



Deed of Indemnity for construction of road works on a State-controlled road

(section 33 of the *Transport Infrastructure Act 1994*)

Department of Transport and Main Roads reference number

TMR25-045738

Contractor (insert name of contractor carrying out works, as shown on public liability insurance)

Road works (insert description of works and location)

I/We the contractor named above:

- indemnify the State of Queensland (represented by the department), its officers, employees and agents (the **Indemnified**) against any or all Losses suffered or incurred (except to the extent that any Losses are caused through the negligent act or omission of the Indemnified) in connection with the construction of the **road works**
- acknowledge that provision of this indemnity is a condition of approval of the **road works** under section 33 of the *Transport Infrastructure Act*.

In this deed, '**Losses**' include liabilities, losses, damages, expenses and costs (including, legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature whether arising in contract or tort (including, but not limited to negligence) or under a statute, and also includes:

- loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- any other consequential, special or indirect loss or damage.

Executed as a deed

For company:

Signed, sealed and delivered

on the _____ day of _____ 20 ____ in
accordance with section 127 of the *Corporations Act 2001* (Cth).

Signature of director

Full name of director

Signature of company secretary/director

Full name of company secretary/director

For individual:

Signed, sealed and delivered by

on the _____ day of _____ 20 ____ in
the presence of:

Signature of witness

Full name of witness

Signature



Principal Contractor's Details and Bond Estimate

Application details

Department of Transport and Main Roads reference number

TMR25-045738

Pursuant to the conditional approval of the subject application, I nominate the following as the principal contractor for the works. I request that you deal with the principal contractor for all matters relating to the construction works.

Applicant's name

Applicant's signature

Date

Principal contractor's details

Legal name

Australian Business Number (ABN)

Registered address

Postcode

Physical address

Postcode

Telephone number (work hours)

Telephone number (after hours)

Mobile number

Email address

Primary contact person (overseer)

Position

Telephone number (work hours)

Telephone number (after hours)

Mobile number

Prequalification status (please check one)

Department of Transport and Main Roads prequalified ☐

Prequalified number

Not Department of Transport and Main Roads prequalified ☐

Attach evidence of:

- i. previous construction works (preferably on a State-controlled road)
- ii. ability to carry out the works in accordance with the approved plans, standards and specifications
- iii. qualifications and experience of the primary contact person (overseer), including the Registered Professional Engineer of Queensland number.

Principal contractor's insurance and indemnity (please check if attached)

☐ Attached is the *Deed of Indemnity for road works on a State-controlled road* (form F5109) signed by the principal contractor.

☐ Attached is evidence of the principal contractor's public liability insurance policy of no less than \$20 million that notes the Department of Transport and Main Roads interest on the policy.

Construction works costs

Estimated cost of the works

Bond amount

☐ Attached are details supporting the estimation of costs of works (for example, bill of quantities)

Privacy statement: The Department of Transport and Main Roads is collecting the information on this form for the purpose of managing the **road works** (under s33 of the *Transport Infrastructure Act 1994*) that are being undertaken by a third party with respect to an application for such works. The details will not be disclosed to any other third party without your consent unless required by law.

