

MISS JESSICA REISER

Our Ref: MCU194

24 August 2021

Wendy Wood  
Barry Smith Transport  
C/- Out of Woods Planning  
14 Cobbold Lane  
Maroochydore QLD 4558

Email: [wendy@outofwoodsplanning.com.au](mailto:wendy@outofwoodsplanning.com.au)

Dear Wendy,

### Decision notice approval

(Given under section 63(2) of the *Planning Act 2016*)

The development application described below was properly made to the Balonne Shire Council on 13 May 2021.

#### Applicant details

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Applicant name: Barry Smith Transport  
C/- Out of Woods Planning

Applicant contact details: [wendy@outofthewoodsplanning.com.au](mailto:wendy@outofthewoodsplanning.com.au)  
0418 405 006

#### Location details

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Street address: 19-25 Dirranbandi-Hebel Road (Castlereagh Highway), Dirranbandi QLD 4486

Real property description: Lot 41 on BLM487

#### Application details

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Application number: MCU194

Approval sought: Development Permit

Details of proposed development: Development application for Material Change of Use – “Service Station Use” (Unmanned Refuelling Facility) and “Operational Works” (Earthworks)

Category of Assessment: Code Assessable

Planning Scheme: *Balonne Shire Planning Scheme 2019*

## Decision

I wish to advise that, on 19 August 2021, the above development application was **approved in full** subject to conditions by Council. (Refer to the conditions contained in **Attachment 1**)

## Details of the approval

This application is not taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approvals are given:

	<i>Planning Regulation 2017</i> reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - material change of use	N/A	<input checked="" type="checkbox"/>	N/A

## Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Development Permit – Building Work
- Development Permit – Plumbing and Drainage works

## Properly made submissions

Not Applicable – No Part of the application required public notification.

## Referral agencies for the application

The referral agencies for the application are:

For an application involving	Name and address of referral agency	Advice agency or concurrence agency
<i>Development application for 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>	Queensland Government State Assessment and Referral Agency PO Box 825 Toowoomba QLD 4350	Concurrence Agency



Refer to Attachment 2 for conditions of approval imposed by the Queensland Government, State Assessment and Referral Agency as a result of the referral/s.

### Approved plans, specifications and drawings

Copies of the following approved plans, specifications and/or drawings are enclosed.

Plan/Document Number:	Plan/Document Name:	Date:
090-001 Issue D	Plan of Development	11/05/2021
LSB-80-A0 Revision 01	ADBlue10KL – Design of Fuel Container sheet 1 of 2	2018/4/25
LSB-80-00 Revision 01	Self Bunded Tanks Model#LSB-80(48 Foot) Exploded View Sheet 2 of 2	2015/06/1
21-472 Revision A	Traffic Impact Statement Prepared by Pekol Traffic and Transport	05/21

### Currency period for the approval (s.85 of the Planning Act)

For Material Change of Use - This approval lapses if the first change of use does not happen within 6 years after the approval starts to have effect.

### Appeal Rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

#### Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

#### Appeal by an eligible submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

**Attachment 3** is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

For further information please contact Jessica Reiser, Planning Officer, on 07 4624 0619 or via email [council@balonne.qld.gov.au](mailto:council@balonne.qld.gov.au) who will be pleased to assist.

Yours sincerely



Matthew Magin

**Chief Executive Officer**

cc. Referral Agency - State Assessment and Referral Agency  
128 Margaret Street, Toowoomba QLD 4350  
PO Box 825  
Toowoomba QLD 4350

enc: Attachment 1—Assessment Manager Conditions of Approval (Balonne Shire Council)  
Attachment 2—Concurrence Agency Response Conditions  
Attachment 3—Appeal provisions  
Attachment 4—Statement of Reasons  
Attachment 5—Approved plans and specifications



## ATTACHMENT 1 – ASSESSMENT MANAGER CONDITIONS OF APPROVAL (BALONNE SHIRE COUNCIL)

### Conditions:

#### CONDITIONS APPLICABLE TO MATERIAL CHANGE OF USE – “SERVICE STATION” (UNMANNED REFUELLING FACILITY) AND OPERATIONAL WORKS (EARTHWORKS)

#### Use

1. The approved development is a “Service Station” (Unmanned Refuelling Facility) and “Operational Works” (Earthworks) as defined in the Planning Scheme and *Planning Act 2016* respectively, and as shown on the approved plans.

#### Compliance inspection

2. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.
3. Prior to the commencement of use, the applicant shall contact Council to arrange a development compliance inspection.

#### Approved plans and documents

4. All works and operations are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Manager’s conditions, the Assessment Manager’s conditions prevail.

Plan/Document Number:	Plan/Document Name:	Date:
090-001 Issue D	Plan of Development	11/05/2021
LSB-80-A0 Revision 01	ADBlue10KL – Design of Fuel Container sheet 1 of 2	2018/4/25
LSB-80-00 Revision 01	Self Bunded Tanks Model#LSB-80(48 Foot) Exploded View Sheet 2 of 2	2015/06/1
21-472 Revision A	Traffic Impact Statement Prepared by Peko Traffic and Transport	05/21

#### Development works

5. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
6. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners’ requirements and specifications and to the satisfaction of the asset owners’ representative(s).
7. All works on or near roadways shall be adequately signed in accordance with the “Manual for Uniform Traffic Control Devices – Part 3, Works on Roads”.



## Applicable standards

8. All works must comply with:
  - a) the development approval conditions;
  - b) any relevant provisions in the Planning Scheme;
  - c) Balonne Shire Council Private Property Entrance Policy 2010;
  - d) any relevant Australian and Austroads Standards and the National Construction Code that applies to that type of work; and
  - e) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

## Stormwater drainage

9. Stormwater drainage is to be provided in accordance with:
  - a) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
  - b) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
10. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed. The developer shall ensure that in all cases, discharge of stormwater runoff from the development drains freely to the legal point/s of discharge for the development.
11. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
12. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

## Avoiding nuisance

13. No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.
14. Dust emanating as result of activities carried out onsite (both during construction and post construction) must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
15. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
16. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses (during construction and post construction). The premises is to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
17. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.



18. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Noise) Policy 2008*.
19. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2008*.
20. Parking areas for vehicles associated with the construction works must be provided within the development site.

#### **Development costs**

21. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

#### **Latest versions**

22. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

#### **Application documentation**

23. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

#### **Document control**

24. Should amendments be required to the approved plans and/or documents during construction, amended drawings and/or specifications shall be submitted to Council with an accompanying letter outlining the amendment together with any supporting information. All amendments shall be provided to Council for approval prior to the works being undertaken.

#### **CONDITIONS APPLICABLE TO MATERIAL CHANGE OF USE – "SERVICE STATION" (UNMANNED REFUELLING FACILITY)**

#### **Waste management**

25. All waste generated from construction activities must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
26. Adequate refuse storage areas and facilities must be provided on the site to service the approved development. Refuse storage facilities are to be screened from view at the street frontage and from adjoining properties.
27. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.



## Environment

28. The area surrounding the refuelling facility tank that is within reach of the fuel dispenser/s must be banded and appropriate pollution control devices and methods implemented to contain potential spills and prevent discharge of contaminants from the site.

## Access, manoeuvring and car parking

29. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
30. Vehicle access from the Dirranbandi – Hebel Road (Castlereagh Highway) to the site is to be constructed with a sealed surface. The crossover design must provide for two-way access and cater for the maximum vehicle size accessing the site, ensuring no damage occurs to the adjoining roadway.
31. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, street lights, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
32. All vehicle movements within the site are to be clear of proposed parking areas, buildings and landscape treatments. Vehicle parking bays must not encroach into swept paths for vehicle movements onsite.
33. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.
34. In addition to the temporary parking spaces at fuel dispenser/s, 3 car parking spaces are to be provided within the development site area generally in the location shown on approved plan 090-001, Issue D – 'Plan Of Development', dated 11/02/2021.
35. Car parking and manoeuvring areas are to be designed in accordance with:
  - a) AS2890.1 – Parking Facilities;
  - b) Austroads AP-34/95 - Design Vehicles and Turning Path Templates; and
  - c) The 'Access to Premises Standard' (Vol 1 of the National Construction Code).

## Landscaping and fencing

36. Landscaping areas are to be provided adjacent to the site frontage to Dirranbandi – Hebel Road (Castlereagh Highway) in the location shown on approved plan 090-001, Issue D – 'Plan of Development', dated 11/02/2021. Landscaping areas must contribute to the amenity of development by enhancing the visual appeal and softening the built form.
37. All landscaping works are to be completed prior to the commencement of use.
38. Site landscaping is to be irrigated during an establishment period of two years, and ground covers should fully cover vegetated areas within one year of planting.
39. All site landscaping is to be maintained throughout the duration of the approved use. Any dead and/or unhealthy plants are to be promptly removed and replaced.



40. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
41. Landscaping must not interfere with site lines at access driveways for vehicle traffic.

#### **Provision of services**

42. The development must be connected to adequate services for the approved use (i.e. Council's reticulated water and sewerage supply networks).
43. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
44. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
45. All services installation connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such design exist, (iv) any relevant Australian Standard that applies to that type of work and (v) any alternative specifications that Council has agreed to in writing and which the development must ensure do not conflict with any requirements imposed by any applicable laws and standards.

#### **CONDITIONS APPLICABLE TO OPERATIONAL WORKS (EARTHWORKS)**

##### **Avoiding nuisance**

46. The transportation of materials, equipment and machinery to and from the site during the course of the construction activities, is to be undertaken in a manner that ensures public access ways and roads are kept free of dust and spoil.
47. Construction activities must not prevent or obstruct access to adjoining properties, land uses or roads.
48. Any waste associated with the development works must be contained and disposed of from the site to prevent release to adjoining properties and roads.

##### **Earthworks and construction**

49. All earthworks, including batters, shall be fully contained within the development site and must not in any way impact on the properties adjoining the site.
50. No contaminated material is to be excavated or disturbed and no contaminated material or waste materials are to be used as fill.
51. Fill material is:
  - a) contained wholly within the site;
  - b) located in a single manageable area;
  - c) located a minimum distance of 10 metres from any property boundary;
  - d) does not exceed 1m deep or 1m high;
  - e) limited to the quantity necessary to establish the proposed works;



- f) ensures no ponding develops on adjacent land at any time;
- g) restores all surfaces exposed or damaged by the operations to their original standard immediately on conclusion of the works.

#### Erosion and sediment control

- 52. Erosion and sedimentation controls shall be implemented and maintained at all times during the course of the works. To the extent practicable, erosion and sediment controls are to be established prior to the commencement of works, and be monitored, maintained and adjusted as necessary to ensure ongoing effectiveness.
- 53. Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining roads during the course of the construction period and to prevent dust nuisance during construction. It is the developer's responsibility to ensure that all reasonable measures are taken to protect nearby properties and roads from dust pollution, erosion, siltation or sediment transport.
- 54. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
- 55. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.

#### Vegetation

- 56. Vegetation removal from the site is limited to that necessary to facilitate the approved works.

#### General advice:

- I. Refer to <https://www.balonne.qld.gov.au/council/publications/policies-plans-strategies> for Council Policies.
- II. The relevant planning scheme for this development is Balonne Shire Planning Scheme 2019. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this Planning Scheme.
- III. Under the *Balonne Shire Planning Scheme 2019*:  
**Service Station** means: *Premises used for the sale of fuel including petrol, liquid petroleum gas, automotive distillate and alternative fuels. The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air. The use does not include a car wash.*
- IV. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.



- V. All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- VI. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved development.
- VII. All persons involved in the development, operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- VIII. Refer to <https://www.worksafe.qld.gov.au/injury-prevention-safety/hazardous-chemicals/specific-hazchem-workplaces/service-stations#operator> the regulatory body for Service Stations in Queensland.
- IX. The land use rating category may change upon commencement of any new approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: [www.balonne.qld.gov.au](http://www.balonne.qld.gov.au).
- X. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

ATTACHMENT 2 – QUEENSLAND GOVERNMENT, STATE ASSESSMENT AND  
REFERRAL AGENCY CONCURRENCE AGENCY RESPONSE



## ATTACHMENT 3 – PLANNING ACT EXTRACT APPEAL RIGHTS

### Chapter 6 Dispute resolution Part 1 Appeal rights

#### 228 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

- (a) matters that may be appealed to—
  - (i) either a tribunal or the P&E Court; or
  - (ii) only a tribunal; or
  - (iii) only the P&E Court; and
- (b) the person—
  - (i) who may appeal a matter (the **appellant**); and
  - (ii) who is a respondent in an appeal of the matter; and
  - (iii) who is a co-respondent in an appeal of the matter; and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is—

- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

(6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund—

- (i) the establishment cost of trunk infrastructure identified in a LGIP; or
- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

## 229 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under
  - (d) schedule 1, table 1, item 1—each principal submitter for
  - (e) the development application; and
  - (f) for an appeal about a change application under
  - (g) schedule 1, table 1, item 2—each principal submitter for
  - (h) the change application; and
  - (i) each person who may elect to become a co-respondent
  - (j) for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  - (k) for an appeal to the P&E Court—the chief executive; and
  - (l) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
  - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

## 230 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.



- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—  
**decision** includes—
- (a) conduct engaged in for the purpose of making a decision; and
  - (b) other conduct that relates to the making of a decision; and
  - (c) the making of a decision or the failure to make a decision; and
  - (d) a purported decision; and
  - (e) a deemed refusal.

