



Our ref TMR13-005383
Your ref Extension to Relevant
Period 250113 pjs
Enquiries Byron Jones

Department of
Transport and Main Roads

15 July 2013

Adams & Sparkes
PO Box 455
Rockhampton QLD 4700

Attention: Peter Sparkes

Dear Sir

**REQUEST TO CHANGE DEVELOPMENT APPROVAL – RESPONSIBLE ENTITY NOTICE
OF DECISION**

Proposed Development: Development Permit for a Material Change of Use (Hotel and Shop)
Real Property Description: Lot 506R2642, 507R2642
Street Address: 10-14 Lawrie Street, Gracemere QLD 4702
Assessment Manager ref.: AF-31.16.275
Local Government Area: Rockhampton Regional Council

The Department of Transport and Main Roads (the department) confirms receipt of your request to change the abovementioned development approval under section 369 of the *Sustainable Planning Act 2009* (SPA) on 27 March 2013. The development approval for the original development application was decided on 12 February 2013.

The following changes to the department's concurrence agency response have been requested:

An amendment to Condition 1 relating to access to reflect future Department of Transport and Main Roads upgrade plans for Lawrie Street (Gavial-Gracemere Road).

The department as the responsible entity has assessed your request against its jurisdiction, namely, the purposes of the *Transport Infrastructure Act 1994* for state-controlled roads and land use and transport coordination under the *Transport Planning and Coordination Act 1994* and having regard to the matters set out in section 374 of the SPA. Please be advised that under section 375 of the SPA, the department has decided to:

Program Delivery and Operations
Fitzroy Region
31 Knight Street North Rockhampton Queensland 4701
PO Box 5096 Red Hill Rockhampton Queensland 4701

Telephone +61 7 4931 1706
Facsimile +61 7 4927 5020
Website www.tmr.qld.gov.au
Email cmo.rockhampton@tmr.qld.gov.au
ABN: 39 407 690 291

Approve the request with conditions. Please find attached a copy of the concurrence agency response for the original application showing the changes.

Pursuant to section 466 of the SPA, you may appeal against this decision by filing a Notice of Approval in the Planning and Environment Court. Your appeal must be started within 20 business days after the day this notice is given to you. Written notice of your appeal should be given to:

Chief Executive Officer
Department of Transport and Main Roads
C/- Planning Law Team
Planning Management Branch
GPO Box 213
Brisbane QLD 4001

Should you have any queries regarding this information request, please do not hesitate to contact Byron Jones, Principal Development Assessment Officer, Corridor Management and Operations on 07 4931 1706.

Yours sincerely



Byron Jones
Principal Development Assessment Officer, Corridor Management and Operations

Enc. (Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons – Amended and JTC Consulting Engineers Site Plan 206149 issue A dated 21_06_2013 as amended by the Department of Transport and Main Roads on 05_07_2013)

C/c The Chief Executive Officer
 Rockhampton Regional Council
 PO Box 1860
 Rockhampton QLD 4700



Department of
Transport and Main Roads

Our ref.: TMR13-005383
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C/c The Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
Rockhampton QLD 4700

Attention: Hayley Tiegs

Please find attached correspondence for your information and action as required. Should you wish to discuss this correspondence, please contact Byron Jones, Principal Development Assessment Officer, Corridor Management and Operations on 07 4931 1706.

Yours sincerely

Byron Jones
Principal Development Assessment Officer, Corridor Management and Operations

15 July 2013

Enc. (Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons – Amended and JTC Consulting Engineers Site Plan 206149 issue A dated 21_06_2013 as amended by the Department of Transport and Main Roads on 05_07_2013)

CONDITIONS OF DEVELOPMENT AND STATEMENT OF REAS

Fitzroy Shire: Gavial Gracemere Road

Proposed Material Change of Use (Tavern, Restaurant and Bottleshop)

Applications N° AF-31-16.275

Lot 506 & 507 on R2642S

Situated 10 Lawrie St & 2 John Street

For Adams & Sparkes Town Planning

Issues/Concerns	Conditions of development for the subject application	T
The existing lot has road frontage to a State-controlled road. To maintain safety, capacity and serviceability of the road network, the access should meet future traffic needs. Where alternative road access is available the department shall limit access to the State-controlled road to maintain capacity and serviceability of the network and reduce localised conflicts.	CONDITION 1 HAS BEEN AMENDED 1. Access The permitted and practical access to the State-controlled road (Lawrie Street) shall be left-in, left-out only generally as shown on JTC Consulting Engineers plan 'Site01' (issue B) dated 14/12/2006. The access to John Street shall be left-in, left-out only and located no closer than 14m from the Lawrie Street intersection as shown on JTC Consulting Engineers plan 'Site01' (issue B) dated 14/12/2006. 1.1 Prior to the commencement of use of the development, the Applicant/Landowner shall: construct the accesses to an 8.0m wide Commercial Driveway Type B (IMEA Std Drawing R-0052	T M 62 19 St er D M JT (is IV
	14/12/2006 provide the central medians in Lawrie Street and John Street generally as shown on JTC Consulting Engineers plan 'Site01' (issue B) dated 14/12/2006 The permitted and practical access to the State-controlled road (Lawrie Street) shall be left-in, left-out only generally as shown on JTC Consulting Engineers Site Plan 206149 (issue A) dated 21/06/2013 as amended by the Department of Transport and Main Roads on 05/07/2013.	

