



Town Planning and Project Services

17 July 2025

Chief Executive Officer  
Douglas Shire Council  
64-66 Front Street  
MOSSMAN QLD 4873

Attn: Manager Environment and Planning  
Via email: [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

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**RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SINGLE MULTIPLE DWELLING (INCLUDING EXISTING SHORT TERM ACCOMMODATION RIGHTS) AT LOT 4, 16 WARNER STREET, PORT DOUGLAS**

Aspire Town Planning and Project Services ('Aspire') has been engaged by Pacific International Investments (Aust) Pty Ltd A.C.N. 086 149 493 (the 'landowner') to prepare this Development Application for a Development Permit for a Material Change of Use for a Multiple Dwelling 16 Warner Street, Port Douglas, which is more formally described as at Lot 4 on SPI68541.

The purpose of this application is to enable the dual key apartment within the Mantra Heritage complex to be lawfully used as either a short-term holiday let or a permanent residence. No building work or changes to the existing built form or common property are proposed.

In addition to the Town Planning Assessment, which proceeds, in support of this Development Application please find attached:

- Duly completed DA Form 1 and Title Certificate (Attachment 1);
- Survey Plan (Attachment 2); and
- Community Management Statement (Attachment 3).

This application is made under the provisions of the *Planning Act 2016* and *Planning Regulation 2017* and is subject to Code Assessment. The prescribed fee under Douglas Shire Council's 2025/26 Fees and Charges Schedule is \$372. It is respectfully requested that Council issues an Invoice to facilitate payment directly by the Applicant.

**1.0 Executive Summary**

This Development Application is for a Material Change of Use for a Multiple Dwelling and continuing existing use rights including Short Term Accommodation for the existing unit at 16 Warner Street, Port Douglas, formally described as Lot 4 on SPI68541 (the 'unit'). The unit complex within which the unit is located is commonly known as the Mantra Heritage.

The Current Registered Landowner of the unit is Pacific International Investments (Aust) Pty Ltd A.C.N. 086 149 493.

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The Development Application seeks approval to allow the unit to be used for both short term holiday accommodation and permanent residential occupation. The unit is located within the Centre Zone and triggers Code Assessment under the Douglas Shire Planning Scheme 2018 v1.

The subject unit is configured as a dual key apartment, comprising two separate units, one self contained and another motel unit style. The apartment contains a kitchen, bathroom and laundry facilities. It has a total internal area of 107m<sup>2</sup> with dedicated outdoor space of 71m<sup>2</sup> available via balcony areas. The unit has two allocated parking spaces located within the basement car park totalling 28m<sup>2</sup>, as detailed in the Survey Plan.

The following sections provide a more detailed description of the site particulars and Town Planning review against the applicable provisions of the Douglas Shire Planning Scheme 2018 v1, and should be read in conjunction with the supporting information included within the listed Attachments.

The application is submitted for Douglas Shire Council (the 'Council') approval subject to reasonable and relevant conditions. Where the Council is supportive of the Development Application, it would be appreciated if draft conditions could be provided for review prior to the issue of a Decision Notice, as an opportunity to avoid the need to engage in a Negotiated Decision Notice.

## **2.0 Site Characteristics and Surrounds**

### **2.1 Locality**

The subject site is located at 16 Warner Street, Port Douglas, and is formally described as Lot 4 on SP168541. The lot is part of the Mantra Heritage Resort complex, a multi-unit development occupying a centrally positioned site within the Port Douglas town centre.

The site is bounded by Warner Street to the west and Macrossan Street to the north and is positioned within the established commercial and tourism precinct.

The subject unit (Lot 4) is situated within the Warner Street frontage of the complex, with pedestrian access directly off Warner Street and internal connectivity through the broader resort. The unit is part of a dual key configuration, comprising two adjoining units. It includes two dedicated car parking spaces located within the basement car park, as shown on the Survey Plan and Community Management Statement accompanying this application.

The unit is situated within walking distance of a range of shops, restaurants and everyday services, including a local grocery store and other retail outlets along Macrossan Street. The site also benefits from convenient access to nearby open space and recreational opportunities, including Dixie Park, Market Park, Rex Smeal Park, Four Mile Beach and the Flagstaff Hill Walking Trail.



Figure 1: General location of subject unit (source: QLD Globe July 2025)

## 2.2 Zoning Designation

The subject unit is located within the Centre Zone, as identified in accordance with Zone Map ZM 010 of the Douglas Shire Planning Scheme 2018. An extract copy of Zone Map ZM 010 is provided within Figure 2 below.



Figure 2: Planning Scheme Zoning Extract



## 2.3 Local Plan Designation

The subject unit is included within the Port Douglas and Craiglie Local Plan and is identified on Local Plan Map LPM006 as being located within Sub-precinct 1a – Town Centre and the Live Entertainment Precinct. An extract of LPM006 is provided in Figure 3 below.

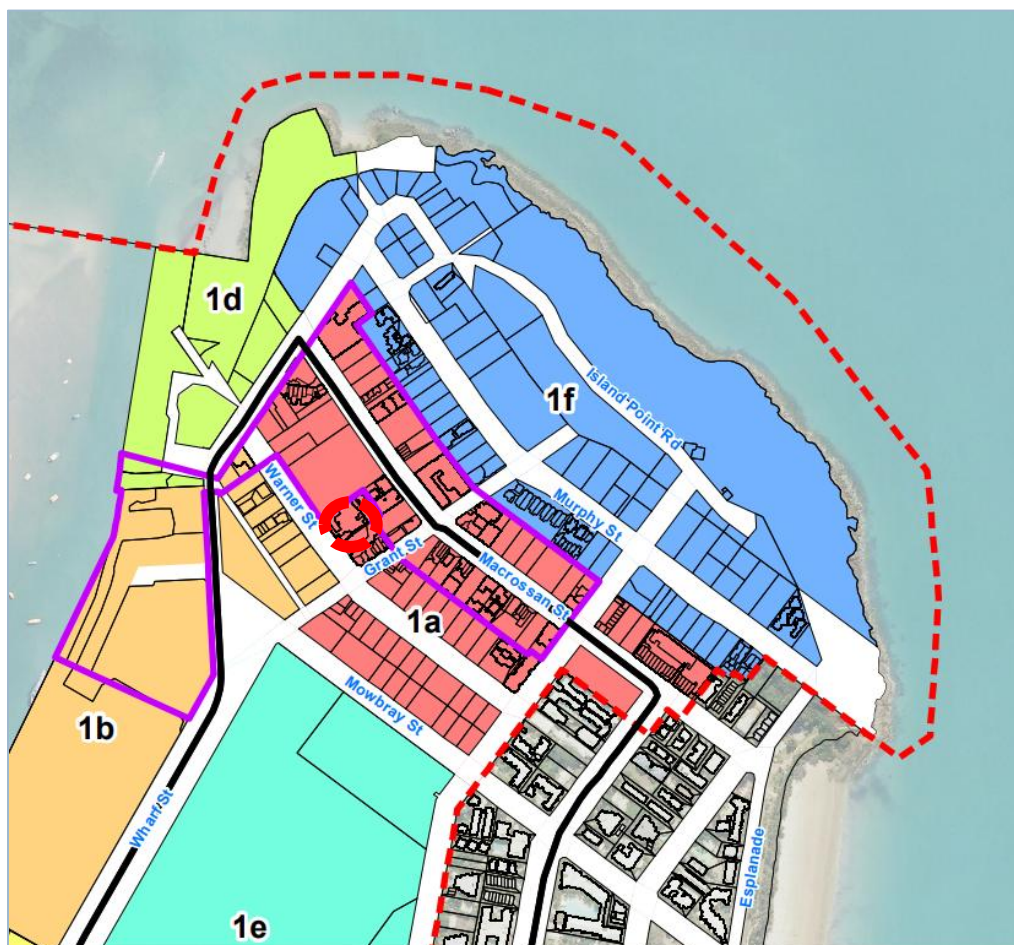


Figure 3: Planning Scheme Local Plan Extract

## 2.4 Easements and Community Management Statement

Review of the Survey Plan confirms that the subject site is encumbered by easements, however these are not relevant to the proposed development.

According to the Survey Plan, the unit has two dedicated onsite parking spaces located within the basement car park. Refer to Attachment 2.

Under the Community Management Statement #30573, the subject unit does not benefit from an exclusive use area. Review of the Community Management Statement confirms that the By-laws do not regulate or restrict short-term or permanent residential occupation of the unit.

