

PUBLIC NOTIFICATION



Approval Sought:	Material Change of Use
Proposed Development:	Health Care Services (Dental Practice)
Where:	99 Musgrave Street, Berserker
Lot Description:	Lot 0 and 10 on BUP60058
Application Reference:	D/8-2026

Make a submission from:

9 March 2026 to 27 March 2026

You may make a submission to Rockhampton Regional Council

PO BOX 1860, Rockhampton QLD 4700

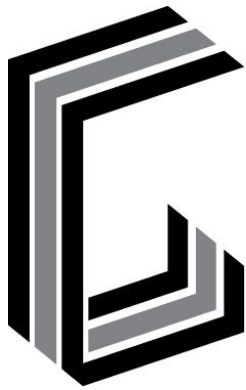
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GIDEON
TOWN PLANNING

PLANNING REPORT

**MATERIAL CHANGE OF USE
FOR A HEALTH CARE SERVICE**

**U10/99 MUSGRAVE STREET
BERSERKER QLD 4701**

LOT 10 BUP60058 & LOT 0 BUP60058

Pillay Property Holdings Pty Ltd

22 January 2026

DOCUMENT CONTROL SHEET

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1.0 INTRODUCTION

This Planning Report has been prepared on behalf of *Pillay Property Holdings Pty Ltd* in support of a Development Application for Material Change of Use for a Health Care Service located at U10/99 Musgrave Street, Berserker, on land described as Lot 10 BUP60058 and Lot 0 BUP60058.

In accordance with the *Rockhampton Region Planning Scheme 2015* (Planning Scheme) and pursuant to the Planning Act 2016, the proposed development constitutes Assessable Development in the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct), requiring a Development Permit for Material Change of Use (Impact Assessment).

The development application has been prepared in response to a Show Cause Notice issued by Council on 17 July 2025 (refer to *Appendix G – Show Cause Notice*). The application seeks land use approval for the Serenity Dental practice to operate within the existing building (refer to *Appendix D – Proposal Plans*). No external works are proposed, and all existing services and transport connections will be retained.

It is considered that the proposal is consistent with the overall outcomes of the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct) based on the following:

- The development is for a dental practice, providing a small-scale health care service that supports the role and function of the Musgrave Street Specialised Centre.
- The development consolidates non-residential activity within the designated centre, avoiding encroachment into surrounding residential areas.
- The development maintains the established built form and active frontage to Musgrave Street, contributing to the precinct's visual quality and accessibility.
- The development generates only a minor increase in traffic, supported by existing access and shared on-site parking, ensuring the safe and efficient function of Musgrave Street.

The development complements surrounding retail and service uses, enhancing the mix of activities in the precinct without undermining higher order centres. This report addresses the relevant Codes and Policies of the Planning Scheme and relevant State planning instruments. Supporting information is provided to identify compliance with the acceptable outcomes of the applicable planning scheme codes and demonstrate planning merit for the proposed development.

The proposed development is considered to satisfy the relevant requirements of the regional, State, and local planning instruments. The development accords with the relevant Planning Scheme Codes and maintains the outcomes sought for the Specialised Centre Zone. It is considered that the proposal has merit and warrants favourable consideration by the Council.

2.0 PROJECT OVERVIEW

2.1 Site Details

Property Address:	U10/99 Musgrave Street, Berserker
Property Description:	Lot 10 BUP60058 & Lot 0 BUP60058 (Appendix B – Title Searches)
Encumbrances:	N/A
Registered Owner	Lot 10 BUP60058 - Pillay Property Holdings Pty Ltd Lot 0 BUP60058 – Body Corporate For the Whitehouse Community Titles Scheme 1730 (Appendix C - Owners Consent)
Total Site Area:	418m ²

2.2 Application Details

Applicant:	Pillay Property Holdings Pty Ltd c/- Gideon Town Planning
Approval Type:	Development Permit for Material Change of Use
Description of proposal	Health Care Service
Local Government Area:	Rockhampton Regional Council
Assessment Manager:	Rockhampton Regional Council
Planning Scheme:	Rockhampton Region Planning Scheme 2015
Zoning:	Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct)
Overlays:	• Acid Sulphate Soils – Land above 5m AHD and below 20m AHD • Airport Lighting Area – 6km buffer • Airport Obstacle Limitations – 30m limit • Airport Wildlife Hazard Area – 8km buffer • Bicycle Network – Cycling Arterial Routes • Flood Hazard – Local Catchment DFE • Road Hierarchy – State Controlled Road • Transport Noise Corridors – Main Roads Category 2, 3 & 4
Level of Assessment:	Impact Assessment
Relevant Code:	<u>Zone and Development Codes:</u> • Specialised Centre Zone Code • Access, Parking and Transport Code • Landscape Code • Stormwater Management Code • Water and Sewer Code
Referral Agencies:	SARA
Regional Plan:	Central Queensland Regional Plan 2013

3.0 CHARACTERISTICS OF SITE AND SURROUNDING AREA

3.1 Site Details and Location

The subject site is located at U10/99 Musgrave Street, Berserker, on land described as Lot 10 BUP60058. It is located approximately 1.4km northeast of the Rockhampton CBD, within the suburb of Berserker. The subject site is within the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct) and is surrounded entirely by other Specialised Centre zoned land with various commercial uses.



Figure 1 Site Location Context
Source: Queensland Globe

3.2 Site Characteristics

3.2.1 Area & Configuration

The subject site has an irregular configuration, measuring 418m², with a road frontage of approximately 9.5 metres to Musgrave Street (State Controlled Road).

3.2.2 Existing Infrastructure and Build Form

A two-story building entirely occupies the subject site.

3.2.3 Topography and landscaping

The subject site is entirely flat and clear of vegetation.

3.2.4 Vehicle access and car parking

The subject site has two vehicle access points via the adjoining Lot 0 BUP60058, with an entry/exit access driveway onto MacAree Street and an exit-only access driveway onto Musgrave Street.

While the subject site does not feature any vehicle parking spaces, twenty-three (23) spaces are provided within Lot 0 BUP60058 for use by all premises within 99 Musgrave Street.

3.2.5 Urban Services

The subject site is serviced by the following urban services:

- Water infrastructure is located within Musgrave Street and MacAree Street (blue on insert map below)
- Sewer infrastructure traverses the adjoining Lot 0 BUP60058 (maroon on insert map below)
- Stormwater infrastructure is available within Musgrave Street and MacAree Street
- Electrical infrastructure, not owned or managed by Council, is available along the road frontage of the subject sites.
- Telecommunications infrastructure, not owned or managed by Council, is available along the road frontage of the subject sites.

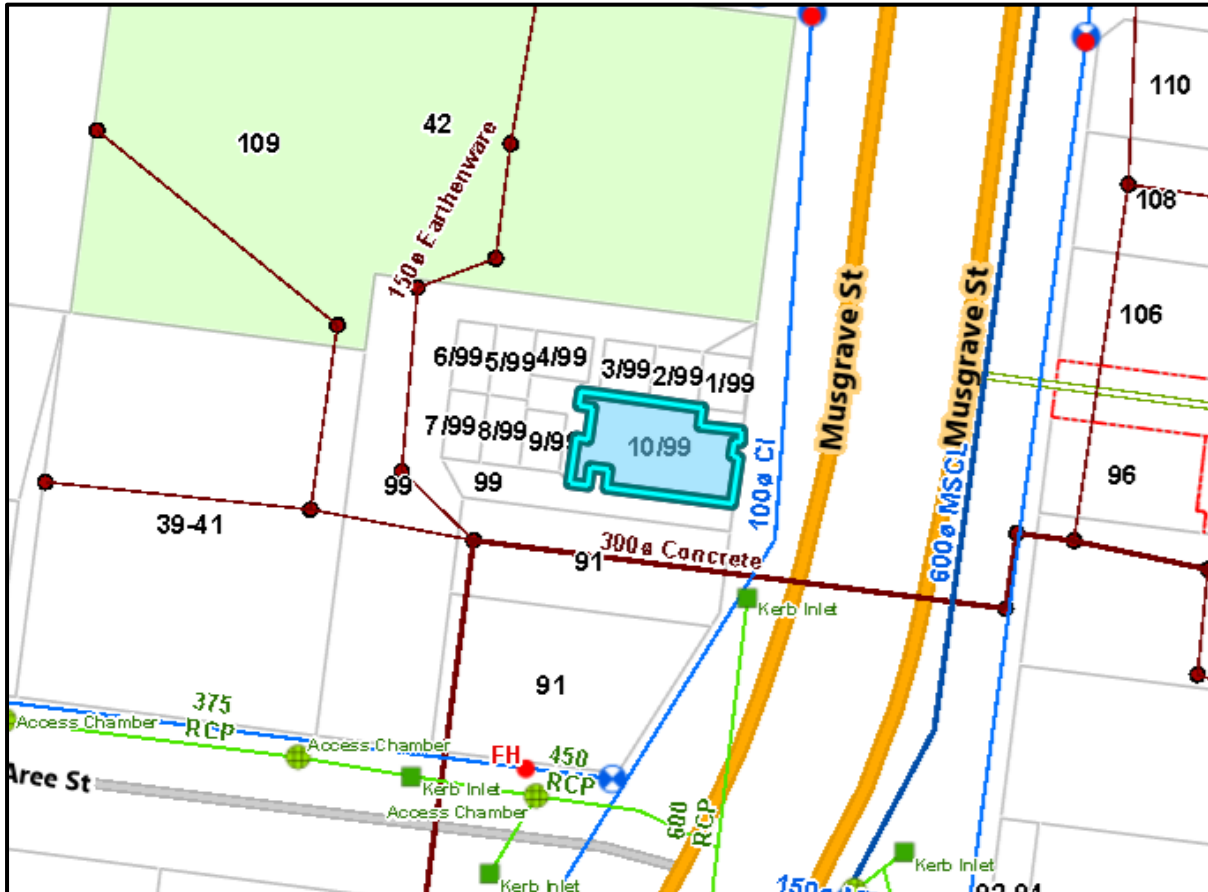


Figure 2 Council Infrastructure
Source: RRC Interactive Mapping

3.2.6 Easements

The subject site does not contain any easements.

4.0 DEVELOPMENT PROPOSAL

4.1 Proposal Description

The proposal is to establish land use rights for the existing dental practice (Serenity Dental) operating at the subject site (refer to *Appendix D_Proposal Plans*).

The ground floor includes four (4) consulting rooms, a reception and waiting area, sterilisation facilities, and staff amenities (refer to *Figure 3 Ground floor*).

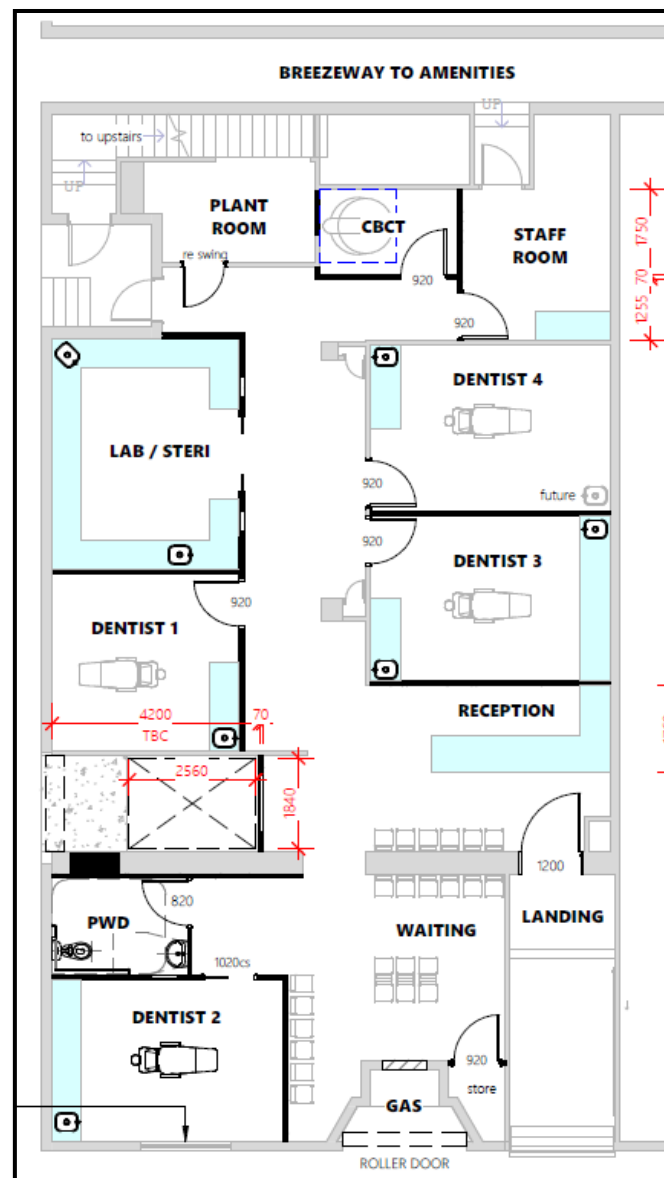


Figure 3 Ground Floor

Source: Design Elements

The upper floor provides an additional three (3) consultation rooms, a reception and waiting area, sterilisation facilities, staff amenities, and associated support spaces (refer to *Figure 4 Upper Floor*). No external building works or changes to the building footprint are proposed.