**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

### 231 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

## ATTACHMENT 4 — STATEMENT OF REASONS

The following information is provided in accordance with section 63 of the *Planning Act 2016*.

<b>Description of Development</b>	Development application for Material Change of Use – “Service Station Use” (Unmanned Refuelling Facility) and “Operational Works” (Earthworks)
<b>Assessment benchmarks</b>	<p>The proposed development was assessed against the following Assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Maranoa-Balonne Regional Plan;</li> <li>• <i>Darling Downs Regional Plan</i>;</li> <li>• <i>State Planning Policy</i>; and</li> <li>• <i>Balonne Shire Planning Scheme 2019</i> <ul style="list-style-type: none"> <li>• Part 4 Local Government Infrastructure Plan</li> <li>• Part 5 Tables of assessment</li> <li>• Part 6 Zones                             <ul style="list-style-type: none"> <li>○ Part 6.2.3 Industry zone code</li> </ul> </li> <li>• Part 7 Development Codes                             <ul style="list-style-type: none"> <li>○ Part 7.3.1 General development code</li> <li>○ Part 7.4.1 Operational works code</li> </ul> </li> </ul> </li> </ul>
<b>Relevant matters</b>	The relevant matters are the Assessment benchmarks.
<b>Matters raised in submissions</b>	Not Applicable.
<b>Reasons for decision</b>	It is considered that on balance, the proposal presents no significant inconsistency with the applicable assessment benchmarks. Development conditions have been imposed to ensure compliance to the greatest extent possible.



ATTACHMENT 5 — APPROVED PLANS AND SPECIFICATIONS





Drawing No. 090-001 Issue D  
 Date 11/05/2021

**PLAN OF DEVELOPMENT**  
 Proposed Unmanned Service Station  
 Lot 41 on Crown Plan BLM487  
 19-25 Dirranbandi-Hebel Road, Dirranbandi

Legend:  
 [White box] Proposed 80,000 litre diesel fuel tank  
 [Yellow box] Extent of fill  
 [Green box] 2m wide Landscaping strips  
 Note: plan is not to scale  
 Source: Queensland Globe

ABN 26 373 259 082  
 14 Cobbold Lane  
 MAROOCHYDORE QLD 4558  
 0418 405 006  
  
 OUT OF THE WOODS  
 PLANNING



.....  
Date of Approval / CEO

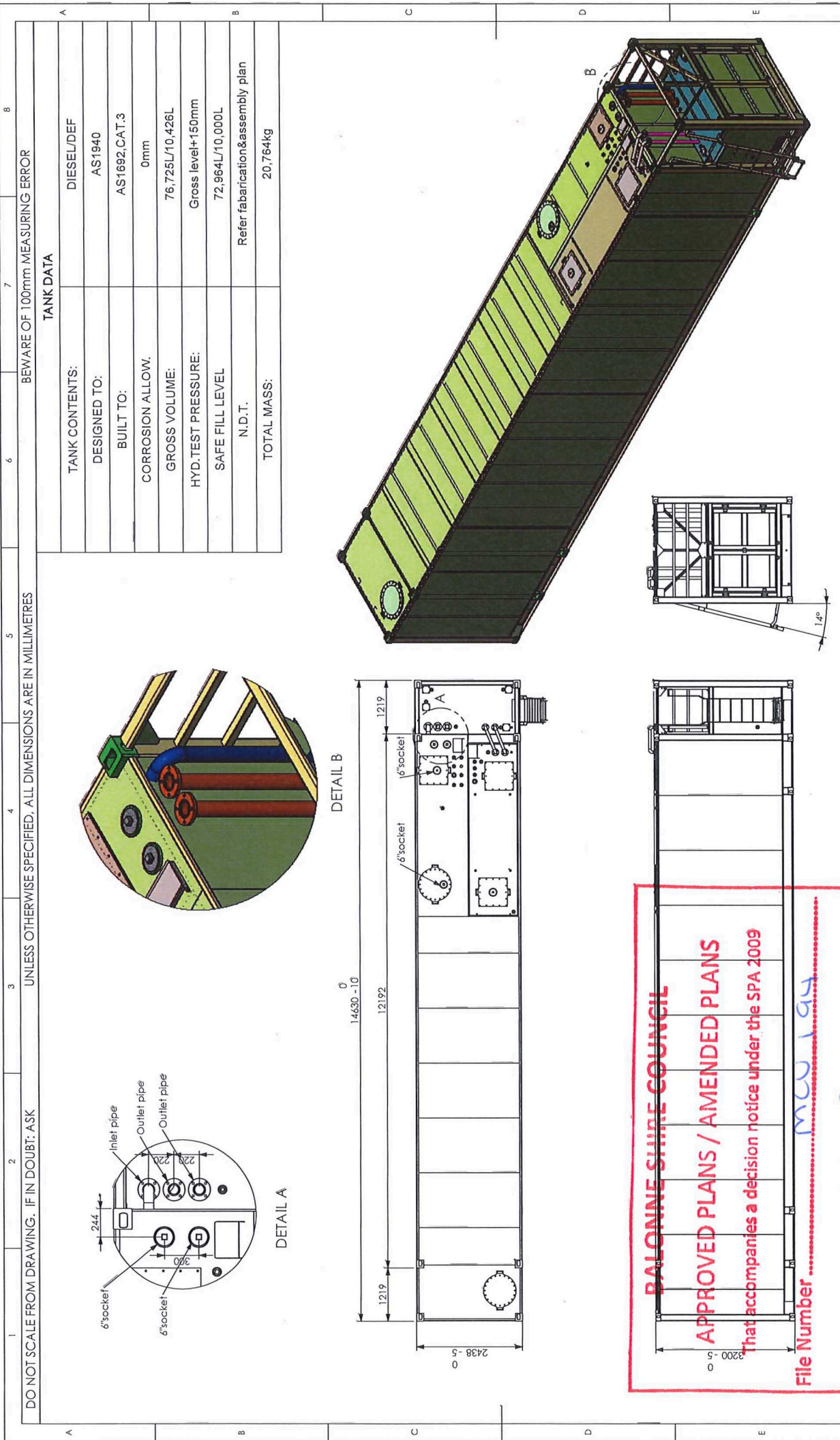
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Date of Approval

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File Number

That accountants & special notice & assignment text

APPROVED BY THE BOARD

BY THE BOARD



DWG NO. / PART NO.		JOB NO.	
LSB-80-A0		AdBlue10KL	
CLIENT:			
TITLE:		SHEET SIZE	
		A3	
		REVISION	
		01	
SCALE: N.T.S.		SHEET 1 OF 2	

THIRD ANGLE PROJECTION		DATE	
2018/7/25			
COPYRIGHT © 2006 FES ALL RIGHTS RESERVED NO PARTS TO BE COPIED OR REPRODUCED UNLESS PREVIOUSLY AUTHORISED			
TOLERANCE UNLESS OTHERWISE SPECIFIED		WEIGHT: kg	
DRAWN		MATERIAL	
CHKD		1:10	
APPVD		0.0 = +0.1	
		0.00 = +0.1	

**BALONNE SHIRE COUNCIL**

**APPROVED PLANS / AMENDED PLANS**

**That accompanies a decision notice under the SPA 2009**

File Number ..... *MCU 1947*

Date of Approval ..... *19.08.21*

Assessment Mgr / CEO ..... *[Signature]*

1 2 3 4 5 6 7 8

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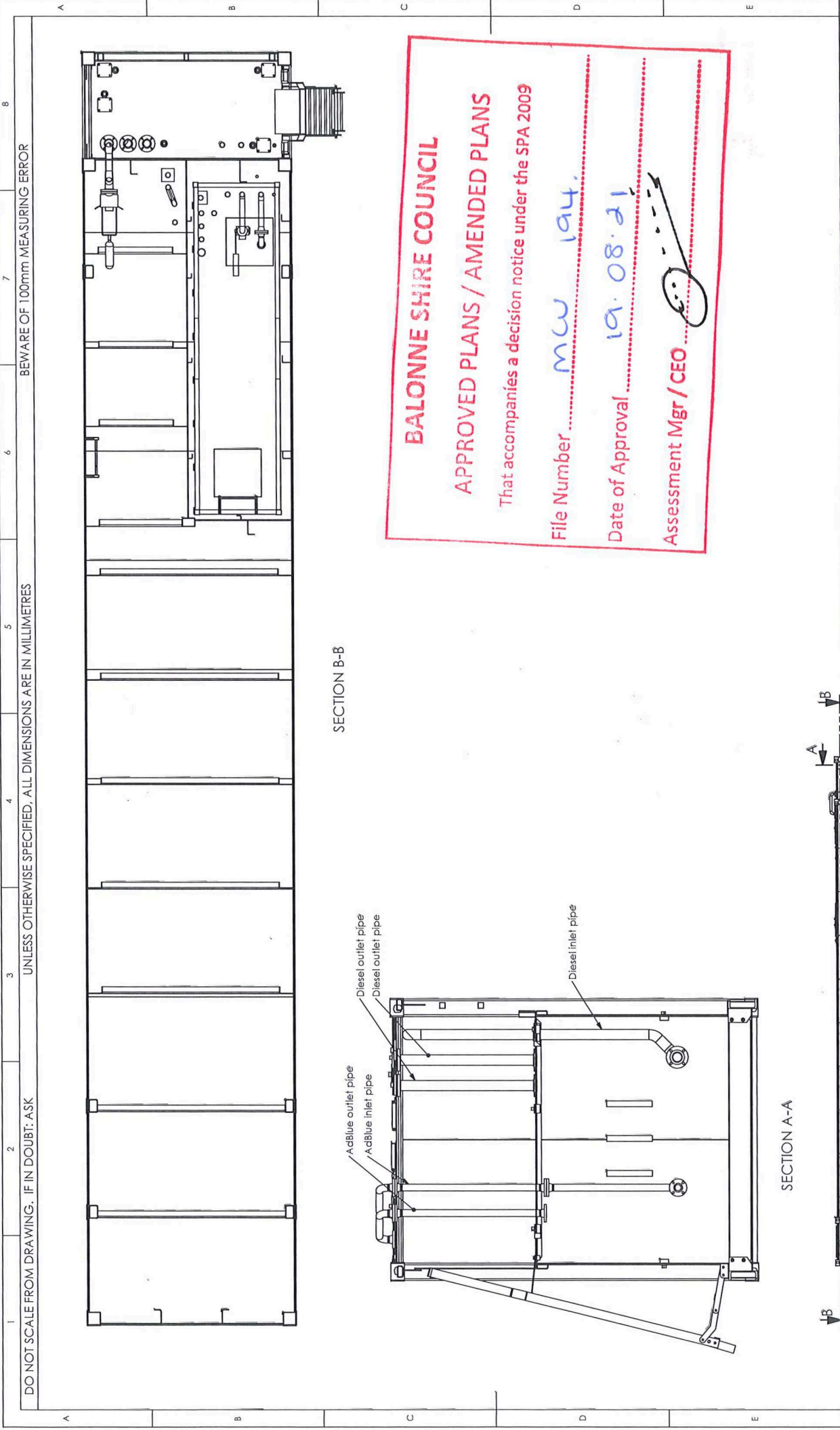
UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE IN MILLIMETRES

BEWARE OF 100mm MEASURING ERROR

TANK DATA	
TANK CONTENTS:	DIESEL/DEF
DESIGNED TO:	AS1940
BUILT TO:	AS1692,CAT.3
CORROSION ALLOW.	0mm
GROSS VOLUME:	76,725L/10,426L
HYD. TEST PRESSURE:	Gross level+150mm
SAFE FILL LEVEL:	72,964L/10,000L
N.D.T.	Refer fabrication&assembly plan
TOTAL MASS:	20,764kg







**BALONNE SHIRE COUNCIL**

**APPROVED PLANS / AMENDED PLANS**

That accompanies a decision notice under the SPA 2009

File Number ..... *mw 194.*

Date of Approval ..... *19.08.21*

Assessment Mgr / CEO ..... *[Signature]*

SECTION B-B

SECTION A-A

BEWARE OF 100mm MEASURING ERROR

UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE IN MILLIMETRES

DO NOT SCALE FROM DRAWING. IF IN DOUBT, ASK

		DWG NO. / PART NO. <b>LSB-80-00</b>	JOB NO. <b>AdBlue10KL</b>
THIRD ANGLE PROJECTION		CLIENT: SELF BUNDED TANKS MODEL#LSB-80(48FOOT) EXPLODED VIEW	SHEET SIZE <b>A3</b>
DRAWN CHCD	NAME DATE 2018/6/1	TITLE: SCALE: N.T.S. SHEET 2 OF 2	REVISION 01
COPYRIGHT © 2008. THE CONTENTS OF THIS DRAWING REMAINS THE PROPERTY OF FES. CONTENTS MAY NOT BE COPIED OR REPRODUCED UNLESS PREVIOUSLY AUTHORISED.		TELEPHONE NO. MATERIAL: 0.0 = +0.4 0.00 = +0.1	WEIGHT: 20763.89 Kg



Handwritten text on a lined page, possibly a page from a notebook or a document. The text is written in cursive and is mostly illegible due to blurriness. The page has a red border and horizontal lines. The text appears to be organized into several lines, possibly representing a list or a series of notes. The word "Lecture" is faintly visible at the top left of the page.

