



SARA reference: 2205-29120 SRA
 Council reference: D/66-2022
 Applicant reference: SP21045

10 October 2022

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

Dear Sir/Madam

SARA response—331 Yaamba Road, Berserker

(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 3 June 2022.

Response

Outcome:	Referral agency response - No requirements	
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.	
Date of response:	10 October 2022	
Advice:	Advice to the applicant is in Attachment 1 .	
Reasons:	The reasons for the referral agency response are in Attachment 2 .	

Development details

Description:	Development permit	Material change of use for a shopping centre extension and shop
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a state-controlled road and within 100m of a road that intersects with a state-controlled road.	

SARA reference: 2205-29120 SRA
Assessment Manager: Rockhampton Regional Council
Street address: 331 Yaamba Road, Berserker
Real property description: Lot 1 on SP203617; Lot 201 on SP236447
Applicant name: The Trust Company Limited ACN 004 027 749
Applicant contact details: PO Box 130
Lutwyche QLD 4030
leisa.sinclair@sinclairplanning.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 3**.

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

For further information please contact Thomas Gardiner, Principal Planning Officer, on 4924 2916 or via email RockhamptonSARA@dildgq.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc The Trust Company Limited ACN 004 027 749, leisa.sinclair@sinclairplanning.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations provisions

Attachment 1—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.

Attachment 2—Reasons for referral agency response

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

The reasons for SARA's decision are:

- The development is a material change of use for a shopping centre (extension), located at 331 Yaamba Road, Berserker, described as Lot 1 on SP203617 and Lot 201 on SP236447.
- The assessment benchmark which is relevant to SARA's assessment is State Development Assessment Provisions (SDAP) State code 1: Development in a state-controlled road environment (State code 1).
- The development is considered to comply with SDAP State code 1, without the imposition of conditions.

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
- *Human Rights Act 2019*

Attachment 3—Change representation provisions

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

ergon.com.au

05 April 2024

Chief Executive Officer
Rockhampton Regional Council
Attention: Development Assessment
Via email: enquiries@rrc.qld.gov.au

cc Sinclair Planning
Attention: Leisa Sinclair
Via email: leisa.sinclair@sinclairplanning.com.au

Dear Sir/Madam,

**Change Application Pursuant to Section 78 of the Planning Act 2016 – Material Change of Use (Development Permit) for a Shopping Centre (Extension) and Shop located at 331 Yaamba Road, Park Avenue described as Lot 201 on SP236447 and Lot 1 on SP203617.
Council Ref: D/66-2022
Our Ref: ECM 18927564 - 18928295**

We refer to the above referenced Change Request which has been referred to Ergon Energy in accordance with Section 80 (1) the *Planning Act 2016 (the Act)*.

Ergon Energy acknowledges the request as being relevant to changes to the carparking and service vehicle manoeuvring areas and an adjustment to the impervious area associated with the development.

In accordance with Section 80 (4) of *the Act* as an affected entity to the request Ergon Energy has no objection to the proposed change in Plans as detailed below:

Approved Plans			
Title	Plan Number	Issue	Date
Existing Overall Site Plan	DA_001_A_3	B	15/02/2022
Overall Site Plan	DA_002_B_3	B	28/02/2022

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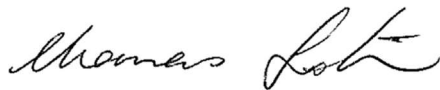
See the 'considerations when developing around electricity infrastructure' section of our website www.ergon.com.au/referralagency

Ground Floor Plan	DA_003_F_3	F	29/11/2023
Roof Plan	DA_004_F_3	F	30/11/2023
Supermarket Detial Plan	DA_005_C_3	C	12/01/2024
Landscape Plan	DA_020_D_3	D	12/01/2024
North and South Elevations	DA_040_1	1	16/11/2023
East and West Elevations	DA_041_1	1	16/11/2023

Conditions 2, 3, 4 and 5 outlined within Ergon's Referral Response, Reference No. HBD 7613763 issued on the 06 June 2022 remain relevant to the development. A copy of Ergon's original Referral Response to Development Application No D/66-2022 has been attached.

Should you require any further information on the above matter, please contact Tom Sexton on 0429 443 778 or via email at townplanning@ergon.com.au.

Yours faithfully,



Tom Sexton
Senior Planner

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PO Box 1090, Townsville QLD 4810

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05 April 2024

Rockhampton Regional Council
PO Box 1860
Rockhampton QLD 4700

Attention: *Kathy McDonald*
Via email: enquiries@rrc.qld.gov.au

Cc The Trust Company Limited ACN 004 027 749
C/- Sinclair Planning Pty Ltd
PO Box 130
Lutwyche QLD 4030
Attention: *Leisa Sinclair*
Via email: Leisa.Sinclair@sinclairplanning.com.au

Dear Kathy,

Referral Agency Response – Development Permit for a Material Change of Use for a Shopping Centre Extension and Shop located at 331 Yaamba Road, Park Avenue described as Lot 201 on SP236447 and Lot 1 on SP203617

Council Ref: D/66-2022
Applicant Ref: SP21045
Our Ref: HBD 7613763

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

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

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

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

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Approved Plans			
Title	Plan Number	Rev.	Date
Overall Site Plan	DA_002_B_3	B	28.02.22
Ground Floor Plan	DA_003_B_3	B	1.03.22
Roof Plan	DA_004_C_3	C	18.03.22
Landscape Plan	DA_020_C_3	C	15.03.22

2. The conditions of any easements in favour of Ergon must be maintained at all times.
3. Access to the easement and access along the easement must be available to Ergon personnel and heavy equipment at all times.
4. Clearance from any building/structures to the existing electricity wires must be maintained accordance with the *Electrical Safety Regulation 2013* at all times.
5. Any future works in the vicinity of Ergon assets are to be carried out in accordance with the Electricity Entity Requirements: Working Near Overhead and Underground Electric Lines. This guideline can be accessed via the following link:
https://www.ergon.com.au/data/assets/pdf_file/0010/211231/Working-near-OH-UG-lines-BS001405R107ver2.pdf.

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

Yours faithfully,



Maddison Low
Town Planner

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See the 'considerations when developing around electricity infrastructure' section of our website
www.ergon.com.au/referralagency