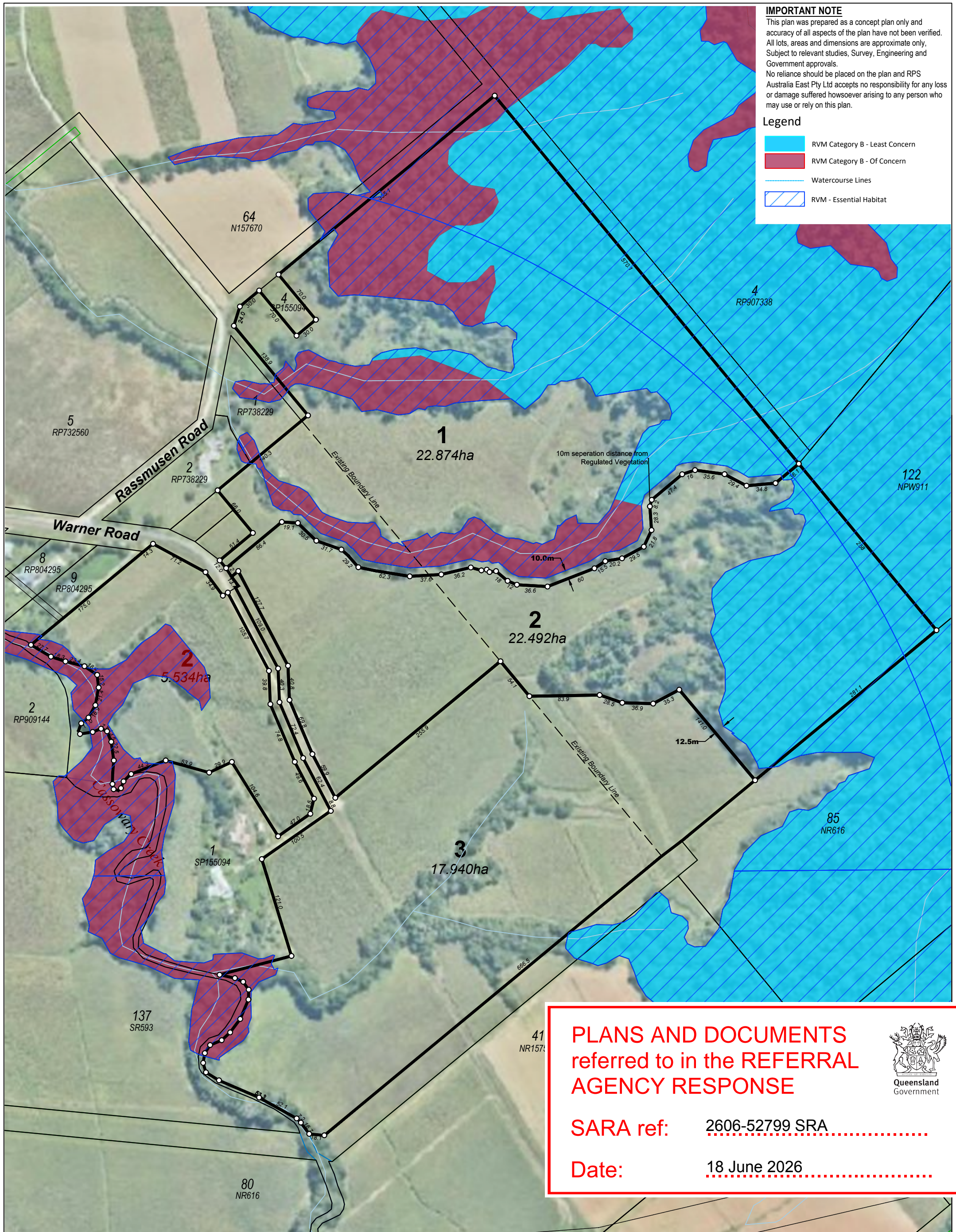
30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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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.

**IMPORTANT NOTE**  
 This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only, Subject to relevant studies, Survey, Engineering and Government approvals. No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.

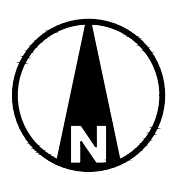
- Legend**
- RVM Category B - Least Concern
  - RVM Category B - Of Concern
  - Watercourse Lines
  - RVM - Essential Habitat



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

**SARA ref:**     2606-52799 SRA

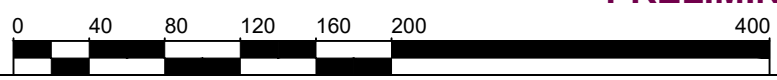
**Date:**         18 June 2026



**Joe & Lynn Anich**  
 Reconfiguring a Lot - Cancelling Lot 45 on SP346341, Lot 42 on SP155094 & Lot 43 on SP155094

**PRELIMINARY - FOR DISCUSSION PURPOSES ONLY**

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