



Department of Infrastructure,
Local Government and Planning

Our reference: SPD-0617-036984
Your reference: 5139
Assessment manager reference: D/389-2010

6 July 2017

Korte Nominees Pty Ltd
C/- Capricorn Survey Group
PO Box 1391
Rockhampton QLD 4700
reception@csgcq.com.au

Attention: Richard Ford

Dear Sir/Madam,

Notice of changed concurrence agency response

984-986 Yaamba Road, Parkhurst (Lot 21 on SP171783)

(Given under section 376 of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning received representations under section 369 of the *Sustainable Planning Act 2009* on 8 June 2017 for the original decision described below.

Applicant details

Applicant name:	Korte Nominees Pty Ltd
Applicant contact details:	C/- Capricorn Survey Group PO Box 1391 Rockhampton QLD 4700

Site details

Street address:	984-986 Yaamba Road, Parkhurst
Real property description:	Lot 21 on SP171783
Local government area:	Rockhampton Regional Council

Application details

Proposed development: Permissible change to a development permit for a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)

Nature of the changes

The nature of the changes agreed to are:

- Condition 1 —Amended to include additional approved plan.
- Condition 1 —Approved plan, amended in red, to reflect changes to ingress/egress to the State-controlled road.
- Condition 2—Amended to remove superfluous requirements following planned upgrade to the State-controlled road.
- Add a new Condition 2.5 – limiting the access to left-in / left-out to accommodate changes to the State-controlled road (planned upgrade).
- Condition 3 – Deleted as no land required for dedication for the road upgrade.
- Addition of condition timing.

Original concurrence agency response

Date of original concurrence agency response: 2 March 2011 (Department of Transport and Main Roads)

Original concurrence agency response details: Approved subject to conditions

Changed concurrence agency response

Date of changed concurrence agency response: 30 May 2014 (Department of State Development, Infrastructure and Planning)

Changed concurrence agency response details: Approved subject to conditions

Changed concurrence agency response

Date of changed concurrence agency response: 16 January 2015 (Department of State Development, Infrastructure and Planning)

Changed concurrence agency response details: Approved subject to conditions

Changed concurrence agency response

Date of changed concurrence agency response: 6 July 2017 (Department of Infrastructure, Local Government and Planning)

Changed concurrence agency response details: Approved subject to conditions

Conditions

This approval is subject to:

- the changed concurrence agency conditions in Attachment 1.

The department has, for particular conditions of this approval, nominated an entity to be the assessing authority for that condition under section 255D(3) of the *Sustainable Planning Act 2009*.

Rights of appeal

The rights of applicants to appeal to the Planning and Environment Court against decisions about a development application are set out in chapter 7, part 1, division 8 of the *Sustainable Planning Act 2009*. For particular applications, there may also be a right to appeal to the Building and Development Dispute Resolution Committee (see chapter 7, part 2 of the Act).

Copies of the relevant appeal provisions are attached.

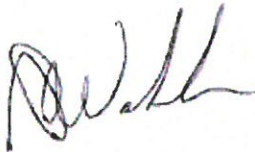
Amended approved plans and specifications

Copies of the following approved plans and specifications are attached:

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Permissible change to a development permit for a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)				
Proposed Site Master Plan, amended in red	ARC 2	18 March 2014	DA01B	Issue B
Line Marking & Signage Sheet 1 of 2	Brown Consulting (QLD) Pty Ltd	December 2014	R14068-128	Issue B
Line Marking & Signage Sheet 2 of 2	Brown Consulting (QLD) Pty Ltd	December 2014	R14068-129	Issue B
Concept Plan – Proposed GFA, amended in red	Capricorn Survey Group (CQ) Pty Ltd	June 2017	5139-01-GFA	Revision B

For further information please contact Rebecca Curtis, A/Senior Planning Officer on (07) 4924 2915 or via email at RockhamptonSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'A. Walsh', with a stylized flourish at the end.

Anthony Walsh
Manager Planning
Fitzroy and Central

enc: Attachment 1 - Changed Concurrence agency conditions
Attachment 2—Approved plans and specifications
Attachment 3 - SPA appeal provisions

Cc: The Chief Executive Officer, Rockhampton Regional Council, your ref: D/389-2010

Our reference: SPD-0617-036984
 Your reference: 5139
 Assessment manager reference: D/389-2010

Attachment 1- Changed concurrence agency conditions

No.	Conditions of development approval	Condition timing <i>Amended 6 July 2017</i>
Aspect of development: Permissible change to a development permit for a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)		
<i>State-controlled road</i> - Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing 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>Amended 6 July 2017</p> <p>Development shall be carried out generally in accordance with the following plans except as modified by the conditions:</p> <ul style="list-style-type: none"> • ARC 2, Drawing No. DA01B, Proposed Site Master Plan, dated 18 March 2014, as amended in red • 'Concept Plan – Proposed GFA' prepared by Capricorn Survey Group (CQ) Pty Ltd, dated , and referenced 5139-01-GFA (Revision B), as amended in red. 	<p>Prior to the commencement of use and to be maintained at all times.</p>
2.	<p>Amended 6 July 2017</p> <p>2.1 Access to/from the development to the State-controlled road (Bruce Highway) shall be located approximately 40m from the southern boundary of the lot, opposite to the existing Brown and Hurley access.</p> <p>2.2 Prior to the Certificate of Classification for the development the applicant shall construct an access intersection with the State-controlled road (Bruce Highway) to a channelised intersection generally in accordance with Brown Consulting (QLD) Pty Ltd, Drawing No. R14068-128 and R14068-129, Issues B, dated 12/14.</p> <p>2.3 The intersection is to be designed and constructed strictly in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice, such that the intersection will operate within acceptable levels of service and capacity for ten years from the commencement of the use.</p> <p>2.4 Prior to the commencement of use the applicant shall install category V3 lighting at the access intersection with the State-controlled road (Bruce Highway) in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice.</p>	<p>2.1 Prior to the commencement of use.</p> <p>2.2 – 2.3 Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first.</p> <p>2.4 Prior to the commencement of the use of each stage.</p> <p>2.5 Prior to obtaining a final inspection certificate or certificate of</p>

No.	Conditions of development approval	Condition timing <i>Amended 6 July 2017</i>
	<p>2.5 The road access location is restricted to a left-in/left-out arrangement only, at the site access to the State-controlled road (Bruce Highway).</p> <p><i>Note: The applicant is advised that the access to the development will revert to a left in left out arrangement in the future to accommodate a four lane scenario on this section of the Bruce Highway.</i></p>	<p>classification, whichever is applicable, or prior to the commencement of use, whichever occurs first</p>
3.	<p><i>Deleted 6 July 2017</i></p> <p>FUTURE STATE-CONTROLLED ROAD REQUIREMENTS</p> <p>3.1 In order to protect the future state-controlled road requirements and services, the applicant/landowner shall incorporate a building exclusion area into the development. The building exclusion area shall be 12 metres wide measured from the common property boundary of lot 22 and the State-controlled road reserve, along the full frontage of lot 22. The building exclusion envelope is to allow for the future upgrading of the Bruce Highway.</p> <p>3.2 The area of future requirement is to be excluded from the proposed development and kept clear of any permanent structures or improvements associated with the development.</p> <p>3.3 Standard building setbacks should be applied from the anticipated future boundary</p>	
4.	<p>4.1 The applicant/landowner shall not increase the peak intensity of stormwater runoff onto the State-controlled road (Bruce Highway) from the proposed development for all events up to ARI 50.</p> <p>4.2 Overland stormwater runoff from the site onto the Bruce Highway is:</p> <ul style="list-style-type: none"> • Not to exceed present overland flow rates (in terms of rate of flow of water from a storm event - this may require the installation of internal stormwater drainage collection, detention and water quality systems). • To comply with Water quality objectives of the Healthy Waterways publication "Developing Design Objectives for Water Sensitive Urban Design Development in SE Queensland". <p>4.3 Details for any proposed drainage scheme to manage runoff from the development are to be provided as part of the Works in State-controlled Road plans for the Department's acceptance prior to the construction of the drainage infrastructure. The works are to be constructed and accepted by the Department of Main Roads prior to the issue of the Development Permit for Building Works for the development.</p>	<p>4.1 – 4.2 Prior to the commencement of use and to be maintained at all times.</p> <p>4.3 Prior to the construction of the Drainage infrastructure</p> <p>4.4 Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first</p>

