



Our reference: 2403-39496 SRA
Your reference: D/155-2022

3 May 2024

The Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
Rockhampton Qld 4700
enquiries@rrc.qld.gov.au

Dear Sir/Madam

SARA response—337-341 Yaamba Road, Park Avenue

(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 5 December 2022.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	3 May 2024
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Request for an 'other change' to a material change of use (six (6) showrooms) and operational work for advertising devices (two (2) freestanding signs and five (5) wall signs)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017)	
	Development application for a material change of use impacting State transport infrastructure	

Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1
(Planning Regulation 2017)

Development application for a material change of use within twenty-five (25) metres of a state-controlled road

SARA reference: 2212-32379 SRA
 Assessment Manager: Rockhampton Regional Council
 Street address: 337-341 Yaamba Road, Park Avenue
 Real property description: Lot 24 on SP191047
 Applicant name: SPG Developments (Manager) Pty Ltd
 C/- The Development Directive Pty Ltd
 Applicant contact details: 22A Frederick Street
 Taringa QLD 4068
 elliot@developmentdirective.com.au
 State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR22-038157
- Date: 13 July 2023

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at corridormanagement@tmr.qld.gov.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 4**.

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

For further information please contact Thomas Gardiner, Principal Planning Officer, on 0749242916 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc SPG Developments (Manager) Pty Ltd C/- The Development Directive Pty Ltd,
elliot@developmentdirective.com.au

enc Attachment 1—Referral agency conditions
 Attachment 2—Advice to the applicant
 Attachment 3—Reasons for referral agency response
 Attachment 4—Change representation provisions
 Attachment 5—Approved plans and specifications

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 plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 and Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1—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:		
1.	<p>(a) The permitted road access location to Moores Creek Road is to be located at TMR Chainage 4.00km (Lat: -23.353028; Long: 150.521404) and generally in accordance with the Site Plan, prepared by Leffler Simes Architects, dated 16.02.24, reference DA020, revision C, as amended in red by SARA.</p> <p>(b) Road access works (at the permitted road access location specified in part (a) of this condition) must be provided generally in accordance with the Site Plan, prepared by Leffler Simes Architects, dated 16.02.24, reference DA020, revision C, as amended in red by SARA and consist of a full Auxiliary Left-turn (AUL) treatment in accordance with Figure 8.6 of the Austroads Guide to Road Design – Part 4A (2021) with consideration of a splitter island at the access to channelise entering and exiting streams of traffic and incorporate a cycle lane not shared with the left turning lane.</p> <p>(c) The road access works must be designed and constructed in accordance with the Department of Transport and Main Roads Road Planning and Design Manual, 2nd Edition.</p>	<p>(a) At all times.</p> <p>(b) and (c) Prior to the commencement of use.</p>
2.	Direct access is not permitted between Yaamba Road and Moores Creek Road (the state-controlled road), and the subject site at any location other than the permitted access locations as outlined in Condition 1.	At all times.
3.	Provide a physical vehicle barrier at the location shown on the Site Plan, prepared by Leffler Simes Architects, dated 16.02.24, reference DA020, revision C, as amended in red by SARA.	Prior to the commencement of use.
4.	<p>The development must be carried out generally in accordance with sections 3.1, 6.1, 6.2, 6.5, 8.1 and 9 of the CIVIL ENGINEERING REPORT: SITE BASED STORMWATER MANAGEMENT PLAN, prepared by Northrop, dated 5.2.2024, reference BN221936, revision C, as amended in red by SARA, in particular:</p> <p>(a) Detention Tank 1 (west) with a minimum required tank volume of 185m³.</p> <p>(b) Detention Tank 2 (east) with a minimum required tank volume of 395m³.</p>	Prior to the commencement of use and to be maintained at all times.

	<p>(c) Tank 1 consisting of fifteen (15) Ocean Protect Stormfilter and 690 Psorb Cartridges located within a 9.5m² Stormfilter chamber.</p> <p>(d) Tank 2 consisting of thirteen (13) Ocean Protect Stormfilter and 690 Psorb Cartridges located within a 9.5m² Stormfilter chamber.</p>	
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Attachment 2—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) [v3.0]. If a word remains undefined it has its ordinary meaning.
2.	<p>Road works approval:</p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads' at CorridorManagement@tmr.qld.gov.au to make an application for road works approval.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads' as soon as possible to ensure that gaining approval does not delay construction.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for SARA's decision are:

- SARA has assessed the development against the following codes of the State Development Assessment Provisions (SDAP):
 - State code 1: Development in a state-controlled road environment.
 - State code 6: Protection of state transport networks.
- The development complies with the assessment benchmarks of State code 1 of SDAP, subject to conditions, in that the development:
 - does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure.
 - does not adversely impact the function and efficiency of state-controlled roads.
- The development complies with the assessment benchmarks of State code 6 of SDAP, subject to conditions, in that the development:
 - maintains the 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 [3.0]), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*

Attachment 4—Change representation provisions

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Attachment 5—Approved plans and specifications

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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 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.

