



SARA reference: 2210-31766 SRA
 Council reference: D/140-2022
 Applicant reference: 8666

6 December 2022

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

Attention: Brendan Standen

Dear Sir/Madam

SARA response—23-27 William Palfrey Road, Parkhurst

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 28 October 2022.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	6 December 2022
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	Reconfiguring a lot for Boundary Realignment (three lots into three lots)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, division 4, subdivision 2, table 1 (Planning Regulation 2017)	
	Development application for reconfiguring a lot near a state transport	

corridor

SARA reference: 2210-31766 SRA

Assessment Manager: Rockhampton Regional Council

Street address: 23-27 William Palfrey Road, Parkhurst; 23-27 William Palfrey Road, Parkhurst; 23-27 William Palfrey Road, Parkhurst

Real property description: 37RP600698; 38RP600698; 5SP238731

Applicant name: Maas Group Properties Ellida Pty Ltd

Applicant contact details: c/- Capricorn Survey Group (CQ) Pty Ltd, PO Box 1391
Rockhampton QLD 4700
reception@csgcq.com.au

Representations

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

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

For further information please contact Carl Porter, Principal Planning Officer, on 07 49242 918 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Maas Group Properties Ellida Pty Ltd, reception@csgcq.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

Attachment 1—Referral agency conditions

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

No.	Conditions	Condition timing
Reconfiguring a lot		
Schedule 10, Part 9, division 4, subdivision 2, table 1 (Planning Regulation 2017)—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):		
1.	The future railway corridor must be kept clear of any permanent development at, above or below ground level generally in accordance with the Reconfiguration Plan, prepared by Capricorn Survey Group CQ, dated 10/10/2022, drawing number 8666-03-ROL and issue A, as amended in red.	At all times
2.	<p>(a) Stormwater and flooding management of the development must ensure no worsening or actionable nuisance to the railway corridor and/or future railway corridor.</p> <p>(b) Any works on the land must not:</p> <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the railway corridor and/or future railway corridor; ii. interfere with and/or cause damage to the existing stormwater drainage on the railway corridor and/or future railway corridor; iii. surcharge any existing culvert or drain on the railway corridor and/or future railway corridor; iv. reduce the quality of stormwater discharge onto the railway corridor and/or future railway corridor; v. impede or interfere with overland flow or hydraulic conveyance on the site; vi. reduce the floodplain storage capacity of the site. <p>(c) RPEQ certification, with supporting documentation, must be provided to the Program Delivery and Operations unit, Central Queensland Region (Central.Queensland.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads confirming that the development has been constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) & (b) At all times</p> <p>(c) Prior to submitting the Plan of Survey to the local government for approval</p>
3.	<p>(a) Any excavation, filling/backfilling/compaction, retaining structures, batters, stormwater management measures and other works involving ground disturbance must not encroach upon or de-stabilise the railway corridor and/or future railway corridor, including all state-controlled transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.</p> <p>(b) RPEQ certification, with supporting documentation, must be provided to the Program Delivery and Operations unit, Central Queensland Region (Central.Queensland.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads confirming that the development has been constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) At all times</p> <p>(b) Prior to submitting the Plan of Survey to the local government for approval</p>

4.	<p>(a) A RPEQ certified Traffic Management Plan must be prepared and given to the Program Delivery and Operations unit, Central Queensland Region (Central.Queensland.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads.</p> <p>(b) The Traffic Management Plan must demonstrate that there will be no disruption to railway level crossing safety on the North Coast Line during the course of construction/works. In particular, the Traffic Management Plan must address the railway level crossing of the North Coast Line at William Parfrey Road (LXR_05412) and any other impacted railway level crossing, including the following:</p> <ul style="list-style-type: none"> • site induction requirements for all personnel and drivers attending the site by vehicle on the safe use of the level crossing; • pre and post development dilapidation surveys; • the requirement for the railway manager (Queensland Rail) to be contacted to inspect the condition of level crossing on completion of works; • where required, rectification works to rail transport infrastructure and other rail infrastructure at the applicant's expense to ensure the post development condition has a no worsening impact on the pre-development condition. <p>(c) The construction of the development must be in accordance with the Traffic Management Plan.</p>	<p>(a) & (b) Prior to obtaining development approval for operational work</p> <p>(c) At all times during the works and at the completion of works</p>
----	---	---

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) v3.0. If a word remains undefined it has its ordinary meaning.
2.	<p>Traffic Management Plan</p> <p>The applicant should contact Queensland Rail in relation to compliance with the Traffic Management Plan condition in this referral agency response. Please contact Queensland Rail at PropertyLeasing@qr.com.au in relation to this matter.</p>
3.	<p>Future Railway Corridor</p> <p>The site is impacted on by the 'Bruce Hwy - Rockhampton Ring Rd (Third River Crossing) – BC' future railway corridor.</p> <p>The alignment of this future railway corridor is depicted on SARA on-line mapping at: https://dams.dsdip.esriaustraliaonline.com.au/damappingsystem/</p> <p>Further information concerning the future railway corridor is available at: https://www.tmr.qld.gov.au/projects/rockhampton-ring-road</p>
4.	<p>Works on a railway</p> <p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p>The applicant is responsible for obtaining any necessary approvals, contract arrangements, and/or other agreements from the railway manager.</p> <p>Please be advised that this concurrence agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the relevant railway manager.</p> <p>The applicant should contact Queensland Rail Property Team at PropertyLeasing@qr.com.au in relation to this matter.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for SARA's decision are:

- The proposed development is a three lot into three lot boundary re-alignment to facilitate future residential development of the subject land
- The proposed development is located adjacent to a railway corridor (North Coast Line)
- The proposed development contains a future railway corridor
- The proposed development complies with State Code 2: Development in a railway environment.

