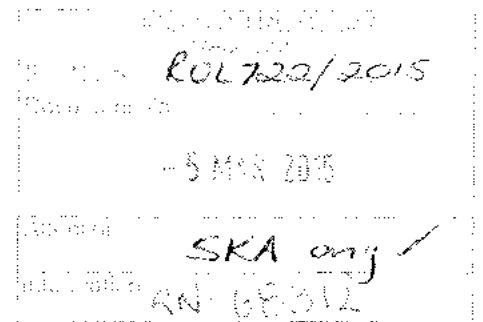




Cairns Office

135 Albert Street, PO Box 1949, Cairns QLD Australia 4870

T: +61 7 4031 1336 F: +61 7 4031 2942 E: cairns@rpsgroup.com.au W: rpsgroup.com.au



Our Ref: PR125276/OCK/AMB/L74472
Date: 02 March 2015

Attn: Jenny Elphinstone
Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman Qld 4873

Via: Mail

Dear Jenny,

RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR A RECONFIGURATION OF A LOT OVER LAND LOCATED AT 53 ENDEAVOUR ROAD, PORT DOUGLAS AND FORMALLY DESCRIBED AS LOT 144 ON RP747296.

RPS Australia East Pty Ltd confirms that we act on behalf of Andy and Sally Viola (the 'applicants') in order to prepare and lodge this planning submission and associated supporting information for a Reconfiguration of a Lot application with Douglas Shire Council.

The Reconfiguration of a Lot Development Application seeks to excise the self-contained residential unit located on the front of the allotment from the detached dwelling located at the rear of the allotment. Each dwelling is to be located on a standard format freehold lot with access being provided to the rear dwelling by way of a 4m wide access leg and access to the dwelling located on the front part of the allotment being provided by way of an access easement over the 4m wide access leg.

We note that preliminary advice has been received from Council which identified matters the development application needed to address and is considered to provide general support for the proposed development.

In support of this application please find attached the following:

- IDAS Forms 1 and 7, included as **Annexure 1**;
- DCDB Extract, CT Search and Survey Plan, included as **Annexure 2**;
- RPS Drawing PR125276-1, included as **Annexure 3**;
- Douglas Shire Council Preliminary Planning Advice, included as **Annexure 4**;
- Douglas Shire Council Planning Scheme code assessment, included as **Annexure 5**;
- Site Services, included as **Annexure 6**.

A cheque to the value of **\$3,020.00** (No GST) being the relevant fee for this application in accordance with Council's Schedule of Fees and Charges is enclosed.

40.2015.722.1

In addition to the above, the following submission has been prepared to assist Council with their assessment of the application.

I. Site Information

I.1 Site Details

Key details of the subject site include:

Address:	53 Endeavour Street, Port Douglas
Real Property Description:	Lot 144 on RP747296
Site Area:	1750m ²
Land Owner/s:	Andy and Sally Viola
Easements/Encumbrances:	None

I.2 Planning Context

Planning Zone:	Residential 1 Planning Area
Planning District:	Port Douglas and Environs Locality
Relevant Overlays	<ul style="list-style-type: none"> ▪ Acid Sulfate Soils ▪ Bushfire

I.3 Site Characteristics

Topography:	The site is generally flat
Vegetation:	The site does not include any significant vegetation
Wetlands:	The site does not include any wetlands
Services:	<p>The site is connected to the following services:</p> <ul style="list-style-type: none"> ▪ Reticulated Sewer; ▪ Reticulated Water; ▪ Electricity Supply; ▪ Telecommunications; and ▪ Local road network.
Waterways:	The site adjoins an artificial waterway
Road Frontages:	The site gains access to Endeavour Street
Existing Uses:	Two residential dwellings

I.4 Surrounding Land Use

The subject lot is included within an established residential area which is located on the outskirts of the township of Port Douglas.

2. Application Details

2.1 General Matters

Aspects of Development Sought:	Development Application for Reconfiguration (1 into 2 and creation of an easement)
Applicant:	Andy and Sally Viola C/- RPS Australia East Pty Ltd
Contact	Alex Bowen RPS Australia East Pty Ltd 135 Abbott Street PO Box 1949 Cairns QLD 4870
Local Government Authority:	Douglas Shire Council

3. Proposed Development

This proposal seeks a Development Permit for a Reconfiguration of a Lot (1 into 2 lots plus access easement) over land located at 53 Endeavour Street, Port Douglas. The proposal is illustrated by RPS Drawing PR125276-1, which is included for reference as **Annexure 3**.

As shown on the drawing, the development will subdivide the current parcel of land into two parts under a battleaxe style arrangement. The two residential dwellings which are currently located on the subject land will each be included within a separate allotment. Proposed Lot 2 will have a site area of 1150m² and Proposed Lot 1 will have a site area of 600m². RPS notes that while Proposed Lot 1 doesn't meet the minimum lot area requirement for the Residential 1 Planning Area of 800m², the site is able to suitably function for its intended use and is unlikely to burden the amenity or functionality of the surrounding land uses.

In order to provide legal access to Proposed Lot 1, an access easement is proposed over the existing driveway which is proposed to be included in a 4m wide access leg.

RPS notes that no new dwellings are proposed in accordance with this development.

4. Legislative Requirements

4.1 Sustainable Planning Act 2009 (SPA)

This section provides an overview of the legislative context of the development application under the provisions of the *Sustainable Planning Act 2009*.

4.1.1 Confirmation that Development is Not Prohibited

The proposed development is not prohibited, this has been established by considering all the relevant instruments which can provide prohibitions under the *Sustainable Planning Act 2009*.

4.1.2 Assessable Development

The development proposed by this application is 'assessable development' pursuant to Schedule 3 of the *Sustainable Planning Act 2009*.

4.1.3 Assessment Manager

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 6 of the *Sustainable Planning Regulations 2009*.

4.1.4 Level of Assessment

The table below summarises the assessable development subject of this application and the relevant level of assessment for each aspect of development.

Aspect of Development	Planning Instrument that determined Level of Assessment	Level of Assessment
Reconfiguration of a Lot	Douglas Shire Planning Scheme	Code Assessable

4.1.5 Referral Agencies

A review of Schedule 7 of the *Sustainable Planning Regulations 2009* indicates that the proposed development does not trigger any statutory referral requirements.

4.1.6 Public Notification

This application does not require public notification, as it is 'code assessable'.

4.1.7 State Resources

This application does not involve any State Resources

5. Statutory Planning Assessment

5.1 Overview

This section assesses the application against the various statutory planning provisions relevant to the site and proposal

5.2 State Development Assessment Provisions

As the proposed development does not require any State referral, the State Development Assessment Provisions are not applicable to this development.

5.3 Regional Plan

A review of the proposal against the relevant policies of the FNQ2031 Regional Plan reveals no significant Conflicts.

5.4 State Planning Policies

The proposed development is consistent with the intent and the overarching principal of the single SPP. Assessment of the project against applicable provisions of the Douglas Shire Planning Scheme is reflected within this report.

5.5 Planning Scheme

Under the Douglas Shire Planning Scheme the subject site is included within the Residential 1 Planning Area of the Port Douglas and Environs Locality. Within this designation the proposed development is 'Code' assessable development, requiring assessment by Douglas Shire Council.

5.5.1 Applicable Codes

A review of the Planning Scheme reveals that the following 'codes' require assessment in accordance with the proposed development:

- Port Douglas and Environs Locality Code
- Residential 1 Planning Area Code
- Reconfiguring a Lot Code

An assessment of the proposal against the above-mentioned codes is included as **Annexure 5** to this report. We note that the proposal is considered generally compliant with all of the relevant 'acceptable solutions' and/or 'performance criteria' of these codes.

6. Conclusion and Recommendations

This submission supports an application for Andy and Sally Viola for a Development Permit for Reconfiguration of a Lot (1 into 2 plus access easement) over land located at 53 Endeavour Street, Port Douglas and formally described as Lot 144 on RP747296.

This submission has included assessment of the proposal against the relevant statutory planning controls and included supporting information intended to address any likely concerns of the assessing authority.

In summary, we submit that the proposed development is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area that cannot be adequately addressed through the use of reasonable or relevant conditions.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact Alex Bowen at our Cairns office on Ph: 40 311 336.

Yours sincerely

RPS



Owen Caddick-King
Principal - Planning

enc: **Annexure 1:** IDAS Form 1 and 7
Annexure 2: DCDB Extract, CT Search and Survey Plan
Annexure 3: RPS Drawing PR125276-1
Annexure 4: Douglas Shire Council Preliminary Planning Advice
Annexure 5: Douglas Shire Council Planning Scheme Code Assessment
Annexure 6: Site Services



Annexure I

IDAS Form I and 7

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.1 effective 4 July 2014)

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

This form can also be completed online using MyDAS at www.dsdip.qld.gov.au/MyDAS

Mandatory requirements

Applicant details (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)	Andrew Viola and Sally Viola C/- RPS Australia East Pty Ltd			
For companies, contact name	Alex Bowen			
Postal address	135 Abbott Street			
	PO Box 1949			
	Suburb	Cairns		
	State	Qld	Postcode	4870
	Country	Australia		
Contact phone number	(07) 4031 1336			
Mobile number (non-mandatory requirement)	NA			
Fax number (non-mandatory requirement)	(07) 4031 2942			

Email address (non-mandatory requirement)

Alex Bowen

@rpsgroup.com.au

Applicant's reference number (non-mandatory requirement)

PR125276

1. What is the nature of the development proposed and what type of approval is being sought?

Table A—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

a) What is the nature of the development? (Please only tick one box.)