## 2.5 Site Features, Built Form, Access and Services

The existing unit complex is known as the Mantra Heritage, a resort-style development fronting Warner Street, Port Douglas. It is professionally maintained and predominantly used for short-term accommodation, offering hotel rooms and self-contained holiday units. Communal facilities include landscaped open space, swimming pools, spa and a barbecue area.

The subject unit is situated along the Warner Street frontage and forms part of a dual key configuration. It comprises:

- One side contains a queen bedroom, a bedroom with two single beds, bathroom, kitchenette and balcony access; and
- The other side contains a queen bedroom, ensuite and a separate entry.

Currently, each side may be let independently or occupied together as a three-bedroom apartment. The unit includes internal living and dining areas, two bathrooms, laundry facilities, and access to shared resort amenities.

Vehicle access is gained via Warner Street. The subject unit includes two dedicated car parking spaces, located within the basement car park, as confirmed on the Survey Plan (Attachment 2). The primary pedestrian access is also via Warner Street, with internal linkages to the central courtyard and resort facilities.

The unit is connected to all standard urban infrastructure, including electricity, telecommunications, reticulated water supply and sewerage.

Photographs of the unit and associated communal facilities are provided below.



**Photograph 1: View from private balcony across Warner Street**



Photograph 2: Main bedroom through to balcony



Photograph 3: Living area





**Photograph 4: Kitchen**



**Photograph 5: Kitchen and dining area**





**Photograph 6: Bathroom facilities**



**Photograph 7: Communal recreational facilities**

### **3.0 Description of Proposed Development**

The proposed development relates to an existing dual key unit within the Mantra Heritage, Port Douglas. This application seeks to maintain the existing land use rights afforded under the original Development Permit and to allow greater flexibility in terms of seeking additional approval for a single Multiple Dwelling unit. The intent is to allow the subject unit to be permanently occupied as a place of residence, or alternatively holiday let, depending on the preferences of the unit owner or occupant.

The site is currently adequately serviced in terms of connection to existing urban infrastructure services, as well as access to communal recreational facilities including landscaped grounds, swimming pools and BBQ area. No changes are proposed to the built form or existing layout of the unit. Internal photographs are included above.

The unit has two dedicated parking spaces located within the basement car park, which is consistent with the parking requirements for a Multiple Dwelling under the Douglas Shire Planning Scheme 2018 v1.

The unit is designed and fitted out in a way that provides the comfort, functionality and conveniences consistent with a residential Multiple Dwelling. No internal or external building works are proposed or required. The application simply seeks to formalise the ability for the unit to be used on either a permanent or short-term basis.

The landowner is aware that Council has previously given favourable consideration to similar applications for a Material Change of Use (Multiple Dwelling) in nearby unit complexes with comparable layouts and parking arrangements and would greatly appreciate Council's support for this Development Application.

### **4.0 State Planning Considerations**

#### **4.1 State Planning Policies**

The Minister has declared that the Douglas Shire Planning Scheme 2018 v1 appropriately integrates the relevant State Planning Policies. No further assessment is required in this regard.

#### **4.2 FNQ Regional Plan**

The subject site is located within the Urban Footprint designation of the Far North Queensland Regional Plan 2009–2031. The proposed development is consistent with the intent of this designation and does not compromise the strategic outcomes of the regional plan.

#### **4.3 State Agency Referral**

Review of Schedule 10 of the *Planning Regulation 2017* confirms that the proposed Material Change of Use does not trigger referral to the State Assessment and Referral Agency (SARA), or any other referral agency.

#### **4.4 State Assessment Development Provisions**

The State Assessment Development Provisions (SDAP) are not applicable to the proposed development as there are no applicable State Agency referrals.

## 5.0 Local Government Planning Considerations

### 5.1 Douglas Shire Planning Scheme 2018

The subject unit is located within the Centre Zone under the Douglas Shire Planning Scheme 2018. The purpose of this zone is to:

*“provide for a mix of land uses and activities:*

*(a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.*

*(b) Centres are found at a variety of scales based on their location and surrounding activities”*

The proposed development for a single Multiple Dwelling, while also maintaining existing short-term accommodation rights, aligns with the purpose of the Centre Zone by supporting mixed land use, housing diversity and economic flexibility within the Port Douglas township. The unit is located in a highly accessible, walkable area close to shops, services and recreational facilities and is capable of supporting either permanent occupation or holiday letting without any changes to built form or servicing.

On this basis, it is submitted that the proposed development for a single Multiple Dwelling (and existing short term accommodation rights) directly aligns with the purpose of the zone.

### 5.2 Port Douglas/Craigie Local Plan

The subject unit is located within Sub-precinct 1a – Town Centre of the Port Douglas and Craigie Local Plan. This sub-precinct is focused on facilitating tourist, retail, dining and entertainment activities at an appropriate pedestrian scale that supports the role and function of Macrossan Street and surrounding town centre areas.

The proposed development aligns with the intent of Sub-precinct 1a by preserving short-term accommodation use rights, while enabling greater flexibility through the addition of a permanent residential use. The proposed Multiple Dwelling designation would support the ongoing use of the unit without requiring physical change to the built form and would maintain activation and presence within the town centre zone. The development is small in scale and sympathetic to surrounding land use patterns.

On this basis, it is submitted that the proposed development supports the activation of Macrossan and Warner Streets and compliments other existing residential land uses within the streetscape.

### 5.3 Level of Assessment

In accordance with Part 5 – Tables of Assessment of the Douglas Shire Planning Scheme 2018, the proposed Material Change of Use for a Multiple Dwelling within the Centre Zone and Sub-precinct 1a of the Port Douglas/Craigie Local Plan triggers Code Assessment.

### 5.4 Relevant Codes

Review of the Douglas Shire Planning Scheme 2018 confirms that the following overlays are applicable to the subject unit:

- Acid Sulphate Soils Overlay;
- Coastal Environment Overlay;
- Flood and Storm Tide Hazard Overlay; and
- Transport Network Overlay.



In preparation of this Development Application, a detailed assessment of the proposal has been carried out against the relevant planning scheme provisions. However, given the nature of the proposal being located within an existing established unit complex and the limited relevance of the above listed overlays and development codes, a full detailed written code assessment has not been included with this Development Application. If there is a matter not discussed within the Development Application that the Assessment Manager would like further information on, this may be requested informally or through an Information Request.

The following other zone, land use, local plan and development codes are also triggered by the proposed development:

- Centre Zone Code;
- Port Douglas/Craigie Local Plan Code;
- Multiple Dwelling, Short Term Accommodation and Retirement Facility Code;
- Access, Parking and Servicing Code;
- Infrastructure Works Code;
- Landscaping Code; and
- Vegetation Management Code.

Given that the proposed development relates to an existing unit with established vehicle access, two dedicated onsite parking spaces, urban servicing infrastructure, internal landscaping, and pedestrian connectivity, a detailed written assessment against the above codes has not been included. However, with respect to the above zone, local plan, land use and development codes, the following table offers an assessment of specifically those matters of non-compliance.

Assessment Benchmark	Matter of Non-compliance	Comment
<b>Centre Zone Code</b>		
General discussion.	None.	The proposed development relates to a unit within an existing unit complex. The built form, landscaping and setbacks are already established.
<b>Port Douglas/Craigie Local Plan Code</b>		
General discussion.	None.	The proposed development relates to a unit within an existing unit complex. The built form, landscaping and setbacks are already established.
<b>Multiple Dwelling, Short Term Accommodation and Retirement Facility Code</b>		
General discussion.	None.	The external built form is established. The unit is fully self-contained with kitchen, bathroom and laundry facilities. It offers sufficient outdoor living space of 71m <sup>2</sup> . The unit has access to existing communal recreational facilities including pool and BBQ. Also, the unit is within walking distance to other public, outdoor recreational facilities including Dixie Park, Market Park, Rex Smeal Park, Four Mile Beach and Flag Staff Walking Trail.
AO17 A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m <sup>2</sup> per dwelling;	Minimum lockable space of 3.5m <sup>2</sup> is not currently provided within the parking area.	The subject unit is a three-bedroom dual key configuration and includes two dedicated car parking bays on title. These spaces may be partially utilised for the secure storage of items such as bicycles or outdoor equipment. While a purpose-built, standalone storage structure is not provided, the layout of the unit allows for internal storage capacity that is sufficient to meet the everyday

(c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event.		storage needs of permanent occupants or guests. Given the established built form, existing infrastructure, and the limited scale of the proposed land use change, the absence of a dedicated, external storage enclosure is not considered to compromise the functionality, amenity or overall compliance of the development with the purpose and performance outcomes of the code.
<b>Access, Parking and Servicing Code</b>		
General discussion.	None.	The site access and parking arrangement was established under the original Development Permit. Important to note is that the unit has a two dedicated parking spaces allocated on title which achieves code compliance. Bicycle parking can be provided within the actual unit if required or alternatively within the dedicated parking space.
<b>Infrastructure Works Code</b>		
General discussion.	None.	The unit is already serviced by necessary water, sewer, stormwater, road, electricity and telecommunication infrastructure. The proposed development does not require augmentation of existing infrastructure.
<b>Landscaping Code</b>		
General discussion.	None.	The site has existing professionally landscaping. No changes are proposed to the existing landscaping.
<b>Vegetation Management Code</b>		
General discussion.	None.	No existing vegetation is proposed to be removed under this proposal.