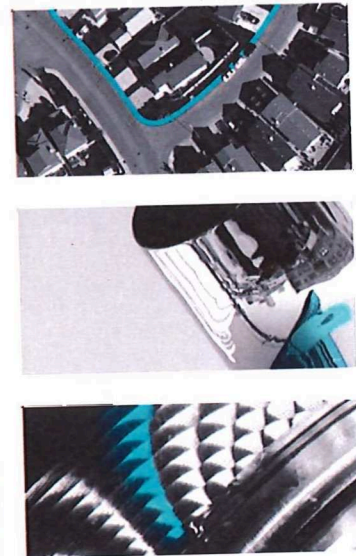
**PROPOSED 'SELF-SERVE' TRUCK REFUELLING FACILITY  
19-25 DIRRANBANDI-HEBEL ROAD, DIRRANBANDI**

**TRAFFIC IMPACT STATEMENT**

**7 MAY 2021**

PREPARED FOR

OUT OF THE WOODS PLANNING



**BALONNE SHIRE COUNCIL**

**APPROVED PLANS / AMENDED PLANS**

**That accompanies a decision notice under the SPA 2009**

File Number ..... MW 194 .....

Date of Approval ..... 19.08.21 .....

Assessment Mgr / CEO .....  .....



WATSON STEEL COUNCIL

APPROVED PLANS / AMENDED PLANS

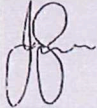
This document is a decision notice under the SPA 2009

.....  
Date of Issue

.....  
Date of Approval

.....  
Name of Mgt / CEO

## DOCUMENT CONTROL RECORD

DOCUMENT						
Report Title:	19-25 Dirranbandi-Hebel Road, Dirranbandi - Traffic Impact Statement					
Client:	Out of the Woods Planning					
Project Number:	21-472					
REV	PURPOSE	DATE	AUTHOR	REVIEWER	APPROVED	SIGNED
A	FINAL	MAY-21	CB	JG	JG	

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## 1.0 INTRODUCTION

### 1.1 Background

In March 2021, PTT was commissioned by Out of the Woods Planning, on behalf of Barry Smith Transport, to undertake a traffic impact statement for a proposed 'self-serve' refuelling facility (service station) at 19-25 Dirranbandi-Hebel Road, Dirranbandi. The location of the subject site is shown on Figure 1.1.

Figure 1.1: SITE LOCALITY



### 1.2 Aim

The aim of this assessment is to review the proposed development in terms of the access arrangements, internal layout, predicted traffic generation and likely impact on the surrounding road network.

### 1.3 Scope of Report

This report begins by summarising the characteristics of the existing road network (Chapter 2), followed by a description of the scope and scale of the proposed development, including access arrangements (Chapter 3). The predicted peak hour traffic generation of the proposed development is estimated along with a consideration of its likely traffic impact on the surrounding road network (Chapter 4). The report concludes with a summary of key findings and recommendations (Chapter 5).

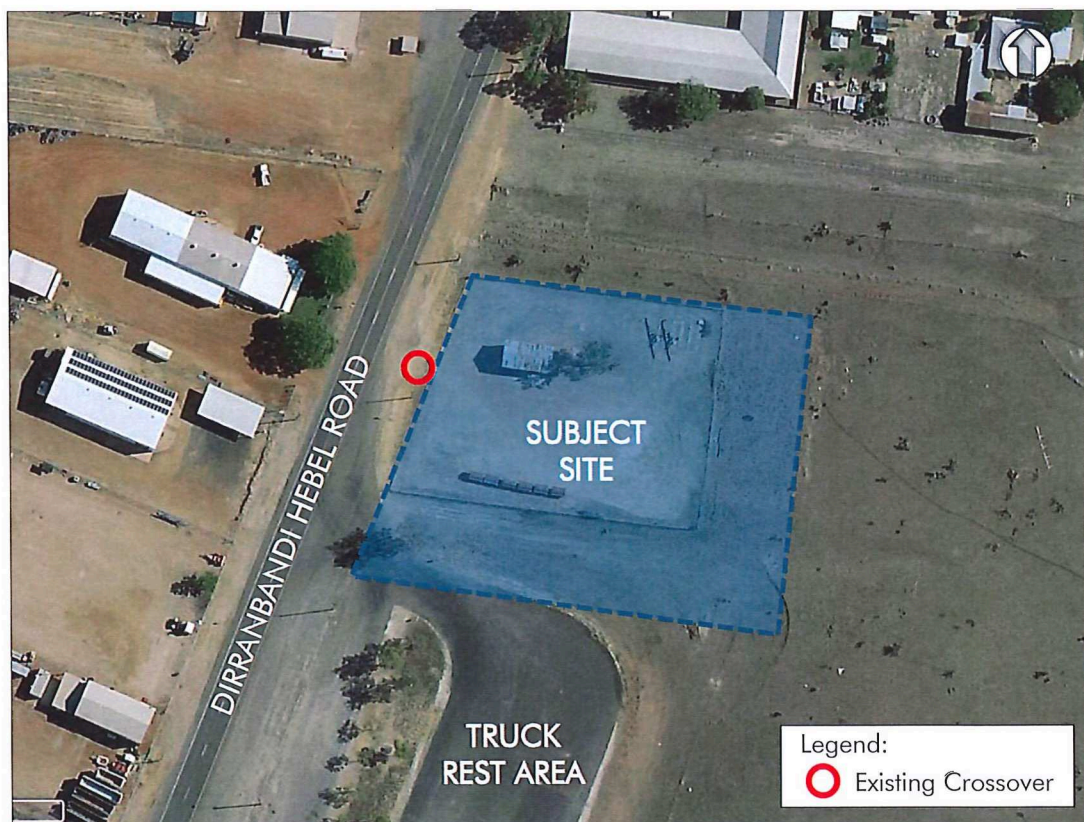


## 2.0 EXISTING CONDITIONS

### 2.1 Subject Site

The subject site is located at 19-25 Dirranbandi-Hebel Road, Dirranbandi and is formally identified as Lot 41 on BLM487. The subject site incorporates a total of 8,220m<sup>2</sup>, is located within the Balonne Shire Council (Council) local area and is currently zoned as 'Industrial' according to Council's Planning Scheme (2019). As shown in Figure 2.1, the subject site currently accommodates a single building with ancillary structures.

Figure 2.1: SUBJECT SITE



### 2.2 Surrounding Area

As illustrated in Figure 2.1 the subject site is bounded by:

- an unformed road reserve to the north
- vacant land to the east
- a truck rest area to the south
- Dirranbandi-Hebel Road to the west

The surrounding area includes a mix of residential, industrial and rural uses. As shown in Figure 2.1, the entry to the existing truck rest area has been constructed within the subject site boundary.

### **2.3 Access**

The subject site currently has a single point of access on Dirranbandi-Hebel Road, as shown in Figure 2.1.

### **2.4 Surrounding Road Network**

Dirranbandi-Hebel Road forms part of the state-controlled road network is administered by the Department of Transport and Main Roads (TMR). It forms part of the Castlereagh Highway which links St George in the north with New South Wales. Dirranbandi-Hebel Road is a designated multi-combination route (for type 1 road train operations) and carries a large proportion of heavy vehicle traffic, including b-doubles and road trains.

In the vicinity of the subject site, Dirranbandi-Hebel Road is undivided with a single lane of traffic and a wide (partially sealed) shoulder / parking lane in both directions. The posted speed limit on this section of Dirranbandi-Hebel Road is 60km/hr.

### **2.5 Traffic Volumes**

We have obtained 2019 average annual daily traffic (AADT) data from the TMR for Dirranbandi-Hebel Road from a nearby permanent counter site (identification number 52442). This counter site is located approximately 500m to the south of the subject site. The data shows that the 2019 AADT (bidirectional) volumes on this section of the Dirranbandi-Hebel Road were 393 vehicles with 24% heavy vehicles.



### 3.0 PROPOSED DEVELOPMENT

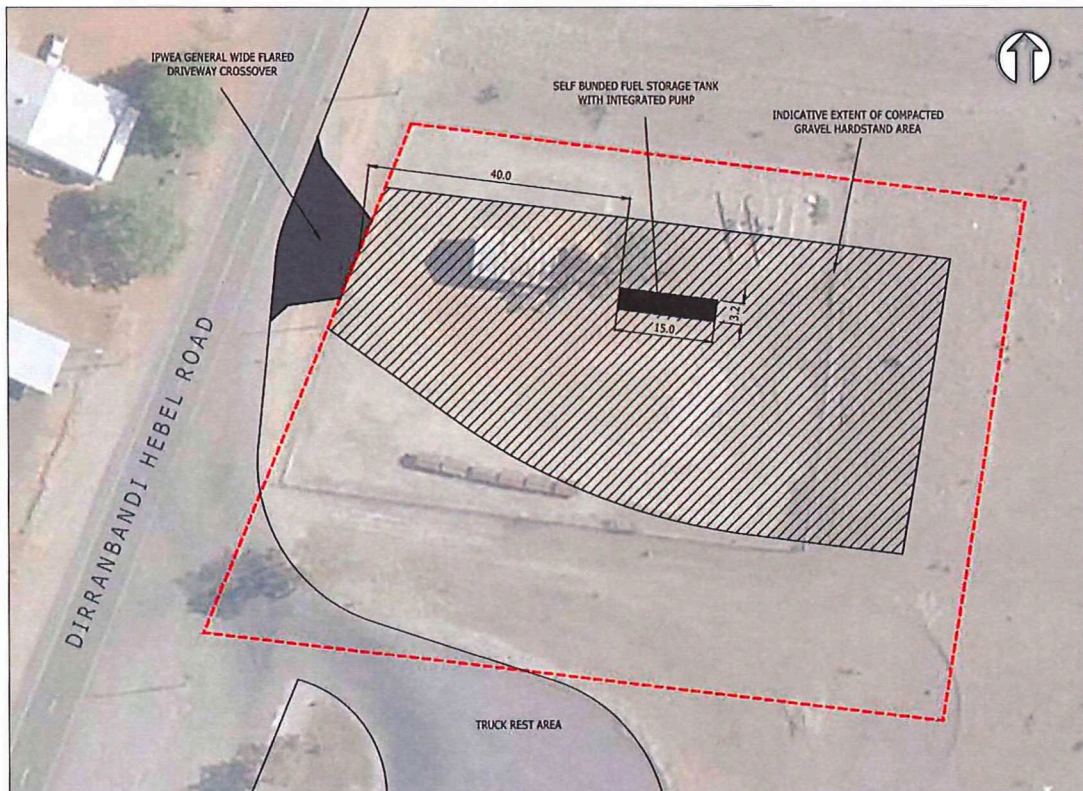
#### 3.1 Site Layout

The proposed development comprises a material change of use for a new "self-serve" truck refuelling facility on the subject site. This would comprise the removal of all existing buildings / structures on the subject site and the installation of a self-bunded fuel storage tank with an integrated pump. The fuel storage tank would have a total capacity of 80,000 litres. The facility will operate 24 hours, seven days per week, with the payment of fuel made via an outdoor payment terminal located at the pump.

The proposed facility would provide for heavy vehicle refuelling with diesel fuel. The truck refuelling area would be able to accommodate a 36.2m long A-double (ie Type 1 Road Train) vehicle, which is the largest vehicle permitted to travel on the surrounding road network (unless operating under a permit).

An area of permeable compacted road base or gravel hardstand would be installed around the fuel storage tank to allow for truck manoeuvring and standing. The proposed development layout is shown in Figure 3.1 and is attached.