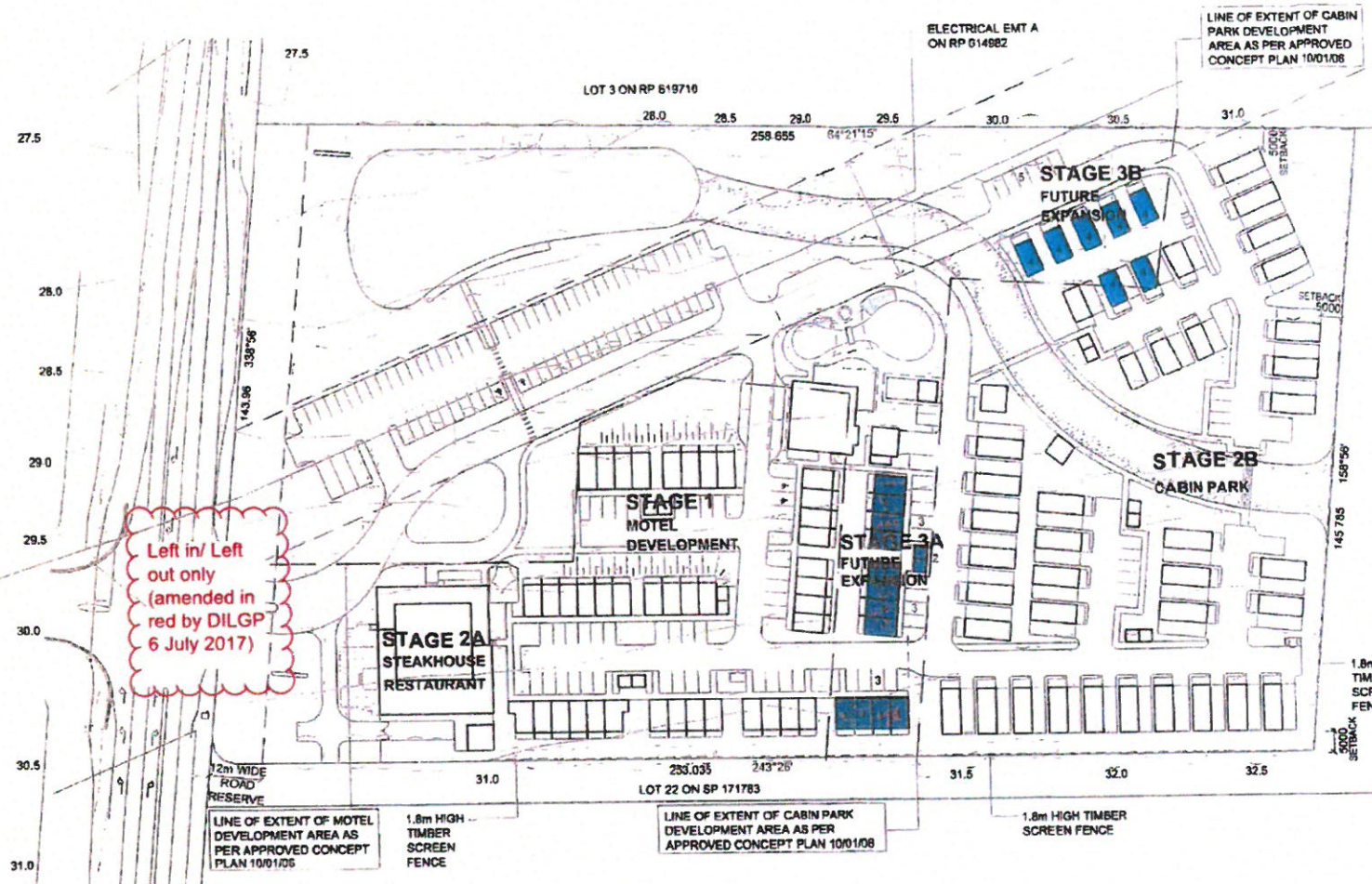
No.	Conditions of development approval	Condition timing <i>Amended 6 July 2017</i>
	4.4 Submit to the Department of Main Roads, certification from a Registered Professional Engineer of Queensland (RPEQ) that these conditions have been fulfilled.	
5.	<p>5.1 Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:</p> <p>5.1.1 Architecturally treat the building envelope of all affected units and Managers unit in accordance with AS3671 to achieve the criteria stated in AS2107. The acoustical report prepared by TTM Acoustics, dated 23/09/2009 (the TTM Report) has provided sufficient guidance to the applicant/landowner.</p> <p>5.2 Prior to the issue of a Building Permit for the carrying out of building work within the noise affected lot, the applicant/landowner shall submit to the Rockhampton office of the Department of Main Roads a bank cheque or bank guarantee to the value of \$1,000 per affected unit as security for the "certification" from an acoustical consultant (RPEQ) that the noise control measures have been implemented in the building design in accordance with AS3671. The applicant/landowner shall submit a copy of the acoustical certification of the building design with the security bond.</p> <p>5.3 It is essential that the acoustical treatments (architectural measures) be implemented by the developer in the building construction. Thus the developer shall engage the services of an acoustical engineer to certify (RPEQ) that the architectural measures have been incorporated into the building envelope. This will require the acoustical engineer to undertake inspections both during and at the end of construction. It is the developers' responsibility to forward certification to Main Roads prior to Council or a private building certifier's certificate of classification being issued.</p> <p><i>The building security will be refunded on receipt of the "certification" and acceptance of the certification by Main Roads.</i></p> <p>5.4 Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:</p> <p>5.4.1 Construct a noise barrier at the location and to the heights detailed in Appendix D of the TTM report. All noise barriers shall be designed and constructed in accordance with the requirements of Main Roads Standard Specification MRS 11.15 (6/05) and Council</p>	<p>5.1-5.4 Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first</p>

No.	Conditions of development approval	Condition timing <i>Amended 6 July 2017</i>
	<p>requirements, in particular:</p> <p>5.4.2 The landowner shall be responsible for the maintenance of the noise barrier to the Department of Main Roads' satisfaction. No alteration shall be made to the noise barrier after its acceptance by the Department of Main Roads without written approval from the Department.</p> <p><i>The TTM Report has based the assessment on assumed finished floor levels for the units as per Appendix A. If these finished floor levels are altered by more than 200mm, a new acoustical assessment will be needed. The developer shall supply the building pad levels in AHD datum for each dwelling unit that the acoustical consultant has used in the calculations.</i></p>	
6.	No parking associated with the proposed development shall be permitted on the State-controlled road (Yaamba Road). This includes during the construction phase of the development. All parking required by the local government in accordance with the local government planning scheme shall be accommodated within the lot. Relaxation of parking requirements will not be supported.	Prior to the commencement of use and to be maintained at all times
7.	All external lighting and signage associated with the development shall not impact on the safety of motorists using the state-controlled road. The external lighting shall be positioned and shielded to prevent light intrusion and glare onto the State-controlled road. Signage shall not cause a distraction. All these associated facilities shall be fully contained within the development site with no encroachment onto the State-controlled road.	At all times
8.	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.	At all times
9.	<p>Preparation of plans (in accordance with RFCD-0101) and submission of plans to the Rockhampton office of the Department of Main Roads for approval.</p> <p>NO WORKS (INCLUDING INSTALLATION OF SERVICES) ARE TO COMMENCE WITHIN THE STATE-CONTROLLED ROAD RESERVE UNTIL APPROVAL OF THE PLAN/S SHOWING THE PROPOSED WORKS IS ISSUED BY THE DEPARTMENT.</p> <p>This approval may be subject to conditions related to the works construction process.</p>	Prior to obtaining development approval for operational work or building work, whichever occurs first

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Attachment 2 – Amended approved plans and specifications

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LEGEND

STAGE 3A - MOTEL EXPANSION

1. STANDARD MOTEL UNIT (1 STOREY)
2. STORE & LAUNDRY (1 STOREY)
3. MOTEL PARKING

STAGE 3B - CABIN PARK EXPANSION

4. 1 BEDROOM CABIN ACCOMMODATION
5. VISITOR & CABIN PARKING

- DRIVEWAY & CARPARKING
- LANDSCAPING
- PEDESTRIAN PATHWAY
- DRY CREEK BED/ STORMWATER DRAINAGE PATH - REFER CIVIL ENG'S & LANDSCAPE ARCH. DWGS

ROCKHAMPTON REGIONAL COUNCIL AMENDED PLANS APPROVED

16-05-2014

DATE

These plans are approved subject to the consent conditions of approval as stated with:

Development Permit No D/403/2010 dated 18-04-2011

PROPOSED SITE MASTER PLAN SCALE 1:500 @ A1

RPD -
LOT 21 ON
SP 171783

DEVELOPMENT SUMMARY- STAGE 3A & 3B

TOTAL SITE AREA	- 38118 sqm (3.812 Ha)
STAGE 3A - MOTEL EXPANSION	
STANDARD MOTEL ROOM FLOOR AREA	- 28 sqm each = 336 sqm total (12 No.)
STORE & LAUNDRY	- 15 sqm = 15 sqm total (1 No.)
TOTAL FLOOR AREA	- 351 sqm
SITE COVER	- 0.9%
STAGE 3B - CABIN PARK EXPANSION	
1 BEDROOM CABIN ACCOMMODATION	- 31.8 sqm = 221.2 sqm total (7 No.)
TOTAL FLOOR AREA	- 221.2 sqm
SITE COVER	- 0.6%