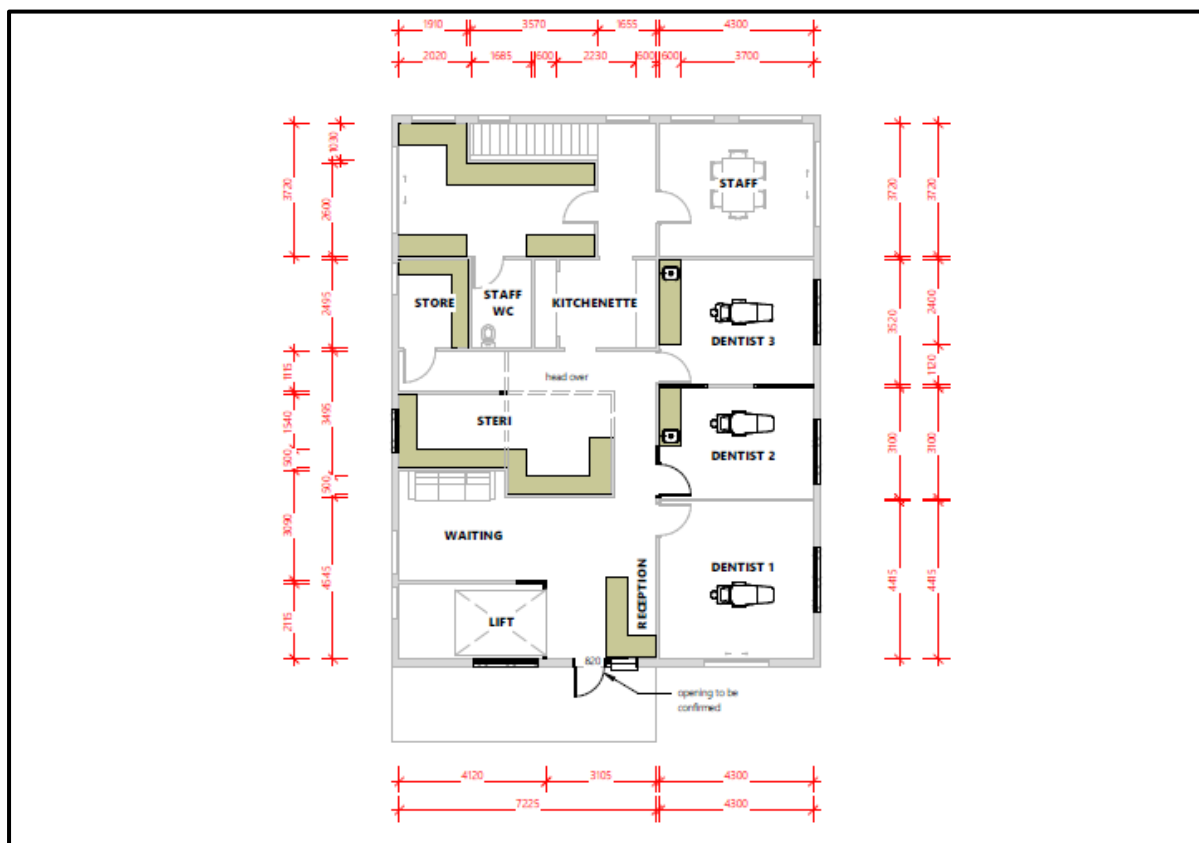


Figure 4 Upper Floor

Source: Design Elements

4.1.1 Access and car parking

The development will retain the existing shared access driveways onto MacAree Street (entry/exit) and Musgrave Street (left exit only). Refer to *Appendix I_Access Visibility Assessment* relating to the access driveway onto Musgrave Street.

The proposal does not include any increase in gross floor area, with the existing upper floor of the building to be reused. Therefore, in accordance with AO5.1.2 of the Access, Parking and Transport Code, the development will retain shared use of the existing twenty-three (23) parking spaces on the adjoining Lot 0 BUP60058 (refer to *Appendix D_Proposal Plans*).

4.1.2 Landscaping

Development proposes no external works. Therefore, no additional landscaping will be provided.

4.1.3 Operating Hours

The development will retain the existing opening hours, as follows:

- Monday: 7:45am – 5:15pm
- Tuesday: 7:45am – 6:45pm
- Wednesday: 7:45am – 5:15pm
- Thursday: 7:45am – 5:15pm
- Friday: 7:45am – 5:15pm
- Saturday 8:00am – 2:30pm
- Sunday: Closed

4.1.4 Stormwater Management

The development proposes no external works. Existing stormwater management practices will be retained.

4.1.5 Waste Management

The development will retain the existing waste management practices. The expansion of the dental practice will result in a minimal increase in waste production.

4.1.6 Services

The development will retain all existing connections to all services, including water, sewer, electricity, and telecommunications.

5.0 REVIEW OF LEGISLATIVE REQUIREMENTS

5.1 Assessment Overview

5.1.1 Matters to be assessed

In accordance with the *Rockhampton Region Planning Scheme 2015* and in particular, in accordance with *Table 5.4.2.6.2 Table of Assessment for Material Change of Use in Specialised Centre Zone – Musgrave Street Precinct*, the proposed development is subject to **Impact Assessment**.

According to Section 45(5) of the Planning Act:

"(5) An impact assessment is an assessment that—

- a) *must be carried out—*
 - i. *against the assessment benchmarks in a categorising instrument for the development; and*
 - ii. *having regard to any matters prescribed by regulation for this subparagraph; and*
- b) *may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise."*

Assessment benchmarks are described in Section 30 of the Planning Regulation 2017 ("Planning Regulation"):

- (1) For section 45(5)(a)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—
 - a) *the assessment benchmarks stated in—*
 - i. *the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - ii. *the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - iii. *a temporary State planning policy applying to the premises;*
 - b) *(b) if the development is not in a local government area—any local planning instrument for a local government area that may be materially affected by the development;*
 - c) *(c) if the local government is an infrastructure provider—the local government's LGIP*
- (3) However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development."

The following sections include an assessment of the proposal against the relevant components of the *Rockhampton Region Planning Scheme 2015* and the relevant State Government planning instruments and legislative requirements.

5.2 Rockhampton Region Planning Scheme 2015

5.2.1 Planning Scheme Definitions

Under the *Rockhampton Region Planning Scheme 2015*, the proposal has been defined as:

Health Care Service means *the use of premises for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight accommodation is not provided on the premises.*

The use, as described in section 4, aligns with the above land use definition.

5.2.2 Planning Scheme Zone

The subject site is located within the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct) under the *Rockhampton Region Planning Scheme 2015*.

5.2.3 Level of Assessment

As previously discussed, the proposed Material Change of Use in accordance with *Table 5.4.2.6.2 Table of Assessment for Material Change of Use in the Specialised Centre Zone – Musgrave Street Precinct* within the *Rockhampton Region Planning Scheme 2015* is **Impact Assessable**.

5.2.4 Planning Scheme Overlays and Codes

The site is affected by the following Planning Scheme Overlays. Refer to *Appendix H – RRPS 2015 Overlays* for copies of the overlay mapping.

Table 1 Planning Scheme Overlays and Codes

Overlays	Relevant Code	Comment
Acid Sulfate Soils – Land Above 5m AHD and below 20m AHD	Acid Sulfate Soils Overlay Code	The proposal does not involve any filling or excavation. Therefore, it is not deemed necessary to address the code in full. This overlay is not further discussed as part of this application.
• Airport Lighting Area – 6km buffer • Airport Obstacle Limitations – 30m limit • Airport Wildlife Hazard Area – 8km buffer	Airport Environs Overlay Code	The proposal does not involve any buildings over the prescribed height limit. Therefore, it is not deemed necessary to address the code in full. This overlay is not further addressed as part of this application.
Bicycle Network – Cycling Arterial Routes	N/A	Noted.
Flood Hazard – Local Catchment DFE	Flood Hazard Overlay Code	The subject site is minimally affected by the Flood Hazard overlay. However, no new buildings are proposed as part of the development. Therefore, it is not deemed necessary to address the code in full.
Road Hierarchy	N/A	It is noted that Musgrave Street is identified as a State Controlled Road, as per the planning scheme.
Special Management Area	Special Management Area Overlay Code	The development does not involve any sensitive land uses. Therefore, it is not deemed necessary to address the code in full.
Transport Noise Corridors – Main Roads Category 2, 3 & 4	N/A	Noted.

The proposed development is consistent with the outcomes sought for the Planning Scheme Overlay provisions as they apply to the subject site.

5.2.5 Other Planning Scheme Codes

The following other Planning Scheme Codes have been identified as being relevant to the assessment of proposed development:

Table 2 Other Planning Scheme Codes

Code	Comment
Specialised Centre Zone Code	The proposed development is consistent with the purpose of the Specialised Centre Zone Code. An assessment of the proposed development against the code is included in <i>Appendix E – Code Assessment</i> .
Access, Parking and Transport Code	The proposed development is consistent with the purpose of the Access, Parking and Transport Code. An assessment of the proposed development against the code is included in <i>Appendix E – Code Assessment</i> .
Landscape Code	The proposed development does not propose any changes to the overall built form on-site. There, it is not deemed necessary to provide additional landscaping as part of the development. Therefore, it is not deemed necessary to address the code in full.
Stormwater Management Code	The proposed development takes place within an existing building, with no changes to the on-site stormwater management practices proposed. Therefore, it is not deemed necessary to address the code in full.
Waste Management Code	The proposed development will maintain the site's current waste management processes. The increase in waste produced by the new development will be minimal. Therefore, it is not deemed necessary to address the code in full.
Water and Sewer Code	The proposed development will retain all existing connections to Council's reticulated water and sewer services. Therefore, it is not deemed necessary to address the code in full.

5.2.5.1 Specialised Centre Zone Code

Table 3 below provides an assessment of the proposed development against the purpose and overall outcomes for the Specialised Centre Zone.

Table 3 Alignment with Zone Purpose and Overall Outcomes

Specialised Centre Zone Purpose	Development Alignment
(a) enable the specialised centres to strengthen and maintain their role within the network of centres in the region, providing services and facilities appropriate to their respective function and catchment; and	The development strengthens the role of the Musgrave Street Specialised Centre by establishing land use rights for an existing health care service that provides accessible dental services to the local community. The proposal delivers facilities consistent with the catchment's needs and supports the function of the centre without undermining higher order centres.
(b) facilitate the development of specialised centres which are readily accessible, integrated and well designed, form vibrant focal points for the community, promote the efficient provision of services and contribute to the quality of life, character and identity of communities.	The proposal is located on Musgrave Street, a highly accessible State-controlled road with established pedestrian and public transport connections. The development is well integrated into the centre, contributing to the efficient provision of health services. Therefore, the development supports community wellbeing and contributes to the character of the Musgrave Street precinct.
Specialised Centre Zone Overall Outcomes	Development Alignment
(a) the specialised centres primarily accommodate retail functions being	While the specialised centres primarily accommodate retail and food premises, they also

showrooms or outdoor sales with food and drink outlets that are either highway focussed or small-scale and serving visitors to the centre;

support a mix of small-scale commercial and service uses. The proposed dental practice is consistent with this intent, as it is a low-impact health service that complements the retail function of the centre and serves the local catchment without undermining the precinct's retail focus.

(b) specialised centres are not to accommodate department stores, discount department stores or large-scale shopping centres unless stated otherwise in a precinct or sub-precinct. Only a convenience level of shopping is provided, serving the immediate neighbourhood and local customers (convenience function being similar to a neighbourhood centre);

The development does not propose department stores, discount department stores or large-scale shopping centres.

(c) development does not undermine the viability, role or function of other centres;

The development is for a dental practice providing a localised health service. It does not introduce large-scale retail or commercial activities and therefore will not impact the viability, role, or function of other designated centres.

(d) stand-alone, purpose built office buildings which exceed a 200 square metre gross floor area threshold are not to be established. This includes large-scale offices of the government and the private sector;

The development does not propose standalone office uses.

(e) development is consolidated within the defined zone boundaries;

The development occurs entirely within the Specialised Centre Zone.

(f) development is designed for the local climate, and includes sustainable practices for maximising energy efficiency, water conservation and public/active transport use;

Development will occur within an existing building. The use will continue to contribute toward sustainable practices.

(g) development does not impact on the existing level of amenity of the surrounding residential areas and does not encourage additional traffic through nearby urban access streets and urban access places;

The development is located within an established commercial building fronting Musgrave Street, with no nearby residential uses. Traffic will continue to utilise the existing access arrangements via Musgrave Street and MacAree Street, ensuring no impacts on amenity or diversion through urban access streets.

(h) the height and scale of buildings create an attractive, pedestrian-friendly environment at street level with awnings that are orientated towards the primary street frontage;

The development occurs within an existing building. Building height will be unchanged.

(i) building design includes a combination of materials, recesses and variations in horizontal and vertical planes to create visual interest;

Development occurs within an existing building.

(j) primary pedestrian areas are activated by shop fronts, doorways, awnings, interesting external wall treatments, street trees and kerbside activities;

Development retains the existing primary pedestrian access point fronting Musgrave Street, contributing to the activation of the street.

(k) development is landscaped to assist with the greening of the city and the creation of shady, safe and well connected pedestrian and public places;

The development occurs within an existing building. Additional landscaping is not proposed.

(l) the provision of infrastructure services, car parking and access is commensurate with the type and scale of development;

The proposal relies on existing reticulated infrastructure and shared parking arrangements already servicing the site. With 23 on-site spaces available across the complex, the scale of the

	dental practice can be accommodated without changes to access or services, ensuring provision is appropriate for the use.
(m) development includes uses that operate at different times of the day to ensure specialised centres have vitality and reduce the potential for crime through activation and passive surveillance;	The dental practice will operate primarily during daytime hours, complementing the mix of surrounding commercial uses in the Musgrave Street precinct. This contributes to centre vitality and provides ongoing passive surveillance, supporting a safe and active environment.
(n) development involving a significant increase in gross floor area (greater than 3,000 square metres) is accompanied by a master plan that demonstrates how the expansion integrates with the balance of the centre and with the surrounding urban areas.	Development does not propose any increase in gross floor area.

Musgrave Street Precinct Overall Outcomes	Development Alignment
(a) development consolidates the historic retail and residential uses which developed along Musgrave Street, which are 'bookended' by the principal centre and the major centre zone;	Being a dental practice within an existing building the proposal consolidates existing non-residential activity along Musgrave Street. This maintains the established pattern of mixed retail, service, and residential uses that characterise the corridor between the principal and major centres.
(b) precinct does not accommodate large-scale shops such as discount department stores, supermarkets or shopping centres greater than 500 square metres gross floor area;	Development does not propose large-scale shops.
(c) regional government offices, private sector head-offices and large-scale offices are not located in this precinct. Over time existing large-scale offices are to relocate to the principal centre;	Development does not involve large-scale office uses.
(d) further spread of non-residential uses into surrounding residential areas will not occur, and only small-scale, convenience retail uses serving the local catchment locate in the precinct;	Development occurs entirely within the Specialised Centre Zone and does not involve retail uses.
(e) development in this precinct reflects its importance as one of the main northern entrances to the city and maintains a high level of building design and layout, landscaping and signage; and	The proposal involves an internal fit-out on the upper floor only, with no external building works. The existing commercial building fronting Musgrave Street will be retained, ensuring the established built form, landscaping, and signage standards are maintained. This allows the precinct to continue presenting a high-quality appearance along one of the city's main northern entrances.
(f) development ensures the safe and efficient function of Musgrave Street as a state controlled road. This includes ensuring car parking is provided on site to limit on-street parking.	The development does not alter existing access arrangements to Musgrave Street and will generate only a minor increase in traffic. Car parking is provided within the shared on-site facility (23 spaces across the complex), ensuring sufficient provision to accommodate the dental practice and limiting reliance on on-street parking.