**Figure 3.1: PROPOSED DEVELOPMENT LAYOUT**



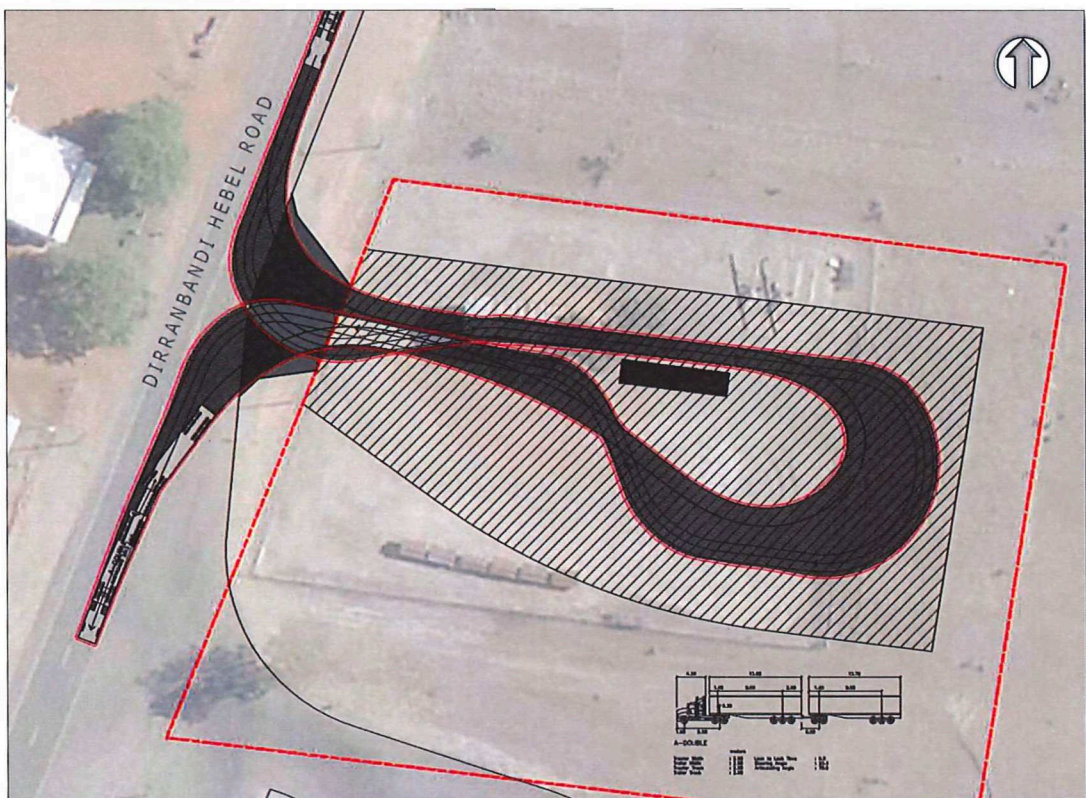


### 3.2 Vehicular Access Arrangements

As shown in Figure 3.1, vehicular access to the site will be via a single combined entry and exit driveway on Dirranbandi-Hebel Road. The proposed driveway on Dirranbandi-Hebel Road is approximately 13m wide at the property boundary and would be designed generally in accordance with a 'General Wide Flared' crossover from the IPWEA Standard Drawings for Heavy Duty Vehicle Crossings (Drawing RS-051H).

Vehicle swept paths for a A-double entering and exiting the proposed development are shown in Figure 3.2 (and are attached in Appendix B)

**Figure 3.2: A-DOUBLE ACCESS**



### 3.3 Sight Distance

The available sight distance at the site access driveway is generally good due to the relatively straight alignment of Dirranbandi-Hebel Road and the flat topography at this location. The Austroads (2017) 'Guide to Road Design Part 4A: Unsignalised and Signalised Intersections' identifies a desirable minimum of 141m safe intersection sight distance (SISD) for a 70km/hr design speed (based on a 1.5 second driver reaction time).

To the south, there is well in excess of 200m SISD available to / from the subject site access. To the north, we estimate that there is approximately 140m sight distance available, which is limited by the 90-degree bend in the horizontal alignment of Dirranbandi-Hebel Road at the T-intersection

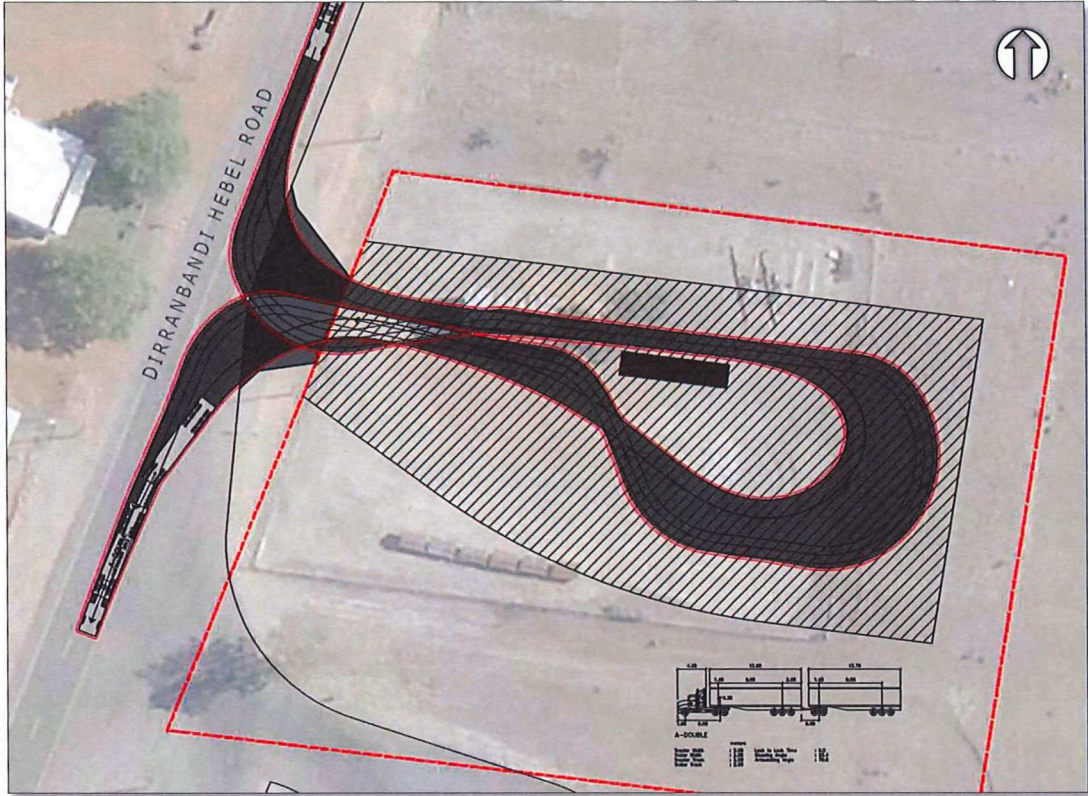


with Railway Street. In reality, vehicle speeds negotiating the 90-degree bend are likely to be significantly less than 70km/h given the centre-line radius of Dirranbandi-Hebel Road is around 50m, which equates to an expected speed of around 40km/hr based on the Austroads Horizontal Curve Equation. Accordingly, the available sight distance at the site access complies with Austroads requirements.

### **3.4 Queuing**

It is proposed that the fuel storage tank be set back a minimum of 40m from the property boundary in order to provide adequate provision for queuing of vehicles between the site access and the truck refuelling area. Therefore, the proposed development layout would minimise the potential for any queuing back to Dirranbandi-Hebel Road.

**Figure 3.2: A-DOUBLE ACCESS**





## 4.0 TRAFFIC OPERATIONS

### 4.1 Traffic Generation

The TMR Road Planning and Design Manual (1<sup>st</sup> Edition) and the RTA Guide to Traffic Generating Developments provide traffic generation rates for service stations (with a convenience store) in urban locations. There are no corresponding rates for service stations / service centres / truck-stops located on major rural highways. These facilities experience significantly different traffic generation rates and patterns to those in urban areas.

We have previously undertaken traffic surveys of service centres (including service station and convenience food offerings) on major state-controlled roads. These surveys found that during the typical morning and evening peak hours, the volume of vehicles entering from the highway is typically around 10% of the (one-way) passing traffic volumes.

A "self-serve" refuelling facility is likely to have a much lower traffic generation than a typical service station / truck-stop, with the latter having a wider range of goods for sale. However, in order to be conservative, we have adopted a traffic generation rate of 10% of the passing (two-way) heavy vehicle highway traffic on Dirranbandi-Hebel Road.

We have estimated the peak hour and daily heavy vehicle volumes on Dirranbandi-Hebel Road from a DTMR Traffic Analysis and Reporting System (TARS) Weekly Volume Report for Monday 7 September 2020 to Sunday 13 September 2020 (attached). This report found that in the morning peak hour (11am – 12 noon) there were 18 two-way heavy vehicle movements (15 northbound and 3 southbound) on this section of Dirranbandi-Hebel Road, with 19 two-way heavy vehicle movements (13 northbound and 6 southbound) in the evening peak hour (4pm – 5pm).

The predicted traffic generation for the proposed development is shown in Table 4.1.

**Table 4.1: PREDICTED 'SELF-SERVE' TRUCK FACILITY TRAFFIC GENERATION**

PERIOD	PASSING HIGHWAY TRAFFIC			TRIPS GENERATED		
	NORTH BOUND	SOUTH BOUND	TWO-WAY	IN	OUT	TOTAL
AM Peak	15	3	18	2	2	4
PM Peak	13	6	19	2	2	4
Daily	90	50	140	14	14	28

It is estimated that the facility would generate around four trips during the network peak hours, with a daily traffic generation of 28 trips (14 arrivals and 14 departures).

#### 4.2 Traffic Impact

Based on the low predicted traffic generation (ie less than 10 two-way vehicle movements in the peak hour), the proposed "self-serve" refuelling facility is not predicted to have any adverse impact on the safety or operational efficiency of the state-controlled road network.



## 5.0 CONCLUSIONS

A proposed “self-serve” refuelling facility located at 19-25 Dirranbandi-Hebel Road, Dirranbandi has been evaluated in terms of its impact on the surrounding road network, site access operations and internal layout. The main points to note are:

- the facility would operate 24 hours a day, seven days a week
- vehicular access to the site would be via a single driveway on Dirranbandi-Hebel Road
- the sight distance available at the site egress exceeds the recommended minimum requirements
- the access driveway and internal development layout have been designed to accommodate an A-double vehicle
- the development layout provides adequate provision for queuing vehicles between the site access and the truck refuelling area
- it is estimated that the facility would generate around four trips during the network peak hours, with a daily traffic generation of 28 trips (14 arrivals and 12 departures)
- the traffic movements associated with the facility are not expected to have a significant adverse impact on the operation of Dirranbandi-Hebel Road

**APPENDIX A**  
**TRAFFIC DATA**





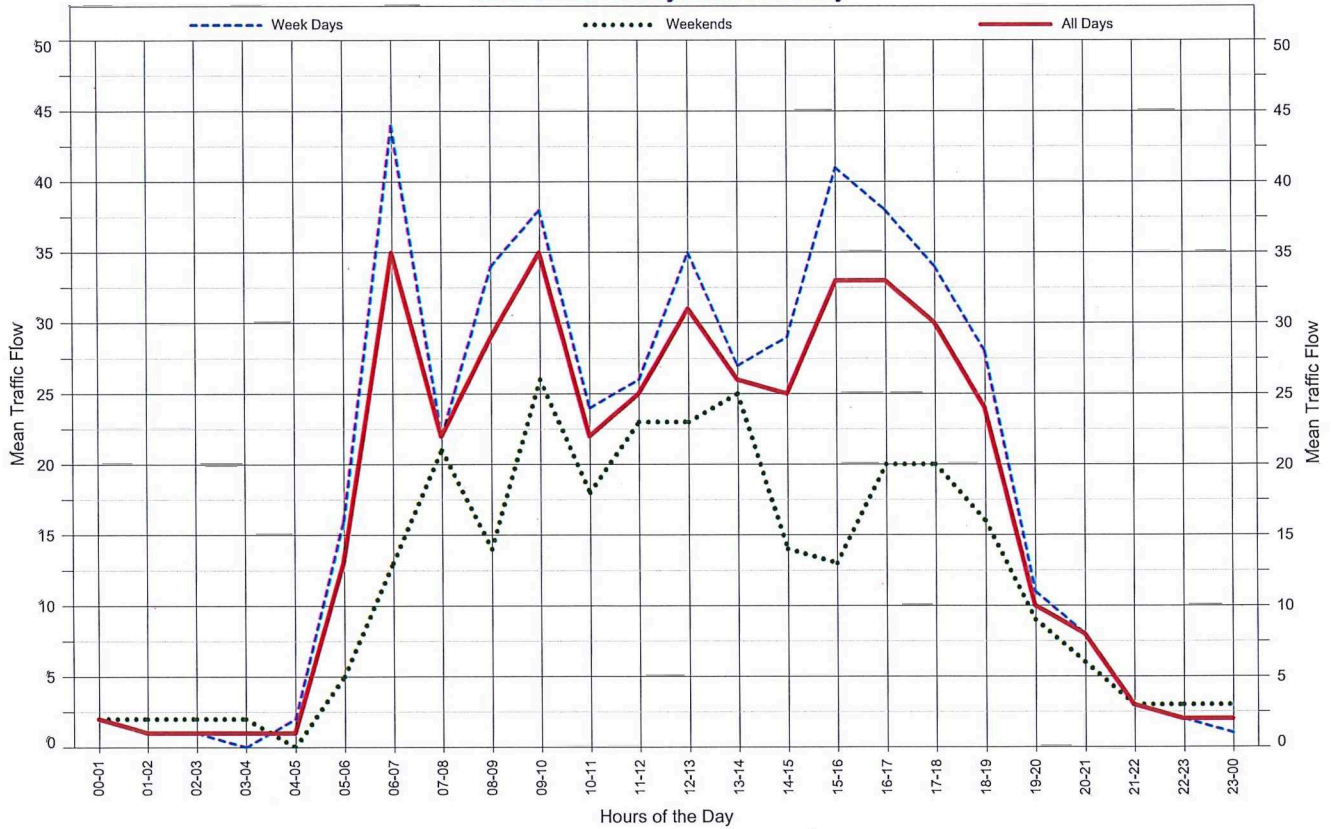
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Area 411 - South West District  
 Road Section 37A - CASTLEREAGH HIGHWAY (NOONDOO - HEBEL)  
 Site 52442 - 37A-400m South of McCarthy Street  
 Thru Dist 21.15  
 Type C - Coverage  
 Stream TB - Bi-directional traffic flow  
 Traffic Class 00 - All Vehicles  
 Week 2020-W37  
 Date Range Monday 07-Sep-2020 - Sunday 13-Sep-2020