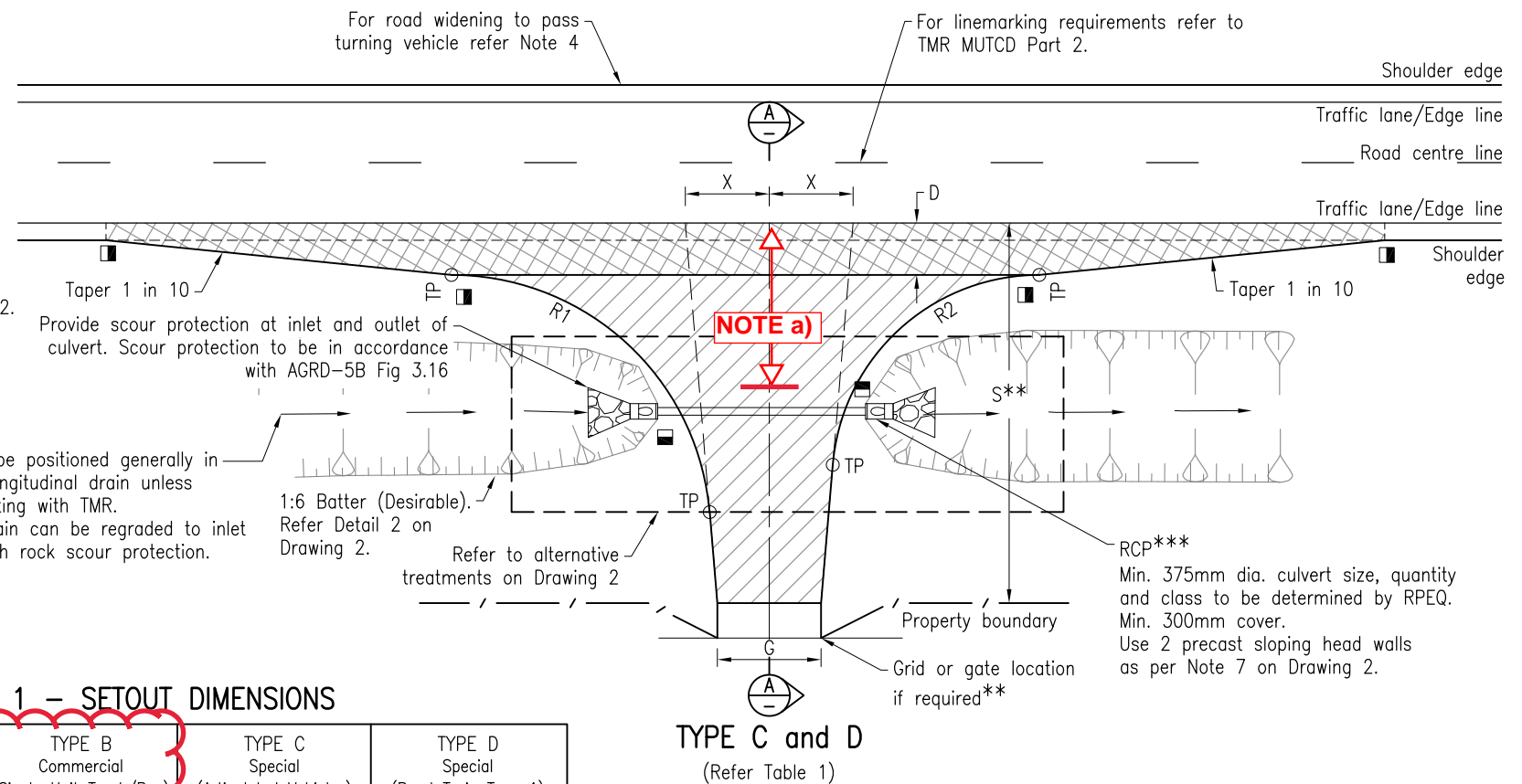
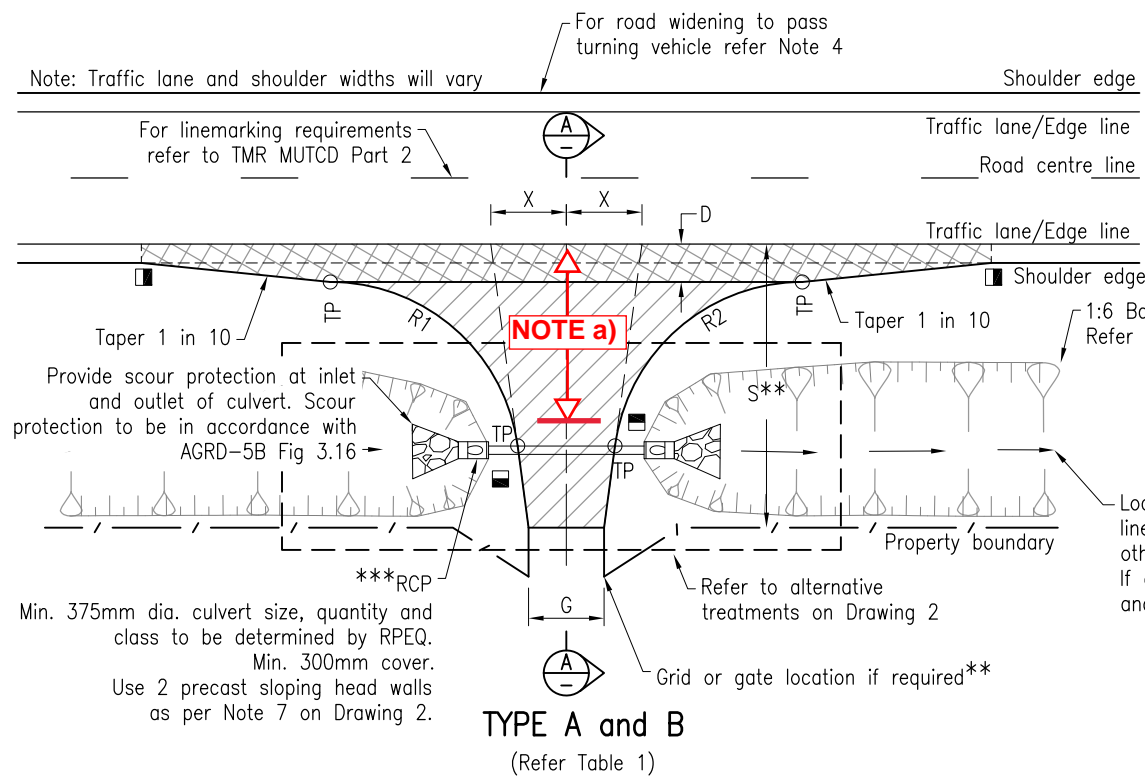


