



SARA reference: 2410-42913 SRA  
 Council reference: MCUI/2019/5122  
 Applicant reference: 2017-051

24 October 2025

Chief Executive Officer  
 Toowoomba Regional Council  
 PO Box 3021  
 TOOWOOMBA QLD 4350  
 development@tr.qld.gov.au

Attention: Emily Hinchcliff

Dear Ms Hinchcliff

## **SARA referral agency response— Jones Street, Harlaxton; Mort Street, Harlaxton**

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 22 October 2024.

### **Response**

Outcome:	Referral agency response – with conditions Under section 56(2)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the variation request.
Date of response:	24 October 2025
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### **Development details**

Description:	Preliminary approval that includes a variation request	Development application – Preliminary approval for Material change of use including a variation request for the “Willows Crossing” mixed use
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## development area

SARA role: Referral agency

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) - Development impacting on state transport infrastructure  
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor

SARA reference: 2410-42913 SRA

Assessment manager: Toowoomba Regional Council

Street address: Jones Street, Harlaxton; Mort Street, Harlaxton

Real property description: Lot 3 on RP17547; Lot 2 on RP17536; Lot 2 on RP17546; Lot 1 on SP116255

Applicant name: George Weston Foods Limited C/- Precinct Urban Planning

Applicant contact details: PO Box 3038  
Toowoomba QLD 4350  
kim@precinctplan.com.au

*Human Rights Act 2019* considerations: Consideration of section 58 of the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Rodney O'Brien, Principal Planning Officer, on 07 4616 7304 or via email [ToowoombaSARA@dasilgp.qld.gov.au](mailto:ToowoombaSARA@dasilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Paul Gleeson  
A/Manager

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations about a referral agency response provisions  
Attachment 5 - Documents referenced in conditions

cc George Weston Foods Limited C/- Precinct Urban Planning Pty Ltd, kim@precinctplan.com.au

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
<b>Preliminary approval for material change of use</b>		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure; Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor – The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p><b>Stormwater and Flooding</b></p> <p>The stormwater and flooding management of the development must not cause worsening to the operating performance of both the railway corridor and the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto both the railway corridor and the state-controlled road</li> <li>(ii) concentrate or increase the velocity of flows to the railway corridor</li> <li>(iii) interfere with and/or cause damage to the existing stormwater drainage on both the railway corridor and the state-controlled road</li> <li>(iv) surcharge any existing culvert or drain on both the railway corridor and the state controlled road</li> <li>(v) reduce the quality of stormwater discharge onto both the railway corridor and the state controlled road</li> <li>(vi) adversely impact on both the railway corridor and the state-controlled road by impeding or interfering with overland flow or hydraulic conveyance</li> <li>(vii) reduce the flooding immunity of both the railway corridor and the state controlled road.</li> </ul>	At all times
2.	<p><b>Short Stacking and Queensland Rail Emergency/Maintenance Access</b></p> <p>(a) Provide a vehicle access strategy for railway level crossings LXR_01066 and LXR_06300 at Old Mort Street and LXR_01067 at Griffiths Street on the Western Railway Corridor. The vehicle access strategy is to be generally in accordance with the following:</p> <ul style="list-style-type: none"> <li>• Chapter 7 – Access Strategy, Chapter 8 – Safety Considerations and Appendix E (Sketch Plans 12647 – CS2 Access Strategy, 12647 – Old Mort Street / Northern Access, 12647 – Old Mort Street / Central Access, 12647 – Griffiths Street / Southern Access), of the Traffic Impact Assessment – Commercial Centre (CS2), prepared by RMA Engineers,</li> </ul>	<p>(a) and (c) Prior to the approval of the first development permit application for a material change of use or reconfiguring a lot over the site, whichever occurs first</p> <p>(b) At all times</p> <p>(d) Prior to submitting the</p>