Mixed Use Sub-Precinct Overall Outcomes	Development Alignment
(a) convenience shopping is provided for the immediate neighbourhood and local customers (convenience function being primarily based on a neighbourhood centre);	While the precinct accommodates convenience shopping, it also supports small-scale commercial and service uses. The proposed dental practice aligns with this function by providing a locally accessible health care service that complements

	convenience retailing for the immediate neighbourhood and surrounding community.
(b) development comprises a variety of small-scale, mixed retail, personal and administrative services and food services at ground level, with a residential component such as medium density residential above or behind;	The proposal is consistent with the intended mix of small-scale uses in the precinct, as it is a health care service within the existing commercial building. The development maintains the established pattern of ground-level service and commercial activities along Musgrave Street, complementing surrounding retail, personal, and administrative services.
(c) business-to-business uses are located on lower order side roads connecting with Musgrave Street;	Development does not involve business-to-business uses.
(d) development fronting Musgrave Street includes a mix of uses that operate through the day and night to encourage a safe urban environment;	The development contributes to the daytime activity of the Musgrave Street frontage by expanding an existing dental practice. While operating primarily during business hours, it complements surrounding uses that extend into the evening, collectively supporting a safe and active urban environment.
(e) intensification of residential uses in this sub-precinct is supported (located above ground storey or behind ground storey retail, commercial or community related activities);	Development does not involve intensification of residential uses.
(f) non-residential development is contained within the defined sub-precinct boundary and provides suitable buffering to the residential zones located east and west of Musgrave Street;	The development occurs entirely within the Mixed-Use Sub-Precinct and does not alter buffers to nearby residential zones.
(g) office activities exceeding 200 square metres in gross floor area will not occur;	Development does not involve standalone office activities.
(h) industrial uses are generally not supported due to the proximity to the adjoining residential area and the intent to allow further residential development within the sub-precinct;	Development does not involve industrial uses.
(i) buildings are built to the road frontage along Musgrave Street, with car parking, service and loading bays integrated within, behind or under buildings; and	Development occurs within an existing building, with the building and parking layout remaining unchanged.
(j) all uses incorporate a high level of design and pedestrian amenity and contribute to the creation of an attractive link between the major centre and principal centre zones.	The proposal involves an internal expansion within an existing commercial building that already presents to Musgrave Street with a defined frontage and pedestrian access. By maintaining the established built form and enhancing service availability, the development contributes to the precinct's role as an attractive and functional link between the major and principal centre zones.

As demonstrated in the above table, the development generally complies with the purpose and overall outcomes for the Specialised Centre Zone.

5.2.6 Strategic Framework

The strategic framework themes and their strategic outcomes, as identified within Part 3 of the Rockhampton Region Planning Scheme 2015, are applicable.

5.2.6.1 Settlement Pattern

Table 4 Settle Pattern

Element	Comment
---------	---------

<i>Natural conservation, open space and natural corridor or link Township</i>	The development proposal does not relate to or impact this element.
<i>Rural residential Rural</i>	The development proposal does not relate to or impact this element.
<i>Industrial</i>	The development proposal does not relate to or impact this element.
<i>Urban and new urban</i>	The development proposal does not relate to or impact this element.
<i>Future urban</i>	The development proposal does not relate to or impact this element.
<i>Urban Infill and intensification</i>	The development proposal does not relate to or impact this element.
<i>Centres</i>	The proposal will not compromise the role and function of designated centres.
<i>Specialised centres</i>	The proposal is for a dental practice within the existing building located within the Musgrave Street Specialised Centre, consistent with the precinct's role for small-scale services. It does not introduce large-scale retail or office uses, avoiding impacts on higher order centres. The development consolidates activity within the existing building, maintains an active frontage to Musgrave Street, and utilises rear parking, ensuring the centre's intent and character are upheld.
<i>Specific Use</i>	The development proposal does not relate to or impact this element.

5.2.6.2 Natural Environment and Hazards

Table 5 Natural Environment and Hazards

Element	Comment
<i>Areas of environmental significance</i>	The development proposal does not relate to or impact this element.
<i>Natural hazards and climate change</i>	A small portion the the subject site is within the Local Catchment Defined Flood Event Area. No new buildings are proposed within the impacted area.
<i>Coastal environment</i>	The development proposal does not relate to or impact this element.
<i>Water resources, catchment management and healthy waters</i>	The development proposal does not relate to or impact this element.
<i>Landscape and scenic amenity</i>	The development proposal does not relate to or impact this element.
<i>Air-noise and hazardous materials</i>	The development proposal does not relate to or impact this element.
<i>Waste</i>	The development will continue to utilise existing waste storage and removal practices.

5.2.6.3 Community Identity and Diversity

Table 6 Community Identity and Diversity

Element	Comment
<i>Housing diversity, safe communities and equitable access</i>	The proposal supports community access to essential health services within a central location, complementing surrounding residential areas. While not providing housing, it contributes to a safe environment through daytime activity, passive surveillance, and integration with the existing commercial frontage. The design maintains clear public/private boundaries, safe pedestrian access, and a well-used premises that discourages antisocial behaviour.
<i>Community identity</i>	The development does not impact Musgrave Street's public realm.
<i>Heritage and character</i>	The development proposal does not relate to or impact this element.
<i>Sport and recreation and open space</i>	The development proposal does not relate to or impact this element.
<i>Social, arts and cultural infrastructure</i>	The development proposal does not relate to or impact this element.

5.2.6.4 Access and Mobility

Table 7 Access and Mobility

Element	Comment
<i>Public and active transport</i>	The proposal involves a dental practice within a central, highly accessible location on Musgrave Street. The development does not alter access or reduce the level of service of the transport network, which includes nearby bus stops and pedestrian pathways. Its location encourages public and active transport use, while shared on-site parking ensures safe vehicle access without impacting network capacity
<i>Road network</i>	The development makes use of existing access arrangements from Musgrave Street, a State-controlled arterial road, and does not require new road connections. Traffic generated by the dental practice will be minimal and safely accommodated within the existing network. The proposal therefore protects the function of Musgrave Street, avoids adverse impacts on freight or interregional transport movements, and maintains safe access for all users
<i>Rail network</i>	The development proposal does not relate to or impact this element.
<i>Freight network and key logistics hub</i>	The development proposal does not relate to or impact this element.
<i>Air transport</i>	The development proposal does not relate to or impact this element.
<i>Sea transport</i>	The development proposal does not relate to or impact this element.

5.2.6.5 Infrastructure and Services

Table 8 Infrastructure and Services

Element	Comment
<i>Inter-regional networks</i>	The development proposal does not impact this element.
<i>Local area networks</i>	The proposal will be connected to: a) a reliable supply of potable water; b) a reliable sewerage network; c) effective stormwater drainage and treatment; d) an effective and safe transport network; e) a reliable and safe electricity network; and f) communication networks (including the National Broadband Network).

5.2.6.6 Natural Resources and Economic Development

Table 9 Natural Resources and Economic Development

Element	Comment
<i>Protection of key assets</i>	The development proposal does not impact this element.
<i>Industrial development</i>	The development proposal does not relate to or impact this element.
<i>Rural land</i>	The development proposal does not expand onto land with rural productive capacity.
<i>Extractive and mineral resources</i>	The development proposal does not relate to or impact this element.
<i>Forestry</i>	The development proposal does not relate to or impact this element.
<i>Marine resources</i>	The development proposal does not relate to or impact this element.
<i>Tourism</i>	The development proposal does not relate to or impact this element.

The proposed development does not conflict with the Strategic Framework of the *Rockhampton Region Planning Scheme 2015*.

5.2.7 Planning Scheme Policies

Any applicable Planning Scheme Policies will be addressed as considered necessary to the assessment of the proposed development.

5.3 State Government Planning Framework

5.3.1 Central Queensland Regional Plan 2013

The subject site is identified as being within the Priority Living Area (PLA) of the Central Queensland Regional Plan 2013 (CQRP). The PLA safeguards areas required for the growth of towns in the regions while providing for resource activities to locate within these areas where it meets communities' expectations as determined by the relevant local government.

5.3.2 State Planning Policy 2016

The State Planning Policy was released on 3 July 2017. It is a State planning instrument made under Chapter 2, Part 2, Section 10 of the *Planning Act 2016*.

As prescribed in Section 26(2)(a)(ii) of the Planning Regulation, the State Planning Policy represents an assessment benchmark, and the assessment manager must have regard to State Planning Policies if it is not identified as being appropriately reflected in the planning scheme.

The State Planning Policy is identified as being reflected in the Livingstone Planning Scheme, which is the relevant planning scheme in this instance. Since the commencement of the Planning Scheme, the July 2017 version of the SPP has taken effect. It is considered that the amendments in the July 2017 version of the State Planning Policy are not substantial and do not affect the State interests reflected in the Planning Scheme. Therefore, the State Planning Policy is not directly applicable to the development of the site.

5.3.3 State Planning Regulatory Provisions

No State Planning Regulatory Provision will be compromised as a result of the proposed development.

6.0 REFERRALS

The Planning Regulation 2017 identifies triggers and thresholds for development requiring referral to the State and other agencies.

The proposed development triggers a referral to the State Assessment and Referral Agency for the following matters.

6.1 Transport Infrastructure

Schedule 10, Part 9, Division 4, Subdivision 2:

- State transport corridors and future State transport corridors
 - Table 4 – Material change of use of premises near a State transport corridor or that is a future State transport corridor:
 - Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—
 - (a) **are within 25m of a State transport corridor; or**
 - (b) **are a future State transport corridor; or**
 - (c) **are—**
 - (i) **adjacent to a road that intersects with a State-controlled road; and**
 - (ii) **within 100m of the intersection**

The application will be referred to the State Assessment and Referral Agency. An assessment of the proposed development against *State Code 1: Development in a state-controlled road environment* is included in *Appendix F*.

7.0 CONCLUSION

This Planning Report has been prepared on behalf of *Pillay Property Holdings Pty Ltd* in support of a Development Application for Material Change of Use for a Health Care Service located at U10/99 Musgrave Street, Berserker, on land described as Lot 10 BUP60058 and Lot 0 BUP60058.

In accordance with the *Rockhampton Region Planning Scheme 2015* (Planning Scheme) and pursuant to the Planning Act 2016, the proposed development constitutes Assessable Development in the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct), requiring a Development Permit for Material Change of Use (Impact Assessment).

The development application has been prepared in response to a Show Cause Notice issued by Council on 17 July 2025 (refer to *Appendix G – Show Cause Notice*). The application seeks land use approval for the Serenity Dental practice to operate within the existing building (refer to *Appendix D – Proposal Plans*). No external works are proposed, and all existing services and transport connections will be retained.

It is considered that the proposal is consistent with the overall outcomes of the Specialised Centre Zone (Musgrave Street Precinct – Mixed Use Sub-Precinct) based on the following:

- The development is for a dental practice, providing a small-scale health care service that supports the role and function of the Musgrave Street Specialised Centre.
- The development consolidates non-residential activity within the designated centre, avoiding encroachment into surrounding residential areas.
- The development maintains the established built form and active frontage to Musgrave Street, contributing to the precinct's visual quality and accessibility.
- The development generates only a minor increase in traffic, supported by existing access and shared on-site parking, ensuring the safe and efficient function of Musgrave Street.

The development complements surrounding retail and service uses, enhancing the mix of activities in the precinct without undermining higher order centres. This report addresses the relevant Codes and Policies of the Planning Scheme and relevant State planning instruments. Supporting information is provided to identify compliance with the acceptable outcomes of the applicable planning scheme codes and demonstrate planning merit for the proposed development.

APPENDIX A

DA FORM 1

APPENDIX B

TITLE SEARCHES

APPENDIX C

OWNERS CONSENT

APPENDIX D

PROPOSAL PLANS

APPENDIX E

CODE ASSESSMENT

APPENDIX F

STATE CODE 1

APPENDIX G

SHOW CAUSE NOTICE

APPENDIX H

RRPS 2015 OVERLAYS

APPENDIX I

ACCESS VISIBILITY ASSESSMENT

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Pillay Property Holdings Pty Ltd c/- Gideon Town Planning
Contact name (only applicable for companies)	Gideon Genade
Postal address (P.O. Box or street address)	PO Box 450
Suburb	Rockhampton City
State	Queensland
Postcode	4700
Country	Australia
Contact number	07 4806 6959
Email address (non-mandatory)	info@gideontownplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	GTP 2549

1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

☒ Yes – the written consent of the owner(s) is attached to this development application

☐ No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
	10	99	Musgrave Street	Berserker
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4701	10	BUP60058	Rockhampton Regional Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		99	Musgrave Street	Berserker
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4701	0	BUP60058	Rockhampton Regional Council

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable)

☐ On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport:
☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification:

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☒ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):

Health Care Service (Dental Practice)

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

- ☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

6.4) Is the application for State facilitated development?

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	☒ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Dental practice	Health Care Service		

8.2) Does the proposed use involve the use of existing buildings on the premises?

☒ Yes

☐ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

--

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

☐ Subdivision (complete 10)	☐ Dividing land into parts by agreement (complete 11)
☐ Boundary realignment (complete 12)	☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☐ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?		
☐ Road work ☐ Drainage work ☐ Landscaping ☐ Other – please specify:	☐ Stormwater ☐ Earthworks ☐ Signage	☐ Water infrastructure ☐ Sewage infrastructure ☐ Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)		
☐ Yes – specify number of new lots:		
☐ No		

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Rockhampton Regional Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

- ☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☒ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☒ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



Queensland
Government

- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

Matters requiring referral to the **local government**:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA has been devolved to local government)*
- ☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the Transport Infrastructure Act 1994**:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable)*.

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval			
☐ Development application			
☐ Approval			
☐ Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

☒ Yes – show cause or enforcement notice is attached

☐ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- ☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.desi.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

- ☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- ☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

- ☐ Yes – the relevant template is completed and attached to this development application
- ☒ No

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

- ☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- ☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake under the *Water Act 2000***?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
- ☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995***?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
- ☒ No

Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
- ☒ No

Note: See guidance materials at www.resources.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title

☒ No

Note: See guidance materials at www.desi.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below

☒ No

Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

23.14) Does this development application involve new or changed access to a state-controlled road?

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

Note: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable



**Queensland
Government**

25) Applicant declaration

- ☒ By making this development application, I declare that all information in this development application is true and correct
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	30525067	Search Date:	11/09/2025 08:23
Date Title Created:	19/03/1984	Request No:	53319193
Previous Title:	30524003		

ESTATE AND LAND

Estate in Fee Simple

LOT 10 BUILDING UNIT PLAN 60058
Local Government: ROCKHAMPTON
COMMUNITY MANAGEMENT STATEMENT 1730

REGISTERED OWNER

Dealing No: 721768625 17/06/2022

PILLAY PROPERTY HOLDINGS PTY LTD A.C.N. 640 118 556 TRUSTEE
UNDER INSTRUMENT 721768625

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10002082 (POR 71)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 19060058

Search Date: 30/10/2025 15:15

Request No: 53918513

Previous Title: 30524003

LAND DESCRIPTION

COMMON PROPERTY OF THE WHITE HOUSE COMMUNITY TITLES SCHEME 1730

COMMUNITY MANAGEMENT STATEMENT 1730

Local Government: ROCKHAMPTON

REGISTERED OWNER

BODY CORPORATE FOR THE WHITE HOUSE COMMUNITY TITLES
SCHEME 1730

99 MUSGRAVE STREET

NORTH ROCKHAMPTON QLD 4700

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10002082 (POR 71)
2. EASEMENT No 601135074 (C470662) 21/02/1984
BURDENING THE LAND
TO LOT 2 ON RP16495
OVER EASEMENT A ON RP16495
3. REQUEST FOR NEW CMS No 704177411 15/07/2000 at 10:38
New COMMUNITY MANAGEMENT STATEMENT 1730
STANDARD MODULE

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I,

[Insert name in full.]

~~Sole Director/Secretary~~ of the company mentioned below.

[Delete the above where company owner's consent must come from both director and director/secretary]

I,

[Insert name in full.]

