



SARA reference: 2205-28857 SRA  
Council reference: D/58-2022

15 June 2022

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

Attention: Kathy McDonald

Dear Sir/Madam

## SARA response—984-986 Yaamba Road, Parkhurst

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 17 May 2022.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	15 June 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

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Description:	Development permit      Material change of use for Club.
SARA role:	Referral Agency.
SARA trigger:	Schedule 10, Part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017) Development application for a material change of use within 25m of a state transport corridor
SARA reference:	2205-28857 SRA
Assessment Manager:	Rockhampton Regional Council

Street address: 984-986 Yaamba Road, Parkhurst  
Real property description: 21SP171783  
Applicant name: Rockhampton Leagues Club Ltd  
Applicant contact details: PO Box 450  
Rockhampton QLD 4700  
gg@gideontownplanning.com.au

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR22-036338
- Date: 14 June 2022

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at [CorridorManagement@tmr.qld.gov.au](mailto:CorridorManagement@tmr.qld.gov.au) or on 07 4931 1545.

## Representations

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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Carl Porter, Principal Planning Officer, on 07 4924 2918 or via email [RockhamptonSARA@dasilgp.qld.gov.au](mailto:RockhamptonSARA@dasilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Rockhampton Leagues Club Ltd, [gg@gideontownplanning.com.au](mailto:gg@gideontownplanning.com.au)

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications  
Attachment 6 - S.62 state-controlled road access permit

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Material change of use</b>		
Schedule 10, Part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017)—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The existing permitted road access location must remain being a left-in / left-out treatment only, generally in accordance with the following plan: (a) OVERALL SITE PLAN prepared by design + architecture Pty Ltd dated 28/03/2022, reference SK-002, and revision 7.	Prior to the commencement of use and to be maintained at all times.
2.	(a) Stormwater management of the development must ensure no worsening to the state-controlled road.  (b) Any works on the land must not: (i) create any new discharge points for stormwater runoff onto the state-controlled road; (ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; (iii) surcharge any existing culvert or drain on the state-controlled road; (iv) (iv) reduce the quality of stormwater discharge onto the state-controlled road.	(a) At all times.  (b) At all times.
3.	Direct access is not permitted between Yaamba Road (the state-controlled road), and the subject site at any location other than the permitted access location as per Condition 1.	At all times

## Attachment 2—Advice to the applicant

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v3.0]. If a word remains undefined it has its ordinary meaning.

## **Attachment 3—Reasons for referral agency response**

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

### **The reasons for the department's decision are:**

- The development is to convert an existing resort, restaurant and function facility into a club.
- The existing access for the subject site onto the state-controlled road (Yaamba road) is fit for purpose.
- The development can be condition to ensure compliance with State code 1: Development in a state-controlled road environment is maintained.

### **Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 3.0)
- The Development Assessment Rules
- SARA DA Mapping system

## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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## **Attachment 6—s.62 state-controlled road access permit**

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 28 Concurrence agency changes its response or gives a late response

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

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

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

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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

Our ref TMR22-036338  
Your ref GTP 2168  
Enquiries Anton DeKlerk



Department of  
**Transport and Main Roads**

14 June 2022

Rockhampton Leagues Club Ltd  
C/- Gideon Town Planning  
PO Box 450  
Rockhampton QLD 4700

## Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

**This is not an authorisation to commence work on a state-controlled road<sup>1</sup>**

Development application reference number D/58-2022, lodged with Rockhampton Regional Council involves constructing or changing a vehicular access between Lot 21SP171783, the land the subject of the application, and Yaamba Road (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

### Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
<b>Road Access Location</b>		
1	The permitted road access location to the subject site (Lot 21 SP171783) is located at approximate Chainage 11.411km on Road 10F Bruce Highway (also known as Yaamba Road, Parkhurst) (lat: -23.289260; long: 150.510618).	At all times.
2	The permitted road access location is to facilitate left-in / left-out vehicular movements only and be generally in accordance with the Overall Site Plan prepared by Design + Architecture dated 28 March 2022, reference SK-002 and revision 7.	At all times.
3	Direct access is not permitted between Yaamba Road (the state-controlled road), and the subject site at any location other than the permitted access locations as per Condition 1	At all times.
4	The road access is to be maintained at no cost to the department in accordance with section 64(a) & (b) of the <i>Transport Infrastructure Act 1994</i> .	At all times.