CARPARKING

STAGE 3A - MOTEL EXPANSION

PARKING REQUIRED
- 1 SPACE PER MOTEL ROOM = 12 TOTAL

STAGE 3B - CABIN PARK EXPANSION

PARKING REQUIRED
- 1 SPACE PER CABIN = 7 TOTAL
- 1 VISITOR SPACE PER 4 CABINS = 2 TOTAL
TOTAL PROVIDED

PARKING PROVIDED
- 12 SPACES

PARKING PROVIDED
- 7 SPACES
- 2 SPACES
- 9 SPACES

PROPOSED MOTEL & CABIN PARK EXPANSION - STAGE 3A & 3B FOR KORTE NOMINEES PTY LTD AT 982-996 YAAMBA RD PARKHURST



PROJECT NO.: 100802

14 APR 2014

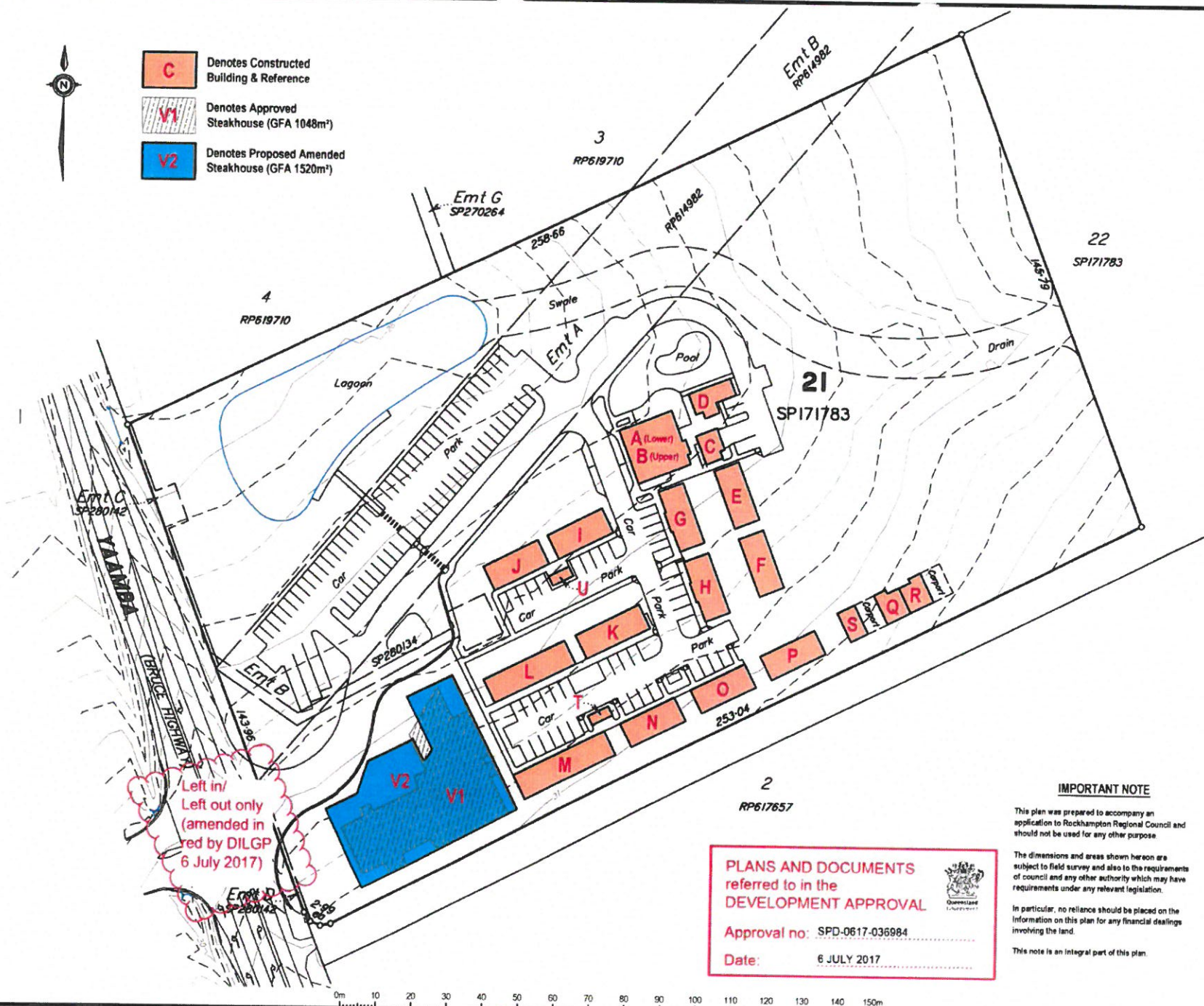
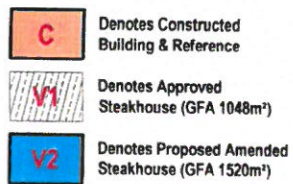
DWG No: DA01B

Architecture - Interiors
14 Henson Street West End
Queensland, Australia 4101
Tel: 07 5500088 Fax: 07 5500088

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ARC 2



GFA SUMMARY			
BLDG	TYPE	STATUS	GFA
A	Reception	Constructed	251m ²
B	Residence	Constructed	110m ²
C	Storage	Constructed	51m ²
D	Gym	Constructed	78m ²
E	Motor	Constructed	125m ²
F	Motor	Constructed	125m ²
G	Motor	Constructed	132m ²
H	Motor	Constructed	132m ²
I	Motor	Constructed	125m ²
J	Motor	Constructed	125m ²
K	Motor	Constructed	146m ²
L	Motor	Constructed	188m ²
M	Motor	Constructed	210m ²
N	Motor	Constructed	125m ²
O	Motor	Constructed	125m ²
P	Motor	Constructed	126m ²
Q	Motor	Constructed	69m ²
R	Motor	Constructed	69m ²
S	Storage	Constructed	48m ²
T	Storage	Constructed	15m ²
U	Storage	Constructed	15m ²
TOTAL CONSTRUCTED GFA			2378m ²
V1	Steak house	Approved	1046m ²
TOTAL APPROVED GFA			3426m ²
V2	Steak house	Proposed	1520m ²
TOTAL AMENDED GFA			3898m ²
PROPOSED ADDITIONAL GFA			472m ²
% GFA INCREASE			13.78%

client

K & T Holdings Pty Ltd

CHEN

Korte's Resort
984-986 Yaamba Road,
Parkhurst

plan of

Concept Plan
Proposed GFA Amendment

mpd

Lot 21 on SP171783

120

Rockhampton Regional Council

rev	date	details	author
A	14-03-2017	Initial house	R. J. F.
B	5-06-2017	Proposed Greenhouse (FA area amended)	R. J. F.

—



scale 1:1000 @ A3 AUD 0.25

1:1000 @ A3 ARD 0.25m Contour
sheet no. 1 of 4 cad

1 of 1
plan no.
5139-01-GFA-
REV. 01/01

5139-01-GFA

IMPORTANT NOTE

This plan was prepared to accompany an application to Rockhampton Regional Council and should not be used for any other purpose.

The dimensions and areas shown hereon are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation.

In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land.

This note is an integral part of this plan

PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL

Approval no: SPD-0617-036984

Date: 6 JULY 2017



Our reference: SPD-0617-036984
 Your reference: 5139
 Assessment manager reference: D/389-2010

Attachment 3 - SPA Appeal Provisions

Sustainable Planning Act 2009 - Representation and appeal provisions

The following relevant appeal provisions are provided in accordance with s336(a) of the *Sustainable Planning Act 2009*.

Chapter 6 Integrated development assessment system (IDAS)

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant's appeal period

360 Application of div 1

This division applies only during the applicant's appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the *negotiated decision notice*) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and

- (d) replaces—
 - (i) the decision notice previously given; or
 - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge, regulated infrastructure charge or adopted infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal.

Chapter 7 Appeals, offences and enforcement

Part 1 Planning and Environment Court

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.

- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (3) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - (b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 11 Making and appeal to Court**481 How appeals to the court are started**

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or

- (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
 - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
 - (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
 - (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
- (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
- (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - (a) the assessment manager is the respondent; and

- (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - (c) any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
- (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—
 - (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.



Department of Infrastructure,
Local Government and Planning

Our reference: SPD-0516-027075
Your reference: D/389-2010

26 May 2016

The Chief Executive Officer
Rockhampton Regional Council
enquiries@rrc.qld.gov.au

Dear Sir/Madam,

Notice about request for permissible change—relevant entity
984-986 Yaamba - Parkhurst, Rockhampton Regional QLD 4702
(Given under section 373(1) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning received a copy of the request for a permissible change under section 372(1) of the *Sustainable Planning Act 2009* on 4 May 2016 advising the department, as a relevant entity, of the request for a permissible change made to the responsible entity under section 369 of the *Sustainable Planning Act 2009*.

The department understands that the proposed changes are as follows:

- Inclusion of sub-stage 2 (for 2 cabins) within Stage 2B – Cabin Park as shown on plan "Proposed Motel & Cabin Park Extension – Stage 2+2A+2B", by Arc2, dated 4 May 2016, Dwg. No. DA01C.

The department has considered the proposed changes to the development approval and advises that it has no objection to the change being made.

If you require any further information, please contact Glenn Druery, Principal Planning Officer, on 4924 2907, or via email glenn.druery@dilgp.qld.gov.au who will be able to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read "Anthony Walsh".

