



SARA reference: 2409-42645 SRA  
Council reference: D/132-2024  
Applicant reference: 7249

3 December 2024

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

Attention: Sophie Muggeridge

Dear Ms Muggeridge,

## Changed referral agency response—777 Yaamba Road, Parkhurst

(Given under chapter 1, section 28 of the Development Assessment Rules)

On 28 November 2024 the State Assessment Referral Agency (SARA) received representations from the applicant requesting SARA change its referral agency response. SARA has considered the representations and now provides this changed referral agency response which replaces the response dated 15 October 2024.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	3 December 2024
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development permit – Reconfiguring a lot for Subdivision (1 lot into 2 lots)
SARA role:	Referral agency

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1  
(Planning Regulation 2017)

Development impacting on State transport infrastructure and thresholds

Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1  
(Planning Regulation 2017)

Reconfiguring a lot near a State transport corridor

SARA reference: 2409-42645 SRA

Assessment manager: Rockhampton Regional Council

Street address: 777 Yaamba Road, Parkhurst

Real property description: Lot 12 SP326319

Applicant name: Parkhurst Holdings Pty Ltd

Applicant contact details: c/- Capricorn Survey Group (CQ) Pty Ltd  
PO Box 1391  
ROCKHAMPTON QLD 4700  
reception@csgcq.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 Lawson Costello, Planning Officer, on (07) 4924 2914 or via email [RockhamptonSARA@dsdilgp.qld.gov.au](mailto:RockhamptonSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Parkhurst Holdings Pty Ltd, [reception@csgcq.com.au](mailto: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 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
<b>Reconfiguring a lot</b>		
10.9.4.1.1.1 – Development impacting on State transport infrastructure and thresholds and 10.9.4.2.1.1 – Reconfiguring a lot near a State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the 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.	<p>The permitted road access location to proposed <b>Lot 12 and Lot 13</b> must remain generally in accordance with the following plan:</p> <ul style="list-style-type: none"> <li><del><i>Reconfiguration Plan prepared by Capricorn Survey Group CQ, dated 27-08-2024, plan no. 7249-04-ROL, issue A, as amended in red by SARA on 15 October 2024.</i></del></li> <li><b><u>Reconfiguration Plan prepared by Capricorn Survey Group CQ, dated 12-11-2024, plan no. 7249-04-ROL, issue B, as amended in red by SARA on 3 December 2024.</u></b></li> </ul>	Prior to submitting the Plan of Survey to the local government for approval.
2.	Direct access is not permitted between the Service Road of Yaamba Road (the state-controlled road), and the subject site at any location other than the permitted access location as per Condition 1.	At all times.
3.	<p>Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road and rail corridor, such that any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road and rail corridor.</li> <li>(ii) concentrate or increase the velocity of flows to the state-controlled road and rail corridor.</li> <li>(iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road and rail corridor.</li> <li>(iv) surcharge any existing culvert or drain on the state-controlled road and rail corridor.</li> <li>(v) reduce the quality of stormwater discharge onto the state-controlled road and rail corridor.</li> <li>(vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road and rail corridor.</li> <li>(vii) reduce the floodplain immunity of the state-controlled road and rail corridor.</li> </ul>	At all times.

## Attachment 2—Advice to the applicant

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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 3.0). If a word remains undefined it has its ordinary meaning.

## Attachment 3—Reasons for referral agency response

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

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

SARA assessed the development application against the following code of the State Development Assessment Provisions (SDAP) version 3.0:

- State code 1: Development in a state-controlled road environment.
- State code 6: Protection of state transport networks.

With conditions, the development can comply with relevant performance outcomes of State code 1: Development in a state-controlled road environment (version 3.0). Specifically:

- The development does not adversely impact the structural integrity or physical condition of the state-controlled road.
- The development does not adversely impact the function or efficiency of the state-controlled road.
- The development does not create a safety hazard for users of state transport infrastructure.
- The development does not result in a worsening of the physical condition or operating performance of the state transport network.

### Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA 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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