	<p>project number 12647, dated 24/07/2025, revision 4.</p> <ul style="list-style-type: none"> <li>• Technical Note 01 – ‘Commercial Site 2 I Mort Street’, prepared by RMA Engineers, dated 01/08/2025, project number 12647.</li> </ul> <p>(b) Internal intersections proposed near the Old Mort Street site access intersection with railway level crossing LXR_01066 must have adequate separation from the rail corridor to avoid short stacking issues for the maximum design vehicle and queuing issues for the anticipated peak traffic volumes.</p> <p>(c) Submit detailed design drawings, prepared by a RPEQ to the Program Delivery and Operations Unit, Downs South West Region (Downs.South.West.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads for the site access intersections on Griffiths Street and Old Mort Street generally in accordance with the conceptual documentation in part (a) of this condition.</p> <p>(d) Undertake the site access intersection works generally in accordance with the RPEQ certified drawings required in part (c) of this condition.</p>	<p>Plan of Survey to the local government for approval or prior to commencement of use, whichever occurs first for the relevant stage for the works as identified in the vehicle access strategy.</p>
3.	<p><b>Railway Level Crossing Controls and Design</b></p> <p>(a) Prepare a RPEQ certified Traffic Impact Assessment (TIA) that assesses the impact of construction and post construction traffic on the safety and operational integrity of railway level crossings LXR_01066 and LXR_06300 at Old Mort Street and LXR_01067 at Griffiths Street on the Western Railway. The TIA must:</p> <ul style="list-style-type: none"> <li>(i) Identify the existing traffic flows, expected background traffic growth and the expected development generated traffic over the railway level crossings (during construction and post-construction for each proposed stage of development). Each dataset should detail the maximum number of vehicles per day and identify the number and percentage of heavy vehicles and buses</li> <li>(ii) Identify the maximum design vehicle that will use each level crossing (during construction and post construction).</li> <li>(iii) Consider opportunities to eliminate railway level crossings through closure and consolidation or grade separation, where practical and possible</li> <li>(iv) Prepare an ALCAM Assessment that demonstrates that development traffic will not worsen the safety risk at the impacted railway level crossings. Where there are impacts identified recommend mitigation measures to maintain safety and operational integrity of railway level crossings. Identify staging of works if relevant</li> <li>(v) Include design drawings of the railway level crossing mitigation measures/upgrades addressing at minimum the following: <ul style="list-style-type: none"> <li>• active and passive safety controls in accordance with</li> </ul> </li> </ul>	<p>(a) and (b) Prior to the approval of the first development permit application for a material change of use or reconfiguring a lot over the site, whichever occurs first,</p> <p>(c) Prior to the commencement of construction on the site.</p>

	<p>AS1742.7:2016 <i>Manual of Uniform Traffic Control Devices, Part 7: Railway crossings</i> and any relevant railway manager standards</p> <ul style="list-style-type: none"> <li>• minimum carriageway widths and minimum verges on both sides of each roadway</li> <li>• an adequate foundation structure and asphaltic concrete or similar pavement material which must extend over each level crossing and for a minimum distance of 10m from the outer rail track (edge running rail) on each side of the level crossings</li> <li>• pedestrian and bicycle treatments for connection to existing and future active transport and public passenger transport infrastructure</li> <li>• any other required mitigation measures/upgrades</li> </ul> <p>(vi) Demonstrate that all internal intersections proposed near the Old Mort Street site access intersection with railway level crossing LXR_01066 are adequately separated from the rail corridor to avoid short stacking issues for the maximum design vehicle and queuing issues for the anticipated peak traffic volumes.</p> <p>(b) Submit the Traffic Impact Assessment in part (a) of this condition to the Program Delivery and Operations Unit, Downs South West Region (Downs.South.West.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads.</p> <p>(c) Construct the mitigation measures recommended in the RPEQ Certified TIA and shown in the design drawings required in part (a) of this condition.</p>	
4.	<p><b>Roadworks Impacts on Railway Level Crossings</b></p> <p>Roadworks required because of development associated with the preliminary approval must ensure that:</p> <p>(i) Any existing or proposed road traffic signals at the southern, northern and central site access intersections are respectively synchronised with the flashing signals at railway level crossings LXR_01066 and LXR_06300 at Old Mort Street and LXR_01067 at Griffiths Street on the Western Railway for the maximum design vehicle and peak traffic flows using these roadways</p> <p>(ii) signalling priority is achieved at railway level crossings LXR_01066 and LXR_06300 at Old Mort Street and LXR_01067 at Griffiths Street on the Western Railway for existing and future railway operations with the additional traffic on the road network.</p>	At all times
5.	<p><b>Active Transport Plan</b></p> <p>(a) Prepare an RPEQ Certified active transport plan for an internal and external pedestrian/cyclist pathway network that:</p> <p>(i) connects all components of the development or individual development sites to each other</p>	(a) & (b) Prior to the approval of the first subsequent development permit

