

17 March 2023

Our Reference: DA230014

Ag-Plus Consulting Pty Ltd
PO Box 154
BUNDABERG QLD 4670
via email: tim@aglpushealth.com

'Minor' Change to an Existing Approval
Planning Act 2016

Dear Tim,

RE: MINOR CHANGE APPLICATION FOR MATERIAL CHANGE OF USE—AGRICULTURAL SUPPLIES STORE, ADVERTISING DEVICE AND DEMOLITION OF BUILDINGS WITHIN THE DESIGNATED STREET FRONTAGE AT 13 LYONS STREET, MUNDUBBERA ON LAND DESCRIBED AS LOT 34 ON SP325437

Thank you for your request under section 78 of the *Planning Act 2016* to make a change to existing approval DA210002, decided the request on 17 March 2023.

Please find attached the amended Decision Notice. This replaces the previous development approval issued. **The change includes amendments to the approved plans identified in section 5.**

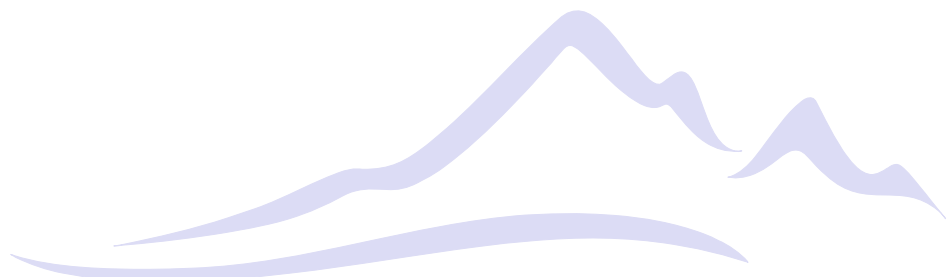
Please note that this decision does not extend the currency period for the development. Therefore, you may still be required to make separate applications under the *Planning Act 2016* to extend the development approval's currency period.

Please quote Council's application number: DA230014 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Council's Development Services team on 1300 696 272.

Yours sincerely,



David Rowland
Interim Manager Planning & Environment



Amended Decision Notice — ‘Minor’ Change Application

(Given under section 83 of the Planning Act 2016)

Thank you for request under *section 78 of the Planning Act 2016*, received by the North Burnett Regional Council on 1 March 2023, to make an ‘minor’ change to existing approval DA210008. The North Burnett Regional Council has assessed your application and decided it as follows:

Location details

Street address: 9-11 & 13 Lyons Street
MUNDUBBERA QLD 4626

Real property description: Lots 3 & 4 on SP226159

Local government area: North Burnett Regional Council

Details of original approval

Application for Material Change of Use—Agricultural supplies store

Date of approval: 2 December 2020

Application number: DA 182/19

Application for Material Change of Use – ‘Other’ Change —Agricultural supplies store

Date of approval: 2 February 2021

Application number: DA210002

Application for Material Change of Use – ‘Other’ Change – Agricultural supplies store, Advertising Devices and Demolition of Buildings within the Designated Street Frontage

Date of approval: 13 April 2021

Application number: DA210008

Decision for change application

Application for Material Change of Use – ‘Minor’ Change —Agricultural supplies store; Advertising Devices and Demolition of Buildings within the Designated Street Frontage

Date of decision: 17 March 2023

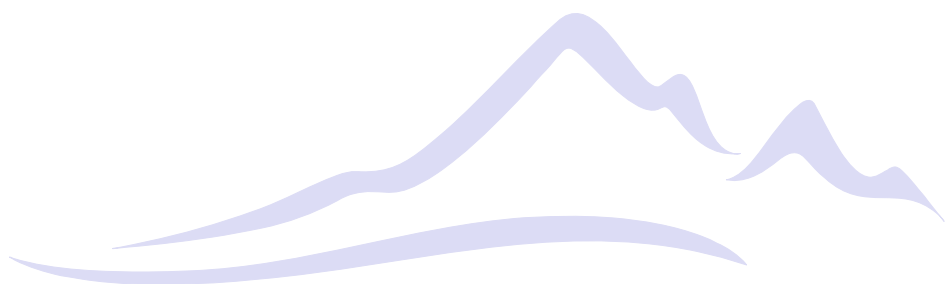
Decision details: Approved the change. These amendments are set out in Schedule 1. Changes approved are in **bold red**.

The changes agreed to are:

- Update property details as previous 2 lots have been amalgamated.
- Update the approved plans in section 5 of the decision notice to include traffic engineer’s report
- Conditions—amend condition 25 and 26 to reflect traffic engineer’s recommendations, remove condition 27, include new condition 28 to condition removal of kerb and make good pavement damage caused by removal of kerb.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the Planning Act 2016).



Schedule 1 – Decision notice

1. Applicant's details

Name: Ag-Plus Consulting Pty Ltd
Postal Address: PO Box 1139
BUNDABERG QLD 4670
Phone No.: 07 4154 3911
Email: info@designndirect.net.au

2. Location details

Street address: ~~9-11 &~~ 13 Lyons Street
MUNDUBBERA QLD 4626
Real property description: ~~Lots 3 & 4 on SP226159~~ Lot 34 on SP325437
Local government area: North Burnett Regional Council

3. Decision

Application number: DA210008
Date of decision: 17 March 2023
Decision details: Approved in full subject to conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

4. Details of proposed development

	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval – Reconfiguring a Lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Approved plans

Copies of the following plans are enclosed in Attachment 3.

Document title	Prepared by	Reference no.	Date	Rev.
Locality plan	Design Direct	190702 – DA01	15/03/2021	C
Site plan	Design Direct	190702 – DA02	15/03/2021	C
Floor plan	Design Direct	190702 – DA03	15/03/2021	C
Elevations	Design Direct	190702 – DA04	15/03/2021	C
3D Views	Design Direct	190702 – DA05	15/03/2021	C
Memo – Ag-Plus	Solutions in Transport Pty Ltd	0047_F_AG-PLUS	10/12/2021	Pages 1 to 10

6. Conditions

This approval is subject to the conditions in Attachment 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

7. Further development permits

Not applicable

8. Properly made submissions

Not applicable — No part of the application required public notification.

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

- (1) A part of a development approval lapses at the end of the following period (the **currency period**)—
- (a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—
 - (i) the period stated for that part of the approval; or
 - (ii) if no period is stated—6 years after the approval starts to have effect;
 - (b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—
 - (i) the period stated for that part of the approval; or
 - (ii) if no period is stated—4 years after the approval starts to have effect;
 - (c) for any other part of the development approval—if the development does not substantially start within—
 - (i) the period stated for that part of the approval; or
 - (ii) if no period is stated—2 years after the approval starts to take effect.

10. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions is included in [Attachment 2](#).

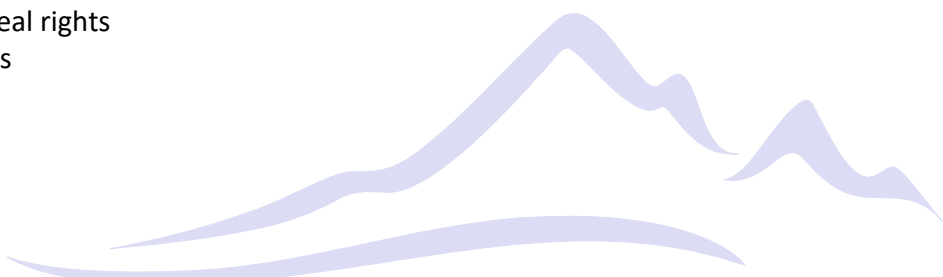
Should you require any further assistance in process, please contact Council's Development Services Department on 1300 696 272.

Yours faithfully



David Rowland
Interim Manager Planning & Environment

Enc: Attachment 1-Conditions imposed by assessment manager
Attachment 2-Appeal rights
Attachment 3-Plans



Attachment 1 – Conditions Imposed by Assessment Manager

General

- 1) Carry out the approved development in accordance with the approved plans and documents identified in section 5 “Approved plans” of the decision notice approval, except as modified by the conditions of this approval as relevant.
- 2) Where there is any conflict between conditions of this approval and details shown on the approved plans and documents, the conditions prevail.
- 3) Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
- 4) Comply with all the conditions of this development permit prior to commencement of the use, and maintain compliance whilst the use continues.
- 5) Amalgamate Lots 3 and 4 on SP226159 before building approval for new structure is approved.
- 6) Do not display or store goods outdoors other than in the area identified as ‘Storage/Display Area’ on the approved plans.
- 7) Provide landscaping in the areas so indicated on the approved plans, prior to commencing the use of the premises.
- 8) If after 6 months from when existing structures are removed and the site remains vacant of new structures, landscaping or screening is to be provided that enhances the visual amenity of the designated street frontage.

Advertising Devices

- 9) Signs are to be located and of size generally in accordance with the approved plans.
- 10) Sign face area is to be the lesser of 12m² or 25 per cent of the area of the wall it is placed on.
- 11) There is to be no more than two signs on any wall.
- 12) Signs are not to project beyond the walls.
- 13) Construction of signs are to be in accordance with the standards in Sections 3.1 and 3.2 of AS 1170.1 1989.

Construction management

- 14) Unless otherwise approved in writing by the Assessment manager, do not carry out building work in a way that makes audible noise—
 - a) on a business day or Saturday, before 6:30am or after 6:30pm
 - b) on any other day, at any time.
- 15) Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.
- 16) Remove any spills of soil or other material from the road or gutter upon completion of each day’s work, during construction.

