

BCC DS  
RECEIVED  
07/04/2026  
APPLICATION REF  
A006855857



Our ref TMR25-047733  
Your ref  
Enquiries Matthew Murray

31 March 2026

Department of  
**Transport and Main Roads**

## 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 A006855857, lodged with Brisbane City Council involves constructing or changing a vehicular access between Lot 8RP897648, 1RP897648, the land the subject of the application, and Gympie 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 Urbis Brisbane Office  
Level 32 300 George Street  
Brisbane QLD 4000

### Application Details

Address of Property 474a Gympie Road, Kedron QLD 4301  
Real Property Description 8RP897648, 1RP897648  
Aspect/s of Development Preliminary Approval for Material Change of Use for Preliminary Approval for a Material Change of Use, involving a Variation Request to vary the effect of the Planning Scheme, Centre Activities, Garden Centre, Hardware and Trade Supplies, Home-based business, Market, Multiple Dwelling, Residential care facility, Retirement facility, Rooming accommodation, Showroom.

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

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

No.	Conditions of Approval	Condition Timing
<b>Road Access Location</b>		
<b>A. General</b>		

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

No.	Conditions of Approval	Condition Timing
1	The Permitted Road Access Location is in accordance with Access Intersection Layout prepared by Urbis dated 17/12/2025, reference P0045415, drawing No. 01, revision B.	At all times.
2	Road Access Works comprising a signalised intersection must be provided at the permitted access location, generally in accordance with: a] Access Intersection Layout prepared by Urbis dated 17/12/2025, reference P0045415, drawing No. 01, revision B.	Prior to the commencement of the use of the Road Access Works and to be maintained at all times.

### Reasons for the decision

The reasons for this decision are as follows:

- a) The proposed access works will adequately mitigate the traffic impacts generated by the development.
- b) The proposed development can be adequately serviced by the proposed access and associated upgrade works.

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, Matthew Murray, Principal Officer (Development Control) should be contacted by email at [metropolitan.IDAS@tmr.qld.gov.au](mailto:metropolitan.IDAS@tmr.qld.gov.au) or on (07) 3066 5710.

Yours sincerely



Susan MacMinn  
(07) 3066 5659

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

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- Significant pre-lodgement negotiations were undertaken with the applicant prior to the lodgement of the DA. During this period, TMR indicated that access to this site might be possible, provided the necessary road upgrades were provided.
- Once the DA was lodged, TMR reviewed the provided application material. However, this material did not adequately demonstrate the proposed works would mitigate the impacts generated by this development. As such, further information was sought from the applicant
- The applicant responded to the information request, and were able to demonstrate the development could mitigate its impacts on Gympie Road.
- TMR was ultimately satisfied with the proposed road upgrade works need to provide safe access to the development site.

Evidence or other material on which findings were based:

<b>Title of Evidence / Material</b>	<b>Prepared by</b>	<b>Date</b>	<b>Reference no.</b>	<b>Version/Issue</b>
Gympie Road Kedron Access Intersection Layout	Urbis	17/12/2025	P0045415, 01	B
Response – Traffic and Transport	Urbis	18 December 2025	P0045415	Final

## 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.

# Attachment D

## Permitted Road Access Location Plan



ALL DIMENSIONS ARE DESIGNED TO BE PRINTED AND READ IN COLOUR  
 IT IS THE CONTRACTOR'S RESPONSIBILITY TO CHECK DIMENSIONS IN COLOUR TO AVOID ANY POTENTIAL DISCREPANCIES OF DIMENSIONS AND PRINTED IN BLACK AND WHITE



**GYMPIE ROAD KEDRON  
 ACCESS INTERSECTION LAYOUT**

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REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	17/12/2025
2	ISSUED FOR PERMIT	17/12/2025

**DISCLAIMER**  
 This drawing is prepared for the use of the client and is not to be used for any other purpose without the written consent of URBIS. The client accepts full responsibility for the accuracy of the information provided to URBIS and for the use of this drawing. URBIS is not responsible for any errors or omissions in this drawing or for any consequences arising from its use.

**CLIENT**  
 GEORGE WESTON  
 FOODS LTD



PROJECT NO.	DATE
PO45416	17/12/2025
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01	B