☐ Material change of use ☒ Reconfiguring a lot ☐ Building work ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☐ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

Development Permit for Reconfiguration of a Lot (1 into 2 lots plus access easement)

d) What is the level of assessment? (Please only tick one box.)

☐ Impact assessment ☒ Code assessment

Table B—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

a) What is the nature of development? (Please only tick one box.)

☐ Material change of use ☐ Reconfiguring a lot ☐ Building work ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☐ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

d) What is the level of assessment?

☐ Impact assessment ☐ Code assessment

Table C—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)

☐ Refer attached schedule ☒ Not required

2. Location of the premises (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)

Table D—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water). (Attach a separate schedule if there is insufficient space in this table.)

☒ Street address **and** lot on plan (All lots must be listed.)
☐ Street address **and** lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)

Street address 53 Endeavour Street, Reef Park					Lot on plan description 144 RP 747 296		Local government area (e.g. Logan, Cairns) Port Douglas
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		53	Endeavour Street	4877	144	RP747296	Douglas Shire Council
ii)							
iii)							

Planning scheme details (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Residential 1 Planning Area	Port Douglas and Environs Locality	Bushfire Acid Sulfate
ii)			
iii)			

Table E—Premises coordinates (Appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay.) (Attach a separate schedule if there is insufficient space in this table.)

Coordinates (Note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> other	

3. Total area of the premises on which the development is proposed (indicate square metres)

1750sq m

4. Current use/s of the premises (e.g. vacant land, house, apartment building, cane farm etc.)

Two Residential Dwellings

5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)

☐ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)

☐ No
☒ Yes—complete either Table F, Table G or Table H as applicable

Table F

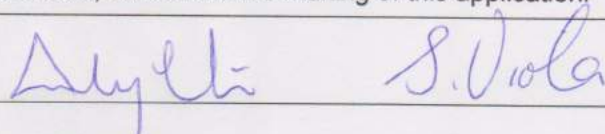
Name of owner/s of the land	Andrew Victor Viola Sally Anne Viola
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	12/12/2014

Table G

Name of owner/s of the land	
<input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

Table H

Name of owner/s of the land	
<input type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

7. Identify if any of the following apply to the premises (Tick applicable box/es.)

- ☐ Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- ☐ On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- ☐ In a tidal water area—complete Table K
- ☐ On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)
- ☐ Listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* (no table requires completion)

Table I

Name of water body, watercourse or aquifer

Table J	
Lot on plan description for strategic port land	Port authority for the lot

Table K	
Name of local government for the tidal area (if applicable)	Port authority for the tidal area (if applicable)

8. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc)

☒ No ☐ Yes—ensure the type, location and dimension of each easement is included in the plans submitted

9. Does the proposal include new building work or operational work on the premises? (Including any services)

☒ No ☐ Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

10. Is the payment of a portable long service leave levy applicable to this application? (Refer to notes at the end of this form for more information.)

☒ No—go to question 12 ☐ Yes

11. Has the portable long service leave levy been paid? (Refer to notes at the end of this form for more information.)

☒ No
☐ Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

Table L		
Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the *Sustainable Planning Act 2009*?

☒ No
☐ Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

13. List below all of the forms and supporting information that accompany this application (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application. Note: this question does not apply for applications made online using MyDAS)

Description of attachment or title of attachment	Method of lodgement to assessment manager
IDAS Forms 1 and 7	Smart eDA
Development Application and supporting information	

14. Applicant's declaration

☒ By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

Notes for completing this form

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

Applicant details

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

Question 1

- Schedule 3 of the Sustainable Planning Regulation 2009 identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as "various aspects of development" the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

Question 6

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

Question 7

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the Sustainable Planning Regulation 2009 identifies where compliance assessment is required.

Question 11

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the Building and Construction Industry (Portable Long Service Leave) Regulation 2002.

Question 12

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at www.qleave.qld.gov.au. For further information contact QLeave on 1800 803 481 or visit www.qleave.qld.gov.au.

Privacy—The information collected in this form will be used by the Department of State Development, Infrastructure and Planning (DSDIP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

OFFICE USE ONLY

Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

Council. I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Name	BSA Certification license number	Building classification/s

QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier if applicable.)

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form

The *Sustainable Planning Act 2009* is administered by the Department of State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.1 effective 1 October 2014)

This form must be used for development applications or requests for compliance assessment for reconfiguring a lot.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

For requests for compliance assessment, you must:

- complete IDAS form 32—Compliance assessment
- Provide any mandatory supporting information identified on the forms as being required to accompany your request

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form can also be completed online using MyDAS at www.dsdip.qld.gov.au/MyDAS

Mandatory requirements

1. What is the total number of existing lots making up the premises?

2. What is the nature of the lot reconfiguration? (Tick all applicable boxes.)

- ☒ subdivision—complete questions 3–6 and 11
- ☐ boundary realignment—complete questions 8, 9 and 11
- ☐ creating an easement giving access to a lot from a constructed road—complete questions 10 and 11
- ☐ dividing land into parts by agreement—please provide details below and complete questions 7 and 11

3. Within the subdivision, what is the number of additional lots being created and their intended final use?

Intended final use of new lots	Residential	Commercial	Industrial	Other—specify
Number of additional lots created	1			

4. What type of approval is being sought for the subdivision?

- ☒ Development permit
- ☐ Preliminary approval
- ☐ Compliance permit

5. Are there any current approvals associated with this subdivision application or request?
(E.g. material change of use.)

☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

6. Does the proposal involve multiple stages?

☒ No—complete Table A ☐ Yes—complete Table B

Table A

- a) What is the total length of any new road to be constructed? (metres)
- b) What is the total area of land to be contributed for community purposes? (square metres)
- c) Does the proposal involve the construction of a canal or artificial waterway?
☒ No ☐ Yes
- d) Does the proposal involve operational work for the building of a retaining wall?
☒ No ☐ Yes

0

0

Table B—complete a new Table B for every stage if the application involves more than one stage

- a) What is the proposed estate name? (if known and if applicable)
- b) What stage in the development does this table refer to?
- c) If a development permit is being sought for this stage, will the development permit result in additional residential lots?
☐ No ☐ Yes—specify the total number
- d) What is the total area of land for this stage? (square metres)
- e) What is the total length of any new road to be constructed at this stage? (metres)
- f) What is the total area of land to be contributed for community purposes at this stage? (square metres)
- g) Does the proposal involve the construction of a canal or artificial waterway?
☐ No ☐ Yes
- h) Does the proposal involve operational work for the building of a retaining wall?
☐ No ☐ Yes

7. Lease/agreement details—how many parts are being created and what is their intended final use?

Intended final use of new parts	Residential	Commercial	Industrial	Other—specify
Number of additional parts created				

8. What are the current and proposed dimensions following the boundary realignment for each lot forming the premises?

Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage

9. What is the reason for the boundary realignment?

--

10. What are the dimensions and nature of the proposed easement? (If there are more than two easements proposed please list in a separate table on an extra page and attach to this form.)

Width (m)	Length (m)	Purpose of the easement (e.g. pedestrian access)?	What land is benefitted by the easement?

Mandatory supporting information

11. Confirm that the following mandatory supporting information accompanies this application or request

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
All applications and requests for reconfiguring a lot		
<p>Site plans drawn to an appropriate scale (1:100, 1:200 or 1:500 are the recommended scales) which show the following:</p> <ul style="list-style-type: none"> the location and site area of the land to which the application or request relates (relevant land) the north point the boundaries of the relevant land any road frontages of the relevant land, including the name of the road the contours and natural ground levels of the relevant land the location of any existing buildings or structures on the relevant land the allotment layout showing existing lots, any proposed lots (including the dimensions of those lots), existing or proposed road reserves, building envelopes and existing or proposed open space (note: numbering is required for all lots) any drainage features over the relevant land, including any watercourse, creek, dam, waterhole or spring and any land subject to a flood with an annual exceedance probability of 1% any existing or proposed easements on the relevant land and their function all existing and proposed roads and access points on the relevant land any existing or proposed car parking areas on the relevant land the location of any proposed retaining walls on the relevant land and their height the location of any stormwater detention on the relevant land the location and dimension of any land dedicated for community 	<input checked="" type="checkbox"/> Confirmed	

purposes <ul style="list-style-type: none"> the final intended use of any new lots. 		
For a development application – A statement about how the proposed development addresses the local government's planning scheme and any other planning documents relevant to the application. For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed.	<input checked="" type="checkbox"/> Confirmed	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

Notes for completing this form

- For supporting information requirements for requests for compliance assessment, please refer to the relevant matters for which compliance assessment will be carried out against. To avoid an action notice, it is recommended that you provide as much of the mandatory information listed in this form as possible.

