



Our ref TMR12-005016
Your ref D/588-2012
Enquiries Byron Jones

Department of
Transport and Main Roads

17 June 2013

The Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
Rockhampton QLD 4700

Attention: Petrus Barry

Dear Sir

CONCURRENCE AGENCY RESPONSE – CONDITIONS

Proposed Development: Preliminary Approval varying the effect of the Planning Scheme for a Material Change of Use for Residential Purposes (Gracemere Springs Estate - 8 Stages) and Development Permit for Reconfiguring a Lot (two lots into one hundred and ninety eight lots)

Real Property Description: Lot 4SP119672

Street Address: 70 Washpool Road, Gracemere QLD 4702

Assessment Manager ref.: D/588-2012

Local Government Area: Rockhampton Regional Council

Reference is made to the referral agency material for the development application described above which was received by the Department of Transport and Main Roads (the department) under section 272 of the *Sustainable Planning Act 2009* (SPA) on 13 March 2013.

An assessment of the proposed development has been undertaken against the purposes of the *Transport Infrastructure Act 1994* for state-controlled roads and land use and transport coordination under the *Transport Planning and Coordination Act 1994*. Based on this jurisdiction, the department provides this concurrence agency response under section 285 of the SPA.

The department advises the assessment manager that it requires conditions to attach to any development approval for the application. The department would also like to provide advice about the application to the assessment manager under section 287(6) of the SPA.

Program Delivery and Operations
Fitzroy Region
31 Knight Street North Rockhampton Queensland 4701
PO Box 5096 Red Hill Rockhampton Queensland 4701

Telephone +61 7 4931 1706
Facsimile +61 7 4927 5020
Website www.tmr.qld.gov.au
Email cmo.rockhampton@tmr.qld.gov.au
ABN: 39 407 690 291

Under section 325(1) of the SPA, the assessment manager must therefore attach this response, including the enclosed Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons, to any approval for the application.

The department may change its concurrence agency response in accordance with section 290(1)(b) of the SPA.

The department must be provided with a copy of the assessment manager's decision notice regarding the application within five (5) business days after the day the decision is made in accordance with section 334 of the SPA.

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

If you have any questions or wish to seek clarification about any of the details in this response, please contact Byron Jones, Principal Development Assessment Officer, Corridor Management and Operations on 07 4931 1706.

Yours sincerely



Byron Jones

Principal Development Assessment Officer, Corridor Management and Operations

Enc. (Department of Transport and Main Roads Agency Conditions and Statement of Reasons and Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013)

C/c Gracemere Springs Pty Ltd
 C/- Adam Sparkes Town Planning
 PO Box 455
 Rockhampton QLD 4700



Department of
Transport and Main Roads

Our ref TMR12-005016
Your ref 5798

C/c Gracemere Springs Pty Ltd
C/- Adam Sparkes Town Planning
PO Box 455
Rockhampton QLD 4700

Attention: Pete Sparkes

Please find attached correspondence for your information and action as required. Should you wish to discuss this correspondence, please contact Byron Jones, Principal Development Assessment Officer, Corridor Management and Operations on 07 4931 1706.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Byron Jones', written in a cursive style.

Byron Jones
Principal Development Assessment Officer, Corridor Management and Operations

17 June 2013

Enc. (Department of Transport and Main Roads Agency Conditions and Statement of Reasons and Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013)

Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons

Proposed Development:

Preliminary Approval varying the effect of the Planning Scheme for a Material Change of Use for Residential Purposes (Gracemere Springs Estate - 8 Stages) and Development Permit for Reconfiguring a Lot (two lots into one hundred and ninety eight lots)

Real Property Description:

Lot 4SP119672

Street Address:

70 Washpool Road, Gracemere QLD 4702

Our ref.:

TMR12-005016

Assessment Manager ref.:

D/588-2012

Local Government Area:

Rockhampton Regional Council

No. Conditions of Development

Condition Timing

Jurisdiction and Reasons

Preliminary Approval – Material Change of Use (Residential Purposes, Gracemere Springs Estate – 8 Stages)

- 1 The development must be carried out generally in accordance with the following plan, except as modified by these concurrence agency conditions:
 - Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013.
- 2 (a) The roads identified as 'potential future bus route' shown on Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013 must be

(a) & (b)
Prior to the commencement of use for Stages 1B and 3

Land Use and Transport Coordination under the *Transport Planning and Coordination Act 1994* (TPCA).

