

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.2 effective 3 August 2015)

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.

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)

Keith Reynolds

For companies, contact name

Owen Caddick-King, RPS Australia East Pty Ltd

Postal address

c/-RPS Australia East Pty Ltd

PO Box 1949

Suburb Cairns

State Qld

Postcode

4870

Country Aust..

Contact phone number

40 311 336

Mobile number (non-mandatory requirement)

-

Fax number (non-mandatory requirement)

-

Email address (non-mandatory requirement)

Owen.caddick-king@rpsgroup.com.au

@

Applicant's reference number (non-mandatory requirement)

PR130172

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.)
- Boundary re-alignment
- 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					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)			Mossman-Daintree Rd	4873	357	SR686	Douglas Shire Council
ii)			Mossman-Daintree Rd	4873	353	SR611	Douglas Shire Council
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)	Rural Planning Area	N/A	Refer to attached RPS submission
ii)	Rural Planning Area	N/A	Refer to attached RPS submission
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)

9.908ha

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

House exists on the western end of each lot and the balance of the land is used for the growing of sugar cane.

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	Lot 357 - Keith and Michelle Reynolds Lot 353 - John Reynolds
We, the above-mentioned owners of the land, consent to the making of this application.	
Signature of owner/s of the land	Keith Reynolds..... <i>K Reynolds</i> Michelle Reynolds..... <i>M Reynolds</i> John Reynolds..... <i>J Reynolds</i>
Date	1/3/2016

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

Unnamed minor watercourses are located adjacent and pass through subject land.

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)

Description of attachment or title of attachment	Method of lodgement to assessment manager
IDAS Forms 1 and 7	E-mail and mail
RPS submission prepared in support of proposed development	E-mail and mail
RPS Proposal Plan drawing No. PR130172-1	E-mail and mail

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 Infrastructure, Local Government and Planning (DILGP), 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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government 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 3.2 effective 3 August 2015)

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.

Mandatory requirements

1. What is the total number of existing lots making up the premises? 2 lots

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				

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

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
Lot 357 SR686	4.046ha	Approx 70m	Propose Lot 1	8929m2	Approx 70m
Lot 353 SR611	5.862ha	Approx 134m	Propose Lot 2	9.014ha	Approx 70m

9. What is the reason for the boundary realignment?

Excise existing residence and increase balance area used for the growing of sugar cane.

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 	✓ Confirmed	

<ul style="list-style-type: none"> the location of any stormwater detention on the relevant land the location and dimension of any land dedicated for community purposes the final intended use of any new lots. 		
<p>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.</p> <p>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.</p>	✓ Confirmed	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input checked="" 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 Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

RPS

Attachment 2

Certificate of Title X 2

**Cairns Office**

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

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DOUGLAS SHIRE COUNCIL	
Received	
File Name	ROL1357/2016
Document No	
- 9 MAR 2016	
Attention	DPL orig ✓
Information	

Our Ref: PR130172/OCK/AF/L75555**Date:** 7 March 2016

Attn: Mr Neil Beck
Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873

Via: E-mail and Mail

Dear Sir,

40.2016.1357.1.

RE: APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY RE-ALIGNMENT) OVER LAND LOCATED AT MOSSMAN – DAINTREE ROAD, FORMALLY DESCRIBED AS LOT 357 ON SR686 AND LOT 353 ON SR611

On behalf of Keith Reynolds (the 'applicant'), we have prepared and lodged the above described development application with the Douglas Shire Council.

The development application seeks a development permit to permit the house that exists on Lot 357 to be excised from the land used for the growing of sugar cane and that the portion of the site being used for productive agricultural purposes be merged with the adjoining land, Lot 353, which is also being used for the growing of sugar cane.

The proposal re-arranges the boundaries of existing developed lots where the existing residence to be located on Proposed Lot 1 is separated from the productive agricultural land by a vegetated stream and the balance productive rural land is merged with the adjoining productive rural land to provide a rural allotment that has improved utility for rural production.

In support of this application, please find attached the following:

- Completed IDAS Forms 1 and 7 (including the owner's consent), included as **Attachment 1**;
- Certificate of Title for each lot, included as **Attachment 2**;
- RPS Drawing No PR130172-1 Proposed Boundary Re-alignment Plan, included as **Attachment 3**;
- Department of Transport and Main Roads Conditional Approval of Road Access Works, included as **Attachment 4**; and
- A cheque to the value of \$1,071.20 (no GST), being the relevant fee required under Council's Schedule of Fees and Charges.

The following information has been prepared to assist Council with their assessment of the proposed development.

R/N 129161

1.0 Site Information

1.1 Site Details

Key Details of the subject site include:

Address:	Mossman – Daintree Road, Lower Daintree
Real Property Description/ Site Area:	Lot 357 on SR686: 4.046ha Lot 353 on SR611: 5.862ha
Land Owner:	Lot 357 - Keith and Michelle Reynolds Lot 353 – John Reynolds
Easements/ Encumbrances:	Nil

1.2 Planning Content

The planning context relating to the site includes:

Planning Scheme Zone:	Rural Planning Area
Relevant Overlays:	Nil

1.3 Site Characteristics

Topography:	The land used for productive agricultural purposes and is relatively flat.
Vegetation:	As is evident from the aerial image included in the proposal plan, existing established vegetation extends across the land's northern boundary into a northern portion of the site. This vegetation is mapped as remnant vegetation however the mapping appears to overstate the extent of coverage. Minor watercourses/drainage lines that pass through the site are also vegetated, otherwise the balance of the land is cleared and used for the growing of sugar cane with a house established on each lot.
Waterways:	Minor unnamed watercourses/drainage lines pass through the site.
Road Frontage:	Lot 357 SR686 – Approx 70m (current/proposed) Lot 353 SR611 – Approx 134m (current/proposed)
Existing Use:	House established on each lot and the growing of sugar cane on the balance of each lot.