~~Director of the~~ company mentioned below.

and I,

HAS NOCH (SECRETARY)
WHITE HOUSE BODY CORPORATE.

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of

BODY CORPORATE FOR THE WHITE HOUSE COMMUNITY TITLES

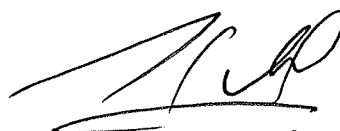
[Insert name of company and ACN.]

the company being the owner of the premises identified as follows:

99 MUSGRAVE STREET, BERSERKER QLD 4700 (LOT 0 BUP60058)

consent to the making of a development application under the *Planning Act 2016* by:

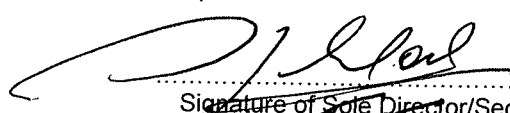
PILLAY PROPERTY HOLDINGS PTY LTD



on the premises described above for:

10/99 MUSGRAVE STREET, BERSERKER QLD 4701 (LOT 10 BUP60058)

Company seal *[if used]*

Company Name and ACN: <u>THE WHITE HOUSE BODY CORPORATE</u>	
	
Signature of Sole Director/Secretary	
<u>21-1-2026</u>	
Date	

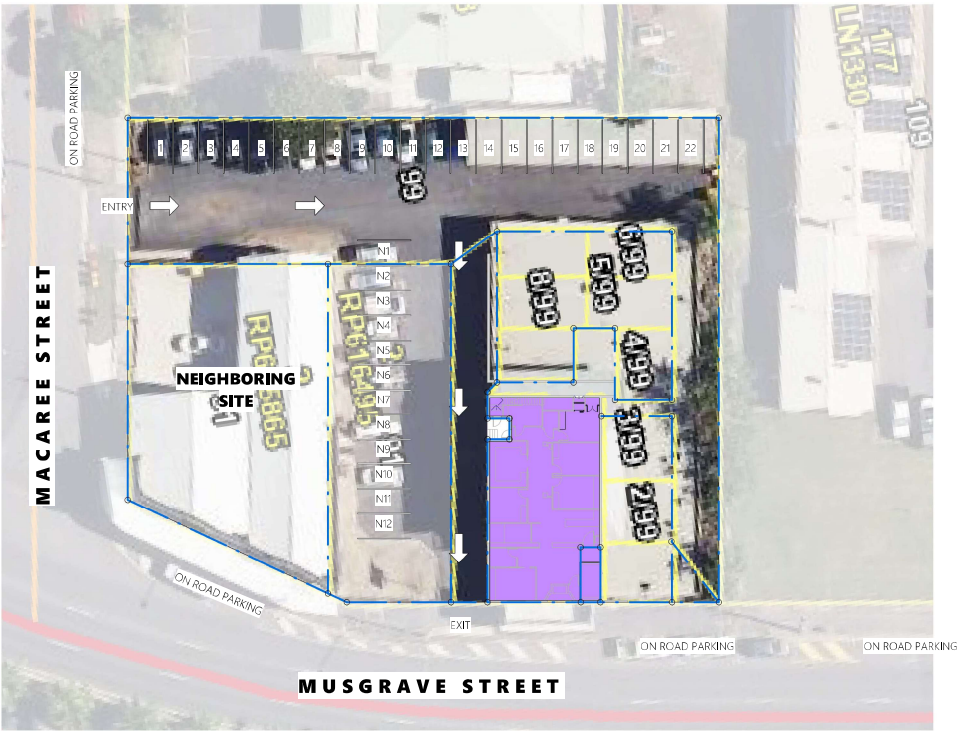
[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN:	
..... Signature of Director	 Signature of Director/Secretary
..... Date	 Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]



ON SITE PARKING - 22 (9 COVERED)
NEIGHBORING PARKING WITHIN TRAVEL - 12 (NOTED 'N')
STREET PARKING AVAILABLE



Site Plan
1 : 400

DO NOT SCALE DRAWING
ALL DIMENSION IN MILLIMETERS

No.	Description:	Date:	REVISIONS
1	PRELIMINARY	04.02.2025	

ISSUED FOR
PRELIMINARY

Project:	DENTAL FITOUT
Address:	99 MUSGRAVE STREET, NORTH ROCKHAMPTON
Drawing Title:	SITE PLAN - PARKING

dezinelements
BUILDING DESIGNERS

0407 271 336 M
info@dezi nelements.com.au E
QBCC No: 1247120 BDAQ No: 0001677

Scale:	1 : 400	Rev:	1
Date:	FEB 2025		
Drawn:	Author		
Project No:	25_024	Drawing No:	S-01



- NEW STUD WALLS (REFER TO WALL FINISH PLAN & SHELDING DESIGN DETAILS)
- SPECIAL BASE COAT TO BE USED TO PLASTERBOARD IN DENTAL AND CBCT ROOM (REFER SHELDING REPORT)
- NEW VINYL FLOORING THROUGHOUT. COVERED WALL SKIRTING 150mm
- REPAINT THROUGHOUT
- NEW 70mm STANDARD PLASTERBOARD CORNICES THROUGHOUT
- PATCH / PAINT EXISTING CEILING
- NEW WINDOW / DOORS AS NOTED
- NEW CABINETRY (VIAN HATCH) - CABINET MAKER TO DETAIL
- CONNECT WATER / PLUMBING TO DENTIST CHAIRS
- GUT / REINSTATE FLOOR
- ELECTRICAL & LIGHTING

REFER TO PRELIMINARY PLAN (FINAL LOCATION TO BE CONFIRMED WITH CLIENT)

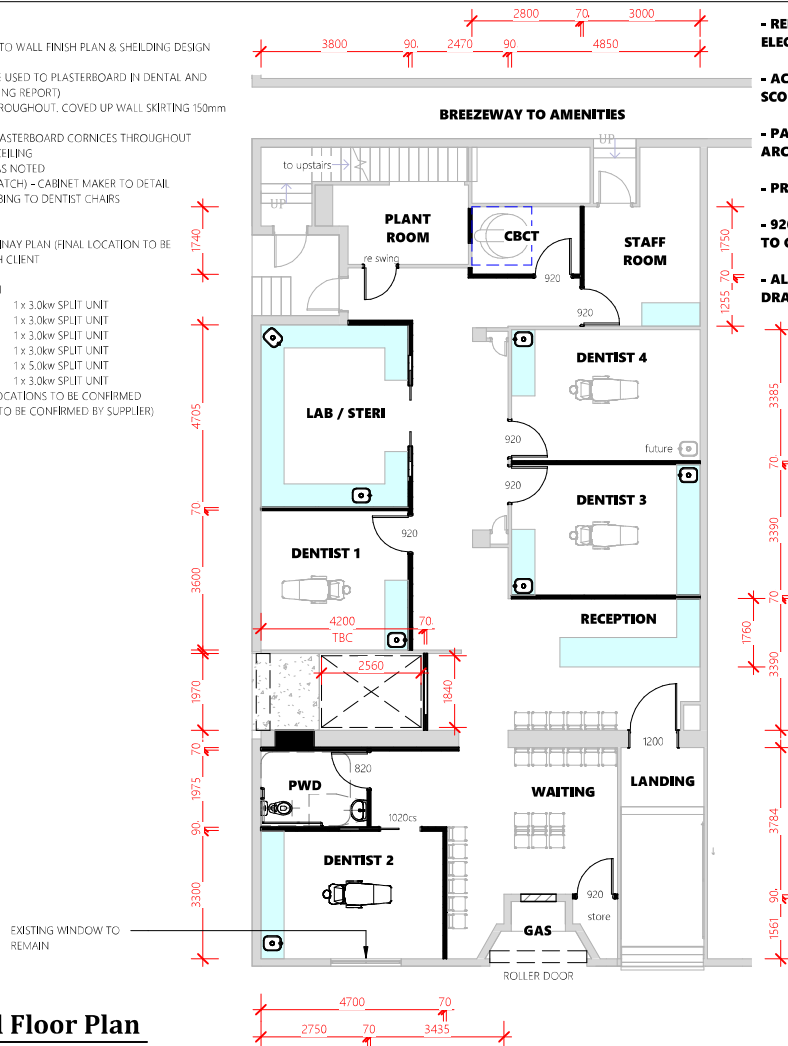
- MECHANICAL

REFER TO PRELIMINARY PLAN

DENTIST 1	1 x 3.0kw SPLIT UNIT
DENTIST 2	1 x 3.0kw SPLIT UNIT
DENTIST 3	1 x 3.0kw SPLIT UNIT
DENTIST 4	1 x 3.0kw SPLIT UNIT
WAITING	1 x 5.0kw SPLIT UNIT
STERILISATION	1 x 3.0kw SPLIT UNIT

MOUNTING & DRAINAGE LOCATIONS TO BE CONFIRMED

- NEW LIFTING PLATFORM (TO BE CONFIRMED BY SUPPLIER)



- ALL JOINERY TO JOINERY MANUFACTURES DETAILS / DRAWINGS.

No:	Description:	Date:	REVISIONS
A	FOR APPROVAL	16.02.2023	
-	UPDATED FOR APPROVAL	21.02.2023	
-	UPDATED FLOOR	06.05.2023	

Project:	DENTAL FITOUT
Address:	99 MUSGRAVE STREET, NORTH ROCKHAMPTON
Drawing Title:	PROPOSED FLOOR PLAN



0407 271 336 M
info@dezienelements.com.au E
QBCC No: 1247120 BDAQ No: 0001677

Scale: 1:100	Rev: X
Date: JULY 2022	
Drawn: NJB	
Project No: 22_129	Drawing No: A-03

04/08/2023 5:19:26 PM



Proposed Floor Plan

1 : 100



DO NOT SCALE DRAWING
ALL DIMENSION IN MILLIMETERS

No.	Description:	Date:
1	PRELIMINARY	04.02.2025

REVISIONS

ISSUED FOR
PRELIMINARY

Project:
DENTAL FITOUT

Address:
**99 MUSGRAVE STREET,
NORTH ROCKHAMPTON**

Drawing Title:
EXISTING UPPER PLAN

dezinelements
BUILDING DESIGNERS

0407 271 336 M
info@dezi

Scale:	1 : 100	Rev:	1
Date:	FEB 2025		
Drawn:	NJB		
Project No:	25_024	Drawing No:	A-04

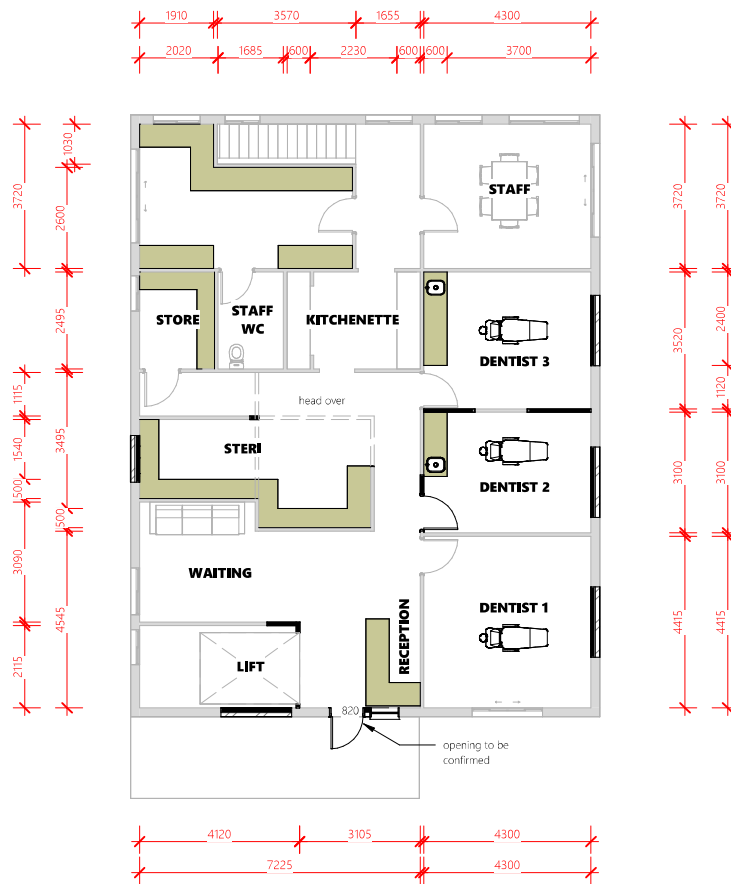


Existing Upper Floor

1 : 100

Proposed Upper Floor

1 : 100



DO NOT SCALE DRAWING
ALL DIMENSION IN MILLIMETERS

No.	Description:	Date:
1	PRELIMINARY	04.02.2025

REVISIONS

ISSUED FOR
PRELIMINARY

Project:	DENTAL FITOUT
Address:	99 MUSGRAVE STREET, NORTH ROCKHAMPTON
Drawing Title:	PROPOSED UPPER PLAN

dezinelements
BUILDING DESIGNERS

0407 271 336 M
info@dezi nelements.com.au E
QBCC No: 1247120 BDAQ No: 0001677

Scale:	1 : 100	Rev:	1
Date:	FEB 2025		
Drawn:	NJB		
Project No:	25_024	Drawing No:	A-05

12/02/2025 1:05:51 AM



Specialised Centre Zone Code

Table 6.3.6.3.1 — Development outcomes for assessable development and requirements for accepted development

Performance outcomes	Acceptable outcomes	Assessment
Where involving a new building or expansion to an existing building		
Built form		
PO1 Buildings are designed to create a safe and pleasant, pedestrian-focussed environment with: (a) generous ground floor heights to accommodate changes in use and to provide a comfortable and commanding view of the street; (b) building fronts to make them more human in scale; and (c) building entries provided directly from the primary frontage of the building and on-grade to the street.	AO1.1 Ground floor building facades built to the street (not laneways) have: (a) a minimum height of four (4) metres above ground level; (b) tenancies no wider than ten (10) metres or vertical articulation which punctuates the facade at least every ten (10) metres; (c) display space or transparent windows or doors for a minimum of sixty-five (65) per cent of their frontage area; and (d) a pedestrian entry and door that is visible and accessible from the street. AND AO1.2 All above ground floor level facades of building(s) contain windows or balconies comprising at least thirty (30) per cent of the building facade area.	Not applicable – development takes place within an existing building.
PO2 Development is of a height and scale that: (a) enhances the appearance and character of streets, public places and buildings; (b) is low to medium rise and complements the scale of the locality; and (c) maintains the residential amenity in adjoining residential zones.	AO2.1 The height of buildings and structures does not exceed the following maximum height above ground level: (a) in the Musgrave Street precinct – mixed use sub-precinct: five (5) storeys and eighteen (18) metres; and (b) in all other precincts and sub-precincts: three (3) storeys and twelve (12) metres above ground level. AND AO2.2 Site cover does not exceed eighty (80) per cent of the total site area.	Not applicable - development takes place within an existing building
PO3 Residential uses are provided with privacy and private outdoor living space.	AO3.1 Dwellings are provided with private open space or a balcony directly accessible from a habitable room which:	Not applicable – no residential use is proposed.