Anthony Walsh
A/Manager Planning
Fitzroy and Central

C/c. Korte Nominees Pty Ltd c/- Capricorn Survey Group (CQ) Pty Ltd, reception@csgcq.com.au

Fitzroy and Central Regional Office
Level 2, 209 Bolsover Street
PO Box 113
Rockhampton QLD 4700



Department of Infrastructure,
Local Government and Planning

Our reference: SPD-0915-021430
Your reference: D/389-2010

15 October 2015

The Chief Executive Officer
Rockhampton Regional Council
enquiries@rrc.qld.gov.au

Dear Sir/Madam

Notice about request for permissible change—relevant entity

984-986 Yaamba Road (Lot 21 on SP171783), Parkhurst QLD 4702
(Given under section 373(1) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning received a copy of the request for a permissible change under section 372(1) of the *Sustainable Planning Act 2009* on 24 September 2015 advising the department, as a relevant entity, of the request for a permissible change made to the responsible entity under section 369 of the *Sustainable Planning Act 2009*.

The department understands that the proposed changes are as follows:

- Amend Item 7 and Condition 1.1 of the assessment manager's decision notice to include updated plans for the proposed Steakhouse.

The department has considered the proposed changes to the development approval and advises that it has no objection to the change being made.

It is requested that the assessment manager attach a copy of the department's amended concurrence response issued on 16 January 2015 to any amended decision notice. A copy of the amended concurrence response is attached for your convenience.

If you require any further information, please contact Maaret Sinkko, Principal Planning Officer, on 49242918, or via email RockhamptonSARA@dilgp.qld.gov.au who will be able to assist.

Yours sincerely



Don Cook
Manager Planning
Fitzroy and Central

Enc: Amended concurrence response
Cc: Korte Nominees, c/- Capricorn Survey Group (CQ) Pty Ltd; reception@csgcq.com.au



Department of
**State Development,
Infrastructure and Planning**

Our reference: SPD-1214-014099
Your reference: D/389-2010

16 January 2015

Korte Nominees Pty Ltd
C/- Capricorn Survey Group (CQ) Pty Ltd
PO Box 1391
Rockhampton QLD 4700

Attention: Richard Ford

Dear Sir,

Changed concurrence agency response (responsible entity)

984-986 Yaamba Road, Parkhurst (Lot 21 on SP171783)

(Given under section 376 of the *Sustainable Planning Act 2009*)

The Department of State Development, Infrastructure and Planning received representations under section 369 of the *Sustainable Planning Act 2009* on 18 December 2014 for the original decision described below.

Applicant details

Applicant name: Korte Nominees Pty Ltd
Applicant contact details: PO Box 1391
Rockhampton Qld 4700

Site details

Street address: 984-986 Yaamba Road, Parkhurst
Lot on plan: Lot 21 on SP171783
Local government area: Rockhampton Regional Council

Page1

Fitzroy/Central Regional Office
Level 3, 130 Victoria Parade
PO Box 113
Rockhampton QLD 4700

Application details

Proposed development: Request for a permissible change to a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)

Nature of the changes

The nature of the changes agreed to are:

1. Condition 2.2 to be amended to reflect the agreement of the downgrade of the fully signalised intersection requirement.

The nature of the changes not agreed to are:

2. Condition 2.4 to be amended to reflect the changed lighting requirements.

Original concurrence response

Date of original concurrence response: 2 March 2011 (Department of Transport and Main Roads)

Original concurrence response details: Recommended for approval subject to conditions

Changed concurrence response

Date of changed concurrence response: 30 May 2014 (Department of State Development Infrastructure and Planning)

Changed concurrence response details: Recommended for approval subject to conditions

Changed concurrence response

Date of changed concurrence response: 16 January 2015 (Department of State Development Infrastructure and Planning)

Changed concurrence response details: Recommended for approval in part subject to conditions

Conditions

This approval is subject to:

- the changed concurrence agency conditions in Attachment 1

The department has, for particular conditions of this approval, nominated an entity to be the assessing authority for that condition under section 255D(3) of the *Sustainable Planning Act 2009*.

Reasons for part refusal

The reasons for this refusal of changes to condition 2.4 are:

- Minimises impacts on the safety and efficiency of the state-controlled road network.

Findings on material questions of fact

- No supporting documentation, assessment or justification to support the requested change from Category V3 down to a Category V5 was submitted by the applicant.

Evidence or other material on which the findings were based

- The department carried out a check of the Road Planning and Design Manual (RPDM) requirements which confirmed that the traffic volumes are such that Category V3 lighting will be triggered.

Rights of appeal

The rights of applicants to appeal to the Planning and Environment Court against decisions about a development application are set out in chapter 7, part 1, division 8 of the *Sustainable Planning Act 2009*. For particular applications, there may also be a right to appeal to the Building and Development Dispute Resolution Committee (see chapter 7, part 2 of the Act).

Copies of the relevant appeal provisions are attached.

Native title considerations

A native title assessment was completed for this application under the Native Title Act 1993 (Cth). It was determined that there would be no effect on native title, and consequently procedural rights were not required. Further consideration of native title is not required, and a decision can therefore be issued under the Sustainable Planning Act 2009.

Approved plans and specifications

Copies of the following approved plans and specifications are attached:

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Request for a permissible change to a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)				
Proposed Site Master Plan	ARC 2	18 March 2014	DA01B	Issue B.
Line Marking & Signage Sheet 1 of 2	Brown Consulting (QLD) Pty Ltd	December 2014	R14068-128	Issue B.
Line Marking & Signage Sheet 2 of 2	Brown Consulting (QLD) Pty Ltd	December 2014	R14068-129	Issue B.

For further information please contact Rebecca Curtis, Planning Officer on (07) 4924 2915 or email RockhamptonSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely,



Don Cook
Planning Manager

enc: Attachment 1 - Changed Concurrence agency conditions
Attachment 2 - Approved plans and specifications
Attachment 3 - SPA appeal provisions

cc: enquiries@rrc.qld.gov.au

Our reference: SPD-1214-014099

Your reference: D/389-2010

Attachment 1 - Changed concurrence agency conditions

No.	Conditions of development approval	Condition timing
Aspect of development: Request for a permissible change to a Material Change of Use for a Cabin Park (thirty-seven cabins and ancillary buildings)		
<i>State-controlled roads</i> - Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing 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>Development shall be carried out generally in accordance with the following plans except as modified by the conditions: ARC 2, Drawing No. DA01, Proposed Site Master Plan, dated 24 August 2010. ARC 2, Drawing No. DA01B, Proposed Site Master Plan, dated 18 March 2014.</p> <p><i>Amended 30 May 2014</i></p>	
2.	<p>2.1 Access to/from the development to the State-controlled road (Bruce Highway) shall be located approximately 40m from the southern boundary of the lot, opposite to the existing Brown and Hurley access.</p> <p>2.2 Prior to the Certificate of Classification for the development the applicant shall construct an access intersection with the State-controlled road (Bruce Highway) to a fully signalised, raised channelised intersection generally in accordance with Graham Scott and Associates, Drawing No. 090084/SK17, Revision B, dated 12/10. Prior to the Certificate of Classification for the development the applicant shall construct an access intersection with the State-controlled road (Bruce Highway) to a channelised intersection generally in accordance with Brown Consulting (QLD) Pty Ltd, Drawing No. R14068-128 and R14068-129, Issues B, dated 12/14.</p> <p>2.3 The intersection is to be designed and constructed strictly in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice, such that the intersection will operate within acceptable levels of service and capacity for ten years from the commencement of the use.</p> <p>2.4 Prior to the commencement of use the applicant shall install category V3 lighting at the access intersection with the State-controlled road (Bruce Highway) in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice.</p> <p><i>Note: The applicant is advised that the access to the</i></p>	

No.	Conditions of development approval	Condition timing
	<p><i>development will revert to a left-in left-out arrangement in the future to accommodate a four lane scenario on this section of the Bruce Highway.</i></p> <p><i>Amended 16 January 2015</i></p>	
3.	<p>3.1 In order to protect the future state-controlled road requirements and services, the applicant/landowner shall incorporate a building exclusion area into the development. The building exclusion area shall be 12 metres wide measured from the common property boundary of lot 22 and the State-controlled road reserve, along the full frontage of lot 22. The building exclusion envelope is to allow for the future upgrading of the Bruce Highway.</p> <p>3.2 The area of future requirement is to be excluded from the proposed development and kept clear of any permanent structures or improvements associated with the development.</p> <p>3.3 Standard building setbacks should be applied from the anticipated future boundary</p>	
4.	<p>4.1 The applicant/landowner shall not increase the peak intensity of stormwater runoff onto the State-controlled road (Bruce Highway) from the proposed development for all events up to ARI 50.</p> <p>4.2 Overland stormwater runoff from the site onto the Bruce Highway is:</p> <ul style="list-style-type: none"> • Not to exceed present overland flow rates (in terms of rate of flow of water from a storm event - this may require the installation of internal stormwater drainage collection, detention and water quality systems). • To comply with Water quality objectives of the Healthy Waterways publication "Developing Design Objectives for Water Sensitive Urban Design Development in SE Queensland". <p>4.3 Details for any proposed drainage scheme to manage runoff from the development are to be provided as part of the Works in State- controlled Road plans for the Department's acceptance prior to the construction of the drainage infrastructure. The works are to be constructed and accepted by the Department of Main Roads prior to the issue of the Development Permit for Building Works for the development.</p> <p>4.4 Submit to the Department of Main Roads, certification from a Registered Professional Engineer of Queensland (RPEQ) that these conditions have been fulfilled.</p>	
5.	<p>5.1 Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:</p> <p>5.1.1 Architecturally treat the building envelope of all affected units and Managers unit in accordance with AS3671 to achieve the criteria stated in AS2107. The acoustical</p>	