1.4 Surrounding Land Uses

The subject land is located in a rural area where agricultural farming practices predominantly related to the growing of sugar cane is the predominant activity in the areas that have been cleared for farming.

2.0 Application Details

Aspects of the Development Sought:	Development Permit for Reconfiguration of a Lot (Boundary realignment between 2 lots)
Applicant:	Keith Reynolds C/- RPS Australia East Pty Ltd
Contact:	Mr Owen Caddick-King RPS Australia East Pty Ltd 135 Abbott Street PO Box 1949 Cairns QLD 4870 (07) 4031 1336
Local Government Authority:	Douglas Shire Council

3.0 Proposed Development

The development application seeks a development permit to permit the house that exists on Lot 357 to be excised from the land used for the growing of sugar cane. The portion of Lot 357 that is being used for productive agricultural purposes is proposed to be merged with the adjoining land which is also being used for the growing of sugar cane as shown on RPS Drawing No PR130172-1, the Boundary Re-alignment Proposal Plan, included in **Attachment 3**.

The reconfiguration proposal re-arranges the boundaries of existing developed lots where the existing residence located on Proposed Lot 1 is separated from the productive agricultural land by a vegetated stream. The boundary re-alignment does not give rise to any additional development and the balance productive rural land currently included on Lot 357 is merged with the adjoining productive rural land to provide a rural allotment that has improved utility for rural production.

4.0 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 relevant instruments which can provide prohibitions under the SPA.

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 the 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 the development:

Aspect of Development	Planning Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (Boundary Re-alignment)	Douglas Shire Planning Scheme	Code Assessable

4.1.5 Referral Agencies

A review of Schedule 7 of the *Sustainable Planning Regulation 2009* indicates that no State agency referrals are triggered by the development application.

With respect to the State Controlled Road (SCR), no additional lots are created, the total number of lots abutting and the frontage of each lot to the SCR is not changed and the proposed access between the land and the SCR comprises of the existing access which is to provide access to Proposed Lot 2 and the access already permitted by the Department of Transport and Main Roads, (refer to Permit provided for reference in **Attachment 4**).

With regard to remnant vegetation matters, the existing residence on Lot 357 is able to clear a fire hazard buffer of 1.5 times the height of the adjacent vegetation (estimated to be a height of up to 25m) which permits the clearing for a fire hazard buffer of up to 37.5m. The new boundary for Proposed Lot 1 is located approximately 16m from the existing residence at its greatest distance where located in mapped remnant vegetation. Therefore, the new boundary is located within the area permitted to be cleared for a fire hazard buffer by 20m+ and hence, the exempt operational work that may be undertaken to provide the fire hazard buffer encompasses any exempt operational that may be undertaken in response to the new boundary.

4.1.6 Public Notification

This application does not require public notification as it is subject to 'code assessment'.

5.0 Statutory Planning Assessment

5.1 Overview

This section provides an assessment of the various statutory planning provisions relevant to the proposal.

5.2 Regional Plan

A review of the proposal against the relevant policies of the FNQ 2031 Regional Plan reveals no significant conflicts. The proposal maintains the status quo in terms of existing dwelling

development and provides a positive outcome in terms of providing a rural allotment, Proposed Lot 2, that has improved utility for rural production.

5.3 State Planning Policies (SPPs)

Given that the proposal maintains the status quo in terms of existing dwelling development and is of a minor scale, the proposal is considered consistent with the SPPs.

5.4 State Development Assessment Provisions (SDAP)

As the development application does not trigger referral to the State Assessment Referral Agency, assessment against the State Development Assessment Provisions is not required for this application.

5.5 Planning Scheme

Under the Douglas Shire Planning Scheme, the subject site is included within the Rural Planning Area. The following commentary is provided in response to the Planning Scheme Codes identified as being applicable to this application:

Rural Areas and Rural Settlement Locality Code

While the code is applicable to the reconfiguration development, there do not appear to be any code provisions that specifically relate to the development. However, it is noted that the reconfiguration development is considered consistent with the purpose of the code given that the rural characteristics will be maintained by the development and the improved utility of the land for rural production, by way of increasing the size of the allotment used for rural production, will assist in retaining the use of the land for rural production.

Rural Planning Area Code

With regard to the code provisions considered relevant to the reconfiguration development, it is noted that;

- The land is used for agricultural production and the improved utility of the land for rural production, by way of increasing the size of the allotment used for rural production, will assist in retaining the use of the land for rural production; and
- The reconfiguration development does not give rise to additional development and the existing dwelling located on Proposed Lot 1 is separated from the land used for agricultural production by a vegetated minor stream and is provided with an adequate setback to the proposed new boundary.

Natural Areas and Scenic Amenity Code

With regard to the Natural Areas and Scenic Amenity Code provisions, it is noted that the proposed development relates to a re-arrangement of boundaries between two lots where the House that exists on each lot is to be located on each proposed lot. No additional development is proposed and the proposal does not give rise to any additional development.