Our ref TMR22-038157
Your ref
Enquiries Anton DeKlerk



Department of
Transport and Main Roads

13 July 2023

SPG Developments (Manager) Pty Ltd
c/- The Development Directive Pty Ltd
22A Frederick St
Taringa QLD 4068

Amended Decision Notice – Permitted Road Access Location (s62(1) Transport Infrastructure Act 1994)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number D/155-2022, lodged with Rockhampton Regional Council involves constructing or changing a vehicular access between Lot 24 SP191047, the land the subject of the application, and Moores Creek Road (also known as Bruce Highway) (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Application Details

Address of Property 337-341 Yaamba Road, Park Avenue QLD 4701
Real Property Description 24SP191047
Aspect/s of Development Development Permit for a Material Change of Use for Shop, Showrooms and Service Station and Operational Works for Advertising Devices (two freestanding signs and five wall signs)

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	<p>The permitted road access location is to be generally in accordance with the Site Plan, prepared by Leffler Simes Architects, dated September 2022, Reference DA020 and Revision B (as amended in red by TMR).</p> <ul style="list-style-type: none">The new permitted access location from Moores Creek Road is to be at TMR Chainage 4.00km (Lat: -23.353028; Long: 150.521404).	At all times

¹ Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
2	<p>a) Road access works (at the permitted road access location) must consist of a full Auxiliary Left-turn (AUL) treatment in accordance with Figure 8.6 of the Austroads Guide to Road Design – Part 4A (2021).</p> <p>(i) A splitter island must be considered at the access to channelise entering and exiting streams of traffic.</p> <p>(ii) The length of the deceleration lane to this AUL shall be a minimum 95m, based upon a Design Speed of the approach road of 80km/h, and a Design Speed of the exit curve being 20km/h.</p> <p>(iii) The AUL should also consist of a 3.5m wide turning lane with the cycle lane being separate (i.e. the cycle lane is not to be shared with the left turning lane).</p> <p>b) The permitted road access designed and constructed in accordance with the departments Road Planning and Design Manual, 2nd Edition and the Manual of Uniform Traffic Control Devices (MUTCD).</p>	Prior to commencement of use.
3	The use of the accesses is limited to 19m semi-trailers.	At all times.
4	Direct access is not permitted between Yaamba Road and Moores Creek Road (the state-controlled road), and the subject site at any location other than the permitted access locations as per Condition 1.	At all times.
5	Steps must be taken to physically prevent vehicular access between the existing spotlight development and the existing vacant land (facilitating the Shop, Showrooms and Service Station), generally in accordance with the Site Plan, prepared by Leffler Simes Architects, dated September 2022, Reference DA020 and Revision B (amended in red by TMR).	Prior to commencement of use.
6	Any other existing vehicular property access (other than described in condition 1) located between Lot 24 SP191047 and Yaamba Road or Moores Creek Road (the state-controlled road) must be permanently closed and removed and the verge areas and table drains reinstated to a condition similar to the adjacent verge areas.	Prior to commencement of use.
7	The road access is to be constructed and maintained at no cost to the department in accordance with section 64(a) & (b) of the <i>Transport Infrastructure Act 1994</i> .	At all times.
8	The applicant shall be responsible for all maintenance works for the access in accordance with Module 9 of the Local	At all times.

No.	Conditions of Approval	Condition Timing
	Government Association of Queensland document 'TMR/Local Government Cost Sharing Arrangement', dated October 2017.	
9	All vehicles entering or exiting the property via the permitted access must travel in a forward direction only.	At all times.
10	Reasonable steps are taken to ensure that the permitted road access is used by others in accordance with these conditions.	At all times.

Reasons for the decision

The reasons for this decision are as follows:

- a) To maintain the safety and efficiency of the state-controlled road.
- b) To ensure the vehicular accesses are consistent with the functional requirements of the state-controlled road.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of

engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Mr Anton DeKlerk, Principal Town Planner should be contacted by email at CorridorManagement@tmr.qld.gov.au or on (07) 4931 1500.

Yours sincerely



Anton DeKlerk
Principal Town Planner

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
Attachment D - Permitted Road Access Location Plan:
Site Plan, prepared by Leffler Simes Architects, dated September 2022, Reference DA020 and Revision **B** (amended in red by TMR).

Attachment A

Decision Evidence and Findings

Findings on material questions of fact:

- The proposal is for a Material Change of Use for Shop, Showrooms and Service Station and Operational Works for Advertising Devices (two freestanding signs and five wall signs) on land located at 337-341 Yaamba Road, Park Avenue, formally described as Lot 24 SP191047.
- The site is a corner allotment with road frontages to Yaamba Road of approximately 94 metres and to Moores Creek Road of approximately 330 metres. The size of the subject site is approximately 26,860m² and currently contains an existing commercial building (leased by Spotlight) plus include associated parking area and vehicle manoeuvring areas.
- This Material Change of Use is only over a portion of the site, referred to as proposed Lot 2 and will not have any impacts onto proposed Lot 1. Please note, proposed Lot 1 and Lot 2 was created as part of Development Permit D/63-2022, but the survey plans have not been sealed as yet. To be clear, proposed Lot 1 contains the existing Spotlight commercial building with existing on-site parking area. Proposed Lot 2 consist of the remaining vacant area fronting onto Moores Creek Road.
- Access to the subject site (proposed Lot 2) will be via Moores Creek Road, at the southern western edge of the lot. This access location has been previously approved as a part of a recent Reconfiguration of a Lot approval, under Development Permit D/63-2022.
 - It should be noted, although the access location has been approved as part of the subdivision application (D/63-2022), the design and formation of the access will change as part of this Material Change of Use.
- A left-in / left-out access is proposed along Moores Creek Road, in the south-western corner of the site. The permissible access location of this access has been approved by the SARA and DTMR as a part of the previous Reconfiguration of a Lot (ROL) approval (under Development Permit D/63-2022). This access must however be upgraded (as part of this MCU) to a full Auxiliary Left turn (AUL) treatment in accordance with Figure 8.6 of the Austroads Guide to Road Design – Part 4A (2021).
 - The length of the deceleration lane to this AUL shall be a minimum 95m, based upon a Design Speed of the approach road of 80km/h, and a Design Speed of the exit curve being 20km/h.
 - The AUL should also consist of a 3.5m wide turning lane with the cycle lane being separate (i.e. the cycle lane is not to be shared with the left turning lane).
 - Furthermore, to provide safety benefits and reduce the risk of crashes between traffic and pedestrians and cyclists crossing at the access, a splitter island should be considered at the access to channelise entering and exiting streams of traffic.
 - Details to the access and AUL design can be further clarified during the 'Works in State-controlled Road Reserve' (WSCRR) application in accordance with section 33 of the *Transport Infrastructure Act 1994*.
- No vehicular access is to be obtained from Yaamba Road to proposed Lot 2 and a physical vehicle barrier must be provided along the property boundary between proposed Lot 1 and Lot 2. This is to prevent any additional vehicles using the existing access to proposed Lot 1

which contain the Spotlight commercial development. Previous development applications identified that the Yaamba Road access was unsuitable to cater for additional traffic associated with a broader commercial site without significant upgrades.

- On 13 January 2023 TMR issued an approval for the proposed Access from Moores Creek Road (a state-controlled road) in accordance with section 62 of the *Transport Infrastructure Act 1994*.
- On 28 June 2023, DSDILGP requested changes to the technical agency response (associated with the Development Application) due to a few minor changes within the application which was a direct consequence to the response to Council's information request. The proposed amendments were mainly an updated Site Plan and an updated Site Based Stormwater Management Plan.
- As a result of the minor changes associated with the Development Application, an Amended Decision Notice for the Permitted Road Access Location was also required, reflecting the updated Site Plan.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version / Issue
Town Planning Assessment Report	Development Directive	22 November 2022	12903	-
Traffic Impact Assessment Report	Traffic Transport Plus	21 November 2022	20221121_10653_TIA	1
Site Plan	Leffler Simes Architects	September 2022	DA020	A
		September 2022	DA021	A
		October 2022	DA300	A
		October 2022	DA400	A
		October 2022	DA401	A
Site Plan	Leffler Simes Architects	October 2022	DA001	B
			DA015	B
			DA020	B
			DA400	B

Attachment B

Section 70 of TIA

Transport Infrastructure Act 1994

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and
 - (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

- (5) The court may order—
 - (a) the appeals to be heard together or 1 immediately after the other; or
 - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.
- (8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2403-39496 SRA

