

From: "No Reply" <mydas-notifications-test@qld.gov.au>
Sent: Thu, 20 Mar 2025 13:44:06 +1000
To: "Development Assessment" <developmentassessment@townsville.qld.gov.au>
Cc: "Zinal.Chand@dsdilgp.qld.gov.au" <Zinal.Chand@dsdilgp.qld.gov.au>;
"enquire@bncplanning.com.au" <enquire@bncplanning.com.au>
Subject: 2502-44842 SRA application correspondence
Attachments: GE83-N Representations about a referral agency response.pdf, 2502-44842 SRA
- Response.pdf
Importance: Normal

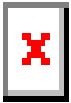
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Please find attached a notice regarding application [2502-44842 SRA](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.
RA9-N



Email Id: RFLG-0325-0023-2381

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: 2502-44842 SRA
Council reference: MCU25/0002
Applicant reference: DA134-24

20 March 2025

Chief Executive Officer
Townsville City Council
PO Box 1268
TOWNSVILLE QLD 4810
developmentassessment@townsville.qld.gov.au

Attention: Mr Lachlan Pether

Dear Mr Pether

SARA referral agency response—86 Bowen Road, Rosslea

(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 25 February 2025.

Response

Outcome:	Referral agency response – No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	20 March 2025
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development Permit	Material Change of Use for Office
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) - Material change of use of premises within 25 metres of a State-controlled corridor (road) and within 100m of a State-controlled road intersection (Planning Regulation 2017)	
SARA reference:	2502-44842 SRA	
Assessment manager:	Townsville City Council	
Street address:	86 Bowen Road, Rosslea	

Real property description: Lot 44 on RP703491
Applicant name: Santech QLD C/- BNC Planning
Applicant contact details: PO Box 5493 Townsville Q 4810
TOWNSVILLE QLD 4810
enquire@bncplanning.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 (s. 30 Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Zinal Chand, A/Planning Officer, on (07) 3432 2410 or via email NQSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Santech QLD C/- BNC Planning, enquire@bncplanning.com.au
enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—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 3.2). If a word remains undefined it has its ordinary meaning.
2.	<p>The application material did not indicate any proposal for advertising devices, however in the event an advertising device is considered, the applicant to be advised that:</p> <ul style="list-style-type: none"> • Whilst referral to the Department of Transport and Main Roads (DTMR) will not be triggered pursuant to the provisions of Schedule 10 of the Planning Regulation, should the advertising device be visible from a State Controlled Road, the future operational application will be issued to DTMR for the provisions of Third-Party Advice. • During DTMR's review of the request for Third Party Advice TMR's Roadside Advertising Manual (RAM), will be considered an assessment benchmark • The RAM assist DTMR and local governments in evaluating proposals for roadside advertising devices to ensure that they meet road safety and traffic operation objectives. The RAM also provides technical criteria for current and potential roadside advertisers. The RAM is a Roadside advertising manual (Department of Transport and Main Roads). • To ensure that a future application for onsite advertising devices visible from the State Controlled Road network is as streamlined as possible, it is recommended that the RAM be considered in the design and siting of the advertising device(s). • For more information regarding the RAM or the Third Party Advice process, the Department of Transport and Main Roads can be contacted at: north.queensland.idas@tmr.qld.gov.au

Attachment 2—Reasons for referral agency response

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

The reasons for SARA's decision are:

The development complies with State Code 1: Development in a State-Controlled Road Environment as outlined in the State Development Assessment Provisions (SDAP) version 3.2, with no requirements. Specifically, the development:

- does not create a safety hazard for users of the State-controlled road
- does not compromise the structural integrity of State-controlled roads, road transport infrastructure or road works.
- does not result in a worsening of the physical condition or operating performance of State-controlled roads and the surrounding road network.
- does not compromise the State's ability to construct, or significantly increase the cost to construct State-controlled roads and future State-controlled roads.
- does not compromise the State's ability to maintain and operate State-controlled roads, or significantly increase the cost to maintain and operate State-controlled roads.
- does not compromise the structural integrity of public passenger transport infrastructure or compromise the operating performance of public passenger transport services, and
- avoids or mitigates significant adverse impacts resulting from environmental emissions generated by vehicles on the State-controlled road.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.2, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

Attachment 3— Representations about a referral agency response provisions

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