If there are any specific matters of non-compliance Council Officers identify and wish to discuss further, opportunity to discuss further or provide supplementary information prior to the issue of a formal Information Request would be greatly appreciated.

## 6.0 Conclusion

This Development Application seeks approval for a Development Permit for a Material Change of Use for a single Multiple Dwelling and continuing existing use rights over land at 16 Warner Street, Port Douglas, formally described as Lot 4 on SPI68541, on the following grounds:

- The proposed development is consistent with and supported by the land zoning and local plan designation;
- The proposal relates to an existing three-bedroom dual key unit, with no changes to built form or external appearance;
- The unit is fully self-contained and provides for the comfort and convenience expected of a Multiple Dwelling use;
- The proposed development does not introduce any new issues of privacy, amenity, servicing or access;
- The unit is serviced by two dedicated car parking bays on title and is connected to all necessary urban infrastructure;
- The proposal complies, or is capable of complying with the applicable elements of the Douglas Shire Planning Scheme 2018 v1; and
- The proposed development is consistent with similar approvals recently granted for other established units within the Port Douglas locality.

It would be greatly appreciated if the Council could provide the applicant with draft conditions prior to the determination of the Development Application to avoid pursuing a potential Negotiated Decision Notice.

Thank you for your time in considering the attached Development Application. If you wish to inspect the property or have any further queries, please contact the undersigned.

Regards,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a series of horizontal strokes.

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Daniel Favier  
Senior Town Planner  
ASPIRE Town Planning and Project Services



**Attachment I:**

**DA Form I and Title Certificate**

# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application 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*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Pacific International Investments (Aust) Pty Ltd A.C.N. 086 149 493
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-06-57 – Grierson – 16 Warner Street, Port Douglas
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

### 3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

#### 3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**  
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
	4	16	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	4	SP168541	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

#### 3.2) Coordinates of premises (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)

**Note:** Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

#### 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

#### 4) Identify any of the following that apply to the premises and provide any relevant details

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable)	



<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).*

- ☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

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

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

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):

Multiple Dwelling (with retention of existing short-term accommodation use rights)

e) Relevant plans

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

- ☒ Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

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

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

- ☐ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):

e) Relevant plans

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

- ☐ Relevant plans of the proposed development are attached to the development application

**6.3) Additional aspects of development**

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

**Note:** This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

**8.1) Describe the proposed material change of use**

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Multiple Dwelling	Multiple Dwelling	1	206m <sup>2</sup>

**8.2) Does the proposed use involve the use of existing buildings on the premises?**

- ☒ Yes
- ☐ No

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ No

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**Division 2 – Reconfiguring a lot**

**Note:** This division is only required to be completed if any part of the development application involves reconfiguring a lot.

**9.1) What is the total number of existing lots making up the premises?**

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**9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)**

<input type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

**Note:** This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Douglas Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

**Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

- ☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity



<input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
<b>Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Ports – Brisbane core port land
<b>Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
<b>Matters requiring referral to the relevant port operator, if applicant is not port operator:</b> <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
<b>Matters requiring referral to the Chief Executive of the relevant port authority:</b> <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

## PART 7 – FURTHER DETAILS

### 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☒ Yes – provide details below or include details in a schedule to this development application

☐ No

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	Unknown		
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

### 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

### 22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- ☒ No

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

### Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.  
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

### Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Water resources**

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

### **Waterway barrier works**

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake under the *Water Act 2000***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

**Note:** See guidance materials at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

### **Decision under section 62 of the Transport Infrastructure Act 1994**

23.14) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

### **Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation**

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

- ☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

**Note:** See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for further information.

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable



**Queensland  
Government**



## 25) Applicant declaration

- ☒ By making this development application, I declare that all information in this development application is true and correct
- ☐ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### QLeave notification and payment

**Note:** For completion by assessment manager if applicable

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50537875</b>	<b>Search Date:</b>	17/07/2025 12:45
<b>Date Title Created:</b>	21/01/2005	<b>Request No:</b>	52621908
<b>Previous Title:</b>	50407276, 50407277		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 4 SURVEY PLAN 168541

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 30573

#### REGISTERED OWNER

Dealing No: 708788914 30/06/2005

PACIFIC INTERNATIONAL INVESTMENTS (AUST) PTY LTD A.C.N. 086  
149 493

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10332031 (ALLOT 15 SEC 2)  
Deed of Grant No. 10332035 (ALLOT 16 SEC 2)  
Deed of Grant No. 10332073 (ALLOT 10 SEC 2)
2. MORTGAGE No 708788915 30/06/2005 at 14:50  
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

## **Attachment 2:**

### **Survey Plan**

708186208

CS 400 NT

\$344.90  
04/11/2004 11:12WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.

Registered

5. Lodged by

Miller Harris  
15 Lake Street  
CAIRNS QLD 4870

(Include address, phone number, reference, and Lodger Code) 715

## 1. Certificate of Registered Owners or Lessees.

1/We THE PORT HERITAGE RESORT PTY LTD  
A.C.N. 092 089 186 (RECEIVERS & MANAGERS APPOINTED)

(Names in full)

\* as Registered Owners of this land agree to this plan and dedicate the Public Use  
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

Receiver and  
MANAGERON BEHALF OF THE RECEIVERS & MANAGERS  
THE PORT HERITAGE RESORT PTY LTD  
A.C.N. 092 089 186

\* Rule out whichever is inapplicable

## 2. Local Government Approval.

\* DOUGLAS SHIRE COUNCIL

hereby approves this plan in accordance with the :

%

Integrated Planning Act 1997

Development Approval Date:

5 March 2004

Dated this Fifteenth day of September 2004

for and on behalf of DOUGLAS SHIRE COUNCIL

MAYOR

CHIEF EXECUTIVE OFFICER

\* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or  
# Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

## 3. Plans with Community Management Statement :

CMS Number :

Name: The Port Heritage Resort

## 4. References :

Dept File :

Local Govt :

Surveyor : 62241-1

## 6. Existing

Title Reference	Lot	Plan	Lots	Emts	Road
50407276	4	SP150459	4 & 5		
50407277	5	SP150459	4 & 5		

## MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
705011663	4 & 5	
705897660	4 & 5	
705897662	4 & 5	
<del>706119979</del>		<del>4 &amp; 5</del>

ALLOT 10 }  
ALLOT 15 } SEC 2  
ALLOT 16 }

4 &amp; 5

Orig

Lots

## 7. Portion Allocation :

## 8. Map Reference :

7965-22231

## 9. Locality :

PORT DOUGLAS

## 10. Local Government :

DOUGLAS SHIRE COUNCIL

## 11. Passed &amp; Endorsed :

By: C &amp; B CONSULTANTS PTY LTD

Date: 17/6/04

Signed: Solomon

Designation: LICENSED SURVEYOR

## 12. Building Format Plans only.

I certify that :

\* As far as it is practical to determine, no part  
of the building shown on this plan encroaches  
onto adjoining lots or road;\* Part of the building shown on this plan  
encroaches onto adjoining lots and roadSolomon 17/6/04  
Licensed Surveyor/Director \* Date  
\* delete words not required