The reconfiguration proposal is expected to facilitate the retention of the existing rural amenity and not result in the clearing of vegetation or other development works, except for the construction of the access to Proposed Lot 1 that the Department of Transport and Main Roads has already permitted (refer to permit in **Attachment 4**).

Reconfiguration of a Lot Code

The proposed development is consistent with the reconfiguration of a lot code given that no additional lots are created, is consistent with the pattern of reconfiguration development in the locality and the development improves the utility of the land for rural production, by way of increasing the size of the allotment used for rural production.

6.0 Conclusions and Recommendations

This submission supports an Application by Keith Reynolds for a Development Permit for Reconfiguration of a Lot (Boundary Realignment) in respect of land described as Lot 357 on SR686 and Lot 353 on SR611.

The proposal seeks approval to re-arrange the boundaries of existing developed rural land which is expected to maintain the existing rural amenity while providing for improved utility of the land for rural production, by way of increasing the size of the allotment where rural production is intended to be maintained.

The proposal is considered to be consistent with the Planning scheme's intent for the rural area as it relates to boundary re-alignment development and is recommended for approval.

We trust this information provided is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the undersigned in the Cairns office.

Yours sincerely
RPS



Owen Caddick-King
Principal Planner

enc: **Cheque**

- Attachment 1:** Completed IDAS Forms 1 and 7 and Owner's Consent
- Attachment 2:** Certificate of Title x 2
- Attachment 3:** RPS Drawing No PR130172-1
- Attachment 4:** Department of Transport and Main Roads Conditional Approval of Road Access Works

Attachment I

Completed IDAS Forms I and 7 and Owner's Consent

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 22800245

Search Date: 16/02/2016 08:38

Title Reference: 21120013

Date Created: 11/07/1980

REGISTERED OWNER

KEITH MILTON REYNOLDS

MICHELLE ANNE REYNOLDS

JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 357 CROWN PLAN SR686

Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21120013 (POR 357)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - Yes

Certificate No. 1

** End of Current Title Search **

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Requested By: D-ENQ GLOBAL X

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 22800256

Search Date: 16/02/2016 08:39

Title Reference: 21004065

Date Created: 02/02/1976

REGISTERED OWNER

JOHN KEITH REYNOLDS

ESTATE AND LAND

Estate in Fee Simple

LOT 353 CROWN PLAN SR611
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21004065 (POR 353)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Title Search **

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Requested By: D-ENQ GLOBAL X

RPS

Attachment 3

RPS Drawing No PR130172-1

Attachment 4

Department of Transport and Main Roads Conditional Approval
of Road Access Works

Our ref 275/655 (500-920)
DSDIP ref
Enquiries Ron Kaden



22 December 2015

Keith & Michelle Reynolds
PO Box 951
MOSSMAN QLD 4873

Department of
Transport and Main Roads

Dear Mr & Ms Reynolds

Conditional Approval of Road Access Works

Local Authority: Douglas Shire
State Controlled Road: Mossman - Daintree Road
Application: Road Access Location & Road Access Works
Property Description: Lot 357 on SR686
Site Locality: Mossman - Daintree Road, Lower Daintree (TDist 22.70km)

I refer to your application for approval of a road access location and road access works between Lot 357 on SR686 and the Mossman - Daintree Road which was received by the Department of Transport and Main Roads (TMR) on 03 September 2015.

Pursuant to section 62(1) and 33 of the *Transport Infrastructure Act 1994 (QLD)* (TIA), I wish to advise that your application has been assessed and TMR advises that it has decided to approve the application, subject to the following conditions.

Construction / works may commence on compliance with these conditions and your receipt of a Traffic Disruptions Permit from this office.

1. Permitted Road Access Location (TIA s62)

- a. The permitted road access location is to be approximately 25m from the southern side boundary of Lot 357SR686
- b. Connection of the access driveway to Mossman - Daintree Road is to be located approximately 1.35km north of Norris Road.
- c. Additional direct vehicular access between the state-controlled road and Lot 357 is prohibited.
- d. Access arrangements shall comply with TMR Layout Plan (655 - 22.70km) dated 22/12/2015.
- a. The applicant shall construct and maintain the access to the standard specified, at no cost to TMR.
- b. Access Restrictions
 - Private use only
 - Vehicles must enter and exit the subject land in a forward direction only
 - Vehicles of maximum size equivalent to Single Unit Trucks (Rigid Body)

Infrastructure Management & Delivery
Program Delivery and Operations
Far North District
Level 5, 15 Lake Street
PO Box 6185, Cairns Qld 4870

Telephone +61 7 4045 7144
Facsimile +61 7 4045 7138
Website www.tmr.qld.gov.au
Email cairns.office@tmr.qld.gov.au
ABN 39 407 690 291

Notice of Decision

This letter constitutes a notice under section 67 of the *Transport Infrastructure Act 1994 (QLD)* of a decision made under section 62(1).

In accordance with section 70 of the *Transport Infrastructure Act 1994 (QLD)*, you are bound by this decision. A copy of s70 is attached for your information.

Appeal Provision

Any person whose interests are affected by this decision may, within 28 days of this notice and in accordance with section 31 of the *Transport Planning and Coordination Act 1994*:

- Under section 584 of the *Transport Infrastructure Act* – ask for the decision to be reviewed and appeal against the reviewed decision; and
- Under the *Transport Planning and Coordination Act*, part 5, division 2 – ask for the decision or the reviewed decision to be stayed.