Performance outcomes	Acceptable outcomes	Assessment
	(a) has a minimum area of nine (9) square metres; (b) has a minimum dimension of three (3) metres; and (c) does not accommodate air conditioning units.	
Where in the Gladstone Road and George Street precinct and sub-precincts Note—Where acceptable outcomes in this section vary from this code, the precinct based acceptable outcomes take precedence.		
P04 Building setbacks contribute to an attractive streetscape and provide for landscaping at the front of the site.	AO4.1 Buildings are set back from street frontages: (a) within twenty (20) per cent of the average front setback of adjoining buildings; or (b) where there are no adjoining buildings a minimum of six (6) metres.	Not applicable – development is not within the Gladstone Road and George Street precinct and sub-precincts.
P05 Development enhances the major road entrances to urban areas through landscaping to soften the visual impacts of highway commercial uses.	AO5.1 Where development is set back from a state controlled road, a landscape strip that is a minimum of 1.5 metres in width for the full frontage length of the site is provided.	Not applicable
Where in the Musgrave Street precinct and sub-precincts Note—Where acceptable outcomes in this section vary from this code, the precinct based acceptable outcomes take precedence.		
P06 Development fronting Musgrave Street, Queen Elizabeth Drive or Bridge Street at ground level provide for: (a) continuity of shop frontage and footpath awnings; (b) a human scale at street level with safe and comfortable pedestrian circulation; (c) enclosure of the street; and (d) interaction between ground floor uses and the street.	AO6.1 Buildings are built to the road frontage along Musgrave Street, Queen Elizabeth Drive and Bridge Street and provided with an awning. Note—One (1) vehicle access driveway to the site is acceptable within which an awning is not required. AND AO6.2 Awnings are: (a) coordinated with awnings on adjoining properties to provide continuous weather protection; (b) not higher than 7.5 metres from the footpath to the soffit of the awning; and (c) the greater of: (i) three (3) metres in width; or (ii) set back 1.5 metres from the inside of the kerb line.	Not applicable – development takes place within an existing building built to the road frontage along Musgrave Street. Not applicable – existing awning to Musgrave Street will be retained.
P07 Development not fronting onto Musgrave Street, Queen Elizabeth Drive and Bridge Street provides	AO7.1 Buildings are set back from street frontages (excluding frontage to	Not applicable

Performance outcomes	Acceptable outcomes	Assessment
setbacks that contribute to an attractive streetscape and provide for landscaping at the front of the site.	Musgrave Street, Queen Elizabeth Drive and Bridge Street): (a) within twenty (20) per cent of the average front setback of adjoining buildings; or (b) where there are no adjoining buildings a minimum of six (6) metres.	
Where in the Yaamba Road precinct		
Note—Where acceptable outcomes in this section vary from this code, the precinct based acceptable outcomes take precedence.		
PO8 Building setbacks contribute to an attractive streetscape and provide for landscaping at the front of the site.	AO8.1 Buildings are set back from street frontages: (a) within twenty (20) per cent of the average front setback of adjoining buildings; or (b) where there are no adjoining buildings a minimum of six (6) metres.	Not applicable – development is not within the Yaamba Road precinct.
PO9 Development enhances the major road entrances to urban areas through landscaping to soften the visual impacts of highway commercial uses.	AO9.1 Where development is set back from a state controlled road, a landscape strip that is a minimum of 1.5 metres in width for the full frontage length of the site is provided.	Not applicable
Land use		
PO10 The streetscape is provided with uses that generate activity along the primary street frontage.	AO10.1 Residential uses (except for short-term accommodation) are: (a) located above ground storey or behind ground storey retail, commercial or community uses; and (b) located within a premise containing another use.	Not applicable – development is not for a residential use.
Effects of development		
PO11 Development is located, designed and operated so that adverse impacts on privacy and the amenity of nearby land in a residential zone are minimised.	AO11.1 A 1.8 metre high solid screen fence is provided along all boundaries shared with a residential zone. AND AO11.2 A landscaped buffer with a minimum width of three (3) metres and consisting of dense screen planting is provided along all boundaries shared with a residential zone. AND AO11.3 Buildings are set back three (3) metres from any boundary shared	Not applicable – development site does not adjoin a residential zone. Not applicable – as above. Not applicable – development takes

Performance outcomes	Acceptable outcomes	Assessment
	with a residential zone, or half the height of that part of the building, whichever is the greater. AND AO11.4 Windows that have a direct view into an adjoining residential use are provided with fixed screening that is a maximum of fifty (50) per cent transparent to obscure views and maintain privacy for residents. AND AO11.5 New building plant or air conditioning equipment is located within, underneath or central to the building or screened from view of the street or adjoining residential uses by a solid screen.	place within an existing building. Not applicable – there are no residential uses on adjoining sites. Not applicable – no new building plant or air conditioning equipment is proposed.
PO12 Outdoor storage areas are screened from the streetscape and adjoining sensitive land use(s).	AO12.1 Outdoor storage areas are: (a) located behind the front building line; (b) screened from view from off-site public places; and (c) screened from adjoining sensitive land use(s) by a 1.8 metre high solid screen fence.	Not applicable – development does not involve outdoor storage areas.
PO13 Outdoor lighting maintains the amenity of surrounding residential zones and does not adversely impact on the safety of vehicles or pedestrians on the adjoining street as a result of light emissions, either directly or by reflection.	AO13.1 Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of Australian Standards AS 4282 — Control of the obtrusive effects of outdoor lighting, as updated from time to time.	Not applicable – development does not propose outdoor lighting.

Table 6.3.6.3.2 — Development outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment
Built form – additional provisions		
PO14 Buildings which are located in prominent positions such as corner sites or with frontages to public space include design elements to enhance their location.	AO14.1 The building's main entrance addresses the public place. AND AO14.2 Buildings on corner sites provide active frontages to both street frontages and the main entrance addresses the principal street or the street corner.	Complies – development retains the existing main entrance fronting Musgrave Street. Not applicable – development is not on a corner site.

Performance outcomes	Acceptable outcomes	Assessment
PO15 Development: (a) creates a safe, active, and inclusive environment with uses which operate during the day and night; (b) that is non-residential development actively addresses and integrates with the street frontage including smaller shop front premises, sleeving larger buildings; and (c) is designed to promote the use of public transport, walking and cycling.	No acceptable outcome is nominated.	Complies – the development contributes to a safe and active environment by establishing land use approval for a dental practice. The dental practice operates during daytime hours and provides ongoing passive surveillance to the street. The existing building already presents to Musgrave Street with a commercial frontage, maintaining integration with the streetscape. The site is well-located on a State-controlled road corridor, with a bus stop approximately 105m north, supporting access by public transport, walking, and cycling.
PO16 Buildings are designed to include elements which create visual interest, such as: (a) variations in plan shape, such as curves, steps, recesses, projections or splays; (b) vertical articulation to create shadow and break up the built form, such as balconies, windows, steps, recesses and splays; (c) for buildings three (3) storeys and taller, different design elements are utilised for the lower, middle and top sections of the building; (d) a roof form that creates visual interest, is not flat and can conceal plant equipment; and (e) at least three (3) variations in textures, materials and colours.	No acceptable outcome is nominated.	Not applicable – development takes place within an existing building.
PO17 Buildings are finished with high quality materials which are easily maintained and do not readily stain, discolour or deteriorate.	No acceptable outcome is nominated.	Not applicable – no external changes to the existing building are proposed.

Performance outcomes	Acceptable outcomes	Assessment
PO18 Development does not include glass or other surfaces which reflect solar rays directly into windows of an adjoining building.	No acceptable outcome is nominated.	Complies – development does not involve any new glass or other reflective surfaces.
PO19 Development involving an increase in gross floor area that exceeds 3,000 square metres is accompanied by a master plan that demonstrates how the expansion fits with the balance of the centre and integrates with the surrounding urban areas. The master plan should address the following: (a) provision of active uses on key pedestrian circulation streets and major frontages; (b) creation of a predominant built to street frontage form; (c) provision of a human scale at street level; (d) incorporation of climate responsive design; (e) creation of a mix of uses resulting in day time and night time activity; (f) incorporation of safety and security measures; (g) rationalisation of vehicle crossovers; provision of a high level of pedestrian, cyclist and public transport accessibility; (h) incorporation or enhancement of public places such as public squares, malls, footpaths, laneways and parks; (i) encouragement of pedestrian mobility over vehicle mobility; (j) provision of safe and high quality streetscapes and walkways; and (k) ensure car parking areas and access ways do not dominate major frontages and pedestrian routes (except where indicated/delineated). Editor's note—SC6.19 — Structure plan planning scheme policy provides information on urban design.	No acceptable outcome is nominated.	Not applicable – development does not involve any additional gross floor area.
Land use		
PO20 Non-residential development does not occur beyond the zone boundaries.	AO20.1 Development occurs within the area zoned specialised centre.	Complies – development occurs entirely within the Specialised Centre Zone.
PO21	No acceptable outcome is nominated.	Complies – the proposed development

Performance outcomes	Acceptable outcomes	Assessment
Development does not compromise the intended role or successful functioning of higher order centres.		establishes land use rights for an existing dental practice, servicing the local catchment and surrounding community. It provides a small-scale health care service that does not compete with higher order centres.
PO22 Office activities exceeding 200 square metres in gross floor area are not established.	No acceptable outcome is nominated.	Not applicable – development is for a health care service.
PO23 Unless stated otherwise in a precinct or sub-precinct, retail uses are limited to convenience shopping for the immediate neighbourhood and local customers.	No acceptable outcome is nominated.	Not applicable – development is for a health care service.
PO24 Food and drink outlets that are either highway focussed or small-scale and serving visitors to the centre.	No acceptable outcome is nominated.	Not applicable – development is for a health care service.
Streetscape and landscaping		
PO25 On-site landscaping is provided to: (a) create an attractive environment that is consistent with, and defines, the local character of the zone; (b) soften and enhance the appearance of the development; and (c) provide shade for visitors and adjoining footpaths.	No acceptable outcome is nominated. Editor's note—A landscape concept plan may be required in accordance with SC6.12 — Landscape design and street trees planning scheme policy.	Not applicable – development takes place within an existing building. Additional landscaping is not proposed.
PO26 Streetscape treatments and street trees are provided along the street frontage to create a visually cohesive area and enhance pedestrian amenity.	No acceptable outcome is nominated.	Not applicable – as above.
PO27 Where buildings are completely or partially set back from the street, landscaping is provided on the street frontage.	No acceptable outcome is nominated.	Not applicable – as above.
PO28 Development avoids the creation of 'heat islands' with large expanses of roofing and parking areas.	AO28.1 Hard surface areas are interspersed with spaces between buildings and car park areas, vegetated or covered with fabric sails.	Not applicable – as above.
Accessibility		

Performance outcomes	Acceptable outcomes	Assessment
PO29 Convenient and legible connections are provided for pedestrians and cyclists to the site, particularly having regard to linkages with existing and proposed public transport infrastructure, the open space network, centres and other community related uses.	No acceptable outcome is nominated.	Complies – development will retain existing connections for pedestrians and cyclists.
PO30 External pedestrian spaces offer a variety of passive recreational opportunities and experiences ranging from intimate seating to large open spaces, and include features to enhance their use and enjoyment, such as food outlets, tables and chairs, seating, ledges, shade structures and artwork.	No acceptable outcome is nominated.	Not applicable – development does not involve external pedestrian spaces.
PO31 Development extending from street to street or linking car parking/open space areas provides connections or arcades which create interaction between the internal uses and activity on the street.	No acceptable outcome is nominated.	Not applicable – development does not extend street to street.
Where in the Gladstone Road and George Street precinct and sub-precincts		
Note—Where outcomes in this section vary from this code, the precinct based outcomes take precedence.		
PO32 Development does not compromise the intended role or successful functioning of higher order centres, and: (a) offices do not exceed 200 square metres in gross floor area; and (b) shops and shopping centres do not exceed: (i) 300 square metres in gross floor area in the residential and food services sub-precinct; or (ii) 500 square metres in gross floor area in the outdoor sales and services sub-precinct (unless reusing an existing building on Lot 1 SP161848 and Lot 1 SP191827). Note—Large-scale office activities are to be consolidated into the principal centre – core precinct.	AO32.1 Development for a shop (with the exception of Lot 1 SP161848 and Lot 1 SP191827) and shopping centre does not exceed: (a) 500 square metres in gross floor area in the outdoor sales and services sub-precinct; and (b) 300 square metres in gross floor area in the residential and food services sub-precinct. AND AO32.2 Development for an office does not exceed 200 square metres in gross floor area. AND AO32.3 Shops or shopping centres on Lot 1 SP161848 and Lot 1 SP191827 only exceed 500 square metres in gross floor area when re-using an existing building and not increasing its gross floor area.	Not applicable – development is not within the Gladstone Road and George Street precinct and sub-precincts. Not applicable Not applicable

Performance outcomes	Acceptable outcomes	Assessment
P033 Development for a showroom in the residential and food services sub-precinct is compatible with the intended, primarily residential environment, and does not exceed 300 square metres in gross floor area.	AO33.1 Development for a showroom in the residential and food services sub-precinct does not exceed 300 square metres in gross floor area.	Not applicable
P034 Industrial uses do not occur in the residential and food services sub-precinct.	No acceptable outcome is nominated.	Not applicable
Where in the Musgrave Street precinct and sub-precincts		
Note—Where outcomes in this section vary from this code, the precinct based outcomes take precedence.		
P035 Development does not compromise the intended role or successful functioning of higher order centres, and: (a) offices do not exceed 200 square metres in gross floor area; and (b) shops and shopping centres do not exceed 500 square metres in gross floor area. Note—Large-scale office activities are to be consolidated into the principal centre – core precinct.	AO35.1 Development for a shop or shopping centre does not exceed 500 square metres in gross floor area. AND AO35.2 Development for an office does not exceed 200 square metres in gross floor area.	Not applicable – development is for a health care service. Not applicable – as above.
P036 Industrial uses do not occur in the mixed use sub-precinct.	No acceptable outcome is nominated.	Complies – development does not involve an industrial use.
P037 Residential uses are located above ground storey or behind ground storey non-residential uses.	No acceptable outcome is nominated.	Not applicable – development does not involve a residential use.
Where in the Yaamba Road precinct		
Note—Where outcomes in this section vary from this code, the precinct based outcomes take precedence.		
P038 Development does not compromise the intended role or successful functioning of higher order centres and: (a) offices do not exceed 200 square metres in gross floor area; and (b) shops and shopping centres do not exceed 500 square metres in gross floor area. Note—Large-scale office activities are to be consolidated into the principal centre – core precinct.	AO38.1 Development for a shop or shopping centre does not exceed 500 square metres in gross floor area. AND AO38.2 Development for an office does not exceed 200 square metres in gross floor area.	Not applicable – development is not within the Yaamba Road precinct. Not applicable

Access, Parking and Transport Code

Table 9.3.1.3.1 — Development outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment
Access driveways		
PO1 Access driveways are located to avoid conflicts and designed to operate efficiently and safely, taking into account: (a) the size of the parking area; (b) the volume, frequency and type of vehicle traffic; (c) the need for some land uses (for example hospitals) to accommodate emergency vehicle access; (d) the type of use and the implications on parking and circulation, for example long-term or short-term car parking; (e) frontage road function and conditions; and (f) the capacity and function of the adjoining street system.	AO1.1 Access driveways are not located within: (a) twenty-five (25) metres of a signalised road intersection; (b) twenty (20) metres of an un-signalised road intersection in an industrial or centres zone or ten (10) metres otherwise; and (c) one (1) metre of any street signage, power poles, street lights, manholes, stormwater gully pits or other Council asset.	Complies – development will retain the use of the existing access driveways.
PO2 Access driveways do not disrupt existing road or footpath infrastructure.	AO2.1 Access driveways: (a) do not require the modification, relocation or removal of any infrastructure including street trees, fire hydrants, water meters and street signs; (b) do not front a traffic island, speed control device, car parking bay, bus stop or other infrastructure within the road carriageway; (c) must be sealed and to a formed road; (d) are not constructed over an access point to equipment under the control of a regulatory authority, including storm water pits, water meters, hydrants and telephone pits; and (e) are raised or lowered to match the surface level of the driveway, where an access chamber is to be incorporated within the driveway.	Complies – development will retain the use of the existing access driveways.
PO3 Access driveways are designed and constructed so as to: (a) enable safe and functional vehicular access from the street to the property; and (b) not cause a change in the level of a footpath.	AO3.1 Access driveways are constructed in compliance with the Capricorn Municipal Development Guidelines.	Complies – development will retain the use of the existing access driveways.

