



SARA reference: 2110-25348 SRA  
Council reference: 16204/2021/MCU

17 November 2021

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

Attention: Mr Grant Johnson

Dear Mr Johnson,

## SARA response—5 Union Place and 8 Bell Street, Ipswich

(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 15 October 2021.

### Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	17 November 2021
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### Development details

Description:	Development permit	Material Change of Use - Business Use (Hotel)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)  Development application for a material change of use within 25m of a railway corridor	
SARA reference:	2110-25348 SRA	
Assessment Manager:	Ipswich City Council	

Street address: 5 Union Place and 8 Bell Street, Ipswich  
Real property description: Lot 1 on RP2677 and Lot 3 on SP307972  
Applicant name: Ipswich City Council  
Applicant contact details: C/- Sinclair Planning Pty Ltd  
PO Box 130  
LUTWYCHE QLD 4030  
leisa.sinclair@sinclairplanning.com.au

## Representations

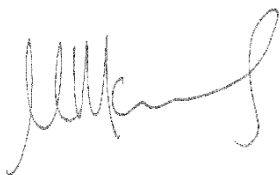
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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Dash D'Brant, Planning Officer, on (07) 3432 2423 or via email [IpswichSARA@dsdilgp.qld.gov.au](mailto:IpswichSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Ursula McInnes  
Planning Manager

Enc    Attachment 1 - Advice to the applicant  
      Attachment 2 - Reasons for referral agency response  
      Attachment 3 - Representations provisions

cc      Ipswich City Council C/- Sinclair Planning Pty Ltd, [leisa.sinclair@sinclairplanning.com.au](mailto:leisa.sinclair@sinclairplanning.com.au)

## Attachment 1—Advice to the applicant

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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 2.6. 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 the SARA decision are:

The proposed development complies with the purpose and performance outcomes of State Code 2: Development in a railway environment of the State Development Assessment Provisions; in particular:

- development does not create a safety hazard for users of a railway;
- development does not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works;
- development does not result in a worsening of the physical condition or operating performance of railways and the rail network;
- development does not compromise the state's ability to construct railways and future railways, or significantly increase the cost to construct railways and future railways;
- development does not compromise the state's ability to maintain and operate railways, or significantly increase the cost to maintain and operate railways.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system.

## **Attachment 3—Change representation 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<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 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.<sup>2</sup>
- 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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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> 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.<sup>3</sup>

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<sup>3</sup> 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.