Your reference
Our reference 8909/2023/MCU: LM
Contact Officer Lachlan Mossom
Telephone 07 3810 6298

Ipswich City Council

1 Nicholas Street
PO Box 191
IPSWICH QLD 4305

Phone (07) 3810 6666
Fax (07) 3810 6731
Email council@ipswich.qld.gov.au

Ipswich.qld.gov.au

GJ Ipswich Pty Ltd
(Attn: Jonathan Collins)
Email: ipswich@gjgardner.com.au

6 December 2023

Dear Jonathan,

Re: Development Application – Approval
Application No: 8909/2023/MCU
Proposal: Material Change of Use - Business Use (Professional Office)
Property Location: 115 Brisbane Road, BOOVAL QLD 4304

I refer to the above development application which was decided on 6 December 2023.

Enclosed with this letter is the Decision Notice, including:

- Assessment Manager's Conditions
- Approved Plans
- Referral Agency Response
- Infrastructure Charges Notice
- Appeal Rights

If you have any queries regarding this application, please contact Lachlan Mossom on the telephone number listed above.

Yours faithfully



Mitchell Grant
DEVELOPMENT ASSESSMENT CENTRAL MANAGER

CC
Urban Utilities
development@urbanutilities.com.au
Queensland Government State Assessment Referral Agency (SARA)
IpswichSARA@dsdmip.qld.gov.au

Our Reference 8909/2023/MCU: LM
Contact Officer Lachlan Mossom
Telephone 07 3810 6298

6 December 2023

DECISION NOTICE APPROVAL
(Given under section 63(2) of the *Planning Act 2016*)

Applicant details

Applicant name:	GJ Ipswich Pty Ltd
Applicant contact details:	ipswich@gjgardner.com.au

Application details

Application number:	8909/2023/MCU
Application type:	Material Change of Use
Description of proposed development:	Material Change of Use - Business Use (Professional Office)
Date application received:	4 September 2023

Site details

Property location:	115 Brisbane Road, BOOVAL QLD 4304
Real property description:	Lot 456 on RP818392

Decision

Date of decision:	6 December 2023
Decision Authority:	Development Assessment Central Manager

1. Decision Details:

Development	Approval Type	Decision	Currency Period
Material Change of Use - Business Use (Professional Office)	Development Permit	Approved in full subject to the conditions set out in Attachment A	6 years

2. Conditions of Assessment Manager (Ipswich City Council)

Attachment A Material Change of Use – Business Use (Professional Office)

3. Approved Plans Specifications and Drawings

The approved plans, specifications and drawings for this development approval are:

(a) The plans and documents referred to in the table below (including the amendments that are required to be made to those plans and documents); and

(b) Where the amended version of the plans and documents referred to in the table below have been approved by the Assessment Manager, the amended version of those plans and documents.

The plans referenced below are included as Attachment B of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
23-5012	Proposed Site Plan, Issue A	King Architectural Engineering	25 August 2023	· The applicant must construct fencing in the locations marked in red in accordance with the requirements of Condition 15(a). · The applicant must provide a pedestrian gate at the Brisbane Road frontage in accordance with the requirements of Condition 15(b). · The applicant must construct fencing in the locations marked in green in accordance with the requirements of Condition 15(c).

				· The applicant must provide pedestrian entry stairs to the Brisbane Road frontage.
23-5012	Existing Floor Plan, Issue A	King Architectural Engineering	25 August 2023	N/A
23-5012	Proposed Floor Plan, Issue B	King Architectural Engineering	28 August 2023	· The applicant must provide pedestrian entry stairs to the Brisbane Road frontage.
23-5012	Proposed Elevations 1 of 2, Issue A	King Architectural Engineering	25 August 2023	· The applicant must provide pedestrian entry stairs to the Brisbane Road frontage. · The applicant must incorporate decorative timber corner brackets and timbers moulds to verandah posts
23-2012	Proposed Elevations 2 of 2, Issue A	King Architectural Engineering	25 August 2023	· The applicant must provide pedestrian entry stairs to the Brisbane Road frontage.

