Queensland Government

SARA reference: 2502-44576 SRA
Council reference: DA 77492
Applicant reference: 2024-PA-417

27 February 2025

Chief Executive Officer
Barcoo Shire Council
PO Box 14
JUNDAH QLD 4736
shire@barcoo.qld.gov.au

Attention: Tony Klein

Dear Mr Klein,

SARA referral agency response—1 and 3 Virtue Street, Windorah

(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 11 February 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	27 February 2025
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 Service Station
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)

Fitzroy & Central regional office
Level 2, 209 Bolsover Street, Rockhampton
PO Box 113, Rockhampton QLD 4700

	Material change of use of premises near a State transport corridor
SARA reference:	2502-44576 SRA
Assessment manager:	Barcoo Shire Council
Street address:	1 and 3 Virtue Street, Windorah
Real property description:	Lot 606 W2483; Lot 605 W2483
Applicant name:	Marilyn Simpson
Applicant contact details:	c/- Planning Approval Group Level 38, 71 Eagle Street BRISBANE CITY QLD 4000 mail@planningapprovalgroup.com.au
State-controlled road access permit:	This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision: • Approved • Reference: TMR25-044969 • Date: 24 February 2025 If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads, Project Planning and Corridor Management email at Gerard.j.arthur@tmr.qld.gov.au or call (07) 4651 2722.
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.

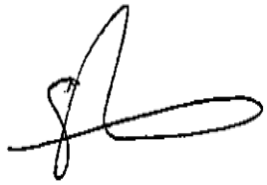
Representations

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 4**.

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

For further information please contact Lawson Costello, Planning Officer, on (07) 4924 2914 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Carl Porter
A/ Manager Planning

cc Marilyn Simpson c/- Planning Approval Group, thomas.holmes@planningapprovalgroup.com.au

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
Attachment 5 - Documents referenced in conditions

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 documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
10.9.4.2.4.1 – 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.	(a) Road access to Diamantina Developmental Road (also known as Albert Street) is located generally in accordance with the following plans: • *Locality Site Plan / Site Plan* prepared by Designtek Pty Ltd, dated 22.01.2025, drawing no. SK-01, revision B, as amended in red by SARA on 27 February 2025; and • *Ground Floor Plan* prepared by Designtek Pty Ltd, dated 22.01.2025, drawing no. SK-02, revision B, as amended in red by SARA on 27 February 2025. (b) Provide road access works comprising a fully sealed access at the road access location referred to in part (a) of this condition. (c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with i. the Department of Transport and Main Roads' *Road Planning and Design Manual, 2nd Edition*; ii. the Department of Transport and Main Roads' *Policies and Technical Specifications*; iii. the Department of Transport and Main Roads' *Standard Drawings Roads*; and iv. relevant local government requirements.	(a) At all times. (b) Prior to the commencement of use. (c) Prior to the commencement of use.
2.	Stormwater management of the development must not cause worsening to the operating performance of the Diamantina Developmental Road (also known as Albert Street), such that any works on the land must not: (a) create any new discharge points for stormwater runoff onto the Diamantina Developmental Road (also known as Albert Street). (b) concentrate or increase the velocity of flows to Diamantina Developmental Road (also known as Albert Street).	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 3.2). If a word remains undefined it has its ordinary meaning.
Road access works	
2.	Condition 1(b) of this approval requires access to be fully sealed from the existing sealed edge of the Diamantina Developmental Road (also known as Albert Street) to the subject site.

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:

SARA assessed the development application against the following code of the State Development Assessment Provisions (SDAP) version 3.2:

- State code 1: Development in a state-controlled road environment

The development complies with all relevant performance outcomes of State code 1: Development in a state-controlled road environment (version 3.2). Specifically:

- The development does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of the state-controlled road.
- The development does not adversely impact the structural integrity or physical condition of the state-controlled roads.
- The development does not adversely impact the function or efficiency of 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 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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