

20 June 2019

Enquiries: Neil Beck
Our Ref: 44/ 3076/2019 (907604)
Your Ref: 1300

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Jim Papas Civil Engineering Designer Pty Ltd
PO Box 2347
MAREEBA QLD 4880

Dear Sir

**Development Application for Sealing of and Upgrading to Road
At Tati Road Miallo associated with Lot 1 on RL: 4069**

Thank you for lodging the above Development Application with Council.

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: OP3076/2019 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully

PAUL HOYE
Manager Environment & Planning

encl.

- Decision Notice
- Approved Plans
- Standard Conditions
- Appeal rights

**DECISION NOTICE — APPROVAL (WITH CONDITIONS)
(GIVEN UNDER SECTION 63 OF THE PLANNING ACT 2016)**

Please be aware that Douglas Shire Council has assessed your application and decided it as follows:

1. Applicant's details

Name: Jim Papas Civil Engineering Designer Pty Ltd

Postal Address: PO Box 2347
MAREEBA QLD 4880

2. Location details

Street Address: Tati Road MIALLO

Real Property Description: Associated with Lot 1 on RL: 4069

Local Government Area: Douglas Shire Council

3. Details of proposed development

Operational Works (Sealing of and Upgrading to Road)

4. Decision

Date of decision: 19 June 2019

Decision details: Approved in full.

5. Approved plans and specifications

Generally in accordance with the following drawings submitted by Jim Papas Civil Engineering Designer Pty Ltd subject to any alterations made by conditions of Development Permit for Operational Work OP 3076/2019.

Drawing No.	Title	Revision
147-C01	EXISTING SITE PLAN	A
147-C02	DRAINAGE CROSS SECTIONS & INTERSECTION DETAILS	A
147-C03	PLAN AND LONGITUNDINAL SECTION	A
147-C04	PLAN AND LONGITUNDINAL SECTION	A
147-C05 – 147-C13 INCLUSIVE	CROSS SECTIONS	A

6. Conditions

This approval is subject to the conditions in Schedule 1.

7. Further development permits

Not applicable

8. Properly made submissions

Not applicable — No part of the application required public notification.

9. Currency period for the approval

This development approval will lapse 2 years from the date of this approval in accordance with section 85 of *Planning Act 2016*.

10. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are attached.

SCHEDULE 1 – CONDITIONS AND ADVICE

ASSESSMENT MANAGER CONDITIONS – STANDARD:

The standard conditions as attached must be read in conjunction with any approved plans and project specific conditions identified below.

ASSESSMENT MANAGER CONDITIONS – PROJECT SPECIFIC:

1. General

- a. The conditions require amendments to the drawings. The revised “For construction” drawings must be provided at the prestart meeting.

2. Stormwater

- a. The applicant is to provide advice on the catchment plans for the contributing catchments to the two culvert crossing based on LiDAR contours and provide confirmation of approach flows for the 10 year event.
- b. The final grading of the southern roadside table drain between the crest at Ch 520m and the Culvert Crossing at approximate Ch 555m is to be confirmed with Council Officers on site. A minimum table drain grade of 0.5% is to be achieved.
- c. The road longitudinal section is to be amended on the “For Construction” plans to show the pipe culvert crossing at approximate Ch 555m including confirmation of cover to the pipe extension. If the cover is less than 600mm a class 4 pipe is to be provided.

3. Roadworks

- a. The Supervising Engineer is to confirm the CBR of the subgrade material once tested and advise any implication for the pavement design. If additional pavement material is required, this is to be confirmed in writing to Council prior to the works commencing.
- b. The bitumen seal is to be increased to 5.5m wide. The increased seal width is to be shown on the “For Construction” issue drawings.
- c. Where the section of kerb between approximate Chainages 280m and 380m prevents the seal for being widened equally on each side, the seal may be widened to 5.5m on the one side provided appropriate transitions are included. Confirmation of the transition detail is to be provided to Council prior to sealing works commencing.
- d. A Road Safety assessment is to be undertaken by a suitably qualified person with specific attention to be given to the chicane between Ch 400 and Ch 480m. The design amended based on the outcomes of the road safety audit with additional measures to be implemented (where required). Consideration is to be given to including superelevation between Ch 400 and 440m on the westbound lane. The clearance between the finished road formation and the existing fencing is to be dimensioned on the plans and considered by the road safety auditor.