4. Referral Agencies

The referral agencies for this application are:

Referral Agency	Referral Role	Aspect of Development Requiring Referral	Address
Queensland Government State Assessment Referral Agency (SARA)	Concurrence	Schedule 10, part 9, division 4, subdivision 2, table 4 of the *Planning Regulation 2017* – Development near a state transport corridor or that is a future state transport corridor.	Ipswich SARA Office Post: PO BOX 129, IPSWICH QLD 4305 Email: IpswichSARA@dsdilgp.qld.gov.au Ph: 07 3432 2413

Refer to the Referral Agency conditions attached to this decision notice.

5. Variation Approval

Not applicable to this decision.

6. Further Development Permits

Further development permits, as required by the *Planning Act 2016,* must be obtained before the development can be carried out in respect of any building works and plumbing works in relation to this approval prior to the commencement of works pursuant to the *Planning Act 2016*.

7. Environmental Authority

Not applicable to this decision.

8. Properly Made Submissions

Not applicable to this decision.

9. Currency period for the approval (section 85 of the *Planning Act 2016*)

The currency period for this approval is as outlined in part 1 – 'decision details' of this decision notice, starting the day the approval takes effect. Unless the currency period is extended by the Assessment Manager pursuant to section 87 of the *Planning Act 2016*, this development approval lapses in accordance with section 85 of the *Planning Act 2016.*

10. When approval lapses if development started but not completed— variation approval

Not applicable to this decision.

11. Other requirements under section 43 of the *Planning Regulation 2017*

Not applicable to this decision.

12. Trunk Infrastructure

Not applicable to this decision.

13. Infrastructure Charges

(a) Council will give an infrastructure charges notice for this development pursuant to section 119 of the *Planning Act 2016*.

(b) From 1 July 2014, the Central SEQ Distributor-Retailer Authority (QUU) will issue all Infrastructure Charges Notices for charges relating to water and wastewater. For further information, it is recommended that you contact QUU's developer customer service team on (07) 3432 2200.

14. Submitting Change Representations to Request a Negotiated Decision Notice

In accordance with section 75 of the *Planning Act 2016*, the applicant may submit change representations to request a negotiated decision notice, during the applicant's appeal period, about changing a matter in the development approval (other than a matter stated because of a referral agency response or a development condition imposed under a direction by the Minister).

The applicant's appeal period is 20 business days, and any change representations must be submitted and assessed during this time, unless the applicant suspends the appeal period. To ensure both the applicant and the assessment manager have sufficient time to consider the change representations, it is recommended that the applicant suspend the appeal period (refer to section 75(2) of the *Planning Act 2016*) prior to submitting their change representations. This will allow an additional 20 business days for the applicant to submit their change representations, if required, and up to 20 business days for the assessment manager to consider the representations from the date the change representations are received.

Ipswich City Council does not charge an application fee for the submission of change representations.

For more information, please refer to the State Government's fact sheet on Change Representations: https://dilgpprd.blob.core.windows.net/general/factsheet-change-representations.pdf.

15. Appeal Rights

Applicant's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the refusal of part of the development application; or
- a provision of the development approval; or
- if a development permit was applied for, the decision to give a preliminary approval.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

An extract from the *Planning Act 2016* about appeal rights is attached to this decision notice.

Attachment A
Assessment Manager's Conditions
File No: 8909/2023/MCU
Location: 115 Brisbane Road, BOOVAL QLD 4304
Proposal: Material Change of Use - Business Use (Professional Office)

Assessment Manager (Ipswich City Council) Conditions *Conditions applicable to this approval under the Planning Act 2016*		
No.	Condition	The time by which the condition must be met, implemented or complied with
1.	Basis of Approval	
	This approval incorporates as a condition, the applicant's common material (as defined in *Schedule 24 – Dictionary of the Planning Regulation 2017*) for the application and adherence to all relevant Council Local Laws and/or the *Ipswich Planning Scheme 2006* (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval. Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the *Planning Act 2016*.	From the commencement of the construction of the development and at all times thereafter.
2.	Minor Alterations	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
3.	Development Plans	
	The applicant must undertake the development generally in accordance with the approved plans outlined in part 3 of this development permit.	From the commencement of the construction of the development and at all times thereafter.
4.	Hours of Construction	
	Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in *Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3.*	At all times during construction of the development.
5.	Hours of Operation	
	The applicant must not conduct work or business from the premises outside of the following hours: Monday to Sunday 6:00am to 9:00pm Work or business must not be conducted from the premises on public holidays.	From the commencement of the use and at all times thereafter.

