



Queensland Treasury

SARA reference: 2011-19612 SRA
 Council reference: D/120-2020
 Applicant reference: 7739

4 December 2020

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

Dear Sir/Madam

SARA response—452 Lakes Creek Road, Lakes Creek

(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 November 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	4 December 2020
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 Agenc.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 Item 1 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a state-controlled road	
SARA reference:	2011-19612 SRA	
Assessment Manager:	Rockhampton Regional Council	

Street address: 452 Lakes Creek Road, Lakes Creek
Real property description: 10RP608774
Applicant name: R. and D. Minor
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: TMR20-031424
- Date: 1 December 2020

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

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 Jonas Griffin Fodaro, Planning Officer, on 4924 2915 or via email RockhamptonSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc R. and D. Minor, 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 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 2, Table 4 Item 1 (Planning Regulation 2017)—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) Road works comprising vehicle crossover onto the state-controlled road, must be provided generally in accordance with Site Plans prepared by Deziign Elements Building Designers, dated August 2020, reference A-02 and revision A.</p> <p>(b) The road works must be designed and constructed in accordance with Capricorn Municipal Development Guidelines 'Residential Driveway Slab and Tracks - Slab Abutting Channel Invert Barrier Kerb and Channel', dated December 2016, ref. CMDG-R-041, rev. D.</p>	Prior to commencement of use.

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) v2.6. If a word remains undefined it has its ordinary meaning.
2.	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 Office on 4931 1500 to make an application for road works approval. 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.

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:

- The proposal is a material change of use for a dual occupancy.
- The proposed dual occupancy is considered to cause no worsening of stormwater, flooding and drainage onto the state-controlled road.
- The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road.
- The development complies with relevant provisions of State code 1 of the State Development Assessment Provisions, version 2.6, subject to the implementation of conditions.

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 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4—Change representation provisions

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Attachment 5—Approved plans and specifications

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