CONDITIONS OF DEVELOPMENT AND STATEMENT OF REASONS

**Fitzroy Shire: Gavial Gracemere Road
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Issues/Concerns	Conditions of development for the subject application	The reasons/information/studies/findings used in the setting of conditions
	The access to John Street shall be left-in, left-out only generally as shown on JTC Consulting Engineers Site Plan 206149 (issue A) dated 21/06/2013 as amended by the Department of Transport and Main Roads on 05/07/2013. 1.1 Prior to the commencement of use of the development, the Applicant/Landowner shall: • construct the accesses to an 8.0m wide Commercial Driveway Type B. • construct the kerb and channel, left turn lane (Lawrie Street) and parking bays generally as shown on JTC Consulting Engineers Site Plan 206149 (issue A) dated 21/06/2013 as amended by the Department of Transport and Main Roads on 05/07/2013. • provide the central medians and line marking in Lawrie Street and John Street generally as shown on JTC Consulting Engineers Site Plan 206149 (issue A)	

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	dated 21/06/2013 as amended by the Department of Transport and Main Roads on 05/07/2013. 2. Frontage Works Prior to the certificate of classification being issued for the development by council, the applicant/landowner shall: • Provide barrier kerb and channel along the full frontage of the development • Construct a pedestrian pathway into the development site from the State-controlled-road to council's requirements. No activities associated with the proposed development (eg, outdoor dining) are permitted within the State-controlled road reserve including the footpath. All activities associated with the development shall be contained within the lot.	
The department is concerned that the development will increase the requirement for pedestrian traffic along the State-controlled road The department is concerned that the layout may encourage activities associated with the development to encroach on the State-controlled road reserve.		Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i>.

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Glare from on-site security floodlights and/or flashing advertising sign lighting distracting or otherwise adversely affecting the vision of motorists on the adjacent main road.	3. Lighting On-site security floodlights shall be located, angled or shielded to avoid excessive distraction or glare to the passing motorists. If on-site flashing advertising sign lighting is proposed for the development, the applicant shall submit the details to the Department of Main Roads for assessment of impact on the State-controlled road.	<i>Transport Infrastructure Act 1994.</i> Maintain the safety and efficiency of the State-controlled road.
The department is concerned that the placement of services by developers in the State-controlled road reserve may restrict future activities in the reserve.	4. Public Utility Services Where services (required to serve this development) are proposed to be laid/placed within the boundaries of the State-controlled road reserve, they shall be laid/placed in accordance with Main Roads requirements.	<i>Transport Infrastructure Act 1994.</i>