Duration of Decision

There is no guarantee of continuation of road access arrangements, as ongoing access is dependent upon ensuring the ongoing safety and efficiency of the state-controlled road network.

2. Road Access Works (TIAs33)

The permitted Road Access Works are for the purpose of:

- a. Construction of a new access to Lot 357RS686,
- b. Minor clearing of vegetation for visibility purposes

The permitted Road Access Works shall be carried out in accordance with:

- a. TMR Standard Drawing PD-RPA001 - Rural Property Access which conforms to Austroads Guide to Road Design Part 4, Figure 7.2 rural property access.
- b. TMR Standard Works Conditions – Road Access Works

The following documents are to be returned / submitted to this office prior to commencement of works:

- a. Acceptance of Road Corridor Permit Conditions (enclosed)
- b. Proof of public liability insurance of no less than \$10,000,000
- c. Traffic Disruptions Permit application (enclosed)
- d. A bond to the value of \$1,000 (refer bond requirements in *TMR Standard Works Conditions*)

This letter, as conditional approval to construct, must be made available to Transport and Main Roads inspectors at any time during construction.

Once your structure (access) is in place please contact this office so that an inspection can take place. Providing conditions are met, a Road Corridor Permit will be issued.

Sunset Clause – Approvals and conditions on road access works within the road reserve will lapse after a 12 month period from the date of this conditional approval letter and will require re-submission after that time.

Approval is in accordance with the provisions of:

- s62 and s33 of the *Transport Infrastructure Act 1994 (Qld)*
- TMR Manual of Uniform Traffic Control Devices (MUTCD)
- TMR Access Policy

If you need any further assistance please contact Ron Kaden of this office on 07 4045 7151.

Yours sincerely



Brett Martin

Manager (Project Planning and Corridor Management)

As authorised delegate of the Director-General of the Department of Transport and Main Roads.

Enclosed TMR Layout Plan (655 - 22.70km) dated 22/12/2015
 TMR Standard Drawing PD-RPA001
 TMR Standard Works Conditions – Road Access Works
 Acceptance of Road Corridor Permit Conditions
 Traffic Disruptions Permit Application
 s.70 *Transport Infrastructure Act 1994 (Qld)*



Road Access Location
Approx 25m from the southern side boundary of Lot 357SR686
(Approx 1.35km north of Norms Road) (TDat 22.70km RHS)
Access Restrictions:
Vehicles must enter and exit the subject land in a forward direction only
Vehicles of maximum size single body truck

Corridor Management/Far North Region

Brands/Unit

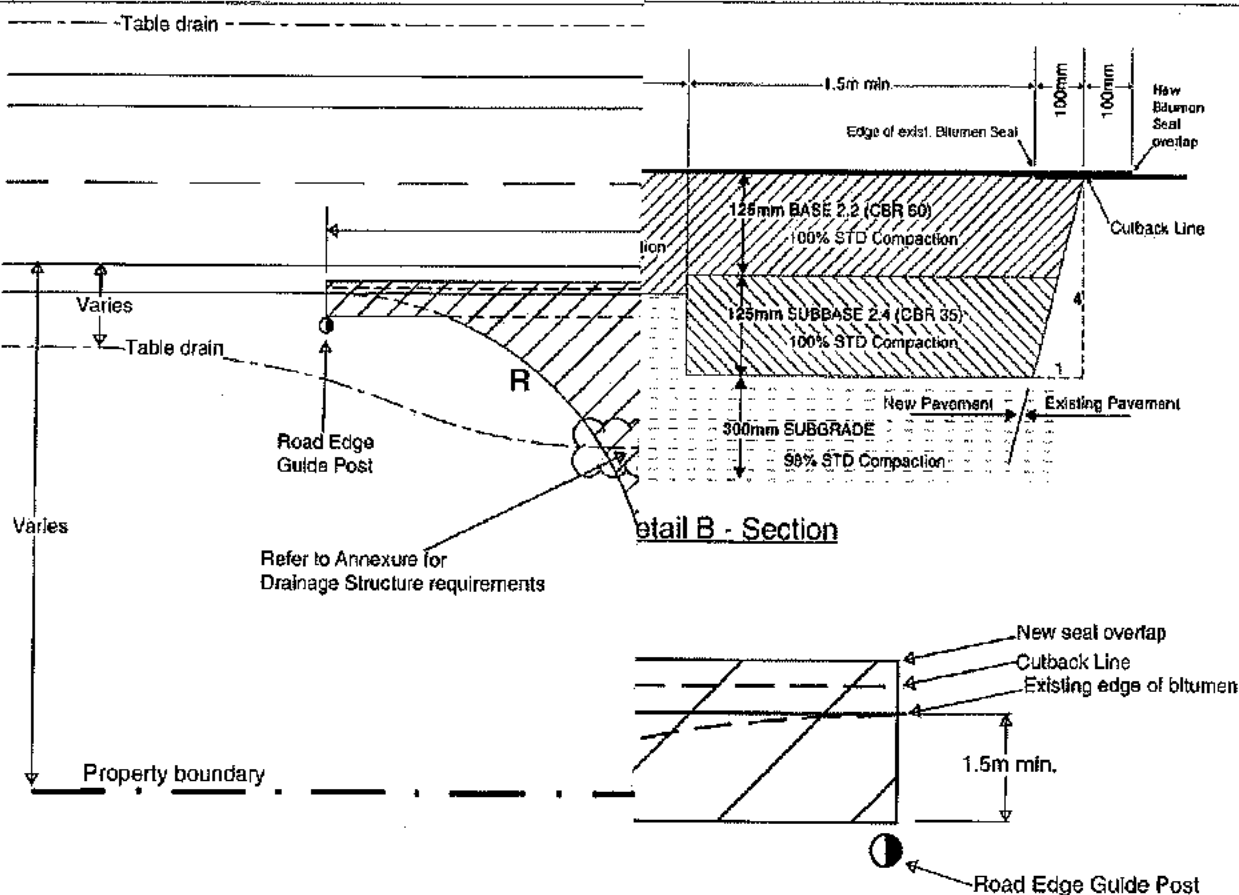
Project/Unit

SUBJECT LAND

TMR Layout Plan (655 - 22.70km)

