

Notice of extension of Currency Period *Sustainable Planning Act 2009*

This statutory notice is issued by the administering authority pursuant to the provisions of the *Sustainable Planning Act 2009*, to advise you of a decision or action.

Enquiries to: A Johns
Telephone: (07)3330 5694
Our reference: project no. 381287/ File reference no: BNE34836

Cc: Toowoomba Regional Council
PO Box 3021
Village Fair
TOOWOOMBA QLD 4350

Charlton (BPE) Investments Pty Ltd
Charlton (MPD) Investments Pty Ltd
C/- Precinct Urban Planning Pty Ltd
PO Box 3038
TOOWOOMBA QLD 4350
Attn: Andrew Butler / Bernadette Bauman

Re: Application for extension of currency period.

The Department of Environment and Resource Management, acting as a concurrence agency for **contaminated land issues**, has **no** objection to extend the Currency period for a further 3 years as requested in the letter dated 19 Dec 2011.

Application Information

Applicant: Charlton (BPE) (MPD) Investments Pty Ltd
Description: Extension of currency period for material change of use and
Street address of subject land: Steger Road, Charlton
Location details: Lot 1 on RP178524 and Lot(s) 101 & 102 on RP904439

Concurrence Agency Information

Relevant Laws and Policies: *Environmental Protection Act 1994*
Concurrence Agency Office: Contaminated Land Unit

Should you require any further information please do not hesitate to contact the above officer on the telephone number listed above.

49-Sch4 - Personal Information

Signed

13/1/12
Date

Kelli Ready
Delegate of Administering Authority
Environmental Protection Act 1994.

27 November 2012

Charlton (BPE) Investments Pty Ltd
Charlton (MPD) Investments Pty Ltd
C/- Precinct Urban Planning
PO Box 3038
Toowoomba Village Fair QLD 4350

Attention: Andrew Bullen

Dear Sir/Madam

**REQUEST TO CHANGE DEVELOPMENT APPROVAL – RESPONSIBLE ENTITY NOTICE
OF DECISION**

Proposed Development: Development Permit for Material Change of Use – Service
Station and Commercial Premises
Real Property Description: Lot 101RP904439, 102RP904439, 1RP178524
Street Address: Steger Road, Charlton QLD 4350
Assessment Manager ref.: 02540-00000-000
Local Government Area: Toowoomba Regional Council

The Department of Transport and Main Roads (the department) confirms receipt of your request to change the abovementioned development approval under Section 369 of the *Sustainable Planning Act 2009* (SPA) on 17 October 2012. The development approval for the original development application was decided on 14 March 2008.

The following changes to the department's concurrence agency response have been requested:

- Replace Conditions 1-5 in the Department's Statement of Reasons to the following:
Streets and Intersections
 - Stegers Road:
Seal to 6m on 8m formation to the northern access into the development. It is recommended that this be undertaken at the developer's cost.

Department of Transport and Main Roads
Program Delivery and Operations
Darling Downs Region
Floor 2 1-5 Phillip Street Toowoomba Queensland 4350
Locked Bag 1 Warwick Queensland 4370

Our ref	TMR11-000826
Your ref	
Enquiries	Lachlan Jones
Telephone	+61 7 4639 0759
Facsimile	+61 7 4639 0750
Website	www.tmr.qld.gov.au
Email	Lachlan.S.Jones@tmr.qld.gov.au

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- O'Maras Road/Warrego Highway/Stegers Road intersection:
Provide a contribution towards intersection upgrades to a signalised intersection, based on percentage increase in volumes at the intersection, amounting to between 5 and 10% of the intersection upgrade costs. It is noted that the intersection warranted to cater for the background and development traffic at the 2023 design horizon is a lesser standard than the layout developed by DTMR, and requires only single lanes on minor road approaches to the intersection, and does not require additional lanes on the Stegers Road approach, and only a single lane through/right lane on the O'Maras Road approach.

Site Layout

- It is recommended that the proposed existing accesses onto the Warrego Highway be consolidated into a single two-way access, restricted to left in/left out movements only. It is recommended that this access be provided at a suitable distance away from the Stegers Road/Warrego Highway/O'Maras Road intersection, to limit any conflicts between movements at the intersection and entering/exiting movements to/from the site

The department as the responsible entity has assessed your request against its jurisdiction, namely, the purposes of the Transport Infrastructure Act 1994 for state-controlled roads and having regard to the matters set out in Section 374 of the SPA. Please be advised that under Section 375 of the SPA, the department has decided to refuse the request for the following reasons:

Funding for the upgrade of the Stegers Road/Warrego Highway/O'Maras Road intersection has been withdrawn from the current Queensland Transport and Road Investment Program (QTRIP). There is no indication of when funding will become available for the intersection upgrade. In this regard, the department cannot accept a contribution in lieu of any roadwork that has been conditioned.

Taking into account the changed circumstance of funding for the intersection upgrade being withdrawn, the department is happy to provide agreement for an extension to the relevant period if required.

Pursuant to section 466 of the SPA, you may appeal to the Planning and Environment Court against this decision. Your appeal must be started within 20 business days after the day the notice of the decision is given to you. Your notice of appeal should be forwarded to the Planning Law Team, Planning Management Branch, Department of Transport and Main Roads, GPO Box 213, Brisbane QLD 4001.

Should you have any queries regarding this information request, please do not hesitate to contact Lachlan Jones, Student Town Planner (Road System Planning) on 07 4639 0759.

Yours sincerely

49-Sch4 - Personal Information

Bruce Steele
Manager (Road System & Corridor)

C/c The Chief Executive Officer
Toowoomba Regional Council
PO Box 3021 - Village Fair
Toowoomba QLD 4350

C/c Permit and Licence Management
Implementation and Support Unit
GPO Box 2454
Brisbane QLD 4001

RTI DL RELEASE - EHP



**Queensland
Government**

Our ref.: TMR11-000826
Your ref.: 02540-00000-000

C/c The Chief Executive Officer
Toowoomba Regional Council
PO Box 3021 - Village Fair
Toowoomba QLD 4350

Attention: Noel Cass

Please find attached correspondence for your information and action as required. Should you wish to discuss this correspondence, please contact Lachlan Jones, Student Town Planner (Road System Planning) on 07 4639 0759.

Yours sincerely

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Bruce Steele
Manager (Road System & Corridor)

27 November 2012

RTI DL RELEASE - EHP



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Government**

Our ref.: TMR11-000826

Your ref.:

C/c Permit and Licence Management
Implementation and Support Unit
GPO Box 2454
Brisbane QLD 4001

Attention: Administration Officer

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Yours sincerely

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Bruce Steele
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