**Data Profile**

	Mondays	Tuesdays	Wednesdays	Thursdays	Fridays	Saturdays	Sundays
Days in Date Range	1	1	1	1	1	1	1
Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**





Hour	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Average Week Day	Average Weekend Day	Average Day
00-01	5 1.2%	1 0.2%	1 0.2%	1 0.2%	1 0.2%	2 0.8%	2 0.7%	2 0.4%	2 0.7%	2 0.5%
01-02	1 0.2%	3 0.6%	1 0.2%	1 0.2%	1 0.2%	1 0.4%	3 1.0%	1 0.2%	2 0.7%	1 0.2%
02-03	1 0.2%		2 0.4%	2 0.4%	1 0.2%	1 0.4%	2 0.7%	1 0.2%	2 0.7%	1 0.2%
03-04					1 0.2%	3 1.1%			2 0.7%	1 0.2%
04-05		5 1.0%	2 0.4%	1 0.2%				2 0.4%		1 0.2%
05-06	14 3.3%	15 3.0%	8 1.7%	14 2.8%	30 6.8%	4 1.5%	5 1.7%	16 3.4%	5 1.8%	13 3.1%
06-07	45 10.6%	46 9.2%	51 10.9%	46 9.1%	30 6.8%	12 4.5%	14 4.8%	44 9.4%	13 4.6%	35 8.5%
07-08	21 5.0%	18 3.6%	26 5.5%	21 4.2%	26 5.9%	18 6.8%	24 8.3%	22 4.7%	21 7.4%	22 5.3%
08-09	30 7.1%	39 7.8%	33 7.0%	38 7.6%	32 7.3%	16 6.0%	12 4.1%	34 7.3%	14 4.9%	29 7.0%
09-10	35 8.3%	52 10.4%	31 6.6%	38 7.6%	34 7.8%	23 8.6%	29 10.0%	38 8.1%	26 9.2%	35 8.5%
10-11	22 5.2%	25 5.0%	23 4.9%	29 5.8%	19 4.3%	20 7.5%	16 5.5%	24 5.1%	18 6.4%	22 5.3%
11-12	24 5.7%	34 6.8%	30 6.4%	27 5.4%	17 3.9%	21 7.9%	25 8.6%	26 5.6%	23 8.1%	25 6.0%
12-13	31 7.3%	32 6.4%	36 7.7%	34 6.8%	40 9.1%	21 7.9%	25 8.6%	35 7.5%	23 8.1%	31 7.5%
13-14	23 5.4%	30 6.0%	21 4.5%	37 7.4%	25 5.7%	25 9.4%	24 8.3%	27 5.8%	25 8.8%	26 6.3%
14-15	24 5.7%	28 5.6%	27 5.8%	36 7.2%	31 7.1%	18 6.8%	10 3.4%	29 6.2%	14 4.9%	25 6.0%
15-16	45 10.6%	39 7.8%	27 5.8%	56 11.1%	36 8.2%	16 6.0%	9 3.1%	41 8.8%	13 4.6%	33 8.0%
16-17	26 6.1%	37 7.4%	50 10.7%	47 9.3%	32 7.3%	14 5.3%	25 8.6%	38 8.1%	20 7.1%	33 8.0%
17-18	33 7.8%	37 7.4%	37 7.9%	23 4.6%	38 8.7%	18 6.8%	21 7.2%	34 7.3%	20 7.1%	30 7.2%
18-19	26 6.1%	30 6.0%	33 7.0%	29 5.8%	21 4.8%	11 4.1%	21 7.2%	28 6.0%	16 5.7%	24 5.8%
19-20	7 1.7%	14 2.8%	14 3.0%	11 2.2%	10 2.3%	8 3.0%	9 3.1%	11 2.4%	9 3.2%	10 2.4%
20-21	8 1.9%	8 1.6%	15 3.2%	7 1.4%	3 0.7%	7 2.6%	5 1.7%	8 1.7%	6 2.1%	8 1.9%
21-22	3 0.7%	3 0.6%	4 0.9%	3 0.6%	2 0.5%	1 0.4%	4 1.4%	3 0.6%	3 1.1%	3 0.7%
22-23		3 0.6%		1 0.2%	4 0.9%	2 0.8%	3 1.0%	2 0.4%	3 1.1%	2 0.5%
23-24		1 0.2%	1 0.2%	1 0.2%	4 0.9%	4 1.5%	2 0.7%	1 0.2%	3 1.1%	2 0.5%

Peaks	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count
AM	07:15 46	09:45 54	07:00 51	06:45 46	06:45 39	09:45 28	10:15 30	07:00 44	10:15 27	07:00 34
PM	16:00 45	15:45 44	17:15 51	15:45 59	17:30 45	13:45 26	13:30 32	15:45 41	13:30 27	15:45 32
12-Hour	340 80.2%	401 80.2%	374 79.7%	415 82.5%	351 80.1%	221 83.1%	241 83.1%	376 80.5%	233 82.3%	335 80.9%
16-Hour	403 95.0%	472 94.4%	458 97.7%	482 95.8%	396 90.4%	249 93.6%	273 94.1%	442 94.6%	264 93.3%	391 94.4%
18-Hour	403 95.0%	476 95.2%	459 97.9%	484 96.2%	404 92.2%	255 95.9%	278 95.9%	445 95.3%	270 95.4%	395 95.4%
24-Hour	424 100.0%	500 100.0%	469 100.0%	503 100.0%	438 100.0%	266 100.0%	290 100.0%	467 100.0%	283 100.0%	414 100.0%
Avg Week Day	90.8%	107.1%	100.4%	107.7%	93.8%	94.0%	102.5%	100.0%	60.6%	88.7%
Avg Weekend Day										
Avg Day	102.4%	120.8%	113.3%	121.5%	105.8%	64.3%	70.0%	112.8%	68.4%	100.0%

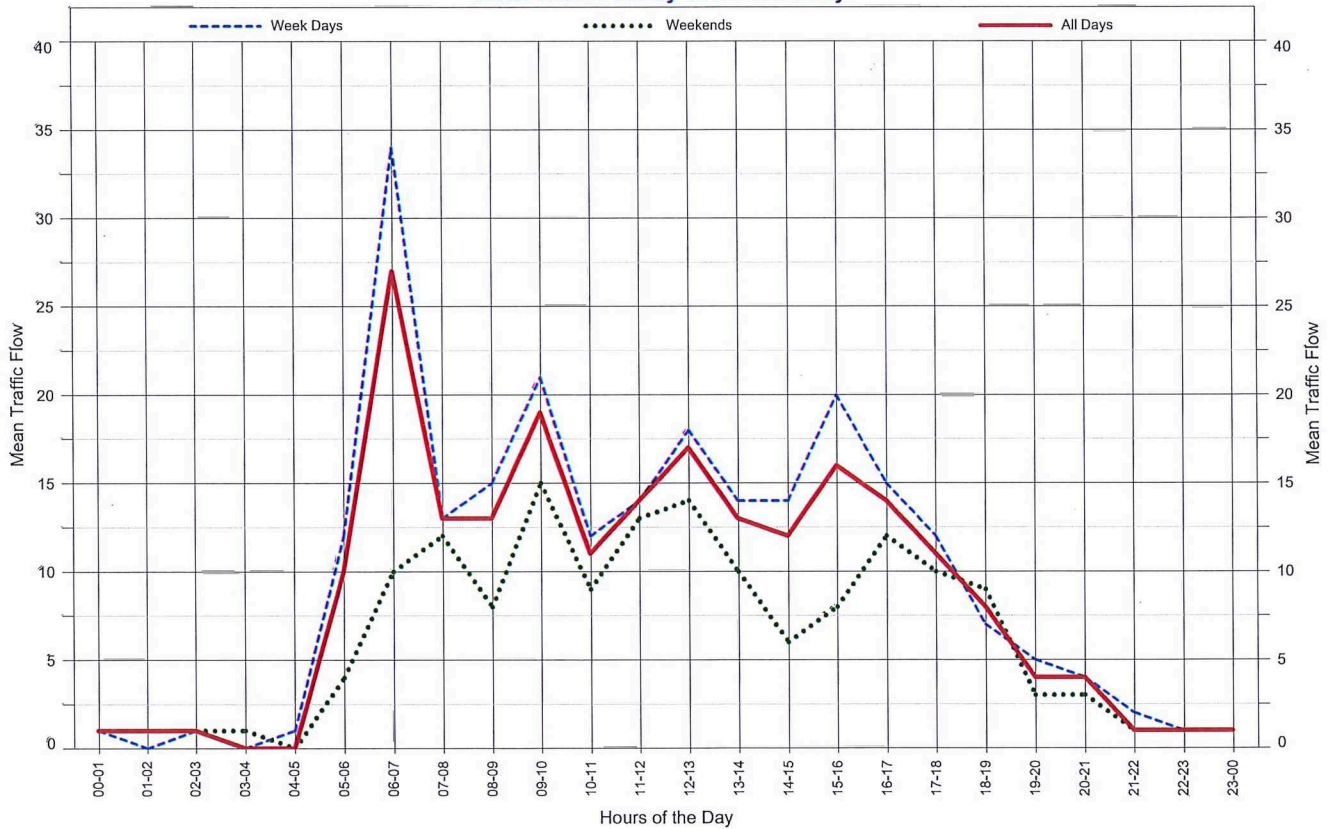


Area 411 - South West District  
 Road Section 37A - CASTLEREAGH HIGHWAY (NOONDOO - HEBEL)  
 Site 52442 - 37A-400m South of McCarthy Street  
 Thru Dist 21.15  
 Type C - Coverage  
 Stream TG - Thru traffic -in gazettal dirn  
 Traffic Class 00 - All Vehicles  
 Week 2020-W37  
 Date Range Monday 07-Sep-2020 - Sunday 13-Sep-2020

**Data Profile**

	Mondays	Tuesdays	Wednesdays	Thursdays	Fridays	Saturdays	Sundays
Days in Date Range	1	1	1	1	1	1	1
Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**