Privacy—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

Department of State Development, Infrastructure and Planning
 PO Box 15009 City East Qld 4002
 tel 13 QGOV (13 74 68)
info@dsdip.qld.gov.au

www.dsdip.qld.gov.au

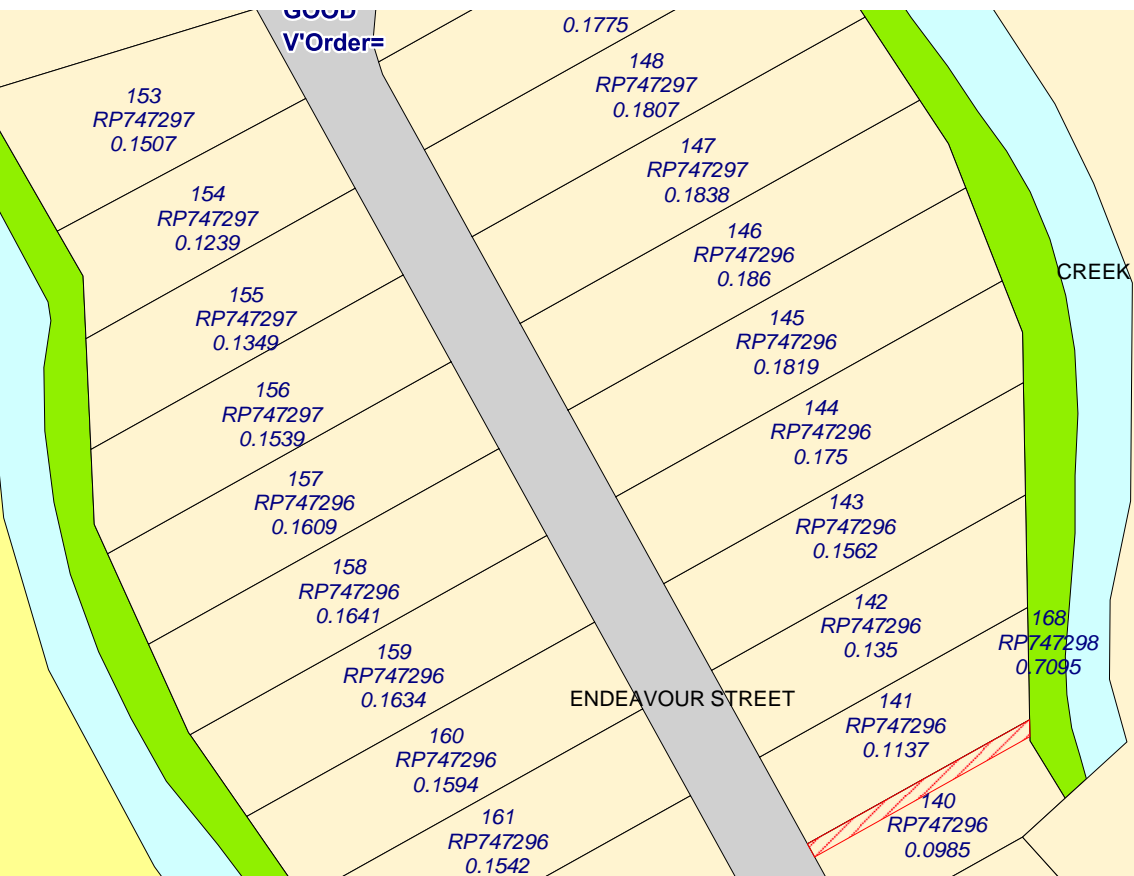
Department of State Development, Infrastructure and Planning
 PO Box 15009 City East Qld 4002
 tel 13 QGOV (13 74 68)
info@dsdip.qld.gov.au

www.dsdip.qld.gov.au



Annexure 2

DCDB Extract, CT Search and Survey Plan



CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 19849333

Search Date: 24/11/2014 08:20

Title Reference: 21373243

Date Created: 01/09/1988

Previous Title: 21367141

REGISTERED OWNER

Dealing No: 713214630 05/05/2010

ANDREW VICTOR VIOLA

SALLY ANNE VIOLA

JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 144 REGISTERED PLAN 747296

County of SOLANDER

Parish of SALISBURY

Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20977007 (POR 93)

2. MORTGAGE No 713262010 28/05/2010 at 15:45
BANK OF WESTERN AUSTRALIA LTD A.B.N. 22 050 494 454

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS

Dealing	Type		Lodgement Date	Status
716149935	RELEASE	713262010	20/11/2014 09:06	UNVERIFIED
716149936	MORTGAGE		20/11/2014 09:06	UNVERIFIED

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D APPLICATIONS CITEC CONFIRM

WARNING - FOLDING OR MUTILATING WILL LEAD TO REJECTION - PLAN MAY BE ROLLED

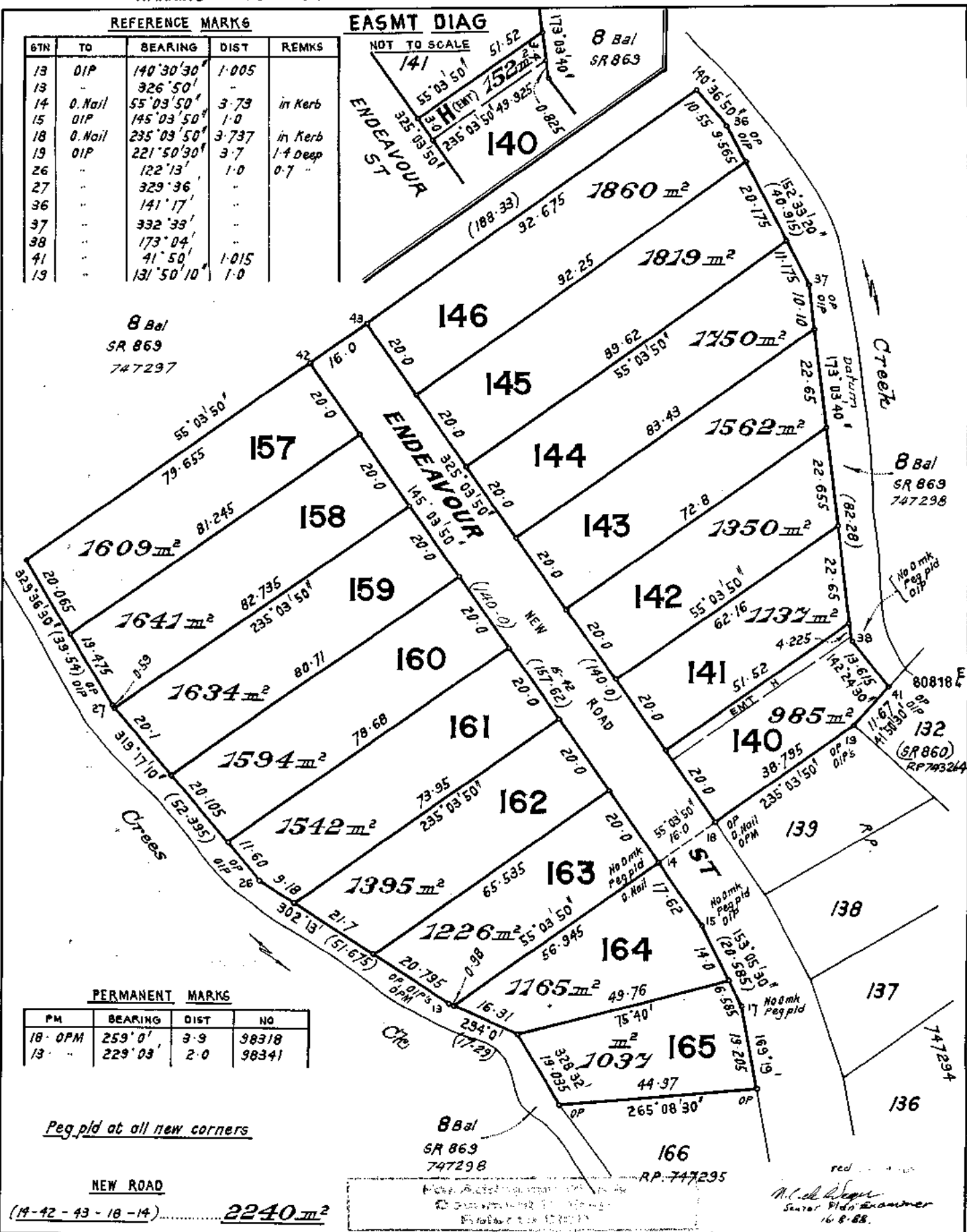
REFERENCE MARKS

6TN	TO	BEARING	DIST	REMARKS
13	OIP	140°30'30"	1.005	
13	-	326°50'	-	
14	O Nail	55°03'50"	3.73	in Kerb
15	OIP	145°03'50"	1.0	
18	O Nail	235°03'50"	3.737	in Kerb
19	OIP	221°50'30"	3.7	1/4 Deep
26	-	122°13'	1.0	0.7
27	-	329°36'	-	
36	-	141°17'	-	
37	-	332°33'	-	
38	-	173°04'	-	
41	-	41°50'	1.015	
19	-	131°50'10"	1.0	

EASMT DIAG

NOT TO SCALE

ENDEAOUR ST



747296

PLAN MUST BE DRAWN WITHIN BLUE LINES

747296

FOR TITLES OFFICE USE ONLY

Previous Title

D.D. No. N. 1367 ~ 141. Lot 8. SR 869
 Foss. No. T. 3666 EST. To Council of Ten Shores of Virginia, our Foss. H.
 Foss. H. No. 1367 ~ 141. Lot 8. SR 869

DIRECTOR

DIRECTOR, FBI

LICENSED SURVEYOR

Date 22/5/20

~~Signature of Lincoln Steffens~~

Dated this 29TH day of FEBRUARY 1988

~~SECRET~~

Chairman

Abstract

Shire Clerk

(Names in full)

**Signature of
Proprietor / s**

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.	
140	1373	238							
141		240							
142		241							
143		242							
144		243							
145		244							
146		245							
157		246							
158		247							
159		248							
160		249							
161		250							
162		1374	1						
163			2						
164	3								
165	4								

Lodged by

A. C. LEE & ASSOCIATES
TOWNSVILLE

at 10.53.