<sup>1</sup> Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
5	The landowner shall be responsible for all maintenance works for the access in accordance with Module 9 of the Local Government Association of Queensland document 'TMR/Local Government Cost Sharing Arrangement', dated October 2017.	At all times.
6	All vehicles entering or exiting the property via the permitted access must travel in a forward direction only.	At all times.
7	Reasonable steps are taken to ensure that the permitted road access is used by others in accordance with these conditions.	At all times.

### Reasons for the decision

The reasons for this decision are as follows:

- a) To maintain the safety and function of the state-controlled road.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

### Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

### Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
  - a) starts to have effect when the development approval has effect; and
  - b) stops having effect if the development approval lapses or is cancelled; and
  - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

If further information about this approval or any other related query is required, Mr Anton DeKlerk, Principal Town Planner should be contacted by email at [CorridorManagement@tmr.qld.gov.au](mailto:CorridorManagement@tmr.qld.gov.au) or on (07) 4931 1545.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anton DeKlerk', with a horizontal line underneath.

Anton DeKlerk  
**Principal Town Planner**

Attachments: Attachment A – Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions  
Attachment D - Permitted Road Access Location Plan – Overall Site Plan prepared by Design + Architecture dated 28 March 2022, Reference SK-002 and revision 7.

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- The permitted access from the state-controlled road to Lot 21 on SP171783 is associated with a Material Change of Use for a Club.
- The proposed development is to establish a Club on the subject site and will involve the redevelopment and expansion of the existing restaurant building located along the Yaamba Road frontage to accommodate the new facility.
  - The existing buildings and infrastructure will be repurposed to accommodate the operations of the Club.
  - The redevelopment will see the main accommodation facility retained and the overall build form of the proposed development will not significantly change.
  - The development will use the onsite parking and manoeuvring area, thereby eliminating any parking and traffic safety issues.
- TMR recently finished the duplication works along Yaamba Road including all applicable private accesses which was impacted. As part of TMR's duplication works, a center median was constructed between the dual carriageways. This changed the existing access to the subject site to only facilitate left-in / left-out vehicular movements.
- The proposed development will not require any additional upgrades to the permitted road access, subject to remaining left-in / left-out.

Evidence or other material on which findings were based:

<b>Title of Evidence / Material</b>	<b>Prepared by</b>	<b>Date</b>	<b>Reference no.</b>	<b>Version/Issue</b>
Planning Report	Gideon Town Planning	27 April 2022	GTP_2168	Final
RE: 0552122 - Club Parkhurst, 984 Bruce Highway, Parkhurst	McMurtrie Consulting Engineers	3 May 2022	2002-2022	-
Concept Plans	Design + Architecture	March 2022	SK-001 SK-002 SK-003 SK-004 SK-005 SK-006 SK-007 SK-008 SK-009	7

## Attachment B

### Section 70 of TIA

*Transport Infrastructure Act 1994*

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

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#### **70 Offences about road access locations and road access works, relating to decisions under s 62(1)**

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
  - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
  - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
  - (c) obtain any other access between the land and the road contrary to the decision; or
  - (d) use a road access location or road access works contrary to the decision; or
  - (e) contravene a condition stated in the decision; or
  - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
  - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

**Attachment C**  
**Appeal Provisions**

*Transport Infrastructure Act 1994*  
Chapter 16 General provisions

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**485 Internal review of decisions**

- (1) A person whose interests are affected by a decision described in schedule 3 (the *original decision*) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
  - (a) applies to the review; and
  - (b) provides—
    - (i) for the procedure for applying for the review and the way it is to be carried out; and
    - (ii) that the person may apply to QCAT to have the original decision stayed.