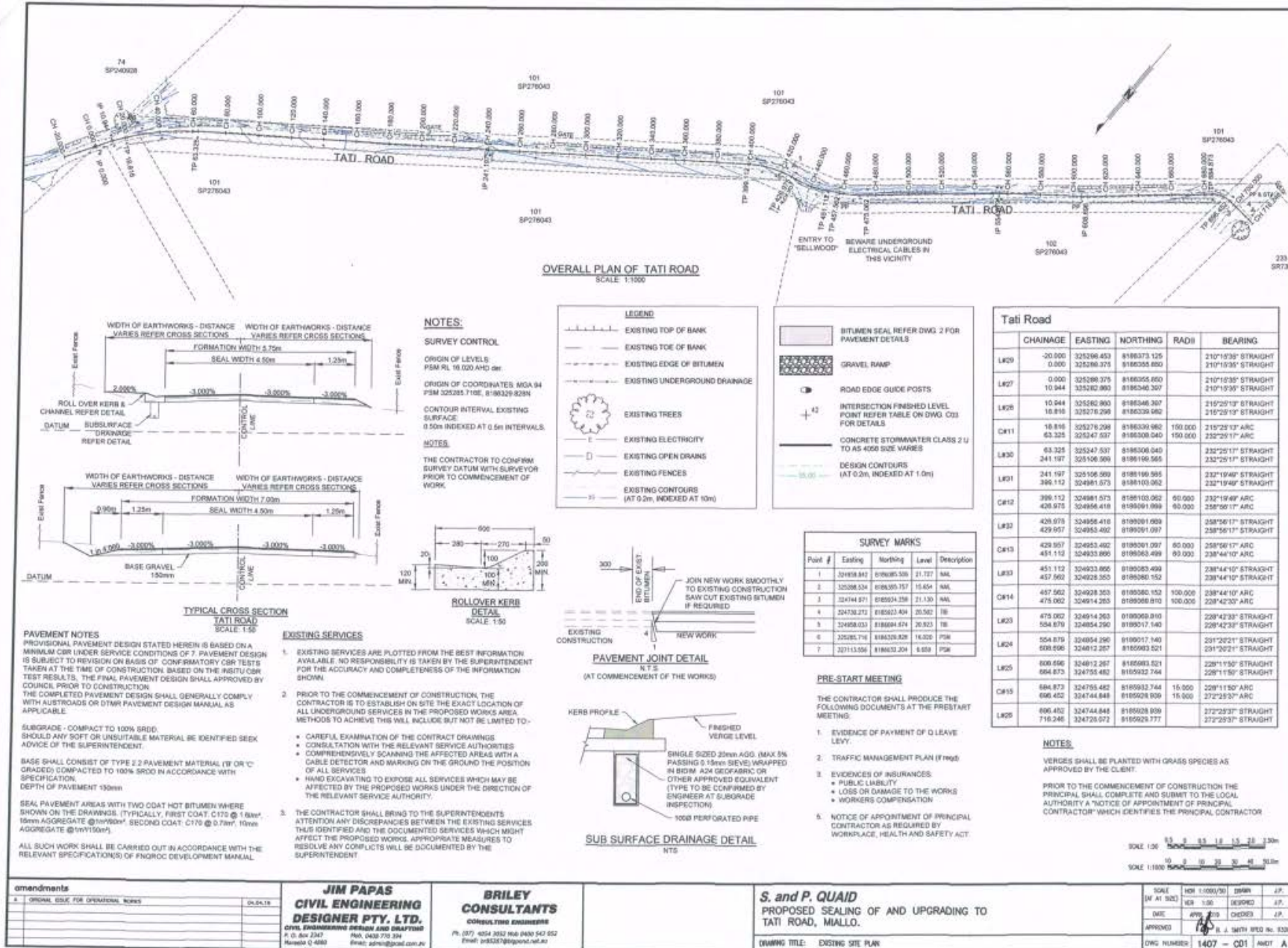
4. Existing Services

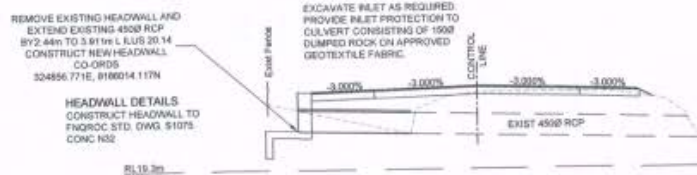
- a. Existing services including water supply, power and telecommunications are to be confirmed on site prior to commencement of works in Tati Road.
- b. Any incident involving damage to existing services must be reported to Council or the relevant authority immediately. Damage resulting from an incident or any defect to Council infrastructure found to be caused by the works should be repaired by Council at the Developer's cost.

5. Erosion and Sediment Control

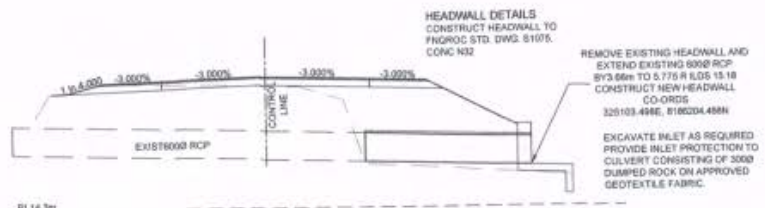
A copy of the Contractor's Erosion and Sediment Control (ESC) Plan is to be submitted to Council and endorsed by the Consulting Engineer, prior to commencement of any works.