25 AUG 1988

Acting REGISTRAR OF TITLES
(NORTHERN DISTRICT)

Fees Payable

Postal fee and Postage

Lodgt. Exam. & Ass.

Entd. on Docs.

New Title

Entd. on Deeds

Photo Fee

Total

Short Fees Paid

ities

REGISTERED PLAN 747296



Annexure 3

RPS Drawing PR125276 -I



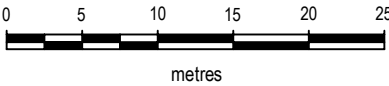
IMPORTANT NOTE
This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified.
All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals.
No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.

DNRM AERIAL PHOTOGRAPHY.
Based on or contains data provided by the State of Queensland (Department of Natural Resource & Mines) [2015]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.


Date of Capture: 28/9/2013.

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SCALE 1:500 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

PROJECT MANAGER O Caddick-King		SURVEYED	
COMPILED AMK		CAD REF PR125276-1.DWG	
SHEET SIZE A3	SHEET OF SHEETS 1 1		



RPS Australia East Pty Ltd
ACN 140 292 762
135 Abbott St
PO Box 1949
CAIRNS QLD 4870

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T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com.au

A & S VIOLA

**RECONFIGURATION OF A LOT
PROPOSED LOTS 1 & 2
CANCELLING LOT 144 ON RP747296
ENDEAVOUR ST
PORT DOUGLAS**

SCALE 1:500	DATE 2/3/2015	DRAWING NO. PR125276-1	ISSUE
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Annexure 4

Douglas Shire Council Preliminary Planning Advice

From: [Andy & Sally Viola](#)
To: [Owen Caddick-King](#)
Subject: FW: DSC Advice 53 Endeavour St, Port Douglas P939 RE: Sub-division Lot 144 on RP 747 296
Date: Monday, 15 December 2014 8:27:24 AM
Attachments: [20141212114957135.pdf](#)

From: Jenny Elphinstone [mailto:Jenny.Elphinstone@douglas.qld.gov.au]
Sent: Friday, 12 December 2014 12:53 PM
To: 'Andy & Sally Viola'
Subject: DSC Advice 53 Endeavour St, Port Douglas P939 RE: Sub-division Lot 144 on RP 747 296

Hi Andy and Sally,
Sincere apologies for the delay in this advice.
I have been caught up in Court matters and under my “duty to the Court” have had to address these before any other work.

53 Endeavour Street, Port Douglas
Under the Douglas Shire Planning Scheme the land is included in the Residential 1 Planning Area of the Port Douglas and Environs Locality.

Application

The proposed reconfiguration is code assessable development and the application does not undergo public notification.

Application forms are available on the State Government website at the following link:

SPA IDAS Forms: <http://www.dsdip.qld.gov.au/forms-templates/sara-idas-forms.html>

The application will need to include sketch plans of the proposed development, a report that assesses the development against the Planning Scheme codes and an application fee.

Application Fees

The application fee (for the current financial year) is as follows;

Access easement to a road \$860.95

ROL (1 into 2) $\$1232.85 + (463.10 \times 2) = 2,159.05$

Total = 3,020.00

Note – once approved and the formal survey plan (prepared by a licensed surveyor) is lodged for sign-off the following fee applies:

Current Financial year:

$\$467.25 + (2 \times \$86) = \$639.25$.

Layout Plan

The plan needs to be at metric scale with a north point and should identify buildings, accesses, parking areas all uses occurring on the land.

The proposed new lots should be marked with an identifier, e.g., Lot 1 and Lot 2.

Your plan of reconfiguration needs to ensure that each lot has “frontage” to the road.

Therefore the rear lot needs to contain the access to the road and the front lot has the access easement.

If you provide the lot layout over an aerial plan then it can be more easily identified where the access and building are.

The plan needs to contain the measurement width of the easement area and the location of all services – water, sewer, electricity, telephone.

Planning Scheme Codes

Codes to consider for a Reconfiguration of a Lot / Material Change of Use under the Douglas Shire Planning Scheme 2008:

- 4.2.4 Port Douglas and Environs Locality Code
- 4.3.3 Residential 1 Planning Area Code
- 4.6.5 Reconfiguring a Lot Code

Infrastructure Charges

The subdivision of land also considers any increase in Council's infrastructure for which infrastructure charges apply.

Changes to the method of charging was made by the State Government whereby a credit is made available to lawfully existing land uses.

This credit certainly applies to a house on the land.

An application was lodged in 2002 for a Planning Approval for an "attached flat." This application as refused by Council.

The development of the building at the front of the site would appear to therefore form only part of the existing dwelling and no credit applies to this structure in respect to infrastructure charging.

Please see attached an estimate of infrastructure charges applicable to the proposed reconfiguration.

Please note – the charge for open space – this is set by the Policy as 10% of the valuation of the new lots created.

However, note further investigation will be needed at the time the application is lodged to establish whether a Park contribution was made for the existing land.

If this is the case then no further Park contribution would appear applicable.

Other

The above comments are provided on a without prejudice basis.

The determination of an application is a matter for Council resolution.

Should you need to discuss further please note I am in the office for the next week and then taking leave over Christmas for a three week break.

Regards

Jenny Elphinstone | Senior Planning Officer

Development & Environment | Douglas Shire Council

P: 07 4099 9482 | **F:** 07 4098 2902

E: jenny.elphinstone@douglas.qld.gov.au | **W:** douglas.qld.gov.au

Mail: PO Box 723, Mossman Q 4873 | **Office:** 64-66 Front St, Mossman Q 4873

From: Andy & Sally Viola [<mailto:bestviola@bigpond.com>]

Sent: Monday, 24 November 2014 2:10 PM

To: Jenny Elphinstone

Subject: Sub-division Lot 144 on RP 747 296

Hi Jenny,

I would to lodge a preliminary enquiry to the sub-division of my house block ; 53 Endeavour st,
Port Douglas.

Lot 144 on RP 747 296

The attachment provided shows we are wanting to sub divide the block into

1. block with main house - 990 sq m
2. block with unit – 760 sq m

Could you please send through costs and the next step in this procedure.

Regards Sally & Andy Viola

0400 21 09 67

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This message and any attachments may contain privileged and confidential information intended solely for the use of the intended addressee(s). Any unauthorized use of this material is prohibited. If you received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Opinions expressed in this email are those of the sender and do not necessarily represent the views of the Douglas Shire Council. We recommend that you scan this email and any attachments for viruses before opening. Council does not accept any responsibility or liability for any loss or damage, incurred either directly or indirectly, from opening this email or any attachments to it, or that may result from reliance on, or the use of, any information contained in this email or attachments. Emails may be monitored and you are taken to consent to this monitoring.



Annexure 5

Douglas Shire Council Planning Scheme Code Assessment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
General Requirements			
<ul style="list-style-type: none"> Buildings and structures complement the Height of surrounding development, AND Buildings are limited to two Storeys; OR In the High Scale locations depicted on the Locality Plan, development of three Storeys is appropriate. 	A1.1 In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the all of the Building: <ul style="list-style-type: none"> Residential 1; Industry; Conservation; Community and Recreational Facilities; Residential 2; Tourist and Residential (Medium Scale); Commercial – (Medium Scale, outside the Tourist Centre); Commercial – (High Scale, outside the Tourist Centre); and Commercial – (High Scale, within the Tourist Centre and on the high side of Macrossan Street) – in this instance there is no specified number of Storeys, however the maximum Height prevails. 	NA	No buildings are proposed in accordance with the proposed development.
	P1 OR Tourist and Residential – (High Scale); and	NA	Not Applicable
	P2 Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street).	NA	Not Applicable
<ul style="list-style-type: none"> Development is connected to all urban services. 	A2.1 Development is connected to available urban services by underground connections, wherever possible. AND/OR	✓	The subject site is currently connected to all necessary urban services and where required, services will be re-located in accordance with the conditions of approval to adequately service the proposed development.

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

		Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.	✓	Headworks contributions will be made where applicable.
<ul style="list-style-type: none"> Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape. 	A3.1	Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.	✓	The site is currently landscaped and no further works are necessary for the development.
<ul style="list-style-type: none"> Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality. 	A4.1	All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The existing sealed driveway is to be included in the access leg to Proposed Lot 2 with an access easement over the access leg to provide access to Proposed Lot 1. Given that the proposed access arrangement does not change the existing access arrangement, which is understood to have been adequate for the current owners and former residents, the access arrangement is considered to be adequate for the proposed development.
Tourist Centre - Not Applicable				
Local Centres - Not Applicable				
Residential Development Outside Tourist Centre - Not Applicable				
Other Development - Not Applicable				
Community Facilities - Not Applicable				
Protection of Scenic Amenity and Natural Values - Not Applicable				
Special Management Areas				
Special Management Area 1 – Flagstaff Hill - Not Applicable				
Special Management Area 2 – Residential Growth Area - Not Applicable				
Special Management Area 3 – Service Industry Precincts (Craiglie) - Not Applicable				
Special Management Area 4 – Service Industry Precincts (Mahogany Street) - Not Applicable				
Special Management Area 5 – Waterfront Investigation Area Precinct - Not Applicable				

