

SARA reference: 2201-26726 SRA
Council reference: D/167-2021
Applicant reference: GTP_2109

8 February 2022

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

Attention: Brendan Standen

Dear Sir,

SARA response - 75 Ward Street, The Range

(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 17 January 2022.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the SARA advises it has no requirements relating to the application.
Date of response:	8 February 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:	Material change of use for a residential care facility (91 bedrooms)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – <i>State transport infrastructure (thresholds)</i>
SARA reference:	2201-26726 SRA
Assessment Manager:	Rockhampton Regional Council
Street address:	75 Ward Street, The Range
Real property description:	Lot 100 on SP225770

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

Applicant name: Mercy Health and Aged Care Central Queensland Limited
Applicant contact details: PO Box 450
Rockhampton QLD 4700
gg@gideontownplanning.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 Rebecca Gesch, Planning Officer on (07) 4924 2915 or via email at RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely,



Anthony Walsh
Manager Planning

cc Mercy Health and Aged Care Central Queensland Limited, gg@gideontownplanning.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for decision
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) v2.6. 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 the SARA's decision are:

- Proposal is for a retirement facility with an overall increase of 57 beds and 31 staff members associated with the use
- Required stormwater infrastructure is existing
- There are no proposed changes to the public transport network
- There are no evident impacts on any other state transport infrastructure
- It is unlikely that the proposed increase will generate enough traffic to adversely impact the state-controlled road network
- Additional vehicle movements are minimal and considered unlikely to impact on the surrounding State-controlled road network.

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 2.6)
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

Attachment 3 - Change representation provisions

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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.