## 13. Lodgement Fees :

Survey Deposit \$

Lodgement \$

..... New Titles \$

Photocopy \$

Postage \$

TOTAL \$

14. Insert  
Plan  
Number

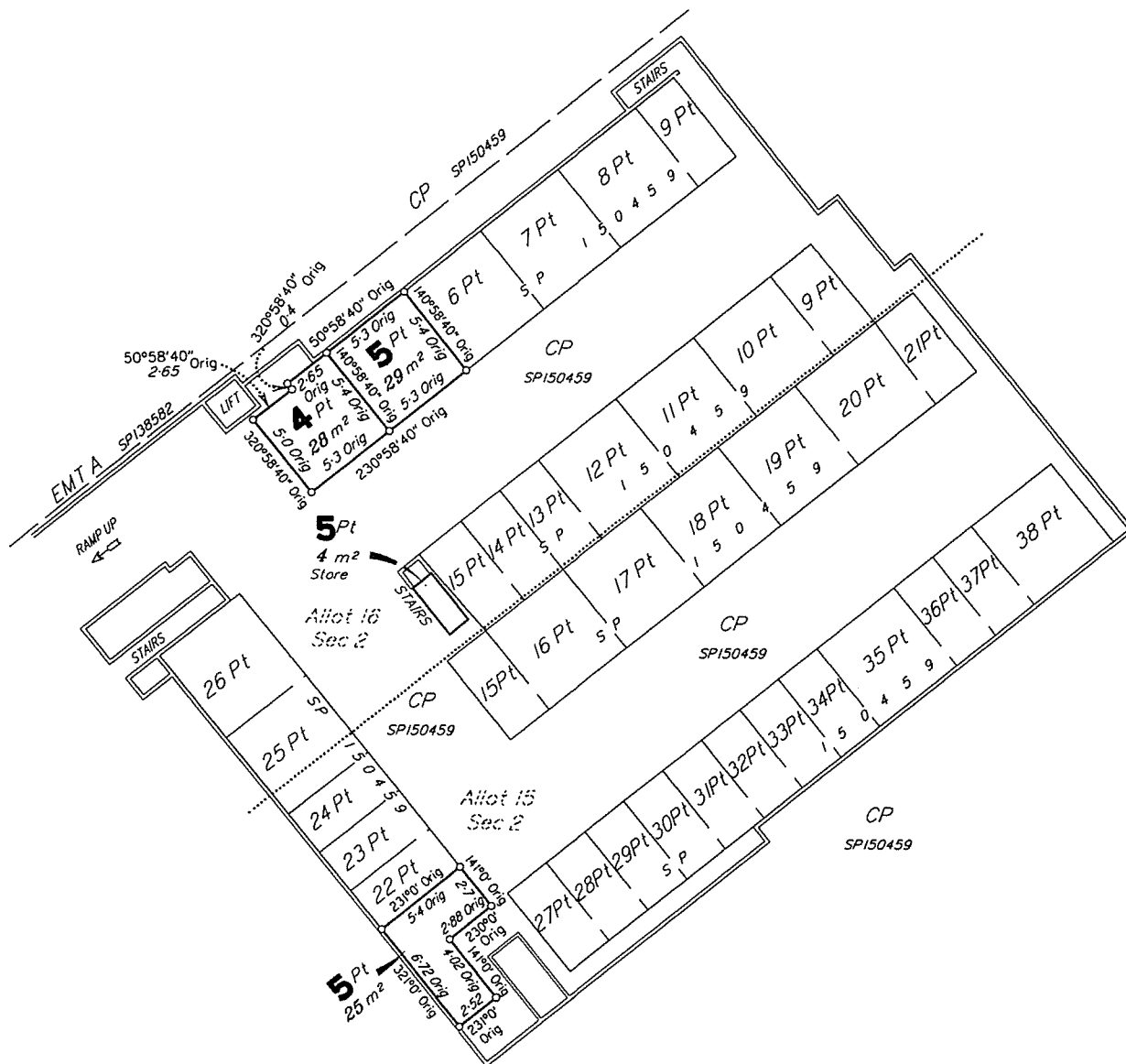
SP168541

Land Title Act 1994; Land Act 1994  
Form 21 Version 2

## SURVEY PLAN

***BUILDING A******LEVEL A***

BASEMENT - GARAGES

Sheet  
1 of 5

Original information compiled from SPI50459  
in the Department of Natural Resources, Mines and Energy.

Scale 1:250 - Lengths are in Metres.

0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36

0 50mm 100mm 150mm State copyright reserved.

C & B CONSULTANTS PTY LTD ACN 055 931 098  
 hereby certify that the Company has surveyed the land  
 comprised in this plan by Adrian Edward SOLOMON,  
 Licensed Surveyor, for whose work the company  
 accepts responsibility, that the plan is accurate, that the  
 said survey was prepared in accordance with the  
 Survey Act 1977 and the Surveyors Regulation 1992  
 and that the said survey was completed on 06-06-2004.



Director and Licensed Surveyor

Adrian Edward SOLOMON

Date 16/6/04

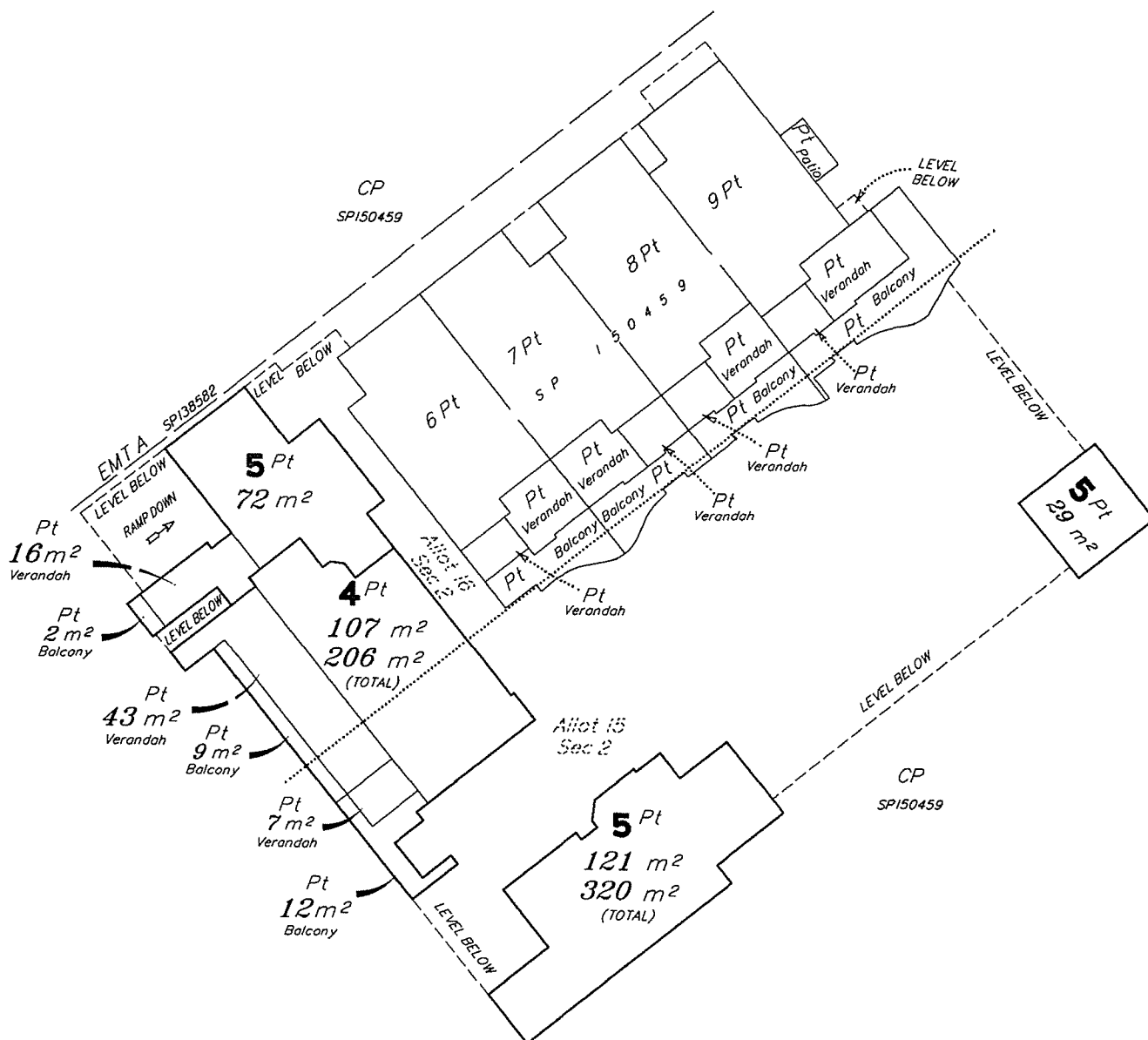
Plan of

***Lots 4 & 5****Cancelling Lots 4 & 5 on SPI50459*PARISH: **SALISBURY**COUNTY: **Solander**Meridian: **SP 105932**F/N's: **NO**Scale: **1:250**Format: **BUILDING****SP168541**

Plan Status:



LEVEL B

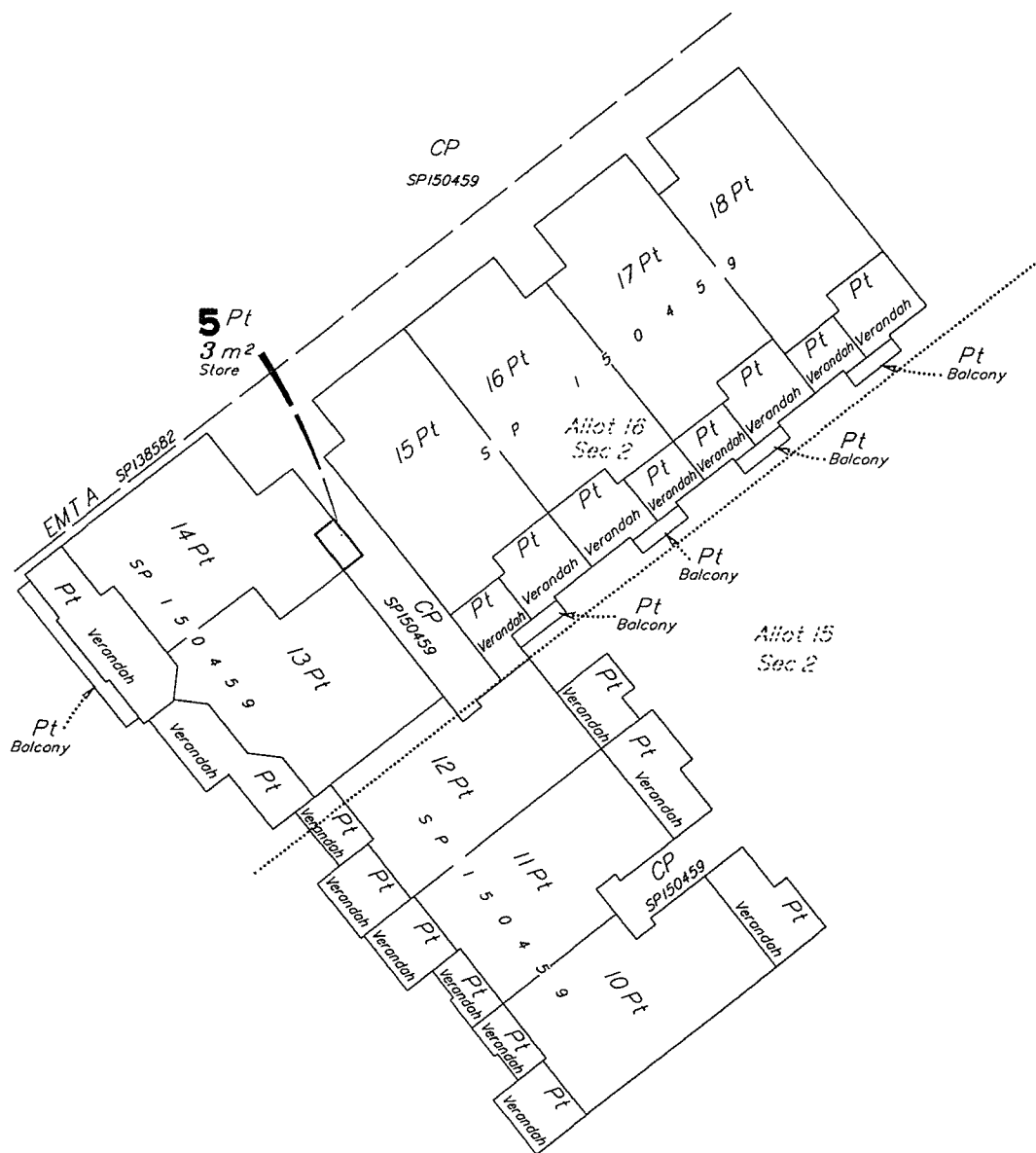


2 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36

Insert  
Plan  
Number

SP168541

LEVEL C



LEVEL  
BELOW

Scale 1:250 – Lengths are in metres.

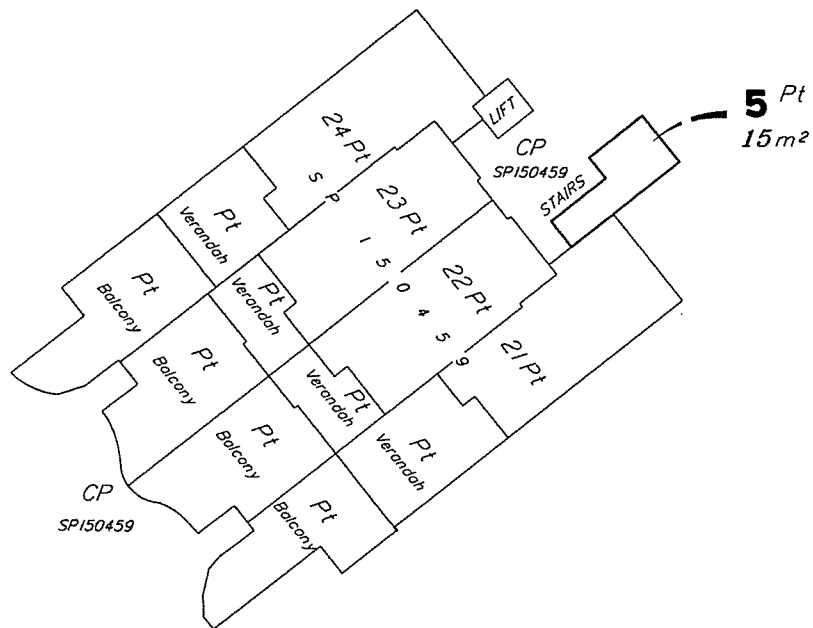
State copyright reserved.

Insert  
Plan  
Number

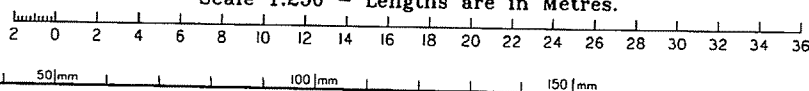
SP168541

BUILDING B

LEVEL A



Scale 1:250 - Lengths are in Metres.



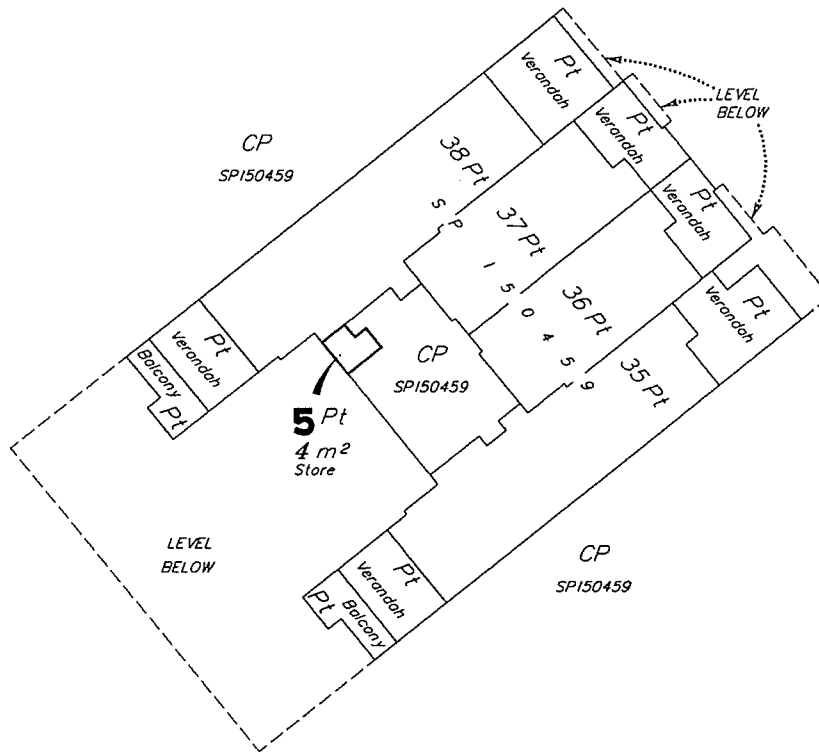
State copyright reserved.

Insert  
Plan  
Number

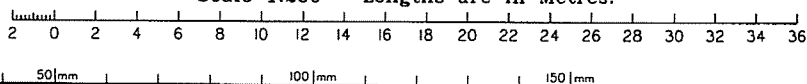
SP168541

BUILDING B

LEVEL D



Scale 1:250 - Lengths are in Metres.



State copyright reserved.