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Consistent and Inconsistent Uses				
P1	The establishment of uses is consistent with the outcomes sought for the Residential 1 Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Residential 1 Planning Area.	✓	Proposal Complies
Site Coverage – Other than a House				
P2	The Site Coverage of all Buildings does not result in a built form that is bulky or visually obtrusive.	A2.1 Any form of development, other than a House, has a Site Coverage which does not exceed the Site Coverage specified for Multi-Unit Housing outlined below in this Code.	✓	No additional building development is proposed in accordance with this development
Building Setbacks – Other Than a House				
P3	All Buildings are Setback to: <ul style="list-style-type: none"> maintain the character of residential neighbourhoods; and achieve separation from neighbouring Buildings and from Road Frontages. 	A3.1 Any form of development, other than a House, satisfies the same Setback requirements as specified for Multi-Unit Housing outlined below in this Code.	✓	The buildings located over the site are existing and relate to House development.
Fencing				
P4	Any perimeter fencing to the Frontage of a Site in the Residential 1 Planning Area is not visually obtrusive and does not detract from the residential character of the area.	A4.1 Any fencing provided to the Main Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street. AND Fencing at the side and the rear boundaries of the Site is a maximum of 1.8 metres in Height.	NA	No additional fencing is known to be proposed however any additional fencing is expected to be able to comply.
Landscaping – Other than a House				
P5	A Site which is developed for any purpose, other than a House, has Landscaping which is functional, provides visual interest and form, incorporates native vegetation and provides privacy to adjacent residential uses.	A5.1 Within the Site Frontage Setback area a minimum width of 2 metres of Landscaping including 60% Dense Planting is provided. AND Within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping including 60% Dense Planting is provided in	NA	Not Applicable

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	accordance with the Landscaping Code.		
	A5.2 Where the proposed use incorporates or requires the provision of a public open space recreation/landscape area, that area is connected and integrated with the development.	NA	Not Applicable
Multi- Unit Housing			
P6 In new residential areas, Multi-Unit Housing: i) is limited to a small proportion of available lots (eg. 15% a small proportion of the total number of new lots), with a preference for corner allotments; and ii) is dispersed to ensure conventional residential detached Houses dominate the streetscape; and iii) uses building forms (eg. development footprint, height, massing, positioning of garages to reduce their dominance, and architectural detail) that match or complement those of the established detached Houses in the area.	No Acceptable Solution.	NA	Not Applicable
P7 Multi-Unit Housing is sited and designed to complement the residential amenity of the area. A Multi-Unit Housing development incorporates 1 Dwelling Unit per 500 m2 of Site area and with a maximum of 3 Dwelling Units per Site area.	A7.1 Multi-Unit Housing establishes on a lot with a minimum area of 1000 m2 and the lot has a minimum Frontage of 25 metres.	NA	Not Applicable
	A7.2 A Dwelling Unit in a Multi-Unit Housing development incorporates a maximum number of 3 bedrooms (or rooms capable of being used as a bedroom).	NA	Not Applicable
	A7.3 Site Coverage of Multi-Unit Housing is limited to: • 40% for 1 Storey development; or • 35% for 2 Storey development	NA	Not Applicable
	A7.4 Building Setbacks for Multi-Unit Housing are: • 6 metres to the Main Street Frontage • 4 metres to any secondary Road Frontage • 6 metres to the rear boundary	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

	<ul style="list-style-type: none"> 2.5 metres to the side boundary for 1 Storey development or 3 metres to the side boundary for 2 Storey development. 		
	<p>A7.5 A minimum of 40% of the Site is provided as Landscaping and Recreation Area. AND A minimum of 4 metres by 4 metres of Landscaping and Recreation Area is provided for each Dwelling Unit which is directly accessible from a habitable living room. OR At least 50% of the total Landscaping and Recreation Area is provided as one communal area having a minimum dimension of 6 metres.</p>	NA	Not Applicable
	<p>A7.6 Each Dwelling Unit is provided with a designated refuse area which is screened from public view.</p>	NA	Not Applicable
	<p>A7.7 Balconies, patios and similar spaces are not enclosed or capable of being used as a Habitable Room. AND Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the facade being fully enclosed.</p>	NA	Not Applicable
Buffering Incompatible Land Uses			
<p>P8 A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.</p>	<p>A8.1 Any reconfiguration of Residential 1 land which shares a boundary with land in the Rural Planning Area provides a buffer in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997). OR No Acceptable Solution. (Information that the Council may request to</p>	NA	Not Applicable

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	demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).		
Sloping Sites			
P9 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	A9.1 Building/structures are Erected on land with a maximum slope not exceeding 15%. OR Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage. OR Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes signoff that the Site can be stabilised. AND Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by a an additional Geotechnical Report prepared by a qualified engineer at building application stage. (Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)	NA	Not Applicable
P10 The building style and construction methods used for development on sloping Sites are	A10.1 A split level building form is utilised.	NA	Not Applicable
	A10.2 A single plane concrete slab is not utilised.	NA	Not Applicable

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responsive to the Site constraints	A10.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.	NA	Not Applicable
P11 Development on sloping land minimizes any impact on the landscape character of the surrounding area.	A11.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.	NA	Not Applicable
P12 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.	A12.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.	NA	Not Applicable
<i>Sustainable Siting and Design of Houses on Sloping Sites</i>			
P13 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.	A13.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m ² and is sited clear of the High Bank of any Watercourse. (The 800m ² area of Clearing does not include an access driveway.)	NA	Not Applicable
	A13.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.	NA	Not Applicable
P14 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.	A14.1 A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.	NA	Not Applicable
P15 The exterior finishes of a House complements the surrounding natural environment.	A15.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.	NA	Not Applicable
P16 A House is designed to be energy efficient	A16.1 The development incorporates building	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

and functional in a humid tropical rainforest environment.	design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.		
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Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Area and Dimensions of Lots				
P1	Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	A1.1 Lots comply with the area and dimensions identified for lots in the respective Planning Areas in Table 1.	AS	RPS notes that Proposed Lot 1 does not meet with the 800m ² minimum lot area, however the 600m ² lot includes all necessary services. We confirm that the amenity and functionality of the lots will not be affected by the creation of formal site boundaries.
Rural Planning Area				
P2	Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewerage disposal.	A2.1 Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows or remnant stands of vegetation. A2.2 Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above. A2.3 Designated Development Areas are identified on any lots exceeding a maximum slope 15% and are registered on title.	NA NA NA	Not Applicable Not Applicable Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Rural Settlement Planning Area				
P3 Rural Settlement lots are located and designed such that they: <ul style="list-style-type: none"> Have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosions and natural habitat; Retain significant landscape features, views and vegetation cover; Provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and Do not impact on the safety and efficiency of the Shires Road Network. 	A3.1	The location and layout of new lots does not fragment GQAL or areas of ecological or scenic value and provides buffers that adequately protect such areas from fringe deterioration and other impacts and maximises connectivity between such areas.	NA	Not Applicable
	A3.2	Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.	NA	Not Applicable
	A3.3	The location and layout of lots minimises the extent of cut and fill for Building area or Road Construction.	NA	Not Applicable
	A3.4	The location and layout of lots allows for the buffering of riparian vegetation and waterways.	NA	Not Applicable
	A3.5	Lots are buffered from any potentially incompatible land use.	NA	Not Applicable
	A3.6	The location and layout of new lots minimises risk from bushfire through the following measures: <ul style="list-style-type: none"> The Road layout provides for through Roads and avoids cul-de-sacs and "dead end" Roads; Designated Development Areas are sited in clear areas, away from the tops of ridges, and not on north to west facing vegetated slopes; and The use of firebreaks. 	NA	Not Applicable
	A3.7	Lots are not located in an area affected by noise from a State-Controlled Road.	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Residential 1 Planning Area			
P4 The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by: <ul style="list-style-type: none"> Protecting natural features, areas of environmental value and Watercourse; Incorporating Site characteristics, views and landmarks; Providing a legible, connected and safe street, bicycle and pedestrian network that links existing to external networks; Providing community or necessary facilities at convenient focal points; Orientating the street and lots to ensure the sitting and design of residential development maximises energy efficiency. 	No Acceptable Solution <i>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</i>	NA	Not Applicable. Development is not for the creation of more than 10 lots.
P5 Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.	A5.1 In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.	NA	Not Applicable
Commercial/Industrial Planning Area			
P6 The reconfiguration layout of an industrial/commercial area: <ul style="list-style-type: none"> Facilitates the efficient use of industrial or commercial land; Ensures minimum impact on the natural environment and on the amenity of adjacent uses; Provides for a variety of lot sizes and complementary uses. 	P6.1 A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location of: <ul style="list-style-type: none"> Natural features, area of environmental value and Watercourses; Street, bicycle and pedestrian networks and linkages to adjoining areas; A variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1. 	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Infrastructure for Local Communities			
P7 Provision is made for open space that: <ul style="list-style-type: none"> Meets the recreational needs of residents and visitors to the Shire; Provides a diverse range of settings; Creates effective linkages with other areas of open space and natural areas; and Contributes to the visual and Scenic Amenity of the Shire. 	A71. An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions. OR A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions. OR A combination of the above, as agreed to by Council.	NA	Not Applicable – A Parkland Contribution would have been made at the time the land was originally subdivided into residential allotments.
P8 Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the shire.	A8.1 Informal Parks are provided at the ration of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks). AND Sporting parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of sporting parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Road Network			
P9 The Road Network: <ul style="list-style-type: none"> Is integrated and consistent with the existing and proposed local Road network; Is legible and retains existing features, views topography and vegetation; Is convenient and safe for local residents; Facilitates walking and cycling within the neighbourhood; and Is compatible with the intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency. 	A9.1 Roads are designed and constructed in accordance with the specifications set out in the Planning Scheme Policy No 6- FNQROC Development Manual.	✓	The development site is connected to the local road network
	A9.2 The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.	✓	The development site is connected to the local road network
	A9.3 The Road network is designed to reduce traffic speed and volumes on local streets in residential areas to facilitate parking an manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.	✓	The development site is connected to the local road network
	A9.4 Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.	NA	Not Applicable
	A9.5 Where the created allotments have Frontage to more than one Road, Access to the individual allotment is from the lower order Road.	NA	Not Applicable
P10 The Road Network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.	A10.1 Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The development site is connected to the local road network
	A10.2 Industrial/commercial traffic is able to Access a major road without intruding into a residential neighbourhood.	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
<i>Pedestrian and Bicycle Network</i>			
P11 Networks of pedestrian and bicycle paths are provided in safe and convenient locations.	A11.1 Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.	NA	Not Applicable
	A11.2 The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	NA	Not Applicable
	A11.3 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.	NA	Not Applicable
<i>Stormwater Drainage</i>			
P12 Stormwater runoff is contained and managed so that it does not adversely affect; <ul style="list-style-type: none"> Natural watercourse; Surface or underground water quality; or The built environment either upstream or downstream of the Site. 	A12.1 Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The development is connected to the local drainage network and where required, any re-location of drainage services will be undertaken in accordance with a condition of approval.
<i>Water Supply</i>			
P13 An adequate, safe and reliable supply of potable water is provided	A13.1 Where in a water supply area, each new lot is connected to Council's reticulated water supply system. AND The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The development is connected to Council's water supply system and where required, any re-location of water supply services will be undertaken in accordance with a condition of approval.

