



SARA reference: 2409-42415 SRA  
 Council reference: MCU24/0083  
 Applicant reference: 3140

27 November 2024

Townsville City Council  
 PO Box 1268  
 Townsville QLD 4810  
 developmentassessment@townsville.qld.gov.au

Attention: Ms Taryn Pace

Dear Ms Pace

## SARA referral agency response—55 Lakeside Drive, Idalia

(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 30 September 2024.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	27 November 2024
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development permit	Material Change of Use for Special Industry (Distillery), Food and Drink Outlet (Brewery Sampling Room), Shop (Drive Through Bottle Shop) and Undefined Use (Brewery and Bottling / Canning Facility)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1—	Material Change of Use of premises within 25m of a State-controlled road (Planning Regulation 2017)

SARA reference: 2409-42415 SRA  
Assessment manager: Townsville City Council  
Street address: 55 Lakeside Drive, Idalia  
Real property description: Lot 14 on SP334259  
Applicant name: Mr Steven Dillon  
Applicant contact details: PO Box 294  
Townsville QLD 4810  
general@dillonarchitects.com

*Human Rights Act 2019* considerations: A consideration of the *Human Rights Act 2019* sections 15 to 35 has been undertaken as part of this response. It has been determined that this response does not limit human rights.

## Representations

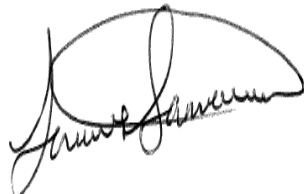
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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Helena Xu, Senior Planning Officer, on (07) 3452 6724 or via email NQSARA@dasilgq.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes  
A/ Manager (Planning)

cc Mr Steven Dillon, general@dillonarchitects.com

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 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)

No.	Conditions	Condition timing
<b>Material Change of Use</b>		
10.9.4.2.4.1 – Material Change of Use of premises within 25m of a state-controlled road —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of 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.	<p>Stormwater management of the development must not cause worsening to the operating performance of the State-controlled Road such that any works on the land must not:</p> <ul style="list-style-type: none"> <li>i) create any new discharge points for stormwater runoff onto the state-controlled road;</li> <li>ii) concentrate or increase the velocity of flows to the state-controlled road;</li> <li>iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</li> <li>iv) surcharge any existing culvert or drain on the state-controlled road;</li> <li>v) reduce the quality of stormwater discharge onto the state-controlled road;</li> <li>vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road; and</li> <li>vii) reduce the floodplain immunity of the state-controlled road.</li> </ul>	At all times

## Attachment 2—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 3.0). If a word remains undefined it has its ordinary meaning.

## Attachment 3—Reasons for referral agency response

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

### **The reasons for the SARA's decision are:**

The proposed development is considered to achieve the relevant assessment benchmarks of State code 1 of SDAP. Specifically, the development

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of state-controlled road;
- does not adversely impact the structural integrity or physical condition of state-controlled road;
- does not adversely impact road transport infrastructure, public passenger transport infrastructure or active transport infrastructure; and
- does not adversely impact the function and efficiency of 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 3.0), 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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