

Changed referral agency response

Our reference: 1912-14802 SPD

Referral agency response—with conditions

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

Date of original response: 11 October 2018

Original reference: 1803-4418 SRA

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 15 March 2018

Applicant details

Applicant name:	KS8 Pty Ltd
Applicant contact details:	C/- Gassman Development Perspectives PO Box 392 BEENLEIGH QLD 4207 admin@gassman.com.au

Location details

Street address:	60 Stapylton Jacobs Well Road, 31 Yellowwood Road and 82 Christensen Road, Stapylton QLD 4208
Real property description:	Lot 1 on RP6882, Lot 240 on W31320 and Lot 4 on RP6843
Local government area	The City of Gold Coast

Application details

Development permit	Reconfiguring a lot for 38 22 industrial lots, stormwater detention lot, new road and a balance lot Operational works for 38 22 industrial lots, stormwater detention lot, new road and a balance lot Operational works for vegetation clearing
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Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- Schedule 10, Part 6, Division 4, Subdivision 3, Table 1, Item 1 Fisheries - waterway barrier works
- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 Infrastructure - state transport infrastructure
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 2, Item 1 State transport corridors future State transport corridors

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for changed referral agency response

The department must set out the reasons for changed referral agency response. These reasons are set out in Attachment 2.

Advice to the applicant

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

enc Attachment 1—Changed conditions to be imposed
 Attachment 2—Reasons for changed referral agency response
 Attachment 3—Changed Advice to the applicant
 Approved plans and specifications

Attachment 1—Changed conditions to be imposed

No.	Conditions	Condition timing
Reconfiguring a Lot		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 2, Item 1 and Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, 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 conditions:		
1.	(a) Any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or land supporting this infrastructure, or cause similar adverse impacts. (b) RPEQ certification with supporting documentation must be provided to Land Management Team of South Coast Region within the Department of Transport and Main Roads' at southcoast@tmr.qld.gov.au within the Department of Transport and Main Roads', confirming that the development has been constructed in accordance with part (a) of this condition.	(a) At all times. (b) Prior to submitting the Plan of Survey to the local government for approval.
2.	(a) Road works comprising of a signalised intersection at the site entrance and a second lane on Stapylton Jacobs Well westbound, between the site access and the eastern roundabout on interchange 38, must be provided generally in accordance with the following plans: • Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 1 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-004 and revision B; • Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 2 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-005 and revision B; • Typical Cross Sections of Stapylton Jacobs Well Road prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-006 and revision B; • Stapylton Jacobs Well Road – Extension of Second Approach Lane Between Eastern Roundabout and Site Access, prepared by Rytenskild Traffic Engineering, dated 18 July 2018, reference 17450-01C.3; • Figure 5.2 Proposed Intersection Arrangements of the Traffic Impact Assessment, prepared by Rytenskild Traffic Engineering, dated 13/04/2018, reference 17450 and revision 3. (b) The road works must be designed and constructed in accordance with Road Planning and Design Manual (2nd edition), prepared by Department of Transport and Main Roads, 2016.	Prior to submitting the Plan of Survey to the local government for approval.