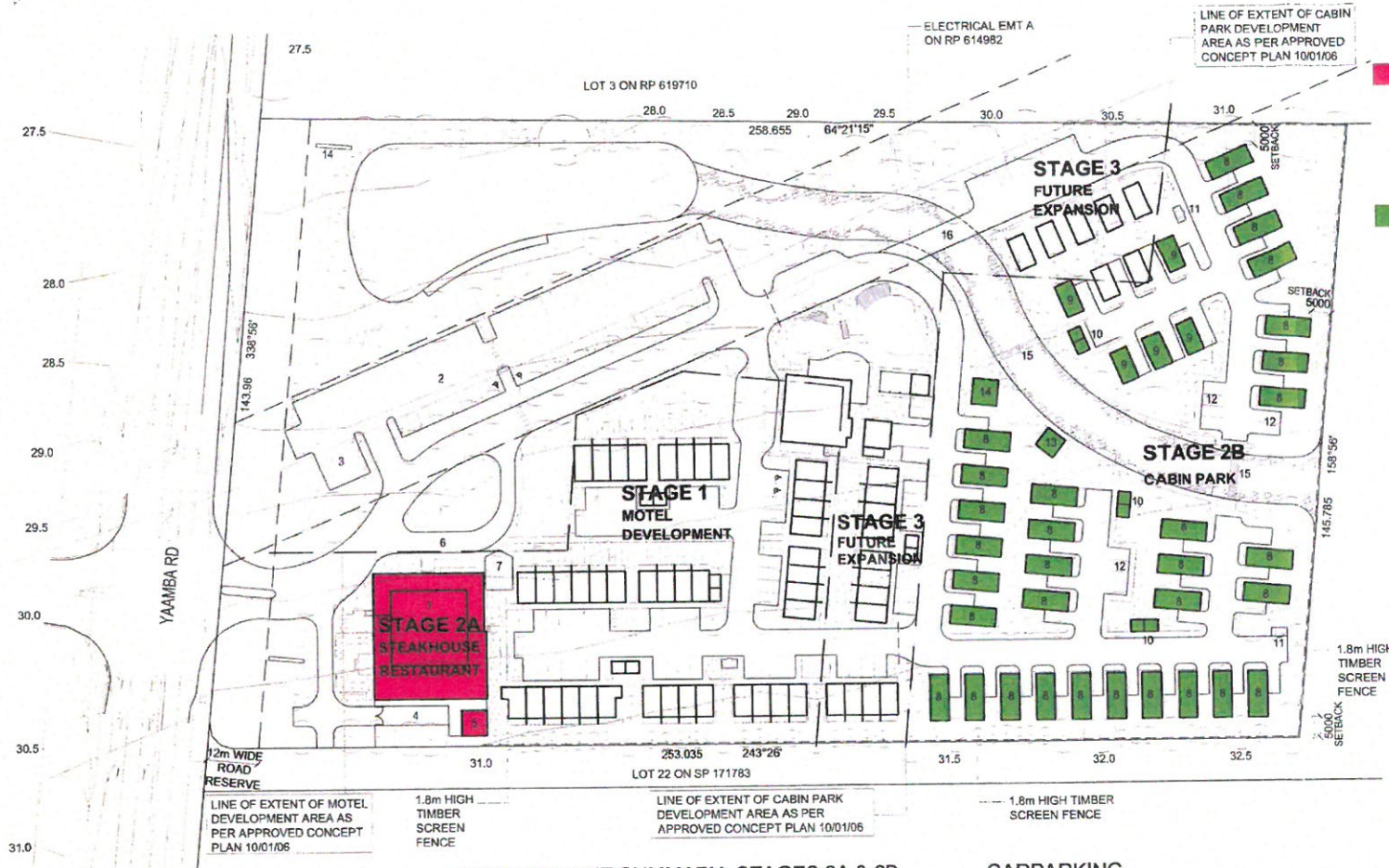
No.	Conditions of development approval	Condition timing
	<p>report prepared by TTM Acoustics, dated 23/09/2009 (the TTM Report) has provided sufficient guidance to the applicant/landowner.</p> <p>5.2 Prior to the issue of a Building Permit for the carrying out of building work within the noise affected lot, the applicant/landowner shall submit to the Rockhampton office of the Department of Main Roads a bank cheque or bank guarantee to the value of \$1,000 per affected unit as security for the "certification" from an acoustical consultant (RPEQ) that the noise control measures have been implemented in the building design in accordance with AS3671. The applicant/landowner shall submit a copy of the acoustical certification of the building design with the security bond.</p> <p>5.3 It is essential that the acoustical treatments (architectural measures) be implemented by the developer in the building construction. Thus the developer shall engage the services of an acoustical engineer to certify (RPEQ) that the architectural measures have been incorporated into the building envelope. This will require the acoustical engineer to undertake inspections both during and at the end of construction. It is the developers' responsibility to forward certification to Main Roads prior to Council or a private building certifier's certificate of classification being issued.</p> <p><i>The building security will be refunded on receipt of the "certification" and acceptance of the certification by Main Roads.</i></p> <p>5.4 Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:</p> <p>5.4.1 Construct a noise barrier at the location and to the heights detailed in Appendix D of the TTM report. All noise barriers shall be designed and constructed in accordance with the requirements of Main Roads Standard Specification MRS 11.15 (6/05) and Council requirements, in particular:</p> <p>5.4.2 The landowner shall be responsible for the maintenance of the noise barrier to the Department of Main Roads' satisfaction. No alteration shall be made to the noise barrier after its acceptance by the Department of Main Roads without written approval from the Department.</p> <p><i>The TTM Report has based the assessment on assumed finished floor levels for the units as per Appendix A. If these finished floor levels are altered by more than 200mm, a new acoustical assessment will be needed. The developer shall supply the building pad levels in AHD datum for each dwelling unit that the acoustical consultant has used in the calculations.</i></p>	
6.	No parking associated with the proposed development shall be permitted on the State-controlled road (Yaamba Road). This	

No.	Conditions of development approval	Condition timing
	includes during the construction phase of the development. All parking required by the local government in accordance with the local government planning scheme shall be accommodated within the lot. Relaxation of parking requirements will not be supported.	
7.	All external lighting and signage associated with the development shall not impact on the safety of motorists using the state-controlled road. The external lighting shall be positioned and shielded to prevent light intrusion and glare onto the state controlled road. Signage shall not cause a distraction. All these associated facilities shall be fully contained within the development site with no encroachment onto the state controlled road.	
8.	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.	
9.	<p>Preparation of plans (in accordance with RFCD-0101) and submission of plans to the Rockhampton office of the Department of Main Roads for approval.</p> <p>NO WORKS (INCLUDING INSTALLATION OF SERVICES) ARE TO COMMENCE WITHIN THE STATE-CONTROLLED ROAD RESERVE UNTIL APPROVAL OF THE PLAN/S SHOWING THE PROPOSED WORKS IS ISSUED BY THE DEPARTMENT.</p> <p>This approval may be subject to conditions related to the works construction process.</p>	
10.	<p>RELEVANT PERIOD PURSUANT TO SECTION 341 OF THE SUSTAINABLE PLANNING ACT 2009</p> <p>This approval is valid for four (4) years from the day the approval takes effect unless the assessment manager prescribes a shorter period under section 341(2)(c) of the Sustainable Planning Act 2009 in its conditions of approval.</p> <p><i>Removed 30 May 2014</i></p>	

Our reference: SPD-1214-014099
Your reference: D/389-2010

Attachment 2 – Approved plans and specifications

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LEGEND

STAGE 2A - STEAKHOUSE RESTAURANT & CARPARK

1. STEAKHOUSE RESTAURANT (1 STOREY)
2. CARPARK
3. MINI BUS PARKING
4. SERVICE BAY /LOADING
5. STORAGE SHED
6. VISITOR SETDOWN
7. PLAY AREA

STAGE 2B - CABIN PARK

8. 2 BEDROOM CABIN ACCOMMODATION WITH TANDEM CAR PARKING
9. 1 BEDROOM CABIN ACCOMMODATION WITH CARPARK
10. STORE & LAUNDRY
11. BIN STORE
12. VISITOR PARKING
13. BBQ STRUCTURE
14. MAINTENANCE STORE (1 STOREY)
15. PEDESTRIAN FOOT BRIDGE
16. TRAFFIC BRIDGE - 2 WAY

DRIVEWAY & CARPARKING

LANDSCAPING

PEDESTRIAN PATHWAY

DRY CREEK BED/ STORMWATER DRAINAGE PATH - REFER CIVIL ENG'S & L'SCAPE ARCH. DWG'S

ROCKHAMPTON REGIONAL COUNCIL
AMENDED PLANS APPROVED
 06-07-2014
 DATE
 These plans are approved subject to the current conditions of approval associated with
 Development Permit No. D/389/200 dated 15-04-2014