Queensland Government
Transport and Main Roads

Plan No	1 / 1	Issue	A	Date	22/12/2015
Drawn by	RPK	File ref	275655 (500-920)		



Detail C - Plan
Typ

Seal

Bitumen Seal (2 Coat - Same Day)

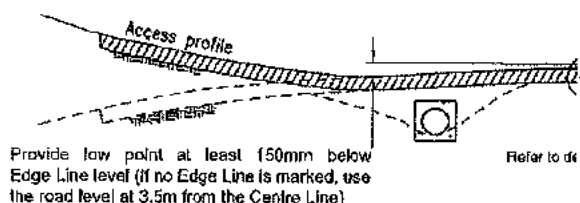
- First Coat: C170 (10% cutter) at 1.5L/m²
Cover Aggregate 14mm @ 95m²/m³
- Second Coat: C170 (5% cutter) at 1.2L/m²
Cover Aggregate 10mm @ 120m²/m³

(Application rates may need to be adjusted to suit site conditions)
New Bitumen Seal to overlap 100mm past Culback Line.

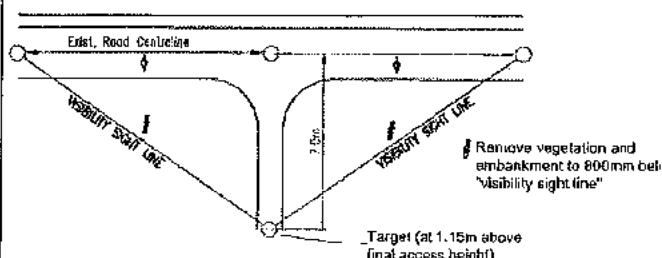
Asphalt (if used) shall be DG10mm or DG14mm at 30mm min. depth.
New Asphalt must join smoothly to Culback Line.

All work is to be carried out to Department of Transport and Main Roads Technical Standards and specifications, including

- MRTS02 Provision for traffic
- MRTS03 Drainage, retaining structures and protective treatments
- MRTS04 General earthworks
- MRTS05 Unbound pavements
- MRTS11 Sprayed bitumen emulsion surfacing
- MRTS14 Road furniture
- MRTS16 Landscape and revegetation works (A to E)
- MRTS17 Bitumen
- MRTS20 Cutback bitumen
- MRTS22 Supply of cover aggregate
- MRTS30 Dense graded and open graded asphalt pavements
- MRTS51 Environmental management
- MRTS70 Concrete
- MRTS71 Reinforcing steel
- Annexure to this drawing
- Standard Drawings



Section A-A



Visibility triangles - Plan

Limitation

These access details are suitable for vehicles of maximum size equivalent to Single Unit Truck (Rigid Body)

Visibility along Road Centre Line

- Minimum sight distance
- 250m (100km/hr zone)
- 175m (80km/hr zone)
- 125m (60km/hr zone)
- unless otherwise specified in the annexure.

DRAWING NOT TO SCALE

Standard Drawing
Rural Property Access

PD-RPA001

A B



TMR Standard Works Conditions

Road Access Works

Department of
Transport and Main Roads

Conditions of approval for works within state-controlled road boundaries by owners / developers in accordance with the *Transport Infrastructure Act 1994* s33

For the purpose of this document, Department of Transport and Main Roads is abbreviated to TMR.

1.	Contractor	2
2.	Notice of Work to Commence	2
3.	Traffic Disruptions	2
	a) Traffic Disruptions Permit	2
	b) Interference with traffic flows	2
	c) Traffic Management Registration Scheme	2
4.	Works	2
5.	Services	3
6.	Line marking	3
7.	Lighting	3
8.	Urgent Works	4
9.	Variations to Approved Work	4
10.	Suspension of Work	4
11.	Sealing	4
12.	Revegetation	4
13.	Practical Completion	5
14.	Maintenance Period	5
15.	Bond	5
	a) Submission	5
	b) Return	5
16.	Costs	5
17.	Sunset Clause	5

1. Contractor

All works shall be carried out by a competent Contractor who is acceptable to TMR.

Advice of acceptability of the Contractor must be obtained from TMR prior to work commencing.

TMR, as the authority responsible for the worksite, advise that you (the owner) are appointed as Principal Contractor for the works.

As Principal Contractor, you are required to comply with all provisions of the Workplace Health and Safety Act.

2. Notice of Work to Commence

TMR is to be notified a minimum of 5 working days prior to commencement of work.

3. Traffic Disruptions

a) Traffic Disruptions Permit

A Traffic Disruptions Permit is to be obtained prior to any works being undertaken, whether Traffic Control is required or not.

