

SARA reference: 2408-41971 SRA
Council reference: MCU21/0089.003
Applicant reference: -

22 September 2025

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

Attention: Development Assessment

Dear Sir/Madam

SARA referral agency response— Change application (other) - Material change of use - 325 Shaw Road, Shaw

(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 2 September 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	22 September 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 including Fast Food Outlet and Carwash
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 or that is a future state transport corridor (10.9.4.2.4.1) (Planning Regulation 2017)	
SARA reference:	2408-41971 SRA	

Assessment manager: Townsville City Council

Street address: 325 Shaw Road, Shaw

Real property description: Lot 19 on SP107219

Applicant name: Mr Robert Henwood

Applicant contact details: 5 Kanbara Street
Flinders Park SA 5025
rahplanning@bigpond.com

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: TMR24-043542
- Date: 12 September 2025

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at corridor.northern@tmr.qld.gov.au

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.

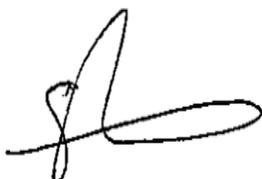
Representations

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 Kirsty Geaney, Principal Planning Officer, on 47583414 or via email NQSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Carl Porter
A/ Manager Planning

cc Mr Robert Henwood, rahplanning@bigpond.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 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		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 - Material change of use of premises near a state transport corridor or that is a future state transport corridor (10.9.4.2.4.1)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.	The development must be carried out generally in accordance with Proposed Commercial Development, prepared by Brett Hodkinson Building Design, dated 14 June 2024, reference 24-06 KIN, Sheet No A01 Rev B.	Prior to the commencement of use and to be maintained at all times.
2.	Carry out the stormwater management of the development generally in accordance with: <ul style="list-style-type: none"> • The Flood Impact Assessment prepared by prepared by Imbris, dated 14 May 2025, report number LCJ005-325SR-002 • Addendum to 325 Shaw Rd Development Flood Impact Assessment Report, prepared by Imbris, dated 15 August 2025, reference LCJ005-325SR-002-ADD1 	At all times
3.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the State transport corridor, such that any works on the land must not:</p> <ul style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state transport corridor; ii. concentrate or increase the velocity of flows to the State-transport corridor; iii. interfere with and/or cause damage to the existing stormwater drainage on the state transport corridor; iv. surcharge any existing culvert or drain on the state transport corridor; v. reduce the quality of stormwater discharge onto the state transport corridor; vi. impede or interfere with any overland flow or hydraulic conveyance from the state transport corridor; vii. reduce the floodplain immunity of the state transport corridor. <p>(b) Submit RPEQ certification with supporting documentation to the Team Leader – Corridor Management within the Department of Transport and Main Roads, confirming that the development has been designed in accordance with part (a) of this condition.</p> <p>(c) Submit RPEQ certification with supporting documentation to Team Leader – Corridor Management within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with parts (a) and (b) of this</p>	<p>(a) At all times.</p> <p>(b) Prior to the commencement of building work</p> <p>(c) Within 20 business days of the completion of works.</p>

	condition.	
4.	<p>(a) Road access is located generally in accordance with:</p> <ul style="list-style-type: none"> • Functional Layout prepared by Cambray Consulting Traffic Engineering and Transport Planning, dated 10/01/2024, reference KIN0323-01//SK01, Rev A • Dimensions prepared by Cambray Consulting Traffic Engineering and Transport Planning, dated 10/01/2024, reference KIN0323-01//SK02 Rev A • Swept Path Assessment 19m AV prepared by Cambray Consulting Traffic Engineering and Transport Planning, dated 10/01/2024, dated 10/01/2024, reference KIN0323-01//SK03 –, Rev A • Safe Intersection sight distances prepared by Cambray Consulting Traffic Engineering and Transport Planning, dated 10/01/2024, reference KIN0323-01//SK02, Rev A <p>(b) Provide road access works comprising standard vehicle access, at the road access location referred to in part (a) of this condition generally in accordance with the plans listed in part (a) of this condition.</p> <p>(c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with</p> <ol style="list-style-type: none"> i. the Department of Transport and Main Roads' <i>Road Planning and Design Manual, 2nd Edition</i>; ii. the Department of Transport and Main Roads' <i>Policies and Technical Specifications</i>; iii. the Department of Transport and Main Roads' <i>Standard Drawings Roads</i>; and iv. Townsville City Council Standard Drawings. 	<p>(a) At all times</p> <p>(b) and (c):</p> <p>Prior to the commencement of use</p>
5.	<p>(a) Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, and other works involving ground disturbance must not encroach upon or de-stabilise the road corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.</p> <p>(b) Submit RPEQ certification, with supporting documentation, to the North Queensland Program Delivery and Operations Branch (North.Queensland.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with part (a) of this condition.</p>	<p>(a)</p> <p>At all times</p> <p>(b)</p> <p>Within 20 business days of the completion of works</p>

Attachment 2—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.
2.	This development approval does not include approval for any works located within the road reserve of the State-controlled Road. Further approval from the Department of Transport and Main Roads is required pursuant to the provisions of the <i>Transport Infrastructure Act 1994</i> .
3.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out work on a State-controlled Road. Even though a development approval may have been given by a local Council, it is still necessary to obtain approval to construct road works within a State-controlled Road from the Department of Transport and Main Roads.</p> <p>To make an application for road works approval, please contact the Department of Transport and Main Roads via corridor.northern@tmr.qld.gov.au, and include a completed Road Works/Road Access Works in a State-controlled road Application Form (Form F5082) available at: https://www.tmr.qld.gov.au/community-and-environment/planning-and-development/other-matters-requiring-approval</p> <p>This approval must be obtained <u>prior</u> 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). Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

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 against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.0:
 - State code 1: Development in a state-controlled road environment.
- The development complies with the assessment benchmarks of State code 1 of SDAP 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

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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Attachment 5—Documents referenced in conditions

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