TABLE 1 – SETOUT DIMENSIONS

	TYPE A Residential (Car/Service Vehicle)	TYPE B Commercial (Single Unit Truck/Bus)	TYPE C Special (Articulated Vehicles)	TYPE D Special (Road Train Type 1)
R1	10m	10m	15m	20m
R2	10m	10m	12m	12m
D	2m	2m	3m	3m
X	3m	5m	4m	5m
S	12m	15m	22m	30m**
G	4–6m ∅	4–6m ∅	6m	6m
∅ 6m Minimum width for two-way two-lane access.				

LEGEND



Pavement Type 1 – Bitumen surfacing, 2 coat bitumen seal. Pavement depth and type to match existing or proposed through road pavement. Refer to Table 2 for minimum depths.



Pavement Type 2 – Gravel, unbound pavement. Refer to Table 2 for depths. Access may be required to be sealed for up to 10m width from edge line (to minimise gravel on through road) to be determined by the RPEQ.

* Maintain existing shoulder crossfall and superelevation.

** Length 'S' to property boundary by TMR. Where length 'S' is greater than the road reserve boundary, then fencing and grid/gate shall be recessed at the cost of owner from property boundary to ensure vehicle does not impede through lane.

*** RCBC (min. size 600x300) can be used instead of RCP, or invert option where table drain is of insufficient depth for a culvert.

■ Denotes Road Edge Guide Post
The Filled in portion denotes a red reflector and the open portion a white reflector.

TABLE 2 – MINIMUM PAVEMENT DETAILS AND DEPTH

	TYPE A Residential (Car/Service Vehicle)	TYPE B Commercial (Single Unit Truck/Bus)	TYPE C & D Special (Articulated Vehicles)
Sealed Pavement Base Course	150mm(Min.) Type 2.2 or match existing	200mm(Min.) Type 2.2 or match existing	280mm(Min.) Type 2.2 or match existing
Unsealed Pavement Base Course	150mm(Min.) Type 2.4 or match existing	200mm(Min.) Type 2.4 or match existing	#

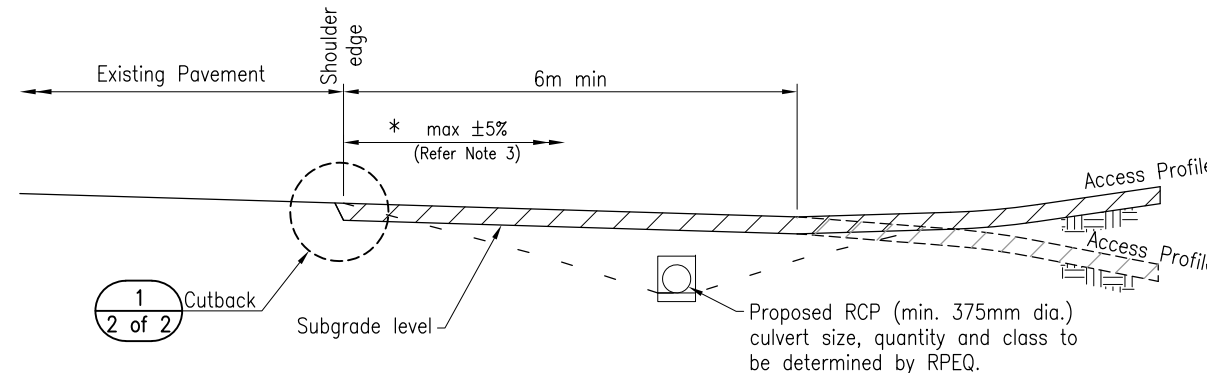
NOTE:

1. Refer to additional notes on drawing 2 of 2

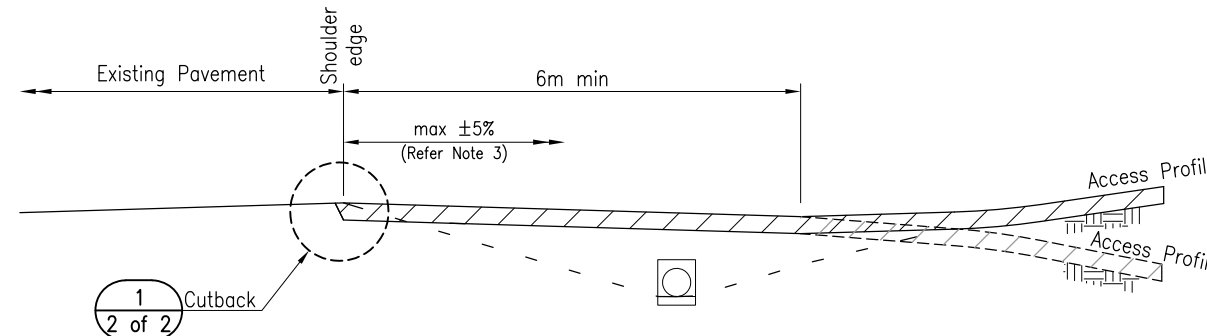
2. Where access is located on curves, intersections or is Type C, or excessive screwing motion will occur, pavement seal to extend to property boundary at the owner's cost to the engineer's/designer's discretion.

