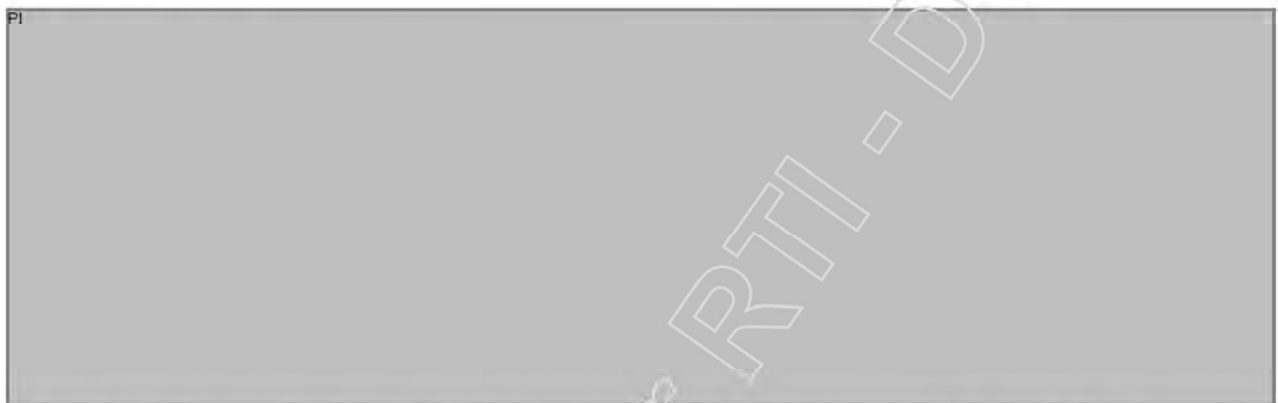


**From:** [pers@tasmanpartners.com.au](mailto:pers@tasmanpartners.com.au)  
**To:** [SCR CMAAllocations](#)  
**Cc:** [personal\\_infor](#)  
**Subject:** Road Access Submission 628 Tomewin Mountain Road, Currumbin Valley Lot 9 RP 899604 Owner: [persona](#)  
**Date:** Monday, 1 November 2021 6:02:24 PM  
**Attachments:** [image001.png](#)  
[Road Access Submission 628 Tomewin Mountain Road, Currumbin Valley Lot 9 RP 899604 Owner: \[person\]\(#\)](#)  
[pers.pdf](#)  
[Drive Access Submission 011121.pdf](#)  
[image003.png](#)

---

Please find herewith our application for road access (extension of an existing driveway ) to 628 Tomewin Mountain Road, Currumbin Valley along with associated back up documentation.



Thank you for your kind consideration. We would appreciate acknowledgement of this lodgement if possible.

REGARDS


[personal information](#)

MOBILE P

[personal@TASMANPARTNERS.COM.AU](mailto:personal@TASMANPARTNERS.COM.AU)

**CONFIDENTIAL INFORMATION**

THIS EMAIL AND ANY FILES TRANSMITTED WITH IT ARE CONFIDENTIAL AND INTENDED SOLELY FOR THE USE OF THE NAMED ADDRESSEE. IF YOU HAVE RECEIVED THIS EMAIL IN ERROR OR YOU ARE NOT THE NAMED ADDRESSEE, NOTIFY THE SENDER IMMEDIATELY AND DELETE THIS E-MAIL. DO NOT DISSEMINATE, DISTRIBUTE OR COPY THIS E-MAIL. IF YOU ARE NOT THE NAMED ADDRESSEE DISCLOSING, COPYING, DISTRIBUTING OR TAKING ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS INFORMATION IS STRICTLY PROHIBITED.

 Be green, read from the screen.

PI

Released under RTI - DTMR



# Road Access Location/Road Access Works (driveway) on a State-controlled road

## Application

(for applications not associated with conditions of development approval)

A **permitted road access location** and **road works** approval is required to establish, repair or modify access between an individual property and a State-controlled road under s33 of the *Transport Infrastructure Act 1994* (the Act).

- **Road access location** (s53 of the Act) means a location on a property boundary between land and a road for the entry and exit of traffic.
- **Permitted road access location** means the location or locations at which access between the land and the road is permitted under a decision in force under s62(1) of the Act.
- **Road access works** are defined by the Act as:
  - (a) a physical means of entry or exit for traffic between the land and a road.
  - (b) **road works** providing entry or exit for traffic between works mentioned in paragraph (a) and the part of the road formed or prepared for use by general traffic.
- **Road works** as defined by the Act include works done for establishing or constructing roads or things associated with roads.

**Note:**

- The Department of Transport and Main Roads does not construct or undertake maintenance on **road access works** (including driveways).
- The owner of the land is responsible for all costs associated with construction and maintenance of the **road access works** (including driveways).
- The Department of Transport and Main Roads is not responsible for relocating any services (electricity, telecommunication, drainage pits and so on).
- The Department of Transport and Main Roads may refuse to grant an approval or revoke an approval where the applicant has not provided true or correct information in their application.

### 1. Applicant's details

(where the applicant is not the owner, a letter of consent from the registered lot owner **must** be attached)

PI

### 2. Other owners/occupiers of the subject land

Please attach details (name, postal address, email address and their interest in the land) of **all** other owners and occupiers or users of the subject land (including neighbouring properties under an easement arrangement).

### 3. Proposed road access location

Please provide details of the land where the access is proposed.

PI

### 4. Details of the use of the proposed road access location

PI



Attach a scaled drawing or site plan for a distance of approximately 100m each side of where you propose the **road access location** to be. The site plan is to show the location of the proposed **road access location**, property boundaries, intersection and **road access works** on neighbouring properties on both sides of the road, the layout for existing and proposed **road access works** and any associated **road works**.

Attach any other relevant details about the proposed **road access location**.

### 5. Declaration

I/We the applicant(s):

- a. request approval of the proposed **road access location** under s62 of the Act
- b. warrant that the information provided in/or attached to this application is true and accurate to the best of my/our knowledge.

#### For individual applicants

Signature	Date

#### For corporate applicants

executed in accordance with s127 of the *Corporations Act 2001* (Cth)

Company name

Australian Company Number (ACN)

Name and position

Signature	Date
	/ /

Name and position

Signature	Date
	/ /

**Note:**

Where the applicant is a company, the applicant must:

- insert the company name and the ACN
- sign the application in accordance with s127 of the *Corporations Act 2001* (Cth) – that is either:
  1. two directors
  2. one director and the company secretary
  3. if the company has a sole director and sole secretary, that person.

Where the applicant is not an individual or a company, such as an incorporated association, please modify the execution block to suit.

**Privacy statement** - The Department of Transport and Main Roads is collecting the information on this form for the purposes of assessing a **road access location** in accordance with the Act. Your personal details will not be disclosed to any other third party without your consent unless required by law.

### Information for applicants:

- An applicant for a **permitted road access location** must be a person with an interest in the subject land.
- A **permitted road access location** approval can be issued where an applicant completes and signs this application form and satisfies the Department of Transport and Main Roads that:
  1. The proposed **road access location** will be located at an appropriate place, having regard to the safety and efficiency of the State-controlled road network.
  2. Any adverse impacts associated with the proposed **road access location** can be adequately mitigated.

### The approval process takes time

The applicant should ensure sufficient time is allowed for the Department of Transport and Main Roads to assess the application.

The Department of Transport and Main Roads will use its best endeavours to respond within 10 business days by either:

- i. an acknowledgement of your application
- ii. a request for further information
- iii. a notice of decision of your application.

The type of initial response the applicant will receive will depend on the complexity of the application and the information provided.

### An approval may be conditional

The Department of Transport and Main Roads will advise you in writing of the decision. Where successful, the applicant will receive a 'Letter of Conditional Approval'. **This does not authorise works to commence.** The 'Letter of Conditional Approval' contains the **permitted road access location** and conditions which must be met before the **road access works** (including driveways) can be constructed.

Once the Department of Transport and Main Roads is satisfied the conditions have been complied with, the applicant will receive an 'Authority to Commence Works'.

### Conditions that may be imposed

Before the Department of Transport and Main Roads will approve an application for works to be undertaken, it will generally require:

- that the construction work is to proceed without unreasonable interruption to traffic. This may include the requirement for a Construction Workplace Plan, including a Traffic Management Plan. Any traffic control will need to be undertaken by a company which is registered under the Traffic Management Registration Scheme. Refer to [www.tmr.qld.gov.au/business-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx](http://www.tmr.qld.gov.au/business-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx).
- details of your contractor. You must be able to demonstrate your nominated contractor has sufficient expertise to carry out the proposed work.
- that the nominated contractor indemnify the Department of Transport and Main Roads from any liability connected with the works.
- that the nominated contractor has an appropriate level of public liability insurance cover. The nominated contractor may also be required to provide a copy of the policy and/or certificates of insurance.
- that the applicant be responsible for rectifying any negative impacts on the road corridor caused by or connected with carrying out the works, such as environmental damage and/or matters affecting public safety.
- that the applicant is responsible for identifying and complying with all other laws and requirements which may relate to carrying out works or activities.
- that the applicant pay a bond to the Department of Transport and Main Roads.

**It is the applicant's responsibility to ensure that all conditions of approval given by the Department of Transport and Main Roads are complied with before any works commence.**

Applicants should contact the Department of Transport and Main Roads if they require any assistance with understanding what they are required to do before they undertake approved works.

## Assistance with or lodgement of application

To lodge your application or if you require any assistance with finalising your application, contact the Corridor Management team in your local Department of Transport and Main Roads office. To find out which is your local office, call 13 23 80 or go to [www.tmr.qld.gov.au/About-us/Contact-us/In-person/Roads-offices.aspx](http://www.tmr.qld.gov.au/About-us/Contact-us/In-person/Roads-offices.aspx).

Office	Email	Phone
Barcaldine	<a href="mailto:barcaldine.office@tmr.qld.gov.au">barcaldine.office@tmr.qld.gov.au</a>	4651 2777
Rockhampton	<a href="mailto:corridormanagement@tmr.qld.gov.au">corridormanagement@tmr.qld.gov.au</a>	4931 1559
Roma	<a href="mailto:southwest.office@tmr.qld.gov.au">southwest.office@tmr.qld.gov.au</a>	4622 9511
Toowoomba	<a href="mailto:downsswr.office@tmr.qld.gov.au">downsswr.office@tmr.qld.gov.au</a>	4639 0777
Cairns	<a href="mailto:cairns.office@tmr.qld.gov.au">cairns.office@tmr.qld.gov.au</a>	4045 7144
Mackay	<a href="mailto:mackay.whitsunday.idas@tmr.qld.gov.au">mackay.whitsunday.idas@tmr.qld.gov.au</a>	4951 8555
Brisbane	<a href="mailto:metropolitan.idas@tmr.qld.gov.au">metropolitan.idas@tmr.qld.gov.au</a>	3066 6762
Maroochydore	<a href="mailto:northcoast@tmr.qld.gov.au">northcoast@tmr.qld.gov.au</a>	5451 7055
Cloncurry	<a href="mailto:cloncurry.corridor@tmr.qld.gov.au">cloncurry.corridor@tmr.qld.gov.au</a>	4769 3200
Townsville	<a href="mailto:north.queensland.idas@tmr.qld.gov.au">north.queensland.idas@tmr.qld.gov.au</a>	4421 8700
Gold Coast	<a href="mailto:scrcmallocations@tmr.qld.gov.au">scrcmallocations@tmr.qld.gov.au</a>	5563 6600
Bundaberg	<a href="mailto:WBB.idas@tmr.qld.gov.au">WBB.idas@tmr.qld.gov.au</a>	4154 0200

Released under RTI - DTMR

Released under RTI - DTMR

Our ref TMR21-034591  
Your ref  
Enquiries Sam Carrall



Department of  
**Transport and Main Roads**

25 November 2021

personal information

Dear personal information

**Decision notice for a Permitted Road Access Location and conditional approval of road access works (driveway) at Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.**

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

I refer to your application for:

- a decision under section 62(1) of the Transport Infrastructure Act 1994 (TIA) for an access location and
- approval under section 33(1) of the TIA for road access works

at 628 Tomewin Mountain Road (Lot 9RP899604), Currumbin Valley.

**Permitted Road Access Location 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>		
1	Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with:  a) Road Access Submission (1/11/2021) (attached), and b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.	Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.



No.	Conditions of Approval	Condition Timing
2	The Property Owner/s will retain responsibility for the ongoing maintenance of the road access works (including any vegetated batters and overhanging trees within sight lines) constructed within the State-controlled road corridor in accordance with this approval.	At all times.
3	Direct access is prohibited between Tomewin Mountain Road and Lot 9RP899604 at any other location other than the permitted road access location described in Condition One (1).	At all times.

**Reasons for the decision**

The reasons for this decision are as follows:

- a) The applicant has applied for the permitted road access location between the subject lot and Tomewin Mountain Road.
- b) The Department has reviewed the proposal and confirmed that satisfactory sight distance is achievable with minor vegetation clearing works at the proposed location.
- c) The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is satisfactory.
- d) The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's Vehicular access to state-controlled roads policy.

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, you are bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for your information.

