

16 November 2015



Department of
Transport and Main Roads

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

For your information.

Road access works are not required as the existing access meets current Transport and Main Roads standards.

Yours sincerely

A large, stylized handwritten signature in black ink, consisting of a large loop followed by a series of smaller, connected strokes.

Brett Martin
Manager (Project Planning & Corridor Management)

Our ref TMR15-015203 and 275/20A (500-189)
DILGP ref SDA-0915-024147
Council ref MCUI 1005/2015 (463884)
Enquiries Ron Kaden



16 November 2015

Department of
Transport and Main Roads

Yenor Pty Ltd Staff Superannuation Fund
PO BOX 233
MOSSMAN QLD 4873

Attention David Roney

Dear Mr Roney

Permitted Road Access Location Decision Notice

Local Authority: Douglas Shire
State Controlled Road: Captain Cook Highway
Proposal: Material Change of Use (Restaurant and Shopping Facilities)
Real Property Description: Lot 58 on C22511
Site Locality: 5961R Davidson Street, Craiglie (TDist 59.50km LHS)

Thank you for your correspondence received by Transport and Main Roads (TMR) on 13 November 2015 requesting approval of a Road Access Location between Lot 58C22511 and the Captain Cook Highway.

Pursuant to section 62(1) of the *Transport Infrastructure Act 1994 (QLD)* (TIA), the department has approved the application, subject to the following conditions.

Permitted Road Access Location (TIA s62)

Access between the state-controlled road and the subject land shall be;

- a) At the northern side boundary of Lot 58C22511.
- b) Connection of the access driveway to the Captain Cook Highway at approximately 260m north of Beor Street.
- c) Additional direct vehicular access between the Captain Cook Highway and Lot 58 is prohibited.
- d) Access arrangements shall generally comply with TMR Layout Plan (20A - 59.50km) dated 12/10/2015.
- e) **Access Restrictions.** Access shall be restricted to;
 - Vehicles must enter and exit the subject land in a forward direction only.

Infrastructure Management & Delivery
Program Delivery and Operations
Far North District
Level 5, 15 Lake Street
PO Box 6185, Cairns Qld 4870

Telephone +61 7 4045 7144
Facsimile +61 7 4045 7138
Website www.tmr.qld.gov.au
Email cairns.office@tmr.qld.gov.au
ABN 39 407 690 291

Notice of Decision

This letter constitutes a notice under section 67 of the *Transport Infrastructure Act 1994 (QLD)* of a decision made under section 62(1) about:

- the location at which access between the land and the road is permitted;
- the conditions on the use of the property access

In accordance with section 70 of the *Transport Infrastructure Act 1994 (QLD)*, you are bound by this decision. A copy of s70 is attached for your information.

Appeal Provision

Any person whose interests are affected by this decision may, within 28 days of this notice and in accordance with section 31 of the *Transport Planning and Coordination Act 1994*;

- Under section 485 of the *Transport Infrastructure Act* - ask for the decision to be reviewed and appeal against the reviewed decision; and
- Under the *Transport Planning and Coordination Act*, part 5, division 2 - ask for the decision or the reviewed decision to be stayed.

Duration of Decision

There is no guarantee of continuation of road access arrangements, as ongoing access is dependent upon ensuring the ongoing safety and efficiency of the state-controlled road network.

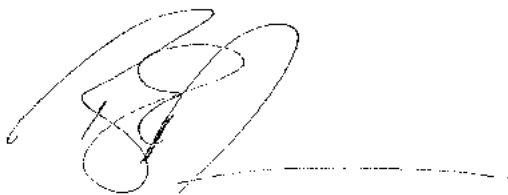
This overrides and replaces any previous decisions relating to Road Access Location.

Important Information for Applicants

Any proposed alteration or variation to the Permitted Road Access Location must be approved by the Cairns District Office before any changes are made.