Bitumen sealed pavement only.

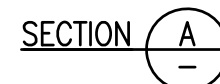
◆ Type 3.1 or 4.3 or match existing is permissible if Type 2.2/2.4 is unable to be used.



ON STRAIGHTS AND INSIDE OF CURVES



ON OUTSIDE OF SUPERELEVATED CURVES



NOTES:

- Details shown on this drawing are the minimum layout requirements for a private rural property access. For additional requirements and other design considerations refer to the RPDM (2nd Edition) Volume 3 in conjunction with AGRD Part 4 Sections 7.2.1 and 7.2.3.
- For sight distance requirements refer to Section 3.4 of the RPDM (2nd Edition) Volume 3 Part 4A in conjunction with AGRD.
- Vertical clearance checks to be carried out for proposed vehicle in accordance with AS 2890.2 – Parking Facilities Off-Street Commercial Vehicle Facilities.
- RPEQ or designer to conduct Traffic Impact Assessment to determine if turning treatments are required. For rural right-turn treatments, refer to Section 7 of the RPDM (2nd Edition) Volume 3 Part 4A in conjunction with AGRD. Note that Auxiliary Right Turns shall not be used. Pavement type to match existing or minimums specified in Table 2 of this drawing.
- This drawing is to be read in conjunction with Drawing 2 of 2.
- All dimensions in metres and are minimum unless specified.

REFERENCED DOCUMENTS:

Departmental Standard Drawings:

- 1243 Precast Culvert Headwalls – Headwall Connections for Culverts
- 1305 Pipe Culverts – Headwall and Apron for Pipe Diameter 375 to 675
- 1359 Culverts – Installation, Bedding and Filling/Backfilling Against/Over Culverts

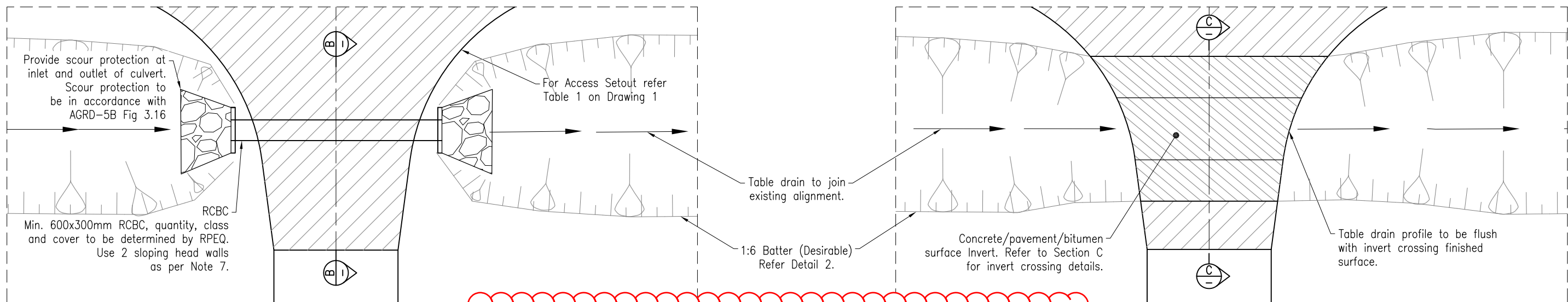
Departmental Documents:

- RPDM Road Planning and Design Manual (2nd Edition) Volume 3.
- MRTS03 Drainage Structures, Retaining Structures and Embankment Slope Protections

Austrroads Guide to Road Design:

- AGRD-4 (2023) Part 4: Intersections and Crossings – General
- AGRD-4A (2023) Part 4A: Unsignalised and Signalised Intersections
- AGRD-5B (2023) Part 5B: Drainage – Open Channels, Culverts and Floodway Crossings
- AGRD-6 (2022) Part 6: Roadside Design, Safety and Barriers