**Approval of road access works (given under (section 33(1) of TIA)**

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

No.	Conditions of Approval	Condition Timing
<b>Road Works</b>		
<b>A. General</b>		
4	<p>Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with:</p> <ul style="list-style-type: none"> <li>a) Road Access Submission (1/11/2021) (attached), and</li> <li>b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.</li> </ul>	<p>Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.</p>
5	<p>The applicant is required to submit evidence to the Department that the neighbouring property owner agrees to the proposal to share the existing section of the access within the state-controlled road corridor between the two properties.</p> <p>The submission shall include evidence that both parties agree to the removal of the existing carport structure within the state-controlled road corridor to facilitate construction of the proposed access.</p> <p>Evidence may be submitted via email to <a href="mailto:scr.calm@tmr.qld.gov.au">scr.calm@tmr.qld.gov.au</a> quoting the reference number <b>TMR21-034591</b>.</p>	<p>Prior to TMR issuing 'Authority to Commence Works'</p>
6	<p>The existing access described in Condition One (1) which is proposed to be shared by the applicant for access into 628 Tomewin Mountain Road is required to be maintained generally in accordance with IPWEA Standard Drawing RS-056.</p> <p>The Department requires that the access is to be sealed a minimum for 2m back from the edge of the existing pavement on Tomewin Mountain Road to minimise the risk of pavement edge drop-off and gravel being carried onto the road.</p>	<p>Prior to TMR issuing 'Certificate of Completion'.</p>
7	<p>Based on a desktop site assessment of the proposed access location conducted with digital video recording information from 24/02/2021, it appears that minor vegetation clearing is required to achieve adequate sight distance from the access to vehicles travelling northbound on Tomewin Mountain Road.</p> <p>The applicant is required to carry out minor vegetation clearing (that is, grass/shrub clearing and tree trimming) as part of the works to ensure that adequate safe sight distance is achieved (in accordance with <i>Austrroads Guide to Road Design Part 4A – Table A 10</i>, that is, 97m minimum).</p>	<p>Prior to TMR issuing 'Certificate of Completion'.</p>
8	<p>All road works are to be carried out in accordance with TMR's specifications and standards.</p>	<p>Prior to commencement of use.</p>

No.	Conditions of Approval	Condition Timing
9	This conditional approval is valid for two (2) years from the date of this letter.	At all times.
10	The Road Works are to be constructed at no cost to TMR.	At all times.
11	TMR officers are to be allowed access to the project site for the purpose of ensuring compliance with TMR's conditions.	At all times during construction.
12	Any damage to the existing road infrastructure caused by carrying out the Road Works is to be rectified/repared at no cost to TMR.	Prior to TMR issuing 'Certificate of Completion'.
<b>B. Documents for Approval</b>		
13	All TMR Technical Specifications are to be read in conjunction with 'MRTS01 Introduction to Technical Specifications' (including annexure).	At all times.
14	<p>Construction of the Road Works is to proceed without unreasonable interruption to traffic and in accordance with TMR's Manual of Uniform Control Devices – Part 3, Works on Roads. This includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a) taking all steps necessary to protect the public during construction; and</li> <li>b) provision of adequate signage and barriers.</li> </ul>	At all time during construction.
15	<p>As traffic control measures will need to be implemented on Tomewin Mountain Road during the construction of the approved road access works, a Traffic Control Permit (TCP) will be required.</p> <p>Please be advised that in accordance with the Traffic Registration Scheme, regulatory signage / traffic control may only be implemented by a traffic management company registered with the department. Details of the scheme including a list of registered companies can be found on the department's website.</p> <p>The traffic Control Permit application must be completed by the registered traffic management company and include a copy of this approval. You must allow at least 7 working days for processing of the application, prior to the planned commencement of work.</p>	Prior to TMR issuing 'Authority to Commence Works'.
<b>C. Principal Contractor</b>		
16	<p>A completed 'Principal Contractors Details and Bond Estimate' form F5084 (attached) is to be completed and returned to TMR. The nominated principal contractor must have sufficient expertise to carry out the proposed road works and hold a current public liability insurance policy that notes TMR's interest in the amount of not less than \$20 million.</p> <p><i>Please note – the estimate of works value / bond amount is not required for this approval.</i></p>	Prior to TMR issuing an 'Authority for Prestart Meeting'.

No.	Conditions of Approval	Condition Timing
17	A completed 'Deed of Indemnity' for the Road Works (completed by the Principal Contractor) using TMR form F5109 (attached) is to be submitted to TMR.	Prior to TMR issuing an 'Authority for Prestart Meeting'.
<b>D. Prestart Meeting</b>		
18	<p>All documents/details nominated below are to be submitted to TMR for review:</p> <ul style="list-style-type: none"> <li>• Principal Contractors Details and Bond Estimate form F5084</li> <li>• Deed of Indemnity for the Road Access Works form F5109</li> <li>• Approved Traffic Control Permit (TCP)</li> <li>• Evidence that the neighbouring property owner agrees with the shared access proposal.</li> </ul> <p>Once all forms have been received and accepted, an 'Authority to Commence Works' will be issued.</p> <p>A prestart meeting can be arranged <b>only</b> after the 'Authority to Commence Works' has been provided.</p>	Prior to TMR issuing an 'Authority to Commence Works'.
19	<p>A Prestart meeting attended by the applicant's representative and/or the principal contractor and TMR's representative is to be held. The prestart meeting will include, but is not limited to the following:</p> <ol style="list-style-type: none"> <li>a) Introduction of stakeholders.</li> <li>b) Review of road works approved drawings and management plans.</li> <li>c) Construction activities and program.</li> <li>d) Issues pertaining to a Zero Harm working environment.</li> <li>e) Review of the TCP</li> </ol> <p>To arrange a Prestart meeting, please contact Sam Carrall on 07 5563 6600 or via email at <a href="mailto:scr.calm@tmr.qld.gov.au">scr.calm@tmr.qld.gov.au</a> quoting the reference number <b>TMR21-034591</b>.</p>	A minimum of five (5) business days prior to the commencement of the road works.
<b>E. Practical Completion</b>		
20	The department must be notified of the completed Road Access Works to ensure compliance with the conditions.	Within five (5) days of the completion of the work.

No.	Conditions of Approval	Condition Timing
<b>F. Maintenance Period</b>		
21	Any defect which develops in work within the limits of TMR's maintenance responsibility during the on-maintenance period must be rectified by the applicant at no cost to TMR.	Until TMR has formally accepted off-maintenance the portion of the works, if any, for which it will accept responsibility for future maintenance.
22	Please note – The property owner will retain responsibility for the ongoing maintenance of any remaining portion of Road Access Works (for example, crossover/driveway) constructed within the State-Controlled Road corridor in accordance with this approval.	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 the TIA only.

### Further information

This decision about access replaces any earlier decision made under section 62(1) of the TIA in relation to the land.

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 is attached in **Attachment C** for your information.

In accordance with sections 485A and 485B of the TIA and section 35 of TPCA you may appeal against a reviewed decision. You must have applied to have the decision reviewed before an appeal about the decision can be lodged in the relevant court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for your information.

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

If you would like to discuss this application, please contact Sam Carrall, Engineer (Civil) by email at [scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au) or on (07) 4769 3218.

Yours sincerely



Ken Jensen  
**Principal Engineer**

Attachments: Attachment A – Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions  
Attachment D – Road Access Submission  
Attachment E – IPWEA Standard Drawing RS-056  
Attachment G – Principal Contractors Details and Bond Estimate form F5084  
Attachment H – Deed of Indemnity form F5109

Released under RTI DTMR

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- The objectives of the Transport Infrastructure Act 1994 require the establishment of a road regime that is safe and efficient.
- Therefore, as there is no current decision in force under section 62 of the Transport Infrastructure Act 1994 for the subject site, the proposed location will act as a primary access for Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.
- The Department has reviewed the proposal and determined that there is satisfactory sight distance at the proposed location (with minor sight line vegetation clearing work to northbound traffic along Tomewin Mountain Road).
- The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is reasonable.
- The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's *Vehicular access to state-controlled roads policy*.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
Sight Distance Assessment (Desktop)	Sam Carrall	22/11/2021	TMR21-034591	-
Standard Drawing – Vehicle Crossings Rural Driveway	IPWEA	06/2016	RS-056	G
Vehicular access to state-controlled roads policy	TMR	2019	-	-

**Attachment B**

**Section 70 of TIA**

*Transport Infrastructure Act 1994*

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

---

**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

---

**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.

**485A External review of decisions**

- (1) This section applies in relation to an original decision if QCAT 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 chief executive must give the applicant a QCAT information notice for the reviewed decision.
- (3) The applicant may apply, as provided under the QCAT Act, to QCAT for a review of the reviewed decision.

*Note—*

The QCAT Act, section 22(3) provides that QCAT may stay the operation of the reviewed decision, either on application by a person or on its own initiative.

- (4) 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.

## 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.

....

- (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.

Released under RTI/DMPR

### **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.

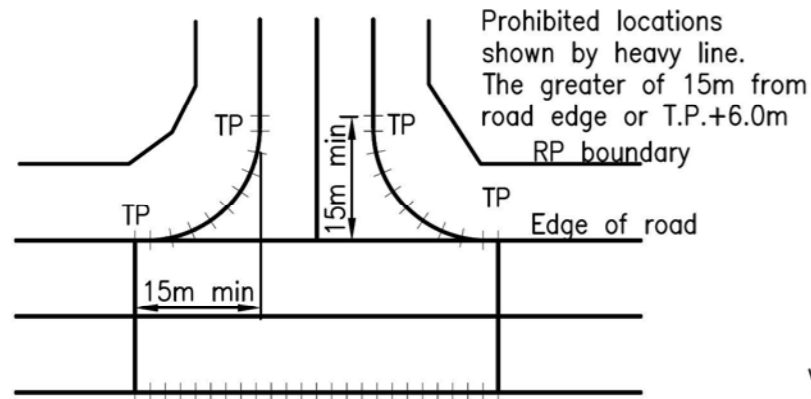
(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

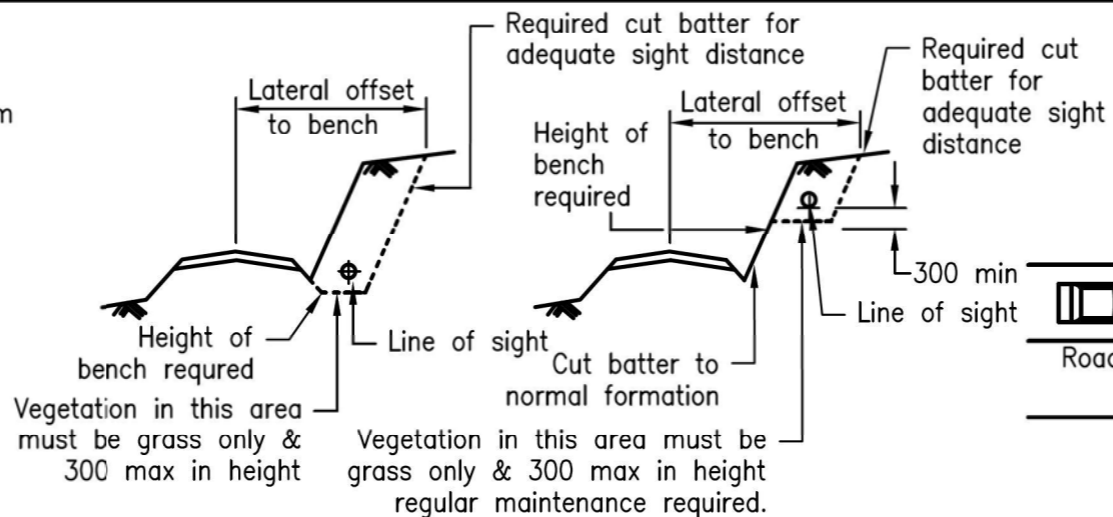
(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

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.



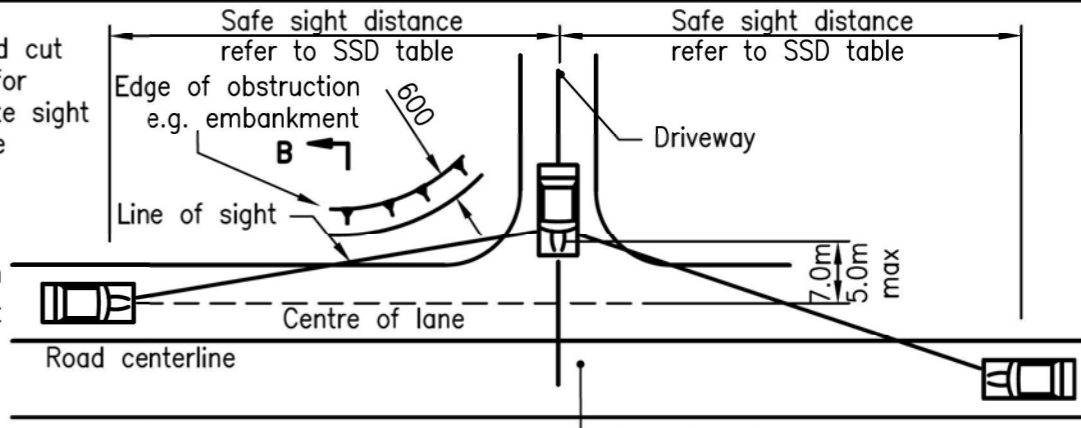
**PROHIBITED LOCATIONS AT INTERSECTIONS FOR RURAL VEHICLE CROSSINGS**



**BENCHING DETAIL SECTION B-B**

Catchment Area	PIPE SIZE	
	ARI 2	ARI 10
<0.5Ha	375	450
<1.0Ha	450	525
<1.5Ha	525	600
<2.5Ha	600	2/450
<3.0Ha	2/450	2/525
<4.0Ha	2/525	2/600
<5.0Ha	2/600	(2)

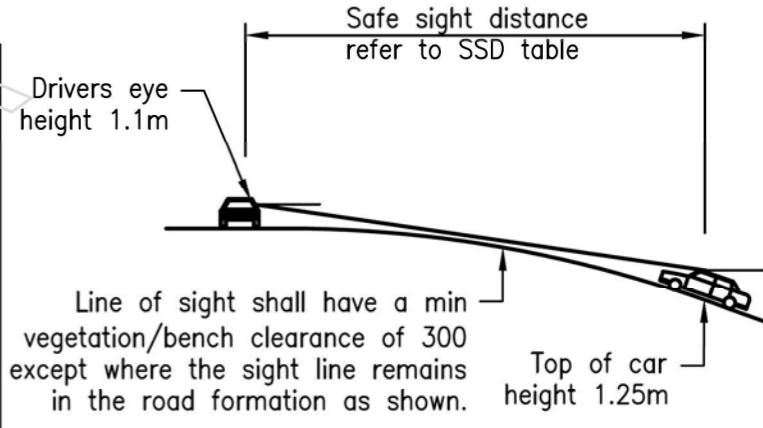
For average daily traffic  $\leq 2000$ , ARI 2  
 For average daily traffic  $> 2000$ , ARI 10  
 (1) Alternatives may be approved if supported with calculations in accordance with the provisions of the Queensland Urban Drainage Manual or under the provisions of Council's Planning Scheme.  
 (2) Seek consulting engineer advice.