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
	A13.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.	✓	Where required, a Headworks contribution will be made.
<i>Treatment and Supply of Effluent</i>			
P14 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality	A14.1 Each new lot is connected to Council's sewerage system. AND The extension of a connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual. OR Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997. AND The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewerage Law.	✓	The development is connected to Council's sewerage system and where required, any re-location of sewerage services will be undertaken in accordance with a condition of approval..
	A14.2 A contribution is paid in accordance with Planning Scheme Policy No 11 - Water Supply and Sewerage Headworks and Works External Contributions.	✓	Where required, a Headworks contribution will be made.
<i>Residential Development – Standard Format Plan with Common Property</i>			
P15 Lots have an appropriate area and dimension to protect residential amenity.	A15.1 The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code as set out in Table 1.	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
P16 The Setback of Residential Uses from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	A16.1 A minimum separation distance of 15 metres is provided between Residential Use with Frontage to the Access Driveways.	NA	Not Applicable
P17 Internal Access Driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	A17.1 Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.	NA	Not Applicable
P18 Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	A18.1 The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined in a Site/development specific basis.	NA	Not Applicable
P19 Boundary fencing does not have a significant impact on the visual amenity of the local area.	A19.1 The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.	NA	Not Applicable
P20 The installation of Fire Hydrants ensures that they are easy to located and use in times of emergency and are of a standard consistent with service needs.	A20.1 Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.	NA	Not Applicable

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal

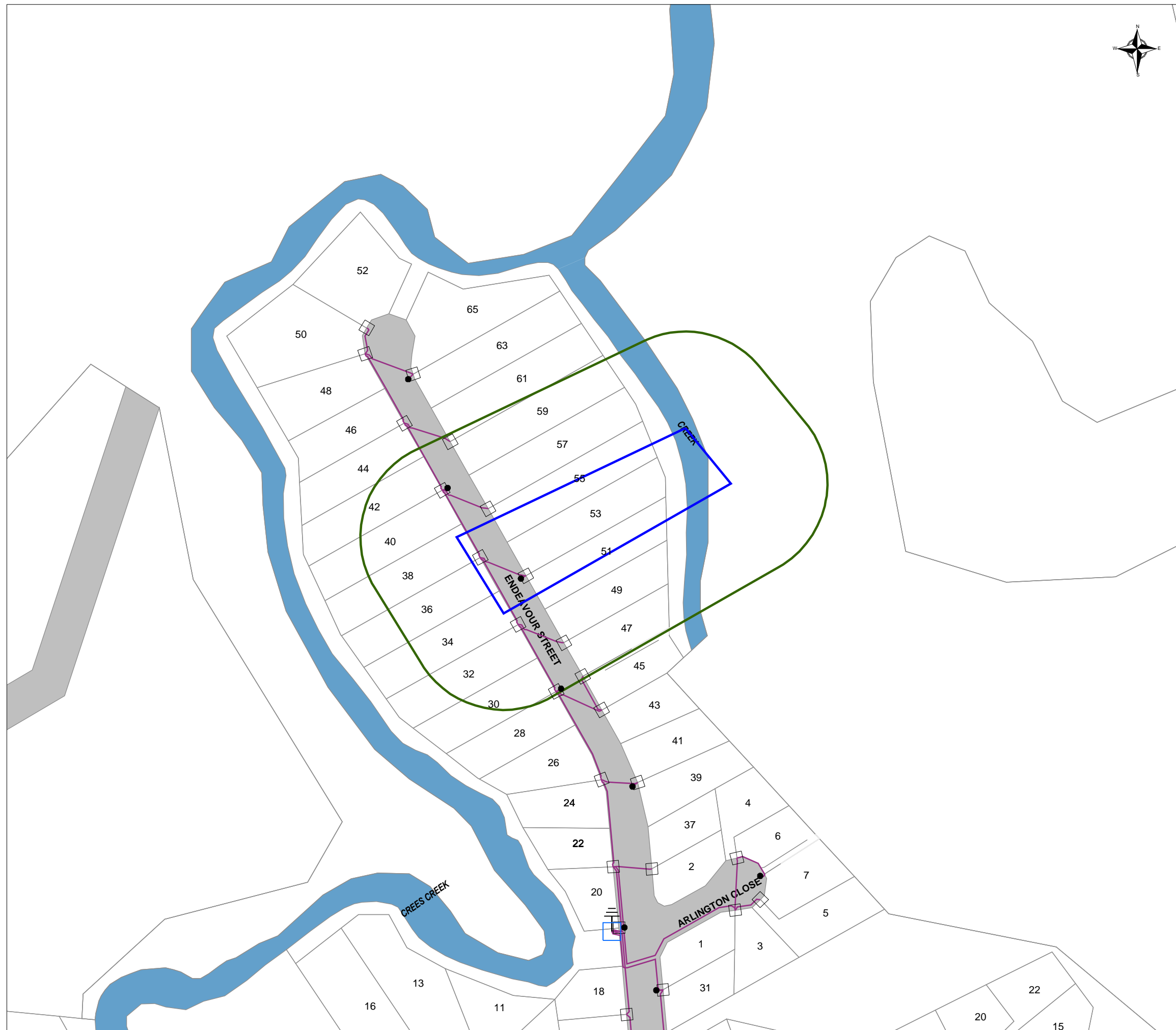
PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENTS
Boundary Realignment			
P21 The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.	A21.1 No additional lots are created. AND The area and configuration of the proposed lots are consistent with the historical patterns of reconfiguration in the local area. AND An improvement on the existing situation is achieved by: <ul style="list-style-type: none"> The provision of Access to a lot which previously had no Access; OR <ul style="list-style-type: none"> The proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met; OR <ul style="list-style-type: none"> The Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing Lots. 	NA	Not Applicable
Energy Efficiency			
P22 The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution	NA	Buildings on the site are existing
P23 The road and lot layout minimises fossil fuel use by: reducing the need for and length of local vehicle trips, maximising public transport effectiveness, encouraging walking and cycling, and provision of appropriate street landscaping.	No Acceptable Solution	✓	Complies

Solution: ✓ = Acceptable Solution
A/S = Alternative Solution
N/A = Not applicable to this proposal



Annexure 6

Site Services



43117798-8662012

Sheet: 1 Layer: Lv Cables

Created by: DBYD Autoplot

Created date: 18/12/2014 12:18:50

Scale: 1:2000

LEGEND

Electricity

- Earth - as constructed
- Pillar
- Pole - SL
- Substation - Ground

Low Voltage

- LV Cable (240v)
- LV Cable (415v)

DBYD

DBYD Request

- DBYD Request (Area)
- DBYD Request (Ergon Search Area)

DCDB

Land Parcel

- Land Parcel (Area Geom)

Land Parcel Medium

- Land Parcel Medium (Area Geom)

Easement

- Easement (Area Geom)