Approved Drawings





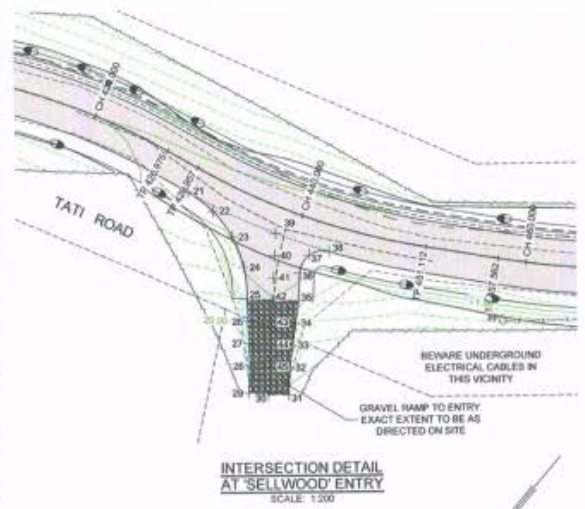
DRAINAGE CROSS SECTION TATI ROAD
CHN 554.879
4500 RCP - 2.400m LG



DRAINAGE CROSS SECTION TATI ROAD
CHN 241.197
6000 RCP - 3.90m LG

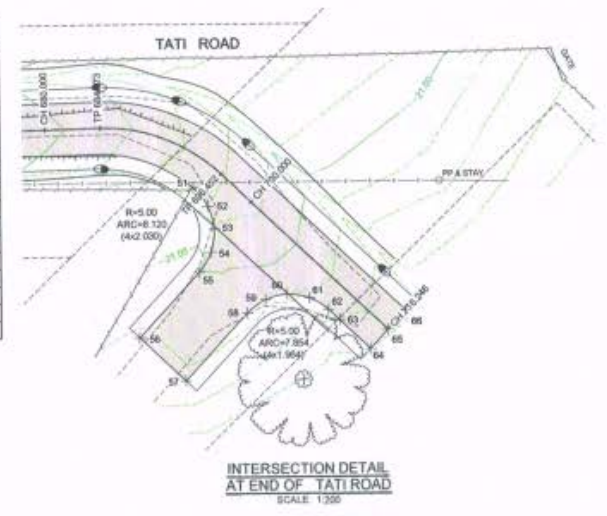
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	EXISTING TOE OF BANK
	EXISTING EDGE OF BITUMEN
	EXISTING UNDERGROUND DRAINAGE
	EXISTING TREES
	EXISTING ELECTRICITY
	EXISTING OPEN DRAINS
	EXISTING FENCES
	EXISTING CONTOURS (AT 0.2m, INDEXED AT 10m)
	BITUMEN SEAL REFER DWG. 2 FOR PAVEMENT DETAILS
	GRAVEL RAMP
	ROAD EDGE GUIDE POSTS
	INTERSECTION FINISHED LEVEL POINT REFER TABLE ON DWG. C03 FOR DETAILS
	CONCRETE STORMWATER CLASS 2 U TO AS-4508 SIZE VARIES
	DESIGN CONTOURS (AT 0.2m, INDEXED AT 1.0m)

