



SARA reference: 2107-23659 SRA
Council reference: D/84-2021
Applicant reference: 201122

17 November 2021

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

Dear Sir/Madam

SARA response—985-1005 Yaamba Road, Parkhurst

(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 on 21 July 2021.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	17 November 2021
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 Low Impact Industry
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 and railway corridor	

SARA reference: 2107-23659 SRA
Assessment Manager: Rockhampton Regional Council
Street address: 985-1005 Yaamba Road, Parkhurst
Real property description: Lot 70 on SP300140
Applicant name: Brown & Hurley C/- ADAMS + SPARKES Town Planning
Applicant contact details: PO Box 1000
BUDDINA QLD 4575
admin@astpd.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 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 (07) 4924 2916 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
Manager (Planning)

cc Brown & Hurley C/- ADAMS + SPARKES Town Planning, admin@astpd.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

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 plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, part 9, Division 4, Subdivision 2, Table 4, Item 1 —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.	The development must be carried out generally in accordance with the following plans, as amended in red by SARA: (a) Proposed Commercial Shed Site Layout, prepared by Siris & Associates Consulting Engineers, dated 06/21, reference SCE-227-104, Revision A. (b) Section 3.1.2, Section 3.2.2, Appendix C and Appendix D of the Hydraulic Impact Assessment report prepared by OSKA Consulting Group, dated 25 October 2021, reference OSK5480-005. (c) 'Proposed Stormwater Drainage Strategy', 'Hydraulics Modelling', and Attachment C of the Technical Memorandum, prepared by OSKA Consulting Group, dated 23 June 2021.	Prior to the commencement of use and to be maintained at all times.
2.	The permitted road access locations are to be located generally in accordance with Brown and Hurley Lot 70 SP300140, prepared by Siris & Associates Consulting Engineers, reference SCE 227-101.	Prior to the commencement of use and to be maintained at all times.
3.	Direct access is not permitted between the Bruce Highway and the subject site at any location other than the permitted road access locations outlined in condition 2.	At all times.
4.	The existing fence between the site boundary and the North Coast Railway Line must be retained.	At all times.
5.	(a) A vehicle barrier, certified by a Registered Professional Engineer of Queensland (RPEQ), must be constructed and located generally in accordance with Proposed Commercial Shed Site Layout, prepared by Siris & Associates Consulting Engineers, dated 06/21, reference SCE-227-104, Revision A, as amended in red by SARA. (b) RPEQ certification, with supporting documentation, must be provided to the Program Delivery and Operations Unit, Central Queensland Region (Central.Queensland.IDAS@tmr.qld.gov.au), of the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with part (a) of this condition.	(a) Prior to the commencement of use and to be maintained at all times. (b) Prior to the commencement of use.
6.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, batters and other works involving ground disturbance must not encroach upon or de-stabilise	At all times.

	the railway corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	
--	--	--

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) [v2.6]. 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 department's decision are:

- The development will obtain access from a constructed service road, located in the state-controlled road reserve.
- The development will not create a safety hazard for users of a state-controlled road or compromise the structural integrity of the state-controlled road.
- The development will not cause a worsening of the physical condition or operating performance of the adjoining railway network.
- The proposed development generally complies with the relevant performance outcomes of SDAP State Codes 1 and 2. Where there is non-compliance, relevant conditions have been included to ensure compliance with SDAP.

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]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

Attachment 4—Change representation provisions

(page left intentionally blank)

Attachment 5—Approved plans and specifications

(page left intentionally blank)

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

22 July 2021

Rockhampton Regional Council
PO Box 1860
Rockhampton QLD 4700

Attention: *Bevan Koelmeyer*
Via email: enquiries@rrc.qld.gov.au

Cc Brown and Hurley
C/- Adams + Sparkes Town Planning
PO Box 1000
Buddina QLD 4557
Attention: Sam Robinson
Via email: admin@aspd.com.au

Dear Bevan,

Referral Agency Response – Development Permit for a Material Change of Use for a Low Impact Industry at 985-1005 Yaamba Road, Parkhurst (Lot 70 on SP300140)

Council Ref: D/84-2021
Applicant Ref: 201122
Our Ref: HBD 7408469

We refer to the abovementioned Development Application, which has been referred to Ergon Energy pursuant to section 54(1) of 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*. This notice is provided in accordance with section 56 of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed Material Change of Use, as an Advice Agency for the Development Application, Ergon advises the following in relation to the development:

1. This application is approved in accordance with the below referenced plans. Any changes to these plans should be resubmitted to Ergon for further review and 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	Rev.	Date
Proposed Commercial Shed Shed Site Layout (amended in red)	SCE-227-104	A	06/21

2. The conditions of any easements in favour of Ergon must be maintained at all times.
3. Access to the easement and access along the easement must be available to Ergon personnel and heavy equipment at all times.
4. Clearance from any building/structures to the existing electricity wires must be maintained accordance with the Electrical Safety Regulation 2013 at all times.
5. Any tree planting within the easement:
 - Is to the outer most edge of the easement and not directly under any overhead conductors;
 - Ensures a horizontal clearance is achieved between the tree and the outer most conductor equal to the mature height of the tree; and
 - Is low growing so as not to create maintenance issues in the future.
6. At all times the following clearance must be maintained from the top of any machinery moving in the vicinity of energised conductors:
 - 132kV and 110kV conductors – 4.5m minimum clearance
 - 33kV and 11kV conductors – 3m minimum clearance
 - Should it be necessary to transport equipment or extend any equipment, such that these clearances cannot be confidently maintained, you are required to contact our office to ascertain whether a Safety Officer is required on-site. All operators of machinery are to be made aware of the presence of high voltage conductors.
7. Natural ground levels on the easement are not be disturbed without Ergon approval. Detailed civil design drawings showing any proposed cut and fill levels on the easement and the location of the Ergon assets in relation to the proposed development are to be submitted to and approved by Ergon prior to the commencement of any works on site.
8. Any future works in the vicinity of Ergon assets are to be carried out in accordance with the Electricity Entity Requirements: Working Near Overhead and Underground Electric Lines. This guideline can be accessed via the following link:
https://www.ergon.com.au/_data/assets/pdf_file/0010/211231/Working-near-OH-UG-lines-BS001405R107ver2.pdf.

Have you seen our fact sheets?

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

Should you require further information regarding this matter, feel free to contact the undersigned on 0456 836 609 or email townplanning@ergon.com.au.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Maddison Low', with a long horizontal flourish extending to the right.

Maddison Low
Town Planner

Encl. Proposed Commercial Shed Site Layout (amended in red)

Have you seen our fact sheets?

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