Performance outcomes	Acceptable outcomes	Assessment
P04 A driveway does not allow water to pond adjacent to any buildings or cause water to enter a building.	AO4.1 A driveway has a minimum cross fall of one (1) metre (vertical) to 100 metres (horizontal) away from all adjoining buildings.	Complies – development will retain the use of the existing access driveways.
Parking		
P05 Provision is made for on-site vehicle parking: (a) to meet the demand likely to be generated by the development; and (b) to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity. Editor's note—SC6.6 — Car parking contributions planning scheme policy prescribes circumstances under which an applicant can satisfy P05.	AO5.1 AO5.1.1 On-site car parking is provided at the rates set out in Table 9.3.1.3.2 of the access, parking and transport code. OR AO5.1.2 Where a change of use of existing premises is proposed and there is no increase in the gross floor area, the existing number of on-site car parks is retained or increased. AND AO5.2 All parking, loading and manoeuvring facilities for visitors and employees to be located on-site. AND AO5.3 Manoeuvring facilities to be of adequate dimensions to prevent any queuing in a roadway.	Complies – the development does not propose any additional gross floor area. The twenty-three (23) existing shared parking spaces on the adjoining Lot 0 BUP60058 will be retained. Complies – all parking, loading and manoeuvring facilities are located on-site. Complies – the development benefits from dual access points onto Musgrave Street and Macaree Street, allowing all vehicles to enter and exit the site in a forward gear.
P06 Parking and servicing facilities are designed to meet user requirements.	AO6.1 Parking spaces, access and manoeuvring facilities, loading facilities and connections to the transport network are sealed and designed in accordance with Australian Standard AS 2890.	Complies – development will retain all existing parking spaces, access points and manoeuvring facilities.
P07 Sites with more than one (1) road frontage (excluding laneways) gain access only from the lower order road, except if it will introduce traffic generated by a non-residential use into a street that is in a residential zone.	No acceptable outcome is nominated.	Complies – development is accessed primarily via Macaree Street, with only an exit-only access point onto Musgrave Street.
P08 Parking areas are illuminated in a manner that maximises user safety but minimises the impacts on adjoining residents.	AO8.1 Parking areas for uses that operate at night are illuminated in accordance with the requirements of Australian Standard AS 1158.	Not applicable – existing car park lighting arrangements will be retained.

Performance outcomes	Acceptable outcomes	Assessment
	AND AO8.2 Lighting used in parking areas does not cause an environmental nuisance and complies with Australian Standard AS 4282.	Complies – as above.
PO9 Car parking areas, pathways and other elements of the transport network are designed to enhance public safety by discouraging crime and antisocial behaviour, having regard to: (a) provision of opportunities for casual surveillance; (b) the use of fencing to define public and private spaces, whilst allowing for appropriate sightlines; (c) minimising potential concealment points and assault locations; (d) minimising opportunities for graffiti and other vandalism; and (e) restricting unlawful access to buildings and between buildings.	No acceptable outcome is nominated. Editor's note—Refer to Crime Prevention Through Environmental Design (CPTED) guidelines for Queensland for guidance.	Complies – the development utilises existing shared parking areas on-site that are open, well-lit, and visible from adjoining tenancies, providing opportunities for casual surveillance. Clear delineation between public and private areas is maintained through building layout and fencing, while access to the upper floor is controlled via internal stairs and lift, reducing opportunities for unlawful entry. The design minimises concealment points and restricts access between buildings, thereby discouraging crime and antisocial behaviour
PO10 Parking and servicing areas are kept accessible and available for their intended use at all times during the normal business hours of the activity.	No acceptable outcome is nominated.	Complies – parking and servicing areas are accessible at all times during operating hours.
Transport impact Editor's note—Applicants should note that the Department of Transport and Main Roads may have additional requirements.		
PO11 Development contributes to the creation of a transport network which is designed to: (a) achieve a high level of permeability and connectivity for all modes of transport, including pedestrians and cyclists, within the development and to the surrounding area; and (b) encourage people to walk, cycle or use public transport	No acceptable outcome is nominated. Editor's note—Refer to SC6.19 – Structure plan planning scheme policy for guidance.	Complies – the site is directly connected to Musgrave Street, a State-controlled road, and benefits from an established transport network with pedestrian pathways and nearby bus stops (approx. 105m away). The development does not alter site access

Performance outcomes	Acceptable outcomes	Assessment
to and from the site instead of using a car.		arrangements and maintains connectivity for vehicles and pedestrians. Its location along a major transport corridor encourages the use of public and active transport options, reducing reliance on private cars
PO12 Development is located on roads that are appropriate for the nature of traffic (including vehicles, pedestrians and cyclists) generated, having regard to the safety and efficiency of the transport network.	AO12.1 Traffic generated by the development is safely accommodated within the design capacity of roads as provided in SC6.15 — Road infrastructure and hierarchy planning scheme policy. AND AO12.2 A road or street does not connect with another road or street that is more than two (2) levels higher or lower in the road hierarchy. AND AO12.3 The existing infrastructure fronting the proposed development is upgraded in accordance with SC6.15 — Road infrastructure and hierarchy planning scheme policy and Capricorn Municipal Development Guidelines.	Complies – the proposal involves establishing land use approval for an existing dental practice and its small scale expansion in an existing building. Any increase in traffic will be minor and well within the design capacity of Musgrave Street, being a State-controlled road. Complies – development only has one direct road frontage. Not applicable – development is for an existing dental practice and its small scale internal expansion within an existing building and does not necessitate upgrades to infrastructure fronting the site.
PO13 Where the nature of the development creates a demand, provision is made for set down and pick-up facilities by bus, taxis or private vehicle, which: (a) are safe for pedestrians and vehicles; (b) are conveniently connected to the main component of	No acceptable outcome is nominated.	Not applicable – the nature of the use does not create a demand for such facilities.

Performance outcomes	Acceptable outcomes	Assessment
the development by pedestrian pathway; and (c) provide for pedestrian priority and clear sightlines.		
Site access		
PO14 Development does not impact on the safety, operation or function of the road network or system.	AO14.1 Vehicle manoeuvring into and from the site for all vehicles is designed in accordance with Australian Standard AS 2890, as updated from time to time. AND AO14.2 No direct property access is gained to a highway, main road, urban arterial or sub arterial road as defined in SC6.15 — Road infrastructure and hierarchy planning scheme policy other than via a service road or a joint access arrangement with other sites. AND AO14.3 Development that generates greater than 100 vehicle movements per day does not gain access to or from an urban access place or urban access streets as defined in SC6.15 — Road infrastructure and hierarchy planning scheme policy.	Complies – development will retain existing vehicle manoeuvring facilities. Complies – development retains existing access points to Macaree Street and Musgrave Street, under a joint access arrangement. Not applicable – development retains existing access arrangements.
PO15 Development facilitates the orderly provision and upgrading of the transport network or contributes to the construction of transport network improvements.	No acceptable outcome is nominated.	Complies – development will facilitate upgrades to the transport network as required.
PO16 On-site transport network infrastructure integrates safely and effectively with surrounding networks.	AO16.1 Intersections, connections and access arrangements are designed in accordance with the Capricorn Municipal Development Guidelines and Australian Standard AS 2890.	Complies – development will retain existing access arrangements.
Pedestrian and cyclist facilities		
PO17 Development provides safe and convenient pedestrian and cycle movement to the site and within the site having regard to desire lines, users' needs, safety and legibility.	AO17.1 Pedestrian and cyclist movements are designed in compliance with the Capricorn Municipal Development Guidelines and Australian Standard AS 2890.	Complies – development will retain existing pedestrian and cyclist movements.
PO18 Provision is made for adequate bicycle parking and end of trip facilities, to meet the likely needs of users and encourage cycle travel.	No acceptable outcome is nominated. Editor's note—Provisions are made for parking and end of trip facilities in accordance with the SC6.4 – Bicycle network planning scheme policy.	Not applicable – the nature of the use does not create a demand for such facilities.

Performance outcomes	Acceptable outcomes	Assessment
Servicing		
PO19 Refuse collection vehicles are able to safely access on-site refuse collection facilities.	AO19.1 Refuse collection areas are provided and designed in accordance with the waste management code and Australian Standard AS 2890.	Complies – development will retain existing waste management arrangements.

State code 1: Development in a state-controlled road environment

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies – development is not located within Musgrave Street. Complies – development can be maintained from within the subject site.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies – the proposal involves an internal fit-out within an existing building and does not include external works. As such, there will be no impacts on the structural integrity or condition of Musgrave Street or associated state-controlled road infrastructure.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies – the proposal establishes land use approval for an existing dental practice and also includes an internal expansion within the existing tenancy and does not involve external works or new access points. Accordingly, it will not obstruct road transport infrastructure or reduce the operating performance of Musgrave Street.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a	No acceptable outcome is prescribed.	Not applicable – the development does not involve any new advertising devices.

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Performance outcomes	Acceptable outcomes	Response
safety hazard for users of the state-controlled road .		
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials. AND AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road. AND AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road. AND AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.	PO not applicable – the development takes place within an existing building. No new buildings or structures are proposed.
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	Not applicable – development does not involve road, pedestrian or bikeway bridges.
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	AO7.1 Landscaping is not located in a state-controlled road. AND	Not applicable – development does not propose any additional landscaping.

Performance outcomes	Acceptable outcomes	Response
	AO7.2 Landscaping can be maintained without requiring access to a state-controlled road . AND AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	Not applicable Not applicable
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected.
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected.
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road . AND AO11.2 Development does not concentrate flows to a state-controlled road . AND AO11.3 Stormwater run-off is discharged to a lawful point of discharge .	Complies – development does not create any new points of discharge. Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected. Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected.

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State code 1: Development in a state-controlled road environment

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Performance outcomes	Acceptable outcomes	Response
	AND AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	Complies – development takes place within an existing building. Stormwater run-off and overland flow will be unaffected.
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road .	AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road. AND AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road. AND AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.	Not applicable – subject site is not impacted by flood events up to 1% annual exceedance probability. Not applicable Not applicable
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge. AND	Complies – development retains existing drainage infrastructure, which is wholly contained within the subject site.

Performance outcomes	Acceptable outcomes	Response
	AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Complies – drainage infrastructure can be maintained from within the subject site.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not applicable – development does not propose drainage infrastructure associated with, or within, a state-controlled road.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.

Performance outcomes	Acceptable outcomes	Response
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable – development does not involve a new or changed access.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Complies – the development makes use of existing access and does not alter the surrounding pedestrian pathways, bus stop, or cycle routes. The proposal will therefore not compromise the safety of users of public passenger transport or active transport infrastructure.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Complies – the development does not alter site access or surrounding transport networks, ensuring continued safe and convenient access to the nearby bus stop, pedestrian pathways, and cycling routes.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Complies – the proposal is in an existing building and will have no effect on the operating performance of public passenger transport infrastructure, services, or active transport networks.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Complies – the proposal does not involve any external works or construction near public passenger transport or active transport infrastructure and will therefore not impact their structural integrity or physical condition.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies – the development will generate only a minor increase in vehicle movements, using existing access arrangements to Musgrave Street. As no new works are proposed, the safety of users of the state-controlled road network will not be compromised.

Performance outcomes	Acceptable outcomes	Response
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies – the dental practice will result in minimal additional traffic that can be safely accommodated within the capacity of Musgrave Street. The proposal will therefore not cause any net worsening of the operating performance of the state-controlled road network.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Complies – the development will continue to use the existing access arrangements, with entry via Musgrave Street and exit via Macaree Street, ensuring traffic can be accommodated on the local road network rather than being directed solely onto Musgrave Street.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development does not involve haulage exceeding 10,000 tonnes per year.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Complies – the proposal is contained entirely within the existing building footprint and does not involve works within the road reserve. It will not impede the delivery of any planned upgrades to Musgrave Street or other state-controlled roads.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Complies – the development does not involve works within the state-controlled road corridor and will therefore not impede the delivery of any future corridor improvements.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.

Performance outcomes	Acceptable outcomes	Response
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable – development takes place within an existing building, with only minor internal works proposed.

Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: - to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); - in accordance with: - Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;	Not applicable – development does not involve reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Response
	b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. OR AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road.	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;	Not applicable – development does not involve reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Response
	c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR	Not applicable – development does not involve an accommodation activity.

Performance outcomes	Acceptable outcomes	Response
	AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	Not applicable – development does not involve an accommodation activity.

Performance outcomes	Acceptable outcomes	Response
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	Not applicable – development does not involve an accommodation activity.
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable – development does not involve an accommodation activity.
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas ; b. in accordance with: i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;	No acceptable outcome is provided.	Not applicable – development does not involve a childcare centre, educational establishment or hospital.

Performance outcomes	Acceptable outcomes	Response
ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO45 Development involving a childcare centre or educational establishment: 1. provides a noise barrier or earth mound that is designed, sited and constructed: 2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); 3. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation	No acceptable outcome is provided.	Not applicable – development does not involve a childcare centre, educational establishment or hospital.

