



## Queensland Treasury

### Changed decision notice

Our reference: 2006-17301 SPD

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### Decision notice—approved with conditions

(Given under section 63 of the *Planning Act 2016*)

Original reference: 1912-14721 SDA

The development application described below was properly made to the State Assessment and Referral Agency (SARA) on 23 December 2019.

### Decision

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Outcome:	Approved, subject to conditions
Date of decision:	19 March 2020
Conditions:	The approval is subject to the conditions in <b>Attachment 1</b> .
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for decisions are in <b>Attachment 3</b> .
Currency period:	This development approval will lapse if development is not started within the currency periods stated in section 85 of the <i>Planning Act 2016</i> .

### Approval Details

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Description:	Development permit	Operational work for waterway barrier works (new multi-span bridge)
SARA role:	Assessment manager	
SARA trigger:	Schedule 10, Part 6, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017) Operational work that is constructing or raising waterway barrier works	
SARA reference:	1912-14721 SDA	
Street address:	1554 Riverslea Road, Gogango; 395 Rookwood Road, Gogango; 1554 Riverslea Road, Gogango	
Real property description:	On and adjoining lot 20 PN112, lot 10 on PN141, and lot on 2SP158491 and crossing the Fitzroy River at -23.57585, 149.93508 (Datum WGS84)	
Local government area:	Rockhampton Regional Council	
Applicant name:	Sunwater Limited	
Applicant contact details:	c/- GHD GPO Box 668 Brisbane QLD 4001 emma.rothwell@ghd.com	

Fitzroy/Central regional office  
Level 2, 209 Bolsover Street,  
Rockhampton  
PO Box 113, Rockhampton QLD 4700

**Additional details**

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Native title considerations: The Non-extinguishment Principle applies, meaning native title is not extinguished, but is suppressed for the life of the facility. No notification is required to be given to the native title parties.

Further development permits: No further development permits are required to be obtained before the development can be carried out.

Level of assessment: Code assessable

enc Attachment 1—Changed assessment manager conditions  
Attachment 2—Advice to the applicant  
Attachment 3—Reasons for the decision  
Appeal provisions  
Approved plans and specifications

**Attachment 1—Changed assessment manager conditions**(Given under section 63(2)(e)(ii) of the *Planning Act 2016*)(Copies of the plans and specifications referenced below are **enclosed**)

No.	Conditions of development approval	Condition timing
<b>Operational work</b>		
Schedule 10, Part 6, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries 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.	Development authorised under this approval is limited as follows: <ul style="list-style-type: none"> <li>• the operational works to raise or construct a waterway barrier works that is a <b>eight (8)</b> <del>six (6)</del> span bridge within the Fitzroy River at chainage MC 10-350 and shown in:               <ul style="list-style-type: none"> <li>(i) Riverslea Bridge, Locality Plan prepared by GHD dated 15 October 2019, drawing number 41-29978-04-AP-0002, revision <del>A</del> <b>B amended 18 June 2020</b></li> <li>(ii) Riverslea Bridge, Bridge General Arrangement, <b>Plan and Long Section</b> prepared by GHD <b>Rockhampton Regional Council</b> dated <del>15 October 2019</del> <b>13 March 2020</b>, drawing number 41-29978-04-AP-0001, revision <del>A</del> <b>ARWR-GHD-STR-DW-0003, revision H.</b></li> </ul> </li> </ul>	At all times
2.	Maintain the development in accordance with the plans referenced in condition 1, and the requirements of any conditions included in this development approval.	At all times
3.	Provide written notice to notifications@daf.qld.gov.au, when the development authorised under this approval: <ul style="list-style-type: none"> <li>(a) will start, and</li> <li>(b) when it has been completed.</li> </ul> These notices must state this permit number 1912-14721-SDA <b>2006-17301 SPD</b> .	(a) At least 5 business days but no greater than 20 business days prior to the commencement of the works (b) Within 5 business days of the completion of the fisheries development work
4.	Spoil is not disposed of within waterways.	At all times
5.	This fisheries development (as defined by the <i>Fisheries Act 1994</i> ) constitutes a place that is required to be open for inspection by an inspector at all times, pursuant to section 145 of the <i>Fisheries Act 1994</i> .	At all times