**485B Appeals against decisions**

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
  - (a) applies to the appeal; and
  - (b) provides—
    - (i) for the procedure for the appeal and the way it is to be disposed of; and
    - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
  - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and



(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(5) The court may order—

(a) the appeals to be heard together or 1 immediately after the other; or

(b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

*original decision* means a decision described in schedule 3.

*reviewed decision* means the chief executive's decision on a review under section 485.

### **31 Applying for review**

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
  - (a) the notice did not state the reasons for the original decision; and
  - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

### **32 Stay of operation of original decision**

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
  - (a) may be given on conditions the relevant entity considers appropriate; and
  - (b) operates for the period specified by the relevant entity; and
  - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

*relevant entity* means—

(a) if the reviewed decision may be reviewed by QCAT—QCAT; or

(b) if the reviewed decision may be appealed to the appeal court—the appeal court.

### **35 Time for making appeals**

(1) A person may appeal against a reviewed decision only within—

(a) if a decision notice is given to the person—28 days after the notice was given to the person; or

(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

PRELIMINARY SKETCH PLANS:  
If the drawings are labelled and issued 'preliminary', below, they are not suitable for Building Application, tender or construction purposes!  
The intent of preliminary sketch plans are only for presenting the concept for the specific project to the client as nominated in the title sheet.

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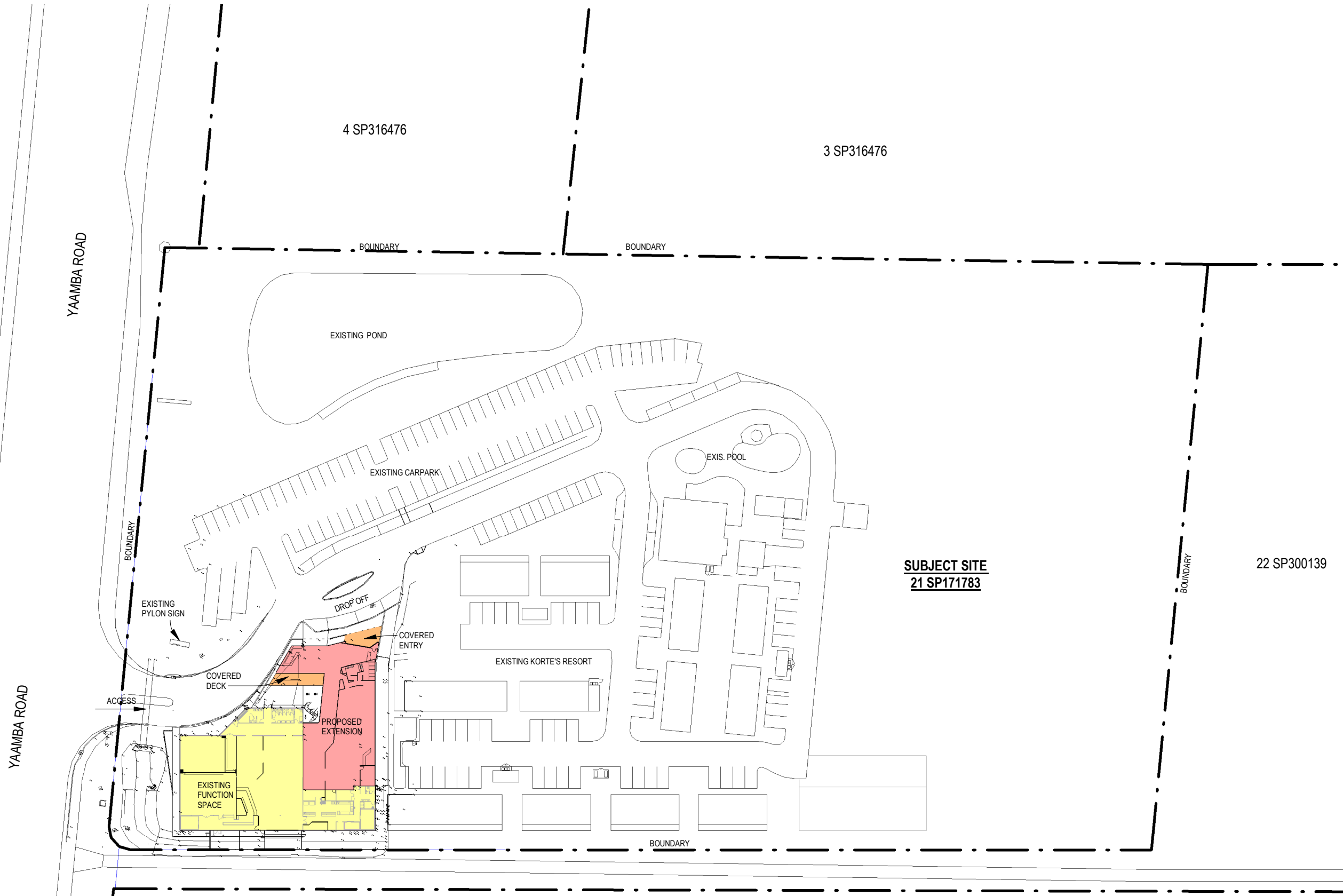
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**REVISIONS**