Performance outcomes	Acceptable outcomes	Response
measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: indoor education areas and indoor play areas; or - sleeping rooms in a childcare centre; or patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	Not applicable – development does not involve a childcare centre, educational establishment or hospital.
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: - a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); - highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas.	No acceptable outcome is provided.	Not applicable – development does not involve a childcare centre, educational establishment or hospital.
PO48 Development including: indoor education areas and indoor play areas in a childcare centre or educational establishment; or - sleeping rooms in a childcare centre; or patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	Not applicable – development does not involve a childcare centre, educational establishment or hospital.
Air, light and vibration		

Performance outcomes	Acceptable outcomes	Response
PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road .	AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure. OR AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.	Not applicable – development does not involve an accommodation activity, childcare centre, educational establishment or hospital.
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$. AND AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.	Not applicable – development does not involve a hospital. Not applicable
PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not: 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm).	No acceptable outcomes are prescribed.	Complies – the proposal is contained within an existing building, with no changes to its siting or orientation. The design ensures that external lighting from Musgrave Street will not intrude into or unreasonably disturb the use of the premises.

Table 1.6: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	AO52.1 Development is not located in a future state-controlled road. OR ALL OF THE FOLLOWING APPLY: AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road. AND AO52.3 The intensification of lots does not occur within a future state-controlled road. AND AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.	Complies – development is not within a future state-controlled road.
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Complies – development does not involve new or changed access to a future state-controlled road.
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not applicable – the development is not in proximity to a future state-controlled road.
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable – the development is not in proximity to a future state-controlled road.
PO56 Development ensures that stormwater is lawfully discharged.	AO56.1 Development does not create any new points of discharge to a future state-controlled road .	Complies – the development does not create any new points of discharge.

Performance outcomes	Acceptable outcomes	Response
	AND AO56.2 Development does not concentrate flows to a future state-controlled road. AND AO56.3 Stormwater run-off is discharged to a lawful point of discharge. AND AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.	Complies – existing stormwater management practices will be retained. Complies – development will retain existing lawful point of discharge. Not applicable – development does not feature a point of discharge to a future state-controlled road.

Show Cause Notice

(*Planning Act 2016 (Qld)*, section 167)

TAKE NOTICE THAT:

1. Council reasonably believes that you, the person specified in **section 1** below, have committed the development offence specified in **section 2** below.
2. As a result, Council is considering giving you an enforcement notice pursuant to section 168 of the *Planning Act 2016 (Qld)*.
3. The facts and circumstances relied upon by Council in this regard are set out in **section 3** below.
4. You are invited to make representations about the notice to Council. For example, you are invited to show cause why Council should not give an enforcement notice to you. Please note that if you do make representations, and Council remains of the view that it is appropriate for an enforcement notice to be given to you, Council may still proceed to give you an enforcement notice.
5. Please make your representations in writing and send or deliver those representations to an address specified in **section 4** below on or before the date specified in **section 5** below. Please note that any response by you may be used by Council in any future legal proceedings against you.

If you have any questions about this notice please contact Building, Plumbing and Compliance on 4936 8345.

Section		1. Details of recipient
(a)	Name:	Pillay Property Holdings Pty Ltd Tte
(b)	Address:	10/99 Musgrave Street Berserker
Section		2. Details of notice
(a)	Legislative Provision	Section 165 of the <i>Planning Act 2016 (Qld)</i>
(b)	Description	Unlawful use of premises
(c)	Date and time (or period)	5 March 2025
(d)	Place	10/99 Musgrave Street, Berserker QLD 4701 L 10 BUP 60058

Section		3. Facts and circumstances
(a) Council records and title search confirm you are the owner of 10/99 Musgrave Street Berserker. (b) Council became aware the current use at 10/99 Musgrave Street did not have the appropriate land use approval on the 5 March 2025. (c) On the 17 March 2025 at a meeting with a Rockhampton Regional Council Planning officer, you were advised the current use (Dental practice) identifies as "Health Care Service" and would require an impact assessable development application for a Material Change of Use as per the table of assessment in the Rock-e-Plan. To date Council has not received any information or notification to suggest that such an application has been lodged or persons engaged to prepare such application.		
Section		4. Address for representation
(a)	Email:	enquiries@rrc.qld.gov.au
(b)	Post:	PO Box 1860, Rockhampton Qld 4700
(c)	Hand delivery:	232 Bolsover Street, Rockhampton City 1 Ranger Street, Gracemere 32 Hall Street, Mount Morgan
Section		5. Due date for representation
(a)	Date:	17 August 2025
(b)	Time	4:00pm

Signed:		Date:	17 July 2025
Name:	Peter Spreadborough	Authorisation:	3283



Map Legend

Zones

	Low density residential
	Low-medium density residential
	High density residential
	Principal centre
	Major centre
	District centre
	Local centre
	Neighbourhood centre
	Sport and recreation
	Open space
	Environmental management and conservation
	Low impact industry
	Medium impact industry
	High impact industry
	Special industry
	Waterfront and marine industry
	Community facilities
	Emerging communities
	Limited development (constrained land)
	Rural
	Rural residential
	Special purpose
	Specialised centre
	Township

Precincts Text

Precincts

Precincts

	Precincts
---	-----------

Sub Precincts

	Sub-Precincts
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Priority Development Area



Strategic Port Land





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Map Legend

Limit of know or potential acid sulphate soils (Department of Resources)

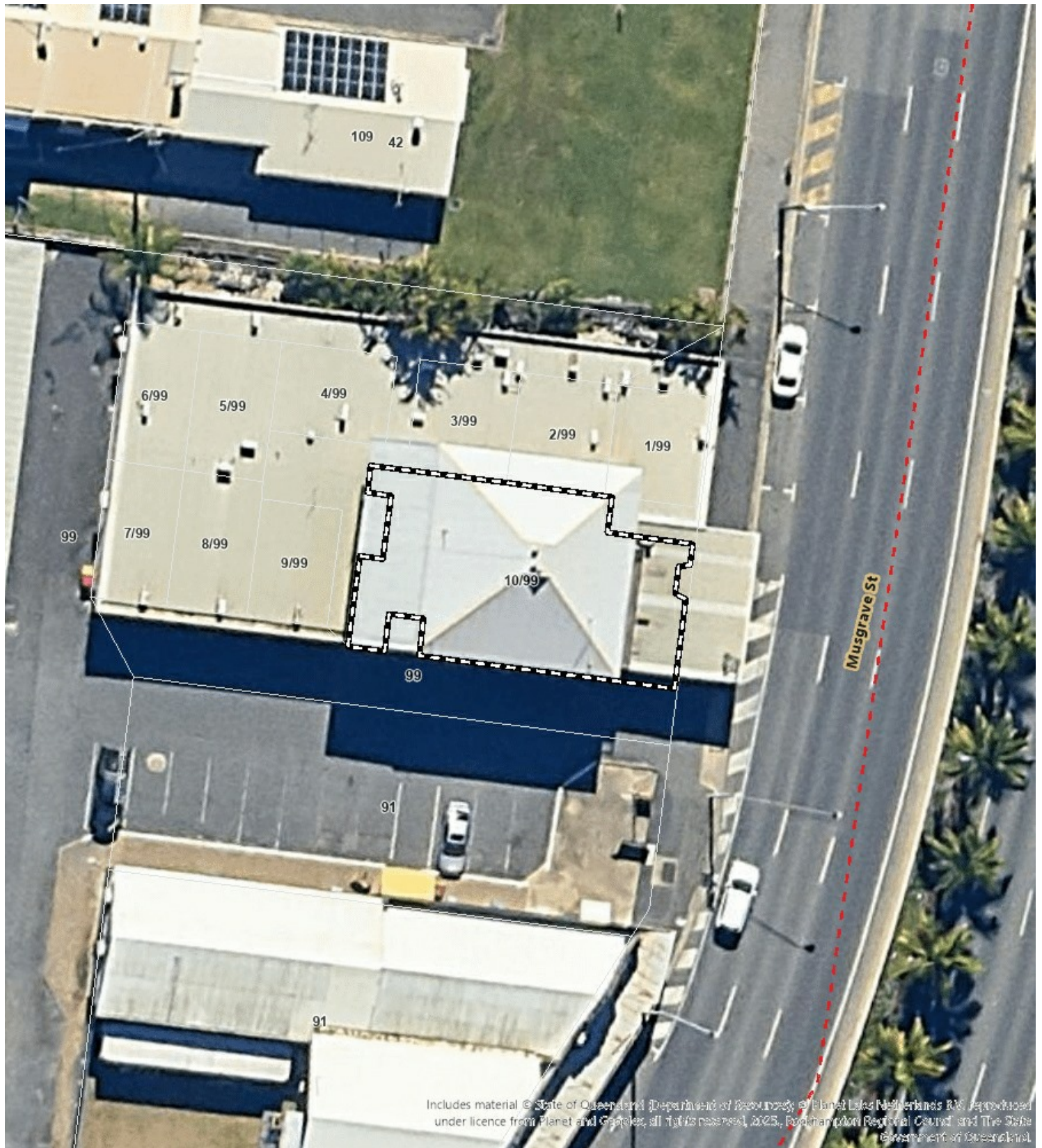
 Limit of know or potential acid sulphate soils (Department of Resources)

Land at or below 5m AHD

 Land at or below 5m AHD

Land above 5m and below 20m AHD

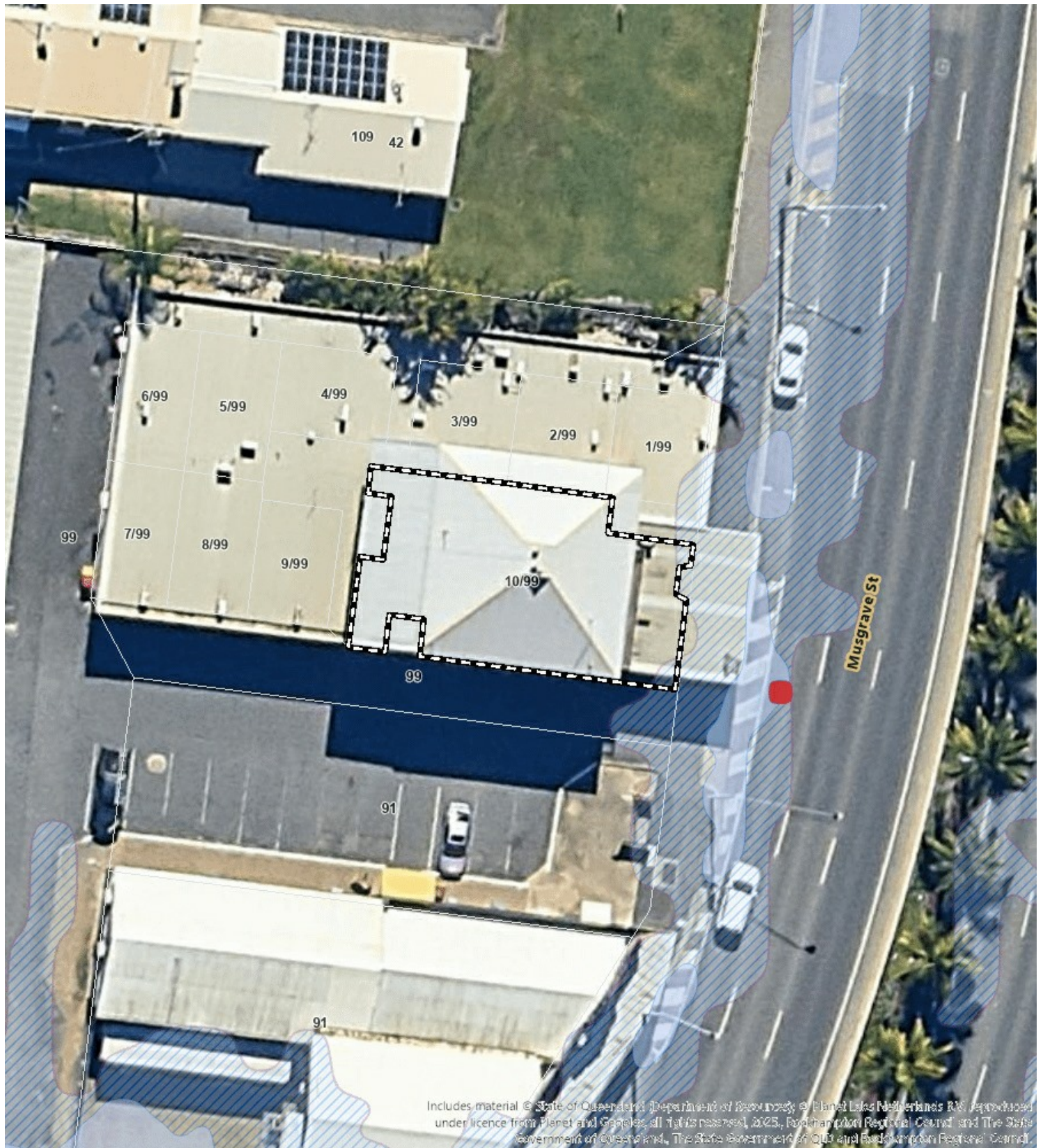
 Land above 5m and below 20m AHD



Map Legend

Bicycle Network

-  Future Onroad Routes
-  Cycling Arterial Routes
-  Cycling Offroad Routes
-  Cycling Major Urban Onroad Routes
-  Cycling Recreational Road Routes