The way the object of s.8A of the TPCA is to be

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	(a) in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the <i>Transport Planning and Coordination Regulation 2005</i> and designed to accommodate a 12.5 metre single unit rigid bus.		achieved includes ensuring as far as practicable that public passenger transport offers an attractive alternative to private transport. It also seeks to promote urban development that maximises the use of public passenger transport. The identified roads are to be designed and constructed to support and facilitate the use of public passenger transport. The roadway design must not impede the safe and efficient movement of buses on the identified route.
	(b) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the roads identified as a 'potential future bus route' have been designed and constructed in accordance with part (a) of this condition.		Comments or additional information: It is anticipated that potential future bus services will terminate within the subject site. As such, future urban buses would take the most efficient route to loop within the site and stop at the layover bay. In particular, the carriageway of Road C will need to be amended to be in accordance with Schedule – Code for IDAS, Part 2 – Development Standards of the <i>Transport Planning and Coordination Regulation 2005</i>.
			The <i>Transport Planning and Coordination Regulation 2005</i> is available at: www.legislation.qld.gov.au.
3	(a) The applicant must provide an indented bus bay at the location identified as 'indicative location of indented bus bay' (on the western side of proposed Road A, south of the junction with proposed Road B) shown on Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and	(a) - (c) Prior to the commencement of use for Stage 1B	Land Use and Transport Coordination under the <i>Transport Planning and Coordination Act 1994</i> (TPCA). The way the object of s.8A of the TPCA is to be achieved includes ensuring as far as practicable

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
amended by the Department of Transport and Main Roads on 13/06/2013. (b) The kerb and indented bus bay must be in accordance with drawing No. TL-R02 (page 160) (excluding bus stop furniture and signage) of the TransLink Transit Authority's <i>Public Transport Infrastructure Manual May 2012</i> and designed to accommodate a 12.5 m rigid bus. (c) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the kerb and indented bus bay has been designed and constructed in accordance with parts (a) and (b) of this condition.		that public passenger transport offers an attractive alternative to private transport. It also seeks to promote urban development that maximises the use of public passenger transport and ensure, as far as practicable, the provision of public passenger transport infrastructure to support public passenger transport. Comments or additional information: An indented bus bay is required for the layover of buses terminating at this location and waiting to start the next service. TransLink's <i>Public Transport Infrastructure Manual May 2012</i> is available at: http://translink.com.au/about-translink/what-we-do/public-transport-planning.
4 The applicant must provide a monetary contribution towards mitigating the impact of the proposed development on the safety and efficiency of the state-controlled road network. In particular, the contribution is required to upgrade the Gavial – Gracemere Road/Ranger Street intersection This contribution must be \$1052.18 per lot and must be paid to the Department of Transport and Main Roads Central Queensland Office. The contribution shall be indexed based on the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L).	Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first	The purposes of the Transport Infrastructure Act 1994 (TIA). The intersection upgrade contribution is required as a result of the development and its associated traffic impacts in order to ensure the safety and efficiency of the state-controlled road network.

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	The indexation adjustment shall be calculated using the formula: $\$1052.18 \times (\text{index B} / \text{index A})$ where "index A" is the published index for June 2013 and "index B" is the published index for the quarter immediately preceding the date that the payment is provided to the department.		
No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	Development Permit - Reconfiguring a Lot (2 into 198 lots)		
1	The development must be carried out generally in accordance with the following plan, except as modified by these concurrence agency conditions: Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013.	Prior to submitting the Plan of Survey to the local government for approval for Stages 1B and 3	Land use and transport coordination under the <i>Transport Planning and Coordination Act 1994</i>. The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan which depicts how the proposed development will be carried out.
2	(a) The roads identified as 'potential future bus route' shown on Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013 must be in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the <i>Transport Planning and Coordination Regulation 2005</i> and designed to accommodate a 12.5 metre single unit rigid bus.	(a) & (b) Prior to submitting the Plan of Survey to the local government for approval for Stages 1B and 3	Land Use and Transport Coordination under the <i>Transport Planning and Coordination Act 1994</i> (TPCA). The way the object of s.8A of the TPCA is to be achieved includes ensuring as far as practicable that public passenger transport offers an attractive alternative to private transport. It also seeks to promote urban development that maximises the use of public passenger transport.

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
(b) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the roads identified as a 'potential future bus route' have been designed and constructed in accordance with part (a) of this condition.		The identified roads are to be designed and constructed to support and facilitate the use of public passenger transport. The roadway design must not impede the safe and efficient movement of buses on the identified route. Comments or additional information: It is anticipated that potential future bus services will terminate within the subject site. As such, future urban buses would take the most efficient route to loop within the site and stop at the layover bay. In particular, the carriageway of Road C will need to be amended to be in accordance with Schedule – Code for IDAS, Part 2 – Development Standards of the <i>Transport Planning and Coordination Regulation 2005</i>. The <i>Transport Planning and Coordination Regulation 2005</i> is available at: www.legislation.qld.gov.au.
3 (a) The applicant must provide an indented bus bay at the location identified as 'indicative location of indented bus bay' (on the western side of proposed Road A, south of the junction with proposed Road B) shown on Lot Reconfiguration Stages 1B – 7 (197 Lots), Plan No. 5798-00-ROL, Revision E, sheet 2 of 2, dated 18/04/2013 and prepared by Capricorn Survey Group (CQ) and amended by the Department of Transport and Main Roads on 13/06/2013. (b) The kerb and indented bus bay must be in accordance with drawing No. TL-R02 (page 160) (excluding bus stop furniture and	(a) - (c) Prior to submitting the Plan of Survey to the local government for approval for Stage 1B	Land Use and Transport Coordination under the <i>Transport Planning and Coordination Act 1994</i> (TPCA). The way the object of s.8A of the TPCA is to be achieved includes ensuring as far as practicable that public passenger transport offers an attractive alternative to private transport. It also seeks to promote urban development that maximises the use of public passenger transport and ensure, as far as practicable, the provision of

