From: "No Reply" <mydas-notifications-prod2@qld.gov.au>
Sent: Tue, 5 Mar 2024 10:50:35 +1000
To: "Development Assessment" <developmentassessment@townsville.qld.gov.au>
Cc: "amber.can@dsdilgp.qld.gov.au" <amber.can@dsdilgp.qld.gov.au>; "enquire@bncplanning.com.au" <enquire@bncplanning.com.au>
Subject: 2401-38523 SRA application correspondence
Attachments: TIA - Application decision - s62A (PA) - Approval_1.pdf, Attachment 5 - Documents referred to in conditions.pdf, GE83-N Representations about a referral agency response.pdf, RA29-N Changed response - with conditions - 23 Bundock Street.pdf
Importance: Normal

This Message Is From an External Sender

This message came from outside Townsville City Council. Please think carefully before clicking links or responding if you weren't expecting this email.

Please find attached a notice regarding application 2401-38523 SRA.

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

RA29-N

Queensland Government

Email Id: RFLG-0324-0019-9303

Our ref TMR24-041699
Your ref
Enquiries Katherine Wilson

Queensland Government

Department of
Transport and Main Roads

29 February 2024

Decision Notice – Permitted Road Access Location

(s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road[1]

Development application reference number MCU18/0108.04 lodged with Townsville City Council involves constructing or changing a vehicular access between Lot 1SP333143 the land the subject of the application, and Bundock Street (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address	A Agaibey PO Box 5493 Townsville QLD 4810

Application Details

Address of Property	23 Bundock Street, Belgian Gardens QLD 4810
Real Property Description	1SP333143
Aspect/s of Development	Development Application for Request for Change (Other) associated with MI14/0038 - Multiple Dwelling and Health care services

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Condition of Approval	Condition Timing
1.	The permitted road access location is to be located generally in accordance with the plan in Bundock Street AUL upgrade works plan, prepared by SMCE, dated 22 Dec 2022, reference 18144AA C06.3, revision D (as amended in red).	At all times.
2	Direct access is prohibited between Bundock Street and Lot 1 SP333143 at any other location other than the permitted road access location described in Condition 1.	At all times.

[1] Please refer to the further approvals required under the heading 'Further approvals'

3	The owner of the land is responsible for all costs associated with maintenance of the road access (including driveways) between the road pavement edge and the property boundary.	At all times.

Reasons for the decision

The reasons for this decision are as follows:

a) To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
b) To provide safe access for all vehicles associated with a medical centre use for the site.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.

2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
   a) starts to have effect when the development approval has effect; and
   b) stops having effect if the development approval lapses or is cancelled; and
   c) replaces any earlier decision made under section 62(1) in relation to the land.

2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.

3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

If further information about this approval or any other related query is required, Ms Katherine Wilson, Town Planner should be contacted by email at Katherine.j.wilson@tmr.qld.gov.au

Yours sincerely

Peter Tarlinton

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

A/Senior Town Planner

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
Attachment D - Permitted Road Access Location Plan

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment A

Decision Evidence and Findings

Findings on material questions of fact:

- The subject site has an existing development approval is for a material change of use for a medical centre and multiple dwellings.
- The current application proposes a change to the existing approval, to increase the commercial floor area and reduce the number of residential units.
- The site is within the mixed residential precinct.
- The site is located on Bundock Street, which is a state-controlled road.
- The original development approval included conditions which required the Applicant to undertake road access works to provide an AUL(s) to support the development. These works have been undertaken.
- A No U-Turn Sign was required in the centre median break fronting the subject land and has also been provided. The development is restricted to LILO movements due to the configuration of Bundock Street.
- A detail design of all proposed road works, drawing name: Bundock Street AUL upgrade works plan, prepared by SMEC, reference 18144AA, C06.3, revision D, dated 22.12.2022, was submitted for TMR's review on 22 Dec 2022.
- TMR reviewed and accept this plan.
- The landowner is responsible for ongoing maintenance of the permitted road access between the property boundary and the kerb of the State-controlled road.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
Bundock Street AUL upgrade works plan	SMEC	22 December 2022	18144AA, C06.3	D

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment B

Section 70 of TIA

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

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70 Offences about road access locations and road access works, relating to decisions under s 62(1)

(1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.

