

SARA reference: 2508-47778 SRA
Council reference: D/111-2025

23 September 2025

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

Attention: Aidan Murray

Dear Aidan

SARA referral agency response—1 Reservoir Street, Gracemere

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 20 August 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	23 September 2025
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use for a Multiple Dwelling (Four Units).
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)	

Material change of use of premises near a state transport corridor
(10.9.4.2.4.1)

SARA reference: 2508-47778 SRA
Assessment manager: Rockhampton Regional Council
Street address: 1 Reservoir Street, Gracemere
Real property description: Lot 1 on RP616784
Applicant name: Brendan Paul Bashford
Applicant contact details: Unit 3, 280 Murray Street
Allenstown QLD 4700
admin@tpdcqld.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

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

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

For further information please contact Sarah Lawley, Senior Planning Officer, on 07 3452 7042 or via email WBBSARA@dSDLGP.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski
Manager, Planning Services

cc Brendan Paul Bashford, admin@tpdcqld.com.au
enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

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

No.	Conditions	Condition timing
Material change of use		
10.9.4.2.4.1– Material change of use of premises near a State transport corridor— The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
Stormwater		
1.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the state controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the state-controlled road; (ii) concentrate or increase the velocity of flows to the state-controlled road; (iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; (iv) surcharge any existing culvert or drain on the state-controlled road; (v) reduce the quality of stormwater discharge onto the state-controlled road; (vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road; (vii) reduce the floodplain immunity of the state-controlled road. 	At all times
Noise		
2.	<p>(a) Provide noise attenuation measures to achieve the following noise criteria:</p> <ul style="list-style-type: none"> (i) ≤ 57 dB(A) L10 (18 hour) free field (measured L90 (18 hour) free field between 6am and 12 midnight ≤ 45 dB(A)); or (ii) ≤ 60 dB(A) L10 (18 hour) free field (measured L90 (18 hour) free field between 6am and 12 midnight > 45 dB(A)); or <p>(b) Provide solid gap-free fence of a minimum height of 1.8 metres to mitigate noise intrusion from the state-controlled road to the private open space.</p> <p>(c) Registered Professional Engineer of Queensland (RPEQ) certification must be provided to the Manager of Project Planning and Corridor Management within the Department of Transport and Main Roads (Fitzroy District) at CorridorManagement@tmr.qld.gov.au, confirming that the development has been constructed in accordance with parts (a) and (b)(i) of this condition.</p> <p>(d) If the noise attenuation measures do not include noise barriers, certification from a suitably qualified expert must be provided to the Manager of Project Planning and Corridor Management within the Department of Transport and Main Roads (Fitzroy</p>	(a) Prior to commencement of use and to be maintained at all times.

	District) at CorridorManagement@tmr.qld.gov.au, confirming that compliance with part (a) of this condition has been achieved.	
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Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.2). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.2:
 - o State code 1: Development in a state-controlled road environment.

- The development complies with the assessment benchmarks of State code 1 of SDAP in that the development:
 - o does not adversely impact the structural integrity or physical condition of the state controlled road
 - o does not adversely impact the function and efficiency of the state controlled road
 - o protects community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.
 - o does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure;

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.2), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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Development Assessment Rules—Representations about a referral agency response

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

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

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

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

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

Part 7: Miscellaneous

30 Representations about a referral agency response

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

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