Waste management

- 17) Provide an impervious bin storage area for the storage of refuse bins in accordance with the following—
 - a) in the location shown on the approved plans
 - b) designed so as to prevent the release of contaminants into the environment
 - c) sufficiently sized to accommodate all refuse bins
 - d) screened from the road frontage or other public space by landscaping or constructed screening
 - e) a suitable hose cock (with backflow prevention) and hoses must be provided at the bin storage area, and wash down to be drained to the sewer and fitted with an approved stormwater diversion valve arrangement
 - f) must be maintained in a clean and sanitary manner.
- 18) Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.

Erosion and sediment control

- 19) Implement and maintain an erosion and sediment control (ESC) plan on-site for the duration of the operational and building works, and until all exposed and disturbed soil areas are permanently stabilised, to prevent the release of sediment or sediment laden stormwater from the site.
- 20) During the construction phase, design and construction of works shall achieve the stormwater management design objectives included in:
 - a) Table 9.4.6—Part 1 Construction phase: stormwater management design objectives,
 - b) Table 9.4.7—Part 2 Construction phase: stormwater management design objectives for temporary drainage works, and
 - c) Table 9.4.8—Part 3 Construction phase: stormwater management design objectives for emergency spillways on temporary sediment basins as applicable.
- 21) At post construction phase works achieve:
 - a) the applicable stormwater management design objectives on-site, as identified in Table 9.4.9—Post-construction phase: stormwater management design objectives; or
 - b) an alternative locally appropriate solution off-site with an equivalent or improved water quality outcome to the relevant stormwater management design objectives in Table 9.4.9—Post-construction phase: stormwater management design objectives.

Infrastructure

- 22) Design and implement a stormwater drainage system connecting to a lawful point of discharge in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*.
- 23) Connect the premises to the reticulated water supply and sewerage systems, and provide internal infrastructure as required to satisfy the demands of the development and in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*.

Vehicle access

- 24) The Lyons Street vehicular access is to be used for ingress only. Include signage, in accordance with the Queensland Manual of Uniform Traffic Control Devices and AS 1742.11-2016, to prevent vehicles exiting via Lyons Street and direct vehicles to exit via Bauer Street.
- 25) Prior to the commencement of the use, submit to Council for approval a traffic management **plan procedure**, prepared by a Registered Professional Engineer Qld (RPEQ), that details the following when service and delivery vehicles enter and exit the site—
- the type of traffic block and hold operations on both the roadway and footpath, including their typical duration
 - the number and role of traffic **controllers spotters** required to assist pedestrians and local traffic.
- 26) The approved **traffic management plan delivery vehicle operational procedure in “Memo – Ag-Plus Attachment B”, by Solutions in Transport Pty Ltd, is** must be implemented at all times when service and delivery vehicles enter and exit the site.
- ~~27) Install a “stop sign” and relevant line markings at the intersection of Lyons Street and Bauer Street for vehicles facing Bauer Street that replaces the existing “give way sign”. The sign and line markings must be approved by Council and comply with the requirements of the Queensland Department of Main Roads Manual of uniform traffic control devices. Submit to Council “as constructed” plans of the sign and line markings that are certified by a Registered Professional Engineer Qld (RPEQ).~~
- 28) **Remove the kerb on the eastern side of Bauer Street where approved by the Assessment Manager for delivery vehicles to complete reversing turn in one movement path. Repair any damage to the pavement and pavement markings on Bauer Street caused by the removal of the kerb to the satisfaction of the Assessment Manager.**
- 29) Design and construct off-street car parking, access, and manoeuvring areas in accordance with the approved plans and the North Burnett Regional Planning Scheme Policy SC6.2 Design and construction standards for development works. Car parking, access, and manoeuvring areas must—
- provide a minimum of 6 parking spaces
 - be designed, constructed and delineated in accordance with AS2890 Parking facilities – off-street car parking
 - provide parking spaces for people with a disability in accordance with the Building Code of Australia and AS2890.6 Off-street parking for people with disabilities
 - provide on-site loading and unloading for all necessary service and delivery vehicles
 - be constructed and sealed with concrete, pavers or asphalt.

Advice to the applicant

- The operator must comply with their obligations under the *Transport Operations (Road Use Management—Road Rules) Regulations 2009* and the *Work Health and Safety Act 2011* in relation to safety obligations associated with service and delivery vehicles entering and exiting the site. Refer to the QFleet driver safety fact sheet—reversing safely.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

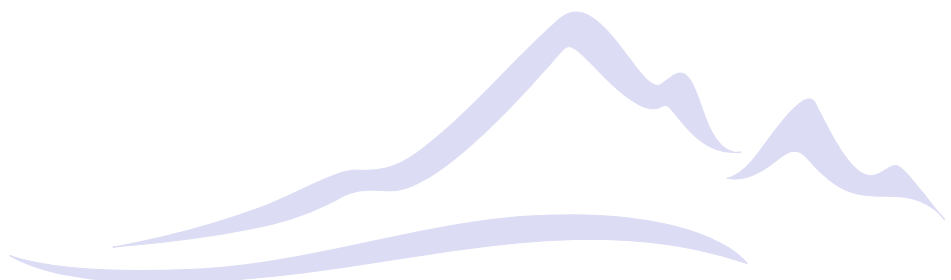
Attachment 2 – Appeal Rights Planning Act 2016

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Please refer to attached document or

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>

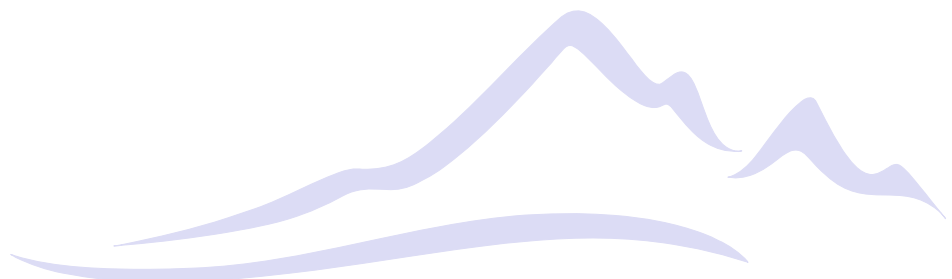
<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>



Attachment 3 – Approved Plans

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Please refer to the following pages for approved plans.





NORTH BURNETT
REGIONAL COUNCIL

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NORTH BURNETT
REGIONAL COUNCIL

APPROVED PLANS

These plans are associated to the
Decision Notice for application number

DA230014



LOCALITY PLAN
SCALE 1:500

REV	DESCRIPTION	DATE	BY
C	DA UPGRADE	15/03/21	TL
B	DA UPGRADE	08/12/20	TL
A	DA UPGRADE	15/11/19	TL
*	ORIGINAL	08/12/20	TL

PROJECT	PROPOSED AGRICULTURAL SUPPLIES WAREHOUSE
CLIENT	AG-PLUS PTY LTD

LOCATION	9-11 & 13 LYONS STREET MUNDUBBERA
TITLE	LOCALITY PLAN

PAGE SIZE A2	SCALE 1:500	START DATE JUL 2019	DESIGNED TL
		DRAWN TL	CHECKED MS
BCA CLASS 7b	PROJECT NO. 190702	DRAWING NO. DA01	REVISION C



NORTH BURNETT
REGIONAL COUNCIL

APPEALS

These
Decision

DA230014

to the
n number



NORTH BURNETT
REGIONAL COUNCIL

APPROVED PLANS

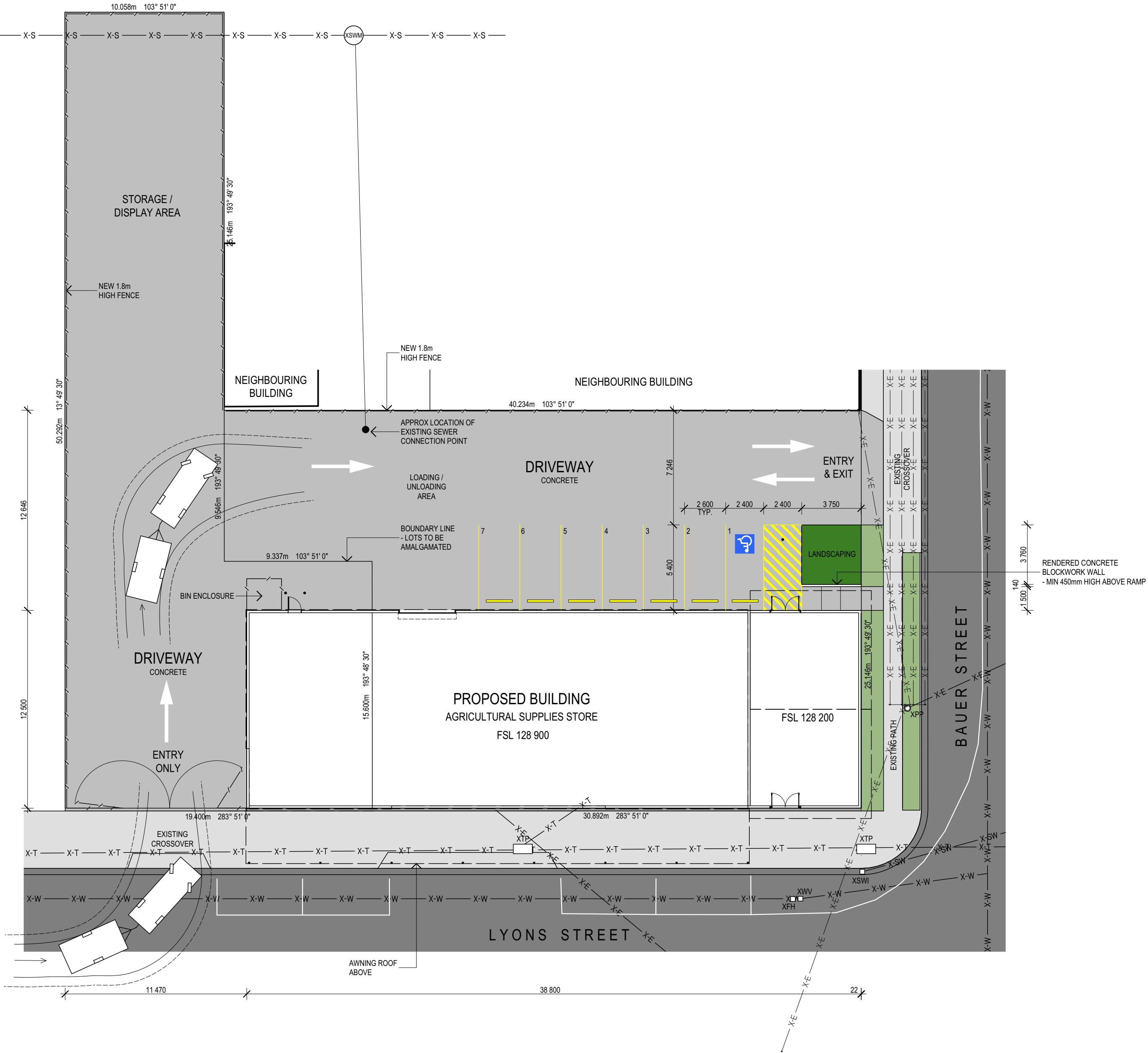
These plans are associated to the
Decision Notice for application number