INTERSECTION SETOUT POINTS				
Point #	Easting	Northing	Level	Description
21	324852.702	8106003.247	21.044	FL
22	324950.000	8106003.306	21.006	FL
23	324947.304	8106003.707	21.027	FL
24	324944.879	8106003.033	21.019	FL
25	324942.909	8106004.971	20.992	FL
26	324941.606	8106005.363	20.758	FL
27	324940.307	8106006.915	20.533	FL
28	324938.006	8106101.234	20.351	FL
29	324937.502	8106102.077	19.848	FL
30	324936.143	8106102.077	19.900	FL
31	324934.816	8106100.848	19.848	FL
32	324936.279	8106096.125	20.251	FL
33	324937.269	8106097.488	20.533	FL
34	324938.302	8106095.050	20.758	FL
35	324938.138	8106094.232	20.917	FL
36	324940.830	8106092.288	21.039	FL
37	324941.178	8106090.564	21.087	FL
38	324940.040	8106088.138	21.138	FL
39	324944.631	8106081.034	21.174	FL
40	324943.402	8106082.555	21.132	FL
41	324942.053	8106084.079	21.088	FL
42	324941.124	8106085.022	20.984	FL
43	324938.976	8106087.125	20.818	FL
44	324938.786	8106088.848	20.591	FL
45	324937.617	8106100.176	20.302	FL



INTERSECTION DETAIL AT SELLWOOD ENTRY
SCALE: 1:200

INTERSECTION SETOUT POINTS				
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51	324745.927	8105931.470	21.387	FL
52	324743.948	8105931.635	21.294	FL
53	324742.302	8105932.879	21.178	FL
54	324741.200	8105934.671	21.968	FL
55	324740.676	8105936.681	20.992	FL
56	324741.204	8105944.357	20.758	FL
57	324735.708	8105944.580	20.758	FL
58	324735.570	8105936.587	20.687	FL
59	324734.909	8105934.701	20.688	FL
60	324732.757	8105933.178	20.989	FL
61	324732.081	8105932.112	20.742	FL
62	324730.183	8105931.813	20.654	FL
63	324728.837	8105931.868	20.591	FL
64	324725.187	8105932.825	20.418	FL
65	324725.072	8105929.777	20.453	FL
66	324724.977	8105927.526	20.418	FL



INTERSECTION DETAIL AT END OF TATI ROAD
SCALE: 1:200



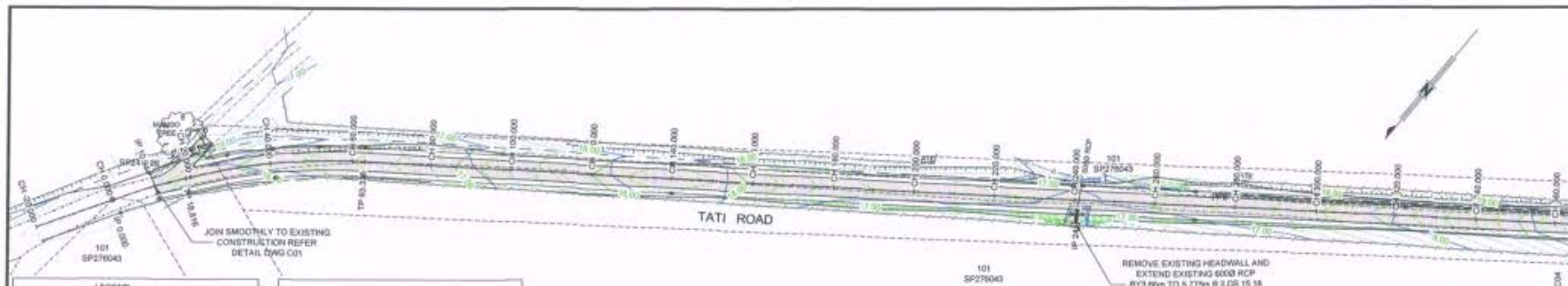
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A	ORIGINAL ISSUE FOR OPERATIONAL WORKS
	SCALE 75