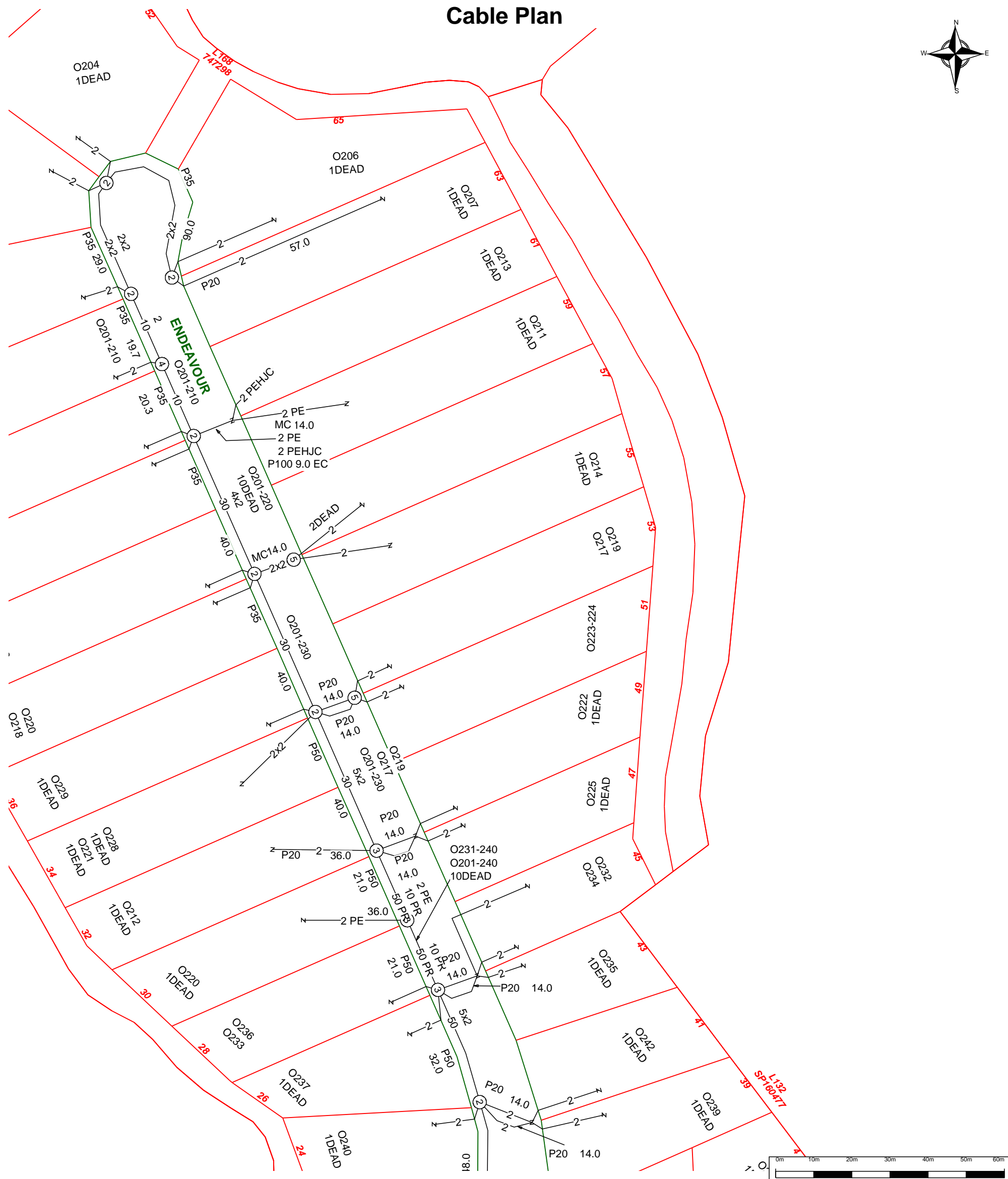
Road Coverage

- Road Coverage (Area Geom)

Water Coverage

- Water Coverage (Area Geom)

NOTE : Cable/Ducts overlaying one another are displayed as geographically separated in the plot



Sequence Number: 43117799

TELSTRA CORPORATION LIMITED A.C.N. 051 775 556

WARNING - Due to the nature of Telstra underground plant and the age of some cables and records, it is impossible to ascertain the precise location of all Telstra plant from Telstra's plans. The accuracy and/or completeness of the information supplied can not be guaranteed as property boundaries, depths and other natural landscape features may change over time, and accordingly the plans are indicative only. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy shown on the plans.

It is your responsibility to locate Telstra's underground plant by careful hand pot-holing prior to any excavation in the vicinity and to exercise due care during that excavation.

Please read and understand the information supplied in the duty of care statement attached with the Telstra plans. TELSTRA WILL SEEK COMPENSATION FOR LOSS CAUSED BY DAMAGE TO ITS PLANT.

Telstra plans and information supplied are valid for 60 days from the date of issue. If this timeframe has elapsed, please reapply for plans.



PO Box 723 MOSSMAN QLD 4873
Phone: (07) 4099 9444 Fax: (07) 4098 2902

DOUGLAS SHIRE COUNCIL	
File Name	As Cons
Document ID	
14 JAN 2015	
Filename	RIS copied ✓
Information	

2014/2015 Sewer Plan Search Request Form

PLEASE COMPLETE THE FORM AND PROVIDE ALL INFORMATION AS REQUIRED.

All sewer plan requests incur a search fee; per lot and plan. This search fee is non-refundable and must be paid prior to the search being conducted. **Council was not required to record As Constructed house drainage information pre April 1998 in un-sewered areas. Plans are therefore ordered at your own discretion.**

Disclaimer: While every care is taken to ensure the accuracy of this data, the Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibilities and all liabilities (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. The customer must verify the accuracy of the data before placing reliance on the data.

Date Requested: 19/12/2014

(Please allow – 2 working days)

PROPERTY DETAILS

Street Name: 53 ENDEAVOUR ST, Port Douglas

Title Details: Lot 144

Parcel Number: KP 747296

Assessment Number: 836379

REQUESTORS DETAILS

Requested By:	SALLY VIOLA		
Postal Address:			
Phone:	0425712525	Fax:	
Email:	bestviola@bigpond.com		
Comments:			

DELIVERY METHOD OF REQUESTED INFORMATION: Please select one of the following:

POST		FAX		EMAIL		PICK-UP	
------	--	-----	--	-------	--	---------	--

PAYMENT OPTIONS

In Person	Mail
Douglas Shire Council, 64-66 Front St, Mossman	Complete request form, and mail with Cheque or Money Order. Make cheques payable to Douglas Shire Council. Mail to: PO Box 723, Mossman, Qld 4873

OFFICE USE ONLY

FEE:	\$53.25	DATE PAID:	14/1/15
RECEIPT:	3766	CSO NAME:	JP
Receipt Code: T114			

Douglas Shire Council – Information Privacy Statement

Your personal information has been collected for the purpose of processing your application for Sewer Plan Request. The collection of your information is authorised under the *Water Supply (Safety and Reliability) Act 2008*. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

A - 836517

P - 939

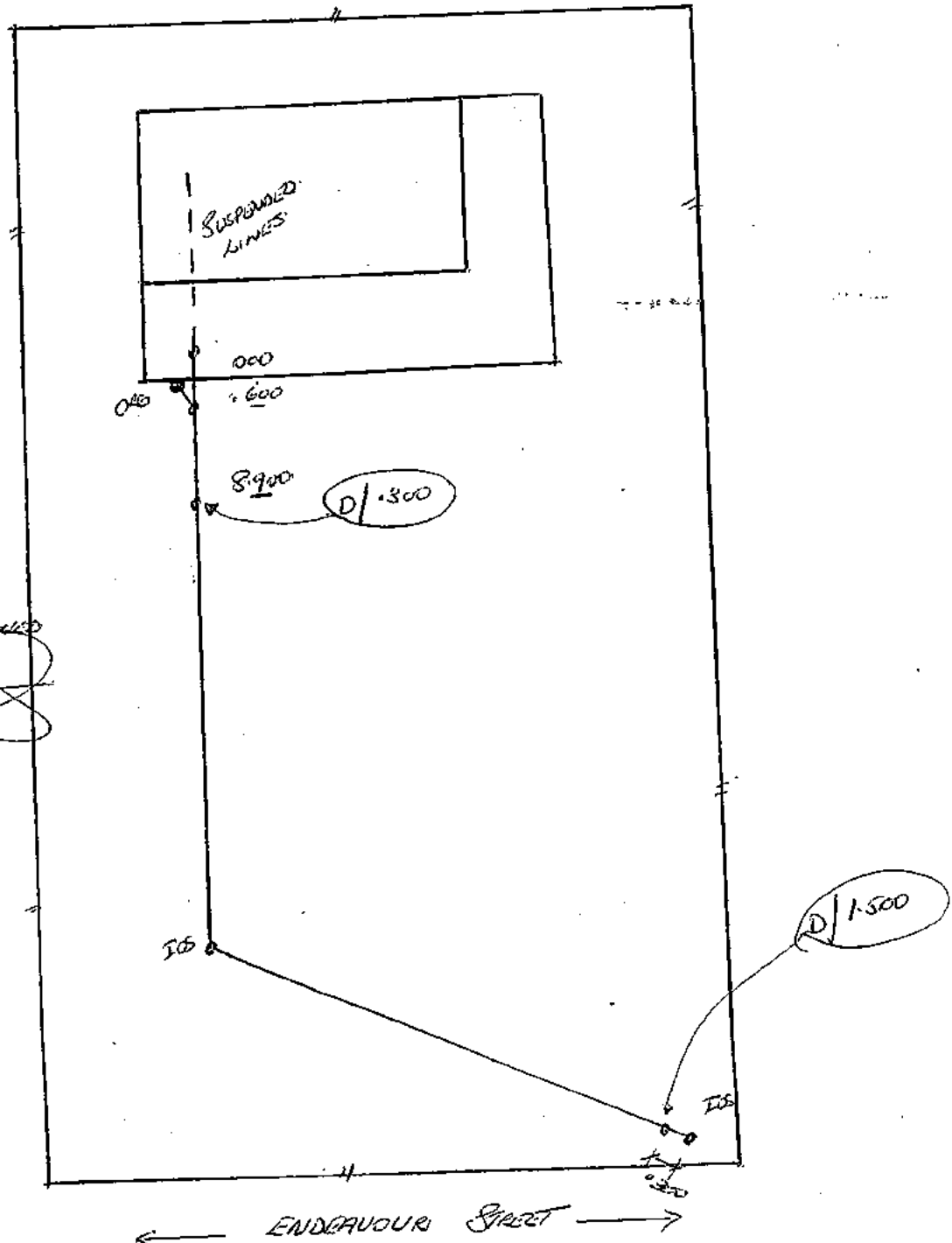
DOUGLAS SHIRE COUNCIL

PORT DOUGLAS SEWERAGE SCHEME AS CONSTRUCTED

Name of Owner: <i>B. A. + D. J. WELHAM</i>	Property No: <i>839</i>
Address: <i>53 ENDEAVOUR ST PORT DOUGLAS</i>	ENTERED
Type of Building: <i>DWELLING</i>	BY:
Name of Contractor: <i>J. HARDY</i>	Licence No: Plumber: <i>14143</i> Drainer: <i>14143</i>
Application No: <i>6237</i>	Lot RP <i>LOT 144 RP 747396</i>