DA230014

PROPERTY DESCRIPTION:
LOTS 3 & 4 ON SP226159
LOCAL GOVERNMENT OF MUNDOWRAN
LOCALITY OF YARROL
SITE AREA - LOT 3 = 652m²
- LOT 4 = 866m²

ABBREVIATION LEGEND:

- X-E EXISTING ELECTRICAL LINE
- X-T EXISTING TELECOM LINE
- X-S EXISTING SEWER LINE
- X-W EXISTING WATER LINE
- FSL FINISHED SLAB LEVEL
- XPP EXISTING POWER POLE
- XSL EXISTING SURFACE LEVEL
- XSM EXISTING SEWER MANHOLE
- XTP EXISTING TELECOM PIT
- XWV EXISTING WATER VALVE



SITE PLAN
SCALE 1:200

ISSUE

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C

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REV	DESCRIPTION	DATE	BY
C	DA UPGRADE	15/03/21	TL
B	DA UPGRADE	08/12/20	TL
A	DA UPGRADE	15/11/19	TL
*	ORIGINAL	08/12/20	TL

PROJECT	PROPOSED AGRICULTURAL SUPPLIES WAREHOUSE
CLIENT	AG-PLUS PTY LTD

LOCATION	9-11 & 13 LYONS STREET MUNDUBBERA
TITLE	SITE PLAN

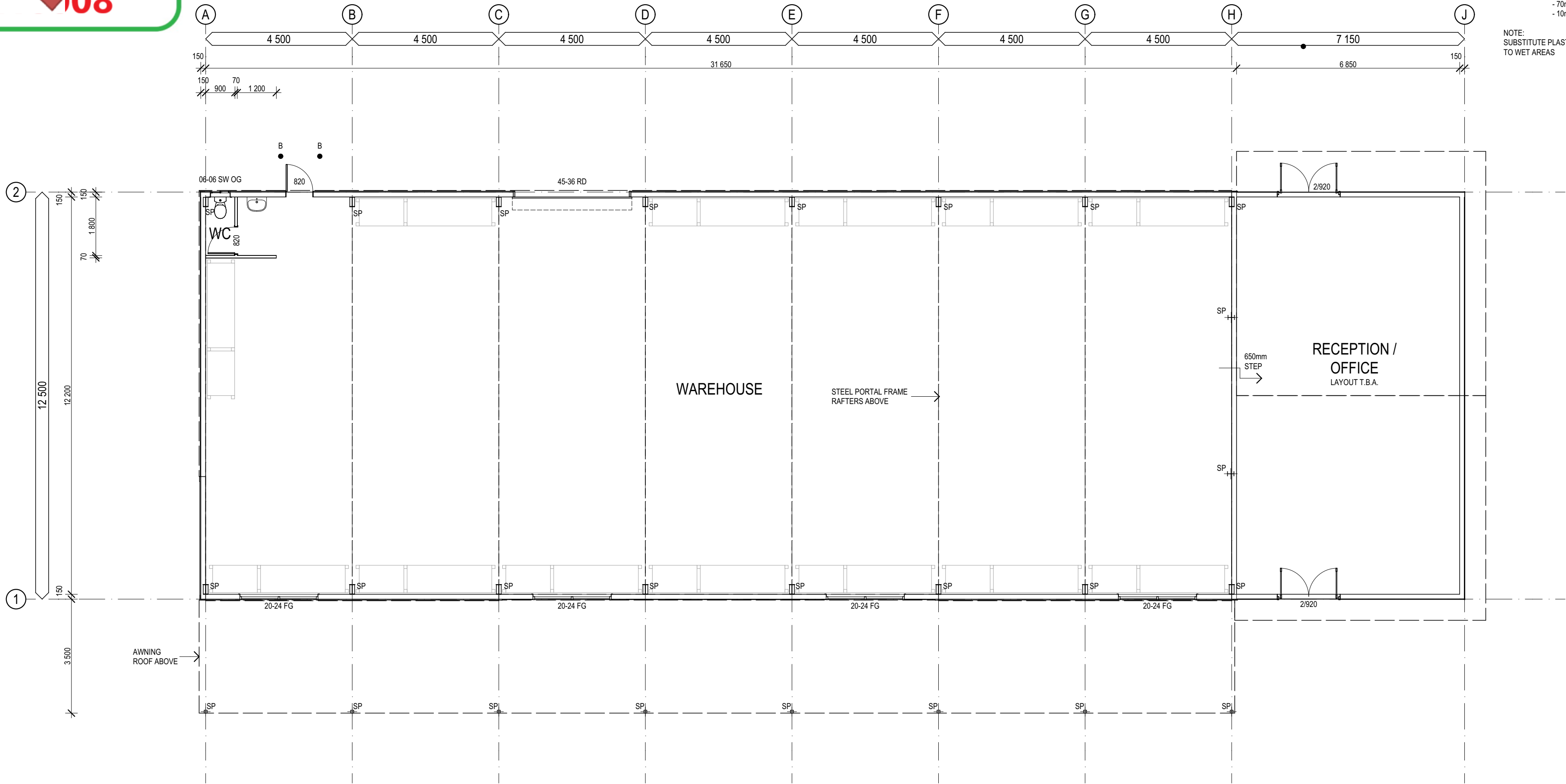
PAGE SIZE A2	SCALE 1:200	START DATE JUL 2019	DESIGNED TL
		DRAWN TL	CHECKED MS
BCA CLASS 7b	PROJECT NO. 190702	DRAWING NO. DA02	REVISION C



WALL LEGEND:

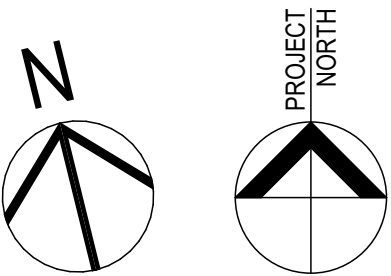
- METAL GIRT FRAMED WALL
 - 150mm METAL WALL GIRT
 - COLORBOND WALL CLADDING
- INTERNAL TIMBER STUD FRAMED WALL
 - 70mm TIMBER STUD FRAME
 - 10mm PLASTERBOARD LINING BOTH SIDES

NOTE:
SUBSTITUTE PLASTERBOARD FOR 6mm VILLABOARD LINING TO WET AREAS



BUILDING AREAS:
GROUND FLOOR 485.0
485.0 m²

ABBREVIATION LEGEND:
B BOLLARD
FG FIXED GLASS WINDOW
OG OBSCURE GLASS
RD ROLLER DOOR
SP STEEL POST



FLOOR PLAN
SCALE 1:100



BUNDABERG HERVEY BAY
9 Targo Street 49 Hunter Street
(07) 4154 3911 (07) 4128 3911
info@designdirect.net.au
www.designdirect.net.au
QBCC No. 1162156