(2) A person to whom this section applies must not—

(a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or

(b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or

(c) obtain any other access between the land and the road contrary to the decision; or

(d) use a road access location or road access works contrary to the decision; or

(e) contravene a condition stated in the decision; or

(f) permit another person to do a thing mentioned in paragraphs (a) to (e); or

(g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

(3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment C

Appeal Provisions

Transport Infrastructure Act 1994

Chapter 16 General provisions

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485 Internal review of decisions

(1) A person whose interests are affected by a decision described in schedule 3 (the ***original decision***) may ask the chief executive to review the decision.

(2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.

(3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—

(a) applies to the review; and

(b) provides—

(i) for the procedure for applying for the review and the way it is to be carried out; and

(ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

(1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.

(2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.

(3) The Transport Planning and Coordination Act 1994, part 5, division 3—

(a) applies to the appeal; and

(b) provides—

(i) for the procedure for the appeal and the way it is to be disposed of; and

(ii) that the person may apply to the appeal court to have the original decision stayed.

(4) Subsection (5) applies if—

(a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

(5) The court may order—

(a) the appeals to be heard together or 1 immediately after the other; or

(b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

31 Applying for review

(1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.

(2) However, if—

(a) the notice did not state the reasons for the original decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)

the person may apply within 28 days after the person is given the statement of the reasons.

(3) In addition, the chief executive may extend the period for applying.

(4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

(1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.

(2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.

(3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.

(4) The chief executive is a party to the application.

(5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.

(6) The stay—

(a) may be given on conditions the relevant entity considers appropriate; and

(b) operates for the period specified by the relevant entity; and

(c) may be revoked or amended by the relevant entity.

(7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

(9) In this section—

relevant entity means—

(a) if the reviewed decision may be reviewed by QCAT—QCAT; or

(b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

(a) if a decision notice is given to the person—28 days after the notice was given to the person; or