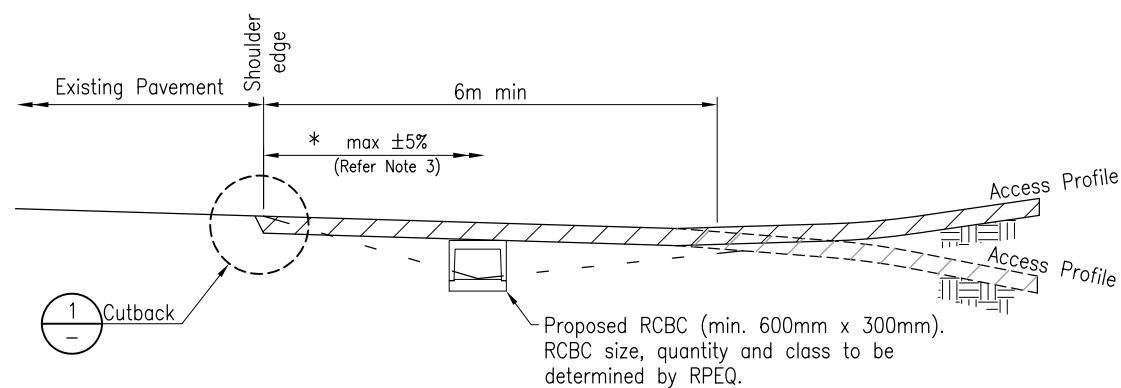
Department of Transport and Main Roads			
PROPERTY ACCESS			
RURAL PROPERTY ACCESS DRAWING 1 OF 2		A3 Not to Scale	Standard Drawing No 1807 Date 3/2024



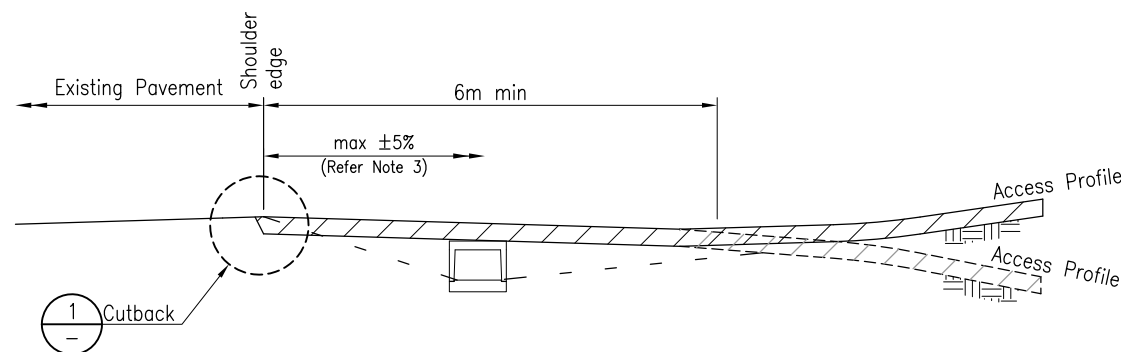
RC BOX CULVERT PLAN VIEW

INVERT CROSSING PLAN VIEW

ADDITIONAL NOTES:
a) In all cases, bitumen seal to extend a minimum of 10m from road edge.
b) Annexure to construction drawings is to be read in conjunction with standard drawing 1807.

