



Our reference: 2203-27812 SRA
Your reference: D/79-2017

10 March 2023

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

Attention: Amanda O'Mara

Dear Amanda,

SARA referral agency response—Other Change to Midgee Quarry

(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 6 April 2022.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	8 March 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	Other change application for Material change of use for Extension to the Midgee Quarry (extend the quarry footprint, hours of operation and ERA threshold)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017) – Material Change of Use involving the clearing native vegetation	

Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2017) – Material Change of Use for Environmentally Relevant activities (ERA)

Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development application impacting state transport infrastructure

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Material Change of Use of premises near a State transport corridors or that is a future State transport corridor

SARA reference:	2203-27812 SRA
Assessment Manager:	Rockhampton Regional Council
Street address:	1 Bruce Highway, Midgee; 59793 Bruce Highway, Midgee; 33 Gavial-Gracemere Road, Bouldercombe; Bruce Highway, Bouldercombe; Bruce Highway, Midgee
Real property description:	1SP247721; 2RP888747; 2SP247721; 725RP888747; 931LIV40265
Applicant name:	Hopkins Brothers Group Pty Ltd
Applicant contact details:	PO Box 1447 Milton QLD 4064 planning@groundwork.com.au
State-controlled road access permit:	<p>This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> • Approved • Reference: TMR22-035990 • Date: 9 March 2023 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads (DTMR) at CorridorManagement@tmr.qld.gov.au</p>

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 Soraya Torrens, Senior Planner, on 07 3452 7695 or via email DAAT@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to be 'TPG', written in a cursive style.

Tess Pickering
Deputy Director-General

cc Hopkins Brothers Group Pty Ltd, planning@groundwork.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		
The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Resource 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>Clearing of native vegetation must:</p> <p>(a) only occur within Area A (Parts A1) as shown on the attached:</p> <p>i. Vegetation Management Plan, prepared by Queensland Government, reference VMP 2203-27812 SRA, Sheet 1 of 1, version 2</p> <p>(b) not exceed 113.19 hectares.</p>	At all times
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):		
2.	<p>(a) The existing vehicle access to the Bruce Highway is to be located at Latitude: -23.48816; Longitude: 150.54108; Datum: GDA94.</p> <p>(b) The road works including street lighting must be provided at the vehicle access location, comprising of:</p> <p>a. a short Auxiliary Left turn (AUL(S))</p> <p>b. a full length Channelised Right turn (CHR) treatment.</p> <p>(c) The road works and street lighting must be designed and constructed in accordance with the following:</p> <ul style="list-style-type: none"> Road Planning and Design Manual, 2nd Edition, prepared by Department of Transport and Main Roads (DTMR) Manual of Uniform Traffic Control Devices (Queensland), prepared by DTMR Australian Standards AS/NZ 1158.3.1 <p>(d) Submit records and supporting evidence to DTMR (CorridorManagement@tmr.qld.gov.au). The records and supporting documents must be in the form of weighbridge data, which documents the quantity of material hauled from the site.</p>	<p>(a) At all times</p> <p>(b) and (c) within 24 months of the development approval; or when the quantity of hauled material leaving the site exceeds 700,000 tonnes in any year, whichever comes first</p> <p>(d) within 30 days of the end of June each year until such time as the road works are constructed</p>
3.	<p>(a) Pay a monetary contribution towards protecting or maintaining the safety and efficiency of the Bruce Highway in accordance with section 146(2)(a) of the <i>Planning Act 2016</i>. The monetary contribution must be:</p> <p>i. payable for each financial year</p> <p>ii. provided to the Fitzroy District / Central Queensland</p>	(a) and (b) Within 30 days of the end of June each year until the transportation of material hauled from the site by road under