(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

PAVEMENT MARKING LEGEND

REFER MUTCD FOR SPECIFIC DETAILS

	CL- CONTINUITY LINE LANE MARKING	200mm
	EL- EDGE LANE LINE MARKING	150mm
	TURNING DIRECTION ARROW	

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

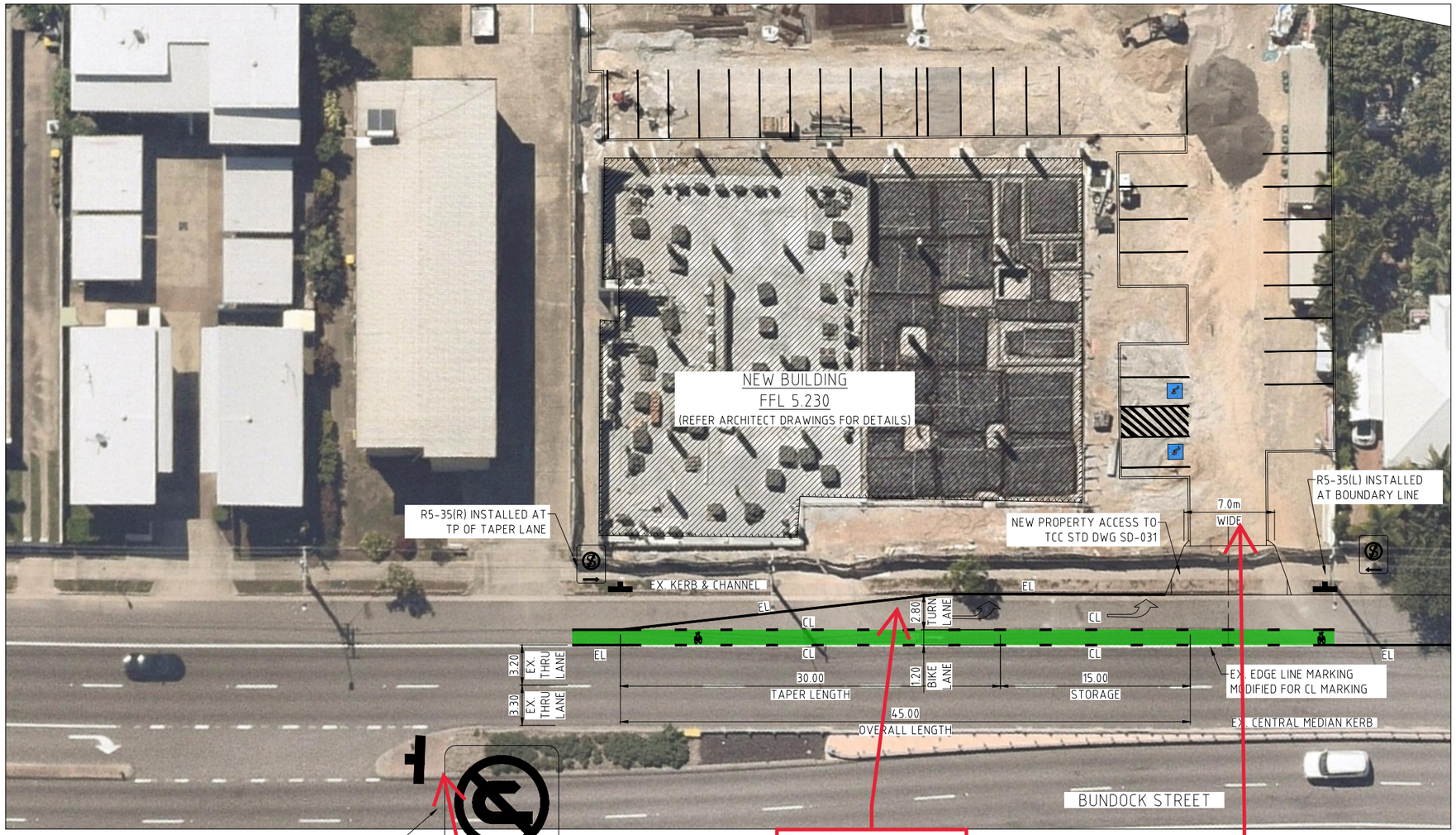
Queensland Government

SARA ref: 2401-38523 SRA

Date: 04 March 2024

Amended in red by SARA on

04 March 2024



NO "U-TURN" SIGN (R2-5 A) INSTALLED TO EX. CONCRETE MEDIAN

Road access works referred to in condition 4.

Road access works referred to in condition 3.

Permitted access location referred to in condition 2.

PLAN
SCALE 1:200

ROADWORKS AND LINEMARKING NOTES

1. CONTRACTOR WILL REQUIRE COUNCIL APPROVAL TO UNDERTAKE WORKS WITHIN ROAD RESERVE.
2. TRAFFIC MANAGEMENT PLAN AND TRAFFIC CONTROL TO ENSURE PEDESTRIAN SAFETY NOT COMPROMISED DURING HOURS OF WORK
3. EXISTING LINEMARKING MADE REDUNDANT TO BE REMOVED BY ABRASIVE BLASTING
4. ALL LINEMARKING, SIGNAGE AND RRPM INSTALLATION IN ACCORDANCE WITH MUTCD AND MRTS45

GENERAL NOTES

1. AERIAL PHOTOGRAPHY HAS BEEN SOURCED FROM NEARMAPS DATABASE, 2 DECEMBER 2022
2. THE CAPTURED PHOTO WAS RECORDED ON 15 SEPTEMBER 2022
3. THIS CIVIL DESIGN PLAN HAS BEEN PRODUCED TO SUPPORT THE DEVELOPMENT APPLICATION OVER 19- 23 BUNDOCK STREET, BELGIAN GARDENS, TOWNSVILLE, FOR A SUBMISSION TO SARA FOR TMR CONSENT
4. ALL LEVELS ARE IN METRES (m) UNLESS NOTED OTHERWISE
5. SITE SURVEY MUST BE COMPLETED AFTER ANY DEMOLITION WORKS
6. REFER SURVEY PLANS FOR LOT LAYOUTS AND DIMENSIONS
7. ALL DIMENSIONS AND SETOUT SHALL BE VERIFIED BY THE CONTRACTOR ONSITE PRIOR TO COMMENCEMENT OF CONSTRUCTION
8. ALL LINEMARKING IN ACCORDANCE WITH MUTCD REQUIREMENTS AND SPECIFICATIONS
9. INSTALLED SIGNS ARE PROPRIETARY SOURCED SIGNS UNLESS NOTED OTHERWISE
10. ALL FIXINGS TO POST AND BOARDS AS PER SUPPLIERS REQUIREMENTS
11. PROPOSED SIGNS TO COMPLY WITH MUTCD REQUIREMENTS AND SPECIFICATIONS