No.	Conditions of development approval	Condition timing
6.	The existing Riverslea Road culvert crossing and approaches, as shown on the Riverslea Bridge, Locality Plan prepared by GHD dated 15 October 2019, drawing number 41-29978-04-AP-0002, revision <b>A</b> <b><u>B amended 18 June 2020</u></b> , must be completely removed from the waterway immediately after the bridge inclusive of the approved fish passage is operational.	Immediately after the bridge is operational
7.	Land profiles that are temporarily disturbed by the development works (other than those within the permanent development footprint, as shown on Riverslea Bridge, Bridge General Arrangement, <b><u>Plan and Long Section</u></b> prepared by GHD <b><u>Rockhampton Regional Council</u></b> dated <del>15 October 2019</del> <b><u>13 March 2020</u></b> , drawing number 41-29978-04-AP-0001, revision <del>A</del> <b><u>ARWR-GHD-STR-DW-0003, revision H,</u></b> revision A) must be promptly restored to pre-work profiles.	Upon completion of the works the subject of this approval
8.	The waterway barrier(s) and any associated infrastructure are to be constructed and maintained to avoid fish injury, mortality and/or entrapment.	At all times
9.	Works are to be avoided during times of elevated flows (Q1 event or higher), in parts of the waterway that are inundated.	At all times

**Attachment 2—Advice to the applicant**

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**General advice**

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| 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) v2.5. If a word remains undefined it has its ordinary meaning. |
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### Attachment 3—Reasons for the decision

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(Given under section 63(5) of the *Planning Act 2016*)

#### The reasons for SARA's decision are:

- the proposed development is operational work for a waterway barrier work for the construction of a permanent bridge and the removal of the existing Riverslea Road culvert crossing
- the bridge is to be located within the Fitzroy River, a purple (major impact) waterway on the Queensland Waterways for Waterway Barrier Works spatial data layer
- the bridge can be constructed to provide adequate fish passage
- the existing Riverslea Road culvert crossing will be removed once the bridge is operational
- associated temporary waterway barriers required to undertake the proposed development can be constructed in accordance with the accepted development requirements for operational work for waterway barrier works
- the proposed development can comply with, and is conditioned to ensure continued compliance with, State code 18 of the State Development Assessment Provisions (SDAP)
- the reasons for the conditions imposed are:
  - to ensure the development is carried out in the location and to the extent specified on the approved plans of development
  - to ensure the development is maintained in accordance with the approved plans of development and any ongoing requirements of conditions
  - to facilitate the monitoring of the development works for compliance purposes
  - to ensure the disturbance of soil is managed to prevent impacts on fisheries resources and fish habitats
  - to ensure the defunct waterway barrier is removed allowing for the reinstatement of the original fish habitats and fish passage
  - to ensure land profiles are restored to match the surrounding or pre-works sediment profile to aid re-colonisation by flora and fauna and ensure continued compliance with performance outcome 14 of SDAP State code 18
  - to ensure the development does not increase the risk of mortality, disease or injury, or compromise the health and productivity in fish
  - to ensure the construction of waterway barrier works does not limit the movement or wellbeing of fish and ensure compliance with performance outcome 9 of SDAP State code 18.

#### 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 2.5), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system



Queensland Treasury

Our reference: 2006-17301 SPD  
Your reference: miranda.weston@sunwater.com.au

7 July 2020

Sunwater Limited  
PO Box 15536, City East, 4002  
BRISBANE CITY EAST QLD 4002  
miranda@envirotechsolutions.com.au

Attention: Miranda Weston

Dear Sir/Madam

**Decision notice—change application**

(Given under section 83 of the *Planning Act 2016*)

Your change application under section 78 of the *Planning Act 2016* for the development approval dated 19 March 2020 was made to the State Assessment and Referral Agency (SARA) on 23 June 2020.

**Decision for change application**

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Date of decision: 7 July 2020

Decision details: Make the change and amend existing conditions

The changes agreed to are:

1. Amend conditions 1, 6 and 7 to refer to the following updated plan:
  - Riverslea Bridge, Locality Plan prepared by GHD dated 15 October 2019, drawing number 41-29978-04-AP-0002, revision B amended 18 June 2020
2. Amend the SARA reference number in condition 3

For further information please contact Tracey Beath, Senior Planning Officer, on (07) 4924 2917 or via email [RockhamptonSARA@dsmip.qld.gov.au](mailto:RockhamptonSARA@dsmip.qld.gov.au) who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read "Anthony Walsh".