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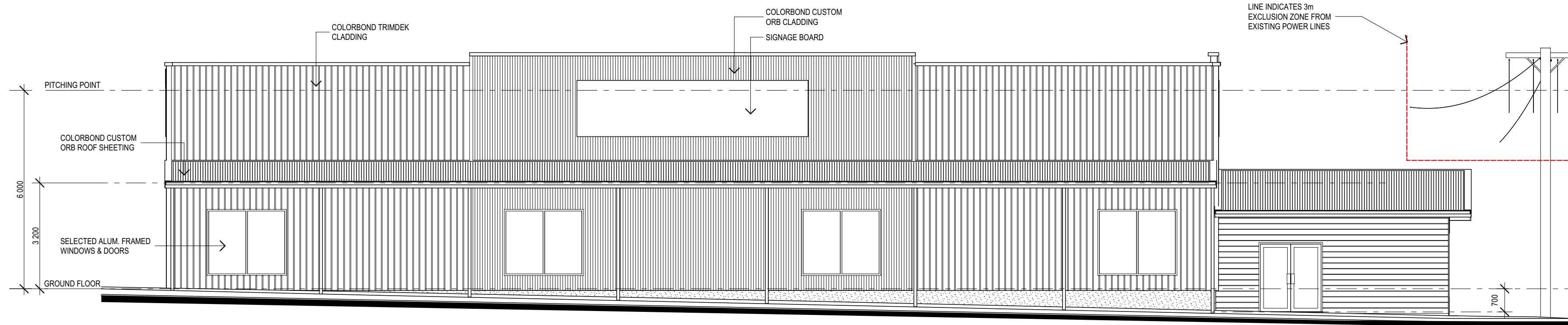
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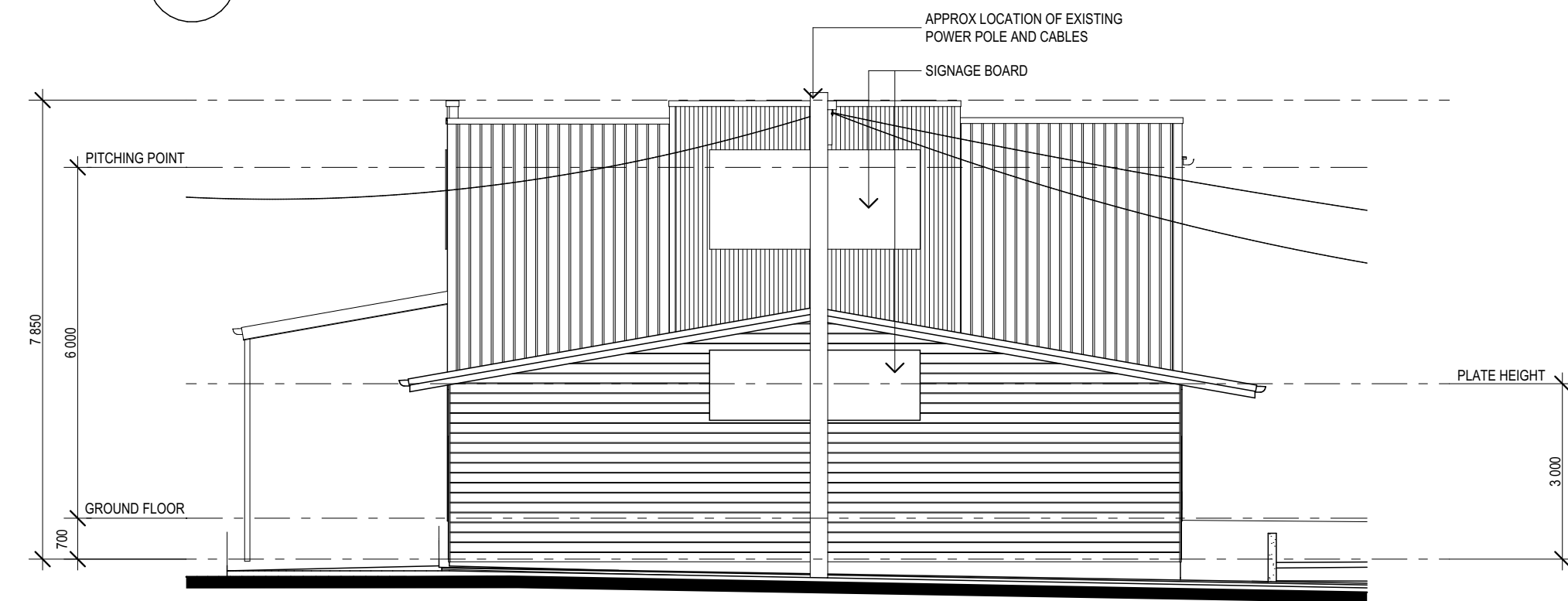
PROJECT	PROPOSED AGRICULTURAL SUPPLIES WAREHOUSE
CLIENT	AG-PLUS PTY LTD

LOCATION	9-11 & 13 LYONS STREET MUNDUBBERA
TITLE	FLOOR PLAN

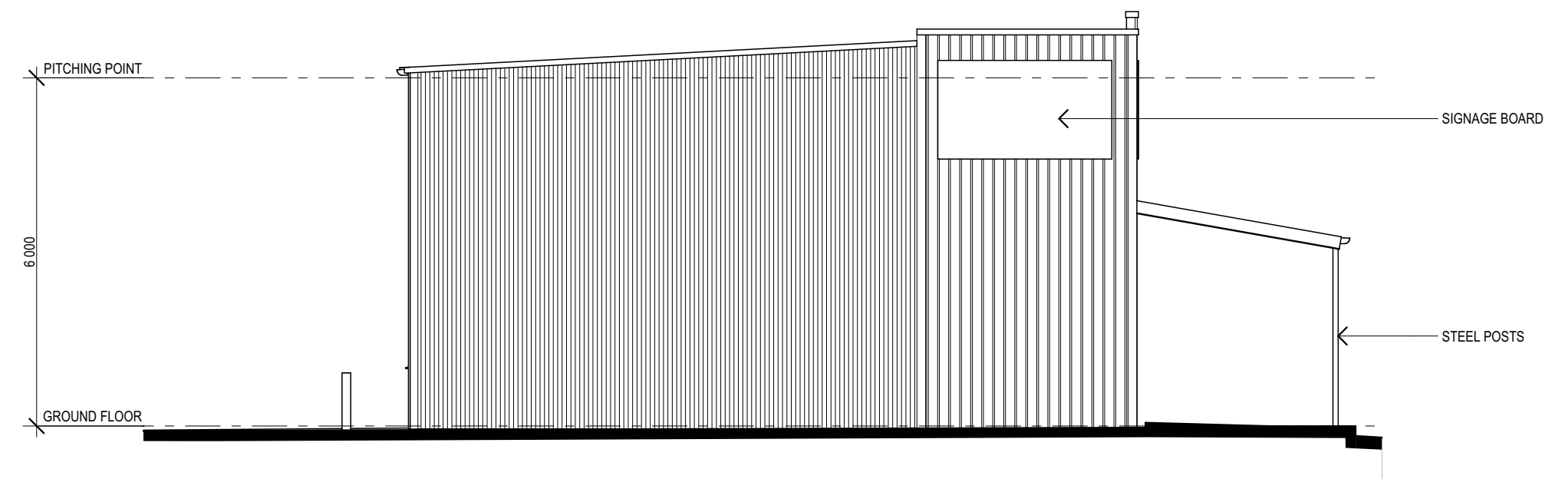
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REVISION	C						