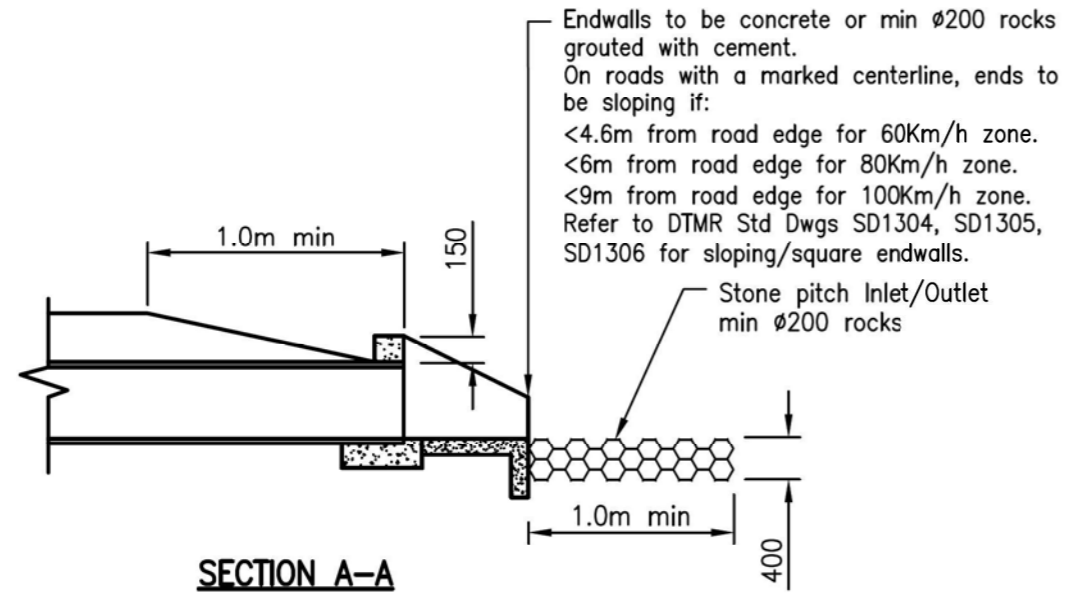
**PLAN**

Speed Limit (km/h)	Safe Sight Distance (m)
40	73
50	97
60	123
70	151
80	181
90	214
100	248

Based on Austroads Part 4A - 2009, Table 3.2



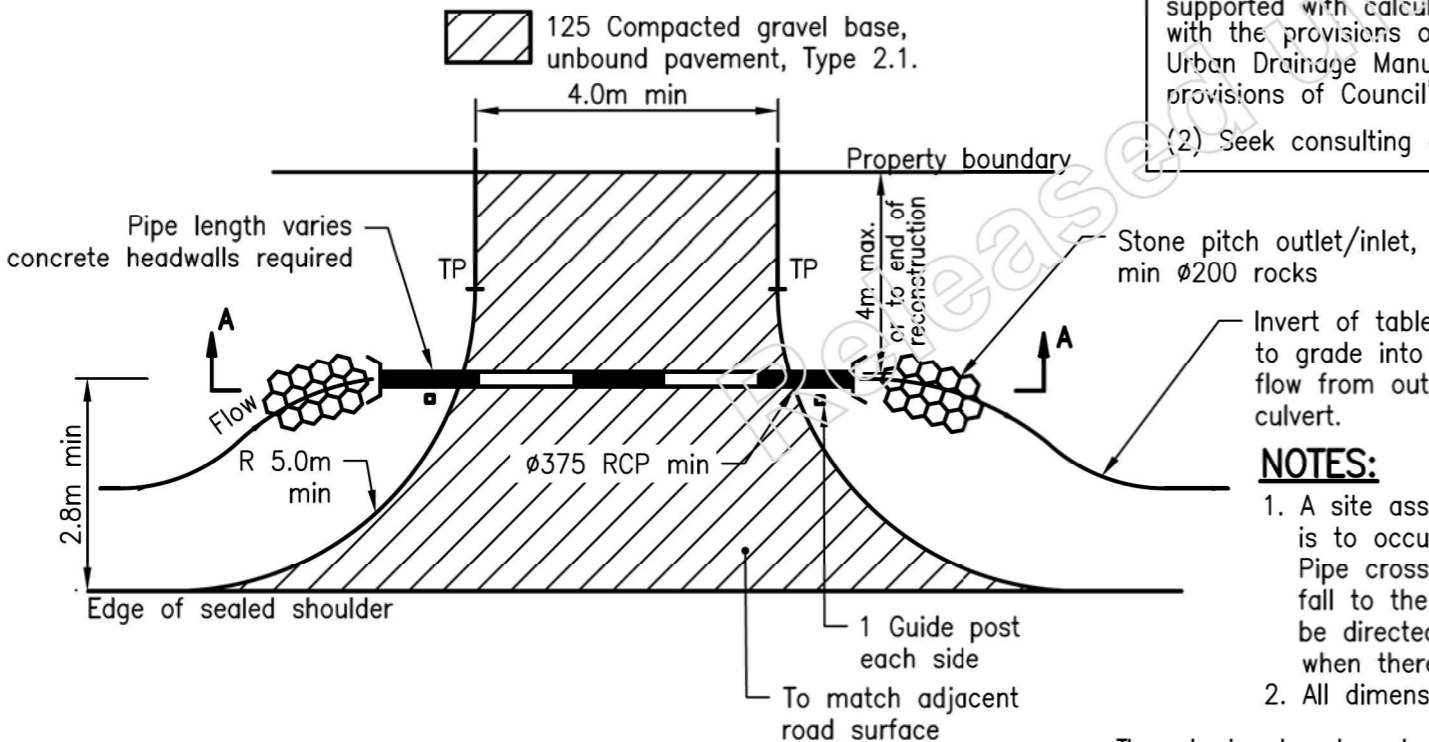
**LONGITUDINAL SECTION SSD - EXITING FROM DRIVEWAY**



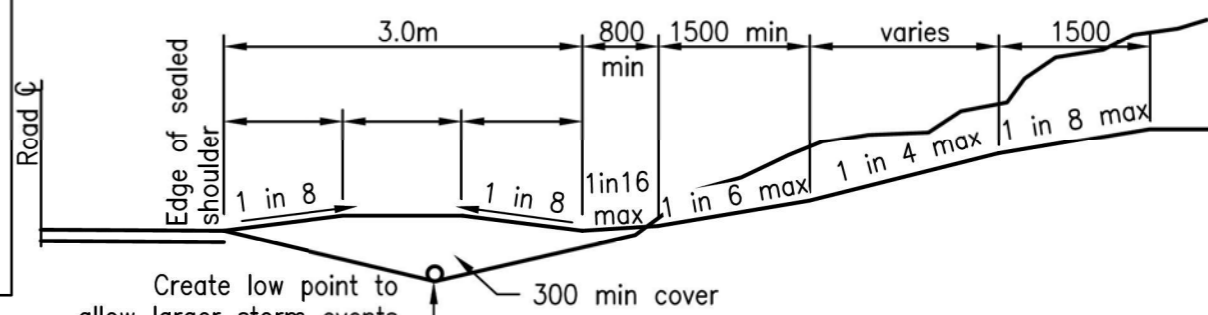
**SECTION A-A**

Endwalls to be concrete or min  $\phi 200$  rocks grouted with cement.  
 On roads with a marked centerline, ends to be sloping if:  
 <4.6m from road edge for 60Km/h zone.  
 <6m from road edge for 80Km/h zone.  
 <9m from road edge for 100Km/h zone.  
 Refer to DTMR Std Dwgs SD1304, SD1305, SD1306 for sloping/square endwalls.

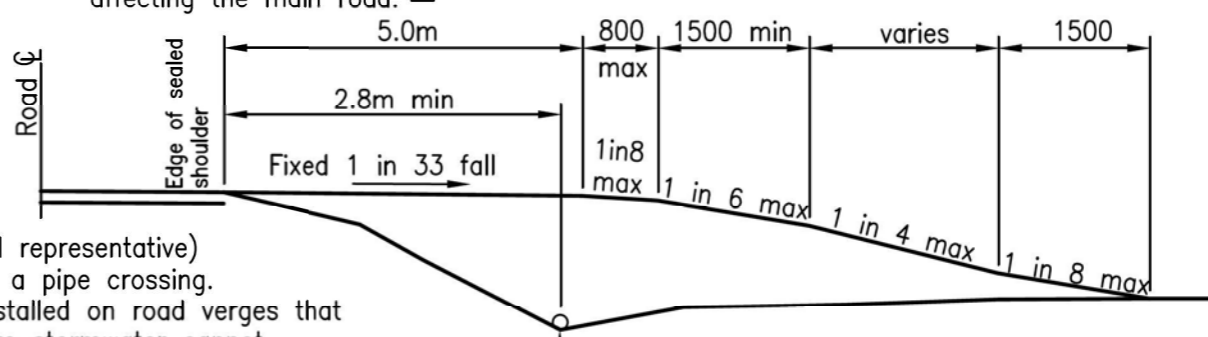
125 Compacted gravel base, unbound pavement, Type 2.1.



**VEHICLE CROSSING PLAN**



**TYPICAL DRIVEWAY SECTION - ROAD IN CUT**



**TYPICAL DRIVEWAY SECTION - ROAD IN FILL**

**NOTES:**

- A site assessment (By a Council representative) is to occur upon application for a pipe crossing. Pipe crossings are not to be installed on road verges that fall to the subject property where stormwater cannot be directed to a natural water course or drainage easement or when there is no upstream stormwater catchment or V-Drain.
- All dimensions are in millimetres unless shown otherwise.

These drawings have been developed in consultation between the participating Councils. BEFORE USE, the user shall confirm that the drawing has been adopted by the appropriate Council.

Rv.	DATE	REVISIONS
F	06/14	Review
E	03/14	Amended Drawing Number
D	12/11	Drawing number changed from SEQ R-056 to RS-056
C	06/10	Review
B	06/09	Review
G	06/16	Review
	03/09	ORIGINAL ISSUE



**INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA**  
**STANDARD DRAWINGS**

**VEHICLE CROSSINGS**  
**RURAL DRIVEWAY**

**RS-056**

E  
D  
C  
B  
G  
Rv.



# 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

TMR

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:

- a. 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**
- b. 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:

- a. loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- b. 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

Released under RTI - DTMR



## Application details

Department of Transport and Main Roads reference number

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

Physical address

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.



Released under RTI - DTMR

**From:** [Michael J Limpin](#)  
**To:** [Ken W Jensen](#)  
**Subject:** FW: Attn : Michael Limpin TMR21-033591 628 Tomewin Mountain Road, Currumbin Valley.  
**Date:** Tuesday, 1 March 2022 9:22:00 AM  
**Attachments:** [Drive Access Submission 011121.pdf](#)  
[TIA - Conditional approval - s62 and s33 1.pdf](#)

Hi Ken

Need your advice re this one. This access was assessed by Sam and after we have given the approval, <sup>PI</sup>

<sup>PI</sup> [redacted] indicated that though the carport <sup>PI</sup> [redacted] is within the road reserve and likely unapproved structure (or no records of approval), I note that a consent is still preferred as the current access is presumably put in by the neighbouring property and there needs to be some sort of an agreement of common use. I further advised that a possible option that might assist him is if we issue a letter to the adjoining property re the removal of the structure within the road reserve and hopefully eventually clarifies that there is no need for an easement and so on.

Do we have any other alternatives to assist in resolving the matter for both parties?

Regards

**Michael Limpin**

Senior Engineer

Corridor and Land Management Team | South Coast Region

**Program Delivery And Operations** | Department of Transport and Main Roads

Ground Floor | Nerang - Gold Coast Office | 36-38 Cotton Street | Nerang Qld 4211

PO Box 442 | Nerang Qld 4211

P: (07) 5563 6600 | F: (07) 55636611

E: [scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au)

W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

**From:** <sup>PI</sup> [redacted]

**Sent:** Thursday, 24 February 2022 9:54 AM

**To:** SCR Corridor and Land Management Inbox <[scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au)>

**Subject:** Attn : Michael Limpin TMR21-033591 628 Tomewin Mountain Road, Currumbin Valley.

<sup>PI</sup> [redacted]

**From:** <sup>PI</sup> [redacted]

**Date:** Monday, 21 February 2022 at 10:43 pm

**To:** "[scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au)" <[scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au)>

**Subject:** Decision Notice Enquiry TMR21-033591 628 Tomewin Mountain Road, Currumbin Valley.

Released under RTI - DTMR

Released under RTI - DTMR

Our ref TMR21-034591  
Your ref  
Enquiries Sam Carrall



Department of  
**Transport and Main Roads**

25 November 2021

personal information

Dear personal information

**Decision notice for a Permitted Road Access Location and conditional approval of road access works (driveway) at Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.**

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

I refer to your application for:

- a decision under section 62(1) of the Transport Infrastructure Act 1994 (TIA) for an access location and
- approval under section 33(1) of the TIA for road access works

at 628 Tomewin Mountain Road (Lot 9RP899604), Currumbin Valley.

**Permitted Road Access Location 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>		
1	Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with:  a) Road Access Submission (1/11/2021) (attached), and b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.	Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.

No.	Conditions of Approval	Condition Timing
2	The Property Owner/s will retain responsibility for the ongoing maintenance of the road access works (including any vegetated batters and overhanging trees within sight lines) constructed within the State-controlled road corridor in accordance with this approval.	At all times.
3	Direct access is prohibited between Tomewin Mountain Road and Lot 9RP899604 at any other location other than the permitted road access location described in Condition One (1).	At all times.

### Reasons for the decision

The reasons for this decision are as follows:

- a) The applicant has applied for the permitted road access location between the subject lot and Tomewin Mountain Road.
- b) The Department has reviewed the proposal and confirmed that satisfactory sight distance is achievable with minor vegetation clearing works at the proposed location.
- c) The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is satisfactory.
- d) The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's Vehicular access to state-controlled roads policy.

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, you are bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for your information.