Anthony Walsh  
Manager Planning

Fitzroy/Central regional office  
Level 2, 209 Bolsover Street,  
Rockhampton  
PO Box 113, Rockhampton QLD 4700

cc Rockhampton Regional Council, [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au)

enc Decision notice showing the change  
Approved plans and specifications  
Appeal provisions

# Planning Act 2016 – Appeal provisions

The following provisions are the **appeal rights** as defined in the Planning Act 2016, schedule 2.

## Chapter 6                      Dispute resolution

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### Part 1                      Appeal rights

#### 229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

- (a) matters that may be appealed to—
  - (i) either a tribunal or the P&E Court; or
  - (ii) only a tribunal; or
  - (iii) only the P&E Court; and
- (b) the person—
  - (i) who may appeal a matter (the **appellant**); and
  - (ii) who is a respondent in an appeal of the matter; and
  - (iii) who is a co-respondent in an appeal of the matter; and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is—

- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note*—

See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
    - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
    - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
    - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
    - (f) for an appeal to the P&E Court—the chief executive; and
    - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
  - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### **231 Other appeals**

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

**decision** includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

### **232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

## **Schedule 1 Appeals**

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### **1 Appeal rights and parties to appeals**

- (1) Table 1 states the matters that may be appealed to—
  - (a) the P&E court; or
  - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
  - (a) the refusal, or deemed refusal of a development application, for—
    - i a material change of use for a classified building; or
    - ii operational work associated with building work, a retaining wall, or a tennis court; or
  - (b) a provision of a development approval for—
    - i a material change of use for a classified building; or
    - ii operational work associated with building work, a retaining wall, or a tennis court; or
  - (c) if a development permit was applied for—the decision to give a preliminary approval for—
    - i a material change of use for a classified building; or
    - ii operational work associated with building work, a retaining wall, or a tennis court; or

- (d) development condition if—
    - i the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
    - ii the building is, or is proposed to be, not more than 3 storeys; and
    - iii the proposed development is for not more than 60 sole-occupancy units; or
  - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
  - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
  - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
  - (h) a decision to give an enforcement notice—
    - i in relation to a matter under paragraphs (a) to (g); or
    - ii under the Plumbing and Drainage Act; or
  - (i) an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (k) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
    - i a development approval for which the development application required impact assessment; and
    - ii a development approval in relation to which the assessment manager received a properly made submission for the development application; or
  - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
  - (b) column 2 states the respondent in the appeal; and
  - (c) column 3 states the co-respondent (if any) in the appeal; and
  - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

**storey** see the Building Code, part A1.1.

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

**1. Development applications**

For a development application other than a development application called in by the minister, an appeal may be made against—

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<ol style="list-style-type: none"> <li>1. A concurrence agency that is not a co-respondent</li> <li>2. If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3. Any eligible advice agency for the application</li> <li>4. Any eligible submitter for the application</li> </ol>

**2. Change applications**

For a change application other than a change application made to the P&E Court or called in by the Minister, an appeal may be made against—

- (a) the responsible entity's decision on the change application; or
- (b) a deemed refusal of a change application.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
<ol style="list-style-type: none"> <li>1. The applicant</li> <li>2. If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</li> </ol>	The responsible entity	If an affected entity starts the appeal—the applicant	<ol style="list-style-type: none"> <li>1. A concurrence agency for the development application</li> <li>2. If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3. A private certifier for the development application</li> <li>4. Any eligible advice agency for the change application</li> <li>5. Any eligible submitter for the change application</li> </ol>

### 3. Extension applications

For an extension application other than an extension application called in by the Minister, an appeal may be made against—

- (a) The assessment manager's decision on the extension application; or
- (b) A deemed refusal of the extension application.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1. The applicant</p> <p>2. For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager

### 4. Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

- (a) the notice involved an error relating to—
  - (i) the application of the relevant adopted charge; or
  - Examples of errors in applying an adopted charge:
    - the incorrect application of gross floor area for a non-residential development
    - applying an incorrect 'use category', under a regulation, to the development
  - (ii) the working out of extra demand, for section 120; or
  - (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—

### 5. Conversion applications

An appeal may be made against—

- (a) the refusal of a conversion application; or
- (b) a deemed refusal of a conversion application.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—

### 6. Enforcement notices

An appeal may be made against the decision to give an enforcement notice.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

**Table 2  
Appeals to the P&E Court only**

**1. Appeals from tribunal**

An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—

- (a) an error or mistake in law on the part of the tribunal; or
- (b) jurisdictional error.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—

**2. Eligible submitter appeals**

For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against the decision to approve the application, to the extent the decision relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ol style="list-style-type: none"> <li>1. For a development application—an eligible submitter for the development application</li> <li>2. For a change application—an eligible submitter for the change application</li> </ol>	<ol style="list-style-type: none"> <li>1. For a development application—the assessment manager</li> <li>2. For a change application—the responsible entity</li> </ol>	<ol style="list-style-type: none"> <li>1. The applicant</li> <li>2. If the appeal is about a concurrence agency's referral response—the concurrence agency</li> </ol>	Another eligible submitter for the application

**3. Eligible submitter and eligible advice agency appeals**

For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or the change application, that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)

<ol style="list-style-type: none"> <li>1. For a development application—an eligible submitter for the development application</li> <li>2. For a change application—an eligible submitter for the change application</li> <li>3. An eligible advice agency for the development application or change application</li> </ol>	<ol style="list-style-type: none"> <li>1. For a development application—the assessment manager</li> <li>2. For a change application—the responsible entity</li> </ol>	<ol style="list-style-type: none"> <li>1. The applicant</li> <li>2. If the appeal is about a concurrence agency's referral response—the concurrence agency</li> </ol>	Another eligible submitter for the application
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**4. Compensation claims**  
An appeal may be made against—

(a) a decision under section 32 about a compensation claim; or  
(b) a decision under section 265 about a claim for compensation; or  
(c) a deemed refusal of a claim under paragraph (a) or (b).

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A person dissatisfied with the decision	The local government to which the claim was made	—	—

**5. Registered premises**  
An appeal may be made against a decision of the Minister under chapter 7, part 4.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
<ol style="list-style-type: none"> <li>1. A person given a decision notice about the decision</li> <li>2. If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</li> </ol>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises

**6. Local laws**  
An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or  
(b) the erection of a building or other structure.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

**Table 3  
Appeals and tribunal only**

**1. Building advisory agency appeals**

An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<ol style="list-style-type: none"> <li>1. A concurrence agency for the development application related to the approval</li> <li>2. A private certifier for the development application related to the approval</li> </ol>

**2. Inspection of building work**

An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
The applicant for the development approval	The person who made the decision	—	—

**3. Certain decisions under the Building Act and the Plumbing and Drainage Act**

An appeal may be made against—

- (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or
- (b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A person who received, or was entitled to receive, an information notice about the decision	The person who made the decision	—	—

**4. Local government failure to decide application under the Building Act**

An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.

<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—



Queensland Treasury

**State Assessment and Referral Agency (SARA)**  
**Statement of reasons for application 2006-17301 SPD**  
 (Given under section 83 of the *Planning Act 2016*)

Departmental role: Responsible entity

**Applicant details**

Applicant name: Sunwater Limited  
 Applicant contact details: PO Box 15536, City East, 4002  
 Brisbane City East QLD 4002  
 miranda@environtechsolutions.com.au

**Location details**

Street address: 1554 Riverslea Road, Gogango; 395 Rookwood Road, Gogango; 1554 Riverslea Road, Gogango  
 Real property description: On and adjoining lot 20 PN112, lot 10 on PN141, and lot on 2SP158491 and crossing the Fitzroy River at -23.57585, 149.93508 (Datum WGS84)  
 Local government area: Rockhampton Regional Council

**Development details**

Original approval: Development permit for operational works for waterway barrier works (new multi-span bridge)  
 Current application: Change application (minor change)  
 Description of requested changes: Update conditions to reflect new plans of development showing an amended bridge design

**Assessment matters**

Aspect of development requiring code assessment	State Development Assessment Provisions, version 2.5 Applicable codes
Operational work	<ul style="list-style-type: none"> <li>State code 18: Constructing or raising waterway barrier works in fish habitats</li> </ul>

**Reasons for SARA's decision**

The reasons for the decision are:

- the change relates to an amended design of the bridge
- the proposed change to the bridge design moves the abutment works higher on the banks of the waterway. The change results in less impacts in the waterway, which provides for an improved outcome for fish passage matters
- the proposed changes will not adversely impact State interests which are addressed through the conditions of the development approval.