ELECTRICAL & TELECOMMUNICATIONS

ALL ELECTRICAL AND TELECOMMUNICATION SERVICES HAVE NOT BEEN SHOWN FOR CLARITY. DBYD DRAWINGS ARE TO BE READ IN CONJUNCTION WITH DESIGN PLANS PRIOR TO COMMENCEMENT ON CONSTRUCTION. ANY SERVICE PIT THAT REMAINS IN THE WORKS AREA ARE TO HAVE A CLASS 'D' TRAFFICABLE LID AND BE LIFTED OR LOWERED TO BE FLUSH WITH NEW PAVEMENT LEVELS.

EXISTING SERVICES

ALL EXISTING SERVICES ARE TO BE LOCATED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION THROUGH THE RELEVANT SERVICE AUTHORITY

STATUS: FOR APPROVAL

REV	DESCRIPTION	DRAWN	DATE
D	FURTHER COMMENTS FROM TMR FOR APPROVAL	SMCE	22.12.22
C	ADDITIONAL COMMENTS FROM TMR FOR APPROVAL 19.12.22	SMCE	21.12.22
B	MINOR DETAILS AMENDED FOR TMR ADVICE 15.12.22	SMCE	18/12/2022
A	FOR APPROVAL	SMCE	02/12/2022

SCALE: NOTED

ORIGINAL SHEET SIZE: A1

CONTRACTOR: -

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smce
STEVE MCKENZIE CONSULTANT ENGINEER
ACN 092 705 130
TOWNSVILLE 18 Ingham Rd West End Qld 4810
MACKAY 31 Gregory Street Mackay Qld 4740
BRISBANE 5/ 386 Earnshaw Road Banyo QLD 4017
E admin@smce.net.au W www.smce.net.au

CLIENT: ASHRAF AGAIBEY

PROJECT: PROPOSED MIXED USE DEVELOPMENT 19 TO 23 BUNDOCK STREET NORTH WARD, TOWNSVILLE

DRAWING NAME: BUNDOCK STREET AUL UPGRADE WORKS PLAN

SIGNED: RJM

RPEQ No. 18480

DATE: 02/12/2022

TASK	BY	INITIAL	DATE
REVIEW	SMCE	SMCE	02/12/2022
DESIGN	SMCE	SMCE	02/12/2022
DRAWN	SMCE	SMCE	02/12/2022

PROJECT NUMBER: 18144AA

DRAWING NUMBER: C06.3

REVISION: D

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

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[1] regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

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.[2]

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.

---

1 Pursuant to Section 68 of the *Planning Act 2016*

2 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.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

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.[3]

[3] 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.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Our reference: 2401-38523 SRA
Your reference: DA035-23

###Secondary1###

The Chief Executive Officer
Townsville City Council
PO Box 1268
Townsville QLD 4810
developmentassessment@townsville.qld.gov.au

Attention: Ms. Melanie Percival

Dear Ms. Percival,

SARA response—Change (Other) to 23 Bundock Street, Belgian Gardens

(Given under section 56 of the Development Assessment Rules)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 5 February 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	5 March 2024
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

Development permit:	Material change of use for Request for Change (Other) associated with MI14/0038 - Multiple Dwelling and Health care services
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a state transport corridor (Road) (Planning Regulation 2017)
SARA reference:	2401-38523 SRA
Assessment manager:	Townsville City Council

North and North West regional office
Level 4, 445 Flinders Street, Townsville
PO Box 5666, Townsville QLD 4810

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Street address:	23 Bundock Street, Belgian Gardens
Real property description:	Lot 1 on SP333143
Applicant name:	A. Agaibey
Applicant contact details:	PO Box 5493 Townsville Q 4810 Townsville QLD 4810 enquire@bncplanning.com.au
State-controlled road access permit:	This referral included an application for a road access location under section 62A(2) of the *Transport Infrastructure Act 1994*. Below are the details of the decision: • Approved • Reference: TMR24-041699 • Date: 29 February 2024 If you are seeking further information on the road access permit, please contact, Mr Rakibul Hossain, at the Department of Transport and Main Roads at North.Queensland.IDAS@tmr.qld.gov.au
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.