Material used in the assessment of the application:

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

Attachment 4—Change representation provisions

(page left intentionally blank)

Attachment 5—Approved plans and specifications

(page left intentionally blank)

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*

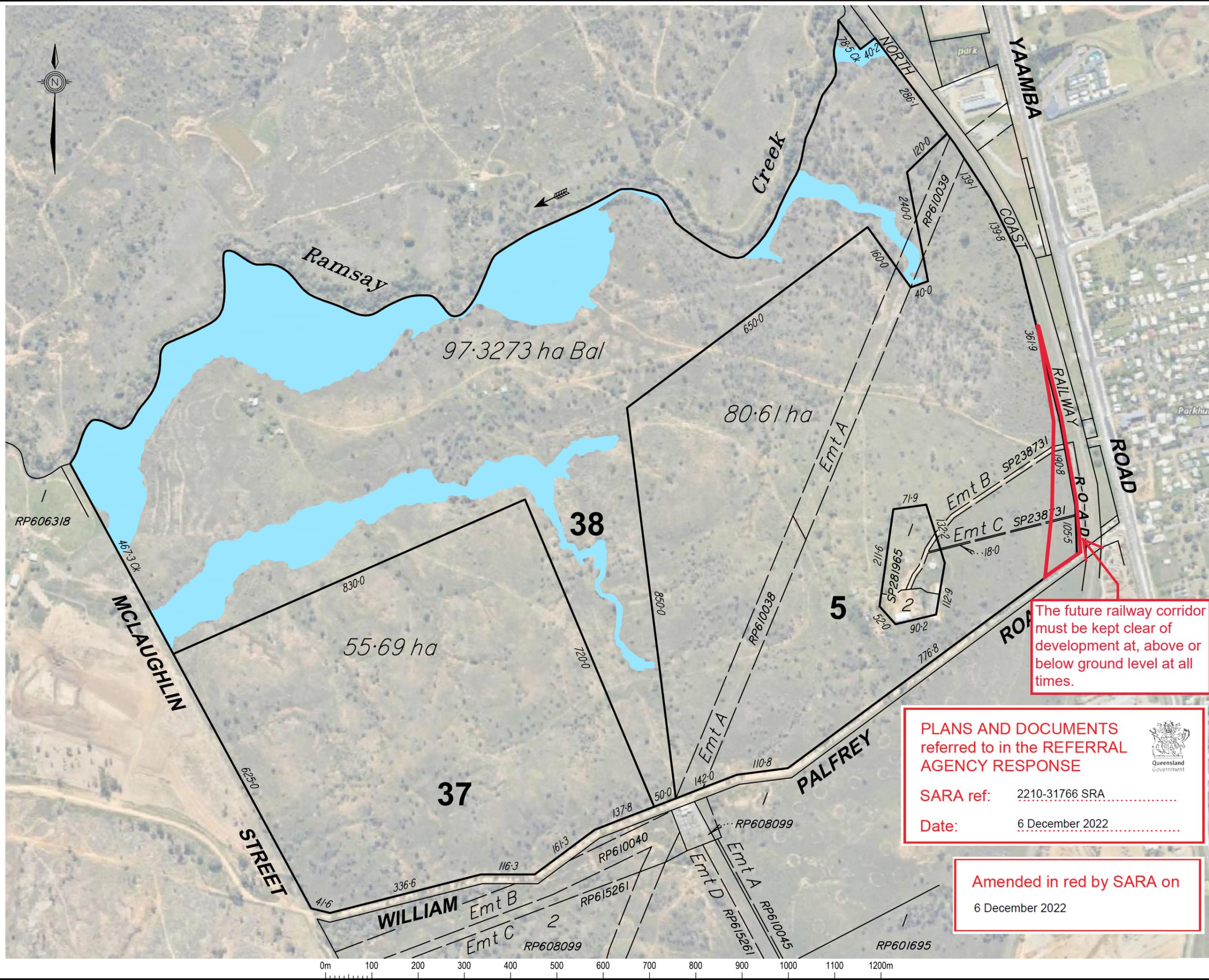
² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

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.



Denotes Fitzroy River Defined Flood Event - Planning Area 1 & 2 (RRPS Version 2.1)

IMPORTANT NOTE

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

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

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

This note is an integral part of this plan.

client
**MAAS Group Properties
 Ellida Pty Limited
 A.C.N. 657 243 233**

project
**Ellida
 23-27 William Palfrey Road,
 Parkhurst**

plan of
**Reconfiguration Plan
 3 Lots into 3 Lots Realignment
 (with Ortho Underlay)**

rd
**Lots 37 & 38 RP600698
 and Lot 5 on SP238731**

lga
Rockhampton Regional Council

issue	date	details	authorised
A	10-10-2022	Initial Issue	RJKF

created
capricornsurveygroupcq
 SURVEYING & PLANNING SOLUTIONS
07 4927 5199 | reception@csqcq.com.au | 132 Victoria Parade, Rockhampton QLD 4700

scale
1:7500 @ A3
 sheet no.
1 of 1
 plan no.
8666-03-ROL

datum
QLD Globe
 cad file
8666-03-ROL-A
 issue
A

The future railway corridor must be kept clear of development at, above or below ground level at all times.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2210-31766 SRA

Date: 6 December 2022

Amended in red by SARA on 6 December 2022