



SARA reference: 2101-20491 SRA
 Council reference: D/135-2020

8 March 2021

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

Dear Amanda O'Mara

SARA response—Rookwood Weir extractive and high impact industry

(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 on 18 January 2021.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	8 March 2021
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	<p>Material change of use for Extractive Industry and High Impact Industry (concrete batching)</p> <p>Material Change of Use for Environmentally Relevant Activity 16(1)(b) - Dredging, in a year, for more than 10,000 tonnes but not more than 100,000 tonnes</p> <p>Material Change of Use for Environmentally Relevant Activity 16(2)(b) - Extracting,</p>
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other than by dredging, in a year more than 100,000 but not more than 1,000,000 tonnes

Material Change of Use for Environmentally Relevant Activity 16(3)(b) – Screening, in a year more than 100,000 but not more than 1,000,000 tonnes

SARA role:	Referral Agency.
SARA trigger:	Schedule 10, Part 19, Division 2, Subdivision 3, Table 1, Item 1 (Planning Regulation 2017) Removing quarry material from a watercourse from a watercourse or lake Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2017) Environmentally relevant activities (only if ERA has not been devolved to a local government) Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) Infrastructure - state transport infrastructure
SARA reference:	2101-20491 SRA
Assessment Manager:	Rockhampton Regional Council
Street address:	540 Weir Park Road, Gogango
Real property description:	Lot 1 on SP318749; Lot 2 on SP318749; Lot 9 on PN405; Lot 10 on SP311298; Lot 3 on SP318753; Lot 4 on SP318753
Applicant name:	Sunwater Limited
Applicant contact details:	PO Box 450 Rockhampton QLD 4700 gg@gideontownplanning.com.au
Environmental Authority:	This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none"> • Approved • Reference: EA0002749 • Effective date: In accordance with Section 200 of the <i>Environment Protection Act 1994</i> • Prescribed environmentally relevant activities (ERA): <ul style="list-style-type: none"> - 16(1)(b) - Dredging, in a year, for more than 10,000 tonnes but not more than 100,000 tonnes - 16(2)(b) - Extracting, other than by dredging, in a year more than 100,000 but not more than 1,000,000 tonnes - 16(3)(b) – Screening, in a year more than 100,000 but not more than 1,000,000 tonnes

If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: www.des.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 Duncan Livingstone, Principal Planner, on 34527180 or via email DAAT@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Conner', written over a light grey rectangular background.

Steve Conner
Executive Director

cc Sunwater Limited - 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 - Change representation provisions
Attachment 5 - Approved plan

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		
The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Regional Development, Manufacturing and Water 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 conditions:		
1.	Any person(s) engaged or employed to carry out works under this development approval must be provided with a full copy of this development approval and must be made aware of the full extent of works authorised by this development approval.	For the duration of the works
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:		
2.	No haulage of any extractive material, associated with the proposed development, is permitted on the state-controlled road network.	At all times
The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science 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:		
3.	Carry out the dredging, extracting and screening works generally in accordance with the following plan: (a) Proposed Weir Layout Impact Area Layout, prepared by Mcurtrie consulting engineers, DATE 02.12.20, Drawing Number 0181718-0004, Revision G, as amended in red by SARA.	At all times

Attachment 2—Advice to the applicant

General advice – State Development Assessment Provisions	
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.
Quarry Material Allocation Notice	
2.	The development approval must be read in conjunction with the Quarry Material Allocation Notice (QMA1000378) issued by the chief executive administering the <i>Water Act 2000</i> .

Attachment 3—Reasons for referral agency response

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

The reasons for the department's decision are:

Through imposing conditions:

- The proposal complies with the relevant State Development Assessment Provisions
- Impacts associated with the dredging, extracting and screening are adequately mitigated
- There will be no undue impacts to the state transport network
- The development does not adversely impact on the natural riverine ecosystem