Date: 3 May 2024

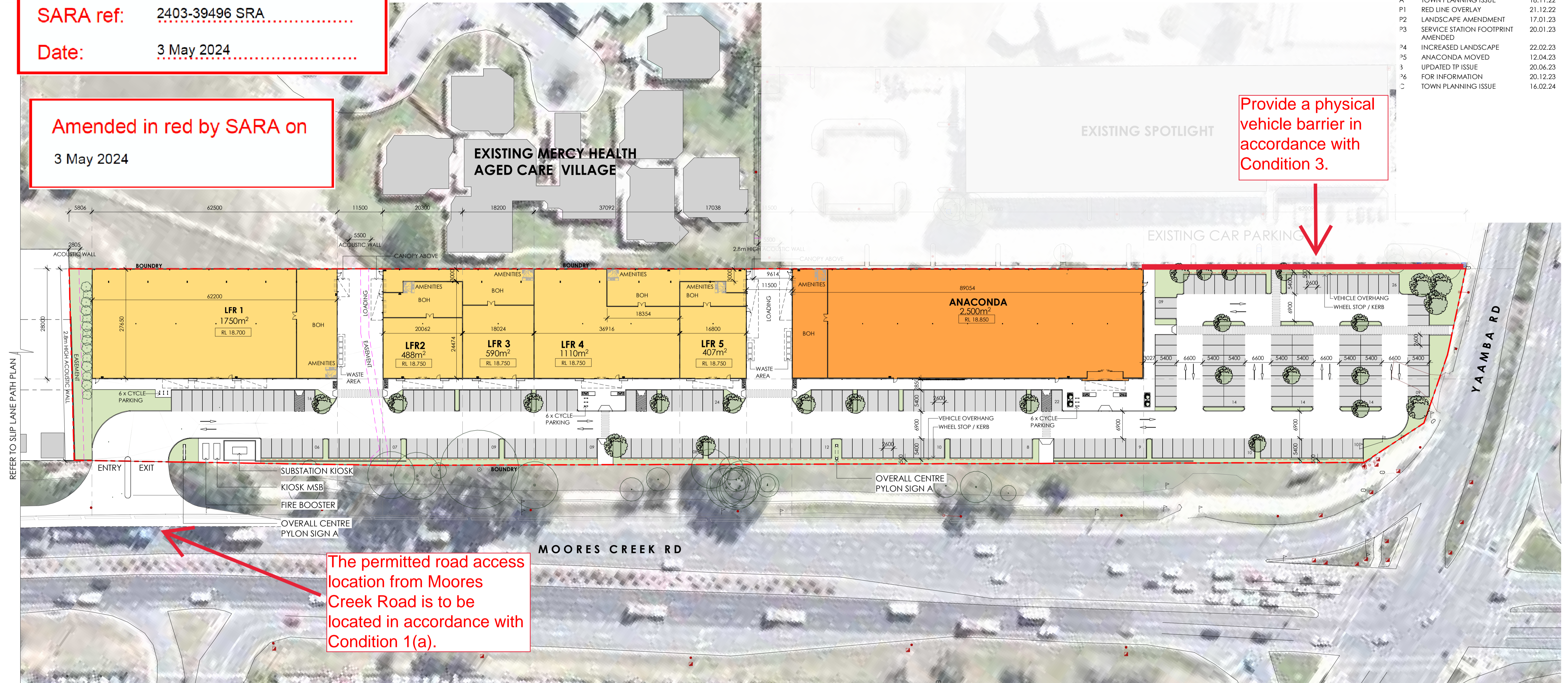
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ISSUE	AMENDMENT	DATE	CHK'D
A	TOWN PLANNING ISSUE	18.11.22	SJE
P1	RED LINE OVERLAY	21.12.22	SJE
P2	LANDSCAPE AMENDMENT	17.01.23	SJE
P3	SERVICE STATION FOOTPRINT AMENDED	20.01.23	SJE
P4	INCREASED LANDSCAPE	22.02.23	SJE
P5	ANACONDA MOVED	12.04.23	SJE
3	UPDATED TP ISSUE	20.06.23	SJE
P6	FOR INFORMATION	20.12.23	SJE
C	TOWN PLANNING ISSUE	16.02.24	SJE