6.	Particular Use	
	The applicant must not use any of the structures associated with the Business Use - Professional Office inclusive of car parking and any associated outdoor areas on the premises, for office based duties only (no educational/ training classes permitted) or any other purpose, unless, in the written opinion of the assessment manager, such use is ancillary and incidental to the predominant use of the premises for a Business Use - Professional Office.	From the commencement of the construction of the development and at all times thereafter.

7.	Separate Agreements (Sale Agreements, Tenancy Agreements, Lease Agreements, Community Management Statements, Developer Covenants etc.)	
(a)	The applicant must ensure any separate agreements (including but not limited to sale agreements, tenancy agreements; lease agreements; community management statements; developer covenants etc.) require the development to be conducted/operated in accordance with: (i) this development approval (and any subsequent amendments/changes to this approval) (ii) any related or consequential approvals (e.g. material change of use, reconfiguring a lot, operational works or building works)	From the commencement of the use and at all times thereafter.
(b)	The applicant must ensure a copy of all approvals referred to in (a) above are: (i) appropriately referenced in such agreements (ii) provided to all parties of such agreements	At the time an agreement is presented to the relevant parties.

8.	Visual Treatment of Plant and Equipment	
(a)	The applicant must ensure all plant and equipment (inclusive of tanks, air conditioning units, compressors, generators, ducting, ventilation and the like): (i) is <u>not</u> located between any building and the dedicated road reserve; or (ii) is appropriately screened (and ventilated) from view from Brisbane Road and Macquarie Street.	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must, where screening is required pursuant to (a), utilise screening materials similar in appearance and specification to those used in the construction of buildings on the existing building and adjacent premises.	Prior to the commencement of the use and at all times thereafter.

(c)	The applicant must construct and maintain all screening in accordance with the approval issued by the assessment manager.	Prior to the commencement of the use and at all times thereafter.

9.	Lighting	
	Lighting used to illuminate any areas of the premises (i.e., security or flood lighting) must be designed, constructed, located and maintained to the satisfaction of the assessment manager so as not to cause nuisance to the occupants of nearby properties or passing traffic. All lighting must be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards.	Prior to the commencement of the use and at all times thereafter.

10.	Utility Services	
(a)	The applicant must connect the development to reticulated water supply, sewer infrastructure, and underground electricity supply and telecommunication utilities.	Prior to commencement of the use.
(b)	The applicant must provide written evidence (e.g., connection certificates) from each service provider stating either that the development has been connected to applicable utility service or has a current supply agreement.	Prior to commencement of the use.
(c)	The applicant must provide telecommunications to subject building(s), lead-in conduits and equipment space in a suitable location within the building(s), to suit carrier of choice.	Prior to commencement of the use.

11.	Painting	
	The applicant must ensure the exterior of the buildings on the site are not painted in the following colours: (i) black; (ii) predominantly cool, blue colour schemes; (iii) light pastel colours; (iv) metallic and reflective finishes; or (v) bright primary colours.	From the commencement of the use and at all times thereafter.

12.	Building Materials	
	The applicant must construct/repair the external cladding and roof of the building using materials similar in appearance and specification to those used in the construction of the existing building.	From the commencement of the use and at all times thereafter.

13.	Access, Parking and Manoeuvring Areas	
(a)	The applicant must construct all parking, access, and manoeuvring areas of concrete.	Prior to commencement of the use and at all times thereafter.
(b)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	Prior to commencement of the use and at all times thereafter.
(c)	The applicant must make provision for all vehicles to enter and exit the site in forward gear.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide driveway access to/from Macquarie Street, such that a concrete layback and driveway slab are provided in accordance with the following: (i) From the kerb alignment seal to the property boundary for access to the development; (ii) Minimum 6.0m wide; and (iii) In accordance with Council Standard Drawing SR.13.	Prior to commencement of the use and at all times thereafter.
(e)	Vehicle access to or from the development is prohibited from Brisbane Road.	From the commencement of the use and at all times thereafter.