REV	DESCRIPTION	DATE
5	PRELIMINARY	08/03/2022
7	PRELIMINARY	28/03/2022

**A3 DRAWING**

NOTED SCALES RELATE TO A3 DRAWINGS



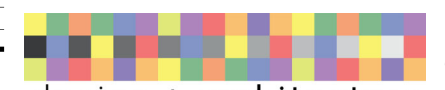
AREA SCHEDULE	
<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> EXISTING FUNCTION SPACE GFA	: 1025.9 SQM
<span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PROPOSED EXTENSION GFA	: 612.9 SQM
<span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PROPOSED COVERED ENTRY+DECK	: 70.2 SQM

**GENERAL NOTE:**

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- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- TRAFFIC/STORMWATER/OPERATIONAL WORKS: AS PER CIVIL ENGINEER DOCUMENTS AND DRAWINGS IF REQUIRED
- CURRENT LOCATIONS AND BOUNDARY LINE ARE APPROXIMATE, RELEVANT SURVEY TO BE CONDUCTED BEFORE ANY DOCUMENTATION OR CONSTRUCTION
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS DOCUMENTATION WHEN VIEWING THESE PLANS
- THESE DRAWINGS ARE CONCEPTUAL AND DO NOT REFLECT BUILDING APPROVAL, PLUMBING APPROVAL, QFRS APPROVAL OR DISABILITY REQUIREMENTS. CLIENT TO CONFIRM AND GET APPROVAL FROM RELEVANT AUTHORITIES
- IF THE SITE OR PROJECT ARE TRIGGERED OR LOCATED IN BUSHFIRE AREA, THEN THE BUILDINGS TO COMPLY WITH BUSHFIRE REQUIREMENTS OR AS PER COUNCIL REQUIREMENTS

project: **CLUB PARKHURST**  
drawing title: **OVERALL SITE PLAN**  
location: 984 YAAMBA ROAD - LOT 21 SP171783

project no:  
**RL-002**  
drawing no:  
**SK-002**



design + architecture Pty. Ltd.  
abn: 80167978832  
reg no. 4610  
www.designaa.com.au design@designaa.com.au

ISSUED FOR  
**PRELIMINARY**

scale 1 : 1000 rev  
date **MAR 22** 7  
drawn Author

**CONCEPT ONLY**

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**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**



SARA ref: 2205-28857 SRA  
 Date: 15 June 2022

**PRELIMINARY SKETCH PLANS:**  
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 The intent of preliminary sketch plans are only for presenting the concept for the specific project to the client as nominated in the title sheet.