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P. O. Box 2047 Melb. 3048 773 374
Melb. VIC 3048 Email: jim@jppd.com.au

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Email: br5207@briley.net.au

S. and P. QAID
PROPOSED SEALING OF AND UPGRADING TO
TATI ROAD, MIALLO.
DRAWING TITLE: DRAINAGE CROSS SECTIONS AND INTERSECTION DETAILS

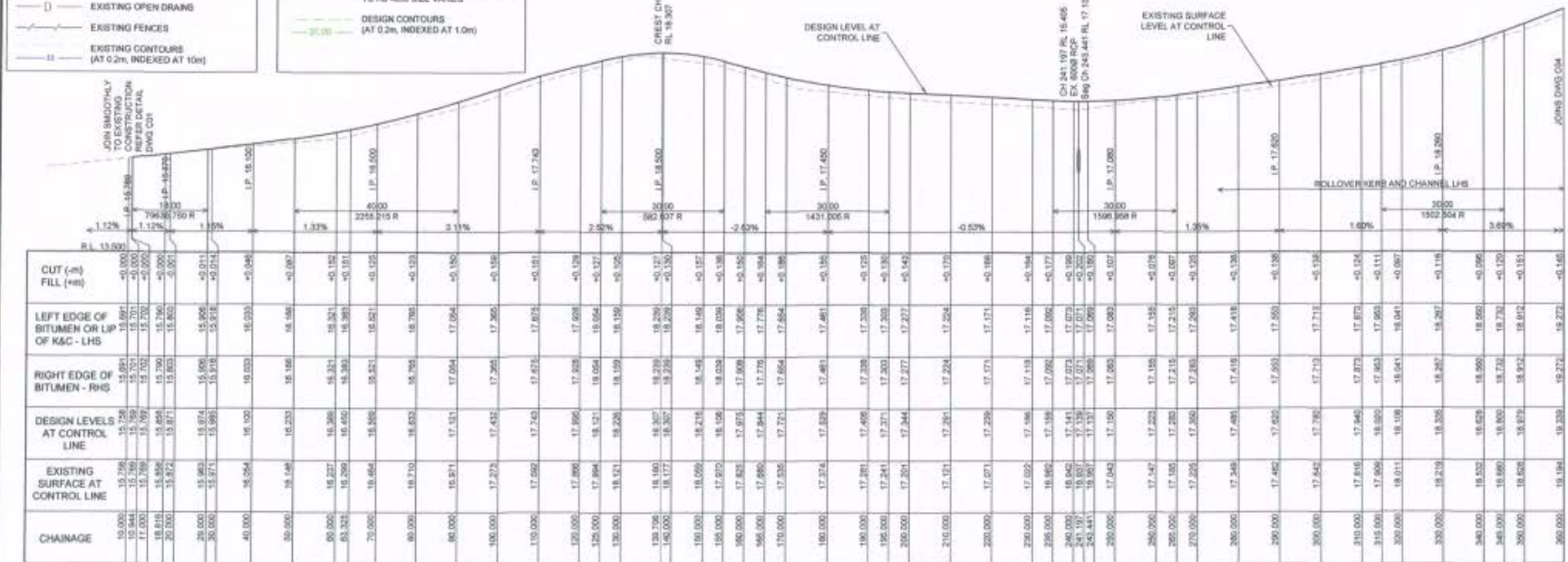
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	1:50				J.P.
	APR 2018				J.P.
APPROVED:					S. J. SMYTH REPO No. 6335
DWG NUMBER:	1407 - C02				AM07 A