Traffic Disruptions Permit applications are to be submitted;

- Where works are being carried out within the state-controlled road reserve, or
- Where the safety and efficiency of the state-controlled road is affected, and
- To avoid any possible works conflicts.

b) Interference with traffic flows

Where it is necessary to interfere with traffic flows, the following conditions apply.

In the interests of the general community, traffic delays are to be avoided during peak flow periods, which shall be:-

Monday to Friday	7.00 am to 9.00 am
	4.00 pm to 6.00 pm
	(3.00pm to 6.00pm between Gordonvale and Buchan's Point)
Saturday	8.00 am to 12.30 pm

These curfew hours only apply to the peak flow direction.

Traffic delays are allowed during off-peak periods subject to;

- Traffic Disruptions Permit conditions.
- Press statements issued prior to any off peak traffic delays occurring. Press statements are to be reviewed and approved by TMR prior to release.

c) Traffic Management Registration Scheme

The scheme is applicable to organisations that provide 'traffic control services' on, or for, state-controlled roads. This includes;

- the provision of traffic management around roadwork sites including the setting up of road signage and devices on roads,
- operational traffic control (managing the flow of traffic around roadwork sites and other road sites),
- the design, auditing and provision of traffic management plans and traffic guidance schemes (this includes organisations that provide traffic management plans, designs or drawings to principal contractors; to third parties; or to traffic management companies).

Companies must be registered in the scheme if they provide traffic management services on state-controlled roads.

4. Works

All works within the state-controlled road reserve shall be carried out to, and comply with;

- Department of Transport and Main Roads Technical Specifications (MRTS), including;
 - Construction Procedures

- Testing Frequencies
- Workplace Health and Safety Act
- Manual of Uniform Traffic Control Devices (MUTCD)
- Environmental Protection Act, and
- Any other Act or Local Government requirements which may be relevant to these works.

5. Services

The owner, developer &/or contractor shall be responsible for liaison with all other Service Authorities, and shall repair any damage incurred as a result of the works.

For road maintenance and safety purposes, any pit or valve box within the state-controlled road reserve shall be constructed such that it is flush with existing surface levels and is clearly indicated with a marker.

All road crossings of sealed roads within the state-controlled road reserve shall be jacked or bored in accordance with Department Drawing No. QP3 (3/99).

The method of jacking or boring is to be such that no gaps greater than 5mm exist between the outer surface of the enveloper and the surrounding material (to avoid subsidence problems).

All water main crossings of two lane state-controlled roads shall be encased within an enveloper pipe which extends at least 8.0 metres either side of the road centreline. Water mains which cross roads with more than two lanes shall have envelopers which extend the full width of the reserve.

Enveloper pipes constructed of materials other than steel, e.g. Class 12 UPVC or concrete, may be used subject to TMR approval.

Where pavement markings are required for jacking/boring operations, they shall be made with chalk. Spray paint or other forms of permanent marking shall not be permitted.

Entry or exit trenches for boring operations shall be a minimum of 2m from the base of any roadway embankments.

To help reduce the possibility of future relocation works and/or damage during future road works, a minimum cover of 1200mm below existing natural or man made surface levels shall apply as shown on Department Drawing No. QP3 (3/99).

6. Line marking

Where pavement marking is required as part of the approval conditions, it shall be carried out in accordance with the;

- *Manual of Uniform Traffic control Devices (MUTCD)*, and

7. Lighting

Where lighting is required as part of the approval conditions, the lighting is to be erected and operating prior to the opening of the works.

Lighting shall comply with;

- a) The Electrical Safety Act and Regulations 2002
- b) Australian Standard AS1158.1.1 2005 (Lighting for roads & public spaces)
- c) AS3000 2000 (Australian wiring rules for electrical installations)
- d) TMR Road Planning and Design Manual Chapter 17
- e) TMR Technical Specifications;
 - MRTS11.91 Conduits and Pits
 - MRTS11.92 Traffic Signal and Road Lighting Footings
 - MRTS11.94 Road Lighting
 - MRTS11.95 Switchboard and Cables

- f) TMR Standard Drawings
- g) Region specific standards, notes and drawing details (made available on request)

8. Urgent Works

Emergent circumstances may arise in connection with the construction and / or maintenance of the works.

The owner / developer / contractor shall be advised if (in the opinion of TMR) any remedial, protective, repair or other like work is deemed to be urgently required for;

- safety reasons, or
- to prevent damage or loss to the works, or
- to the Contractor.

If, upon being advised of such urgency, the Contractor is unable or unwilling to carry out such work immediately, TMR may arrange for the work to be carried out by others.

If the work arranged is that which TMR determines is work that was required to be carried out by the owner / developer, all costs incurred by TMR in respect of carrying out the work shall be recoverable from the owner / developer / contractor or be deducted from the bond as a debt due to TMR.

9. Variations to Approved Work

If, during the work, it is considered necessary that the approved work be varied, the owner / developer shall obtain TMR approval prior to proceeding.

10. Suspension of Work

The owner / developer shall suspend all or any part of the work on written order from TMR.

11. Sealing

Prior to bitumen sealing the owner / developer / contractor shall submit a Seal Spray Rate Sheet complying with the *Austrroads Sprayed Seal Design Manual* to TMR.

TMR approval is required prior to sealing.

12. Revegetation

Any hole, pit, depression, hollow or such like shall be filled to the level of the surrounding ground surface with similar type material. Material shall be compacted relative to the surrounding material type.

All disturbed areas are to be stabilised and revegetated.

