



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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