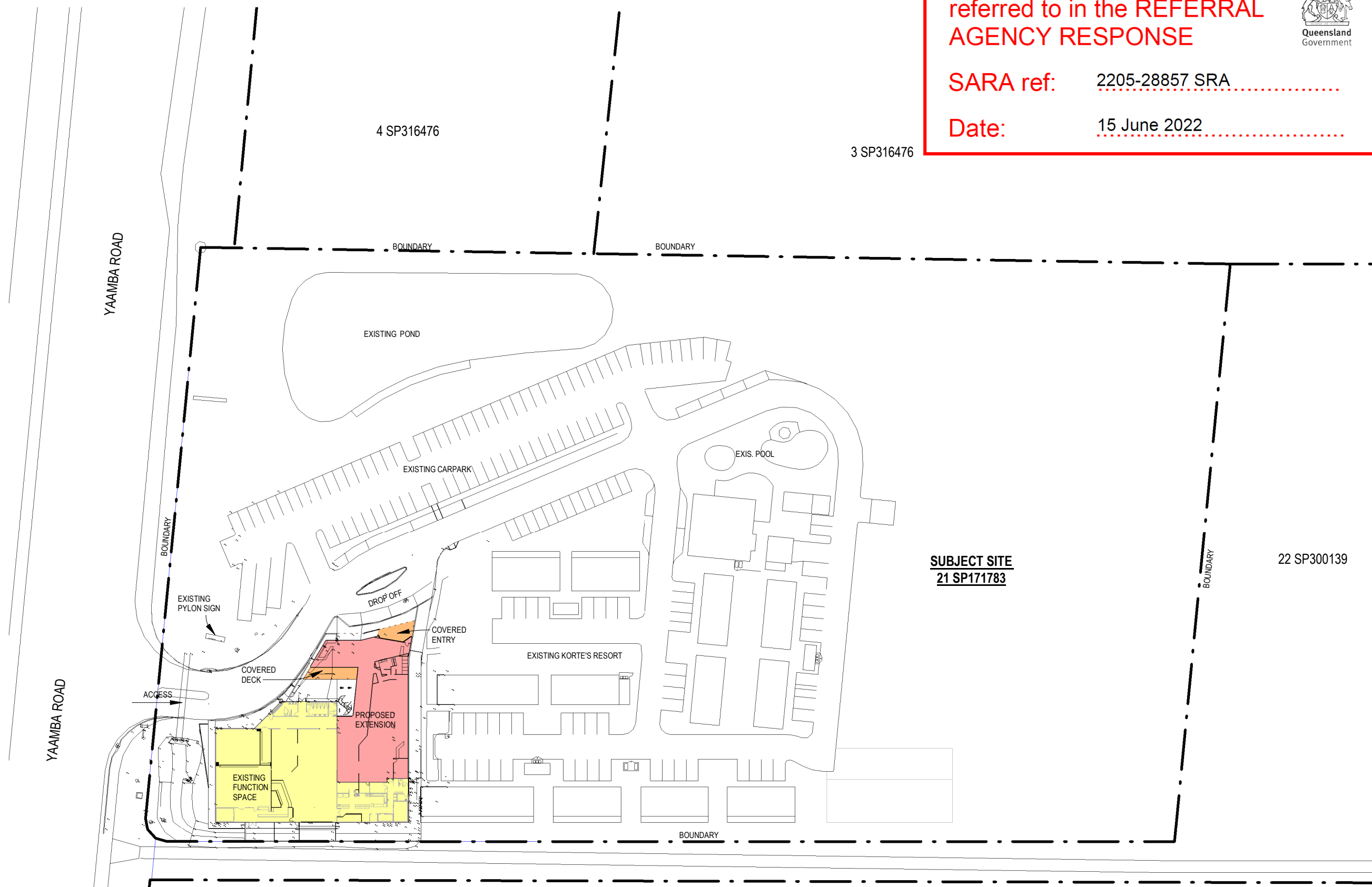
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REVISIONS		
REV	DESCRIPTION	DATE
5	PRELIMINARY	08/03/2022
7	PRELIMINARY	28/03/2022

**A3 DRAWING**  
 NOTED SCALES RELATE TO A3 DRAWINGS



project: CLUB PARKHURST  
 drawing title: OVERALL SITE PLAN  
 location: 984 YAAMBA ROAD - LOT 21 SP171783

project no:  
**RL-002**

drawing no:  
**SK-002**

AREA SCHEDULE	
EXISTING FUNCTION SPACE GFA	: 1025.9 SQM
PROPOSED EXTENSION GFA	: 612.9 SQM
PROPOSED COVERED ENTRY+DECK	: 70.2 SQM