Fitzroy/Central regional office  
 Level 2, 209 Bolsover Street,  
 Rockhampton  
 PO Box 113, Rockhampton QLD 4700

**Response:**

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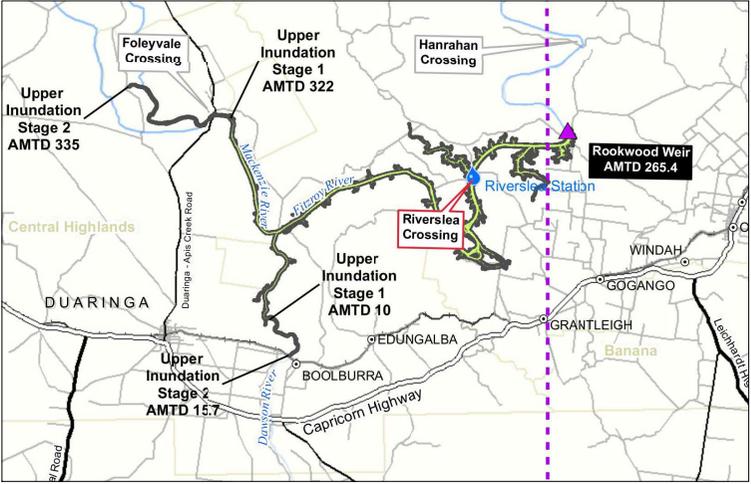
<b>Nature of approval</b>	<b>Response details</b>	<b>Date of response</b>
Development permit	Makes the changes and amend existing conditions	7 July 2020

**Relevant material:**

- Change application
- State Development Assessment Provisions published by the department
- *Planning Act 2016*
- Planning Regulation 2017