On slopes less than or equal to 1:4 (V to H) conventional revegetation techniques can be used.

On slopes greater than 1:4 (V to H)

- Wet areas (e.g. Cairns, Kuranda, Innisfail, Mossman) the use of a bonded fibre matrix hydro mulch and approved grass species is appropriate.
- Dry areas (e.g. Mareeba, Herberton, Cooktown) the use of straw mulch, tackifier and approved grass species is appropriate.

Advice should be obtained from TMR's Environmental Officer for large scale disturbance, work in sensitive areas, or erosion prone environments.

A list of approved species for planting can be obtained from the TMR Road Maintenance Code of Practice (available on request).

Particular attention is to be given to;

- Not allowing the site to erode or sediment to leave the site
- Flora and fauna both on and adjacent to the site be protected, with as little disturbance as possible
- Adherence to all relevant environmental legislation

13. Practical Completion

Works within the boundaries of the state-controlled road reserve are deemed to be completed on receipt of a letter of Practical Completion from this office.

This will not be issued until;

- Advice from the owner / developer that the works have been completed in accordance with the plans and specifications.
- All surplus materials are removed from the state-controlled road reserve, and the site left in a clean and tidy condition to TMR satisfaction.
- An inspection of the works is carried out by TMR and found to be compliant
Should the works not be fully in accordance with the construction requirements (including pavement-marking, signing and street lighting), then no letter of Practical Completion will be issued until such deficiencies are corrected.

14. Maintenance Period

The owner / developer shall be responsible for the maintenance and repair of all works within the state-controlled road reserve carried out under this approval for a period of 12 months from the date of issue of the letter of Practical Completion.

If satisfactory maintenance is not carried out within this period, TMR may carry out any necessary works, and the whole of the cost of such works incurred will be recovered from the owner / developer.

If it has been necessary to maintain part or all of the works during the maintenance period, TMR may extend the maintenance period for that portion of the works requiring maintenance.

It remains the responsibility of the owner / developer to maintain the approved access works for the entire permit period.

15. Bond

a) Submission

Information required with the bond;

- Name
- Physical address
- ABN (if available)

The bond may be submitted in the form of cash, cheque or bank guarantee.

Bank guarantees are to be submitted in two separate forms, each to the value of 50% of the total bond, with no termination date, and must be made out to "The State of Queensland acting through the Department of Transport and Main Roads (Beneficiary)"

b) Return

The bond will be returned in two stages, 50% following Practical Completion, and the remaining 50% at the end of the maintenance period.

The entire bond may be retained until rectification works are carried out, or significant defects require extension of the maintenance period.

A copy of the registered plan of subdivision (where applicable) is to be submitted to TMR prior to release of any remaining bond at the end of the maintenance period.

16. Costs

TMR will not contribute to the cost of any works.

Any damage to the state-controlled road / road reserve during construction, operation, maintenance or removal of; or in relation to; these works shall be repaired to the satisfaction of TMR.

17. Sunset Clause

Approvals and conditions on works within the road reserve will lapse after a 12 month period from the date of this conditional approval letter and will require re-submission after that time.

Acceptance of Road Corridor Permit conditions

Road Corridor Permit reference 275/655 (500-920)

Conditions as per letter dated: 22 December 2015

I/ We _____
(the applicant/s)

- (i) have read the approval conditions in respect of my/our application and agree to comply with those conditions
- (ii) as a condition and in consideration of approval, will indemnify and keep indemnified, the State of Queensland acting through the Department of Transport and Main Roads, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of the application.

"Losses" include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort¹ (including, but not limited to, negligence) or under a statute, and also includes:

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

For individual applicants

Date

Signature/s.....

.....

For corporate applicant

Date

Executed in accordance with the *Corporations Act 2001 (Cth)*
section 127 by:

(Company name and ACN)

Signed
(Director)

Name in full

Signed
(Director/Secretary)

Name in full

¹ **Tort** -noun *Law*.

a civil injury, actionable by a private individual, as opposed to a criminal wrong, actionable by the State.

Far North Queensland Region

Program Delivery and Operations
Traffic Management Centre

Approval
Issue Date: February 2013
Version 3.0
ROP-01B

Traffic Disruption Permit Application

Important Information

- A minimum of 5 working days is required to process the application. Any amendments required to the application may result in the full 5 working days processing period recommencing which may delay the proposed start date.
- The application shall be **completed in full and submitted with all mandatory attachments**. An incomplete application will not be processed.
- The implementation of the TMP/TGS shall be by a Traffic Management Company **currently registered** with TMR.

Details of Application

Application Type	<input type="checkbox"/> New Application / Notification of Disruption <input type="checkbox"/> Amendment or Extension to Existing Application [] (Initial Permit Number)		
Principal Contractor		ABN	
Principal Contractor Contact		Telephone	
Authorised Representative of Principal Contractor	Single point of contact for the processing of the application	Telephone	
		Mobile	
Email		Fax	
Emergency Site Contact	(Contact must be available 24hrs)	Mobile	
Traffic Control Co.		Traffic Control Co. Registration No.	