**GENERAL NOTE:**

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- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- TRAFFIC/STORMWATER/OPERATIONAL WORKS: AS PER CIVIL ENGINEER DOCUMENTS AND DRAWINGS IF REQUIRED
- CURRENT LOCATIONS AND BOUNDARY LINE ARE APPROXIMATE, RELEVANT SURVEY TO BE CONDUCTED BEFORE ANY DOCUMENTATION OR CONSTRUCTION
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS DOCUMENTATION WHEN VIEWING THESE PLANS
- THESE DRAWINGS ARE CONCEPTUAL AND DO NOT REFLECT BUILDING APPROVAL, PLUMBING APPROVAL, QFRS APPROVAL OR DISABILITY REQUIREMENTS. CLIENT TO CONFIRM AND GET APPROVAL FROM RELEVANT AUTHORITIES
- IF THE SITE OR PROJECT ARE TRIGGERED OR LOCATED IN BUSHFIRE AREA, THEN THE BUILDINGS TO COMPLY WITH BUSHFIRE REQUIREMENTS OR AS PER COUNCIL REQUIREMENTS

**CONCEPT ONLY**

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ISSUED FOR  
**PRELIMINARY**

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 date MAR 22 7  
 drawn Author

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420 Flinders Street, Townsville QLD 4810  
PO Box 1090, Townsville QLD 4810

[ergon.com.au](http://ergon.com.au)

28 June 2022

Rockhampton Regional Council  
PO Box 1860  
Rockhampton QLD 4700

Attention: Kathy McDonald  
Via email: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au)

Cc Rockhampton Leagues Club Ltd  
C/- Gideon Town Planning  
PO BOX 450  
Rockhampton City QLD 4700

Attention: Zayra Gomez  
Via email: [info@gideontownplanning.com.au](mailto:info@gideontownplanning.com.au)

Dear Kathy,

**Referral Agency Response – Development Permit for Material Change of Use for a Club and Operational Works for an Advertising Device located at 984-986 Yaamba Road, Parkhurst described as Lot 21 on SP171783**

**Council Ref: D/58-2022**  
**Applicant Ref: GTP 2168**  
**Our Ref: HBD 7624671**

We refer to the abovementioned Development Application, which has been referred to Ergon Energy pursuant to section 54(1) of the *Planning Act 2016*.

In accordance with Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*, the application has been assessed against the purposes of the *Electricity Act 1994* and *Electrical Safety Act 2002*. This notice is provided in accordance with section 56 of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed Material Change of Use and Operational Works, as an Advice Agency for the Development Application, Ergon advises the following in relation to the development:

1. This application is approved in accordance with the below referenced plans. Any changes to these plans should be resubmitted to Ergon for further review and comment.

**Have you seen our fact sheets?**

See the 'considerations when developing around electricity infrastructure' section of our website [www.ergon.com.au/referralagency](http://www.ergon.com.au/referralagency)

Approved Plans			
Title	Plan Number	Rev.	Date
Proposed Plan	SK-005	10	27/06/2022

2. The conditions of any easements in favour of Ergon must be maintained at all times.
3. Access to the easement and access along the easement must be available to Ergon personnel and heavy equipment at all times.
4. Landscaping on the easement is prohibited with the exception of turf.
5. Natural ground levels on the easement shall not be changed without Energex approval.
6. Any future works in the vicinity of Ergon assets are to be carried out in accordance with the Electricity Entity Requirements: Working Near Overhead and Underground Electric Lines. This guideline can be accessed via the following link:  
[https://www.ergon.com.au/\\_data/assets/pdf\\_file/0010/211231/Working-near-OH-UG-lines-BS001405R107ver2.pdf](https://www.ergon.com.au/_data/assets/pdf_file/0010/211231/Working-near-OH-UG-lines-BS001405R107ver2.pdf).

Should you require further information regarding this matter, feel free to contact the undersigned on 0456 836 609 or email [townplanning@ergon.com.au](mailto:townplanning@ergon.com.au).

Yours faithfully,



Maddison Low  
Town Planner

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