### Approval of road access works (given under (section 33(1) of TIA)

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

No.	Conditions of Approval	Condition Timing
<b>Road Works</b>		
<b>A. General</b>		
4	<p>Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with:</p> <ul style="list-style-type: none"> <li>a) Road Access Submission (1/11/2021) (attached), and</li> <li>b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.</li> </ul>	<p>Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.</p>
5	<p>The applicant is required to submit evidence to the Department that the neighbouring property owner agrees to the proposal to share the existing section of the access within the state-controlled road corridor between the two properties.</p> <p>The submission shall include evidence that both parties agree to the removal of the existing carport structure within the state-controlled road corridor to facilitate construction of the proposed access.</p> <p>Evidence may be submitted via email to <a href="mailto:scr.calm@tmr.qld.gov.au">scr.calm@tmr.qld.gov.au</a> quoting the reference number <b>TMR21-034591</b>.</p>	<p>Prior to TMR issuing 'Authority to Commence Works'</p>
6	<p>The existing access described in Condition One (1) which is proposed to be shared by the applicant for access into 628 Tomewin Mountain Road is required to be maintained generally in accordance with IPWEA Standard Drawing RS-056.</p> <p>The Department requires that the access is to be sealed a minimum for 2m back from the edge of the existing pavement on Tomewin Mountain Road to minimise the risk of pavement edge drop-off and gravel being carried onto the road.</p>	<p>Prior to TMR issuing 'Certificate of Completion'.</p>
7	<p>Based on a desktop site assessment of the proposed access location conducted with digital video recording information from 24/02/2021, it appears that minor vegetation clearing is required to achieve adequate sight distance from the access to vehicles travelling northbound on Tomewin Mountain Road.</p> <p>The applicant is required to carry out minor vegetation clearing (that is, grass/shrub clearing and tree trimming) as part of the works to ensure that adequate safe sight distance is achieved (in accordance with <i>Austrroads Guide to Road Design Part 4A – Table A 10</i>, that is, 97m minimum).</p>	<p>Prior to TMR issuing 'Certificate of Completion'.</p>
8	<p>All road works are to be carried out in accordance with TMR's specifications and standards.</p>	<p>Prior to commencement of use.</p>

No.	Conditions of Approval	Condition Timing
9	This conditional approval is valid for two (2) years from the date of this letter.	At all times.
10	The Road Works are to be constructed at no cost to TMR.	At all times.
11	TMR officers are to be allowed access to the project site for the purpose of ensuring compliance with TMR's conditions.	At all times during construction.
12	Any damage to the existing road infrastructure caused by carrying out the Road Works is to be rectified/repared at no cost to TMR.	Prior to TMR issuing 'Certificate of Completion'.
<b>B. Documents for Approval</b>		
13	All TMR Technical Specifications are to be read in conjunction with 'MRTS01 Introduction to Technical Specifications' (including annexure).	At all times.
14	<p>Construction of the Road Works is to proceed without unreasonable interruption to traffic and in accordance with TMR's Manual of Uniform Control Devices – Part 3, Works on Roads. This includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a) taking all steps necessary to protect the public during construction; and</li> <li>b) provision of adequate signage and barriers.</li> </ul>	At all time during construction.
15	<p>As traffic control measures will need to be implemented on Tomewin Mountain Road during the construction of the approved road access works, a Traffic Control Permit (TCP) will be required.</p> <p>Please be advised that in accordance with the Traffic Registration Scheme, regulatory signage / traffic control may only be implemented by a traffic management company registered with the department. Details of the scheme including a list of registered companies can be found on the department's website.</p> <p>The traffic Control Permit application must be completed by the registered traffic management company and include a copy of this approval. You must allow at least 7 working days for processing of the application, prior to the planned commencement of work.</p>	Prior to TMR issuing 'Authority to Commence Works'.
<b>C. Principal Contractor</b>		
16	<p>A completed 'Principal Contractors Details and Bond Estimate' form F5084 (attached) is to be completed and returned to TMR. The nominated principal contractor must have sufficient expertise to carry out the proposed road works and hold a current public liability insurance policy that notes TMR's interest in the amount of not less than \$20 million.</p> <p><i>Please note – the estimate of works value / bond amount is not required for this approval.</i></p>	Prior to TMR issuing an 'Authority for Prestart Meeting'.



No.	Conditions of Approval	Condition Timing
17	A completed 'Deed of Indemnity' for the Road Works (completed by the Principal Contractor) using TMR form F5109 (attached) is to be submitted to TMR.	Prior to TMR issuing an 'Authority for Prestart Meeting'.
<b>D. Prestart Meeting</b>		
18	<p>All documents/details nominated below are to be submitted to TMR for review:</p> <ul style="list-style-type: none"> <li>• Principal Contractors Details and Bond Estimate form F5084</li> <li>• Deed of Indemnity for the Road Access Works form F5109</li> <li>• Approved Traffic Control Permit (TCP)</li> <li>• Evidence that the neighbouring property owner agrees with the shared access proposal.</li> </ul> <p>Once all forms have been received and accepted, an 'Authority to Commence Works' will be issued.</p> <p>A prestart meeting can be arranged <b>only</b> after the 'Authority to Commence Works' has been provided.</p>	Prior to TMR issuing an 'Authority to Commence Works'.
19	<p>A Prestart meeting attended by the applicant's representative and/or the principal contractor and TMR's representative is to be held. The prestart meeting will include, but is not limited to the following:</p> <ol style="list-style-type: none"> <li>a) Introduction of stakeholders.</li> <li>b) Review of road works approved drawings and management plans.</li> <li>c) Construction activities and program.</li> <li>d) Issues pertaining to a Zero Harm working environment.</li> <li>e) Review of the TCP</li> </ol> <p>To arrange a Prestart meeting, please contact Sam Carrall on 07 5563 6600 or via email at <a href="mailto:scr.calm@tmr.qld.gov.au">scr.calm@tmr.qld.gov.au</a> quoting the reference number <b>TMR21-034591</b>.</p>	A minimum of five (5) business days prior to the commencement of the road works.
<b>E. Practical Completion</b>		
20	The department must be notified of the completed Road Access Works to ensure compliance with the conditions.	Within five (5) days of the completion of the work.

No.	Conditions of Approval	Condition Timing
<b>F. Maintenance Period</b>		
21	Any defect which develops in work within the limits of TMR's maintenance responsibility during the on-maintenance period must be rectified by the applicant at no cost to TMR.	Until TMR has formally accepted off-maintenance the portion of the works, if any, for which it will accept responsibility for future maintenance.
22	Please note – The property owner will retain responsibility for the ongoing maintenance of any remaining portion of Road Access Works (for example, crossover/driveway) constructed within the State-Controlled Road corridor in accordance with this approval.	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 the TIA only.

### Further information

This decision about access replaces any earlier decision made under section 62(1) of the TIA in relation to the land.

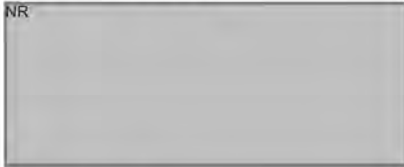
In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA is attached in **Attachment C** for your information.

In accordance with sections 485A and 485B of the TIA and section 35 of TPCA you may appeal against a reviewed decision. You must have applied to have the decision reviewed before an appeal about the decision can be lodged in the relevant court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for your information.

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

If you would like to discuss this application, please contact Sam Carrall, Engineer (Civil) by email at [scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au) or on (07) 4769 3218.

Yours sincerely



Ken Jensen  
**Principal Engineer**

- Attachments:
- Attachment A – Decision evidence and findings
  - Attachment B - Section 70 of TIA
  - Attachment C - Appeal Provisions
  - Attachment D – Road Access Submission
  - Attachment E – IPWEA Standard Drawing RS-056
  - Attachment G – Principal Contractors Details and Bond Estimate form F5084
  - Attachment H – Deed of Indemnity form F5109

Released under RTI DTMR

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- The objectives of the Transport Infrastructure Act 1994 require the establishment of a road regime that is safe and efficient.
- Therefore, as there is no current decision in force under section 62 of the Transport Infrastructure Act 1994 for the subject site, the proposed location will act as a primary access for Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.
- The Department has reviewed the proposal and determined that there is satisfactory sight distance at the proposed location (with minor sight line vegetation clearing work to northbound traffic along Tomewin Mountain Road).
- The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is reasonable.
- The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's *Vehicular access to state-controlled roads policy*.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
Sight Distance Assessment (Desktop)	Sam Carrall	22/11/2021	TMR21-034591	-
Standard Drawing – Vehicle Crossings Rural Driveway	IPWEA	06/2016	RS-056	G
Vehicular access to state-controlled roads policy	TMR	2019	-	-

**Attachment B**

**Section 70 of TIA**

*Transport Infrastructure Act 1994*

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

---

**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

---

**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.

**485A External review of decisions**

- (1) This section applies in relation to an original decision if QCAT 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 chief executive must give the applicant a QCAT information notice for the reviewed decision.
- (3) The applicant may apply, as provided under the QCAT Act, to QCAT for a review of the reviewed decision.

*Note—*

The QCAT Act, section 22(3) provides that QCAT may stay the operation of the reviewed decision, either on application by a person or on its own initiative.

- (4) 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.

## 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.

....

- (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.

Released under RTI/DMPR

### **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.

**From:** "eDAMdonotreply" <donotreply@edammail.tmr.qld.gov.au>

**Sent:** 25/03/2022 02:34:35 PM

**To:** persona@tasmanpartners.com.au

**CC:** Ken Jensen <ken.w.jensen@tmr.qld.gov.au> ; Michael Limpin <Michael.J.Limpin@tmr.qld.gov.au> ; Gold Coast <scr.calm@tmr.qld.gov.au>

**Subject:** TMR21-034591 - TMR correspondence for 628 Tomewin Mountain Road, Currumbin Valley QLD 4223 (Reference Number TMR21-034591)

**Attachments:**

- [TIA - Conditional approval - s62 and s33\\_1.pdf](#)
- [IPWEAQ Std Dwg RS-056 Rural Driveway.pdf](#)
- [F5109 - Deed of Indemnity.pdf](#)
- [Drive Access Submission 011121.pdf](#)
- [F5084 - Principal Contractor Details and Bond Estimate.pdf](#)

---

Our Reference: TMR21-034591

Application Street Address: 628 Tomewin Mountain Road, Currumbin Valley QLD 4223

Please see the attached [TIA - Conditional approval - s62 and s33\_1.pdf] from the Department of Transport and Main Roads.

PLEASE DO NOT REPLY TO THIS EMAIL AS THE MAILBOX IS NOT MONITORED

If you require any further information or clarification, please contact TMR Gold Coast Region on (07) 5563 6600, or via email scr.calm@tmr.qld.gov.au who will be able to assist.

Regards,  
eDAM System | Department of Transport and Main Roads

Released under RTI - DTMR

Our ref TMR21-034591  
Your ref  
Enquiries Michael Limpin



Department of  
**Transport and Main Roads**

25 March 2022

personal information

Dear personal information

**Decision Notice for a Permitted Road Access Location and Amended Conditional Approval of road access works (driveway) at Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.**

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

I refer to your application for:

- a decision under section 62(1) of the Transport Infrastructure Act 1994 (TIA) for an access location and
- approval under section 33(1) of the TIA for road access works

at 628 Tomewin Mountain Road (Lot 9RP899604), Currumbin Valley.

**Permitted Road Access Location 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>		
1	Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with:  a) Road Access Submission (1/11/2021) (attached), and  b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.	Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.
2	The Property Owner/s will retain responsibility for the ongoing maintenance of the road access works (including any vegetated batters and overhanging trees within sight lines) constructed within the State-controlled road corridor in accordance with this approval.	At all times.

No.	Conditions of Approval	Condition Timing
3	Direct access is prohibited between Tomewin Mountain Road and Lot 9RP899604 at any other location other than the permitted road access location described in Condition One (1).	At all times.

### Reasons for the decision

The reasons for this decision are as follows:

- a) The applicant has applied for the permitted road access location between the subject lot and Tomewin Mountain Road.
- b) The Department has reviewed the proposal and confirmed that satisfactory sight distance is achievable with minor vegetation clearing works at the proposed location.
- c) The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is satisfactory.
- d) The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's Vehicular access to state-controlled roads policy.

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, you are bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for your information.

### Approval of road access works (given under (section 33(1) of TIA)

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

No.	Conditions of Approval	Condition Timing
<b>Road Works</b>		
<b>A. General</b>		
4	Road access works comprising a rural residential property access must be provided at the permitted access location, generally in accordance with: <ol style="list-style-type: none"> <li>a) Road Access Submission (1/11/2021) (attached), and</li> <li>b) IPWEA Standard Drawing RS-056 – Vehicle Crossings Rural Driveway.</li> </ol>	Construction of road works must not commence until the prestart meeting has concluded and an 'Authority to Commence Works' has been issued.

No.	Conditions of Approval	Condition Timing
5	<p>Due to limited viable option for a separate access to the state-controlled road, the applicant is required to notify the neighbouring property of the requirement of this approval to share the use and maintenance of the existing section of the access within the boundary of the state-controlled road corridor.</p> <p>[Note: Should the neighbouring property who have built the existing access across the state-controlled road verge seek any compensation or similar claims, TMR is not expected to be party to or be involved in any private agreement whether formal or informal between the applicant and the owner of the adjacent property.]</p>	Prior to commencement of use of the access.
6	<p>The existing access described in Condition One (1) which is proposed to be shared by the applicant for access into 628 Tomewin Mountain Road is required to be maintained generally in accordance with IPWEA Standard Drawing RS-056.</p> <p>The Department requires that the access is to be sealed a minimum for 2m back from the edge of the existing pavement on Tomewin Mountain Road to minimise the risk of pavement edge drop-off and gravel being carried onto the road.</p>	Prior to TMR issuing 'Certificate of Completion'.
7	<p>Based on a desktop site assessment of the proposed access location conducted with digital video recording information from 24/02/2021, it appears that minor vegetation clearing is required to achieve adequate sight distance from the access to vehicles travelling northbound on Tomewin Mountain Road.</p> <p>The applicant is required to carry out minor vegetation clearing (that is, grass/shrub clearing and tree trimming) as part of the works to ensure that adequate safe sight distance is achieved (in accordance with <i>Austrroads Guide to Road Design Part 4A – Table A 10</i>, that is, 97m minimum).</p>	Prior to TMR issuing 'Certificate of Completion'.
8	All road works are to be carried out in accordance with TMR's specifications and standards.	Prior to commencement of use.
9	This conditional approval is valid for two (2) years from the date of this letter.	At all times.
10	The Road Works are to be constructed at no cost to TMR.	At all times.
11	TMR officers are to be allowed access to the project site for the purpose of ensuring compliance with TMR's conditions.	At all times during construction.
12	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'.