LEGEND

- EXISTING TOP OF BANK
- EXISTING TOE OF BANK
- EXISTING EDGE OF BITUMEN
- EXISTING UNDERGROUND DRAINAGE
- EXISTING TREES
- EXISTING ELECTRICITY
- EXISTING OPEN DRAINS
- EXISTING FENCES
- EXISTING CONTOURS (AT 0.2m, INDEXED AT 10m)
- BITUMEN SEAL REFER DWG. 2 FOR PAVEMENT DETAILS
- GRAVEL RAMP
- ROAD EDGE GUIDE POSTS
- INTERSECTION FINISHED LEVEL POINT REFER TABLE ON DWG. C03 FOR DETAILS
- CONCRETE STORMWATER CLASS 2 U TO AS 4058 SDE VARIES
- DESIGN CONTOURS (AT 0.2m, INDEXED AT 1.0m)

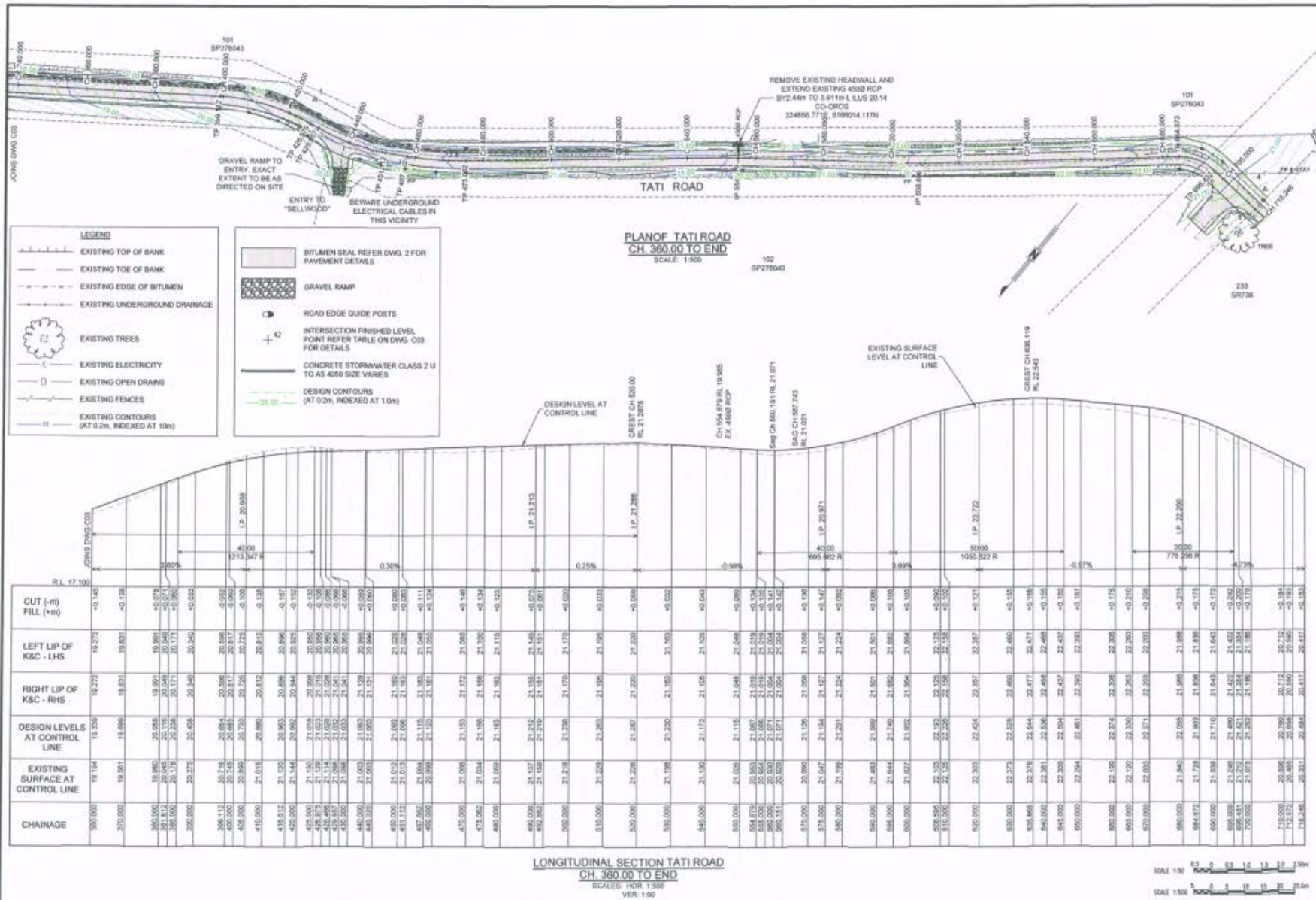
PLAN OF TATI ROAD
CH. 0.00 TO CH 360
SCALE: 1:500



