

CONTAINERS FOR CHANGE

78 JAMES STREET, MOUNT MORGAN

OPERATIONAL MANAGEMENT PLAN

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2306-35014 SRA

Date: 4 August 2023

A 1.8-metre Colourbond fence will be installed along the two side boundaries to maintain the residential character and amenity. A 1.8-metre Colourbond fence will also be installed around the overflow storage hardstand area.

1.3.1 Odour Management

The HDPE containers (often containing milk or similar) are the units that are likely to cause odour during the storage process. To ensure sources that may cause odour are managed, the storage of HDPE containers will be prioritised for storage within the shed. No HDPE containers will be stored outside the shed or in the overflow area. No storage of bulker bags will be undertaken along the property boundary or within the access driveways.

In addition to onsite management and storage practices, the operator will increase the number of bulk collections to reduce onsite storage time (further addressed under item 1.4 Bulk Collection).

1.4 Bulk Collection

The containers are collected by a tautliner truck with a 16-ton capacity and forklift. Collections are undertaken in the following configurations:

Collection Type A: 28 bulker bags (a combination of non-glass containers).

Collection Type B: Four (4) metal bins containing glass and 12 bulker bags (a combination of non-glass containers).

Bulk collections are arranged depending on the number and type of containers received. To manage the quantity of bulker bags stored on site, it is proposed to increase the number of weekly collections from 1 to 2 per week.

1.4.1 Bulk Collection Process

The operator, subject to the number of containers collected, pre-arranges the frequency and days of collection. Therefore, the operator has control of the management of the collection process and operations, with the certainty of collection days.

Collections occur on weekdays (Monday to Friday) between 8 am and 4 pm; however, they generally happen after midday.

The collection truck pulls up at the road frontage (aligned with the access driveway) and within the designated car parking. This ensures that vehicle and bicycle movement within the road is not obstructed. Once parked, the collection truck's forklift is unloaded (if required).

Traffic cones are placed on the footpath on both sides of the driveway, and a staff member is positioned on the footpath to inform and direct pedestrians during the loading process.

For a Type A Collection, bulker bags are moved from the storage facility to the truck by staff and lifted into the collection truck. No forklift is required, and bags are loaded one at a time.

For a Type B Collection, the metal bins containing glass containers are lifted, moved with the forklift, and loaded onto the collection truck. A maximum of four (4) metal bins would be loaded, with each lift and loading activity taking less than 2 minutes. The forklift moves the metal bins one by one, swapping loaded bins with empty bins from the truck. Once the metal bins are loaded, the 12 bulker bags of other containers are manually loaded by staff.

Current estimates are that one of each collection type will be made weekly, totalling two trips per week. A maximum of one (1) collection will be undertaken per day. However, the number of collections can change weekly, depending on demand.

Amended in red by SARA on

4 August 2023

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SARA ref: 2306-35014 SRA

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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.



SARA reference: 2306-35014 SRA
Council reference: D/76-2023
Applicant reference: GTP 2320

4 August 2023

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

Dear Sir/Madam

SARA referral agency response—78 James Street, Mount Morgan

(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 8 June 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	4 August 2023
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material change of use for a utility installation
SARA role:	Referral agency	
SARA trigger:	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: 2306-35014 SRA

Assessment manager: Rockhampton Regional Council

Street address: 78 James Street, Mount Morgan

Real property description: Lot 9 on RP600655

Applicant name: DM & KL Webster

Applicant contact details: PO Box 450
Rockhampton QLD 4700
gg@gideontownplanning.com.au

Human Rights Act 2019 considerations: 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 Thomas Gardiner, Principal Planning Officer, on 0749242916 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc DM & KL Webster, gg@gideontownplanning.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
Material change of use		
10.9.4.2.4.1 – Material change of use near a state-controlled road—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>(a) A Traffic Management Plan must be prepared by a suitably qualified person with a minimum Traffic Management Design (TMD) qualification and submitted to the Department of Transport and Main Roads in an application for a Traffic Control Permit.</p> <p>(b) The Traffic Management Plan must demonstrate that:</p> <ul style="list-style-type: none"> (i) all pedestrian and cyclist movements will be safely managed during the bulk collection process. (ii) the bulk collection process is undertaken in accordance with section 1.4.1 of the OPERATIONAL MANAGEMENT PLAN, no author, no date, as amended in red by SARA. <p>(c) The Traffic Management Plan and associated Traffic Guidance Schemes must be prepared in accordance with Department of Transport and Main Roads Temporary Traffic Management guidelines, in particular:</p> <ul style="list-style-type: none"> (i) Queensland Guide to Temporary Traffic Management (QGTTM) and Austroads Guide to Traffic Management (AGTTM). (ii) Queensland Manual of Uniform Traffic Control Devices Part 3 (QLD MUTCD) and Australian Standard AS1842.3. (iii) Guideline – Traffic Management at Works on Roads. <p>(d) Traffic management for the development must be undertaken in accordance with the Traffic Management Plan.</p>	<p>(a), (b) and (c) Prior to the commencement of use.</p> <p>(d) At all times.</p>
2.	<p>Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> (a) create any new discharge points for stormwater runoff onto the state-controlled road. (b) concentrate or increase the velocity of flows to the state-controlled road. (c) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road. (d) surcharge any existing culvert or drain on the state-controlled 	At all times.

	<p>road.</p> <p>(e) reduce the quality of stormwater discharge onto the state-controlled road.</p> <p>(f) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road.</p> <p>(g) reduce the floodplain immunity of the state-controlled road.</p>	
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Attachment 2—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 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

- The development is a material change of use for a utility installation located at 78 James Street, Mount Morgan, described as Lot 9 on RP600655.
- The assessment benchmark relating to SARA's assessment are the State Development Assessment Provisions (SDAP) State code 1: Development in a state-controlled road environment.
- The development is considered to comply with this assessment benchmark subject to conditions which require:
 - a traffic management plan to be prepared to demonstrate that pedestrian and cyclist movements on the state-controlled road network will not be impacted by the development; and
 - stormwater management of the development to not cause a worsening to the 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 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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