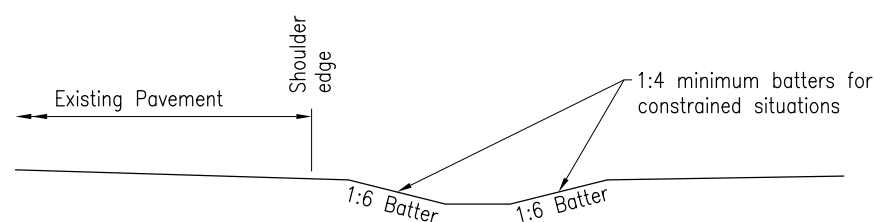


ON STRAIGHTS AND INSIDE OF CURVES



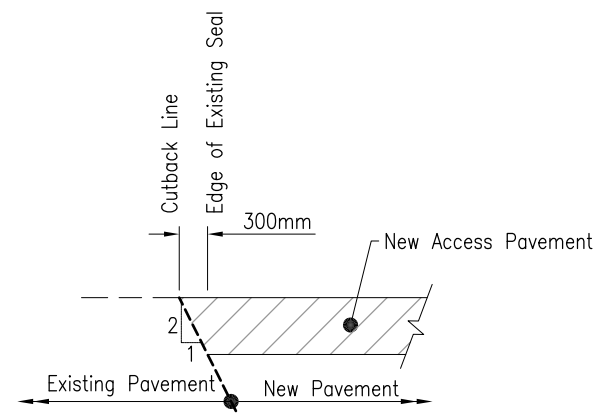
ON OUTSIDE OF SUPERELEVATED CURVES

SECTION B



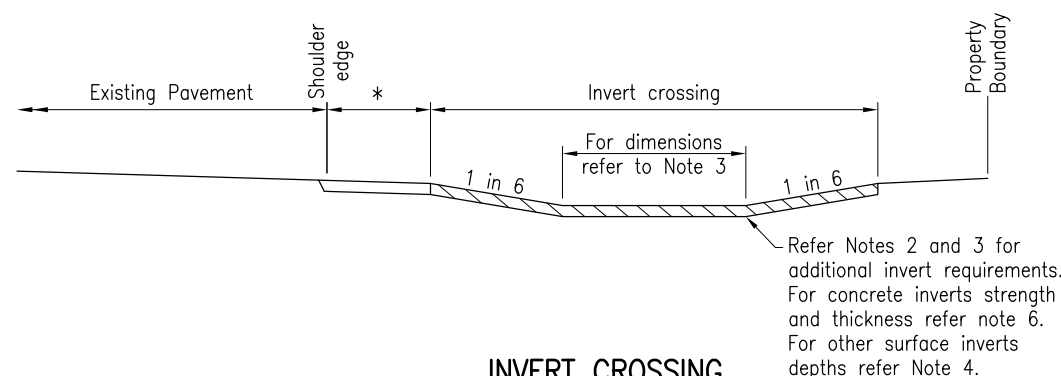
BATTER DETAIL

DETAIL 2



CUTBACK DETAIL

DETAIL 1



INVERT CROSSING

SECTION C

LEGEND

Pavement Type 2 – Gravel, unbound pavement. Refer to Table 2 of Drawing 1 for depths. Access may be required to be sealed for up to 10m width from edge line (to minimize gravel on through road) to be determined by the RPEQ.

Invert crossing surface

* Maintain existing shoulder crossfall and superelevation.

NOTES:

1. This drawing is to be read in conjunction with Drawing 1 of 2.
2. Minimum longitudinal fall for concrete or bitumen invert is 0.3%.
3. 1 in 6 grade can be further levelled for larger design vehicles. Ensure sufficient area for drainage remains. Dimensions to be based on stormwater flow rate for appropriate design ARI event to ensure invert crossing can meet required capacity. Type 22 and Type 28 inverts can be used if drainage design criteria is met.
4. Vertical clearance checks to be carried out for small rigid vehicle to ensure adequate transition between change in grade. Refer to AS 2890.2.
5. For pavement or bitumen surfacing inverts, refer Table 2 on Drawing 1 for minimum depths.
6. Concrete access to have minimum N32 concrete, 100mm thick on 100mm thick sub-base gravel. Concrete access to be reinforced with SL72 mesh with minimum 40mm top cover.
7. Refer to RPDM (2nd Edition) Volume 3 in conjunction with AGRD Part 5B and Part 6 for application of sloping headwalls.

REFERENCED DOCUMENTS:

Departmental Standard Drawings:

1260 R C Box Culverts and Slab Link Box Culverts – Culverts Height = 375 To 600

1033 Kerb and Channel – Profiles

Australian Standards Documents:

AS2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities

Department of Transport and Main Roads					
PROPERTY ACCESS		Standard Drawing No		1807	
RURAL PROPERTY ACCESS		A3		Date 3/2024	
DRAWING 2 OF 2		Not to Scale			
		A		B	