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
signage) of the TransLink Transit Authority's <i>Public Transport Infrastructure Manual May 2012</i> and designed to accommodate a 12.5 m rigid bus. (c) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the kerb and indented bus bay has been designed and constructed in accordance with parts (a) and (b) of this condition.	Prior to submitting the Plan of Survey to the local government for approval for each stage.	public passenger transport infrastructure to support public passenger transport. Comments or additional information: An indented bus bay is required for the layover of buses terminating at this location and waiting to start the next service. TransLink's <i>Public Transport Infrastructure Manual May 2012</i> is available at: http://translink.com.au/about-translink/what-we-do/public-transport-planning.
4 The applicant must provide a monetary contribution towards mitigating the impact of the proposed development on the safety and efficiency of the state-controlled road network. In particular, the contribution is required to upgrade the Gavial – Gracemere Road/Ranger Street intersection This contribution must be \$1052.18 per lot and must be paid to the Department of Transport and Main Roads Central Queensland Office. The contribution shall be indexed based on the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L). The indexation adjustment shall be calculated using the formula: $\\$1052.18 \times (\text{index B} / \text{index A})$ where "index A" is the published index for June 2013 and "index B" is the published index for the quarter immediately preceding the	Prior to submitting the Plan of Survey to the local government for approval for each stage.	The purposes of the Transport Infrastructure Act 1994(TIA). The intersection upgrade contribution is required as a result of the development and its associated traffic impacts in order to ensure the safety and efficiency of the state-controlled road network.

No. Conditions of Development

Condition Timing

Jurisdiction and Reasons

date that the payment is provided to the department.



Byron Jones
Principal Development Assessment Officer, Corridor Management and Operations

17 June 2013

Advice for state controlled roads

Pursuant to Section 580 of the *Sustainable Planning Act 2009* it is a development offence to contravene a development approval, including any condition in the approval.

Pursuant to Section 80 of the *Transport Infrastructure Act 1994*, the construction, augmentation, alteration or maintenance of a public utility plant on a state-controlled road reserve, must be in accordance with the Department of Transport and Main Roads' requirements.

Advice for public passenger transport and railways

To the extent any subsequent development of the land (for example, building work or operational work) involves a state resource, evidence of an allocation of, or an entitlement to, the resource will be required to support the development application. Please contact the Rail Ports & Freight Division on telephone number 07 3306 7430 regarding resource entitlements for rail corridor land.

Section 179 of the *Property Law Act 1974*, attaches an obligation to any land to ensure development does not withdraw support from any other land or from any building, structure or erection that has been placed on or below it.

The Department of Transport and Main Roads' technical standards and publications can be accessed at

<http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx>

The *Transport Planning and Coordination Regulation 2005* is available at: www.legislation.qld.gov.au

TransLink's TransLink Public Transport Infrastructure Manual 2007 is available at:

<http://translink.com.au/about-translink/what-we-do/public-transport-planning/public-transport-infrastructure-manual>

INFORMATION ATTACHMENT TO CONCURRENCE AGENCY RESPONSE

Representations on Referral Agency Response

If the applicant intends to make a representation to the Department of Transport and Main Roads (the department) regarding the attached concurrence agency response, the applicant needs to do this before the assessment manager decides the application.

The applicant will need to give the assessment manager written notice under section 320(1) of the *Sustainable Planning Act 2009* (SPA) to stop the decision-making period to make a representation to the department and subsequently contact the department to make the representation. The decision making period cannot be stopped for more than 3 months.

Planning and Environment Court Appeals

If an appeal is lodged in the Planning and Environment Court in relation to this application, the appellant must give written notice of the appeal to the department under section 482(1) of the SPA. This notice should be given to:

Chief Executive Officer
Department of Transport and Main Roads
C/- Planning Law Team
Planning Management Branch
GPO Box 213
Brisbane QLD 4001

This notice should be given within 2 business days if the appeal is started by a submitter, or otherwise within 10 business days after the appeal is started.

