

MISS KATE SWEPSON

Our Ref: MCU225

26 July 2024

Balonne Shire Council
193-199 Grey Street
ST GEORGE QLD 4487

Attention: Sharyn Arnold

By email: sharyn.arnold@balonne.qld.gov.au

Dear Sharyn,

Confirmation notice

(Given under section 3.4 of the Development Assessment Rules)

The development application described below was properly made to the Balonne Shire Council on 18 July 2024.

Applicant details

Applicant name: **Balonne Shire Council**
Applicant contact details: **193-199 Grey Street,
St George QLD 4487**
Email: sharyn.arnold@balonne.qld.gov.au

Location details

Street address: **193-199 Grey Street, St George Qld 4487**
Real property description: **Lot 52 on BLM1020**
Local government area: **Balonne Shire Council**

Application details

Application number: **MCU225**
Approval sought: **Development Permit**
Description of the development proposed: **Material Change of Use – “Cemetery” (Expansion of existing use)**
Category of Assessment: **Impact Assessment**
Planning Scheme: **Balonne Shire Planning Scheme 2024**

Public notification details

Part 4 of the Development Assessment Rules is applicable to this development application. Public notification is to be carried out for this development application in accordance with the requirements set out in Part 4 of the Development Assessment Rules. The public notification period for this development application must be a period of at least 15 business days, in accordance with section 53(4)(b) of the *Planning Act 2016*.

Referral details

The development application must be referred to all relevant referral agencies within 10 business days starting the day after receiving this notice (or a further period agreed with Council) otherwise the application will lapse under section 31 of the Development Assessment Rules.

Within 5 days after you have given the application to the referral agencies, you must give Council notice of the day the application was referred.

This list of Referral Agencies is provided for your information only. It is the applicant's responsibility to identify all referral agencies for the application and give each referral agency a copy of:

- the application (including the application form and supporting material);
- the Confirmation Notice; and
- any required application fee.

A referral agency may request further information from the applicant, impose conditions on a development approval, or direct Council to refuse an application.

The development application must be referred to the following referral agencies

State Assessment and Referral Agency (SARA)	
Address for hand delivery:	128 Margaret Street, Toowoomba QLD 4350
Address for post:	PO Box 825 TOOWOOMBA QLD 4350
Address for electronic submission:	Applications can be prepared and referred to DILGP online by using MyDAS2. MyDAS2 can be accessed at https://prod2.dev-assess.qld.gov.au/suite/ Email: ToowoombaSARA ToowoombaSARA@dsdmip.qld.gov.au
Reason for Referral	As a <u>Concurrence Agency</u> for an application involving: <i>Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—</i> (a) <i>are within 25m of a State transport corridor; or</i> (b) <i>are a future State transport corridor; or</i> (c) <i>are—</i> (i) <i>adjacent to a road that intersects with a State-controlled road; and</i> (ii) <i>within 100m of the intersection</i> Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the <i>Planning Regulation 2017</i> .

Information Request

A further information request may be made by Council. This request will be made within 10 business days of this Confirmation Notice.

For further information please contact Council's Planning Officer on 07 4620 8888 or via email council@balonne.qld.gov.au who will be pleased to assist.

Yours sincerely



Kate Swepson

Consulting Town Planner



SARA reference: 2408-41958 SRA
 Council reference: MCU225

18 September 2024

Chief Executive Officer
 Balonne Shire Council
 PO Box 201
 ST GEORGE QLD 4487
 council@balonne.qld.gov.au

Attention: Miss Kate Swepson

Dear Miss Swepson

SARA referral agency response—Carnarvon Highway, St George

(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 20 August 2024.

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:	18 September 2024
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 – Cemetery (Expansion of existing use)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor	
SARA reference:	2408-41958 SRA	
Assessment	Balonne Shire Council	

manager:

Street address: Carnarvon Highway, St George

Real property description: Lot 52 on BLM1020

Applicant name: Balonne Shire Council

Applicant contact details: 193-199 Grey Street
St George QLD 4487
sharyn.arnold@balonne.qld.gov.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the Human Right 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 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 Malcolm McDowell, Planning Officer, on 07 3452 6897 or via email ToowoombaSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

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 Balonne Shire Council, sharyn.arnold@balonne.qld.gov.au

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 3.0). If a word remains undefined it has its ordinary meaning.

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 the assessment benchmarks of State code 1 of SDAP (version 3.0) in that the development:

- does not adversely impact the structural integrity or physical condition of the state-controlled road
- does not adversely impact the function and efficiency of the state-controlled road
- maintains access to active transport infrastructure.

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
- Section 58 of the *Human Rights Act 2019*.

Attachment 3— Representations about a referral agency response provisions

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