



SARA reference: 2011-19864 SRA
 Council reference: D/127-2020
 Applicant reference: N/A

21 December 2020

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

Dear Sir/Madam

SARA response—40, 42, 44 Albert 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 20 November 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	21 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 Food and Drink Outlet (Drive-through Coffee Shop) Operational work for Signage (Wall Sign)
SARA role:	Referral Agency.	
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:	2011-19864 SRA	
Assessment Manager:	Rockhampton Regional Council	

Street address: 40 Albert Street, Rockhampton City; 42 Albert Street, Rockhampton City; 44 Albert Street, Rockhampton City
Real property description: Lot 1 on RP602012; Lot 2 on RP602012; Lot 3 on RP602012
Applicant name: Kele Property Group (QLD) Pty Ltd
Applicant contact details: PO Box 450
Rockhampton QLD 4700
gg@gideontownplanning.com.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 (section 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 (07) 4924 2915 or via email RockhamptonSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Patrick Ruettjes
Manager (Planning), Mackay Isaac Whitsunday Regional Office

cc Kele Property Group (QLD) Pty Ltd, gg@gideontownplanning.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 - Referral plans

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—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.	The development must be carried out generally in accordance with Stormwater Management Plan prepared by McMurtrie Consulting Engineers, dated 4 November 2020, reference 036-20-21 and revision A.	At all times.
2.	(a) Road works comprising Channelised Right Turn (Short) and 'keep clear' linemarking, must be provided generally in accordance with Traffic Advice prepared by McMurtrie Consulting Engineers, dated 10 November 2020, reference 0362021 and revision A. (b) The road works must be designed and constructed in accordance with the Road Planning and Design Manual, 2nd Edition.	(a) and (b) Prior to the commencement of use.

Attachment 2—Advice to the applicant

General advice

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| 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. |
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Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- The proposal is for is for a drive-through coffee shop.
- Access to the site will be from a local road.
- The location and design of vehicular access to a local road within 100 metres of an intersection with a State-controlled road does not create a safety hazard for users of a State-controlled road.
- Development does not result in a worsening of operating conditions on the State-controlled road network.
- Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a State-controlled road.
- The development is considered to be compliant with the State Development Assessment Provisions: *State code 1: Development in a State-controlled road environment* subject to imposed 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 SARA
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4—Change representation provisions

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Attachment 5—Referral plans

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