PROPOSED SITE MASTER PLAN

SCALE 1:500 @ A1

RPD -
 LOT 21 ON
 SP 171783

DEVELOPMENT SUMMARY- STAGES 2A & 2B

TOTAL SITE AREA	- 38118 sqm (3.812 Ha)
STAGE 2A - STEAKHOUSE RESTAURANT	
STEAKHOUSE RESTAURANT FLOOR AREA	- 780 sqm
STORAGE SHED	- 42 sqm
TOTAL FLOOR AREA	- 822 sqm
SITE COVER	- 2.1%
STAGE 2B - CABIN PARK	
2 BEDROOM CABIN ACCOMMODATION	- 46.5 sqm = 1488 sqm total (32 No.)
1 BEDROOM CABIN ACCOMMODATION	- 31.6 sqm = 158 sqm total (5 No.)
STORE & LAUNDRY	- 15 sqm = 45 sqm total (3 No.)
MAINTENANCE STORE	- 36 sqm
BBQ STRUCTURE	- 25 sqm
TOTAL FLOOR AREA	- 1727 sqm
SITE COVER	- 4.5%

CARPARKING

STAGE 2A - STEAKHOUSE RESTAURANT

PARKING REQUIRED
 - 1 SPACE PER 15 sqm GFA = 55 TOTAL

STAGE 2B - CABIN PARK

PARKING REQUIRED
 - 1 SPACE PER CABIN = 37 TOTAL
 - 1 VISITOR SPACE PER 4 CABINS = 10 TOTAL

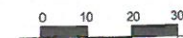
TOTAL PROVIDED

PARKING PROVIDED
 - 68 SPACES
 - 3 MINI BUS SPACES

PARKING PROVIDED
 - 37 SPACES
 - 10 SPACES

- 47 SPACES

PROPOSED MOTEL & CABIN PARK EXPANSION - STAGE 2A & 2B FOR KORTE NOMINEES PTY LTD AT 982-996 YAAMBA RD PARKHURST



PROJECT NO. : 100803

18 MAR 2014

DWG No: DA01B

MARK	REVISION	DATE	DESCRIPTION
MARK 1	REVISION A		
NOV 15	REVISION A		
CARE	ISSUE		
AMENDMENTS			

ARC 2

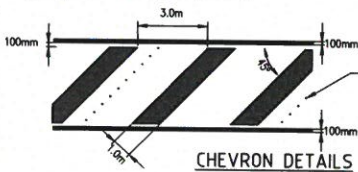
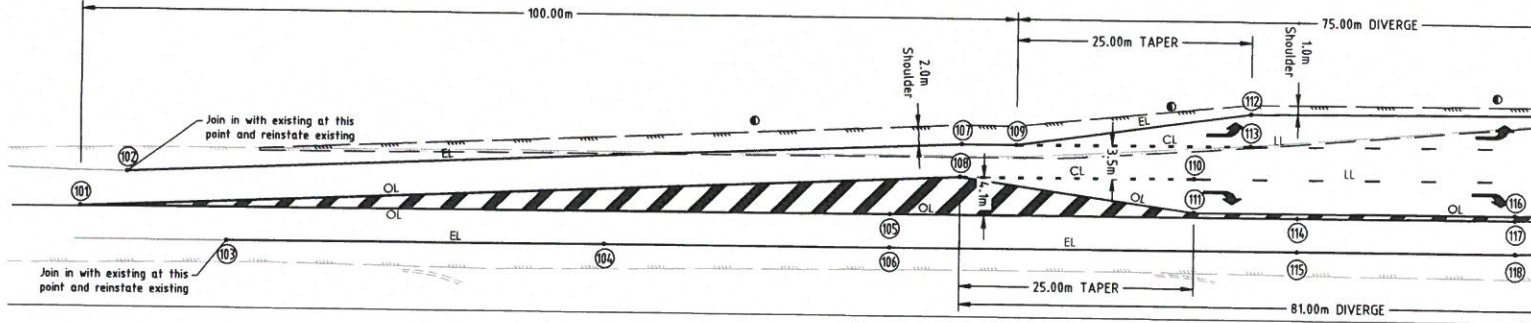
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 14 Huron Street West, East
 Queensland, Australia 4101
 Tel: (07) 346000 or Fax: (07) 346000

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 (10) each time any third party shall be an acknowledgment of same and copyright to ARC.

LINEMARKING SETOUT

ID	EASTING	NORTHING
101	245421.356	7422046.270
102	245416.528	7422050.217
103	245420.954	7422062.307
104	245411.091	7422101.478
105	245400.234	7422130.197
106	245403.678	7422131.060
107	245391.049	7422135.744
108	245394.496	7422136.434
109	245389.651	7422141.399
110	245388.360	7422160.669
111	245391.841	7422161.552
112	245380.139	7422164.774
113	245383.488	7422165.623
114	245389.629	7422172.368
115	245393.071	7422173.237
116	245383.445	7422194.746
117	245383.928	7422194.874
118	245387.361	7422195.779



LINEMARKING SETOUT

ID	EASTING	NORTHING
119	245369.884	7422204.322
120	245380.106	7422206.938
121	245380.591	7422207.062
122	245384.031	7422207.942
123	245371.159	7422214.084
124	245374.553	7422214.940
125	245377.055	7422219.760
126	245377.541	7422219.878
127	245380.988	7422220.727
128	245362.971	7422232.501
129	245365.100	7422238.339
130	245368.494	7422239.195
131	245371.440	7422243.035
132	245377.763	7422247.076
133	245381.265	7422259.904
134	245389.764	7422265.890
135	245379.161	7422268.222
136	245394.374	7422273.027
137	245400.092	7422277.981
138	245393.367	7422274.756
139	245399.167	7422278.967
140	245404.101	7422285.051
141	245386.942	7422277.182
142	245374.353	7422279.652
143	245358.099	7422281.169
144	245361.350	7422283.746
145	245364.742	7422284.607
146	245366.624	7422289.835
147	245360.845	7422300.106
148	245346.876	7422309.087
149	245351.281	7422307.159
150	245351.766	7422307.282
151	245355.206	7422308.157
152	245362.050	7422309.645
153	245351.424	7422322.821

NOTES

1. Control lines removed for clarity.
2. Pavement markings and signs shall be in accordance with the current 'Manual of Uniform Traffic Control Devices'.
3. RRPMS:
All pavement markings and lines to be supplemented with retro-reflective raised pavement markers in accordance with the current 'Manual of Uniform Traffic Control Devices', Part 2.
4. Height of sign above road surface to be in accordance with MUTCD. Generally 2.1m to bottom of sign.

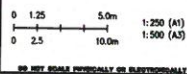
ALL UNNECESSARY RRPMS TO BE REMOVED. ALL UNNECESSARY LINE MARKING TO BE REMOVED BY CHIP SEAL OVERLAY OR ABRASIVE BLASTING.



Supply and Install 'Keep Left' Sign as per DTMR requirement.

LEGEND - PAVEMENT MARKING

LL	3.0m	80mm
EL	Edge Line	100mm
CL	Continuity Line L=1000, G=3000	200mm
TL	Turn Line L=600, G=600	100mm
GWL	Give Way Line L=600, G=600	200mm
ULL	Unbroken Lane Line	80mm
OL	OUT LINE	100mm
Existing Sign		
New Sign		
Road Edge Guide Post		



AND
R14068

SURVEYOR: Capricorn Survey Group
250 Quay Street, Rockhampton
Ph (07) 49275199 Fax (07) 49222716
APPROVED: Graham Scott RPS 2612
FOR & ON BEHALF OF BROWN CONSULTING (QLD) PTY LTD