LAYOUT PLAN  
SCALE: 1:2500



LOCALITY PLAN  
NTS

**PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL**

SARA ref: 2006-17301 SPD

Date: 7 July 2020

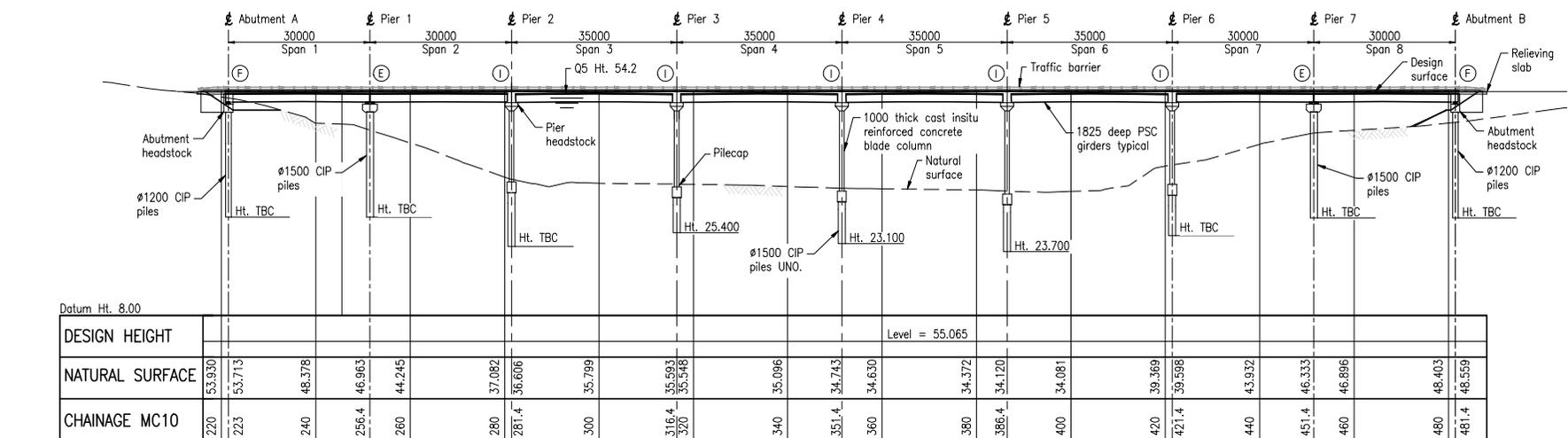
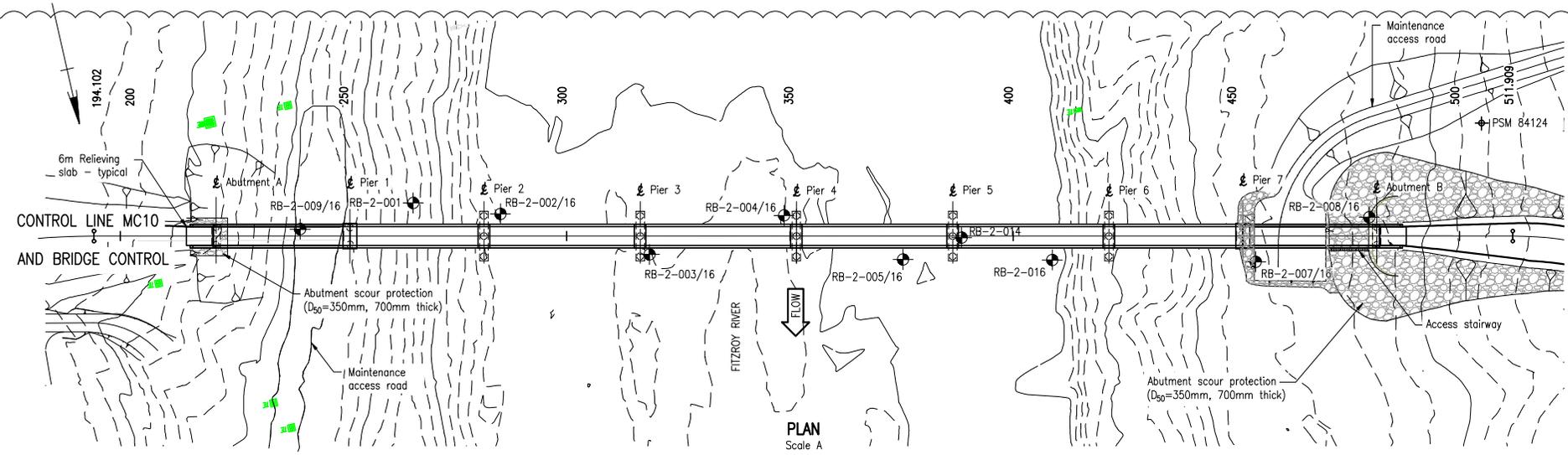
**Revised Minor Change for Development Approval**

NOTES:  
1. This sketch is provided to provide information to support a development application only.

GHD DRAWING NUMBER: 41-29978-04-AP-0002 FOR DEVELOPMENT APPROVAL

Associated Job Nos		Survey Data		Scales		ROOKWOOD WEIR PROJECT		Drawn E, PEARSE		RIVERSLEA BRIDGE LOCALITY PLAN		BIS No.	
Auxiliary Drg Nos		Datum GDA94		1:2500 0 25 50 75 100m		RIVERSLEA ROAD		Checked -		ENGINEERING CERTIFICATION (RPEQ)		Job No. -	
		Height Origin AHD DERIVED				CTL CHGE		Designed No. -		ENG. AREA		Contract No. -	
		Survey Books		Dimensions shown in metres except where shown otherwise		Reference Points		Verified No. -		NAME		Drawing No. -	
						Preceding RP		Design Reviews (RPEQ)		SIGNATURE		Series Number - of -	
						Dist to start of job (km)		No. Date		NO.		MRB Detail (02/14) BR Drgs of	
						From start to end of job				DATE			
						From end of job							
						Following RP							
						Following RP							

