



SARA reference: 2406-41008 SRA  
Council reference: PA7619

16 July 2024

Chief Executive Officer  
Murweh Shire Council  
PO Box 63  
CHARLEVILLE QLD 4470  
mail@murweh.qld.gov.au

Attention: Bruce Scott

Dear Mr Scott

## SARA referral agency response—71 Galatea Street, Charleville

(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 20 June 2024.

### Response

Outcome:	Referral agency response – with conditions
Date of response:	16 July 2024
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

Description:	Development permit	Material Change of Use for a Car Wash
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor	

SARA reference: 2406-41008 SRA

Assessment manager: Murweh Shire Council

Street address: 71 Galatea Street, Charleville

Real property description: Lot 20 on C1405

Applicant name: Neale McShane

Applicant contact details: 17-19 Taylor Street East  
Roma QLD 4455  
kate@sweepcon.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: TMR24-042876
- Date: 10 July 2024

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads (DTMR) at:

**Program Delivery and Operations Southwest Region**

**Telephone:** +61 7 4639 0739

**Email:** Downs.South.West.IDAS@tmr.qld.gov.au

**Website:** www.tmr.qld.gov.au  
30 McDowall Street, Roma QLD 4455

*Human Rights Act 2019* considerations: The decision has been assessed for compatibility with human rights under the *Human Rights Act 2019*. The decision was found not to limit human rights under the *Human Rights Act 2019* therefore, it is reasonable to conclude the decision is compatible with human rights.

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 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 Malcolm McDowel, Planning Officer, on (07) 3452 6897 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Gleeson', with a horizontal line extending to the right.

Paul Gleeson  
A/Manager

enc     Attachment 1 - Referral agency conditions  
         Attachment 2 - Advice to the applicant  
         Attachment 3 - Reasons for referral agency response  
         Attachment 4 - Representations about a referral agency response provisions  
         Attachment 5 - Documents referenced in conditions

cc     Neale McShane, [kate@swecon.com.au](mailto:kate@swecon.com.au)

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
<b>Development permit: Material Change of Use for a Car Wash</b>		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future 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 conditions:		
<b>Filling and excavation</b>		
1.	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 including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times
<b>Stormwater management</b>		
2.	Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road such that any works on the land must not: <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road;</li> <li>(ii) concentrate or increase the velocity of flows to state-controlled road;</li> <li>(iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</li> <li>(iv) surcharge any existing culvert or drain on the state-controlled road;</li> <li>(v) reduce the quality of stormwater discharge onto the state-controlled road;</li> <li>(vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road.</li> </ul>	At all times
<b>Vehicular access to a state-controlled road</b>		
3.	<p>(a) The road access locations must be located generally in accordance with Figure 3.1: Proposed plan of development, prepared by McMurtrie Consulting Engineers, dated 11 July 2023, Reference No. R018-22-23 (Revision 1) as amended in red by SARA on 16 July 2024.</p> <p>(b) Road access works comprising commercial driveway crossovers, (at the road access locations) must be provided generally in accordance with Figure 3.1: Proposed plan of development, prepared by McMurtrie Consulting Engineers, dated 11 July 2023, Reference No. R018-22-23 (Revision 1) as amended in red by SARA on 16 July 2024.</p> <p>(c) The road access works must be designed and constructed in accordance with Murweh Shire Council's commercial driveway crossover design standards and the DTMR' Road Planning &amp; Design Manual.</p>	<p>a) At all times</p> <p>(b) and (c): Prior to the commencement of use</p>
<b>Wayfinding signage</b>		
4.	Signage and/or linemarking, indicating no entry / exit only is to be installed in proximity to the Sturt Street access location in accordance with the DTMR' Manual of Uniform Traffic Control Devices. Physical signage is not to be installed within the road reserve.	Prior to the commencement of use



## Attachment 2—Advice to the applicant

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.
<b>Further development permits, compliance permits or compliance certificates</b>	
2.	<p><b>Road access works approval</b></p> <p>Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the DTMR to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the DTMR on 07 4639 0828 to make an application for road works approval.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road access works approval process takes time – please contact DTMR as soon as possible to ensure that gaining approval does not delay construction.</p> <p>The applicant should note that reference to the approved plans imply conceptual approval only. Further modifications and inclusions are likely to be required in order for submitted detailed designs to comply with DTMR standards at the roadworks application (s33 TIA) stage. In particular, detailed designs may require, but should not be limited to, necessary lane widening for provision of cycle lanes, lengthening of turn lanes, installation of lighting, signage and line marking, pavements, utilities and services, and roadsides and roadside furniture.</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: Development in a state-controlled road environment of the SDAP. Specifically, the development does not:

- increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
- adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
- adversely impact the function efficiency of state-controlled roads or future state-controlled roads
- adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*.