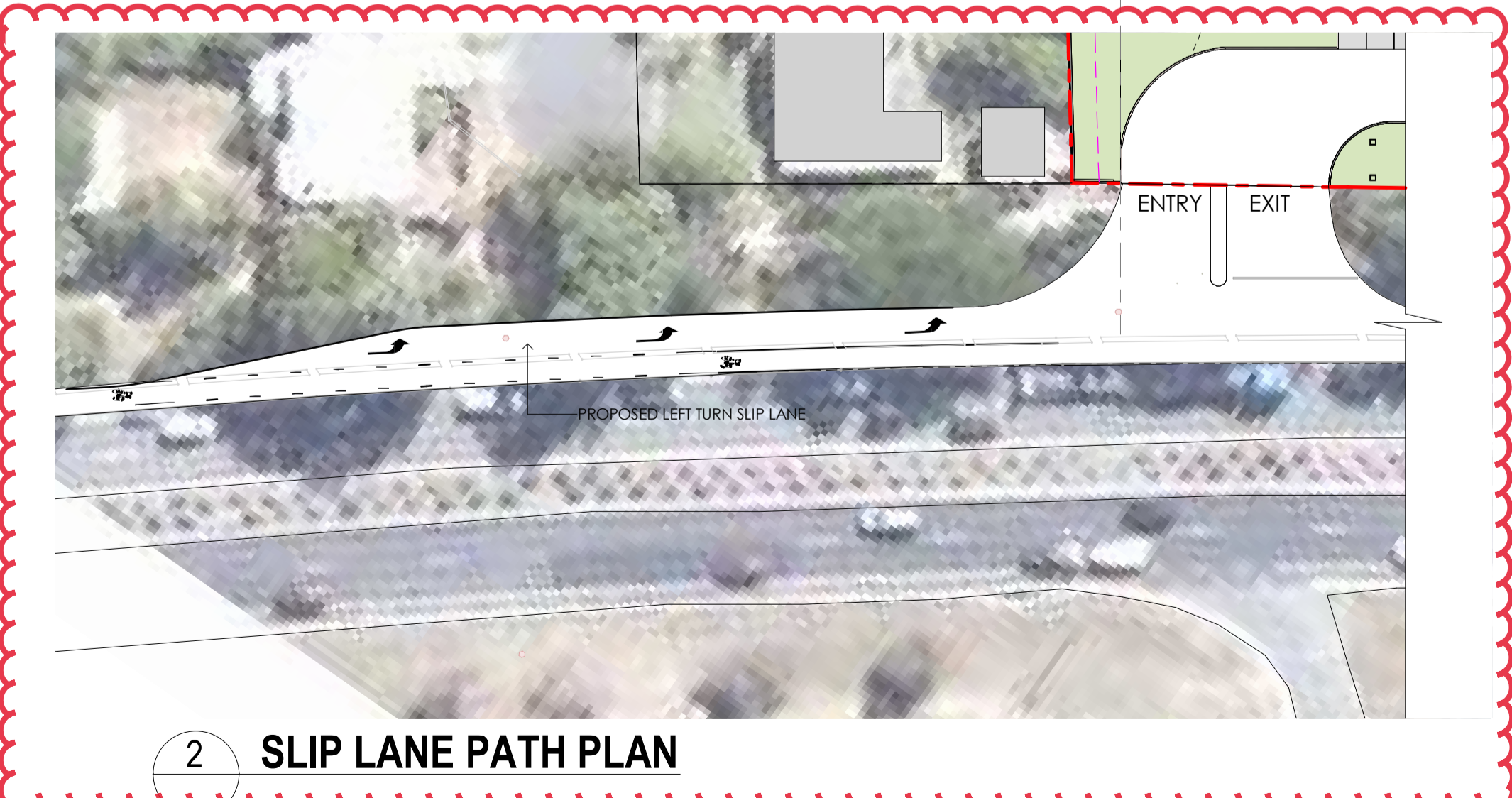
Amended in red by SARA on 3 May 2024

Provide a physical vehicle barrier in accordance with Condition 3.



The permitted road access location from Moore's Creek Road is to be located in accordance with Condition 1(a).

Provide a full length Auxiliary Left-turn (AUL) treatment at the road access location in accordance with Condition 1(b).



2 SLIP LANE PATH PLAN

LEGEND

- PROPERTY BOUNDARIES
- EASEMENTS
- LANDSCAPING
- CARSPACES

AREA SUMMARY

SITE AREA	17,203 m ²
LFR 1	1,750 m ²
LFR 2	488 m ²
LFR 3	590 m ²
LFR 4	1,110 m ²
LFR 5	407 m ²
ANACONDA	2,500 m ²
TOTAL NEW BUILD AREA GFA	6,845 m²
SITE COVERAGE PERCENTAGE	39.78%
LANDSCAPE AREA	1,451.47 m ²
LANDSCAPE AREA COVERAGE PERCENTAGE	8.43%

CAR PARKING SUMMARY

CAR SPACES	240
DISABLED SPACES	6
TOTAL CAR SPACES	246
PARKING RATIO	3.6 PER 100 SQM

SITE PLAN



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SARA ref: 2403-39496 SRA

Date: 3 May 2024



CIVIL ENGINEERING REPORT: SITE BASED STORMWATER
MANAGEMENT PLAN

Spotlight Property Group, Rockhampton

337-341 Yaamba Road, Park Avenue QLD

PREPARED FOR
SPG Developments (Manager) Pty Ltd

Ref: BN221936
Rev: C
Date: 5.2.2024

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3. Proposed Development

The proposed development is a Commercial Development that involves construction of multiple retail buildings including associated car parking, access, drainage and services infrastructure and earthworks/retaining.

The proposed architectural layout of the development prepared by Leffler Simes Architects is shown below in Figure 3-1. Full Architectural drawings are included in Appendix D.



Figure 3-1 - Proposed Development (Leffler Simes Architects, 2024)

3.1. Proposed Stormwater Management Strategy

The proposed development will introduce a new internal pit and pipe system and connect into the existing lawful point of discharge defined in Section 2.1.

Runoff generated from the site will be captured and conveyed through the proposed stormwater quantity and quality control devices. A small portion of the site will bypass the tanks and discharge towards the existing roadside channel, similar to the existing conditions.

The site will connect directly to the pit and pipe system downstream of the headwall within the verge of the road reserve (Moore's Creek Road).

A schematic of the proposed stormwater strategy is presented below in Figure 3-2.