	<p>Region of DTMR.</p> <p>(b) The amount of the contribution must be:</p> <p>iii. calculated at twelve monthly intervals commencing on the first day that material hauled under this approval is transported from the site by road in accordance with Table 1 below</p> <table><tr><th>Production Rate (tpa)</th><th>Pavement Contribution (cents / tonne)</th></tr><tr><td>1 – 320,000</td><td>Nil</td></tr><tr><td>320,001 – 400,000</td><td>1.59</td></tr><tr><td>400,001 – 500,000</td><td>2.78</td></tr><tr><td>500,001 – 600,000</td><td>3.69</td></tr><tr><td>600,001 – 700,000</td><td>3.98</td></tr><tr><td>700,001 – 800,000</td><td>4.27</td></tr><tr><td>800,001 – 900,000</td><td>5.68</td></tr><tr><td>900,001 – 1,000,000</td><td>7.20</td></tr><tr><td>1,000,001 – 1,100,000</td><td>8.80</td></tr><tr><td>1,100,001 – 1,200,000</td><td>10.57</td></tr><tr><td>1,200,001 – 1300,000</td><td>11.50</td></tr><tr><td>1,300,001 – 1,400,000</td><td>12.81</td></tr><tr><td>1,400,001 – 1,500,000</td><td>13.89</td></tr><tr><td>1,500,001 – 1,600,000</td><td>14.74</td></tr><tr><td>1,600,001 – 1,700,000</td><td>15.01</td></tr><tr><td>1,700,001 – 1,800,000</td><td>15.19</td></tr><tr><td>1,800,001 – 1,900,000</td><td>15.27</td></tr><tr><td>1,900,001 – 2,000,000</td><td>15.38</td></tr></table> <p>iv. 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) to the date of payment.</p> <p>(c) Maintain and submit records including supporting evidence to DTMR (CorridorManagement@tmr.qld.gov.au). The records and supporting documents must be in the form of weighbridge data, which documents the quantity of material hauled from the site.</p> <p>(d) Make available and produce these records referenced in part (c) of this condition to DTMR or their agents upon request.</p>	Production Rate (tpa)	Pavement Contribution (cents / tonne)	1 – 320,000	Nil	320,001 – 400,000	1.59	400,001 – 500,000	2.78	500,001 – 600,000	3.69	600,001 – 700,000	3.98	700,001 – 800,000	4.27	800,001 – 900,000	5.68	900,001 – 1,000,000	7.20	1,000,001 – 1,100,000	8.80	1,100,001 – 1,200,000	10.57	1,200,001 – 1300,000	11.50	1,300,001 – 1,400,000	12.81	1,400,001 – 1,500,000	13.89	1,500,001 – 1,600,000	14.74	1,600,001 – 1,700,000	15.01	1,700,001 – 1,800,000	15.19	1,800,001 – 1,900,000	15.27	1,900,001 – 2,000,000	15.38	<p>this approval ceases</p> <p>(c) and (d) Within ten (10) business days of making the request</p>
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4.	<p>The development must be carried out generally in accordance with section 3, 4, 5 and Figure 2 (the Stormwater Management Plan (Future Layout), Drawing Number 2607.DRG.007) of the Stormwater Management Plan prepared by Groundworks Plus, reference</p>	<p>Prior to commencement of use, and to be maintained at all times afterwards</p>																																						

	2607.800.001.	
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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) v2.6. If a word remains undefined it has its ordinary meaning.
State-controlled Road	
2.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), written approval is required from the Department of Transport and Main Roads (DTMR) to carry out road works, including road access works, on a state-controlled road. The approval process shall require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>No works are to commence within the state-controlled road reserve until approval of the plan/s showing the proposed works is issued by the DTMR accordingly with section 33 of the <i>Transport Infrastructure Act 1994</i>. This approval may be subject to conditions related to the works construction process.</p> <p>Please contact DTMR (Fitzroy District / Central Queensland Region) at CorridorManagement@tmr.qld.gov.au or (07) 4931 1500 to make an application for Works in the State-controlled Road Reserve (WSCRR).</p>
Environmental Authority	
3.	<p>The current Environmental Authority (EA) for the site EPPR00233813 does not authorise the following:</p> <ul style="list-style-type: none"> • extraction or screening activities over 1,000,000 tonnes per year, and the implications of any increase in production such as increases in noise and dust emissions • the disturbance of any prescribed matters including potential impacts on Squatter pigeon. <p>An EA amendment and approval will be required to undertake the quarry extension.</p>

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 complies with State code 6: *Native Vegetation Clearing* of the State Development Assessment Provisions (SDAP). Specifically, the development:

- avoids impacts on vegetation that are matters of state environmental significance and where it cannot be avoided, the development minimises and mitigates impacts
- minimises clearing to conserve vegetation within the watercourse, avoids land degradation and maintains ecological processes.

The development complies with State code 1: *Development in a state-controlled road environment* and State code 6: *Protection of state transport networks* of the SDAP. Specifically, the development:

- does not create a safety hazard for users of state transport infrastructure
- does not result in a worsening of the physical condition or operating performance of the state transport network
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure.

The development complies with State code 22: *Environmentally relevant activities* of SDAP. Specifically, the development:

- is located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
- includes mitigation measures to be implemented to ensure a significant residual impact does not occur to matters of state environmental significance.

Material used in the assessment of the application:

- The development application material and submitted plans
- Response to advice notices
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 2.6), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4 - Representation provisions

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Attachment 5—Approved plans and specifications

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