ANNEXURE TO CONSTRUCTION DRAWINGS



Department of
Transport and Main Roads

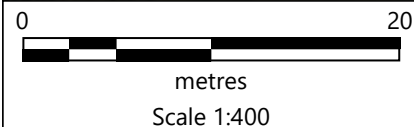
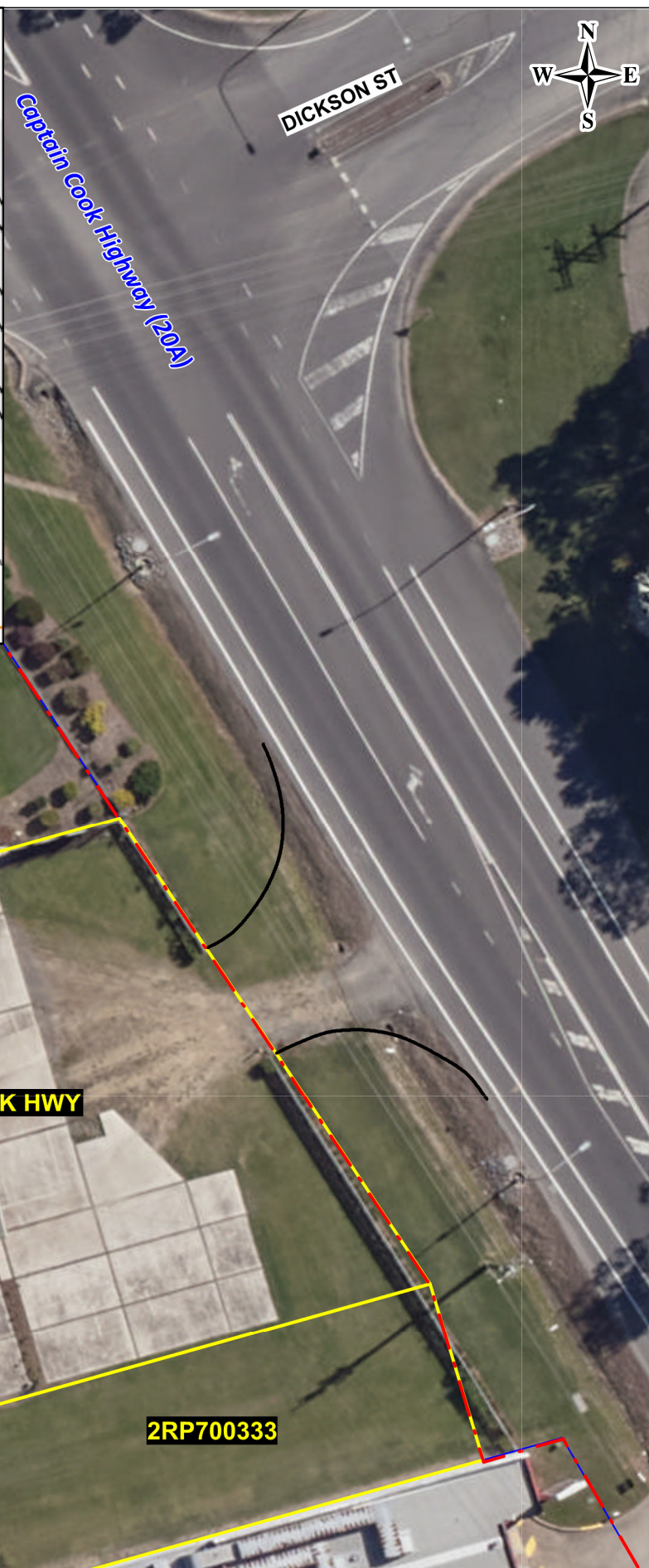
Applicant	Austart Homes Pty Ltd
Real Property Description	Lot 11 on C22510
Site Locality	5967 Captain Cook Highway, Craiglie QLD 4877
TMR Reference	TMR25-045738

Requirements in addition to TMR Standard Drawing 1807, Rural Property Access (Type B) dated 3/2024 Revision C.

1) LINEMARKING

- a) Modify line marking along the frontage of the development in accordance with MRTS45 and MUTCD Part 2 as follows:
 - i) Reinstate double barrier lines over the area shown within the yellow clouded area,
 - b) To restrict vehicle arrangements to left-in, left-out movements only.





Branch/Unit : **Corridor Management / Far North District**

Projection/Datum : Geocentric Datum of Australia (GDA) 2020

Land parcels Sunbect land

State-controlled road corridor

TMR Layout Plan (Access Footprint)

Access information taken from General Arrangement drawing
prepared by NEON Consulting
reference 021-2301-01-SK-0011 Rev B dated (unreadable)



Queensland Government
Transport and Main Roads

Plan: 1 / 1

Issue: C

Date: 14/05/2025

Drawn by:
RPK

File ref:
TMR25-045738



Our ref TMR25-045738
Your ref
Enquiries Ronald Kaden

Department of
Transport and Main Roads

16 May 2025

Austart Homes Pty Ltd
2/2 Mount Millman Drive
Smithfield QLD 4878

Dear Phillip Matthews

Conditional approval of road works at 5967 Captain Cook Highway, Craiglie QLD 4877

This is not an authorisation to commence work on a state-controlled road

Development Approval:	Development Permit for a change application for other changes for the inclusion of additional land and redesign of the proposed use to the Development Approval for the Combined application for a Development Permit for a Material Change of Use for a Food and Drink Outlet with drive-through facility and a Development Permit for Operational Work for an Advertising Device
Decision Notice Date:	3 June 2024
Real Property Description:	Lot 11 on C22510, Lot 2 on RP700333
Street Address:	5967 Captain Cook Highway, Craiglie QLD 4877
Assessment Manager reference:	CA 2023_5398/2
Local Government Area:	Douglas Shire Council
DSDIP reference:	2404-39934 SRA
TMR reference:	TMR24-042336

I refer to your application for road works made pursuant to section 33 of the *Transport Infrastructure Act 1994* (TIA) for works at 5967 Captain Cook Highway, Craiglie QLD 4877

The Department of Transport and Main Roads (the department) has assessed your application, including the following plans:

The department has decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
Road Works		
A. General		

Program Delivery and Operations
Far North Region
Cairns Corporate Tower, 15 Lake Street Cairns QLD 4870
PO Box 6185 Cairns QLD 4870

Telephone +61 (07) 4045 7151
Website www.tmr.qld.gov.au
Email Far.North.Queensland.IDAS@tmr.qld.gov.au
ABN: 39 407 690 291