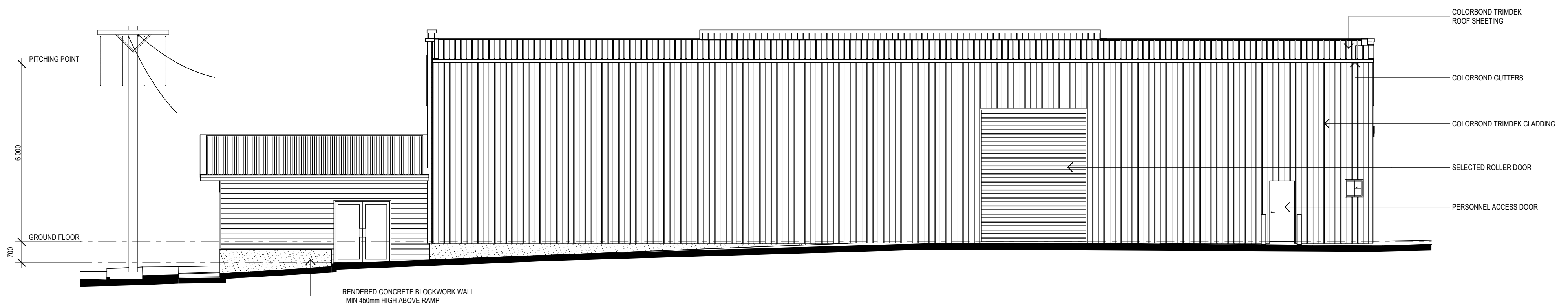
 **SOUTH ELEVATION**
SCALE 1:100



 **EAST ELEVATION**
SCALE 1:100



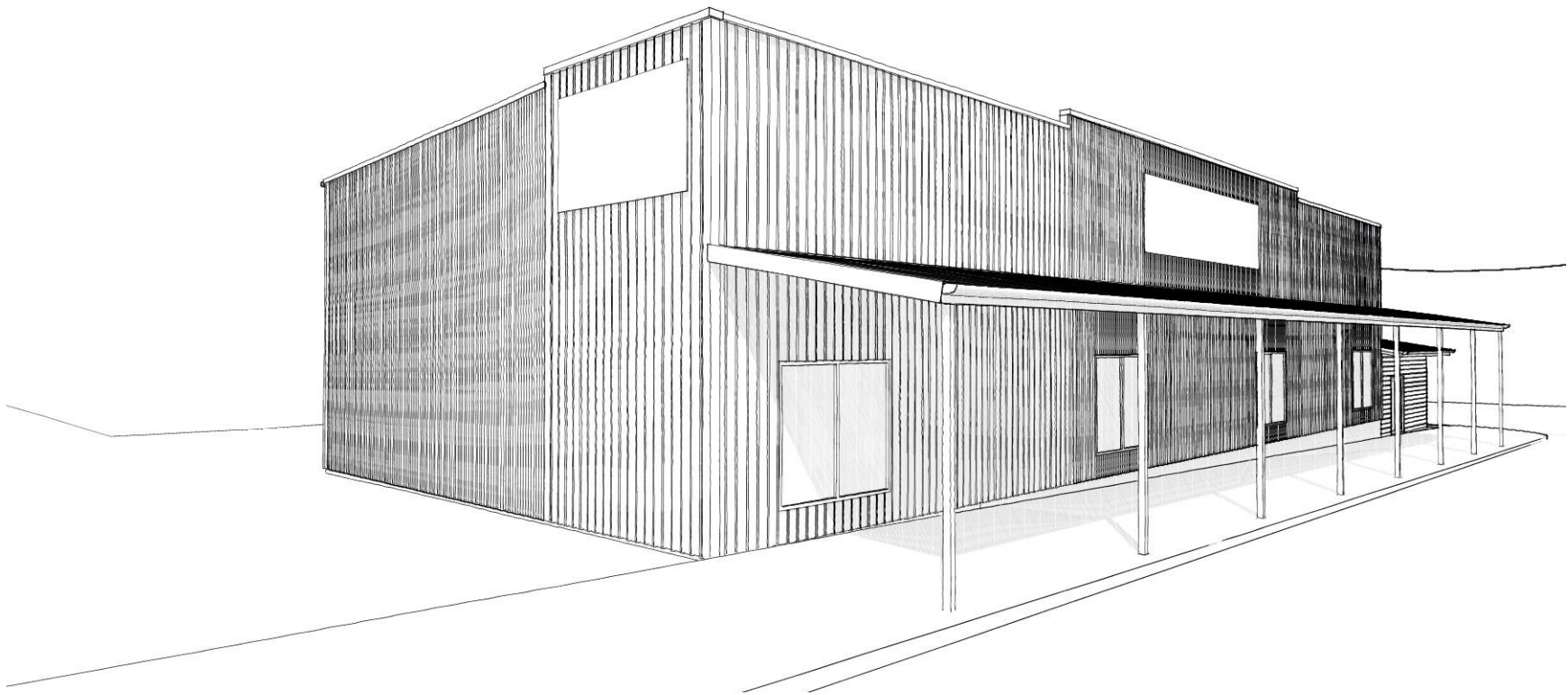
 **WEST ELEVATION**
SCALE 1:100



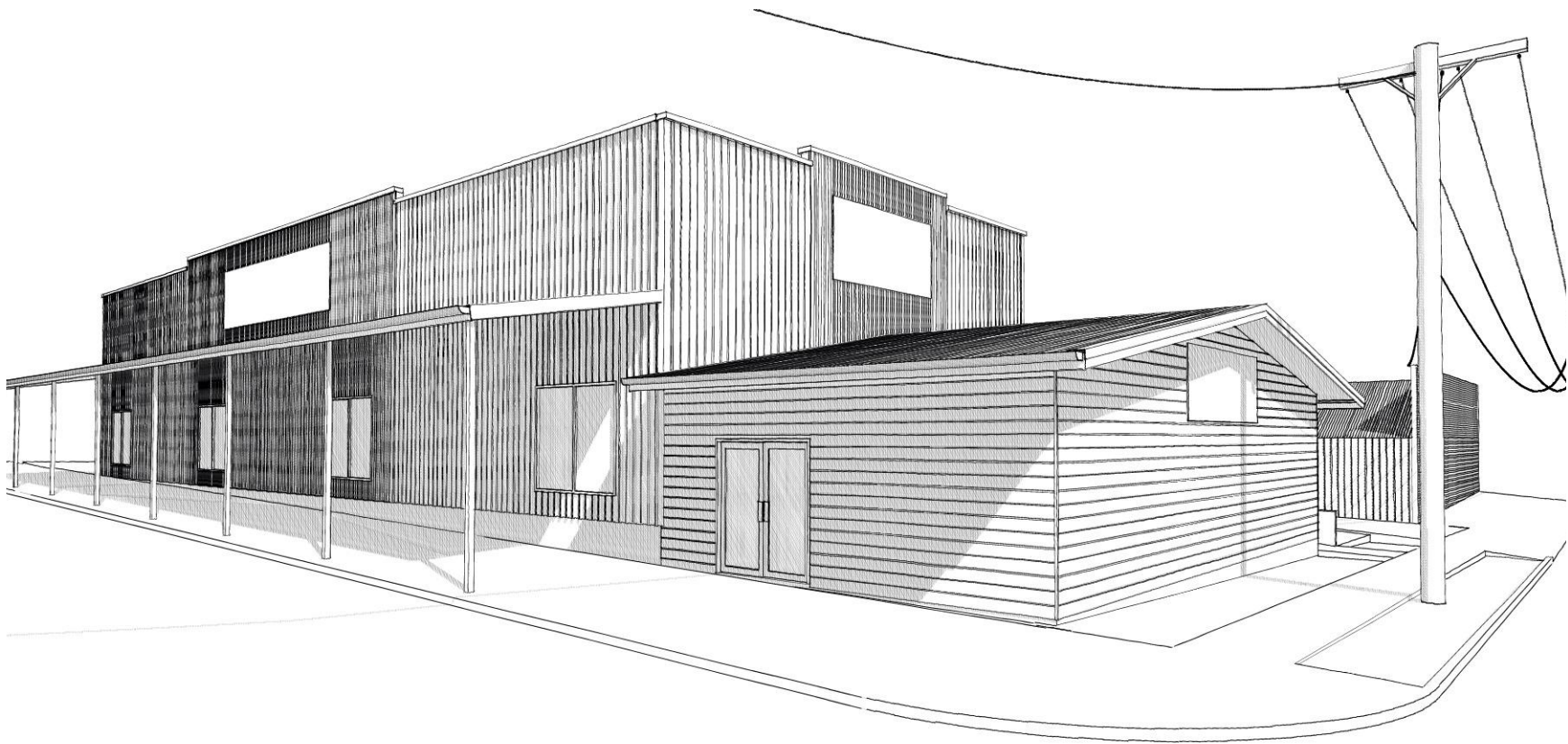
 **NORTH ELEVATION**
SCALE 1:100



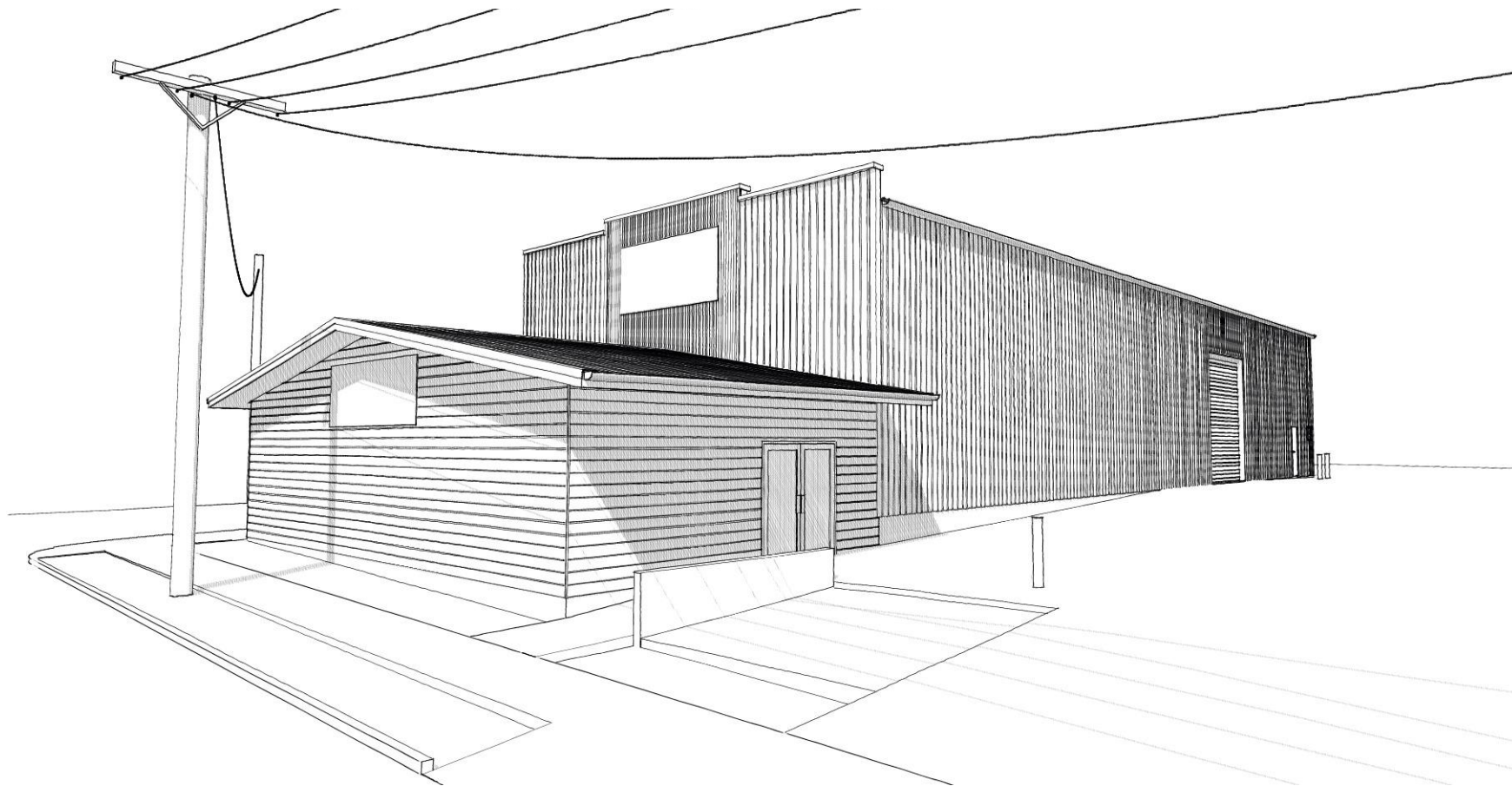
REV	DESCRIPTION	DATE	BY	PROJECT	LOCATION	PAGE SIZE	SCALE	START DATE	DESIGNED
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B	DA UPGRADE	08/12/20	TL						CHECKED
A	DA UPGRADE	15/11/19	TL						MS
*	ORIGINAL	08/12/20	TL	CLIENT	TITLE	BCA CLASS	PROJECT NO.	DRAWING NO.	REVISION
				AG-PLUS PTY LTD	ELEVATIONS	7b	190702	DA04	C



