



SARA reference: 2312-38339 SRA
Council reference: D/171-2023
Applicant reference: GTP 2346

23 January 2024

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

Attention: Sophie Muggeridge

Dear Ms Muggeridge

SARA referral agency response— 75-103 Murray Street, Rockhampton City

(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 15 December 2023.

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:	23 January 2024
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 Club (Extension to existing Club)
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SARA role: Referral agency

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

Development application for a material change of use for exceedance of State transport infrastructure threshold

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

SARA reference: 2312-38339 SRA

Assessment manager: Rockhampton Regional Council

Street address: 75-103 Murray Street, Rockhampton City

Real property description: Lot 21 on R266

Applicant name: Rockhampton Leagues Club Ltd

Applicant contact details: PO Box 450
Rockhampton QLD 4700
gg@gideontownplanning.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 3**.

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

For further information please contact Rosanna Nobile, Planning Officer, on 07 5352 9777 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Rockhampton Leagues Club Ltd, gg@gideontownplanning.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response 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), (version 3.0). 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:

- Development permit for a material change of use for the minor expansion of existing Club on 75-103 Murray Street, Rockhampton City formally described as Lot 21 on R266
- The proposed development has triggered referral for proximity to a state-controlled road and exceedance of Major sport, recreation and entertainment facility under Schedule 20 of the Planning regulation 2017.
- SARA assessed the development application against State code 1: Development in a state-controlled road environment and State code 6: Protection of state transport networks of the SDAP, version 3.0 and determined that without conditions, the development achieves compliance with the performance outcomes of the State code.

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 3— Representations about a referral agency response 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.



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

ergon.com.au

02 January 2024

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

cc Rockhampton Leagues Club
c/- Gideon Town Planning
Attention: Luke Saunders
Via email: info@gideontownplanning.com.au

Dear Sir/Madam,

Development Application – Material Change of Use for a Club (extension to existing Club) located at 75-103 Murray Street, Rockhampton described as Lot 21 on R266.

Council Ref: D/171-2023

Our Ref: ECM 16229807

We refer to the above referenced Development Application which has been referred to Ergon Energy in accordance with 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*. The below response is provided in accordance with section 56(1) of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed Material Change of Use for a Club (extension to existing Club), as an Advice Agency for the Application, Ergon requires that the assessment manager impose the following conditions:

1. This application is approved in accordance with the below referenced plans. Any alterations to these plans before the development application is decided are to be resubmitted to Ergon for comment:

Have you seen our fact sheets?

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

Approved Plans				
Title	Plan Number	Issue	Date	
Site Plan - Proposed	A1.02	P1	2023-06-01	
Ground Floor - Proposed	A1.10	P1	2023-06-01	
Level 1 - Proposed	A1.11	P1	2023-06-01	

2. All conditions relevant to Easement A on SP282892 are to be maintained.

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

Yours faithfully,



Tom Sexton
Planner

Have you seen our fact sheets?

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