	<p>(ii) provides safe, direct and convenient accessible pathways for pedestrians and cyclists between each component of the development and the existing and future external active transport and public passenger transport networks</p> <p>(iii) prioritises pedestrians and cyclists above private vehicles</p> <p>(iv) minimizes vehicle/pedestrian and pedestrian/rider conflict by providing safe pedestrian crossing arrangements across internal and external roadways and adequate shared and separated pathways</p> <p>(v) provides footpaths along the road frontages of the site (Mort Street, Old Mort Street and Griffiths Street)</p> <p>(vi) provides pedestrian and cycle treatments at railway level crossings</p> <p>(vii) provides active transport connectivity between the development and the new Toowoomba Hospital/Ballie Henderson Hospital, and 'The Willows' master planned community adjoining the site to the east of Gowrie Creek and the required potential future bus stop pair on Mort Street</p> <p>(viii) is in accordance with relevant standards including:</p> <ul style="list-style-type: none"> <li>• <i>Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling</i></li> <li>• <i>Cycling Aspects of Austroads Guides</i></li> <li>• <i>AS 1742.10 Manual of Uniform Traffic Control Devices, Part 10: Pedestrian Control and Protection</i></li> <li>• <i>AS 1742.7 Manual of Uniform Traffic Control Devices, Part 7: Railway Crossings</i></li> <li>• Toowoomba Regional Council standards</li> <li>• Disability access standards.</li> </ul> <p>(b) Submit the Active Transport Plan required by Part (a) of this condition to the Program Delivery and Operations Unit, Downs South West Region (Downs.South.West.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads</p> <p>(c) Construct the active transport infrastructure works recommended in the RPEQ Certified active transport plan required in part (a) of this condition.</p>	<p>application for a material change of use or reconfiguring a lot over the site, whichever occurs first</p> <p>(c) Prior to submitting the Plan of Survey to the local government for approval or prior to commencement of use, whichever occurs first for the relevant stage for the works as identified in the active transport plan</p>
6.	<p><b>Amended Traffic Impact Assessment</b></p> <p>(a) Prepare a RPEQ Certified traffic impact assessment (TIA), in accordance with the principles and framework for undertaking a TIA as set out within DTMR's Guide to Traffic Impact Assessment.</p> <p>The TIA must consider traffic impacts of the ultimate development that could be achieved under "The Willows Crossing" Preliminary Approval - Variation Request (Volume 1 – Variation Scheme Document) dated October 2019 (or later approved variations of the Variation Scheme Document) on the state-controlled road network.</p>	<p>(a) – (c) Prior to the commencement of use or prior to submitting a Plan of Survey to the local government for approval over the site, whichever occurs first</p> <p>(d) Prior to submitting the Plan of Survey to the</p>

	<p>The TIA is to assess the potential impacts on all state-controlled road intersections where the development traffic exceeds 5% of the base traffic for any movement in the design peak periods in the year of opening and for the ultimate development.</p> <p>(b) The TIA required in part (a) of this condition must:</p> <p>(i) Identify any safety or delay impacts from the development on the state-controlled road network</p> <p>(ii) Where safety and delay impacts are identified the TIA must:</p> <ul style="list-style-type: none"> <li>• recommend mitigation measures (including mitigation programs or upgrade works) to negate safety and/or delay impacts</li> <li>• recommend timing of the mitigation measures</li> <li>• provide concept plans of any required upgrade mitigation measures that involve upgrade works.</li> </ul> <p>(c) The TIA required under this condition must be submitted to the Darling Downs Region office (Downs.IDAS@tmr.qld.go.au) within the Department of Transport and Main Roads.</p> <p>All mitigation measures identified in the RPEQ Certified TIA must be designed, implemented and constructed in accordance with the recommendations, including timing, stated in the RPEQ Certified TIA and in accordance with DTMR's Road Planning and Design Manual and DTMR's Road Safety Policy.</p>	<p>local government for approval or prior to commencement of use, whichever occurs first for the relevant stage for the works as identified in the Traffic Impact Assessment</p>
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## Attachment 2—Advice to the applicant