VIEW FROM LYONS STREET



VIEW FROM LYONS & BAUER STREET INTERSECTION



VIEW FROM BAUER STREET



NORTH BURNETT
REGIONAL COUNCIL

APPROVED PLANS

These plans are associated to the
Decision Notice for application number

DA230014

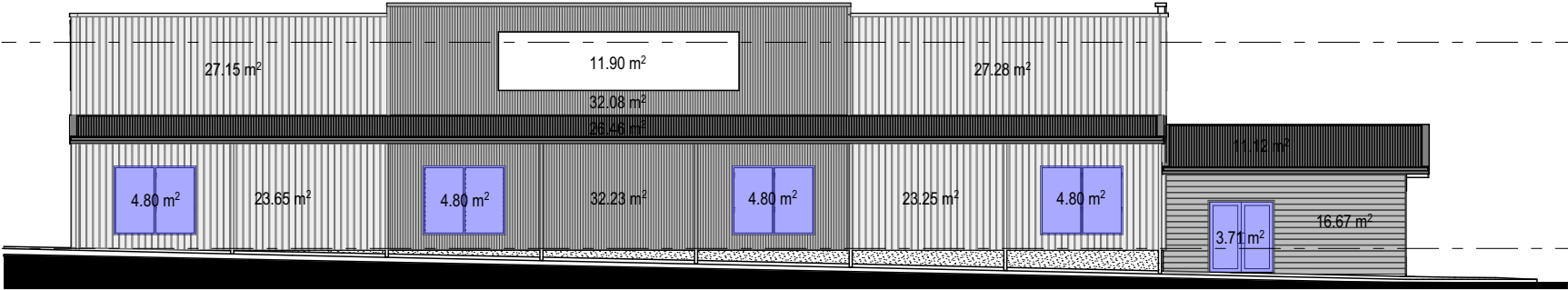


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

APPROVED PLANS

These plans are associated to the
Decision Notice for application number

DA230014



FACADE AREA TABLE

SHADING	AREA	PERCENTAGE
	11.9m ²	4.7%
	37.6m ²	14.8%
	22.9m ²	9.0%
	101.3m ²	39.7%
	81.0m ²	31.8%
TOTAL	254.7m ²	100.0%

REV	DESCRIPTION	DATE	BY
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B	DA UPGRADE	08/12/20	TL
A	DA UPGRADE	15/11/19	TL
*	ORIGINAL	13/08/19	TL

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PROJECT
**PROPOSED AGRICULTURAL
SUPPLIES WAREHOUSE**

CLIENT
AG-PLUS PTY LTD

LOCATION
**9-11 & 13 LYONS STREET
MUNDUBBERA**

TITLE
3D VIEWS

PAGE SIZE	SCALE	START DATE	DESIGNED
A2		JUL 2019	TL
BCA CLASS	PROJECT NO.	DRAWING NO.	REVISION
7b	190702	DA05	C

To: Skyring Traffic
Attention: Emma Purdie
From: Dan Sullivan
Date: 10 December 2021
TOPIC: AG-PLUS



Further to our correspondence, my findings and conclusions with regards to Conditions 25, 26 and 27 of the Decision Notice DA210008 issued by North Burnett Regional Council on 13 April 2021 are detailed following.

Conditions 25 and 26 – Temporary Traffic Management Arrangements during service vehicle deliveries Detailed discussion on this item is provided at item (1) on the following pages.

The requirements of these conditions are considered excessive given the stated frequency of one to two delivery vehicles per week on a site with a two-way traffic volume of approximately 150 vehicles per hour during the anticipated delivery time. Implementation of the temporary traffic management arrangements as outlined in the condition would introduce additional risks to multiple staff in installing and operating the required “block and hold” operation. It is considered that these risks would actually exceed the risk being mitigated with a single weekly vehicle reversing into a property driveway.

I therefore recommend that the proposed condition be replaced with an operating procedure based on the draft at Attachment B to this memo.

Condition 27 – STOP sign and associated line marking on Lyons Street approach to Bauer Street Detailed discussion on this item is provided at item (2) on the following pages.

Calculations of sight lines at this intersection demonstrate that the intersection does not meet the requirements outlined in the QLD MUTCD Part 2 for installation of STOP signs and lines. The QLD MUTCD outlines the mandatory requirement that where sight line restrictions are not met that a STOP sign **shall not** be installed. Further I find that the setback of the proposed development is such that it has no impact on the sight line requirements at the intersection.

I therefore conclude that the proposed STOP sign and line at this intersection would contradict a mandatory requirement of the MUTCD Part 2. I therefore recommend that the existing GIVE WAY control be retained on the Lyons Street approach to the intersection.

Dr Dan Sullivan
Founding Director
RPEQ 18526, TMD Open 001



1) Stop Sign / Line

Condition 27 – Install a STOP sign and line at the intersection of Bauer Street and Lyons Street for traffic facing Bauer Street to replace the existing GIVE WAY sign.

The requirements for installation of Stop Signs are set out in the QLD Manual of Uniform Traffic Control Devices, Part 2 – Traffic Control Devices for General Use (2003 Edition – Seventh Issue 31st July 2018), hereafter referred to as the QMUTCD Part 2.

QMUTCD Part 2 (Clause 2.5.1) states:

“STOP signs shall be provided instead of GIVE WAY signs on any controlled approach where intersection sight distance is substandard as determined in accordance with Clause 2.5.4. STOP signs shall not be used where intersection sight distance is adequate for GIVE WAY signs.”

QMUTCD Part 2 (Clause 2.5.4) identifies the

“sight distance conditions for determining whether a STOP sign is required on any approach to an intersection on which a driver is required to give way to an intersecting stream.”

These sight distance conditions are outlined in Figure 2.2 which has been included at Attachment A. The same clause further notes that

“a STOP sign shall be used when, for minor road traffic, the sight distance Y, in either direction along the major or uncontrolled road as shown in Figure 2.2 is less than the distance given for the corresponding major road speed. A STOP sign shall not be used if the sight distance is equal to or greater than shown in Figure 2.2.”

The term “shall” is defined in Clause 1.4.6 as

“A mandatory condition. Where certain requirements in the design or application of the device are described with a “shall” Stipulation, it is mandatory that when an installation is made, these requirements be met.”

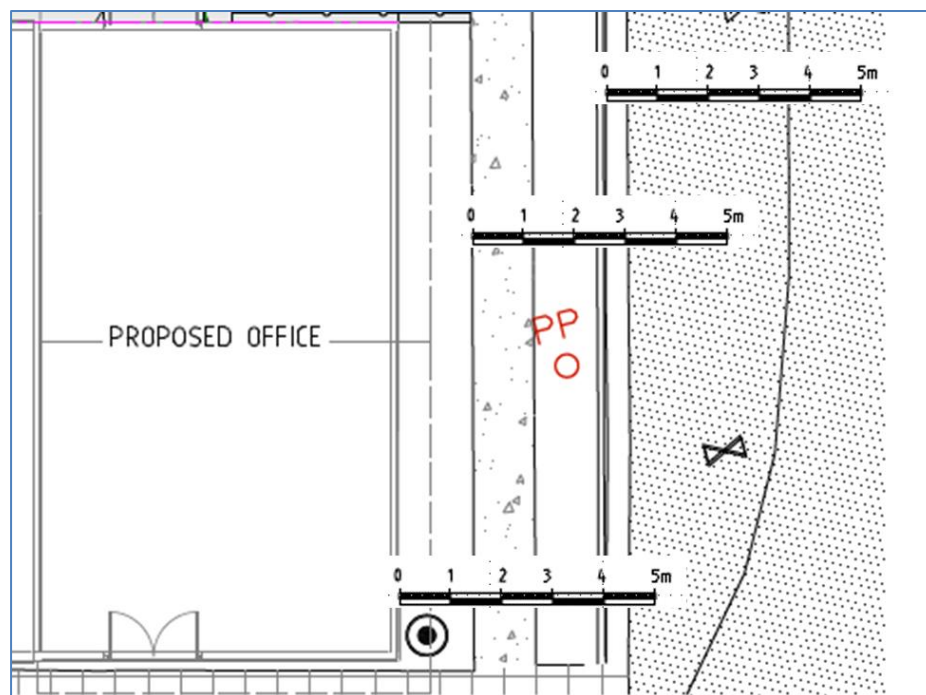
A full copy of the QMUTCD Part 2 is available at www.tmr.qld.gov.au

The key elements for calculation of the available sight lines are as follows:

- Driver sight line is measured 3.0m back from edge of through lane, not edge of kerb
- Driver sight line is measured from centreline of road with give way /stop control. In scenarios with a median, this measurement is taken from the right edge line of the approach lane
- Posted speed of 50km/h on all roads.