No.	Conditions of Approval	Condition Timing
<b>B. Documents for Approval</b>		
13	All TMR Technical Specifications are to be read in conjunction with 'MRTS01 Introduction to Technical Specifications' (including annexure).	At all times.
14	<p>Construction of the Road Works is to proceed without unreasonable interruption to traffic and in accordance with TMR's Manual of Uniform Control Devices – Part 3, Works on Roads. This includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a) taking all steps necessary to protect the public during construction; and</li> <li>b) provision of adequate signage and barriers.</li> </ul>	At all time during construction.
15	<p>As traffic control measures will need to be implemented on Tomewin Mountain Road during the construction of the approved road access works, a Traffic Control Permit (TCP) will be required.</p> <p>Please be advised that in accordance with the Traffic Registration Scheme, regulatory signage / traffic control may only be implemented by a traffic management company registered with the department. Details of the scheme including a list of registered companies can be found on the department's website.</p> <p>The traffic Control Permit application must be completed by the registered traffic management company and include a copy of this approval. You must allow at least 7 working days for processing of the application, prior to the planned commencement of work.</p>	Prior to TMR issuing 'Authority to Commence Works'.
<b>C. Principal Contractor</b>		
16	<p>A completed 'Principal Contractors Details and Bond Estimate' form F5084 (attached) is to be completed and returned to TMR. The nominated principal contractor must have sufficient expertise to carry out the proposed road works and hold a current public liability insurance policy that notes TMR's interest in the amount of not less than \$20 million.</p> <p><i>Please note – the estimate of works value / bond amount is not required for this approval.</i></p>	Prior to TMR issuing an 'Authority for Prestart Meeting'.
17	A completed 'Deed of Indemnity' for the Road Works (completed by the Principal Contractor) using TMR form F5109 (attached) is to be submitted to TMR.	Prior to TMR issuing an 'Authority for Prestart Meeting'.

No.	Conditions of Approval	Condition Timing
<b>D. Prestart Meeting</b>		
18	<p>All documents/details nominated below are to be submitted to TMR for review:</p> <ul style="list-style-type: none"> <li>• Principal Contractors Details and Bond Estimate form F5084</li> <li>• Deed of Indemnity for the Road Access Works form F5109</li> <li>• Approved Traffic Control Permit (TCP)</li> <li>• Evidence that the neighbouring property owner has been advised of this approval to share the existing access.</li> </ul> <p>Once all forms have been received and accepted, an 'Authority to Commence Works' will be issued.</p> <p>A prestart meeting can be arranged <b>only</b> after the 'Authority to Commence Works' has been provided.</p>	<p>Prior to TMR issuing an 'Authority to Commence Works'.</p>
19	<p>A Prestart meeting attended by the applicant's representative and/or the principal contractor and TMR's representative is to be held. The prestart meeting will include, but is not limited to the following:</p> <ol style="list-style-type: none"> <li>a) Introduction of stakeholders.</li> <li>b) Review of road works approved drawings and management plans.</li> <li>c) Construction activities and program.</li> <li>d) Issues pertaining to a Zero Harm working environment.</li> <li>e) Review of the TCP</li> </ol> <p>To arrange a Prestart meeting, please contact Michael Limpin on (07) 5563 6600 or via email at <a href="mailto:scr.calm@tmr.qld.gov.au">scr.calm@tmr.qld.gov.au</a> quoting the reference number <b>TMR21-034591</b>.</p>	<p>A minimum of five (5) business days prior to the commencement of the road works.</p>
<b>E. Practical Completion</b>		
20	<p>The department must be notified of the completed Road Access Works to ensure compliance with the conditions.</p>	<p>Within five (5) days of the completion of the work.</p>
<b>F. Maintenance Period</b>		
21	<p>Any defect which develops in work within the limits of TMR's maintenance responsibility during the on-maintenance period must be rectified by the applicant at no cost to TMR.</p>	<p>Until TMR has formally accepted off-maintenance the portion of the works, if any, for which it will accept responsibility for future maintenance.</p>

No.	Conditions of Approval	Condition Timing
22	Please note – The property owner and the owner of the adjacent property (as advised by the applicant) will retain responsibility for the ongoing maintenance of any remaining portion of Road Access Works (for example, crossover/driveway) constructed within the State-Controlled Road corridor in accordance with this approval.	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 the TIA only.

### Further information

This decision about access replaces any earlier decision made under section 62(1) of the TIA in relation to the land.

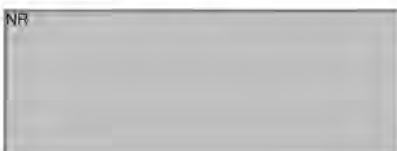
In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA is attached in **Attachment C** for your information.

In accordance with sections 485A and 485B of the TIA and section 35 of TPCA you may appeal against a reviewed decision. You must have applied to have the decision reviewed before an appeal about the decision can be lodged in the relevant court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for your information.

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

If you would like to discuss this application, please contact Michael Limpin, Senior Engineer (Civil) by email at [scr.calm@tmr.qld.gov.au](mailto:scr.calm@tmr.qld.gov.au) or on (07) 5563 6600.

Yours sincerely





Ken Jensen  
**Principal Engineer**

Attachments: Attachment A – Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions  
Attachment D – Road Access Submission  
Attachment E – IPWEA Standard Drawing RS-056  
Attachment G – Principal Contractors Details and Bond Estimate form F5084  
Attachment H – Deed of Indemnity form F5109

Released under RTI - DTMR

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- The objectives of the Transport Infrastructure Act 1994 require the establishment of a road regime that is safe and efficient.
- Therefore, as there is no current decision in force under section 62 of the Transport Infrastructure Act 1994 for the subject site, the proposed location will act as a primary access for Lot 9RP899604 / 628 Tomewin Mountain Road, Currumbin Valley.
- The Department has reviewed the proposal and determined that there is satisfactory sight distance at the proposed location (with minor sight line vegetation clearing work to northbound traffic along Tomewin Mountain Road).
- The topography of the road reserve at the property frontage is prohibitively steep to provide vehicular access. Therefore, the applicant's proposal to share the existing access of 618 Tomewin Mountain Road is reasonable.
- The applicant's proposal to construct a shared access with the neighbouring property is in line with strategies outlined in TMR's *Vehicular access to state-controlled roads policy*.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
Sight Distance Assessment (Desktop)	Sam Carrall	22/11/2021	TMR21-034591	-
Standard Drawing – Vehicle Crossings Rural Driveway	IPWEA	06/2016	RS-056	G
Vehicular access to state-controlled roads policy	TMR	2019	-	-

**Attachment B**

**Section 70 of TIA**

*Transport Infrastructure Act 1994*

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

---

**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

---

**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.

**485A External review of decisions**

- (1) This section applies in relation to an original decision if QCAT 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 chief executive must give the applicant a QCAT information notice for the reviewed decision.
- (3) The applicant may apply, as provided under the QCAT Act, to QCAT for a review of the reviewed decision.

*Note—*

The QCAT Act, section 22(3) provides that QCAT may stay the operation of the reviewed decision, either on application by a person or on its own initiative.

- (4) 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.

## 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.

....

- (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.

Released under RTI/DMPR

### **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.

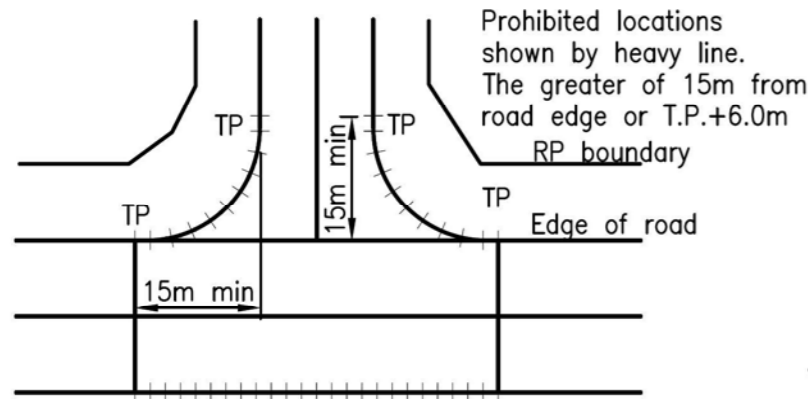
(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

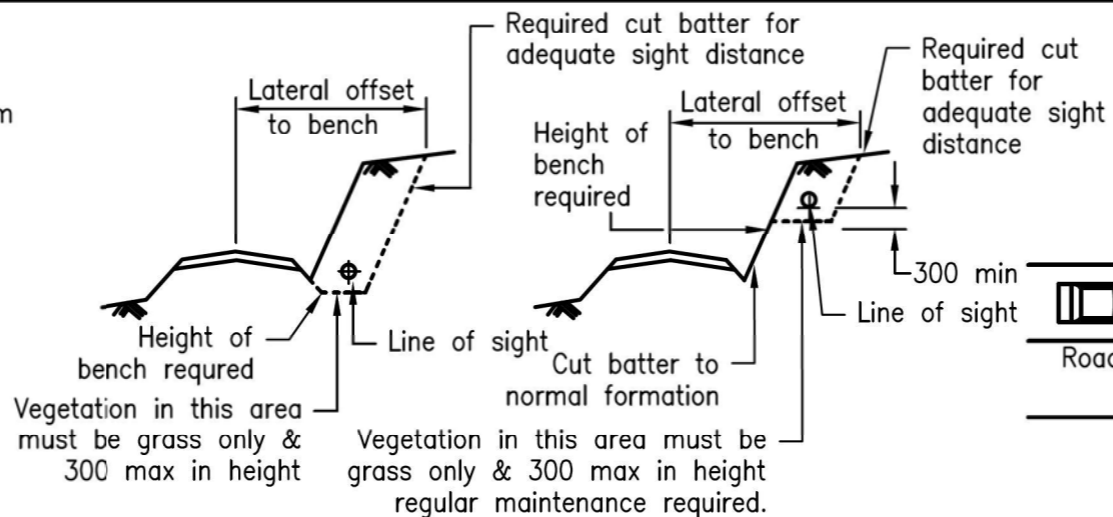
(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

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.



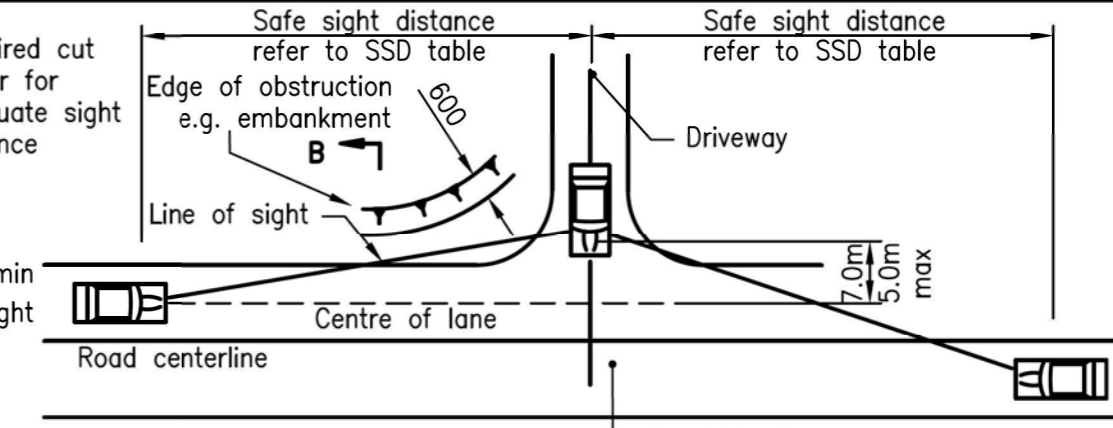
**PROHIBITED LOCATIONS AT INTERSECTIONS FOR RURAL VEHICLE CROSSINGS**



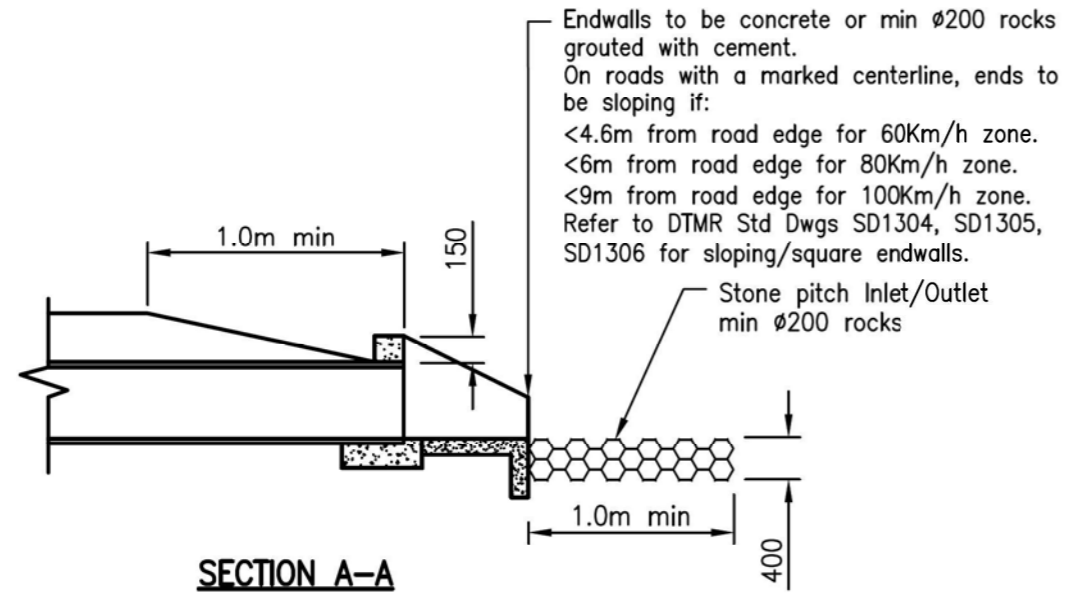
**BENCHING DETAIL SECTION B-B**

Catchment Area	PIPE SIZE	
	ARI 2	ARI 10
<0.5Ha	375	450
<1.0Ha	450	525
<1.5Ha	525	600
<2.5Ha	600	2/450
<3.0Ha	2/450	2/525
<4.0Ha	2/525	2/600
<5.0Ha	2/600	(2)

For average daily traffic  $\leq 2000$ , ARI 2  
 For average daily traffic  $> 2000$ , ARI 10  
 (1) Alternatives may be approved if supported with calculations in accordance with the provisions of the Queensland Urban Drainage Manual or under the provisions of Council's Planning Scheme.  
 (2) Seek consulting engineer advice.



