



SARA reference: 2404-39883 SRA  
 Council reference: D/170-2022  
 Applicant reference: 8615

17 June 2024

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

**Attention: Kathy McDonald**

Dear Ms McDonald,

## SARA referral agency response—192 Dean Street, Berserker

(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 15 April 2024.

### Response

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Outcome:	Referral agency response – No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	17 June 2024
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development details

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Description:	'Other Change' to a material Change of use for a staged Retirement Facility (57 dwellings)
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 and thresholds
SARA reference:	2404-39883 SRA

Assessment manager: Rockhampton Regional Council  
Street address: 192 Dean Street, Berserker  
Real property description: Lot 24 on RP607814; Lot 8 on RP607712  
Applicant name: Gemstone Lifestyle No 3 Pty Ltd  
Applicant contact details: c/- Capricorn Survey Group (CQ) Pty Ltd  
PO Box 1391  
Rockhampton QLD 4700  
reception@csgcq.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 3**.

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

For further information please contact Lawson Costello, Planning Officer, on (07) 3452 7584 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Gemstone Lifestyle No 3 Pty Ltd, reception@csgcq.com.au  
enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

## Attachment 1—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 3.0). If a word remains undefined it has its ordinary meaning.

## **Attachment 2—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 application against the following code of the State Development Assessment Provisions (SDAP), version 3.0:

- State code 6: Protection of state transport networks.

The development can comply with relevant performance outcomes of State code 6: Protection of state transport networks (SDAP v3.0). Specifically:

- The development does not adversely impact state transport infrastructure, public passenger transport infrastructure, active transport infrastructure and public passenger services.
- The development maintains the operating performance of the transport network.
- The development enables safe and convenient access to public passenger transport.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.0, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

## **Attachment 3— Representations about a referral agency response provisions**

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