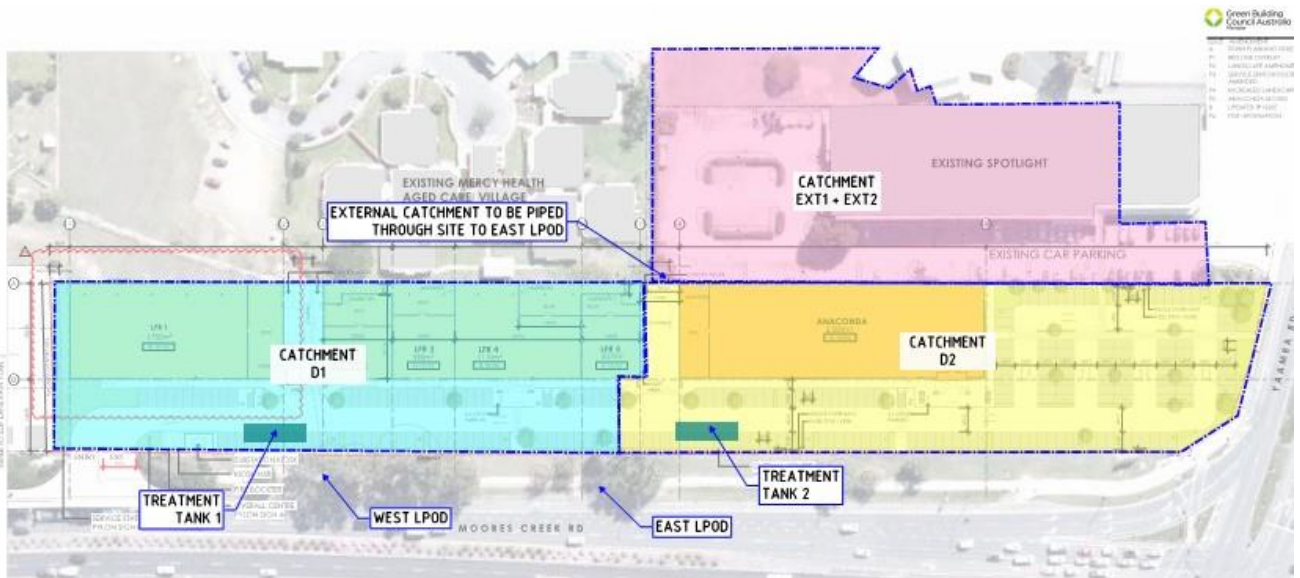


Figure 3-2 - Schematic of Proposed Stormwater Management Strategy

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6. Stormwater Quantity Management

6.1. Existing Drainage Scenario

The southern area of the site for the proposed works does not have any internal drainage systems, flows generated on the site overland flow to existing stormwater infrastructure along the southern boundary of the site located within the northern verge of Moores Creek Road.

The existing Spotlight building and associated car park is presently serviced by internal pit and pipe systems which drain to the existing stormwater infrastructure within Yaamba Road to the east with majority of the Spotlight site discharging to the Mercy Health Aged Care Facility via pipe and overland flow (DN300 pipe connection, refer to Appendix C for Survey). Flows from the Aged Care Facility will discharge to the existing dual DN450 pipes which traverse the site.

There is one external catchment north of the site which consists of grassed area within the Rockhampton Seventh Day Adventist Church site which overland flows over the boundary into the western portion of the Spotlight Carpark (Catchment EXT2), refer to Figure 5-2. During a minor event these flows will discharge to the Aged Care Site via pipe and overland flow. The existing DN300 pipe connection to the aged Care Facility has been assessed and found that flows ponding in the Spotlight site will overtop the existing kerb during the 10% AEP into the southern portion of the site. These flows have been considered in the design of the site and sizing of the detention tanks.

Figure 6-1 below shows the approximate breakdown of the internal and external catchments in relation to the site.