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

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## **Attachment 5—Documents referenced in conditions**

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**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**



Amended in red by SARA on

16 July 2024

SARA ref: 2406-41008 SRA

Date: 16 July 2024

Engineering reimaged.

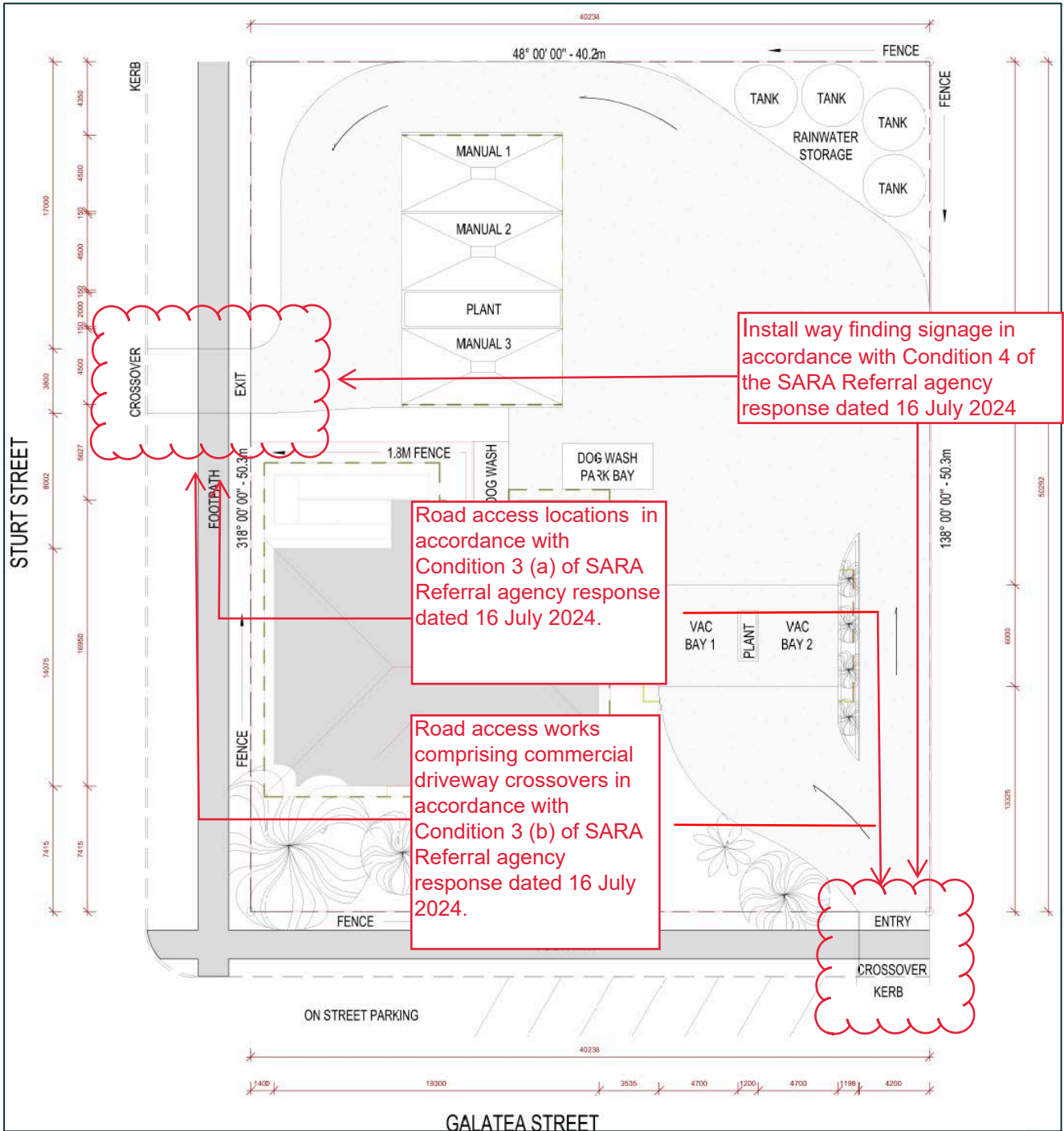


Figure 3.1: Proposed plan of development