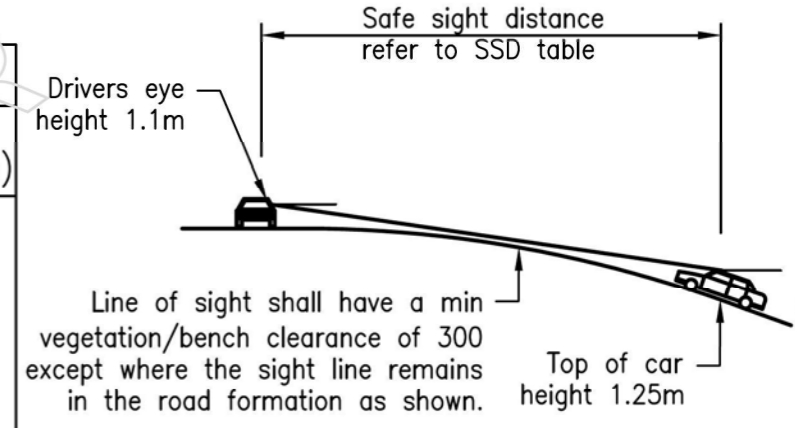
**PLAN**



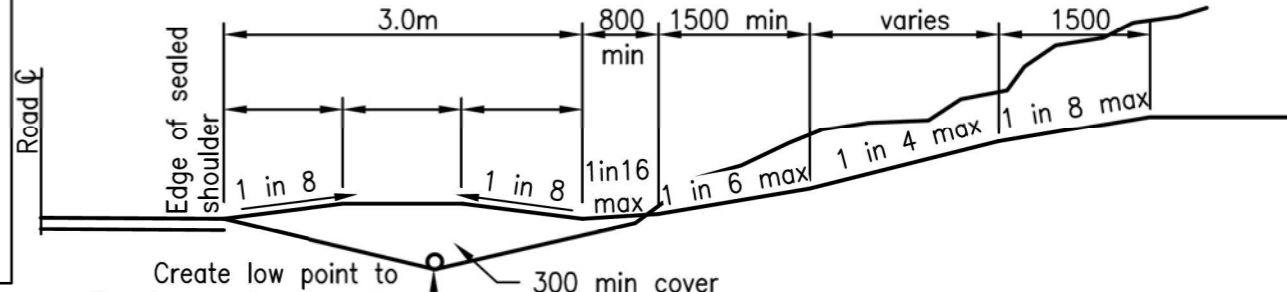
**SECTION A-A**

Speed Limit (km/h)	Safe Sight Distance (m)
40	73
50	97
60	123
70	151
80	181
90	214
100	248

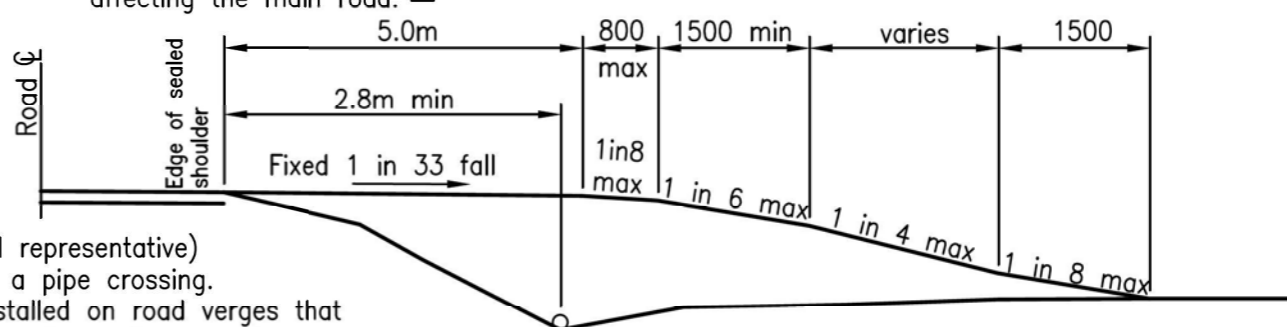
Based on Austroads Part 4A - 2009, Table 3.2



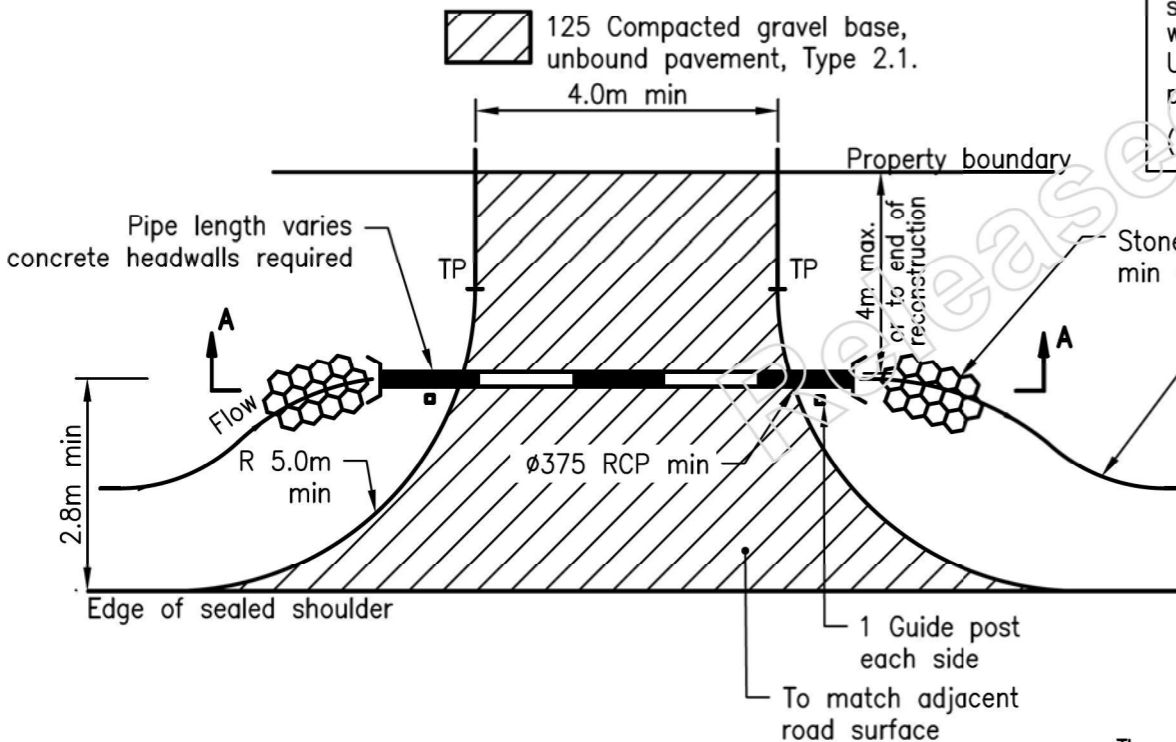
**LONGITUDINAL SECTION SSD - EXITING FROM DRIVEWAY**



**TYPICAL DRIVEWAY SECTION - ROAD IN CUT**



**TYPICAL DRIVEWAY SECTION - ROAD IN FILL**



**VEHICLE CROSSING PLAN**

**NOTES:**

1. A site assessment (By a Council representative) is to occur upon application for a pipe crossing. Pipe crossings are not to be installed on road verges that fall to the subject property where stormwater cannot be directed to a natural water course or drainage easement or when there is no upstream stormwater catchment or V-Drain.
2. All dimensions are in millimetres unless shown otherwise.

These drawings have been developed in consultation between the participating Councils. BEFORE USE, the user shall confirm that the drawing has been adopted by the appropriate Council.

Rv.	DATE	REVISIONS
F	06/14	Review
E	03/14	Amended Drawing Number
D	12/11	Drawing number changed from SEQ R-056 to RS-056
C	06/10	Review
B	06/09	Review
G	06/16	Review
	03/09	ORIGINAL ISSUE



**INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA**  
**STANDARD DRAWINGS**

RTI-3734 Page 72 of 145

**VEHICLE CROSSINGS**  
**RURAL DRIVEWAY**

**RS-056**

F  
E  
D  
C  
B  
G  
Rv.





# 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

TMR

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:

- a. 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**
- b. 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:

- a. loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- b. 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

Released under RTI - DTMR



## Application details

Department of Transport and Main Roads reference number

TMR

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

\$

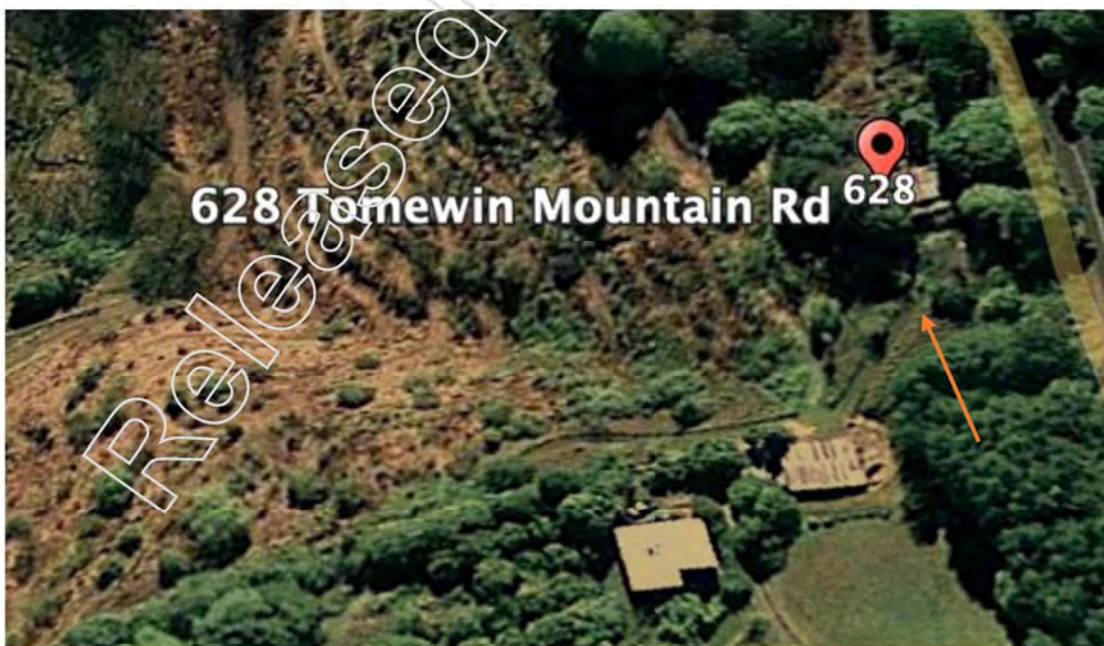
Attached are details supporting the estimation of costs of works (for example, bill of quantities).

**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.

Released under RTI - DTMR

**Appendix A**

3 Historical Images showing the use of access drive to Lot 9 prior to amalgamation of Cottage to Lot 11 on 08/10/2013– access clearly evident



August 2009 (Source Google Earth Pro)



April 2010 (Source Google Earth Pro)



June 2011 (Source Google Earth Pro)

Released under RTI - DTMR

Released under RTI - DTMR

Our ref TMR21-034591  
Your ref Letter dated 28/02/23  
Enquiries Michael Limpin/Cassandra Smith

Department of  
**Transport and Main Roads**

10 March 2023



Dear Sir/Madam

**Road access approval – 628 Tomewin Mountain Road, Currumbin Valley (Lot 9 on RP899604)**

Reference is made to:

- the decision notice dated 25 March 2022 which records decisions under ss 33 and 62 of the *Transport Infrastructure Act 1994* (Qld) in relation to the above property (**Approval**); and

- 

**Approval**

You have enquired about the legal standing of the Approval. As previously advised, the Approval has taken effect and is current.



**Road closure applications**

You have enquired about the status of road closure applications made by the owners of Lot 11 on SP254456.

The Department of Resources is the decision maker for road closure applications, although TMR can indicate support for a proposed road closure.

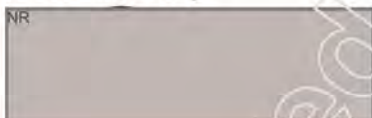
TMR is liaising with the owners of Lot 11 on SP254156 about a proposed road closure in the location of the Freeman's Organic Farm shopfront. However, i can confirm that TMR is aware of your easement over Lot 11 and is not supportive of any closure that would affect easement access to your property or your ability to act on the Approval.

Released under RTI



I trust this information is of assistance.

Yours sincerely

NR  


Casandra Smith  
Principal Advisor (Corridor and Land Management)

Released under RTI - DTMR

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1620655  
 Date/Tax Point 30 August 2022  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner PI

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 19 August 2022.</b>	8,003.10	10.00
Net	8,003.10	
GST	800.31	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$8,803.41</b>	

PI

Invoices are payable net when rendered. Payments may be made by cheque to GPO Box 407, Brisbane QLD 4001 or by credit transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

This invoice may include fees and disbursements of other Norton Rose Fulbright entities.  
 Where applicable, exchange rates have been applied to this bill according to the date of each transaction.  
 Your attention is drawn to the notice on the reverse.

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. We may charge interest at the rate equal to the Cash Target Rate specified from time to time by the Reserve Bank of Australia, increased by 2 percentage points, on legal costs unpaid 30 days or more after giving you this bill.

The following avenues are open to a client in the event of a dispute in relation to legal costs comprised in this bill:

- (i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").  
(An application for assessment must be made within 12 months after the bill was given.)
- (ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMR

PI [Redacted]

Date	Description	Hours	Rate	Amount	
17-Aug-2022	[Redacted]	[Redacted]	[Redacted]	217.20	
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			NR		<b>AU \$217.20</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount	
16-Aug-2022	[Redacted]	[Redacted]	[Redacted]	217.20	
19-Aug-2022	[Redacted]	[Redacted]	[Redacted]	217.20	
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			NR		<b>AU \$434.40</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount	
05-Aug-2022	[Redacted]	[Redacted]	[Redacted]	507.00	
11-Aug-2022	[Redacted]	[Redacted]	[Redacted]	2,889.90	
12-Aug-2022	[Redacted]	[Redacted]	[Redacted]	2,535.00	
17-Aug-2022	[Redacted]	[Redacted]	[Redacted]	811.20	
18-Aug-2022	[Redacted]	[Redacted]	[Redacted]	405.60	
19-Aug-2022	[Redacted]	[Redacted]	[Redacted]	202.80	
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			NR		<b>AU \$7,351.50</b>

**Time Summary**

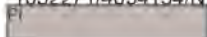
Fee Earner	Position	Hours	Rate	Amount
[Redacted]	[Redacted]	[Redacted]	[Redacted]	\$434.40
[Redacted]	[Redacted]	[Redacted]	[Redacted]	\$217.20
				\$7,351.50
			<b>Total</b>	<b>AU \$8,003.10</b>

Released under RTI - DTMR

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1624594  
 Date/Tax Point 30 September 2022  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 16 September 2022.</b>		
	1,021.20	10.00
Net	1,021.20	
GST	102.12	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$1,123.32</b>	



Invoices are payable net when rendered. Payments may be made by cheque to GPO Box 407, Brisbane QLD 4001 or by credit transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

This invoice may include fees and disbursements of other Norton Rose Fulbright entities.  
 Where applicable, exchange rates have been applied to this bill according to the date of each transaction.  
 Your attention is drawn to the notice on the reverse.