User Modified - Oct 15, 2019 - 2:19pm XREFS -



DESIGN HEIGHT	Level = 55.065																				
NATURAL SURFACE	53.930	53.713	48.378	46.963	44.245	37.082	36.606	35.799	35.096	34.743	34.630	34.372	34.120	39.369	43.932	46.333	46.896	48.403	48.559		
CHAINAGE MC10	220	223	240	256.4	260	280	281.4	300	340	351.4	360	380	386.4	400	420	421.4	440	451.4	460	480	481.4

- LEGEND**
- (F) Denotes fixed joint
  - (E) Denotes expansion joint
  - (I) Denotes integral joint
  - ⊕ Denotes borehole location

**DESIGN SCOUR ASSUMPTION**

LOCATION	DESIGN LEVELS OF SCOUR FOR 0.05% AEP FLOOD EVENT
Abutment A	TBC
Pier 1	TBC
Pier 2	30.4
Pier 3	32.5
Pier 4	30.2
Pier 5	31.6
Pier 6	33.4
Pier 7	TBC
Abutment B	TBC

All scour shall be repaired immediately after each flood event as per the TMR/Culvert Servicing Manual. The levels detailed in the table above are assumed level of scour for purpose of design.

**PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL**

SARA ref: 2006-17301 SPD

Date: 7 July 2020

**ELEVATION Scale A**

- NOTES**
- Refer Series Number BR01-SN-01 for Standard Notes.
  - Refer civil drawings for PSM details.

**DRAWING STATUS: DRAFT**

THE DESIGN DETAILS SHOWN ON THIS DRAWING ARE PRELIMINARY AND SUBJECT TO CHANGE. THIS DRAWING IS PROVIDED BY THE DESIGN TEAM TO ENCOURAGE FEEDBACK AND COMMENT FROM THE WIDER PROJECT TEAM AND REVIEWERS. IT IS LIKELY THAT THE DETAILS SHOWN HERE WILL CHANGE AS THE DESIGN PROGRESSES.

GHD DRAWING NUMBER: 41-29978-04-ST-0003

**PRELIMINARY**

XREFS - Mar 13, 2020, 5:27pm

Revisions/Descriptions	Certification	Date	Microfiled
H REVISED BRIDGE ARRANGEMENT		13/03/20	
G ISSUED FOR TENDER		30/10/19	
F DRAFT FINAL ISSUE		26/06/19	
E 85% DESIGN ISSUE		01/02/19	
D ISSUED FOR 85% REVIEW		21/12/18	
C 50% DESIGN ISSUE		13/11/18	

<b>BRIDGE DESIGN CRITERIA:</b>	DESIGN CODE: AS5100:2017	DESIGN LOADING: SM1600	DESIGN SPEED: 60km/h	EARTHQUAKE ZONE: BEDC-2	BARRIER PERFORMANCE LEVEL: REGULAR	BRIDGE TYPE: RC DECK ON PSC GIRDERS
<b>Associated Job Nos</b>	<b>Survey Data</b>					
	Datum	GDA94				
<b>Auxiliary Drg Nos</b>	Horiz. Grid					
	Height Origin	MGA84 Z56				
	Survey Books					

<b>LOWER FITZROY INFRASTRUCTURE PROJECT</b>					
<b>RIVERSLEA ROAD</b>					
<b>CTL CHGE</b>					
<b>Reference Points</b>					
Preceding RP	Dist. to start of job (km)	From start to end of job	From end to Following RP	Following RP	
-	-	-	-	-	-

Drawn	G. CLARK
Checked	A. JOHAL
Designed No.	
Verified No.	
Design Reviews (RPEQ)	
No.	Date.

<b>RIVERSLEA BRIDGE</b>				
<b>BRIDGE GENERAL ARRANGEMENT</b>				
<b>PLAN AND LONG SECTION</b>				
<b>ENGINEERING CERTIFICATION (RPEQ)</b>				
ENG. AREA	NAME	SIGNATURE	NO.	DATE

<b>BIS No. -</b>	
Job No.	
Contract No.	19SW00278
Drawing No.	BRV-RSHD-STR-W/4003 H
Series Number	BR01-GA-01 of 05
MRE Detail (02/14)	BR Drgs - d - 05