14.	Stormwater Quantity Management	
(a)	There must not be any ponding, concentration, or redirection of stormwater on to any adjoining properties for all storm events up to 1%AEP as a result of proposed development.	From the commencement of the use and at all times thereafter.
(b)	The applicant must discharge stormwater runoff from all impervious areas to a lawful point of discharge.	From the commencement of the use and at all times thereafter.
(c)	The applicant must submit to the assessment manager a stormwater management Technical Note prepared and certified by a RPEQ, with hydrologic calculations for all storm events including 1%AEP, in accordance with Council's Implementation Guideline No. 24 and Queensland Urban Drainage Manual (QUDM), for approval. The Technical Note should address the following: (i) Identify the lawful point of discharge for proposed development site; (ii) Provide a stormwater management strategy including detention, to demonstrate no worsening for all storm events including 1%AEP at the lawful point of discharge; and	Prior to the commencement of the use.

	(iii) Submit a drainage layout plan to demonstrate how stormwater runoff from all additional impervious areas will be captured and conveyed to the lawful point of discharge.	
(d)	The applicant must construct the stormwater quantity management system for the proposed development, generally in accordance with approved design as required by item (c) above.	Prior to the commencement of the use.

15.	Fencing	
(a)	The applicant must construct a maximum 1.2m high timber picket fence which incorporates sufficient gaps between each picket to allow an overall 30% minimum transparency along the Brisbane Road and Macquarie Street frontages as marked on the plans in red and included in Part 3 – Approved Plans Specifications and Drawings.	Prior to the commencement of the use.
(b)	The applicant must construct an entry gate in the location identified on the plans and included in Part 3 – Approved Plans Specifications and Drawings.	Prior to the commencement of the use.
(c)	The applicant must construct a 1.8 metre high timber fence (double overlapped) along the eastern property boundary as marked on the plans in blue and included in Part 3 – Approved Plans Specifications and Drawings. The applicant must taper the height of the fence within 6 metres of the front setback to 1.2 metres in height.	Prior to the commencement of the use.

16.	Earthworks	
	The applicant must design and construct all earthworks (including any earth retaining structures) in accordance with Planning Scheme Policy 3 – General Works, Part 4 of the *Ipswich Planning Scheme 2006*.	Prior to the commencement of the use.

17.	Design Standards	
	The applicant must design all works in accordance with *Planning Scheme Policy 3* - General Works and Implementation Guidelines 24 and 28 of the *Ipswich Planning Scheme.*	Prior to commencement of the use.

18.	Design Certifications	
(a)	The applicant must submit to the assessment manager RPEQ design certification(s) stating that all associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.	Prior to commencement of the use.
(b)	The applicant must submit to the assessment manager RPEQ certification stating that all proposed works have been designed in accordance with the recommendations of the stormwater Technical Note as required by Condition 14(c).	Prior to commencement of the use.

19.	Further Works	
(a)	The applicant must take due regard of all existing services when undertaking works associated with this development.	During the construction of the development and prior to the commencement of the use.
(b)	The applicant must alter any services when the relevant authority or assessment manager determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to the commencement of the use.
(c)	The applicant must reinstate all disturbed verge and open space areas with turf (including provision of topsoil to minimum depth of 50mm).	Prior to the commencement of the use.

Assessment Manager (Ipswich City Council) Advice

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Acronyms and Terms Acronyms and terms used in this notice have the following meanings:
(a)	RPEQ - A Registered Professional Engineer of Queensland suitably qualified and experienced in the particular area of expertise required.
(b)	UU – Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water services to Ipswich City under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.*
(c)	PSP 3 – Council Planning Scheme Policy 3
(d)	QUDM – The *Urban Drainage Manual*, produced by the Queensland Department of Environment and Natural Resources

2.	Fire Ants
(a)	In accordance with the *Biosecurity Act 2014* and the *Biosecurity Regulation 2016*, the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species *Solenopsis invicta*) has been detected.
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/fireants.
(c)	The development approved herein, by its very nature, includes activities considered to be "high risk" in respect of controlling the spread of Fire Ants. The following lists show high risk activities and some precautions should be considered for implementation.

3.	Portable Long Service Leave
	Where the proposed works (civil and landscaping) are valued at $150,000 or more and match the definition of Building and Construction Industry, the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a development permit for building works, operational works and plumbing and drainage

	works applications, as defined under the *Planning Act 2016*. If you require clarification in regard to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.