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. We may charge interest at the rate equal to the Cash Target Rate specified from time to time by the Reserve Bank of Australia, increased by 2 percentage points, on legal costs unpaid 30 days or more after giving you this bill.

The following avenues are open to a client in the event of a dispute in relation to legal costs comprised in this bill:

- (i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").  
(An application for assessment must be made within 12 months after the bill was given.)
- (ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.



PI [Redacted]

Date	Description	Hours	Amount
16-Sep-2022	NR [Redacted]	NR [Redacted]	108.60
		<b>Rate</b>	<b>Hours</b>
		NR [Redacted]	<b>Amount</b>
			<b>AU \$108.60</b>

PI [Redacted]

Date	Description	Hours	Amount
14-Sep-2022	NR [Redacted]	NR [Redacted]	912.60
		<b>Rate</b>	<b>Hours</b>
		NR [Redacted]	<b>Amount</b>
			<b>AU \$912.60</b>

**Time Summary**

Fee Earner	Position	Hours	Rate	Amount
PI [Redacted]	[Redacted]	NR [Redacted]	[Redacted]	\$108.60
				\$912.60
		<b>Total</b>		<b>AU \$1,021.20</b>

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1630174  
 Date/Tax Point 30 November 2022  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner PI

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 10 November 2022.</b>	2,190.90	10.00
Net	2,190.90	
GST	219.09	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$2,409.99</b>	

Invoices are payable net when rendered. Payments may be made by cheque to GPO Box 407, Brisbane QLD 4001 or by credit transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

This invoice may include fees and disbursements of other Norton Rose Fulbright entities.  
 Where applicable, exchange rates have been applied to this bill according to the date of each transaction.  
 Your attention is drawn to the notice on the reverse.

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. We may charge interest at the rate equal to the Cash Target Rate specified from time to time by the Reserve Bank of Australia, increased by 2 percentage points, on legal costs unpaid 30 days or more after giving you this bill.

The following avenues are open to a client in the event of a dispute in relation to legal costs comprised in this bill:

- (i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").  
(An application for assessment must be made within 12 months after the bill was given.)
- (ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMR

PI [Redacted]

Date	Description	Hours	Rate	Amount
10-Nov-2022	NR [Redacted]	NR [Redacted]	[Redacted]	162.90
				<b>Amount</b>
				<b>AU \$162.90</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount
03-Nov-2022	NR [Redacted]	NR [Redacted]	[Redacted]	811.20
09-Nov-2022	[Redacted]	[Redacted]	[Redacted]	1,216.80
				<b>Amount</b>
				<b>AU \$2,028.00</b>

**Time Summary**

Fee Earner	Position
PI [Redacted]	[Redacted]

Hours	Rate	Amount
NR [Redacted]	[Redacted]	\$162.90
		\$2,028.00
<b>Total</b>		<b>AU \$2,190.90</b>

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1632190  
 Date/Tax Point 19 December 2022  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner PI

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 16 December 2022.</b>	3,436.50	10.00
Net	3,436.50	
GST	343.65	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$3,780.15</b>	

*Norton Rose Fulbright Australia*

Invoices are payable net when rendered. Payments may be made by cheque to GPO Box 407, Brisbane QLD 4001 or by credit transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

This invoice may include fees and disbursements of other Norton Rose Fulbright entities.  
 Where applicable, exchange rates have been applied to this bill according to the date of each transaction.  
 Your attention is drawn to the notice on the reverse.

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. We may charge interest at the rate equal to the Cash Target Rate specified from time to time by the Reserve Bank of Australia, increased by 2 percentage points, on legal costs unpaid 30 days or more after giving you this bill.

The following avenues are open to a client in the event of a dispute in relation to legal costs comprised in this bill:

- (i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").  
(An application for assessment must be made within 12 months after the bill was given.)
- (ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMR

PI [Redacted]


Date	Description	Hours	Rate	Amount
13-Dec-2022	NR [Redacted]	NR [Redacted]	[Redacted]	162.90
15-Dec-2022	[Redacted]	[Redacted]	[Redacted]	380.10
16-Dec-2022	[Redacted]	[Redacted]	[Redacted]	54.30
				<b>Amount</b>
				<b>AU \$597.30</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount
06-Dec-2022	NR [Redacted]	NR [Redacted]	[Redacted]	101.40
13-Dec-2022	[Redacted]	[Redacted]	[Redacted]	101.40
14-Dec-2022	[Redacted]	[Redacted]	[Redacted]	1,622.40
15-Dec-2022	[Redacted]	[Redacted]	[Redacted]	253.50
15-Dec-2022	[Redacted]	[Redacted]	[Redacted]	101.40
15-Dec-2022	[Redacted]	[Redacted]	[Redacted]	659.10
				<b>Amount</b>
				<b>AU \$2,839.20</b>

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1638614  
 Date/Tax Point 28 February 2023  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner 

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
CHARGES FOR PROFESSIONAL SERVICES RENDERED to 24 February 2023.	1,220.40	10.00
Net	1,220.40	
GST	122.04	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$1,342.44</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.



### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.

2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMK

PI [Redacted]

Date	Description	Hours	Rate	Amount
24-Feb-2023	NR [Redacted]	NR [Redacted]	[Redacted]	54.30

Hours	Rate	Amount
NR [Redacted]	[Redacted]	AU \$54.30

PI [Redacted]

Date	Description	Hours	Rate	Amount
19-Dec-2022	NR [Redacted]	NR [Redacted]	[Redacted]	202.80
22-Feb-2023	[Redacted]	[Redacted]	[Redacted]	253.50
23-Feb-2023	[Redacted]	[Redacted]	[Redacted]	709.80

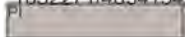
Hours	Rate	Amount
NR [Redacted]	[Redacted]	AU \$1,166.10

Released under RTI-DMP

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1641180  
 Date/Tax Point 31 March 2023  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 30 March 2023.</b>		
	8,912.10	10.00
Net	8,912.10	
GST	891.21	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$9,803.31</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

PI [Redacted]

Date	Description	Hours	Rate	Amount
02-Mar-2023	NR [Redacted]	NR [Redacted]	[Redacted]	54.30
09-Mar-2023	[Redacted]	[Redacted]	[Redacted]	217.20
15-Mar-2023	[Redacted]	[Redacted]	[Redacted]	162.90
16-Mar-2023	[Redacted]	[Redacted]	[Redacted]	54.30
29-Mar-2023	[Redacted]	[Redacted]	[Redacted]	108.60
		Hours	Rate	Amount
		NR	[Redacted]	AU \$597.30

PI [Redacted]

Date	Description	Hours	Rate	Amount
23-Feb-2023	NR [Redacted]	NR [Redacted]	[Redacted]	50.70
01-Mar-2023	[Redacted]	[Redacted]	[Redacted]	1,723.80
02-Mar-2023	[Redacted]	[Redacted]	[Redacted]	101.40

P1

Date	Description	Hours	Rate	Amount
03-Mar-2023				304.20
08-Mar-2023				2,078.70
09-Mar-2023				354.90
10-Mar-2023				1,825.20
15-Mar-2023				253.50
16-Mar-2023				253.50
17-Mar-2023				202.80

[Redacted]

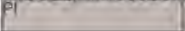
Date	Description	Hours	Rate	Amount
29-Mar-2023	[Redacted]	[Redacted]	[Redacted]	1,064.70
30-Mar-2023	[Redacted]	[Redacted]	[Redacted]	101.40
		[Redacted]	[Redacted]	Amount
				AU \$8,314.80

Released under RTI - DMR

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1641193  
 Date/Tax Point 31 March 2023  
 Our ref 1052271/4059584/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/11082

	Charges AU \$	GST Rate %
Tomewin Mountain Road – Section 62 decision legal challenge		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 16 March 2023.</b>		
	1,836.00	10.00
Net	1,836.00	
GST	183.60	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$2,019.60</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.



### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

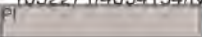
The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Date.	Tkpr.	Description	Hours	Rate	Amount
03-Mar-2023	PI	NR	NR		1,064.70
08-Mar-2023	PI				405.60
08-Mar-2023	PI				108.60
09-Mar-2023	PI				101.40
09-Mar-2023	PI				54.30
16-Mar-2023	PI				101.40

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1646571  
 Date/Tax Point 31 May 2023  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 29 May 2023.</b>		
	7,693.60	10.00
Net	7,693.60	
GST	769.36	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$8,462.96</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

PI [Redacted]

Date	Description	Hours	Rate	Amount
18-Apr-2023	NR [Redacted]	NR [Redacted]	[Redacted]	54.30
20-Apr-2023	[Redacted]	[Redacted]	[Redacted]	54.30
05-May-2023	[Redacted]	[Redacted]	[Redacted]	108.60
08-May-2023	[Redacted]	[Redacted]	[Redacted]	54.30
11-May-2023	[Redacted]	[Redacted]	[Redacted]	162.90
19-May-2023	[Redacted]	[Redacted]	[Redacted]	54.30
19-May-2023	[Redacted]	[Redacted]	[Redacted]	54.30
24-May-2023	[Redacted]	[Redacted]	[Redacted]	162.90
29-May-2023	[Redacted]	[Redacted]	[Redacted]	54.30
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		NR [Redacted]	[Redacted]	<b>AU \$760.20</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount
28-Apr-2023	NR [Redacted]	NR [Redacted]	[Redacted]	152.10
04-May-2023	[Redacted]	[Redacted]	[Redacted]	354.90
04-May-2023	[Redacted]	[Redacted]	[Redacted]	507.00
05-May-2023	[Redacted]	[Redacted]	[Redacted]	101.40
10-May-2023	[Redacted]	[Redacted]	[Redacted]	1,014.00

[Redacted]

Date	Description	Hours	Rate	Amount
11-May-2023	NR	NR		1,470.30
17-May-2023				405.60
18-May-2023				50.70
19-May-2023				608.40
24-May-2023				1,115.40
26-May-2023				101.40
26-May-2023				912.60

Hours	Rate	Amount
NR		AU \$6,793.80

[Redacted]

Date	Description	Hours	Rate	Amount
23-May-2023	[Redacted]	[Redacted]	[Redacted]	139.60

Hours	Rate	Amount
[Redacted]	[Redacted]	139.60


Hours	Rate	Amount
[Redacted]	[Redacted]	AJ \$139.60

Released under RTI - DTMP

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1646563  
 Date/Tax Point 31 May 2023  
 Our ref 1052271/4059584/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/11082

	Charges AU \$	GST Rate %
Tomewin Mountain Road – Section 62 decision legal challenge		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 18 May 2023.</b>		
	1,774.20	10.00
Net	1,774.20	
GST	177.42	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$1,951.62</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.



### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

- (i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").  
(An application for assessment must be made within 12 months after the bill was given.)
- (ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

PI [Redacted]

Date	Description	Hours	Rate	Amount
18-May-2023	NR [Redacted]	NR [Redacted]	[Redacted]	760.20

Hours	Rate	Amount
NR [Redacted]	[Redacted]	AU \$760.20

PI [Redacted]

Date	Description	Hours	Rate	Amount
19-Apr-2023	NR [Redacted]	NR [Redacted]	[Redacted]	202.80
18-May-2023	[Redacted]	[Redacted]	[Redacted]	811.20

Hours	Rate	Amount
NR [Redacted]	[Redacted]	AU \$1,014.00

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1648933  
 Date/Tax Point 23 June 2023  
 Our ref 1052271/4059584/NXF/129  
 Responsible Partner PI

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/11082

	Charges AU \$	GST Rate %
<b>Tomewin Mountain Road – Section 62 decision legal challenge</b>		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 9 June 2023.</b>	1,722.40	10.00
Net	1,722.40	
GST	172.24	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$1,894.64</b>	

PI

Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.

2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMK

PI [Redacted]

Date	Description	Hours	Rate	Amount
31-May-2023	NR [Redacted]	NR [Redacted]	[Redacted]	108.60
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$108.60

PI [Redacted]

Date	Description	Hours	Rate	Amount
09-Jun-2023	NR [Redacted]	NR [Redacted]	[Redacted]	108.60
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$108.60

PI [Redacted]

Date	Description	Hours	Rate	Amount
31-May-2023	NR [Redacted]	NR [Redacted]	[Redacted]	101.40
08-Jun-2023				152.10
09-Jun-2023				1,216.80
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$1,470.30

PI [Redacted]


Date	Description	Hours	Rate	Amount
05-Jun-2023	NR [Redacted]	NR [Redacted]	[Redacted]	34.90
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$34.90

Released under RTI - DTMR

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

## TAX INVOICE

Invoice Number 1653584  
 Date/Tax Point 31 July 2023  
 Our ref 1052271/4059584/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/11082

	Charges AU \$	GST Rate %
Tomewin Mountain Road – Section 62 decision legal challenge		
CHARGES FOR PROFESSIONAL SERVICES RENDERED to 12 July 2023.	822.00	10.00
Net	822.00	
GST	82.20	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$904.20</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.
2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.



PI [Redacted]

Date	Description	Hours	Rate	Amount
12-Jul-2023	NR [Redacted]	NR [Redacted]	[Redacted]	162.90
		NR [Redacted]	[Redacted]	AU \$162.90

PI [Redacted]

Date	Description	Hours	Rate	Amount
16-Jun-2023	NR [Redacted]	NR [Redacted]	[Redacted]	202.80
12-Jul-2023	[Redacted]	[Redacted]	[Redacted]	456.30
		NR [Redacted]	[Redacted]	AU \$659.10

Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

## TAX INVOICE

Invoice Number 1656571  
 Date/Tax Point 31 August 2023  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner PI

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/10677

	Charges AU \$	GST Rate %
Access issues – 628 Tomewin Mt Rd, Currumbin Valley		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 29 August 2023.</b>	35,159.80	10.00
Net	35,159.80	
GST	3,515.98	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$38,675.78</b>	

PI

Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.