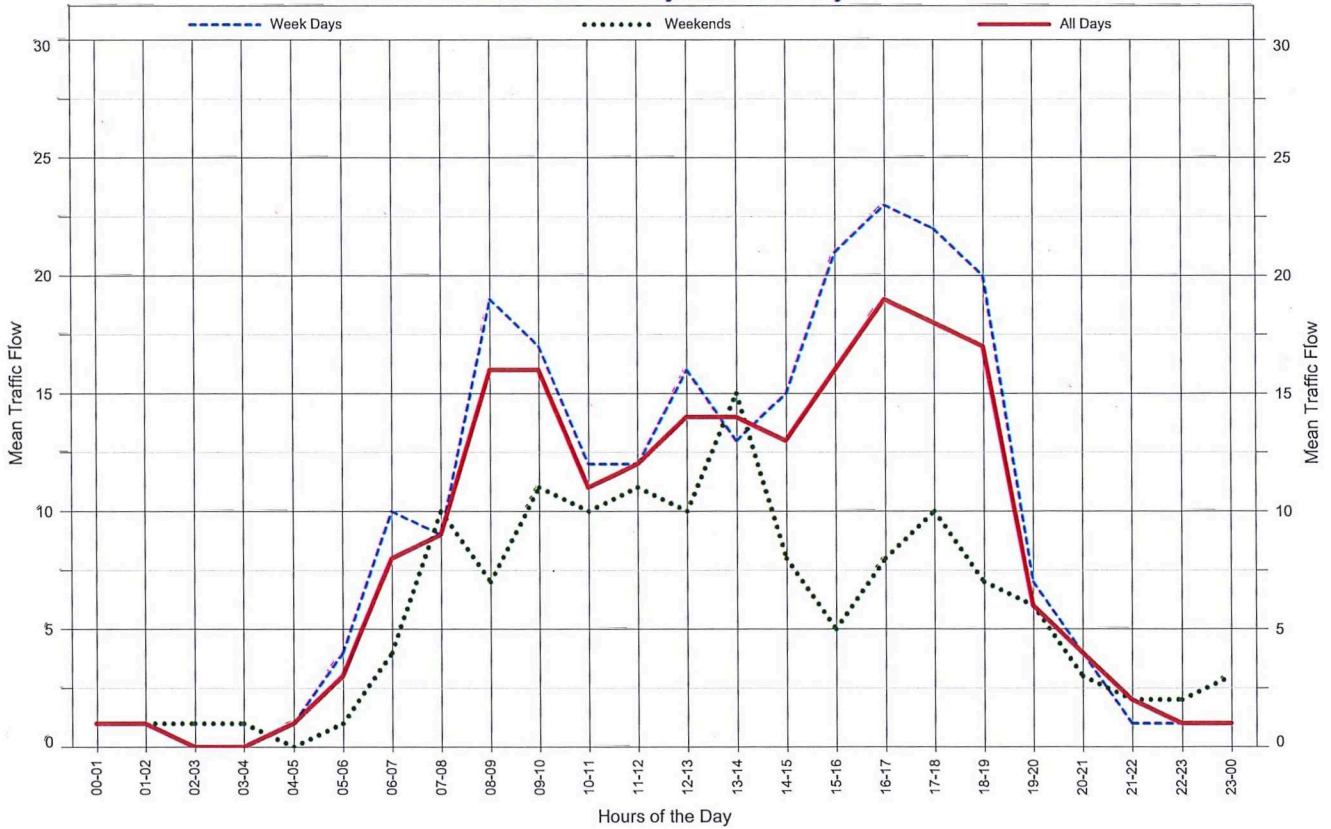


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Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**









## Weekly Volume Report

Displays traffic volumes for a week or number of weeks at Stream level or combinations of Streams, for the hour of day for every week in the date range that data has been collected.

### Content includes:

- Volume data at Stream level, for every hour of the day for every week in 60 minute intervals.
- When more than one week is selected the report averages data across the selected date range.
- Average traffic flow per hour of the day across the date range.
- Data is displayed by 1, 12, 16, 18 and 24 hour time frames.
- AM and PM peak times are highlighted.

The report can be run for specific Traffic Classes.

## Important Information

The figures in this report are an Average Daily Traffic (ADT) for the date range chosen and not an Annual Average Daily Traffic (AADT).

## Annual Average Daily Traffic (AADT)

Annual Average Daily Traffic (AADT) is the number of vehicles passing a point on a road in a 24 hour period, averaged over a calendar year.

## Average Daily Traffic (ADT)

Is determined by summing the total traffic flow, at Stream level, for the days within a date range, divided by the number of days collected. Missing days or incomplete days are excluded from the calculation.

## Calendar Events

Is an event that has a temporary effect on the traffic volumes at one or more sites in the Region.

### For example:

- Public holidays
- Local shows
- Natural disasters
- Long term road closures

Averages derived for such days will generally be different from the usual averages.

## Date Range

The period for which the report was run.

## Days in Range

Are the number of days for each day of the week across the date range selected.

## Days Included

Days that do not have a value for every time interval or are incomplete are excluded from the calculations in this report. ie. when the data collected at lane/Stream level has missing values, those days are not included.

## Gazettal Direction

The Gazettal Direction is the direction of the traffic flow. It can be easily recognised by referring to the name of the road eg. Road Section: 10A Brisbane - Gympie denotes that the gazettal direction is from Brisbane to Gympie.

- G Traffic flowing in Gazettal Direction
- A Traffic flowing against Gazettal Direction
- B The combined traffic flow in both Directions

## No Data Found

Indicates that there is no data for the week or the data for each day of the week is incomplete. A report will only be produced when there is a record for each time interval of the day.

## Region

For administration purposes from 1 February 2015 the Department of Transport and Main Roads has divided Queensland into 12 Districts. The Region field in TSDM reports displays the District Name and Number.

Central West District	401
Darling Downs District	402
Far North District	403
Fitzroy District	404
Mackay/Whitsunday District	405
Metropolitan District	406
North Coast District	407
North West District	409
Northern District	408
South Coast District	410
South West District	411
Wide Bay/Burnett District	412

## Road Section

Is the Gazettal road from which the traffic data is collected. Each Road Section is given a code, allocated sequentially in Gazettal Direction. Larger roads are broken down into sections and identified by an ID code with a suffix for easier data collection and reporting (eg. 10A, 10B, 10C). Road Sections are then broken into AADT Segments which are determined by traffic volume.

## Site

The physical location of a traffic counting device. Sites are located at a specified Through Distance along a Road Section.

## Stream or Site Stream

The lane number in which the vehicles are travelling.

TB	Traffic flow in both directions
TG	Traffic flow in gazettal direction
TA	Traffic flow against gazettal direction
T1, T3, T5, T7...	Traffic flow in gazettal direction at lane level
T2, T4, T6, T8...	Traffic flow against gazettal direction at lane level

## Thru Dist or TDist

The distance from the beginning of the Road Section, in kilometres.

## Type

There are two types of traffic counting sites, Permanent and Coverage. Permanent means the traffic counting device is in place 24/7. Coverage means the traffic counting device is in place for a specified period of time.

## Peak Hours

The time displayed for the AM and PM peak traffic flow is for the previous hour. For example: AM 08:30 1227 Indicates the morning peak of 1227 vehicles was between 7:30am and 8:30am.

## Time Periods

Four different time periods are defined.

12-hour	Traffic flow time period from 0700 to 1900
16-hour	Traffic flow time period from 0600 to 2200
18-hour	Traffic flow time period from 0600 to 2400
24-hour	Traffic flow time period from 0000 to 2400

## Traffic Class

Is the 12 Austroads vehicle categories or classes into which vehicles are placed or binned. Traffic classes are formed in a hierarchical format.

### Volume or All Vehicles

00 = 0A + 0B

### Light Vehicles

0A = 1A

1A = 2A + 2B

### Heavy Vehicles

0B = 1B + 1C + 1D

1B = 2C + 2D + 2E

1C = 2F + 2G + 2H + 2I

1D = 2J + 2K + 2L

The following classes are the categories for which data can be captured:

### Volume

00 All vehicles.

### 2-Bin

0A Light vehicles

0B Heavy vehicles

### 4-Bin

1A Short vehicles

1B Truck or bus

1C Articulated vehicles

1D Road train



**12-Bin**

- 2A Short 2 axle vehicles
- 2B Short vehicles towing
- 2C 2 axle truck or bus
- 2D 3 axle truck or bus
- 2E 4 axle truck
- 2F 3 axle articulated vehicle
- 2G 4 axle articulated vehicle
- 2H 5 axle articulated vehicle
- 2I 6 axle articulated vehicle
- 2J B double
- 2K Double road train
- 2L Triple road train

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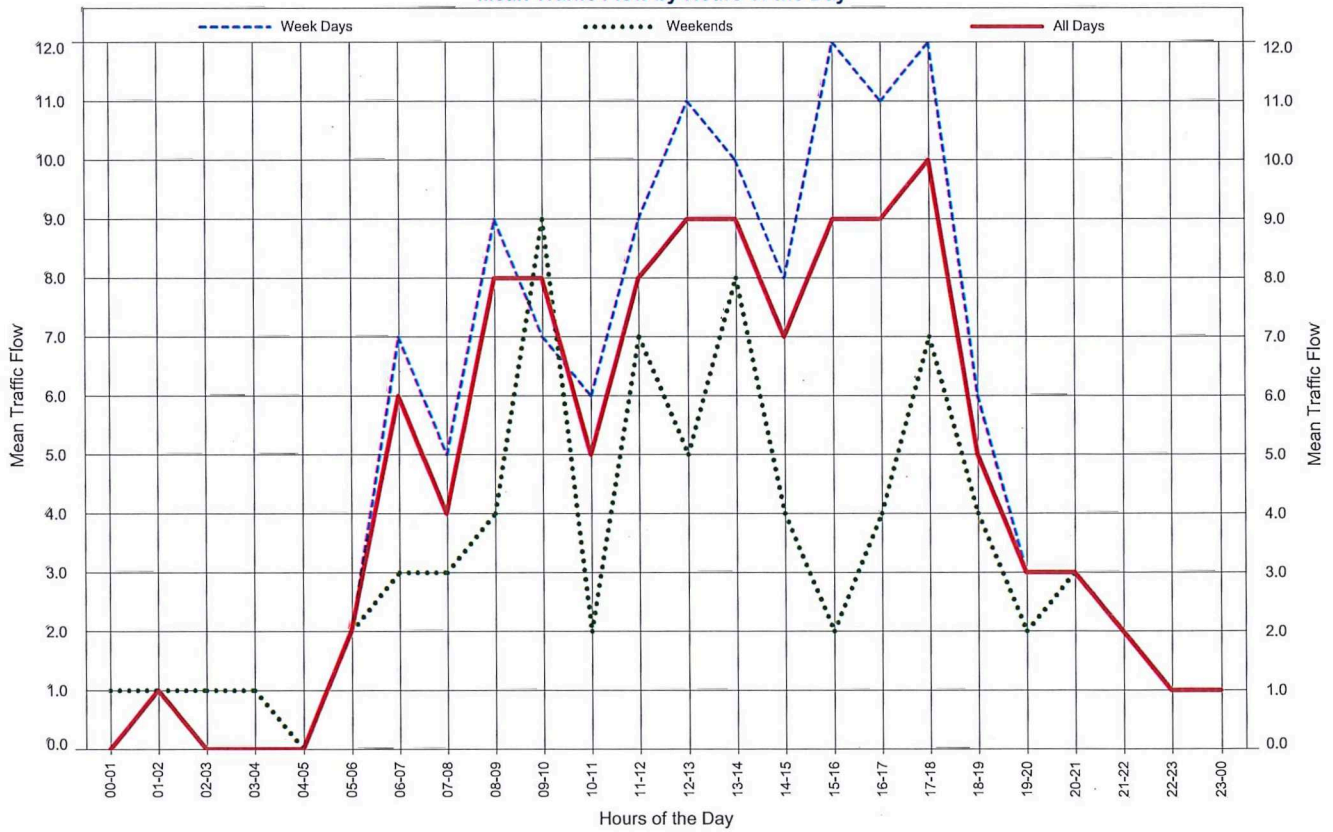
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Area 411 - South West District  
 Road Section 37A - CASTLEREAGH HIGHWAY (NOONDOO - HEBEL)  
 Site 52442 - 37A-400m South of McCarthy Street  
 Thru Dist 21.15  
 Type C - Coverage  
 Stream TB - Bi-directional traffic flow  
 Traffic Class 0B - Heavy Vehicle  
 Week 2020-W37  
 Date Range Monday 07-Sep-2020 - Sunday 13-Sep-2020

**Data Profile**

	Mondays	Tuesdays	Wednesdays	Thursdays	Fridays	Saturdays	Sundays
Days in Date Range	1	1	1	1	1	1	1
Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**