Insert Plan Number **SP168541**

**Attachment 3:**

**Community Management Statement**



## QUEENSLAND TITLES REGISTRY

Land Title Act 1994, Land Act 1994 and Water Act 2000

## GENERAL REQUEST

Form 14 Version 4

Page 1 of 2

Duty Imprint

**722375589**

Filing Number

EL 470 \$101.76

28/03/2023 09:16:10

## OFFICE USE ONLY

Form is authorised by legislation and is used to maintain priority searchable records. For more information see the Department's website.

- |   |   |                               |
|---|---|-------------------------------|
| <b>1. Nature of request</b><br>Request to record new Community Management Statement for The Port Heritage Resort Community Titles Scheme 30573  | <b>Lodger</b> (Name, address, E-mail & phone number)<br>Bolt Burchill Tranter Lawyers<br>Shop 2b, 21-23 Warner Street, Port Douglas Qld 4877<br>Tel: 07 4030 4800 Ref: MPT:JC:220776<br>Email: admin@bbtranter.com.au | <b>Lodger Code</b><br>BE 2836 |
| <b>2. Lot on Plan Description</b><br>Common Property of The Port Heritage Resort Community Titles Scheme 30573  | <b>Title Reference</b><br>50407275  |                               |
| <b>3. Registered Proprietor/State Lessee</b><br>Body Corporate for The Port Heritage Resort Community Titles Scheme 30573   |   |                               |
| <b>4. Interest</b><br>Not Applicable  |   |                               |
| <b>5. Applicant</b><br>Body Corporate for The Port Heritage Resort Community Titles Scheme 30573  |   |                               |
| <b>6. Request</b><br>I hereby request that: the new Community Management Statement deposited herewith which amends Schedule C of the existing Community Management Statement to insert new By Law 26 be recorded as the Community Management Statement for The Port Heritage Resort Community Titles Scheme 30573 |   |                               |
| <b>7. Execution by applicant</b>  |   |                               |

 24/3/23  
 Execution Date

  
 Applicant's or Solicitor's Signature  
 Martin Patrick Tranter, Solicitor

Note: A Solicitor is required to print full name if signing on behalf of the Applicant

Title Reference [ 50407275 ]

Statement about alteration or minor correction to Land Registry Form

**Form being altered or corrected: New Community Management Statement**

**Name of authorised person or solicitor:**

Martin Tranter

**Name of authorised person's firm or employer (legal practice, commercial lender or settlement agency):**

Bolt Burchill Tranter Lawyers

**Item/s being altered or corrected:**

Header on each page

**Details of alteration or minor correction:**

The total page numbering in the header on each page is amended to be 10 pages.

**Party represented (where signed by solicitor):**

Body Corporate

.....  
**Authorised person's or Solicitor's Signature**

30573

SITED WITH:  
AL REQUEST; AND

This statement incorporates and must  
include the following:

- A FORM 18C (IF NO EXEMPTION TO THE  
PLANNING BODY CMS NOTATION APPLIES).  
A NEW CMS MUST BE LODGED WITHIN THREE (3)  
MONTHS OF THE DATE OF CONSENT BY THE BODY  
CORPORATE

Schedule A - Schedule of lot entitlements  
Schedule B - Explanation of development of scheme land  
Schedule C - By-laws  
Schedule D - Any other details  
Schedule E - Allocation of exclusive use areas

Office use only  
CMS LABEL NUMBER

- |  |   |
|--|---|
| 1. Name of community titles scheme<br>The Port Heritage Resort Community Titles Scheme<br>30573        | 2. Regulation module<br>Accommodation Module                      |
| 3. Name of body corporate<br>Body Corporate for The Port Heritage Resort Community Titles Scheme 30573 |   |
| 4. Scheme land<br>Lot on Plan Description<br>See Enlarged Panel<br>Title Reference                     |   |
| 5. #Name and address of original owner<br>Not Applicable   | 6. Reference to plan lodged with this statement<br>Not Applicable |

# first community management statement only

7. New CMS exemption to planning body community management statement notation (if applicable\*)  
Insert exemption clause (if no exemption – insert 'N/A' or 'not applicable')  
Not Applicable pursuant to section 60(6) of the *Body Corporate and Community Management Act 1997*.

\*If there is no exemption or for a first community management statement (CMS), a Form 18C must be deposited with the Request to record the CMS.

8. Execution by original owner/Consent of body corporate



2008 2023  
Execution Date

+ *RH Esherley*  
Chairperson/Secretary  
*Karla Ercole* BC Manager  
Committee Member

\*Execution

\*Original owner to execute for a first community management statement  
\*Body corporate to execute for a new community management statement

Privacy Statement

Collection of information from this is authorised by legislation and is used to maintain publicly searchable records. For more information see the Department's website.

**4. Scheme land**

Lot on Plan Description	Title Reference
Common Property of The Port Heritage Resort Community Titles Scheme	50407275
Lot 4 on SP 168541	50537875
Lot 5 on SP 168541	50537876
Lot 6 on SP 150459	50407278
Lot 7 on SP 150459	50407279
Lot 8 on SP 150459	50407280
Lot 9 on SP 150459	50407281
Lot 10 on SP 150459	50407282
Lot 11 on SP 150459	50407283
Lot 12 on SP 150459	50407284
Lot 13 on SP 150459	50407285
Lot 14 on SP 150459	50407286
Lot 15 on SP 150459	50407287
Lot 16 on SP 150459	50407288
Lot 17 on SP 150459	50407289
Lot 18 on SP 150459	50407290
Lot 19 on SP 150459	50407291
Lot 20 on SP 150459	50407292
Lot 21 on SP 150459	50407293
Lot 22 on SP 150459	50407294
Lot 23 on SP 150459	50407295
Lot 24 on SP 150459	50407296
Lot 25 on SP 150459	50407297
Lot 26 on SP 150459	50407298
Lot 27 on SP 150459	50407299
Lot 28 on SP 150459	50407300
Lot 29 on SP 150459	50407301
Lot 30 on SP 150459	50407302
Lot 31 on SP 150459	50407303
Lot 32 on SP 150459	50407304
Lot 33 on SP 150459	50407305
Lot 34 on SP 150459	50407306
Lot 35 on SP 150459	50407307
Lot 36 on SP 150459	50407308
Lot 37 on SP 150459	50407309
Lot 38 on SP 150459	50407310

**SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS**

Lot on Plan	Contribution	Interest
Lot 4 on SP 168541	770	478
Lot 5 on SP 168541	1280	407
Lot 6 on SP 150459	770	274
Lot 7 on SP 150459	770	274
Lot 8 on SP 150459	770	274
Lot 9 on SP 150459	770	335
Lot 10 on SP 150459	770	254
Lot 11 on SP 150459	770	254
Lot 12 on SP 150459	770	254
Lot 13 on SP 150459	750	178
Lot 14 on SP 150459	750	178
Lot 15 on SP 150459	770	257
Lot 16 on SP 150459	770	257
Lot 17 on SP 150459	770	257
Lot 18 on SP 150459	770	257
Lot 19 on SP 150459	770	266
Lot 20 on SP 150459	770	266
Lot 21 on SP 150459	700	241
Lot 22 on SP 150459	700	235
Lot 23 on SP 150459	700	235
Lot 24 on SP 150459	700	241
Lot 25 on SP 150459	770	1065
Lot 26 on SP 150459	730	803
Lot 27 on SP 150459	660	194
Lot 28 on SP 150459	660	172
Lot 29 on SP 150459	660	172
Lot 30 on SP 150459	660	194
Lot 31 on SP 150459	660	191
Lot 32 on SP 150459	660	178
Lot 33 on SP 150459	660	178
Lot 34 on SP 150459	660	191
Lot 35 on SP 150459	770	310
Lot 36 on SP 150459	660	185
Lot 37 on SP 150459	660	185
Lot 38 on SP 150459	770	310
<b>TOTALS</b>	<b>26,000</b>	<b>10,000</b>

**SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND****1. INTERPRETATION**

In this schedule B, unless the context otherwise requires:

"Act" means the *Body Corporate and Community Management Act 1997* (as amended);

"Body Corporate" means the Body Corporate created upon the establishment of the scheme;

"Building" means the building and other improvements constructed on the scheme land;

"Community Management Statement" means the Community Management Statement or any new Community Management Statements recorded or to be recorded in place of this Community Management Statement;

"Registered Proprietor" means The Port Heritage Resort Pty Ltd ACN 092 089 186;

"Scheme" means The Port Heritage Resort Community Titles Scheme comprising the Community Management Statement and the scheme land.

2. This clause deleted intentionally.

3. **MANAGEMENT STRUCTURE OF SCHEME**

3.1 This Scheme does not form part of, nor is it intended to form part of, or be the basis of a layered arrangement of Community Titles Schemes.

