

**From:** "mydas-notifications-prod2@qld.gov.au" <mydas-notifications-prod2@qld.gov.au> on behalf of "MYDAS2" <mydas-notifications-prod2@qld.gov.au>  
**Sent:** Wed, 6 May 2026 16:12:40 +1000  
**To:** "Planning" <planning@msc.qld.gov.au>  
**Cc:** "charlton.best@dsdilgp.qld.gov.au" <charlton.best@dsdilgp.qld.gov.au>; "admin@urbansync.com.au" <admin@urbansync.com.au>  
**Subject:** 2603-51152 SRA application correspondence  
**Attachments:** Attachment 4 - Representations about a referral agency response.pdf, 2603-51152 SRA - Response with conditions.pdf  
**Importance:** Normal

Please find attached a notice regarding application [2603-51152 SRA](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

*This is a system-generated message. Do not respond to this email.*

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Email Id: RFLG-0526-0026-9656

# 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.

SARA reference: 2603-51152 SRA  
Council reference: RAL/26/0003  
Applicant reference: 25-1236

6 May 2026

Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
Mareeba QLD 4880  
planning@msc.qld.gov.au

Attention: Carl Ewin

Dear Sir/Madam

## SARA referral agency response – 232 Tilse Street & McIver Road, Mareeba

(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 12 March 2026.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	6 May 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 (2 lots into 79 lots)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure	

SARA reference: 2603-51152 SRA  
Assessment manager: Mareeba Shire Council  
Street address: 232 Tilse Street & Mclver Road, Mareeba  
Real property description: Lot 1 on SP202899 & Lot 49 on SP202901  
Applicant name: Girgenti Group  
Applicant contact details: C/- Urban Sync Pty Ltd  
PO Box 2970  
Cairns QLD 4870  
admin@urbansync.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

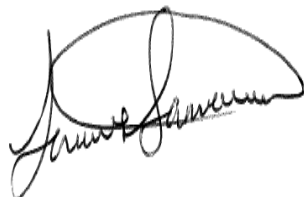
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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment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

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

For further information please contact Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes  
Manager

cc Girgenti Group, C/- Urban Sync Pty Ltd, admin@urbansync.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 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)

No.	Conditions	Condition timing
<p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 — Development impacting on state transport infrastructure — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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>(a) Prepare a RPEQ certified Traffic Management Plan in accordance with the Transport and Main Roads Technical Specification MRTS02 – Provision for Traffic, which demonstrates the development will not contribute to or worsen short stacking at the Reynolds Street (Mareeba) (ID: LXR_02333) railway level crossing of the Mungana Branch Railway. In particular, the Traffic Management Plan must:</p> <ul style="list-style-type: none"> <li>• limit the length of the maximum design vehicle using the level crossing to 16m and identify any alternative routes of travel for vehicles exceeding this length</li> <li>• provide details of any physical controls, such as but not limited to signage, to be put in place to inform drivers of the necessary requirements for railway level crossing safety</li> <li>• provide details of the management measures, communication strategy and procedures to be put in place to regulate the access and departure route and length of vehicles using the premises in relation to the railway level crossing.</li> </ul> <p>(b) Submit the Traffic Management Plan required in part (a) to the Program Delivery and Operations Unit, Far North Queensland Region <a href="mailto:Far.North.Queensland.IDAS@tmr.qld.gov.au">Far.North.Queensland.IDAS@tmr.qld.gov.au</a> within the Department of Transport and Main Roads.</p> <p>(c) Carry out the construction of the development in accordance with the Traffic Management Plan.</p>	<p>(a) &amp; (b) Prior to the commencement of construction works.</p> <p>(c) At all times during construction.</p>
2.	<p>The stormwater management of the development must not cause worsening to the operating performance of the railway corridor such that any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the railway corridor;</li> <li>(ii) concentrate or increase the velocity of flows to the railway corridor;</li> <li>(iii) interfere with and/or cause damage to the existing stormwater drainage on the railway corridor;</li> <li>(iv) surcharge any existing culvert or drain on the railway corridor;</li> </ul>	At all times.

	<p>and</p> <p>(v) reduce the quality of stormwater discharge onto the railway corridor.</p>	
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## 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 3.5). 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 the following codes of the State Development Assessment Provisions (SDAP), version 3.5:

- State code 6: Protection of state transport networks (State code 6).

The development can be conditioned to comply with the assessment benchmarks of State code 6 of SDAP in that the development:

- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure
- does not result in a worsening of the physical condition or operating performance of the state transport network.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the State Development Assessment Provisions (version 3.5)
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*.

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

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