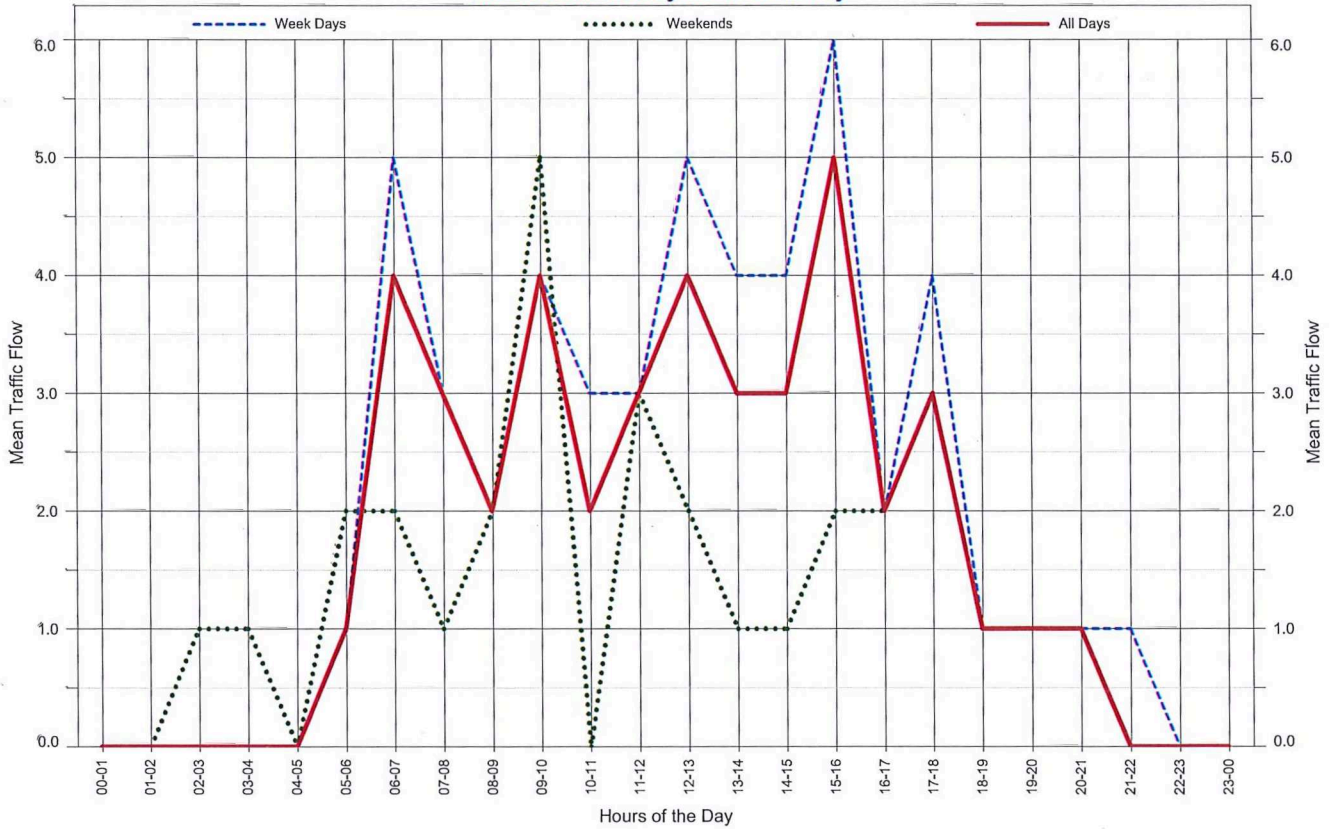


Area 411 - South West District  
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Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**





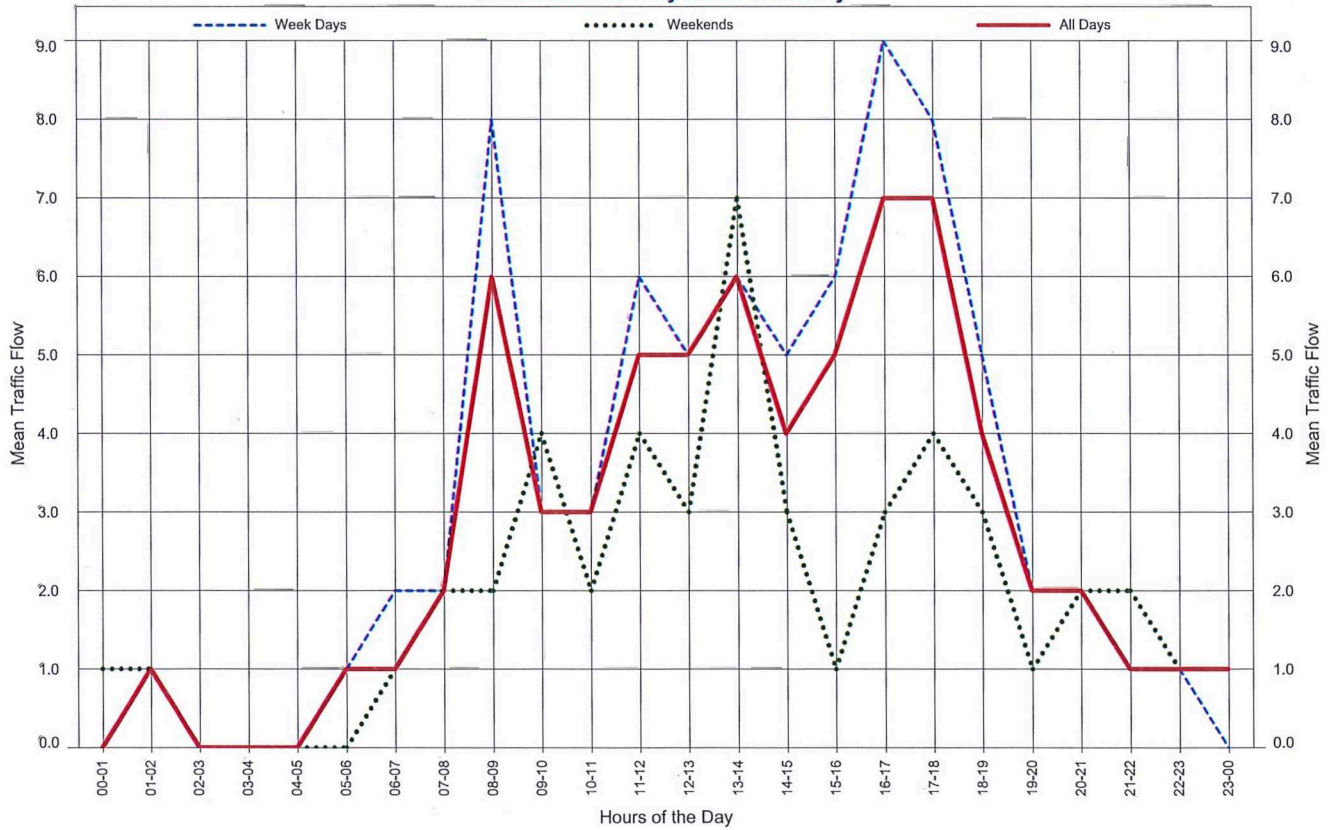
Hour	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Average Week Day	Average Weekend Day	Average Day
00-01							1	4.5%	1	3.2%
01-02									1	3.2%
02-03										
03-04					1	3.0%				
04-05										
05-06	1	2	3	3	4	2	1	1	2	2
06-07	3	7	9	4	4	3	1	5	2	4
07-08	2	2	2	3	7	1	2	3	1	3
08-09	2	4	1	3	2	1	3	2	2	2
09-10	6	2	5	3	4	8	2	4	5	4
10-11	5	3	1	5	1	4	1	3	3	2
11-12	2	5	3	3	1	4	1	3	3	3
12-13	4	4	7	6	5	3	1	5	2	4
13-14	3	6	1	5	3	1	1	4	1	3
14-15	6	4	1	5	2	1	1	4	1	3
15-16	6	7	8	2	6	3	1	6	2	5
16-17		3	6	3	1	2	1	2	2	2
17-18	2	5	1	3	8	1	4	4	3	3
18-19		1	2	1	1	1	1	1	1	1
19-20	1	1	1	2	1	1	2	1	1	1
20-21	1	2	2	2	2	2		1	1	1
21-22	1	1	2	2	1	2		1	1	1
22-23		1		1	1			1	1	1
23-24										
Peaks	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count
AM	10:00 6	07:00 7	07:00 9	07:15 6	07:15 9	09:45 8	09:15 4	07:15 7	09:30 4	07:15 3
PM	15:15 7	14:15 7	15:45 8	13:15 7	17:30 8	13:00 3	18:00 4	13:00 5	18:00 2	13:00 3
12-Hour	38 84.4%	46 80.7%	38 76.0%	36 72.0%	40 87.0%	25 75.8%	17 77.3%	41 82.0%	23 74.2%	35 83.3%
16-Hour	44 97.8%	54 94.7%	50 100.0%	46 92.0%	44 95.7%	30 90.9%	20 90.9%	49 98.0%	27 87.1%	41 97.6%
18-Hour	44 97.8%	55 96.5%	50 100.0%	47 94.0%	45 97.8%	30 90.9%	20 90.9%	49 98.0%	27 87.1%	41 97.6%
24-Hour	45 100.0%	57 100.0%	50 100.0%	50 100.0%	46 100.0%	33 100.0%	22 100.0%	50 100.0%	31 100.0%	42 100.0%
Avg Week Day	90.0%	114.0%	100.0%	100.0%	92.0%	106.5%	71.0%	100.0%	62.0%	84.0%
Avg Weekend Day	107.1%	135.7%	119.0%	119.0%	109.5%	78.6%	52.4%	119.0%	73.8%	100.0%

Area 411 - South West District  
 Road Section 37A - CASTLEREAGH HIGHWAY (NOONDOO - HEBEL)  
 Site 52442 - 37A-400m South of McCarthy Street  
 Thru Dist 21.15  
 Type C - Coverage  
 Stream TA - Thru traffic -against gazettal  
 Traffic Class 0B - Heavy Vehicle  
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**Data Profile**

	Mondays	Tuesdays	Wednesdays	Thursdays	Fridays	Saturdays	Sundays
Days in Date Range	1	1	1	1	1	1	1
Days Included	1	1	1	1	1	1	1
Calendar Events	0	0	0	0	0	0	0

**Mean Traffic Flow by Hours of the Day**





Hour	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Average Week Day	Average Weekend Day	Average Day			
00-01		3	3.6%		1	1.4%	1	2.6%	1	2.1%	1	1.5%	
01-02													
02-03													
03-04													
04-05		2	2.4%										
05-06	2	1	1.2%										
06-07	2	1	1.2%	2	2.9%		1	2.6%	1	2.1%	1	1.5%	
07-08	3	3.3%		1	1.3%		1	2.6%	2	2.6%	2	3.0%	
08-09	4	7	8.4%	3	3.8%	3	6.5%	8	10.5%	2	4.2%	6	9.0%
09-10	6	7	8.4%	11	14.1%	2	4.3%	3	3.9%	4	8.3%	3	4.5%
10-11	2	7	8.4%	2	2.6%	2	4.3%	2	5.1%	2	4.2%	3	4.5%
11-12	4	4	4.8%	5	6.4%	4	8.7%	4	10.3%	4	8.3%	5	7.5%
12-13	4	7	8.4%	4	5.1%	4	8.7%	1	2.6%	5	6.6%	5	7.5%
13-14	2	6	7.2%	7	9.0%	7	10.1%	4	10.3%	6	7.9%	6	9.0%
14-15	2	7	8.4%	2	2.6%	9	19.6%	3	7.7%	5	6.6%	4	6.0%
15-16	6	6	7.2%	12	15.4%	3	6.5%	1	2.6%	6	7.9%	5	7.5%
16-17	7	6	7.2%	8	10.3%	3	6.5%	2	5.1%	3	6.2%	7	10.4%
17-18	11	9	10.8%	8	10.3%	5	10.9%	3	7.7%	8	10.5%	7	10.4%
18-19	5	4	4.8%	6	7.7%	3	4.3%	4	10.3%	5	6.6%	4	6.0%
19-20	3	1	1.2%	2	2.6%	2	2.9%	2	5.1%	2	2.6%	2	3.0%
20-21	2	1	1.2%	4	5.1%	3	6.5%	1	2.6%	2	2.6%	2	3.0%
21-22	2	3	3.6%	1	1.3%	1	2.2%	2	5.1%	1	1.3%	1	1.5%
22-23	1	1	1.2%			1	2.2%	1	1.3%	1	2.1%	1	1.5%
23-24	1	1	1.2%			1	2.2%	1	1.3%	1	2.1%	1	1.5%

Peaks	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count	Hour End & Count				
AM	10:00	6		09:00	11	11:30	5	10:15	7	10:15	4	09:00	4
PM	18:00	11		17:15	14	13:30	10	19:15	6	14:00	5	17:30	7
12-Hour	56	83.6%		68	87.2%	39	84.8%	31	79.5%	38	79.2%	57	85.1%
16-Hour	65	97.0%		76	97.4%	43	93.5%	37	94.9%	44	91.7%	63	94.0%
18-Hour	65	97.0%		76	97.4%	45	97.8%	38	97.4%	46	95.8%	65	97.0%
24-Hour	67	100.0%		78	100.0%	46	100.0%	39	100.0%	48	100.0%	67	100.0%
Avg Week Day	88.2%			102.6%		95.8%		81.2%		100.0%		86.2%	
Avg Weekend Day	100.0%			116.4%		68.7%		58.2%		100.0%		139.6%	
Avg Day	100.0%			134.3%		81.2%		113.4%		71.6%		100.0%	



## Weekly Volume Report

Displays traffic volumes for a week or number of weeks at Stream level or combinations of Streams, for the hour of day for every week in the date range that data has been collected.

### Content includes:

- Volume data at Stream level, for every hour of the day for every week in 60 minute intervals.
- When more than one week is selected the report averages data across the selected date range.
- Average traffic flow per hour of the day across the date range.
- Data is displayed by 1, 12, 16, 18 and 24 hour time frames.
- AM and PM peak times are highlighted.