Inspected + Approved
18/1/03

[Signature]

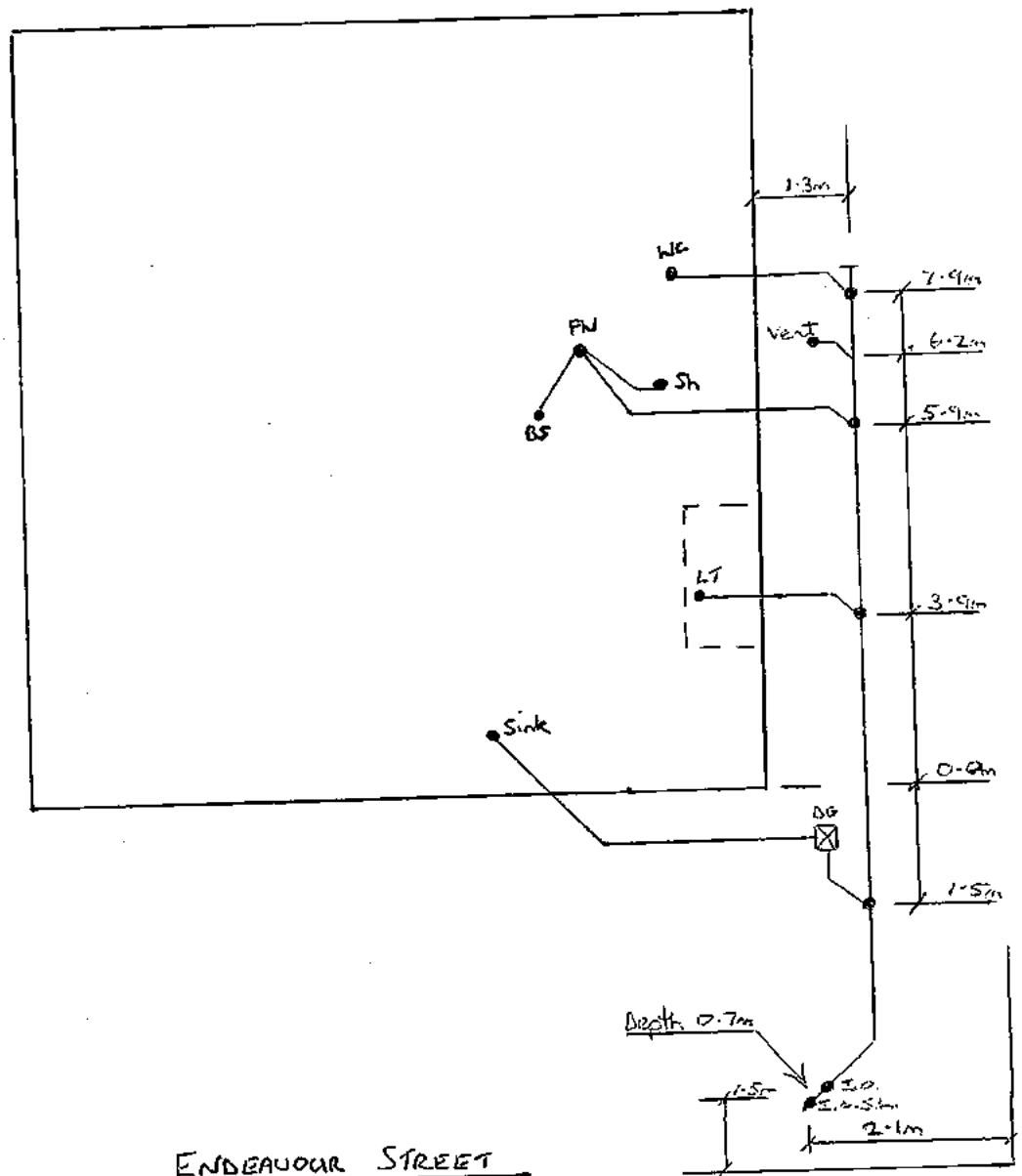




P-939 A-836379

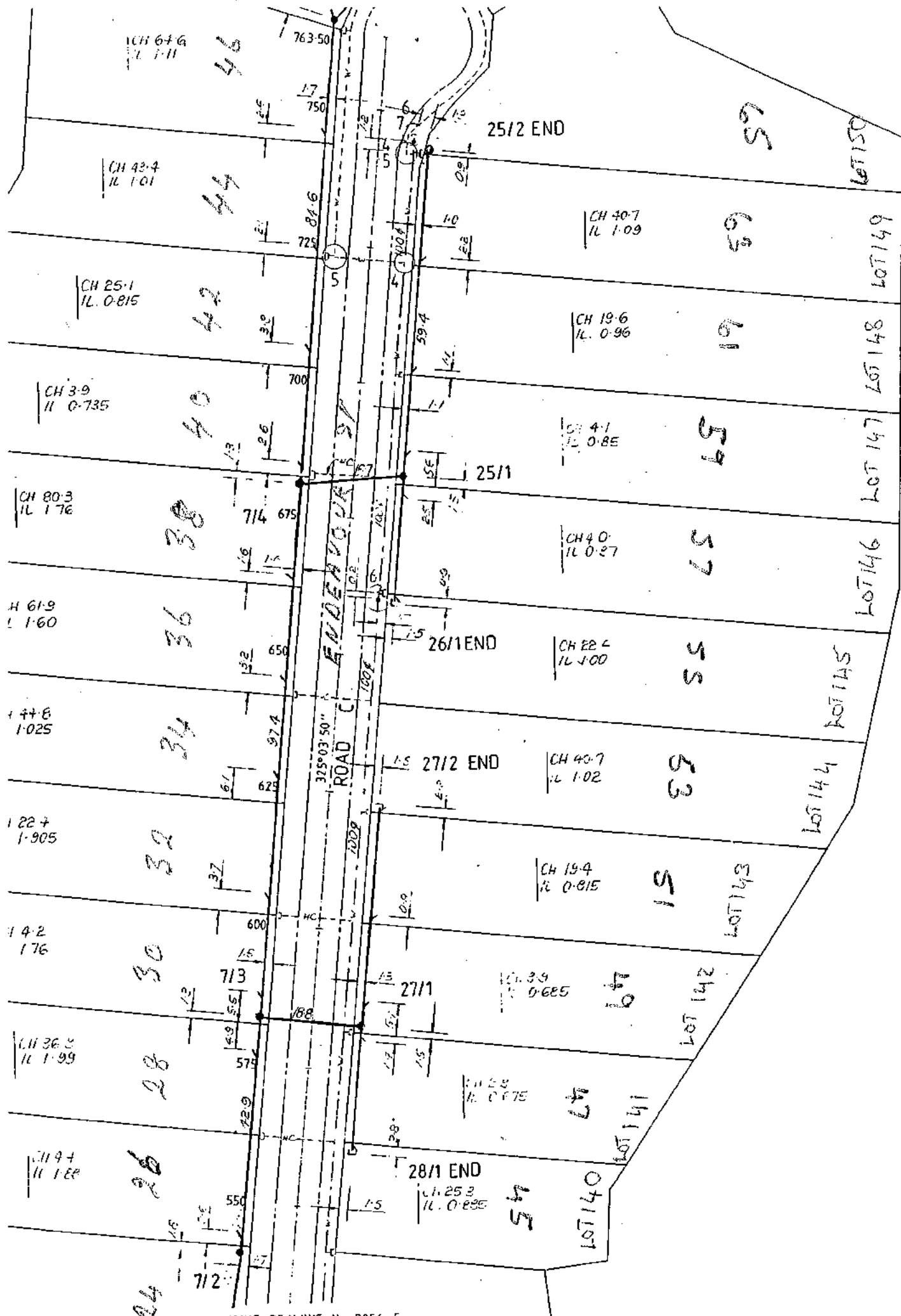
DOUGLAS SHIRE COUNCIL 'AS CONSTRUCTED' HOUSE DRAINAGE PLAN

Name of Owner:	NORRIS	Property No:	839	
Address:	53 ENDEAVOUR STREET PORT DOUGLAS			
Type of Building:	RESIDENTIAL ADDITION			
Name of Contractor:	BRIAN PETRUS	Licence No:	Drainer:	BY:
Application No:	PB 021 108	Lot: 144	Plumber:	
			On RP/SP/BUP/ 747296	



Signed: f. Brown

Dated: 7/5/08



JOINS DRAWING No 8056-5