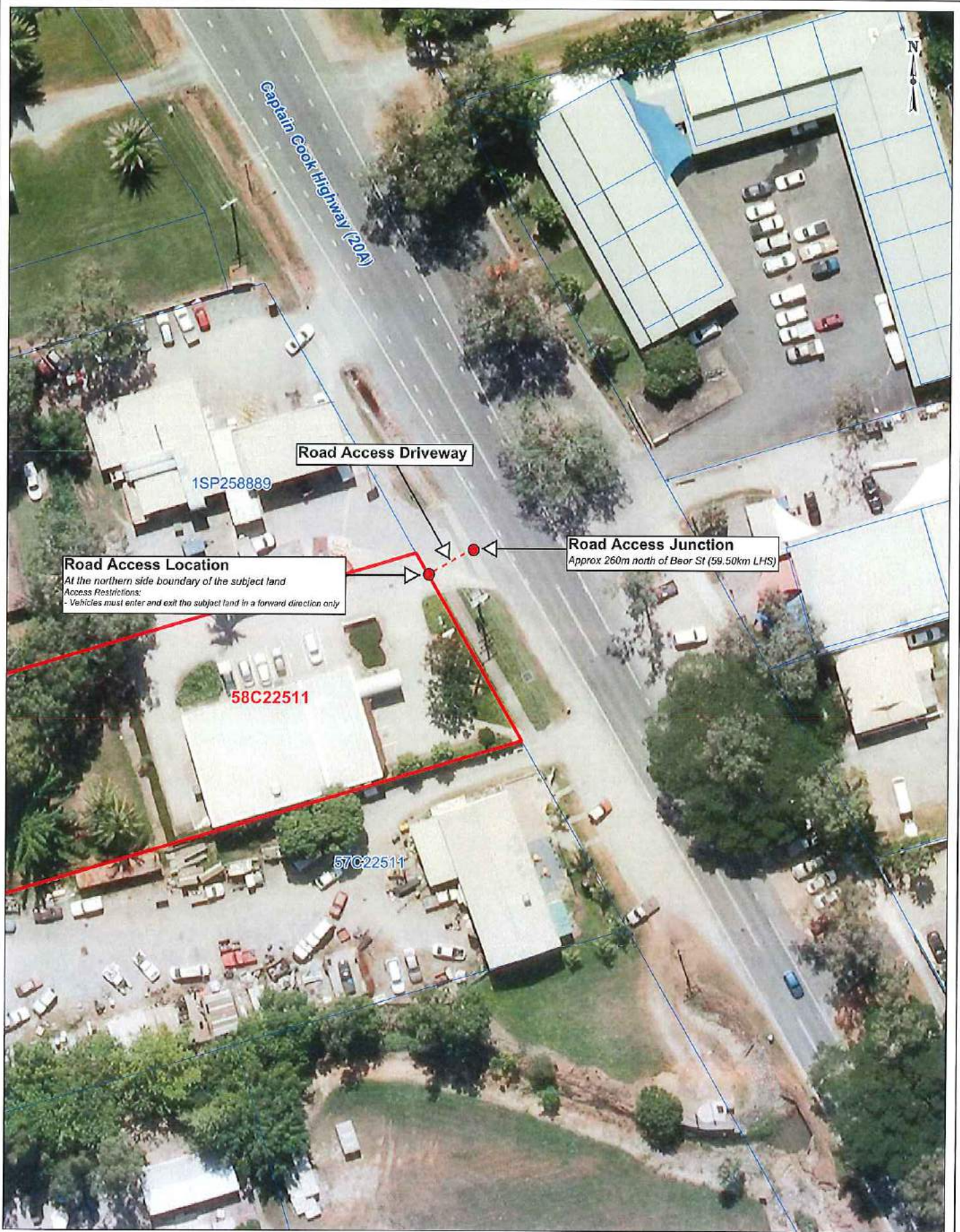
This document must be retained and provided to the department if requested.

Yours sincerely



Brett Martin
Manager (Project Planning & Corridor Management)

Enclosed TMR Layout Plan (20A - 59.50km) dated 12/10/2015
 s.70 *Transport Infrastructure Act 1994 (QLD)*



Branch/Unit:	Corridor Management/Far North Region
Projection/ Datum:	Geocentric Datum of Australia (GDA) 1994
File location:	

TMR Layout Plan (20A - 59.50km)



Queensland Government
Transport and Main Roads

Plan No:	1 / 1	Issue:	A	Date:	12/10/2015
Drawn by:	RPK	File ref:	275/20A (500-189)		

- (4) A person given a direction under subsection (2) must comply with the direction.

Maximum penalty for subsection (4)—200 penalty units.

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.