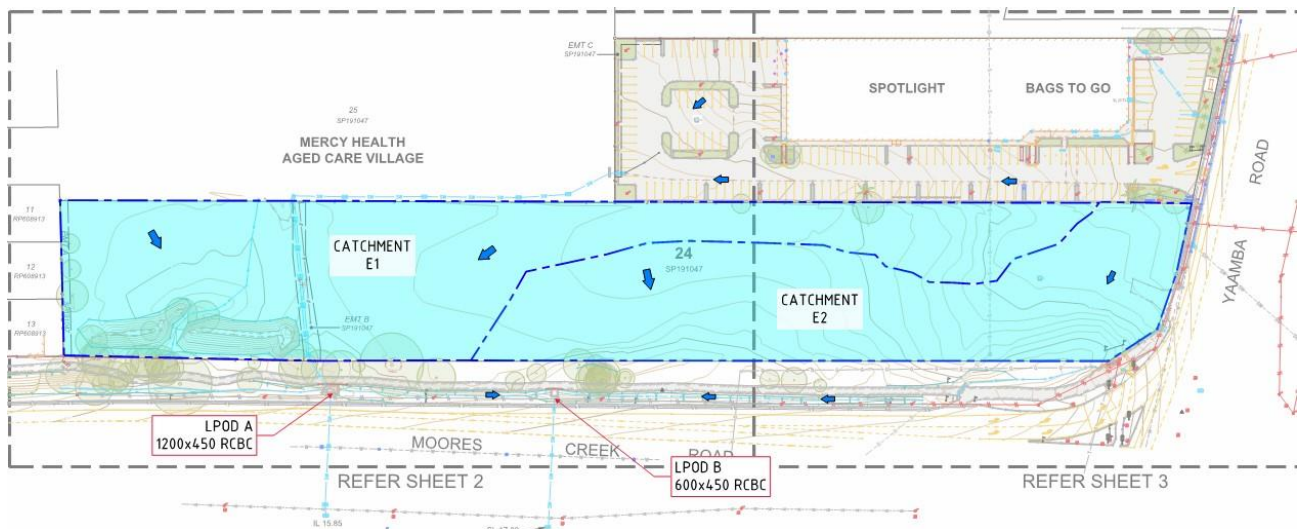


Figure 6-1 - Existing Internal Site Catchment

<p>PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE</p>		<p>Queensland Government</p>
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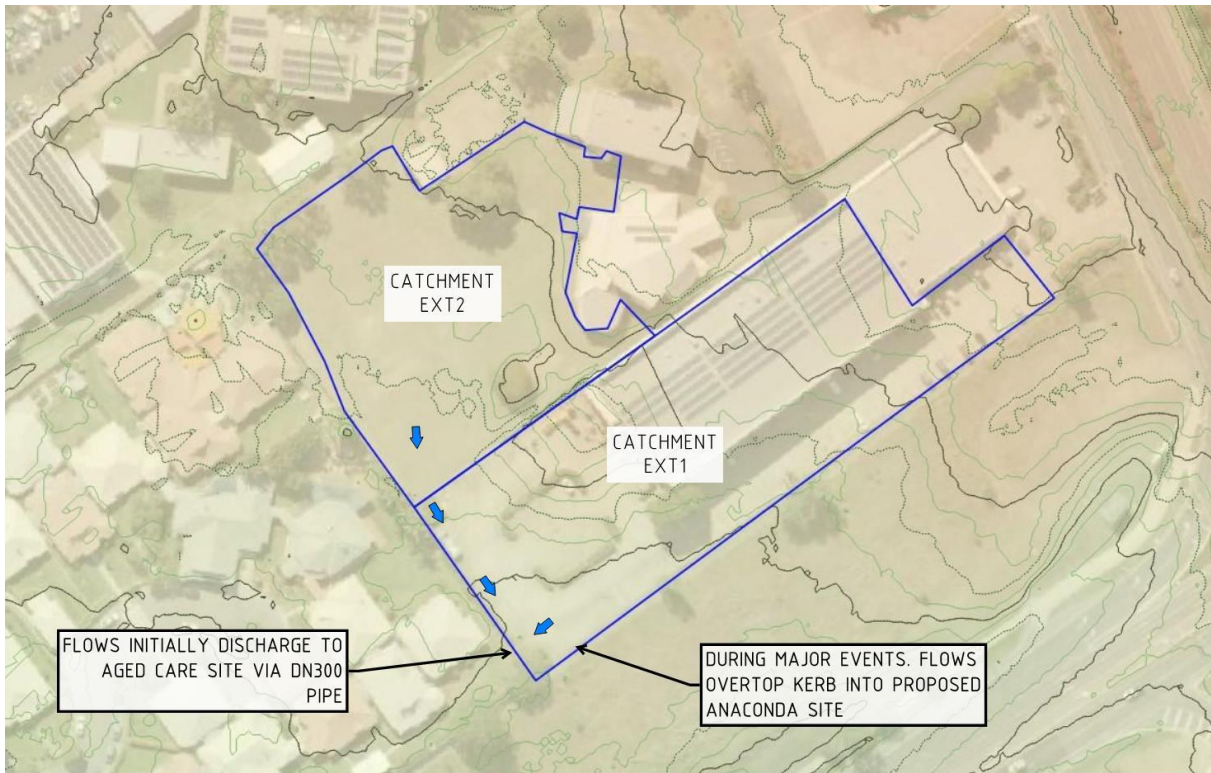


Figure 6-2 - Upstream External Catchment

6.2. Stormwater Conveyance Management

The development consists of two catchments (D1 & D2) which will discharge to the proposed On-site Detention (OSD) tanks contained within the boundary of the site before discharging to the downstream lawful point of discharge.

Flows from the external Spotlight/Church Site to the north which overtop the kerb in the existing scenario will be piped through the site. The external flows will be pipes to the downstream East LPOD similar to existing conditions. Tank 2 has been sized to cater for the piped external catchment to ensure non-worsening is achieved at the Eastern LPOD.

During the 100% blocked scenario, external flows will overtop the kerb and overland flow through the eastern loading dock. In this scenario, flows will continue through the site to the Moores Creek Rd verge without inundating the building pads.

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The DRAINS model was setup using the same parameters used in the traditional rational method listed in Table 6-1. The hydrological model parameters used in DRAINS are shown in Table 6-3. Comparison of the DRAINS model is summarised in Table 6-4 and demonstrate the general compatibility between the two hydrological models (refer to Appendix B for full Rational Method calculations).

Table 6-3 - IL-C Hydrological Model Parameters

Parameter	Value ¹
Impervious Area Initial Loss (mm)	1
Impervious Area Continuing Loss (mm)	0
Pervious Area Initial Loss (mm)	25
Pervious Area Continuing Loss (mm)	2
IFD Data	2019 Rainfall Depths from ARR Data Hub using site coordinates
Time of Concentration	Kinematic Wave Equation using detailed catchment parameters

¹ Development parameters adopted from previously approved Stormwater Management Plan prepared by Cardno

Table 6-4 - Rational Method Comparison Summary

ARI (years)	E1	E1 (DRAINS)	% Difference	D1	D1 (DRAINS)	% Difference
1	0.126	0.116	-8.82%	0.173	0.203	14.53%
2	0.149	0.146	-2.24%	0.205	0.253	18.93%
5	0.221	0.194	-13.66%	0.306	0.31	1.32%
10	0.274	0.257	-6.69%	0.377	0.357	-5.60%
20	0.330	0.326	-1.37%	0.455	0.418	-8.89%
50	0.428	0.39	-9.62%	0.579	0.496	-16.64%
100	0.499	0.468	-6.72%	0.645	0.563	-14.64%

6.5. On-Site Detention (OSD) System Design

An OSD system has been designed to achieve the stormwater quantity objectives listed in Section 4. The tank parameters are summarised below in Table 6-5.