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 plan

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LEGEND

- Dredge area
- Extraction area
- Screening area

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

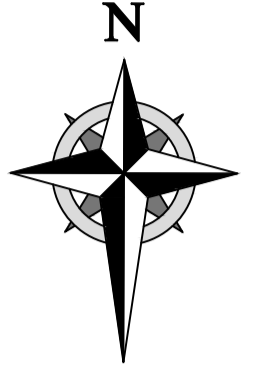
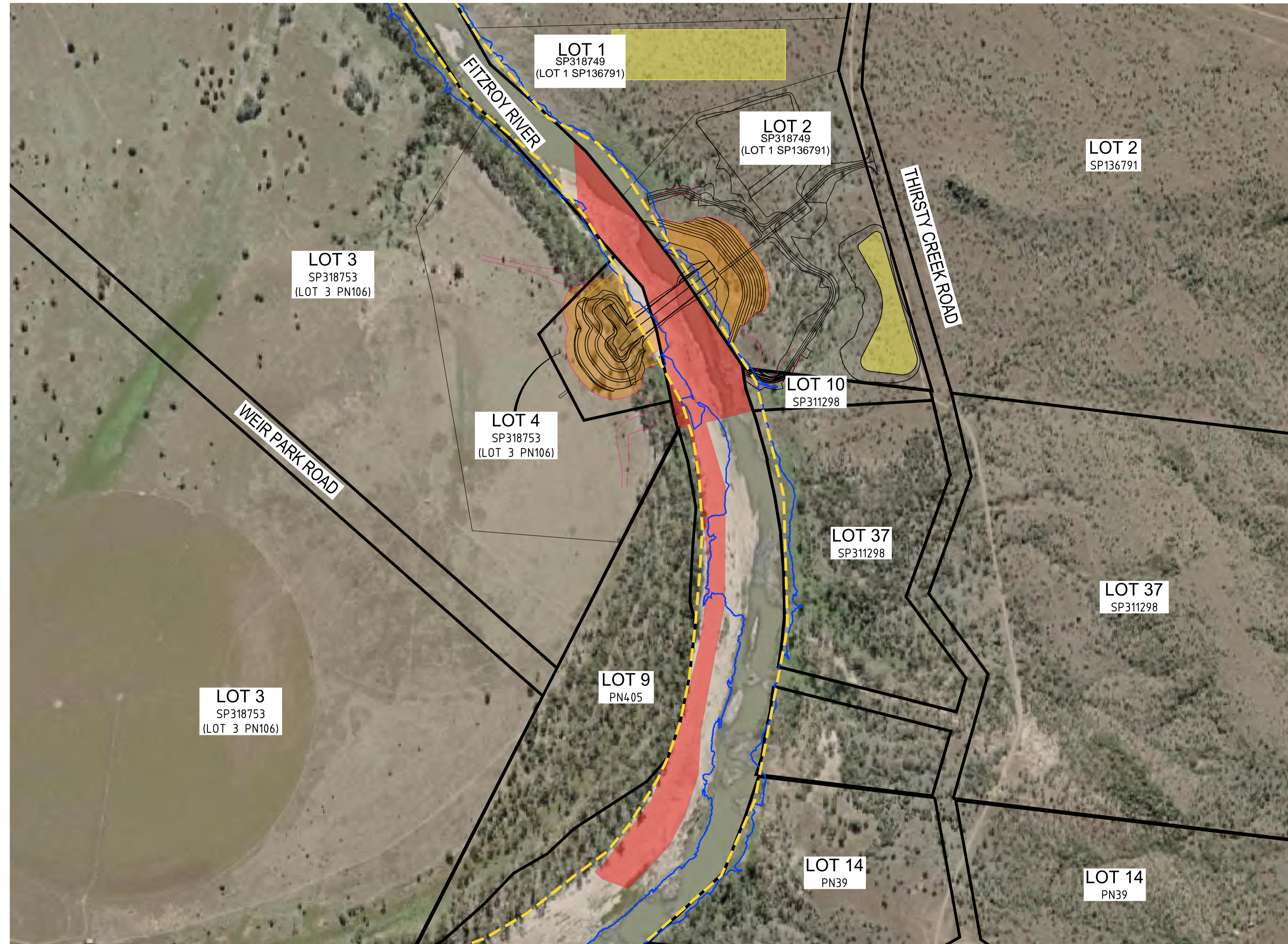


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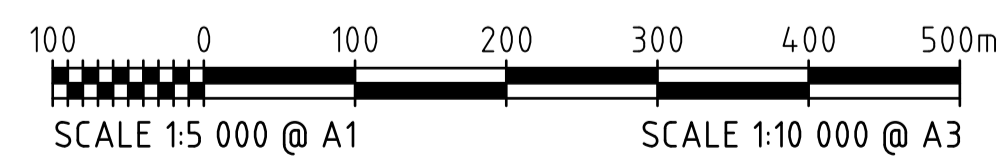
Amended in red by SARA on

8 March 2021



PROPOSED EXTRACTIVE INDUSTRY & MEDIUM IMPACT INDUSTRY

SCALE: 1:5,000(A1) 1:10,000(A3)



DRAWING LOCATION: S:\PROJECTS\ROCKWOOD WEIR\DRAWINGS\SET\INDIVIDUAL DRAWINGS\INDIVIDUAL DRAWINGS\181718 - ROCKWOOD WEIR IMPACT AREA.DWG

SURVEYOR		REV	DATE	REVISION DESCRIPTION	DFT	DFT CHK	DES	DES CHK	BY	DATE	CLIENT
ADDRESS:	G	02.12.20		AMENDED CALCULATED AREAS	RN		CH				
	F	30.11.20		PROPOSED HIGHBANK ALIGNMENT ADDED	RN		CH		REVIEWED		
	E	19.11.20		ADDED RL 35.00 CONTOUR	RN		CH				
	D	05.11.20		ADDED RL 56.00 CONTOUR	R.N		C.H				
	C	22.09.20		ADDED NEW PROPERTY BOUNDARY EXTENTS LOT 10 SP311298	R.C		C.H				
CO-ORDINATE DATUM	B	21.09.20		ADDED ACCESS TRACK EXTENTS IN LOT 37	R.C		C.H		RPEQ ENG		
	A	27.07.20		SUBMITTED FOR INFORMATION	M.T		C.H				
HEIGHT DATUM											

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SCALE: AS SHOWN

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CLIENT: ROKWOOD WEIR PLANNING MAPPING

TITLE: PROPOSED WEIR LAYOUT
IMPACT AREA LAYOUT

DRAWING NUMBER: A1 0181718-0004

REVISION: G

PLOT DATE: 20/02/2021 1:38:01 PM

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. 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.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.