



SARA reference: 2406-41165 SRA
Council reference: D/53-2024
Applicant reference: 9294

8 August 2024

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

Attention: Sophie Muggeridge

Dear Ms Muggeridge,

SARA referral agency response—121 Campbell Street, Rockhampton City

(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 9 July 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	8 August 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 – Material change of use for Dual occupancy
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)

Material change of use of premises near a State transport corridor

SARA reference: 2406-41165 SRA

Assessment manager: Rockhampton Regional Council

Street address: 121 Campbell Street, Rockhampton City

Real property description: Lot 4 RP600014

Applicant name: Minor Investments Pty Ltd

Applicant contact details: c/- Capricorn Survey Group (CQ) Pty Ltd
PO Box 1391
ROCKHAMPTON QLD 4700
reception@csgcq.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: TMR24-043020
- Date: 11 July 2024

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

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 Lawson Costello, Planning Officer, on (07) 4924 2914 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Minor Investments Pty Ltd, reception@csgcq.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 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
Material change of use for Dual occupancy		
10.9.4.2.4.1 – Material change of use of premises near a State transport corridor —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 condition(s):		
1.	<p>(a) The road access location, is to be located generally in accordance with <i>Notes & Site Plan</i> prepared by Dezign Elements dated February 2024, project no. 24_035, drawing no. S-01, as amended in red by SARA on 8 August 2024.</p> <p>(b) Road access works comprising a residential driveway, (at the road access location) must be provided generally in accordance with the <i>Capricorn Municipal Development Guidelines, Residential Driveway Slab and Tracks</i>, drawing no. CMDG-R-041, rev D, dated December 2016.</p> <p>(c) The road access works must be designed and constructed in accordance with the Department of Transport and Main Roads' Standard Specifications Roads and Standard Drawings.</p>	<p>(a) At all times.</p> <p>(b) Prior to the commencement of use.</p> <p>(c) Prior to the commencement of use.</p>
2.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) concentrate or increase the velocity of flows to the state-controlled road (ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road (iii) surcharge any existing culvert or drain on the state-controlled road (iv) reduce the quality of stormwater discharge onto the state-controlled road (v) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road (vi) reduce the floodplain immunity of the state-controlled road. 	<p>(a) At all times.</p>

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) (version 3.0). If a word remains undefined it has its ordinary meaning.
State controlled road	
2.	<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' Fitzroy District on (07) 4931 1500 or at CorridorManagement@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve.</p> <p>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 the 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 1: Development in a state-controlled road environment.

The development can comply with relevant performance outcomes of State code 1: Development in a state-controlled road environment (version 3.0). Specifically:

- The development does not adversely impact the structural integrity or physical condition of state-controlled road.
- The development does not adversely impact the function and efficiency of state-controlled road.

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 4—Representations about a referral agency response provisions

(page left intentionally blank)

Attachment 5—Documents referenced in conditions

(page left intentionally blank)