The report can be run for specific Traffic Classes.

## Important Information

The figures in this report are an Average Daily Traffic (ADT) for the date range chosen and not an Annual Average Daily Traffic (AADT).

## Annual Average Daily Traffic (AADT)

Annual Average Daily Traffic (AADT) is the number of vehicles passing a point on a road in a 24 hour period, averaged over a calendar year.

## Average Daily Traffic (ADT)

Is determined by summing the total traffic flow, at Stream level, for the days within a date range, divided by the number of days collected. Missing days or incomplete days are excluded from the calculation.

## Calendar Events

Is an event that has a temporary effect on the traffic volumes at one or more sites in the Region.

### For example:

- Public holidays
- Local shows
- Natural disasters
- Long term road closures

Averages derived for such days will generally be different from the usual averages.

## Date Range

The period for which the report was run.

## Days in Range

Are the number of days for each day of the week across the date range selected.

## Days Included

Days that do not have a value for every time interval or are incomplete are excluded from the calculations in this report. ie. when the data collected at lane/Stream level has missing values, those days are not included.

## Gazettal Direction

The Gazettal Direction is the direction of the traffic flow. It can be easily recognised by referring to the name of the road eg. Road Section: 10A Brisbane - Gympie denotes that the gazettal direction is from Brisbane to Gympie.

- G Traffic flowing in Gazettal Direction
- A Traffic flowing against Gazettal Direction
- B The combined traffic flow in both Directions

## No Data Found

Indicates that there is no data for the week or the data for each day of the week is incomplete. A report will only be produced when there is a record for each time interval of the day.

## Region

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## Road Section

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## Site

The physical location of a traffic counting device. Sites are located at a specified Through Distance along a Road Section.

## Stream or Site Stream

The lane number in which the vehicles are travelling.

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T1, T3, T5, T7...	Traffic flow in gazettal direction at lane level
T2, T4, T6, T8...	Traffic flow against gazettal direction at lane level

## Thru Dist or TDist

The distance from the beginning of the Road Section, in kilometres.

## Type

There are two types of traffic counting sites, Permanent and Coverage. Permanent means the traffic counting device is in place 24/7. Coverage means the traffic counting device is in place for a specified period of time.

## Peak Hours

The time displayed for the AM and PM peak traffic flow is for the previous hour. For example: AM 08:30 1227 Indicates the morning peak of 1227 vehicles was between 7:30am and 8:30am.

## Time Periods

Four different time periods are defined.

12-hour	Traffic flow time period from 0700 to 1900
16-hour	Traffic flow time period from 0600 to 2200
18-hour	Traffic flow time period from 0600 to 2400
24-hour	Traffic flow time period from 0000 to 2400

## Traffic Class

Is the 12 Austroads vehicle categories or classes into which vehicles are placed or binned. Traffic classes are formed in a hierarchical format.

### Volume or All Vehicles

00 = 0A + 0B

### Light Vehicles

0A = 1A

1A = 2A + 2B

### Heavy Vehicles

0B = 1B + 1C + 1D

1B = 2C + 2D + 2E

1C = 2F + 2G + 2H + 2I

1D = 2J + 2K + 2L

The following classes are the categories for which data can be captured:

### Volume

00 All vehicles.

### 2-Bin

0A Light vehicles

0B Heavy vehicles

### 4-Bin

1A Short vehicles

1B Truck or bus

1C Articulated vehicles

1D Road train



**12-Bin**

- 2A Short 2 axle vehicles
- 2B Short vehicles towing
- 2C 2 axle truck or bus
- 2D 3 axle truck or bus
- 2E 4 axle truck
- 2F 3 axle articulated vehicle
- 2G 4 axle articulated vehicle
- 2H 5 axle articulated vehicle
- 2I 6 axle articulated vehicle
- 2J B double
- 2K Double road train
- 2L Triple road train

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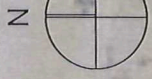
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**TARS**



**APPENDIX B**  
**SITE LAYOUT**



IPWEA GENERAL WIDE FLARED  
DRIVEWAY CROSSOVER

SELF BUNDED FUEL STORAGE TANK  
WITH INTEGRATED PUMP

INDICATIVE EXTENT OF COMPACTED  
GRAVEL HARDSTAND AREA

40.0

15.0  
3.2

TRUCK REST AREA

DIRRANBANDI HEBEL ROAD

CLIENT: OUT OF THE WOODS PLANNING			
DATE: 07/05/2021	SCALE: 1:500@A3	DRAWN: CB	APPROVED: JG
DRAWING NO. 21-472-004	REV	JOB NO.	21-472

PROJECT TITLE: 19-25 DIRRANBANDI-HEBEL ROAD, DIRRANBANDI
DRAWING TITLE: PROPOSED SITE LAYOUT

REV.	AMENDMENTS	DATE

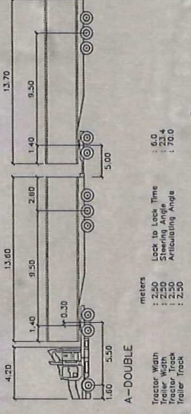
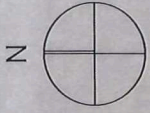
**PTT**  
 ABN 96 067 593 962  
 P 07 3839 6771 WWW.PTT.COM.AU  
 Level 2, 62 Astor Tce, Spring Hill QLD 4000

**PTT**  
 TRAFFIC & TRANSPORT ENGINEERING



**APPENDIX C**  
**VEHICLE SWEEP PATHS**





CLIENT: OUT OF THE WOODS PLANNING			
DATE: 07/05/2021	SCALE: 1:400@A3	DRAWN: CB	APPROVED: JG
DRAWING NO. 21-472-005	REV	JOB NO.	21-472

PROJECT TITLE: 19-25 DIRRANBANDI-HEBEL ROAD, DIRRANBANDI	
DRAWING TITLE: TYPE 1 ROAD TRAIN SWEPT PATHS	

REV.	AMENDMENTS	DRN	DATE

**PTT**  
 ABN 96 067 593 962  
 P 07 3839 6771 WWW.PTT.COM.AU  
 Level 2, 62 Astor Tce, Spring Hill QLD 4000

**PTT**  
 TRAFFIC & TRANSPORT ENGINEERING





SARA reference: 2105-22671 SRA  
 Council reference: MCU 194  
 Applicant reference: 090

25 June 2021

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

Attention: Mrs Wendy Wood

Dear Mrs Wood

## SARA response—19-25 Dirranbandi Hebel Road, Dirranbandi

(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 25 May 2021.

### Response

---

Outcome:	Referral agency response – with conditions.
Date of response:	25 June 2021
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

---

Description:	Development permit	Material change of use for a Service station
	Development permit	Operational work (associated with Material change of use)
SARA role:	Referral agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) – Material change of use of premises near a state	

transport corridor (Planning Regulation 2017)

SARA reference: 2105-22671 SRA

Assessment Manager: Balonne Shire Council

Street address: 19-25 Dirranbandi Hebel Road, Dirranbandi

Real property description: Lot 41 on BLM487

Applicant name: Barry Smith Transport  
c/- Out of the Woods Planning

Applicant contact details: 14 Cobbold Lane  
Maroochydore QLD 4558  
wendy@outofthewoodsplanning.com.au

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: TMR21-033094
- Date: 17 June 2021

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

## 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 Lydia Summers, Senior Planning Officer, on 5644 3217 or via email ToowoombaSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Darren Cooper  
Manager - DDSW (Planning)

cc Barry Smith Transport c/- Out of the Woods Planning, wendy@outofthewoodsplanning.com.au

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 - Approved plans



## 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 plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<p>10.9.4.2.4.1 – Material change of use of premises near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> 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 condition(s):</p>		
1.	<p>Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts.</p>	At all times.
2.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) 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) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road</li> <li>(iii) surcharge any existing culvert or drain on the state-controlled road;</li> <li>(iv) reduce the quality of stormwater discharge onto the state-controlled road.</li> </ul>	<p>(a) At all times.</p> <p>(b) At all times.</p>
3.	<p>(a) The road access location is to be located generally in accordance with drawing no. 21-472-004, titled 'PROPOSED SITE LAYOUT', prepared by Pekol Traffic and Transport, dated 07/05/2021, Project No.21-472 (as amended in red by SARA on 25/06/2021).</p> <p>(b) Road access works comprising an industrial commercial driveway crossover (at the road access location), must be provided and designed to accommodate the largest design vehicle legally capable of accessing the site.</p> <p>(c) The road access works must be designed and constructed in accordance with the relevant requirements for industrial driveway crossovers in accordance with Balonne Shire Council's standards, and the Department of Transport and Main Roads' <i>Road Planning &amp; Design Manual</i>.</p>	<p>(a) At all times.</p> <p>(b) and (c): Prior to the commencement of use.</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 <i>State Development Assessment Provisions (SDAP)</i> , version 2.6. If a word remains undefined it has its ordinary meaning.
State-controlled roads	
2.	<p><b>Road access works approval:</b> Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on 07 4639 0828 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). <b>The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</b></p>



### **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 development complies with State Code 1. Specifically, the development:

- does not create a safety hazard for users of a state-controlled road
- does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- does not compromise the structural integrity of public passenger transport infrastructure or compromise the operating performance of public passenger transport services

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

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

### **Attachment 4— Representations about a referral agency response provisions**

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**Attachment 5—Approved plans**

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Our ref TMR21-033094  
Your ref 090  
Enquiries Scott McDonald



Department of  
Transport and Main Roads

17 June 2021

## 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<sup>1</sup>**

Development application reference number MCU 194, lodged with Balonne Shire Council involves constructing or changing a vehicular access between Lot 41BLM487, the land the subject of the application, and Dirranbandi-Hebel Road (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 Barry Smith Transport c/- Out of the Woods Planning  
14 Cobbold Lane  
Maroochydore QLD 4558

### Application Details

Address of Property 19-25 Dirranbandi-Hebel Road, Dirranbandi QLD 4486  
Real Property Description 41BLM487  
Aspect/s of Development Material Change of Use for Service Station and Operational Works

### Decision (given under section 67 of TIA)

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

No.	Conditions of Development Approval	Condition Timing
<b>Location of vehicular access to state-controlled road</b>		
1	(a) The road access location is to be located generally in accordance with Figure 3.2 of the Traffic Impact Statement (Proposed 'Self-Serve' Truck Refuelling Facility), prepared by Pekol Traffic and Transport, dated 7 May 2021 reference Project No.21-472 (revision A).	(a) At all times.

<sup>1</sup> Please refer to the further approvals required under the heading 'Further approvals'

## Reasons for the decision

The reasons for this decision are as follows:

- a) The location of the access and the design standard required will maintain the safety, efficiency and operation of the state-controlled road.

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.

## Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. 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 to make an application.



If further information about this approval or any other related query is required, Jeff Lavey, Planner, should be contacted by email at [Jeffrey.J.Lavey@tmr.qld.gov.au](mailto:Jeffrey.J.Lavey@tmr.qld.gov.au) or on (07) 4639 0698.

Yours sincerely

A handwritten signature in black ink, appearing to read 'SMC', with a long horizontal stroke extending to the right.

Scott McDonald  
**A/Senior Planner**

Attachments: Attachment A – Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- Development application material submitted in support of Balonne Shire Council application MCU/194
- State Development Assessment Provisions—Assessment Code 1 (Development in a state-controlled road environment)
- DTMR's *Road Planning and Design Manual*
- *Planning Act* (2016)
- *Planning Regulations* (2017)
- *Transport Infrastructure Act* (1997)



**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.

**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.
- (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.

### **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.

(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—

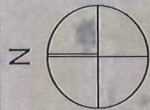
(a) the decision notice did not state the reasons for the decision; and

(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.





IPIWEA GENERAL WIDE FLARED DRIVEWAY CROSSOVER

SELF BUNDED FUEL STORAGE TANK WITH INTEGRATED PUMP

INDICATIVE EXTENT OF COMPACTED GRAVEL HARDSTAND AREA

40.0

3.2

15.0

DIRRANBANDI HEBEL ROAD

TRUCK REST AREA

Amended in red by SARA on

25 June 2021

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2105-22671 SRA

Date: 25 June 2021



CLIENT: OUT OF THE WOODS PLANNING	
DATE: 07/05/2021	APPROVED: JG
SCALE: 1:500@A3	DRAWN: CB
DRAWING NO. 21-472-004	REV JOB NO. 21-472

PROJECT TITLE: 19-25 DIRRANBANDI-HEBEL ROAD, DIRRANBANDI	
DRAWING TITLE: PROPOSED SITE LAYOUT	

REV.	AMENDMENTS	DRN	DATE

**PTT**  
 PTT  
 ABN 96 067 593 962  
 P 07 3839 6771 WWW.PTT.COM.AU  
 Level 2, 62 Astor Tce, Spring Hill QLD 4000  
 TRAFFIC & TRANSPORT ENGINEERING

## 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.