The detention tank has been sized to ensure post development flows do not exceed pre-development flows for the entire catchment. The external catchment has been included in the tank design to allow for the change in catchment runoff characteristics that occur when piping a catchment.

The results in Table 6-7 summarises that the site post-development flows are restricted to the pre-development flows for all storm events up to and including the 1% AEP Event.

Engineering drawings in Appendix A provide more details on the tank arrangement and locality.

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Table 6-5 – OSD Tank Parameters

OSD Parameters	Tank 1 (West)	Tank 2 (East)
Required Tank Volume	185 m ³	395 m ³
Tank Base Area	170 m ²	380 m ²
Maximum Water Depth	1090 mm	1040 mm
Orifice 1	300x250mmmm @ base of tank	300x200mm @ base of tank
Orifice 3	1.2m Weir @ 820mm from base of tank	2m Weir @ 900mm from base of tank

Table 6-6 - West Catchment Comparison of Pre and Post Development Flows

ARI (years)	E1 Existing - Unmitigated	D1 Total Developed - Unmitigated	D1 Total Developed - Mitigated
1	0.116	0.203	0.115
2	0.146	0.253	0.138
5	0.195	0.31	0.163
10	0.257	0.357	0.211
20	0.325	0.418	0.302
50	0.394	0.496	0.385
100	0.474	0.563	0.461

Table 6-7 - Comparison of Pre and Post Development Flows

ARI (years)	E2+EXT1+EXT2 Existing - Unmitigated	D1+EXT1+EXT2 Total Developed - Unmitigated	D1+D2+EXT1 Total Developed - Mitigated
1	0.077	0.215	0.072
2	0.098	0.267	0.086
5	0.135	0.328	0.109
10	0.195	0.4	0.193
20	0.256	0.491	0.24
50	0.356	0.644	0.267
100	0.445	0.761	0.301

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8. Stormwater Quality Management - Operational Phase

8.1. Proposed Stormwater Quality Improvement Devices (SQID's)

During the operational phase of the development, is it proposed to construct the following stormwater quality improvement devices (SQID's) to achieve the stormwater quality objectives summarised in Section 5.1:

- 17 x Ocean Protect OceanGuard 200micron filter baskets to all stormwater inlet pits within the site;
- Tank 1 – 18 x Ocean Protect Stormfilter 690 P sorb Cartridges located within a 9.5m² Stormfilter Chamber (West)
- Tank 2 – 13 x Ocean Protect Stormfilter 690 P sorb Cartridges located within a 9.5m² Stormfilter Chamber (East)

Engineering drawings in Appendix A provide more details on the tank arrangement and locality.

8.1.1. Ocean Protect OceanGuard (200 micron)

The OceanGuard 200 inserts will be used as a pre-treatment for stormwater runoff to capture litter and coarse sediment surface flows on the site. OceanGuard inserts are to be installed on all surface inlet pits within the development.

The 200 Oceanguards consist of a steel frame and a cage. Within the cage a screening bag is attached to capture litter, debris, sediment and other pollutants from stormwater flows. The mesh size of the screening bag proposed for each OceanGuard within the site is 200 micro-meters. The mesh size is small enough to capture heavy metals and hydrocarbons associated with solids in the stormwater flows.

8.1.2. Ocean Protect StormFilter 690 PSorb

The Stormfilter 690 P sorb cartridges will be installed in the OSD tank (refer to section 0).

The Ocean Protect StormFilter system is a passive stormwater filter that cleans stormwater through a patented passive filtration system, effectively removing pollutants to meet the most stringent regulatory requirements. The StormFilter stormwater treatment system uses rechargeable, self-cleaning, media-filled cartridges to absorb and retain the most challenging pollutants from stormwater runoff including total suspended solids, hydrocarbons, nutrients, soluble heavy metals, and other common pollutants.

8.2. Stormwater Quality Modelling (MUSIC) Methodology

Stormwater quality modelling for the site was prepared using 'Model for Urban Stormwater Improvement Conceptualisation' (MUSIC) Version 6.3. The model has been built to assess the adequacy of the proposed SQID's and to ensure that the quality of stormwater meets the WQO's for the development. A diagrammatic layout of the MUSIC Model is presented in Figure 8-1 below.

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9. Maintenance

All the stormwater quantity and quality infrastructure detailed in this document are contained within the subject site and will remain an asset of the development's property owner, Body Corporate or similar internal authority.

Maintenance of the all SQIDs will be the responsibility of body corporate for the development / property owner. The maintenance should be carried out in accordance with the manufacturer's recommendations and as a minimum shall include the following:

- Ocean Protect 'Stormfilter'

Maintenance to be carried out by manufacturer's maintenance staff including but not limited to de-silting of cartridges. Refer to Appendix E for further information regarding the maintenance of the proposed StormFilter.

- Ocean Protect 'OceanGuards'

Maintenance to be carried out by manufacturer's maintenance staff including but not limited to inspection of basket and removal and lawful disposal of trapped litter/sediment. Refer to Appendix E for further information regarding the maintenance of the proposed OceanGuards.

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