<b>SCHEDULE C</b>	<b>BY-LAWS</b>
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1. **DEFINITIONS AND INTERPRETATION**

1.1 The following definitions apply to words and expressions used in these by-laws (unless repugnant to the context):

"the Act" means the Body Corporate and Community Management Act 1997;

"appliances" includes swimming pool pumps, filters, chlorinators and associated equipment, elevators, television antennae and aerials, water closets and plumbing apparatus;

"body corporate manager" means the body corporate manager appointed by the body corporate pursuant to Part 6 of the Body Corporate and Community Management (Accommodation Module) Regulation 2020 and these by-laws;

"improvements" means all structures on scheme land including (without limitation) walls, awnings, verandahs, corridors, ceilings, staircases, pathways, gardens, swimming pools and car parks;

"manager" means the person who has been engaged as service contractor to provide caretaking services to the body corporate and who has been duly authorised by the body corporate to operate a letting agency business for the residential lots within the scheme;

"the manager's approval" means the manager's prior written approval, which may be withdrawn at any time, in the manager's absolute discretion;

"occupier" includes the owner of a lot and any other person who occupies the lot;

"the scheme" means The Port Heritage Resort Community Titles Scheme;

"scheme land" comprises all lots within the scheme and the common property;

"services" includes electricity, telephone, water supply and sewerage;

"vehicle" includes trailers, caravans, campervans, mobile homes and watercraft.

1.2 The singular includes the plural and the plural includes the singular. A reference to a gender includes reference to each other gender. A reference to a person includes a reference to a firm, corporation or other corporate body. A reference to a statute regulation or provision of a statute or regulation includes a reference to that statute, regulation or provision as amended or re-enacted from time to time. A reference to writing includes a reference to printing, typing and other methods of reproducing words in a visible form. Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have corresponding meanings. "Including" and similar expressions are not words of limitation.



**2 NOISE**

The occupier must not create noise likely to interfere with the peaceful enjoyment of a person lawfully occupying or visiting scheme land.

**3 VEHICLES**

3.1 Except as otherwise provided in these by-laws, the occupier must not, without the manager's approval:

- (a) park a vehicle, or allow a vehicle to stand, on the common property; or
- (b) permit an invitee to park a vehicle, or allow a vehicle to stand, on the common property.

**4 OBSTRUCTION**

The occupier must not obstruct or otherwise interfere with the lawful use of the common property by someone else.

**5 DAMAGE TO LAWNS AND GARDENS**

5.1 The occupier must not:

- (a) damage any lawn, garden, tree, shrub, plant or flower on the common property; or
- (b) use a part of the common property as a garden.

**6 DAMAGE TO COMMON PROPERTY**

6.1 The occupier must not, without the manager's approval, mark, paint, drive nails, screws or other objects into, otherwise damage or deface improvements.

**7 BEHAVIOUR OF INVITEES**

The occupier must take reasonable steps to ensure that the occupier's invitees do not behave in a way likely to interfere with the enjoyment of scheme land.

**8 LEAVING OF RUBBISH ON THE COMMON PROPERTY**

The occupier must not leave rubbish or other material on the common property in a way or place likely to interfere with the enjoyment of the common property by someone else.

**9 APPEARANCE OF LOT**

9.1 The occupier must not, without the manager's approval, make any changes to the appearance or improvements of the exterior of the lots.

9.2 The manager, in giving such approval, must ensure so far as practicable that any alteration to the improvements or the exterior of the lots is uniform and in keeping with existing improvements.

**10 STORAGE OF FLAMMABLE MATERIALS**

10.1 The occupier must not, without the manager's approval store a flammable substance on scheme land.

10.2 By-law 10.1 does not apply to the storage of fuel in:

- (a) the fuel tank of a vehicle; or
- (b) a tank kept on a vehicle in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.

**11 GARBAGE DISPOSAL**

11.1 The occupier must:

- (a) comply with all local government local laws about disposal of garbage; and
- (b) not adversely affect the health, hygiene or comfort of any other person.

## 12 KEEPING OF ANIMALS

12.1 Except as provides in Section 143 of the Act, the occupier must not, without the manager's approval:

- (a) bring or keep an animal on scheme land; or
- (b) permit an invitee to bring or keep an animal on the scheme land.

## 13 AUTHORITY OF BODY CORPORATE TO CONTRACT

13.1 Pursuant to *Part 6 – Body Corporate Managers, Service Contracts and Letting Agents of the Body Corporate and Community Management (Accommodation Module) Regulation 2020*, the body corporate has the power to engage a body corporate manager and a service contractor and to authorise a letting agent for the lots in the scheme.

13.2 The body corporate's authority to appoint a caretaker service contractor and authorise a letting agent applies only to the proprietor or occupier (or his nominee) of lot 5 (or, if lot 5, as constituted at the date of adoption of these by-laws), should cease to exist, the authority of the body corporate hereby granted is given to the proprietor or occupier (or his nominee) of that part of the existing lot 5 (as at the date of adoption of these by-laws) that contains the reception area in the southern corner of the building facing Warner Street).

13.3 The body corporate has the power to:

- (a) regulate the form and content of agreements, appointments or authorisations given or made between the proprietor or occupier of lot 5 (or his nominee) and the other proprietors;
- (b) prevent persons other than the proprietor or occupier of lot 5 (or his nominees) from acting as letting agent or providing caretaking services and other services or conducting businesses such as a booking agency business, car and bike hire;
- (c) provide exclusivity to the proprietor or occupier of lot 5 (or his nominee) in respect of contracts entered into and authorisations granted to him.

## 14 CORRESPONDENCE

14.1 All correspondence relating to finance and administration under the Act must be directed to the body corporate manager.

14.2 All correspondence and enquiries concerning the letting of units, caretaking and maintenance must be directed to the manager.

## 15 RIGHTS OF ENTRY

15.1 The occupier must allow the manager and contractors engaged by him or the body corporate access to the lot, without the need for any notice, for any one or more of the following purposes:

- (a) repairs to and maintenance of improvements;
- (b) the installation of services and appliances;
- (c) repairs to and maintenance of services and appliances;
- (d) the refurbishment of the improvements;
- (e) the refurbishment or replacement or repairs to furniture and interior décor;
- (f) any other purpose incidental to the property management of the scheme.

15.2 Paragraphs (d) and (e) of By-law 15.1 do not relate to the occupier(s) of lots 25 and 26.

**16 DISPLAY UNIT**

16.1 While The Port Heritage Resort Pty Ltd remains a proprietor of a lot, it is entitled to use any lot which it owns as a display unit and is entitled to allow prospective purchasers to inspect the display unit.

16.2 The Port Heritage Resort Pty Ltd is entitled to use advertising signs and display material in or about the display unit and common property as it thinks fit.

**17 INSTALLATION OF APPLIANCES**

17.1 The occupier must not without the consent of the manager, alter, install or erect appliances on scheme land.

**18 PAYMENT OF LEVIES AND RECOVERY OF COSTS**

18.1 If a contribution levied under the Act is unpaid 30 days after payment falls due the amount of the unpaid contribution will bear interest at the rate of 12% per annum or such other rate determined by the body corporate by ordinary resolution in general meeting

18.2 If at the time a person becomes a proprietor of a lot another person is liable in respect of the lot to pay interest on a contribution the proprietor is jointly and severally liable with the other person for the payment of the interest.

18.3 The body corporate manager is hereby authorised to take such steps as it deems necessary to recover body corporate levies, including issuing legal proceedings on behalf of the body corporate.

18.4 If the body corporate manager incurs costs and expenses in recovering levies (including solicitor and own client legal costs and collection agency costs), on its own account or on behalf of the body corporate, such costs, expenses, as well as all interest calculated on overdue contributions shall be deemed to be a liquidator debt owed to the body corporate by the person who has defaulted.

**19 POWER OF MANAGEMENT COMMITTEE**

19.1 The management committee may from time to time make rules relating to the common property, and alter those rules as it sees fit, as long as the rules are not inconsistent with these by-laws.

19.2 The occupier must observe rules made by the committee pursuant to this by-law.

19.3 A general meeting of the body corporate may by ordinary resolution alter or revoke any rule made by the management committee.

**20 SWIMMING POOL**

20.1 The manager is hereby authorised to make rules relating to the use of the swimming pools and the behaviour of persons using the swimming pools, and to alter such rules from time to time.

20.2 The management committee may alter or revoke rules made by the manager pursuant to by-law 20.1.

**21 USE OF LOTS**

21.1 The occupier must not use a lot or permit the same to be used for the purposes of:

- (a) conducting a letting business;
- (b) the provision of caretaking services;
- (c) the conduct of any business connected with real estate services, tour booking services, car hire services, bicycle hire services or any other ancillary service.