No.	Conditions	Condition timing
3.	(a) The development must be provided generally in accordance with the following plans: • Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 1 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-004 and revision B; • Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 2 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-005 and revision B; • Typical Cross Sections of Stapylton Jacobs Well Road prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-006 and revision B; (b) RPEQ certification with supporting documentation must be provided to Land Management Team of South Coast Region within the Department of Transport and Main Roads' at southcoast@tmr.qld.gov.au, confirming that the development has been constructed in accordance with part (a) of this condition.	(a) Prior to submitting the Plan of Survey to the local government for approval. (b) Prior to submitting the Plan of Survey to the local government for approval.
4.	(a) The road access location is to be located generally in accordance with the Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 1 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-004 and revision B; (b) Road access works comprising construction of a signalised intersection on Stapylton Jacobs Well Road must be provided generally in accordance with the Functional Road Layout Plan and Stormwater Drainage Layout Plan – Sheet 2 of 2 prepared by Gassman Development Perspectives dated 24 July 2018, reference 5738 ENG BE1 SK-005 and revision B; (c) The road access works must be designed and constructed in accordance with Road Planning and Design Manual (2nd edition), prepared by Department of Transport and Main Roads, 2016.	Prior to submitting the Plan of Survey to the local government for approval.
5.	(a) The existing vehicular property access located between Lot 1 on RP 6882 Lot 501SP295994 and Stapylton Jacobs Well Road must be permanently closed and removed. (b) The kerb and channelling between the pavement edge and the property boundary must be reinstated in accordance with Road Planning and Design Manual at no cost to the Department of Transport and Main Roads	Prior to submitting the Plan of Survey to the local government for approval.
Operational works		
Schedule 10, Part 6, Division 4, Subdivision 3, Table 1, Item 1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of The Department of Agriculture and Fisheries 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 conditions:		
6.	The operational works to raise or construct a waterway barrier works that is the filling of a waterway mapped green on the spatial data layer <i>Queensland waterways for waterway barrier works</i> within Lots 240/W31320 and 1/RP6882 Lot 501SP295994 and represented by a blue dashed line in drawing	At all times.

No.	Conditions	Condition timing
	Existing features survey plan, dated 11-05-18, Gassman development perspectives, 5738 ENG BE1 010, and revision B <u>amended in red by SARA on 22 January 2020.</u>	
7.	Provide written notice to notifications@daf.qld.gov.au, when the development authorised under this approval: (a) Will start, and (b) When it has been completed. These notices must state this permit number 1803-4418 SRA 1912-14802 SPD.	At least 5 business days but no greater than 20 business days.
8.	Any fish found to be present within waterways are to be salvaged immediately in accordance with the Department of Agriculture and Fisheries fish salvage guidelines. Guidelines for fish salvage available from https://www.daf.qld.gov.au/business-priorities/fisheries/habitats/policies-guidelines/factsheets/guidelines-for-fish-salvage	For the duration of Works.

Attachment 2—Reasons for changed referral agency response

The reasons for this decision are:

- the proposed changes are consistent with the relevant State Codes of the State Development Assessment Provisions (version 2.5)
- the proposed change will not result in additional impacts to the State interests assessed as part of the original development application.

Evidence or other material on which the findings were based

- material provided as part of the change application
- State Development Assessment Provisions (version 2.5) published by the Department of State Development, Manufacturing, Infrastructure and Planning
- *Planning Act 2016*
- Planning Regulation 2017
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Changed Advice to the assessment manager

General advice	
1.	Public Utility Plant Pursuant to section 80 of the <i>Transport Infrastructure Act 1994</i>, the construction, augmentation, alteration or maintenance of public utility plant in a State-controlled road corridor must be undertaken in accordance with the Department of Transport and Main Roads' (TMR) requirements and at the expense of the owner of the plant. The owner of the plant must also obtain approval from TMR prior to commencement of any works. Applications for approval should be made to southcoast@tmr.qld.gov.au. Additional information regarding the installation of public utility plant can be obtained from TMR's Technical Note 163: Third Party Utility Infrastructure Installation in State Controlled Roads Technical Guidelines (available at http://www.tmr.qld.gov.au/businessindustry/Technical-standards-publications/Technical-Notes/Road-design).
2.	Works in State Controlled Road Reserve (WSCRR) Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works, including road access works, on a State-controlled road or interfere with a State-controlled road or its operation. This may include access to a Council road that is within the State-controlled road reserve, or where road access works to a Council road interferes with a State-controlled road or its operations. 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 Department of Transport and Main Roads accordingly with Section 33 of the <i>Transport Infrastructure Act 1994</i>. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). This approval may be subject to conditions related to the works construction process. Please contact the department (South Coast Region) on (07) 5563 6600 or at southcoast@tmr.qld.gov.au to make an application for works in the State-controlled road reserve (WSCRR).