4.	Telecommunication Conduit Infrastructure
	The installation of telecommunication conduit and infrastructure is to be in accordance with the latest Communications Alliance publication or the Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers where it is triggered by the Australian Government policy on 'Fibre in new developments'.

5.	*Local Government Regulation 2012*
	This property may be subject to the provision of Section 116 of the *Local Government Regulation 2012*. This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (e.g. subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.

6.	Section 73 of the *Planning Act 2016*
	Pursuant to section 73 of the *Planning Act 2016,* a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.

7.	Road Corridor Permit
	The applicant is advised to seek approval from the Department of Transport and Main Roads under Sections 33 and 62 of the *Transport Infrastructure Act 1994* prior to undertaking any physical works within or adjacent to the boundary of the State-controlled road. These approvals are issued under the *Transport Infrastructure Act 1994* and constitute a separate process to seeking a Development Permit issued under the *Planning Act 2016.*

8.	Road Permit Application
	The applicant is advised to seek a Road Permit approval from Ipswich City Council pursuant to Sections 69 and 75 of the *Local Government Act 2009* prior to undertaking any physical works within or adjacent to the boundary of the Council-controlled road. These approvals are issued under the *Local Government Act 2009* and constitute a separate process to seeking a Development Permit issued under the *Planning Act 2016*. Please contact the Ipswich City Council office for further information via email: council@ipswich.qld.gov.au or telephone (07) 3810 6666.

9.	Engineering Analysis
	A detailed engineering analysis of the calculations and drawings, submitted as part of the approval process, has not been undertaken by Council. Neither Council nor council engineers have professionally reviewed or accredited the engineering design and are relying on the expertise and certification of the applicant's RPEQ engineer.

10.	Report Assessment
	The applicant is advised that should Council require the submission of an amended report prior to the lodgement and/or in conjunction with any Operational Works development application, a fee will apply in accordance with the current Council Fees and Charges.

Queensland Government

SARA reference: 2309-36512 SRA
Council reference: 8909/2023/MCU

7 November 2023

Chief Executive Officer
Ipswich City Council
PO Box 1559
IPSWICH QLD 4305
development@ipswich.qld.gov.au

Attention: Mr Lachlan Mossom

Dear Mr Mossom

SARA referral agency response—115 Brisbane Road, Booval

(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 5 October 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	7 November 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 – Business Use (Professional Office)
SARA role:	Referral agency	
SARA trigger:	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 corridor	
SARA reference:	2309-36512 SRA	
Assessment manager:	Ipswich City Council	

South East Queensland (West) regional office
Level 4, 117 Brisbane Street, Ipswich
PO Box 2390, North Ipswich QLD 4305

Street address:	115 Brisbane Road, Booval
Real property description:	Lot 456 on RP818392
Applicant name:	GJ Ipswich Pty Ltd
Applicant contact details:	C/- Mr Jonathon Collins PO Box 221, Booval Fair Qld 4304 ipswich@gjgardner.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 (section 30 of the 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 Darrian Borick, Principal Planner, on (07) 3307 6188 or via email IpswichSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Kieran Hanna
Manager (Planning)

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

cc Mr Jonathan Collins, ipswich@gjgardner.com.au

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)

No.	Conditions	Condition timing
Development permit – Material change of use – Business Use (Professional Office)		
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 corridor—The chief executive administering the *Planning Act 2016* 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.	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: (i) create any new discharge points for stormwater runoff onto the state-controlled road (ii) concentrate or increase the velocity of flows to state-controlled road (iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road (iv) surcharge any existing culvert or drain on the state-controlled road (v) reduce the quality of stormwater discharge onto the state-controlled road (vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road (vii) reduce the floodplain immunity of the state-controlled road.	At all times.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the *Planning Act 2016*, 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 complies with State code 1: Development in a state-controlled road environment of the SDAP version 3.0 with conditions. Specifically, the development:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the function and efficiency of state-controlled roads or future
- state-controlled roads
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
- does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure
- maintains or improves access to public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the state's ability to operate public passenger services on state-controlled roads
- protects community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.

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
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019.*

Attachment 4—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 Rules[1] 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.

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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.