KORTE NOMINEES PTY LTD
INTERSECTION UPGRADE
982-996 YAAMBA ROAD
PARKHURST

BROWN
Smart Consulting

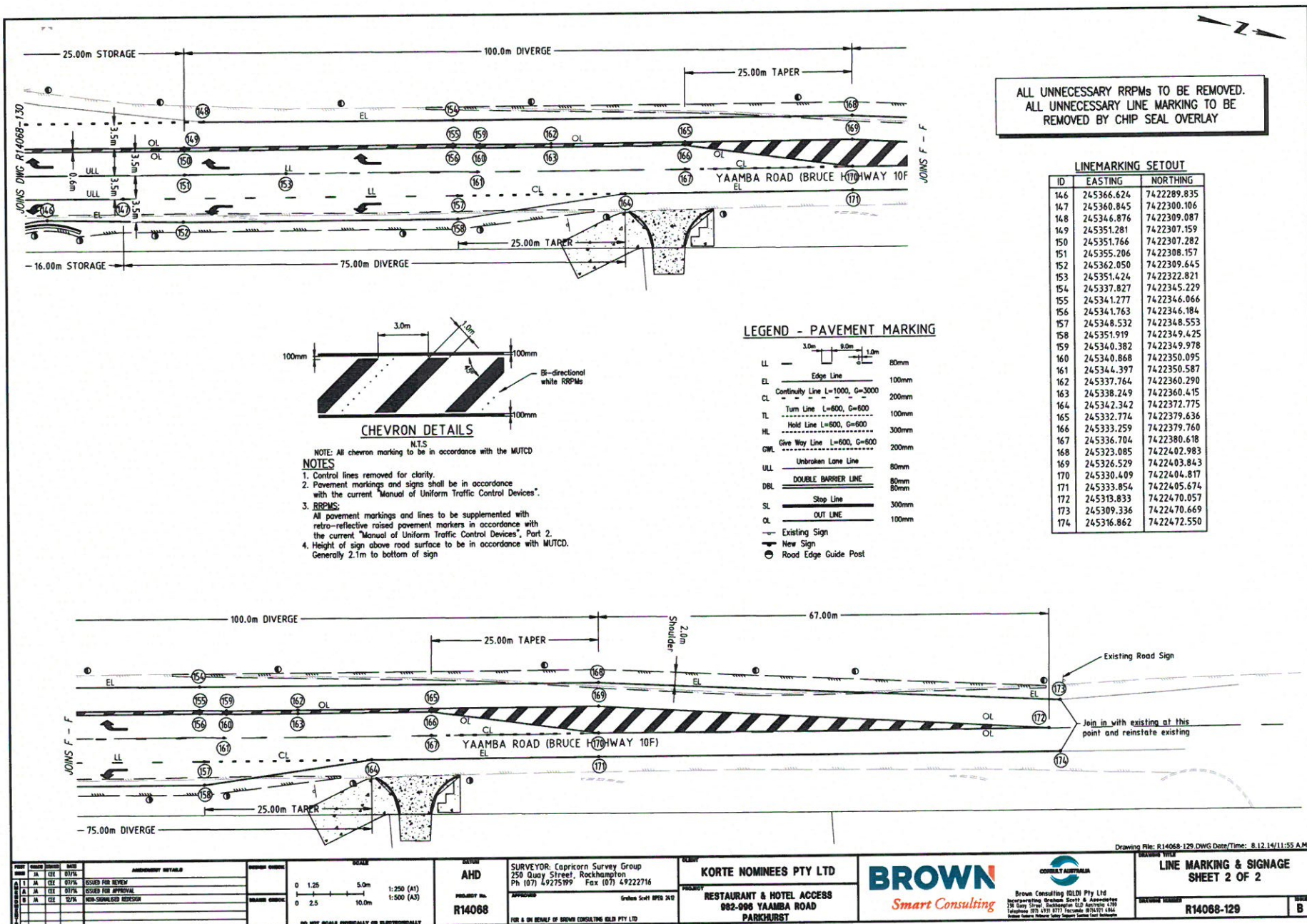
Brown Consulting (QLD) Pty Ltd
Incorporating Graham Scott & Associates
7/8 Glen Street, Rockhampton QLD 4660
Telephone (07) 491 8771 Facsimile (07) 491 4666
Email: graham@brownconsulting.com.au

Drawing File: R14068-128.DWG Date/Time: 9/12/14/11:43 A.M.

LINE MARKING & SIGNAGE
SHEET 1 OF 2

R14068-128

B



Our reference: SPD-1214-014099
 Your reference: D/389-2010

Attachment 3 - SPA Appeal Provisions

Sustainable Planning Act 2009—Representation and appeal provisions

The following relevant appeal provisions are provided in accordance with s336(a) of the *Sustainable Planning Act 2009*.

Chapter 6 Integrated development assessment system (IDAS)

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant's appeal period

360 Application of div 1

This division applies only during the applicant's appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the ***negotiated decision notice***) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and
 - (d) replaces—

- (i) the decision notice previously given; or
 - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge, regulated infrastructure charge or adopted infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal.

Chapter 7 Appeals, offences and enforcement

Part 1 Planning and Environment Court

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.

- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (3) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - (b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 11 Making and appeal to Court**481 How appeals to the court are started**

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or

- (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
 - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
 - (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
 - (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
- (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
- (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - (a) the assessment manager is the respondent; and

- (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - (c) any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
- (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—
 - (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

FAXED
2/3/11 RZT



**Queensland
Government**

2 February 2011

Chief Executive Officer
Rockhampton Regional Council - Rockhampton Office
PO Box 1860
Rockhampton Qld 4700

Dear Sir

ROCKHAMPTON REGIONAL COUNCIL	
File No: <u>D403/10</u>	Doc No: <u>2580460</u>
Links: _____	
Action Office: _____	
04 MAR 2011	
Task to: _____	2. _____
3. _____	4. _____
QDAN: _____	v: _____ Ref: _____
Box No: _____	Yrs: _____

REFERRAL AGENCY'S RESPONSE

**Rockhampton Region: Bruce Highway (Rockhampton - St. Lawrence)
Proposed Material Change of Use (Accommodation Building (12 Motel Units) and
Cabin Park (7 Cabins) - Stage 3)
Application N° D/403-2010
Lot 21 on SP171783
Situated at 984-986 Yaamba Road, Parkhurst
For Korte Nominees Pty Ltd**

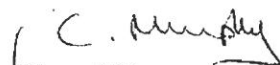
I refer to the above application received by the Department of Transport and Main Roads on 25 October 2010 requesting approval for the above proposal.

In reference to section 285 of the *Sustainable Planning Act 2009*, the Department of Transport and Main Roads as a concurrence agency, has assessed the impact of the proposed development on the State-controlled road network and requires that council include the proposed conditions of development for the subject application as indicated on the attached **Conditions of Development and Statement of Reasons**.

The Department of Transport and Main Roads requires a copy of Council's decision notice regarding the application within five (5) business days after the day the decision is made (in accordance with section 334 of the *Sustainable Planning Act 2009*).

A copy of this letter and the Conditions of Development and Statement of Reasons has been sent to the applicant.

Yours sincerely


Terry Hill

Regional Director (Fitzroy)

Department of Transport and Main Roads
Corridor Management and Operations
Fitzroy Region (Rockhampton Office)
21 Knight Street North Rockhampton Queensland 4701

Our ref 500/45 AAB: lzj E8216 (DCT1471)
Your ref D/403-2010
Enquiries Chris Hewitt
Telephone +61 7 4931 1507



**Queensland
Government**

File N° 500/45 AAB:lzj E8216 (DCT 1471)

B/c 1 Korte Nominees Pty Ltd

c/- Capricorn Survey Group
Attn: Mr Richard Ford
PO Box 1391
Rockhampton Qld 4700

For your information.

In accordance with sections 318(5) and 320 of the *Sustainable Planning Act 2009*, I wish to advise that you have 10 business days in which to stop the decision making period and make representation to the department concerning the department's proposed conditions. A copy of any notice to stop should also be provided to the assessment manager for their information.

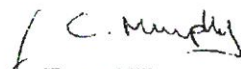
If you accept the conditions, you can immediately advise the Assessment Manager in writing of your acceptance. This can save you up to 10 business days in the approval process.

Section 482 of the *Sustainable Planning Act 2009* requires that an appellant give notice of an appeal to a referral agency in certain circumstances. Where notice of an appeal is required to be given to the Department of Transport and Main Roads that notice may be given by any of the methods mentioned below:

By prepaid mail: Planning Legislation Unit
 Integrated Transport Planning
 The Department of Transport and Main Roads
 GPO Box 213
 Brisbane Qld 4001

By email: Appeals@dmr.qld.gov.au

In person: Level 3
 Terrica Place
 140 Creek Street
 Brisbane Qld 4000


Terry Hill

Regional Director (Fitzroy)

2 February 2011

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No.	Conditions of Development	Reasons	Comments or Additional Information
1.	DEVELOPMENT PLANS Development shall be carried out generally in accordance with the following plans except as modified by the conditions: ARC 2, Drawing No. DA01, Proposed Site Master Plan, dated 24 August 2010.	The development needs to be completed to the Department's required standard and satisfaction.	Transport and Main Roads has the power under section 285 of the <i>Sustainable Planning Act 2009</i> .
2.	ACCESS/INTERSECTION 2.1 Access to/from the development to the State-controlled road (Bruce Highway) shall be located approximately 40m from the southern boundary of the lot, opposite to the existing Brown and Hurley access. 2.2 Prior to the Certificate of Classification for the development the applicant shall construct an access intersection with the State-controlled road (Bruce Highway) to a fully signalised, raised	Vehicular access at the permitted road access location, constructed to Main Roads standards will provide an acceptable access to the subject land without compromising the safety and efficiency of the state-controlled road	These conditions constitute a notice pursuant to section 67 of the <i>Transport Infrastructure Act 1994</i> (TIA), for section 62(1) approval for conditions on the use of a permitted road access location. In accordance with section 70 of the TIA, you are bound by this decision. A copy of section 70 of the Act is attached for your information (Appendix A). Any persons whose interests are affected by the decision

Rockhampton Region: Bruce Highway (Rockhampton - St. Lawrence)
Proposed Material Change of Use (Accommodation Building (12 Motel Units) and Cabin Park (7 Cabins) - Stage 3):
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Situated at 984-986 Yaamba Road, Parkhurst
For Korte Nominees Pty Ltd



TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No.	Conditions of Development	Requests	Comments or Additional Information
2.3	<p>channelised intersection generally in accordance with Graham Scott and Associates, Drawing No. 090084,/SK17, Revision B, dated 12/10.</p> <p>The intersection is to be designed and constructed strictly in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice, such that the intersection will operate within acceptable levels of service and capacity for ten years from the commencement of the use.</p>	network.	<p>may –</p> <ul style="list-style-type: none"> (i) under section 485 – ask for the decision to be reviewed and appeal against the reviewed decision; and (ii) under the <i>Transport Planning and Coordination Act 1994</i>, part 5 – ask for the decision or the reviewed decision to be stayed. <p>There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.</p>
2.4	<p>Prior to the commencement of use the applicant shall install category V3 lighting at the access intersection with the State-controlled road (Bruce Highway) in accordance with the department's Road Planning and Design Manual and the Interim Guide To Road Planning and Design Practice.</p>		