Map Legend

Local Catchment DFE

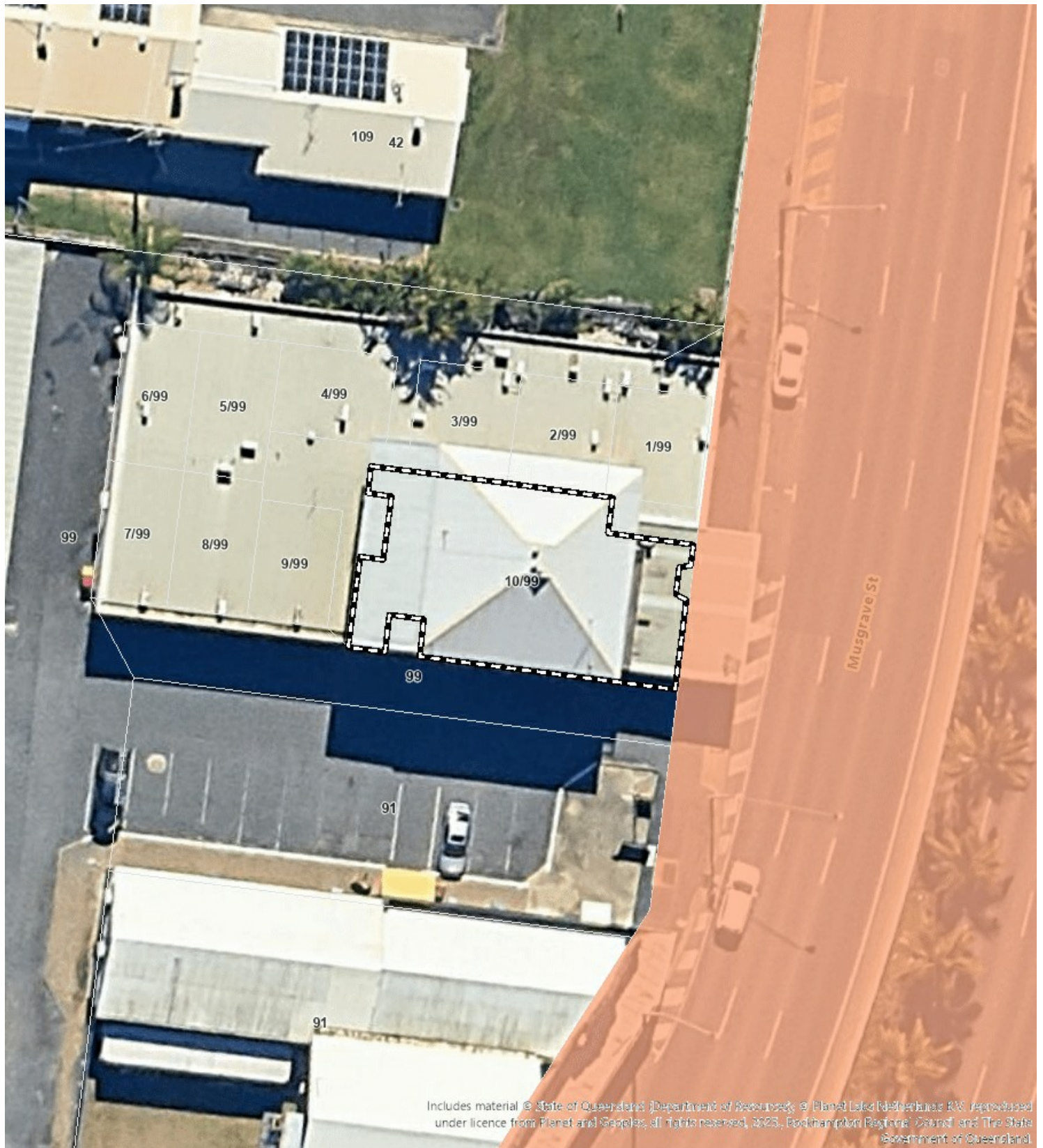


Planning Area 1



Planning Area 2





Map Legend

Road Hierarchy

	Highway
	State Controlled Road
	Urban Arterial
	Urban Sub-Arterial
	Major Urban Collector
	Minor Urban Collector
	Urban Access Street
	Urban Access Place
	Industrial Collector
	Industrial Access
	Rural Arterial
	Major Rural Collector
	Minor Rural Collector
	Rural Access



Map Legend

Railway Noise Corridor

-  Rail Corridor Category 0
-  Rail Corridor Category 1
-  Rail Corridor Category 2
-  Rail Corridor Category 3
-  Rail Corridor Category 4

Main Roads Noise Corridor

-  Main Roads Category 0
-  Main Roads Category 1
-  Main Roads Category 2
-  Main Roads Category 3
-  Main Roads Category 4

Technical Memorandum

To:	From
Natasha Pillay Serenity Dental Rockhampton natasha.pillay@serenity-dental.com.au	Chris Hewitt RPEQ 5141 McMurtrie Consulting Engineers chris@mcmengineers.com

1 Introduction

McMurtrie Consulting Engineers (MCE) have been engaged by Serenity Dental Rockhampton as the owner of Lot 10 on BUP60058, 10/99 Musgrave Street to undertake a sight visibility assessment to form a part of a Material Change of Use (MCU) to be submitted to Rockhampton Regional Council. This memorandum assesses the adequacy of the sight distance of the existing access onto Musgrave Street.

2 Site and Context Overview

Location: 10/99 Musgrave Street, Berserker

Formal Identification: Lot 10 on BUP60058

Proposed Development: Dentist



Figure 1 - Site Location of 10/99 Musgrave Street

3 Standards Reference

Australian Standards:

AS/NZS 2890.1:2004 – Parking Facilities – Off-Street Car Parking, providing design and dimension standards for parking facilities.

4 Sight Access Assessment

A sight distance assessment has been undertaken in accordance with the requirements of AS2890.1: Off-Street Parking, adopting a design speed of 70 km/h along Musgrave Street. The application of AS2890.1 is considered appropriate given the urban context of the site and the nature of the proposed development. The assessment demonstrates that vehicles exiting the site are provided with an available sight distance to the leftmost traffic lane of 85 metres (minimum requirement) and 97 metres (desirable requirement) in accordance with AS2890.1 guidelines. To maintain adequate sight distance across the full approach lane, it is recommended that two on-street parking spaces adjacent to Lot 2 on RP605865 be prohibited. Refer to the attached Sight Distance Plan for detailed assessment outcomes and supporting design information.

5 Conclusion

The existing site access at 10/99 Musgrave Street has been assessed in accordance with the sight distance requirements outlined in AS2890.1: Off-Street Parking. The assessment confirms that the access arrangement provides adequate sight distance for vehicles exiting the development.

Based on a design speed of 70 km/h along Musgrave Street, the available sight distance at the access point achieves compliance with the minimum requirement of 85 metres and satisfies the recommended desirable sight distance of 97 metres as prescribed by AS2890.1. These distances ensure that drivers exiting the site have sufficient visibility to identify and respond to oncoming vehicles in the nearest traffic lane under normal operating conditions. To further enhance driver visibility and maintain clear sight lines along the approach lane, it is proposed that two on-street parking spaces located adjacent to Lot 2 on RP605865 be prohibited. The removal of these parking spaces will ensure unobstructed visibility of approaching traffic, thereby improving operational safety and compliance with the sight distance criteria.

The assessment concludes that, subject to the implementation of the above parking restrictions, the existing access configuration is satisfactory from a traffic safety and operational performance perspective.

Prepared by:

Rhien Crouch

Civil Engineer BEng (Civil) (Hons)

Approved by:



Chris Hewitt

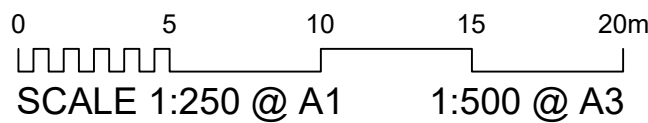
Principal Civil Engineer RPEQ 5141



PROJECT STAMP

ISSUED FOR INFORMATION

DRAWING SCALE



NOTE: THIS DRAWING IS SOLELY THE PROPERTY OF MCMURTRIE CONSULTING ENGINEERS PTY LTD. THE INFORMATION CONTAINED IS NOT TO BE DISCLOSED, REPRODUCED OR COPIED IN WHOLE OR PART WITHOUT WRITTEN APPROVAL FROM MCMURTRIE CONSULTING ENGINEERS PTY LTD.

ISSUE/REVISION

ISSUE	REV	DATE	DES	DESCRIPTION
INFO	A	6/11/25	NH	ISSUED FOR INFORMATION

PROJECT MANAGEMENT

THIS DOCUMENT IS UNCONTROLLED AND IS NOT TO BE USED

RPEQ CERTIFICATION		
DESIGNER	RC	CHECKED
INTERNAL PROJECT NO.	R002-25-26-010	APPROVED
DATUM	SURVEY	



McMurtrie Consulting Engineers

ROCKHAMPTON | BUNDABERG
PH (07) 4921 1780 | mail@mcmengineers.com | MCMENGINEERS.COM

PROJECT IDENTIFIER

CLIENT SERENITY DENTAL ROCKHAMPTON
PROJECT 10_99 MUSGRAVE ST BERSERKER
TITLE 99 MUSGRAVE ST VISIBILITY CHECK

DRAWING NUMBER
R0022526010-SK0001

REVISION
A



Confirmation Notice

PLANNING ACT 2016, PART 1 OF THE DEVELOPMENT
ASSESSMENT RULES

Application number:	D/8-2026	For further information regarding this notice, please contact:	Elaine Bayles
Date application properly made:	28 January 2026	Phone:	07 4936 8099

1. APPLICANT DETAILS

Name:	Pillay Property Holdings Pty Ltd		
Postal address:	C/- Gideon Town Planning PO BOX 450 ROCKHAMPTON CITY QLD 4700		
Contact number:	07 4806 6959	Email:	info@gideontownplanning.com.au

2. PROPERTY DESCRIPTION

Street address:	99 Musgrave Street, Berserker
Real property description:	Lot 0 & 10 on BUP60058

3. OWNER DETAILS

Name:	The Proprietors ' The White House' and Pillay Property Holdings Pty Ltd Tte
Postal address:	PO BOX 369 ROCKHAMPTON QLD 4700

4. DEVELOPMENT APPROVAL SOUGHT

Development Permit for a Material Change of Use for a Health Care Services (Dental Practice)
--

5. APPLICATION TYPE

	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval	☒	☐

6. REFERRAL AGENCIES	YES
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Based on the information accompanying the lodged application, in accordance with the *Planning Regulation 2017*, referral to the following Referral Agencies is required.

For an application involving	Name of agency	Role of Agency	Contact Details
STATE TRANSPORT INFRASTRUCTURE (State Transport Corridors and Future State Transport Corridors)			

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 – Material change of use of premises near a State transport corridor or that is a future State transport corridor

Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection	The chief executive of the department in which the <i>Planning Act 2016</i> is administered: Department of State Development, Infrastructure and Planning (State Assessment and Referral Agency)	Concurrence	<u>In person:</u> Level 2, 209 Bolsover Street, Rockhampton City <u>Online lodgement using MyDAS2:</u> https://prod2.dev-assess.qld.gov.au/suite/ <u>Email:</u> RockhamptonSARA@dsdilqp.qld.gov.au <u>Postal:</u> PO Box 113 Rockhampton Qld 4700
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It is the responsibility of the applicant to give within 10 business days each referral agency a copy of -

- the application (including application form and supporting material);
- this confirmation notice; and
- any applicable concurrence agency application fee (refer to the *Planning Regulation* to confirm the applicable referral agencies).

The applicant must provide written advice to Council (as the Assessment Manager) of the day on which this action was completed.

7. IMPACT ASSESSMENT

Will Impact Assessment be required?	YES
The whole of the application must be publicly notified under the provisions of Part 4 of the Development Assessment Rules by:	
- Publishing a notice at least once in a newspaper circulating generally in the locality of the premises which are the subject of the application; and - Placing a notice on the premises which are the subject of the application. The notice must remain on the premises for the period of time up to and including the stated day; and - Giving a notice to all owners of any lots adjoining the premises which are the subject of the application.	

8. PUBLIC NOTIFICATION DETAILS

The application requires public notification which must be undertaken in accordance with Section 53 of the *Planning Act 2016* and Part 4 of the Development Assessment Rules.

9. INFORMATION REQUEST

A further information request may be made by the assessment manager. Regardless of this advice, any concurrence agency for the application may make an information request.

10. SUPERSEDED PLANNING SCHEME

Is the application to be assessed under a Superseded Planning Scheme?	NO
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You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an INACCURACY in any of the information provided above or have a query or seek clarification about any of these details, please contact Council's Development Assessment Unit.

11. ASSESSMENT MANAGER

Name: **Elaine Bayles**
PLANNING OFFICER

Signature:



Date: 5 February 2026

Our reference: 2602-50648 SRA
Your reference: GTP 2549
Council reference: D/8-2026

16 February 2026

Pillay Property Holdings Pty Ltd
C/- Gideon Town Planning
PO Box 450
ROCKHAMPTON QLD 4700
gg@gideontownplanning.com.au

Attention: Gideon Genade

Dear Gideon

Referral confirmation notice

(Given under section 7 of the Development Assessment Rules)

The development application described below is taken to be properly referred to the State Assessment and Referral Agency (SARA) under Part 2: Referral of the Development Assessment Rules.

Location details

Street address:	99 Musgrave Street, Berserker
Real property description:	Lot 0 and Lot 10 on BUP60058
Local government area:	Rockhampton Regional Council

Application details

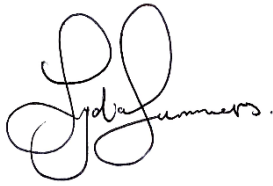
Development permit	Material change of use for a Health Care Services (Dental Practice)
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The referral confirmation period ended on 16 February 2026. SARA's assessment will be under the following provision of the Planning Regulation 2017:

- | | |
|--|--|
| <ul style="list-style-type: none">Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) | Material change of use of premises near a state transport corridor |
|--|--|

For further information please contact Tracey Beath, Senior Planning Officer, on 07 4924 2917 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lydia Summers', with a stylized, cursive script.

Lydia Summers
Principal Planning Officer

cc Rockhampton Regional Council, enquiries@rrc.qld.gov.au



Rockhampton Office
232 Bolsover St, Rockhampton

Gracemere Office
1 Ranger St, Gracemere

Mount Morgan Office
32 Hall St, Mount Morgan

19 February 2026

Our Reference: D/8-2026
Enquiries: Elaine Bayles
Telephone: 07 4936 8099

Pillay Property Holdings Pty Ltd
C/- Gideon Town Planning
PO BOX 450
ROCKHAMPTON CITY QLD 4700

Dear Sir/Madam

DEVELOPMENT APPLICATION D/8-2026 FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES (DENTAL PRACTICE) SITUATED AT 99 MUSGRAVE STREET, BERSERKER - LOT 0 & 10 ON BUP60058

Council refers to your development application lodged with Council on 22 January 2026. Council has determined that an Information Request is not required. It is advised that Referral Agencies may still make an Information Request and the end of Part 3: Information Request does not occur until the applicant has:

1. Finished responding to all information requests in the way stated under section 14.1 of the Development Assessment Rules; or
2. All periods for the applicant to respond to all information requests as stated in section 13.1 have ended.

You are further advised that once Part 3: Information Request ends, Part 4: Public Notification starts. Public notification must be undertaken in accordance with the *Planning Act 2016* and as described in the Development Assessment Rules.

Should you have any queries regarding this letter please contact me on 07 4936 8099 or email developmentadvice@rrc.qld.gov.au.

Yours faithfully

Elaine Bayles
Planning Officer
Planning and Regulatory Services

6 March 2026

Rockhampton Regional Council
PO Box 1860
ROCKHAMPTON QLD 4700



ATTENTION: Elaine Bayles

Via Email: DevelopmentAdvice@rrc.qld.gov.au

RE: NOTICE OF INTENTION TO COMMENCE PUBLIC NOTIFICATION – D/8-2026 FOR A MATERIAL CHANGE OF USE FOR A HEALTH CARE SERVICES (DENTAL PRACTICE) – SITUATED AT U10/99 MUSGRAVE STREET, BERSERKER – DESCRIBED AS LOT 0 ON BUP60058 AND LOT 10 ON BUP60058.

In accordance with section 17.2 of the Development Assessment Rules, I intend to start the public notification required under section 17.1 on Monday 9th March 2026 and will end on Friday 27th March 2026.

At this time, I can advise that I intend to:

☒ Publish a notice in: **CQ Today (hardcopy version)** on **Saturday 7th March 2026.**

And

☒ Place a notice on the premises in the way prescribed under the Development Assessment Rules on **Sunday 8th March 2026.**

And

☒ Notify the owners of all lots adjoining the premises the subject of the application on **Friday 6th March 2026.**

If you wish to discuss this matter further, please contact me via the details below.

Yours faithfully,

Gideon Genade
Principal Town Planner