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 2.5). If a word remains undefined it has its ordinary meaning.
<b>Further development permits, certificates and approvals</b>	
2.	<p><b>Works on or Interfering with the Railway Corridor</b></p> <p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p>Existing occupational level crossings KR Bacon Factory 1 Cranley (LXR_01066) and 2 Willowburn (LXR_06300) will be required to be upgraded to public open level crossings. It is likely that all the existing safety controls at these railway level crossings will need to be replaced rather than reinstated. In relation to this matter, the applicant is also advised that the Department of Transport and Main Roads Level Crossing Safety Strategy 2024 – 2033 aims to eliminate level crossings where appropriate and to ensure no further open level crossings are added to the rail network. This is consistent with the National Level Crossing Safety Policy 2023 – 2032 which supports no new level crossings, wherever possible, consistent with the Office of the National Rail Safety Regulator's Level Crossing Policy. This strategy requires opportunities to close and consolidate level crossings to be actively pursued.</p> <p>The conditioned upgrades to the railway level crossing of the Western Railway will need to be designed and constructed by the railway manager (Queensland Rail) or its approved contractor. However, the proponent is responsible for obtaining any necessary approvals, contract arrangements, and/or other agreements from the railway manager for the design and construction of the upgraded level crossings, as well as covering the costs associated with these processes and the upgrade works.</p> <p>Please be advised that this referral agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the railway manager.</p> <p>The applicant should contact the Queensland Rail property team at <a href="mailto:strategicprojects@qr.com.au">strategicprojects@qr.com.au</a> in relation to obtaining the necessary approvals.</p>
	<p><b>Road manager approval</b></p> <p>Relevant approvals from the applicable road manager may be required to achieve compliance with the concurrence agency conditions relating to railway level crossing safety. In particular, relevant approvals would need to be obtained from Toowoomba Regional Council.</p>
	<p><b>Extending roads through or over rail corridor land or non-rail corridor land</b></p> <p>Under section 253 of the <i>Transport Infrastructure Act 1994</i>, Toowoomba Regional Council must seek permission from the Chief Executive of the Department of Transport and Main Roads in relation to relevant infrastructure associated with constructing, maintaining and operating a road on rail corridor land or non-rail corridor land such as by way of a level crossing. The permission can be subject to conditions and the railway manager should be consulted as part of this process. After the permission is granted, the permission will be recorded on the property title including any affected sublease.</p>

	<p>Please contact the Department of Transport and Main Roads' Rail Corridor Management unit at <a href="mailto:RCM@tmr.qld.gov.au">RCM@tmr.qld.gov.au</a> in relation to this matter.</p>
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## Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

### The reasons for the SARA's decision are:

- The development complies with State code 1: Development in a state-controlled road environment of the SDAP. Specifically, the development does not:
  - o increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
  - o adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
  - o adversely impact the function efficiency of state-controlled roads or future state-controlled roads.
- The development complies with State code 2: Development in a railway environment of the SDAP. Specifically, the development does not:
  - o create a safety hazard for users of a railway
  - o compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works
  - o result in a worsening of the physical condition or operating performance of railways and the rail network
  - o compromise the state's ability to construct, or significantly increase the cost to construct railways and future railways
  - o compromise the state's ability to maintain and operate, or significantly increase the cost to maintain and operate railways.
- The development complies with State code 6: Protection of state transport networks of the SDAP. Specifically, the development does not:
  - o compromise existing safe and direct access to public passenger transport infrastructure, including access by cycling and walking
  - o create a safety hazard for users of a state-controlled road
  - o result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network.

### Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 2.5), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*.

## Attachment 4—Representations about a referral agency response provisions

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## **Attachment 5—Documents referenced in conditions**

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.