Nature of Work

- ☐ **Major Road Construction** authorised by TMR (e.g. new cable under road, new installation, development access)
- ☐ **Works** not requiring works TMR authorisation (e.g. minor residential installations, minimal impact to traffic)
- ☐ **Road & Infrastructure maintenance** authorised by TMR (e.g. repairs, inspections, RMPC)
- ☐ **Events** (Cycle events, Charity walks, Festivals etc)

General description of activity requiring traffic control (include type of activity, specific works requiring traffic control and broad description of the overall job)

Road Name(s)												Suburb															
Does this work affect Wide Load and/or Weight Restrictions:						<input type="checkbox"/> Yes (provide information below)						<input type="checkbox"/> No (no further action)															
Details Required:																											
Available Width						Available Height						Maximum Mass															
General description of location requiring traffic control (include any specific requirements as contained in the Traffic Guidance Scheme)												No. of lanes closed		0		1		2		3		4		5		6	
												Other (e.g. detours)															
												Direction of Closure (as required)															
												<input type="checkbox"/> North Bound								<input type="checkbox"/> Northeast Bound							
												<input type="checkbox"/> East Bound								<input type="checkbox"/> Southeast Bound							
												<input type="checkbox"/> South Bound								<input type="checkbox"/> Southwest Bound							
												<input type="checkbox"/> West Bound								<input type="checkbox"/> Northwest Bound							
Requested Chainage		From:				To:				<input type="checkbox"/> In Bound				<input type="checkbox"/> Out Bound													
Requested Dates		From:				To:				<input type="checkbox"/> Traffic Control undertaken on weekdays and/or																	
Requested Hours		From:				To:				<input type="checkbox"/> Traffic Control undertaken on weekends																	
Total Expected Duration of Traffic Control						weeks						days				hours											



Far North Queensland Region

Program Delivery and Operations
Traffic Management Centre

Approval
Issue Date: February 2013
Version 3.0
ROP-01B

Traffic Disruption Permit Application

Conditions of Application: Mandatory Attachments (tick to confirm the following have been completed and included with application)

- ☐ **TMR Approval to proceed with works** Correspondence from TMR addressed to the Principal Contractor authorising the works
- ☐ **Traffic Guidance Scheme** A plan (minimum size A4 with sufficient locality details) that details the traffic control devices to be implemented in accordance with the provisions of the MUTCD Part 3 (current edition) and MRTS02 "Provision for Traffic".
- ☐ **Street Map** A photocopy of a street directory, Google map, or equivalent (e.g. geographical), showing the location of the works.

Conditions of Application:

1. Traffic Control Companies are to be registered as per the Traffic Management Registration Scheme. Access details at the following web site, <http://www.tmr.qld.gov.au/Business-and-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx>
2. The signatory warrants that he/she shall be authorised to sign on behalf of the Principal Contractor.
3. No Works/Maintenance/Event shall commence until an approved signed Traffic Disruptions Permit is issued and received by the Principal Contractor.
4. TMR does not accept any responsibility for damage to or repair work resulting from the activities carried out by the approved Principal Contractor or a person acting on behalf of the approved Principal Contractor.
5. The Principal Contractor shall be responsible for all aspects of site control and safety.
6. **The Principal Contractor shall notify the Traffic Management Centre (TMC) by telephone (07 4050 5544) at the following times:**
 - **At the commencement of traffic control (i.e. implementation of the daily Traffic Guidance Scheme) and upon completion of traffic control for EACH working day/night**
 - **Immediately in the event that there is any unexpected disruption to traffic or a traffic incident at or near the site**
 - **Upon any delays to completion requiring an extension to the original permit requirements**
 - **Upon final completion of project/job.**

The Principal Contractor shall quote the Traffic Disruptions Permit Number when liaising with the Traffic Management Centre.

Upon receipt of a Traffic Disruptions Permit:

1. The Principal Contractor shall ensure the Traffic Disruptions Permit is available for inspection at the work site during the traffic control.
2. The Principal Contractor shall obtain a police permit from QPS where required (allow for processing of police permit prior to commencing works)
3. The Principal Contractor shall notify the respective LGA where local roads are affected by the traffic control.
4. The Principal Contractor shall notify Emergency Services of the traffic control if applicable.
5. The Principal Contractor shall engage a Registered Traffic Control Company to implement traffic control. The Principal Contractor, through the Traffic Control Company, is to monitor the traffic flow. Should there be significant queuing, the Principal Contractor shall clear the lane and allow the traffic queues to clear before resuming work within the road corridor. No lane shall be used for stockpiling of material unless otherwise authorised by TMR through correspondence.
6. On completion of the works, the road shall be left in a neat and tidy manner, to the satisfaction of the TMR representative. TMR does not accept any liability or responsibility for damage incurred to the TMR asset/s carried out by the Principal Contractor or a person acting on behalf of the Principal Contractor. The Principal Contractor shall be liable for all costs expended in repairing damage to TMR asset/s.
7. The Principal Contractor shall adhere to the necessary conditions as specified by TMR. A copy of the conditions shall be obtained from TMR or Principal Contractor to undertake the works on behalf of TMR prior to commencement of work and kept on site for the duration of the work.

Signature of Authorised Representative of Principal Contractor	Date
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For general enquiries, contact the Traffic Management Centre on 07 4045 7244

Submission of applications

Email: cairns.traffic.disruptions@tmr.qld.gov.au
Fax: 07 4045 7143

Traffic Management Centre use only

TMC Operator to check for possible conflict			
Comments:			
Approval:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes with special considerations		
Special Considerations:			
Assessor Name:		Signature:	Date:
Traffic Disruption Permit Number		Date entered into SIMS:	



- (4) A person given a direction under subsection (2) must comply with the direction.

Maximum penalty for subsection (4)—200 penalty units.

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.