No.	Conditions of Approval	Condition Timing
1	The permitted road works location is approximately 50 metres south of Dickson Street, as generally indicated on: a) TMR Layout Plan (Access Footprint) Issue C 14/05/2025	At all times.
2	Road Works will require: a) Upgrading the existing property access to a Type B Rural Property Access in accordance with <ul style="list-style-type: none"> ▪ Property Access drawing prepared by Queensland Government dated 3/2023 reference 1807 Issue C (with additional notes). ▪ Annexure to construction drawings prepared by Department of Transport and Main Roads. b) Modifications to centre line markings to reinstate the double barrier lines.	Construction of road works must not commence until TMR has issued an 'Authority to Commence Works'.
3	The road works are to be constructed in accordance with TMR's Road Planning and Design Manual 2nd Edition, Road Drainage Manual, Road Pavement Manual, TMR's Technical Specifications, Standards, Standard Drawings Roads and FNQROC drawings requirements.	At all times during construction.
4	All TMR technical specifications are to be read in conjunction with 'MRTS01 Introduction to Technical Specifications'.	At all times during construction.
5	Council may have requirements in addition to those identified in this conditional approval. The applicant should contact Council to ensure any such additional requirements are met.	At all times during construction.
6	The road works are to be constructed at no cost to TMR.	At all times.
7	Construction of the road works is to proceed without unreasonable interruption to traffic and in accordance with TMR 'Manual of Uniform Control Devices (2003) – Part 3, Works on Roads'. This includes, but is not limited to: a. taking all steps necessary to protect the public during construction; and b. provision of adequate signage and barriers.	At all times during construction.
8	Any damage to the existing road infrastructure caused by carrying out the Road Works is to be rectified/repaired at no cost to TMR.	At all times during construction.
9	TMR officers are to be allowed access to the project site for the purpose of ensuring compliance with TMR conditions.	At all times during construction.
10	This conditional approval is valid for one year from the date of this letter.	At all times.
B. Documents for Approval		

No.	Conditions of Approval	Condition Timing
11	<p>A Traffic Control Permit application including a Traffic Guidance Scheme (TGS) in accordance with TMR's specification 'MRTS02 Provisions for Traffic' and the department's 'Manual of Uniform Traffic Control Devices – Part 3, Works on Roads' is to be submitted through the Permit for Access to Road and Corridor System (PARC) to TMR for approval.</p> <p>Traffic Control Permit applications must be submitted:</p> <ul style="list-style-type: none"> a) where works are being undertaken within the state-controlled road corridor, or b) where works signage is to be placed within the state-controlled road corridor, and c) to avoid any possible works conflicts. 	Prior to TMR issuing an 'Authority to Commence Works'.
C. Principal Contractor		
12	Submit to TMR, a completed Deed of Indemnity for the Road Works using the attached form F5109.	Prior to TMR issuing an 'Authority to Commence Works'.
13	<p>Submit to TMR, a completed Principal Contractors Details and Bond Estimate using the attached form F5084.</p> <p>Please note that the nominated Principal Contractor must have sufficient expertise to carry out the proposed Road Works and include evidence they hold a current public liability insurance policy in the amount of not less than \$20 million that notes TMR's interest on the policy for the duration of the works.</p>	Prior to TMR issuing an 'Authority to Commence Works'.
E. Practical Completion		
14	<p>Notification of completion of the road access works is to be submitted to TMR and must include, but may not be limited to:</p> <ul style="list-style-type: none"> a) Photographs of the completed works, and b) Evidence that the owner is satisfied with the completed works. <p>(TMR will then assess if any further inspection / rectification is required prior to issuing a Certificate of Practical Completion)</p>	Within five (5) days of the completion of the work.
15	Any damage to the existing road infrastructure caused by carrying out the road works is to be rectified/repaired at no cost to TMR.	Prior to TMR issuing 'Certificate of Completion'.
F. Maintenance		
16	The Road Access Works must be maintained to a safe trafficable standard by the property owner at no cost to TMR.	At all times.

Important information for applicants

This approval does not authorise you to commence road works. Prior to any road works being undertaken within the boundary of the state-controlled road, the department must have issued you with an authority to commence works. The authority to commence works will not be issued until all the requirements of the above conditions have been fulfilled.

If any variations from the approved road works are required, further written approval from the department must first be obtained.

You should also be aware that you may have other statutory obligations. This conditional approval is for section 33 of the TIA only.

This document must be retained as evidence of the road works approval.

If you would like to discuss this application, please contact Ronald Kaden, Technical Officer (Development Control) by email at cairns.office@tmr.qld.gov.au or on (07) 4045 7151.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liliya Yates', with a long, sweeping horizontal line extending to the right.

Liliya Yates
A/Principal Engineer (Civil)

Attachments: Attachment D - Road works location plan
Attachment E - Construction drawings
Attachment F - Documents for approval