Site plans provided by the proponent have been reviewed to establish the location of building structures closest to the corner of the Lyons Street / Bauer Street intersection. Figure 1 is an extract of Drawing Number C50 showing the location of the site office, which is located at the corner of the site, with respect to the adjacent property boundary, road edge and edge of traffic lane. The scale bars (maintained at scale) have been relocated to show relevant dimensions.

Figure 1: Site layout drawing



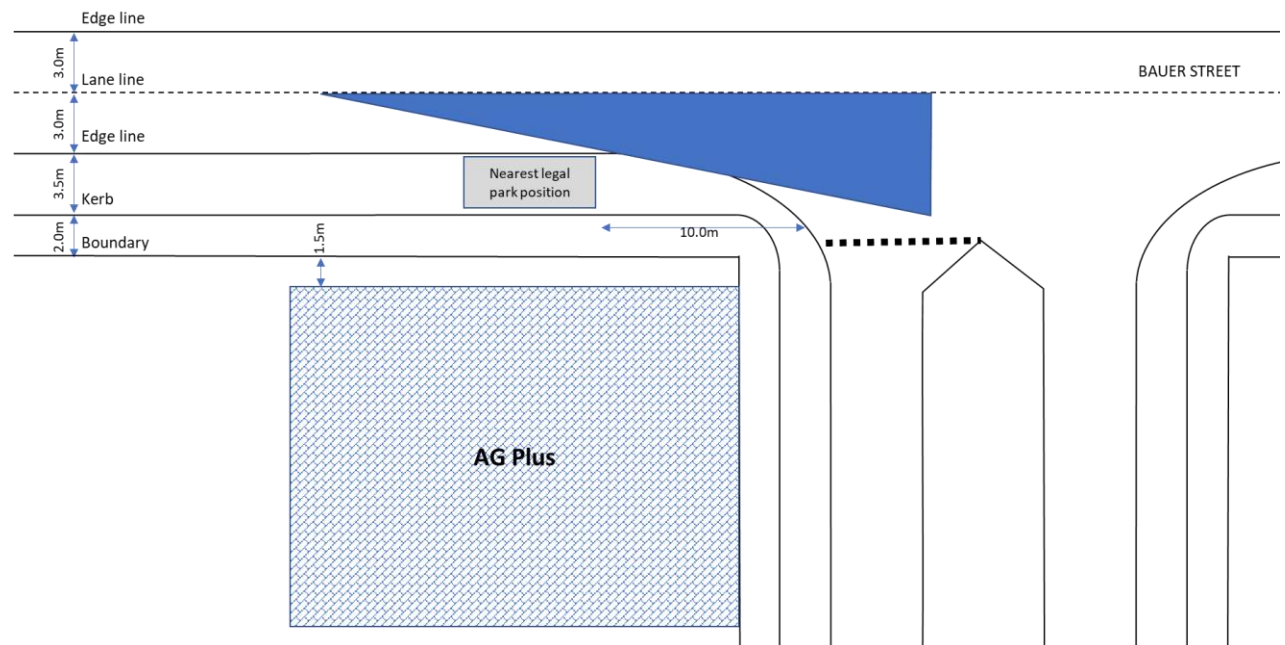
The relevant items of note from this site diagram are as follows;

- Shoulder width on Bauer Street 3.5m
- Verge width including footpath 2.5m
- Building offset from property boundary 1.5m

All of these dimensions are approximate but the accuracy is sufficient for the purpose of this analysis.

A sketch of the subject site in relation to the surrounding road network is shown in Figure 2. This figure shows an approximation of the layout of the surrounding road network, including shoulders, parking bays, roadside verge and footpaths and offset of the subject site from the property boundary fronting Bauer Street.

Figure 2: Sketch of sight lines around subject site.



The depiction of the required sight line for vehicles approaching the intersection on Lyons Street is shown with a blue triangle. The key design parameters for estimation of the available sight distance at the intersection are as follows. Note that all parameters have been estimated conservatively to estimate the smallest possible available sight distance.

Bauer Street

- Lane width: 3.0m (if lane widths are wider this increases the available sight distance)

Lyons Street

- Parking lane width 2.5m
- Lane width 4.0m (if lane widths are wider this increases the available sight distance)

As there are no parking restriction signs on Bauer Street, the Transport Operations (Road Use Management—Road Rules) Regulation 2009, regulation 170(4) states that

A driver must not stop on a road within 10m from the nearest point of an intersecting road at an intersection without traffic lights, unless—

(a) the driver—

- (i) stops at a place on a length of road, or in an area, to which a parking control sign applies; and*
- (ii) is permitted to stop at that place under this regulation; or*

(b) if the intersection is a T-intersection—the driver stops along the continuous side of the continuing road at the intersection.

Therefore a vehicle may not park on Bauer Street within 10m of the extension of the kerb line on Lyons Street.

Calculated sight distance

The corner of the proposed building is set back approximately 7m from the edge of the through traffic lane on Bauer Street, and there is no obstructions as part of the development within 3m of the through traffic lane on Bauer Street. The development therefore does not impact in any way on sight lines which would require a STOP sign to be installed at the intersection.

Even in the worst case scenario of a vehicle parked legally at the edge of Bauer Street at a location 10m from the intersection kerb line and positioned right on the edge line between the shoulder and the lane the calculated dimension Y equals 34m which exceeds the required 30m as detailed in Figure 2.2 from the MUTCD Part 2.

The MUTCD Part 2 states “A STOP sign shall not be used if the sight distance is equal to or greater than shown in Figure 2.2.”. It is therefore concluded that a STOP sign would contradict a mandatory requirement of the MUTCD Part 2. It is therefore recommended that Condition 27 be deleted to remove the requirement for a STOP sign and associated line marking at the intersection of Bauer Street and Lyons Street as a condition of the development.

2) Temporary Traffic Management arrangements for truck deliveries

Condition 25 (paraphrased) – ... submit to Council for approval a traffic management plan prepared by an RPEQ that details for service vehicles to enter and exit the site, the block and hold operations on both the roadway and the footpath, including their typical duration and the number and role of traffic controllers required to assist pedestrians and local traffic

The requirements for installation of Traffic Management Plan for temporary block and hold operations are set out in the QLD Manual of Uniform Traffic Control Devices, Part 3 – Traffic Control Devices for Works on Roads (November 2021) and the associated Queensland Guide to Temporary Traffic Management (November 2021), hereafter referred to as the QMUTCD Part 3 and QGTTM respectively.

The key considerations in the development of a traffic management plan for truck deliveries to the subject site;

- Light vehicle and single unit heavy vehicle movements
 - All vehicle movements will be accommodated as forward direction movement through the site entering on Lyons Street and exiting at Bauer Street.
 - All these movements will be performed as legal vehicle movements subject to all traffic regulations.



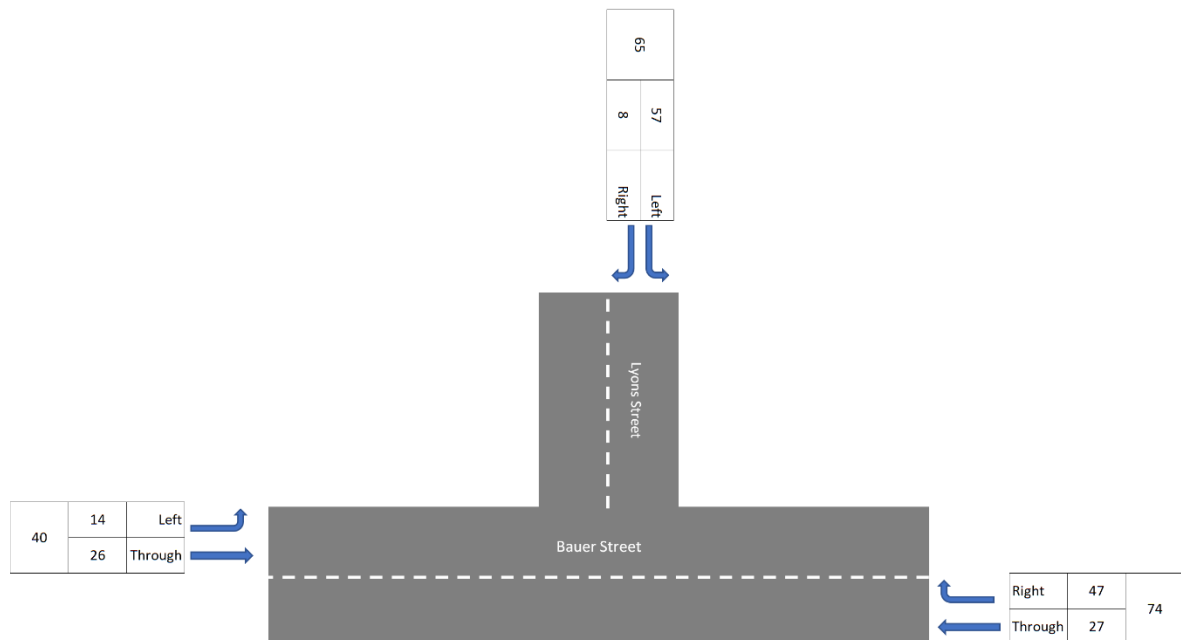
- No specific traffic management treatment is therefore required for these movements.
- Larger delivery vehicles up and including a 19m semi-trailer
 - These vehicle(s) are planned to be required to reverse into the subject site from the Bauer Street crossover.
 - The frequency of these services vehicles delivering to the site is stated as being typically one (1) vehicle per week with the possibility of a second vehicle in a week. For the purpose of this assessment, it has therefore been taken as needing to allow for two service vehicle deliveries per week. Delivery Trucks will reverse into Bauer St crossover into the premises; and leave the premises from Bauer St, entering the roadway as regular traffic.
- Traffic volumes
 - A one hour traffic volume count was undertaken on Thursday 2 December 2021 between the hours of 2pm and 3pm. This hour was considered representative of the anticipated delivery vehicle scheduled delivery time. (refer Figure 3)

Guidance for determination of the optimum design of a static worksite in QGTTM Part 3 – Clause 2.4 discusses the need to find the right balance for all road users, road worker and temporary traffic management workers.