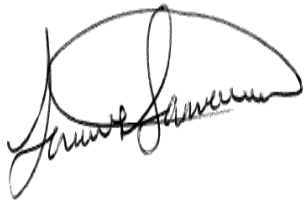
Representations

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 Amber Can, Senior Planner, on 07 5644 3227 or via email NQSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/Manager (Planning)

cc A. Agaibey, enquire@bncplanning.com.au

enc Attachment 1—Referral agency conditions
Attachment 2—Advice to applicant
Attachment 3—Reasons for referral agency response
Attachment 4—Representation above a referral agency response
Attachment 5—Document referenced in conditions

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

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
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 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 conditions:		
1.	Noise attenuation measures to achieve the following noise criteria must be provided: a) All facades meet the following external noise criteria: • ≤60 dB(A) L10 (18 hour) facade corrected (measured L90 (8 hour) free field between 10 pm and 6 am ≤40 dB(A)) • ≤63 dB(A) L10 (18 hour) facade corrected (measured L90 (8 hour) free field between 10 pm and 6 am >40 dB(A)). AND b) Every private open space exposed to noise from a state-controlled road meet the following external noise criteria: • ≤57 dB(A) L10 (18 hour) free field (measured L90 (18 hour) free field between 6 am and 12 midnight ≤45 dB(A)) • ≤60 dB(A) L10 (18 hour) free field (measured L90 (18 hour) free field between 6 am and 12 midnight >45 dB(A)). AND c) Every passive recreation area exposed to noise from a state-controlled road meet the following external noise criteria: • 63 dB(A) L10 (12 hour) free field (between 6 am and 6 pm).	Prior to the commencement of use and to be maintained at all times
2.	The permitted road access location, is to be located on Bundock Street, generally in accordance with Bundock Street AUL upgrade works plan, prepared by SMCE, dated 22/12/2022, drawing number C06.3, revision D, as amended in red by SARA.	At all times
3.	Road access works comprising of a 7m wide driveway crossover with an Auxiliary Left Turn Treatment [AUL(s)], must be carried out generally in accordance with Bundock Street AUL upgrade works plan, prepared by SMCE, dated 22/12/2022, drawing number C06.3, revision D, as amended in red by SARA. The road access works must be designed and constructed in accordance with the following: • Figure 13.73 Auxiliary Left Turn Treatment [AUL(s)] on the Major Leg of an Urban Road, of the Department of Transport and Main Roads' Road Planning and Design\ Manual;	Prior to the commencement of use and to be maintained at all times

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

	• The Department of Transport and Main Roads' Pavement design supplement; • Part 2: Pavement Structural Design of Austroads Guide to Pavement Technology (Austroads, 2012); and • Townsville City Council's standard drawing for a two-way commercial access (driveway entrance)	
4.	Road works comprising of a 'No U-Turn' sign (R2-5), must be provided generally in accordance with Bundock Street AUL upgrade works plan, prepared by SMCE, dated 22/12/2022, drawing number C06.3, revision D, as amended in red by SARA. The road works must be designed and constructed in accordance with the Manual Uniform Traffic Control Devices (Queensland).	Prior to the commencement of use and to be maintained at all times
5.	a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road. b) Any works on the land must not: i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road. c) RPEQ certification must be provided to Team Leader, Project Planning and Corridor Management, Department of Transport and Main Roads (Northern Region) email: North.Queensland.IDAS@tmr.qld.gov.au, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.	(a) and (b) At all times (c) Prior to commencement of use

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment 2—Advice to the applicant

General advice	
1.	Road access works approval: Under section 33 of the *Transport Infrastructure Act 994, w*ritten approval is required from the Department of Transport and Main Roads to carry out road works and road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads at North.Queensland.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment 3—Reasons for referral agency response

The reasons for SARA's decision are:

The proposed development complies with State code 1 of SDAP. Specifically, the development:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the function and efficiency of state-controlled roads or future state-controlled roads
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
- does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure
- maintains or improves access to public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the state's ability to operate public passenger services on state-controlled roads
- is conditioned to protect community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.

Material relied upon in the assessment:

- the development application material and submitted plans,
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (v3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Human Rights Act 2019.

Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment 4—Representations about a referral agency response provisions

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Document Set ID: 22870542
Version: 1, Version Date: 05/03/2024

Attachment 5—Document referenced in conditions

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Version: 1, Version Date: 05/03/2024