2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMK

PI [Redacted]

Date	Description	Hours	Rate	Amount
02-Aug-2023	NR	NR		271.50
03-Aug-2023				217.20
04-Aug-2023				217.20
07-Aug-2023				217.20
07-Aug-2023				597.30
08-Aug-2023				217.20
09-Aug-2023				108.60
14-Aug-2023				325.80
14-Aug-2023				162.90
15-Aug-2023				217.20
17-Aug-2023				108.60
18-Aug-2023				977.40
18-Aug-2023				162.90
21-Aug-2023				108.60
21-Aug-2023				54.30
22-Aug-2023				217.20
22-Aug-2023				271.50
22-Aug-2023				108.60
23-Aug-2023				868.80
24-Aug-2023				162.90
24-Aug-2023				271.50
25-Aug-2023				1,357.50

1656571

PI [Redacted]

Date	Description	Hours	Rate	Amount
29-Aug-2023	NR [Redacted]	NR [Redacted]	[Redacted]	108.60
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$7,330.50

PI [Redacted]

Date	Description	Hours	Rate	Amount
18-Aug-2023	NR [Redacted]	NR [Redacted]	[Redacted]	54.30
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$54.30

PI [Redacted]

Date	Description	Hours	Rate	Amount
02-Aug-2023	NR [Redacted]	NR [Redacted]	[Redacted]	1,166.10
03-Aug-2023	[Redacted]	[Redacted]	[Redacted]	253.50
03-Aug-2023	[Redacted]	[Redacted]	[Redacted]	456.30
17-Aug-2023	[Redacted]	[Redacted]	[Redacted]	405.60
18-Aug-2023	[Redacted]	[Redacted]	[Redacted]	354.90
18-Aug-2023	[Redacted]	[Redacted]	[Redacted]	304.20

PI [Redacted]

Date	Description	Hours	Rate	Amount
23-Aug-2023	NR [Redacted]	NR [Redacted]	[Redacted]	405.60
25-Aug-2023	[Redacted]	[Redacted]	[Redacted]	659.10
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		NR [Redacted]	[Redacted]	<b>AU \$4,005.30</b>

PI [Redacted]

Date	Description	Hours	Rate	Amount
02-Aug-2023	NR [Redacted]	NR [Redacted]	[Redacted]	461.00
02-Aug-2023	[Redacted]	[Redacted]	[Redacted]	461.00
03-Aug-2023	[Redacted]	[Redacted]	[Redacted]	507.10
04-Aug-2023	[Redacted]	[Redacted]	[Redacted]	829.80
07-Aug-2023	[Redacted]	[Redacted]	[Redacted]	461.00
07-Aug-2023	[Redacted]	[Redacted]	[Redacted]	783.70
08-Aug-2023	[Redacted]	[Redacted]	[Redacted]	461.00
09-Aug-2023	[Redacted]	[Redacted]	[Redacted]	276.60
09-Aug-2023	[Redacted]	[Redacted]	[Redacted]	414.90
09-Aug-2023	[Redacted]	[Redacted]	[Redacted]	92.20
10-Aug-2023	[Redacted]	[Redacted]	[Redacted]	414.90
1656571				

PI [Redacted]

Date	Description	Hours	Rate	Amount
13-Aug-2023	NR [Redacted]	NR [Redacted]		1,152.50
14-Aug-2023	[Redacted]	[Redacted]		461.00
14-Aug-2023	[Redacted]	[Redacted]		230.50
15-Aug-2023	[Redacted]	[Redacted]		46.10
15-Aug-2023	[Redacted]	[Redacted]		414.90
18-Aug-2023	[Redacted]	[Redacted]		461.00
18-Aug-2023	[Redacted]	[Redacted]		1,060.30
18-Aug-2023	[Redacted]	[Redacted]		92.20
18-Aug-2023	[Redacted]	[Redacted]		737.60
21-Aug-2023	[Redacted]	[Redacted]		1,060.30
21-Aug-2023	[Redacted]	[Redacted]		368.80
21-Aug-2023	[Redacted]	[Redacted]		46.10
21-Aug-2023	[Redacted]	[Redacted]		230.50
21-Aug-2023	[Redacted]	[Redacted]		691.50
22-Aug-2023	[Redacted]	[Redacted]		1,383.00
22-Aug-2023	[Redacted]	[Redacted]		92.20
22-Aug-2023	[Redacted]	[Redacted]		92.20
23-Aug-2023	[Redacted]	[Redacted]		2,258.90

PI [Redacted]

Date	Description	Hours	Rate	Amount
24-Aug-2023	NR [Redacted]	NR [Redacted]		829.80
24-Aug-2023	[Redacted]	[Redacted]		276.60
24-Aug-2023	[Redacted]	[Redacted]		138.30
24-Aug-2023	[Redacted]	[Redacted]		1,383.00
25-Aug-2023	[Redacted]	[Redacted]		2,074.50
25-Aug-2023	[Redacted]	[Redacted]		184.40
25-Aug-2023	[Redacted]	[Redacted]		922.00
29-Aug-2023	[Redacted]	[Redacted]		138.30
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		NR [Redacted]	[Redacted]	<b>AU \$21,989.70</b>

PI [Redacted]

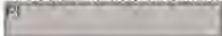
Date	Description	Hours	Rate	Amount
21-Aug-2023	NR [Redacted]	NR [Redacted]		120.00
21-Aug-2023	[Redacted]	[Redacted]		320.00
22-Aug-2023	[Redacted]	[Redacted]		560.00
22-Aug-2023	[Redacted]	[Redacted]		100.00
24-Aug-2023	[Redacted]	[Redacted]		440.00
24-Aug-2023	[Redacted]	[Redacted]		80.00
25-Aug-2023	[Redacted]	[Redacted]		160.00
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		NR [Redacted]	[Redacted]	<b>AU \$1,780.00</b>



Norton Rose Fulbright Australia  
 ABN 32 720 868 049  
 Level 21, ONE ONE ONE  
 111 Eagle Street  
 BRISBANE QLD 4000  
 AUSTRALIA

Tel +61 7 3414 2888  
 Fax +61 7 3414 2999  
 GPO Box 407, Brisbane Qld 4001  
 DX114 Brisbane  
 nortonrosefulbright.com

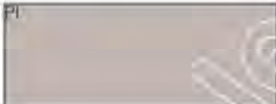
## TAX INVOICE

Invoice Number 1665279  
 Date/Tax Point 30 November 2023  
 Our ref 1052271/4054134/NXF/129  
 Responsible Partner 

Department of Transport and Main Roads  
 GPO Box 1549  
 BRISBANE QLD 4001

For the attention of: Jane Learmonth  
 Your Ref: 145/11082

	Charges AU \$	GST Rate %
<b>Access issues – 628 Tomewin Mt Rd, Currumbin Valley</b>		
<b>CHARGES FOR PROFESSIONAL SERVICES RENDERED to 29 November 2023.</b>	16,973.70	10.00
<b>DISBURSEMENTS</b>		
Counsel's fees	1,200.00	10.00
Net	18,173.70	
GST	1,817.37	
<b>TOTAL AMOUNT NOW DUE AND PAYABLE</b>	<b>AU \$19,991.07</b>	



Invoices are payable upon receipt or subject to any other agreement.

Payments can be made by electronic transfer to the account of Norton Rose Fulbright Australia, ANZ Banking Group Limited, 324 Queen Street, Brisbane, BSB Number 014-002, Account Number 8349-91656, Swift Code ANZBAU3M. Alternatively, you can forward your cheque to GPO Box 407, Brisbane QLD 4001. Please advise us of your EFT payment by email to [aucredit@nortonrosefulbright.com](mailto:aucredit@nortonrosefulbright.com).

**Security Alert:** Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

### Additional Information

1. If trust funds have been applied to this invoice from money held in your trust ledger, it is intended to withdraw the amount at the expiration of 7 business days from the date the bill was given to you unless a valid objection is received.

2. If our costs are unpaid 30 days after giving you this bill, we may charge interest at the rate of 2% above the Cash Rate Target stated by the Reserve Bank of Australia as at the date of this bill or such other maximum rate as may be allowed by law.

The avenues open to you in the event of a dispute in relation to legal costs comprised in this bill are as follows:

(i) costs assessment under Division 7 of Part 3.4 of Chapter 3 of the Legal Profession Act 2007 (QLD) ("the Act").

(An application for assessment must be made within 12 months after the bill was given.)

(ii) the setting aside of a costs agreement under section 328 of the Act.

The file in this matter may be destroyed seven years from the date of our final account unless you write to us requesting retention for a longer period.

Released under RTI - DTMK

PI [Redacted]

Date	Description	Hours	Rate	Amount
04-Sep-2023	[Redacted]	NR		162.90
05-Sep-2023	[Redacted]			54.30
15-Sep-2023	[Redacted]			162.90
19-Sep-2023	[Redacted]			162.90
20-Sep-2023	[Redacted]			108.60
21-Sep-2023	[Redacted]			108.60
16-Oct-2023	[Redacted]			54.30
18-Oct-2023	[Redacted]			108.60
25-Oct-2023	[Redacted]			108.60
26-Oct-2023	[Redacted]			162.90
30-Oct-2023	[Redacted]			54.30
01-Nov-2023	[Redacted]			54.30
09-Nov-2023	[Redacted]			108.60
10-Nov-2023	[Redacted]			162.90
13-Nov-2023	[Redacted]			162.90
16-Nov-2023	[Redacted]			54.30
16-Nov-2023	[Redacted]			108.60
17-Nov-2023	[Redacted]			217.20
22-Nov-2023	[Redacted]			108.60
24-Nov-2023	[Redacted]			108.60
27-Nov-2023	[Redacted]			108.60
29-Nov-2023	[Redacted]			271.50
		Hours	Rate	Amount
		NR		AU \$2,715.00

PI [Redacted]

Date	Description	Hours	Rate	Amount
25-Oct-2023	NR [Redacted]	NR [Redacted]	[Redacted]	152.10
		Hours	Rate	Amount
		NR [Redacted]	[Redacted]	AU \$152.10

PI [Redacted]

Date	Description	Hours	Rate	Amount
04-Sep-2023	NR [Redacted]	NR [Redacted]	[Redacted]	138.30
14-Sep-2023	[Redacted]	[Redacted]	[Redacted]	184.40
15-Sep-2023	[Redacted]	[Redacted]	[Redacted]	368.80
19-Sep-2023	[Redacted]	[Redacted]	[Redacted]	138.30
20-Sep-2023	[Redacted]	[Redacted]	[Redacted]	92.20
21-Sep-2023	[Redacted]	[Redacted]	[Redacted]	138.30
22-Sep-2023	[Redacted]	[Redacted]	[Redacted]	138.30
25-Sep-2023	[Redacted]	[Redacted]	[Redacted]	92.20
26-Sep-2023	[Redacted]	[Redacted]	[Redacted]	414.90
27-Sep-2023	[Redacted]	[Redacted]	[Redacted]	46.10
18-Oct-2023	[Redacted]	[Redacted]	[Redacted]	461.00
25-Oct-2023	[Redacted]	[Redacted]	[Redacted]	92.20
26-Oct-2023	[Redacted]	[Redacted]	[Redacted]	276.60
30-Oct-2023	[Redacted]	[Redacted]	[Redacted]	92.20
01-Nov-2023	[Redacted]	[Redacted]	[Redacted]	230.50
02-Nov-2023	[Redacted]	[Redacted]	[Redacted]	1,152.50
03-Nov-2023	[Redacted]	[Redacted]	[Redacted]	1,383.00
06-Nov-2023	[Redacted]	[Redacted]	[Redacted]	507.10

1665279

[Redacted]

Date	Description	Hours	Rate	Amount
08-Nov-2023	NR	NR		230.50
09-Nov-2023				461.00
09-Nov-2023				138.30
09-Nov-2023				2,212.80
10-Nov-2023				599.30
10-Nov-2023				92.20
13-Nov-2023				461.00
14-Nov-2023				92.20
16-Nov-2023				276.60
17-Nov-2023				1,106.40
22-Nov-2023				184.40
24-Nov-2023				461.00
27-Nov-2023				1,613.50
29-Nov-2023				230.50
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
				<b>AU \$14,106.60</b>

**Disbursements**

[Redacted] fees  
Vendor: [Redacted] Invoice#: 00001283; Date: 18/11/2023 - [Redacted] \$1,200.00  
Fees

**Total** AU \$1,200.00

[Redacted]

Barrister-at-Law

ABN 94 235 939 239

**MORE CHAMBERS**  
Level 28 East, Santos Place  
32 Turbot Street, BRISBANE QLD 4000  
PO Box 13279, GEORGE STREET QLD 4001  
DX 926

Tel: (07) 3339 3606

Fax: (07) 3236 2720

e-mail: [Redacted]@morechambers.com

Norton Rose Fulbright Australia  
DX 114 Brisbane

Attention: [Redacted]

**TAX INVOICE**  
**Memorandum of Fees**

**RE: *Freeman v Department of Transport and Main Roads***

Professional fees for the period ending 18/11/2023 (excl. GST)*	\$1,200.00
GST (Professional fees)	\$120.00

<b>Total Payable</b>	<b>\$1,320.00</b>
----------------------	-------------------

**Invoice No.:** 00001283  
**Due date:** 09/12/2023

**Payment Terms:** Please ensure payment of this invoice is made strictly by the due date using the above invoice number as the payment reference. Payment is requested by electronic funds transfer to the following account:

Bank: **Commonwealth Bank of Australia**  
Account Name: [Redacted]  
BSB: **062692** Account No.: [Redacted]

\* Please see attached Schedule of Itemisation for details of tasks and disbursements.

[Redacted Signature]

[Redacted Name]

Chambers  
18 November 2023

**Schedule of Itemisation for Tax Invoice No.: 00001283**

**Tasks**

Date	Description	Time	Amount (ex GST)
16/11/2023		NR	\$1,200.00
17/11/2023		\$150.00 <i>but reduced to \$0.00</i>	

Released under RTI - DTMR