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No.	Conditions of Development	Issues	Comments/Recommendations
	<i>Note, The applicant is advised that the access to the development will revert to a left-in left-out arrangement in the future to accommodate a four lane scenario on this section of the Bruce Highway.</i>		
3.	FUTURE STATE-CONTROLLED ROAD REQUIREMENTS		
3.1	In order to protect the future state-controlled road requirements and services, the applicant/landowner shall incorporate a building exclusion area into the development. The building exclusion area shall be 12 metres wide measured from the common property boundary of lot 22 and the State-controlled road reserve, along the full frontage of lot 22. The building exclusion envelope is to allow for the future upgrading of the Bruce Highway.	The department is concerned that the proposed development at this location would impact on the future road requirements and location of services. This can be ameliorated with the incorporation of building exclusion envelope to protect the department's future land requirements	The department has the power under the <i>Transport Infrastructure Act 1994</i> to protect future State-controlled road requirements.
3.2	The area of future requirement is to be excluded		

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No.	Conditions of Development	Remarks	Comments on Conditions of Development
3.3	from the proposed development and kept clear of any permanent structures or improvements associated with the development. Standard building setbacks should be applied from the anticipated future boundary.		
4.	DRAINAGE		
4.1	The applicant/landowner shall not increase the peak intensity of stormwater runoff onto the State-controlled road (Bruce Highway) from the proposed development for all events up to ARI 50.	The department is concerned that the development may increase the stormwater runoff from the site and result in uncontrolled runoff onto the State-controlled road reserve and sealed roadway.	Main Roads has the power under section 487 of the <i>Transport Infrastructure Act 1994</i> . Main Roads – "Road Drainage Design Manual".
4.2	Overland stormwater runoff from the site onto the Bruce Highway is: <ul style="list-style-type: none"> Not to exceed present overland flow rates (in terms of rate of flow of water from a storm 		

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No	Conditions of Development	Reasons	Comments or Additional Information
	<p>event - this may require the installation of internal stormwater drainage collection, detention and water quality systems).</p> <ul style="list-style-type: none"> To comply with Water quality objectives of the Healthy Waterways publication "Developing Design Objectives for Water Sensitive Urban Design Development in SE Queensland". <p>4.3 Details for any proposed drainage scheme to manage runoff from the development are to be provided as part of the Works in State- controlled Road plans for the Department's acceptance prior to the construction of the drainage infrastructure. The works are to be constructed and accepted by the Department of Main Roads prior to the issue of the Development Permit for Building Works for the development.</p> <p>4.4 Submit to the Department of Main Roads, certification from a Registered Professional</p>		

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No.	Conditions of Development	Reasons	Comments or Additional Information
	Engineer of Queensland (RPEQ) that these conditions have been fulfilled.		
5.	NOISE ATTENUATION		
5.1	Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:	The development proposal is creating a noise-sensitive area adjacent to the State-controlled road (Bruce Highway).	Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> .
5.1.1	Architecturally treat the building envelope of all affected units and Managers unit in accordance with AS3671 to achieve the criteria stated in AS2107. The acoustical report prepared by TTM Acoustics, dated 23/09/2009 (the TTM Report) has provided sufficient guidance to the applicant/landowner.		Road Traffic Noise Management: Code of Practice. The findings of the acoustical report prepared by TTM Acoustics dated 23/09/2009, supports the condition.
5.1.2	Prior to the issue of a Building Permit for the carrying out of building work within the noise affected lot, the applicant/landowner shall submit to the Rockhampton office of the Department of		

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TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

No	Conditions of Development	Reasons	Comments or Additional Information
5.1.3	<p>Main Roads a bank cheque or bank guarantee to the value of \$1,000 per affected unit as security for the "certification" from an acoustical consultant (RPEQ) that the noise control measures have been implemented in the building design in accordance with AS3671. The applicant /landowner shall submit a copy of the acoustical certification of the building design with the security bond.</p> <p>It is essential that the acoustical treatments (architectural measures) be implemented by the developer in the building construction. Thus the developer shall engage the services of an acoustical engineer to certify (RPEQ) that the architectural measures have been incorporated into the building envelope. This will require the acoustical engineer to undertake inspections both during and at the end of construction. It is the developers' responsibility to forward certification to Main Roads prior to Council or a private</p>		

Rockhampton Region: Bruce Highway (Rockhampton - St. Lawrence)
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	<p>building certifier's certificate of classification being issued.</p> <p><i>The building security will be refunded on receipt of the "certification" and acceptance of the certification by Main Roads.</i></p> <p>5.2 Prior to the issue of the certificate of classification for the development by Council or a private building certifier, the applicant/landowner shall:</p> <p>5.2.1 Construct a noise barrier at the location and to the heights detailed in Appendix D of the TTM report. All noise barriers shall be designed and constructed in accordance with the requirements of Main Roads Standard Specification MRS 11.15 (6/05) and Council requirements, in particular:</p> <p>5.2.2 The landowner shall be responsible for the maintenance of the noise barrier to the Department of Main Roads' satisfaction. No alteration shall be made to the noise barrier after</p>		

TRANSPORT AND MAIN ROADS' CONDITIONS OF DEVELOPMENT APPROVAL
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	<p>its acceptance by the Department of Main Roads without written approval from the Department.</p> <p><i>The TTM Report has based the assessment on assumed finished floor levels for the units as per Appendix A. If these finished floor levels are altered by more than 200mm, a new acoustical assessment will be needed. The developer shall supply the building pad levels in AHD datum for each dwelling unit that the acoustical consultant has used in the calculations.</i></p>		
6.	<p>PARKING</p> <p>No parking associated with the proposed development shall be permitted on the State-controlled road (Yaamba Road). This includes during the construction phase of the development. All parking required by the local government in accordance with the local government planning</p>	<p>The department is concerned that any parking demand from the development overflowing onto the state-controlled road (Yaamba Road) can</p>	<p>Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> to require all parking for the Development to be provided within the site.</p> <p>Rockhampton Regional Council Planning Scheme has parking requirements associated with development.</p>

Rockhampton Region: Bruce Highway (Rockhampton - St. Lawrence)
Proposed Material Change of Use (Accommodation Building (12 Motel Units) and Cabin Park (7 Cabins) - Stage 3):
Application N^o. D/403-2010
Lot 21 on SP171783
Situated at 984-986 Yaamba Road, Parkhurst
For Korte Nominees Pty Ltd



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	scheme shall be accommodated within the lot. Relaxation of parking requirements will not be supported.	impact on the safety and efficiency of the State-controlled Road.	
7.	DEVELOPMENT LIGHTING AND SIGNAGE All external lighting and signage associated with the development shall not impact on the safety of motorists using the state-controlled road. The external lighting shall be positioned and shielded to prevent light intrusion and glare onto the state controlled road. Signage shall not cause a distraction. All these associated facilities shall be fully contained within the development site with no encroachment onto the state controlled road.	The department is concerned that these associated facilities can impact on the safety objectives of the state-controlled road.	Main Roads has the power under sections 2 and 50 of the <i>Transport Infrastructure Act 1994</i> .
8.	PUBLIC UTILITY SERVICES Where services (required to serve this development) are proposed to be laid/placed within the boundaries of the State-controlled road	The department is concerned that the placement of services by	Main Roads has the power under section 79 of the <i>Transport Infrastructure Act 1994</i> .

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	reserve, they shall be laid/placed in accordance with Main Roads requirements.	developers in the State-controlled road reserve may restrict future activities in the reserve.	
9.	WORKS IN STATE-CONTROLLED ROAD RESERVE (WSCRR) Preparation of plans (in accordance with RFCD-0101) and submission of plans to the Rockhampton office of the Department of Main Roads for approval. NO WORKS (INCLUDING INSTALLATION OF SERVICES) ARE TO COMMENCE WITHIN THE STATE-CONTROLLED ROAD RESERVE UNTIL APPROVAL OF THE PLAN/S SHOWING THE PROPOSED WORKS IS ISSUED BY THE DEPARTMENT. This approval may be subject to conditions related to the works construction process.	Plans are required to be submitted to the department to demonstrate the works proposed to be constructed within the State-controlled road reserve. Amendments may be required to the plans showing the works prior to the issuing of the approval to construct.	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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10.	<p>RELEVANT PERIOD PURSUANT TO SECTION 341 OF THE <i>SUSTAINABLE PLANNING ACT 2009</i></p> <p>This approval is valid for four (4) years from the day the approval takes effect unless the assessment manager prescribes a shorter period under section 341(2)(c) of the <i>Sustainable Planning Act 2009</i> in its conditions of approval.</p>	<p>The Department needs to be assured that the development is carried out within a reasonable timeframe that is consistent with the legislated timeframe.</p>	<p>The Department of Transport and Main Roads has the concurrence agency powers under the <i>Sustainable Planning Act 2009</i>.</p>