CONDITIONS OF DEVELOPMENT AND STATEMENT OF REASONS

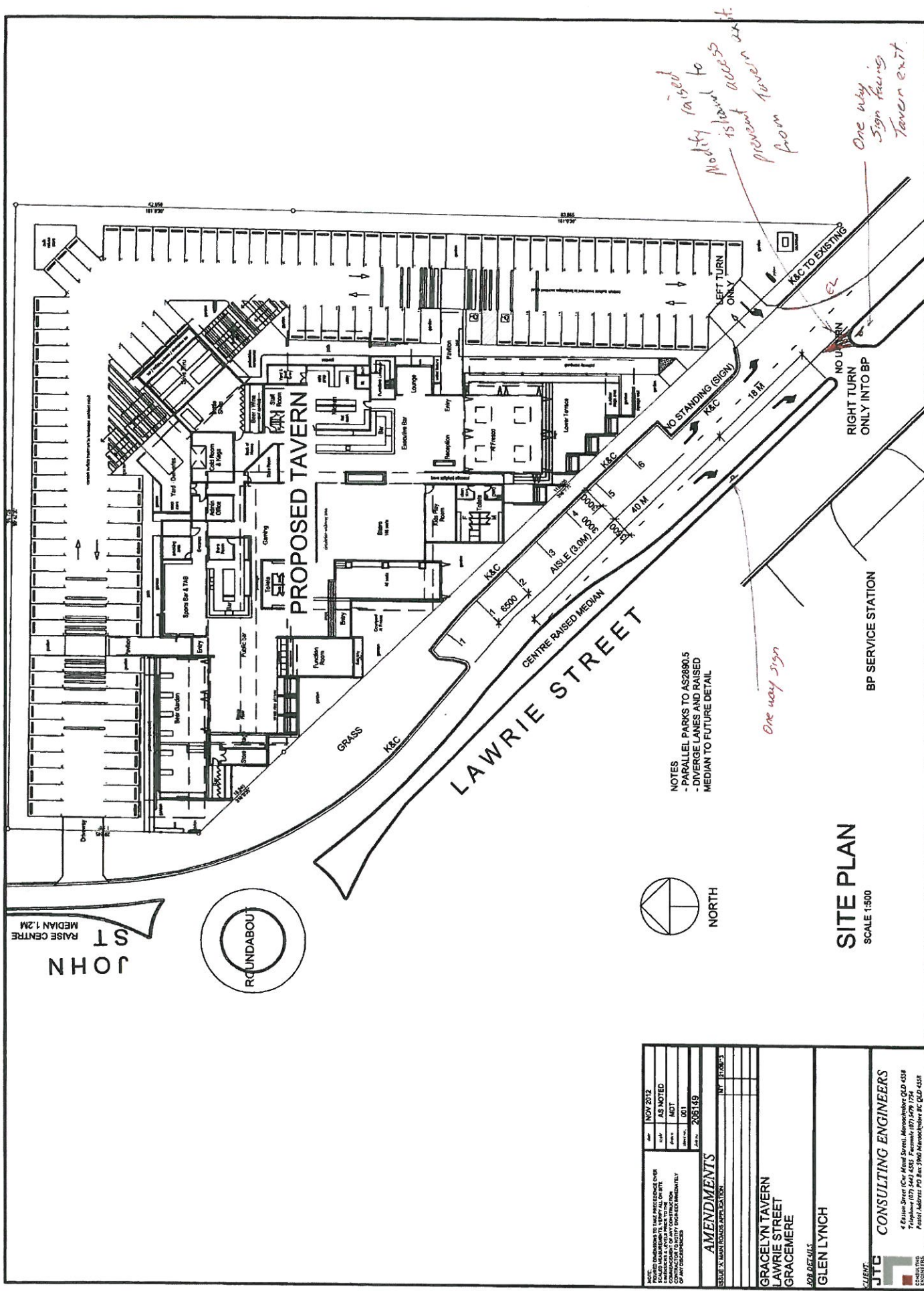
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On-site advertising signage distracting or otherwise adversely affecting motorists on the adjacent State-controlled road.	5. Advertising The Applicant shall submit the details for proposed advertising devices/signage to the Department of Main Roads for assessment of any impacts on the State-controlled road.	Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> to control advertising signage that may adversely impact on the safety and efficiency of the State-controlled road.
Plans are required to be submitted to the department to demonstrate the operational works proposed to be constructed within the State-controlled road reserve. Amendments may be required to the plans showing the operational works prior to the issuing of the approval to construct.	6. Operational Works Preparation of plans (in accordance with RFCD-0101) and submission of plans to the Rockhampton office of Department Main Roads for approval. NO OPERATIONAL WORKS (INCLUDING INSTALLATION OF SERVICES) ARE TO COMMENCE WITHIN THE STATE-CONTROLLED ROAD RESERVE UNTIL APPROVAL OF THE PLAN/S SHOWING THE OPERATIONAL WORKS IS ISSUED BY THE DEPARTMENT. This approval may be subject to conditions related to the operational works construction process.	Main Roads has the power under section 33 of the <i>Transport Infrastructure Act 1994</i> to require plans of proposed works to be submitted for review and acceptance prior to the works commencing.

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05/07/2013



SITE PLAN
SCALE 1:500

NOTES: PROVIDED DIMENSIONS TO LINE PRECEDENCE OVER DIMENSIONS TO FACE UNLESS SPECIFICALLY NOTED DIMENSIONS TO FACE PREVALENT ON SITE DIMENSIONS TO FACE PREVALENT ON SITE CONTRACTOR TO VERIFY DIMENSIONS IMMEDIATELY OF ANY DISCREPANCIES		REV. NOV 2012
AMENDMENTS		REV. 2006.149
GRACELYN TAVERN LAWRIE STREET GRACEMERE		REV. 13/06/13
GLEN LYNCH		REV. 13/06/13
CLIENT JTC CONSULTING ENGINEERS 4 Epping Street (Cnr Mural Street), Murrumbidgee QLD 4516 Telephone (07) 5441 6555 Facsimile (07) 5441 178 Postal Address: PO Box 390 Murrumbidgee BC QLD 4508		REV. 13/06/13