The traffic management treatment suggested in Condition 25 would require the following elements to be implemented by the development proponent.

- Qualifications
 - Three Traffic Controllers, one for each of the three road approaches to the site.
 - One Traffic Management Implementer to install, monitor and remove all temporary traffic management associated with the “block and hold” operations.
- Temporary Traffic Management devices
 - Stop here when directed – three (3) signs, one for each approach
 - Traffic Controller / Prepare to Stop MMS sign – three (3) signs, one for each approach
 - Roadwork Ahead signs – three (3) signs, one for each approach
 - Traffic cones – twelve (12) cones, four on each approach placed on the centreline of the road.
- Pedestrian control
 - Pedestrian control does not require any specific Traffic Controller qualifications or other traffic management devices.

Figure 3: Traffic volume count – 2 December 2021 2pm-3pm



The application of the required temporary traffic management devices in accordance with the QGTTM would create a significant level of risk for;

- Staff installing, monitoring and removing all devices including cones on the centreline of Bauer Street at each traffic controller station
- Three traffic controllers in operating immediately adjacent to the traffic lane

It is estimated that the installation process would take approximately 15 minutes for each occurrence and with the presence of roadside parking may require additional banning of parking in advance of the sign placement to ensure their effective placement. Similarly approximately 15 minutes exposure would be required to dismantle and remove all devices.

Given that the requirement is to be implemented for a single vehicle movement once per week it is considered that these requirements are manifestly excessive and actually create a higher level of overall safety risk than that mitigated.

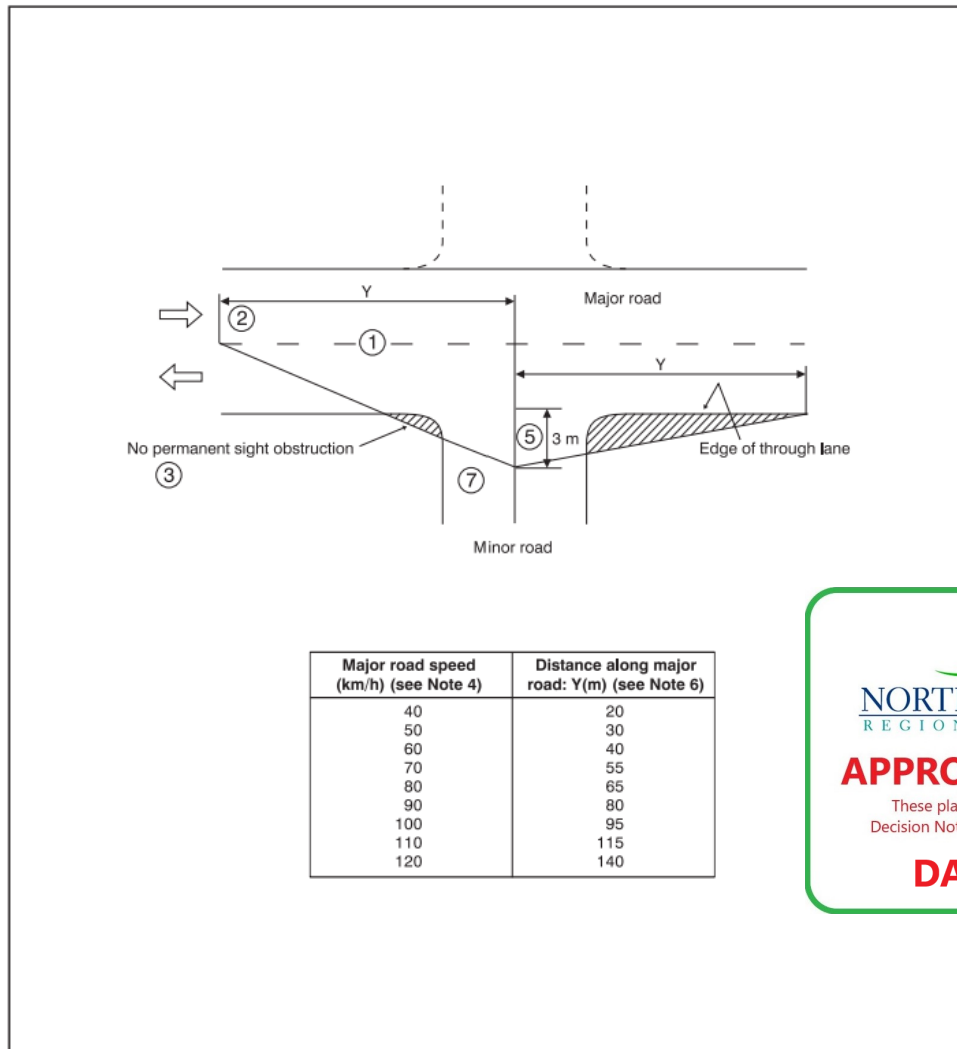
The proposed vehicle movement is also considered to be identical to other movements that occur in many similar occasions at other properties without the need for temporary traffic management control.

It is therefore considered that the requirements as listed in the condition are excessive and do not align with the intent for temporary traffic management treatments as outlined in the QLD

MUTCD Part 3 and the QGTTM. To address the residual level of risk associated with delivery vehicles accessing the site it is therefore proposed that the operational procedure detailed at Attachment 2 suitably balances the level of risk exposure for the single weekly vehicle movement.



Attachment A – MUTCD Part 2 Figure 2.2



NOTES:

- 1 Dividing line (undivided road), or right hand edge of right hand through lane (divided road).
- 2 A check to the left is not required at a divided road where the median is wide enough to shelter a crossing vehicle.
- 3 Where visibility is limited due to some removable obstruction, (e.g. vegetation or earth bank) attempts should be made to remove the obstruction rather than install a STOP sign.
- 4 The posted or general speed limit is used, unless the 85th percentile speed is significantly higher.
- 5 Where the minor road approach is an arterial road, this dimension should be increased to 4.5 m and where the approach is a bikeway (rather than a road), this dimension should be decreased to 1.0 m.
- 6 When checking sight distance the height of the observer's eye is 1.1 m and the height of the object is 0.0 m.
- 7 At any intersection, traffic on any particular roadway when approaching a STOP or GIVE WAY sign must give way to traffic on the intersecting roadway, including the part of the road within the intersection that the driver is entering when driving through a break in the median strip, even if confirming signs are not provided at the median break.

Figure 2.2 SIGHT DISTANCE RESTRICTIONS REQUIRING USE OF STOP SIGNS

Attachment B – Delivery Vehicle Operational procedure

1. Delivery vehicle approach
 - a. Vehicles to approach from either Bauer Street south or Lyons Street

- b. Vehicles to pull up on the left side of Bauer Street northbound immediately to the north of the Bauer Street access to the site. Parking on the left shoulder of Bauer Street northbound to be restricted as required to allow the delivery vehicle to safely pull out of the traffic lane.
2. Spotters
- a. Spotter A to be positioned on the eastern side of Bauer Street near the intersection with Lyons Street where traffic approaching on all three approaches to the intersection can be observed
 - b. Spotter B to be positioned on the footpath near the driveway access on Bauer Street to observe and hold any pedestrians
 - c. Both spotters to be wearing PPE vest / coat in accordance with Australian standards
 - d. Spotters preferably will hold the Working in Proximity to Traffic online qualification available from QLD Transport and Main Roads.
3. Operational Procedure
- a. Option A – where the delivery vehicle is to be unloaded while stopped at the side of Bauer Street.
 - i. Forklift to operate on property access and on footpath only
 - ii. Forklift not to access the right side of the delivery vehicle from within or near the traffic lane.
 - iii. Spotter A not required
 - iv. Spotter B to hold and alert pedestrians to hazards associated with forklift movements
 - b. Option B – delivery vehicle reverses into the Bauer Street access
 - i. Spotter A to advise when a suitable gap in traffic occurs with no approaching vehicles on the three approaches to the intersection. Spotter A to alert driver to approaching vehicles and may alert approaching traffic through waving an orange flag. Spotter is not to enter traffic lane or attempt to hold traffic
 - ii. Spotter B to hold pedestrians during the vehicle reversing movement.
 - iii. Delivery vehicle to reverse into the driveway access in a single movement. It is anticipated that this movement will require obstruction of the traffic lane for no longer than 30 to 60 seconds.
 - iv. Once delivery vehicle is clear of the traffic lane and footpath, Spotters cease any operation.