21.2 By-law 21.1 does not apply to:

- 21.2.1 the Manager; and
- 21.2.2 the occupier(s) of lots 25 and 26 except that the occupier(s) of those lots will not be permitted to conduct tour booking services or those activities which, in the terms of by-law 13, the body corporate has authorised the proprietor or occupier (or his nominee) of lot 5 to perform.
- 21.3 The occupier must not use a lot or permit the same to be used for the purpose of serving alcohol beverages.
- 21.4 By-law 21.3 does not apply to the manager.
- 21.5 Subject to by-law 21.2 –
  - 21.5.1 the proprietor and occupier of lot 5 may make use of that lot for commercial and/or residential purposes; and
  - 21.5.2 the proprietor and occupier of lots 25 and 26 may make use of either or both of those lots for commercial and/or retail purposes.
- 22 PABX**
  - 22.1 The manager is entitled to operate and connect a PABX system to service all lots in the scheme and is entitled for this purpose to run cabling and wiring associated with the system across common property.
  - 22.2 The body corporate and occupiers must not interfere with the operation of the PABX system by the manager.
- 23 EXCLUSIVE USE**
  - 23.1 Subject to by-law 23.2 the proprietor of lot 9 shall be entitled to the exclusive use of the area marked on the Sketch Plan referred to in Schedule E of this Community Management Statement.
  - 23.2 The exclusive use granted to the proprietor of lot 9 is subject to rights of access granted to service and maintain utility infrastructure and utility services.
- 24 SEVERABILITY**
  - 24.1 Each word, phrase, sentence, paragraph and clause ("a provision") of these by-laws is severable.
  - 24.2 If a court determines that a provision is unenforceable, illegal or void then the court may sever the provision which:
    - (a) becomes inoperative; and
    - (b) does not affect the other provision of these by-laws.
- 25 NAMING RIGHTS**
  - 25.1 The manager may erect signage on and about the common property displaying the name "Outrigger Heritage Port Douglas" or such other name as the committee for the Body Corporate may approve from time to time.
  - 25.2 The size, specification and whereabouts of the manager's signage may be determined by the Body Corporate Committee.
- 26 SMOKING ON LOT OR COMMON PROPERTY**
  - 26.1 In this by law 26 the following word or phrase has the following meaning:
    - (i) "Enclosed Common Area" means an area(s) of the common property which has a ceiling or roof, and except for doors and passageways, is completely or substantially enclosed, whether permanently or temporarily; and
    - (ii) "Common Accessible Area" means an area(s) of the common property accessible to:

- (a) All persons; or
- (b) To a specified clause of persons; or
- (c) Occupiers or residents at the scheme; or
- (d) Persons employed at or on scheme.

26.2 A person or occupier of a lot must not:

- (a) smoke a tobacco or like product (including without limitation a vaping substance) in an Enclosed Common Area(s); or
- (b) smoke a tobacco or like product (including without limitation a vaping substance) on or within the lot or within a Common Accessible Area in a way that:
  - (i) causes a nuisance or hazard to other property or persons; or
  - (ii) interferes unreasonably with the use or enjoyment of another lot included in the scheme; or
  - (iii) interferes unreasonably with the use or enjoyment of the common property by a person who is lawfully on the common property.

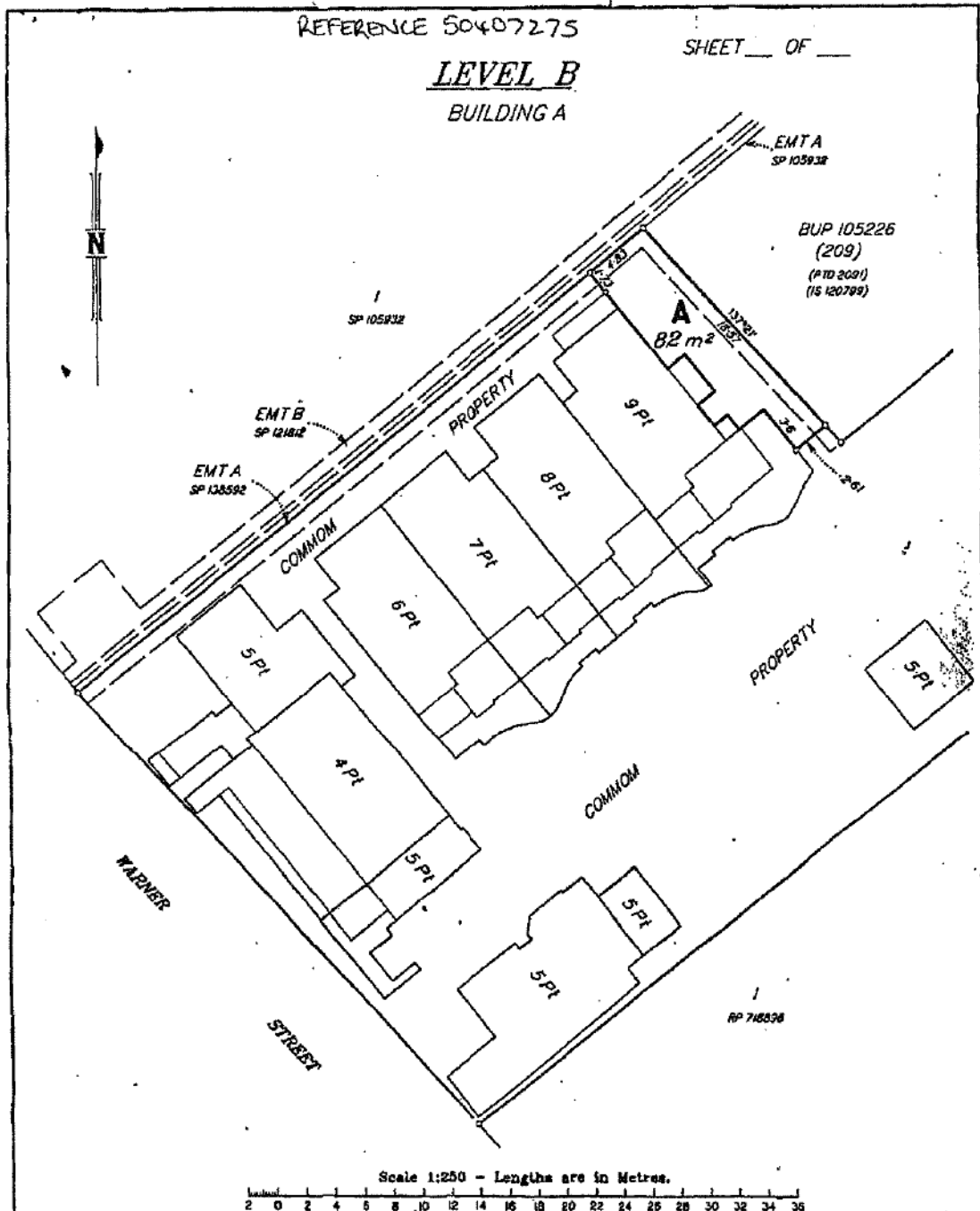
26.3 Without limitation, air ventilation within the common property pool areas, bbq areas, recreation, common property areas between buildings, and balcony areas (even if open to air) are such that smoke within those areas will not disperse sufficiently to not cause a hazard or potential hazard to other occupiers, invitees, contractors or guests of lots also using the common property areas. Smoking within such areas will likely be deemed a nuisance or hazard under by-law 26.2(b) and is accordingly prohibited.

<b>SCHEDULE D</b>	<b>OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED</b>
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There are no new service easements affecting Lot 4 on SP168541 and Lot 5 on SP168541. No Service Location Diagram is required.

<b>SCHEDULE E</b>	<b>DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY</b>
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Lot	Exclusive Use Areas
Lot 9 on SP 150459	Area "A" on sketch 61598-3



<p>C &amp; S CONSULTANTS PTY LTD. ACN 045 997 045</p> <p>Licensed Surveyor, certify that the details shown on this sketch plan are correct.</p>	<p>THE PORT HERITAGE PTY LTD</p> <p><b>SKETCH PLAN</b></p> <p>PROPOSED EXCLUSIVE USE AREAS IN THE COMMON PROPERTY OF THE PORT HERITAGE RESORT COMMUNITY TITLES SCHEME</p> <p>PARISH, SALISBURY, COUNTY OF KILGERRIE</p>	<p>DATE 15/08-2007</p> <p>SCALE 1:250</p>
		<p>61598-3</p>

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