LONGITUDINAL SECTION TATI ROAD
CH. 0.00 TO CH 360
SCALE: HOR 1:500
VER 1:50



<p>amendments</p> <table border="1"> <tr><td>A</td><td>ORIGINAL ISSUE FOR OPERATIONAL WORKS</td><td>CH. 04.16</td></tr> </table>	A	ORIGINAL ISSUE FOR OPERATIONAL WORKS	CH. 04.16	<p>JIM PAPAS CIVIL ENGINEERING DESIGNER PTY. LTD. CONS. ENGINEERING PROGRAM GROUP DEVELOPERS P. O. Box 2347 MIA. 0488 772 334 Mervin Q 4990 Email: admin@jcpd.com.au</p>	<p>BRILEY CONSULTANTS CONSULTING ENGINEERS Ph: (07) 4254 3332 Fax: (040) 243 892 Email: briley@briley.com.au</p>	<p>S. and P. QUAD PROPOSED SEALING OF AND UPGRADING TO TATI ROAD, MIALLO.</p>	<table border="1"> <tr><td>SCALE</td><td>HOR 1:500</td><td>DRAWN</td><td>J.P.</td></tr> <tr><td>(SEE AT SCALE)</td><td>VER 1:50</td><td>DESIGNED</td><td>J.P.</td></tr> <tr><td>DATE</td><td>APR 2016</td><td>CHECKED</td><td>J.P.</td></tr> <tr><td>APPROVED</td><td>[Signature]</td><td>BY</td><td>R. J. SHUTE MPEL No. 3326</td></tr> <tr><td>DWG NUMBER</td><td>1407 - C03</td><td>AMDT</td><td>A</td></tr> </table>	SCALE	HOR 1:500	DRAWN	J.P.	(SEE AT SCALE)	VER 1:50	DESIGNED	J.P.	DATE	APR 2016	CHECKED	J.P.	APPROVED	[Signature]	BY	R. J. SHUTE MPEL No. 3326	DWG NUMBER	1407 - C03	AMDT	A
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DATE	APR 2016	CHECKED	J.P.																								
APPROVED	[Signature]	BY	R. J. SHUTE MPEL No. 3326																								
DWG NUMBER	1407 - C03	AMDT	A																								
DRAWING TITLE: PLAN AND LONGITUDINAL SECTION CH 00.00 TO CH 360.00																											



amendments	DATE
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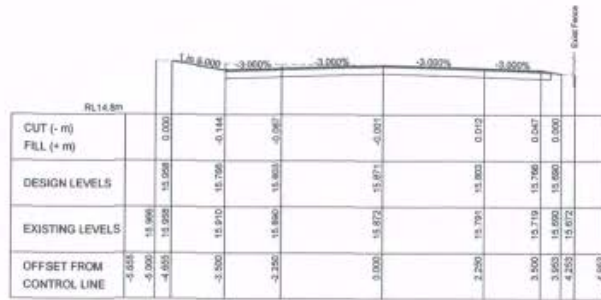
JIM PAPAS
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DESIGNER PTY. LTD.
 CIVIL ENGINEERING DESIGN AND CONSULTING
 F. O. Box 7347
 Maitland 1885
 Mob. 0488 770 384
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 Email: briley@brileyconsultants.com.au

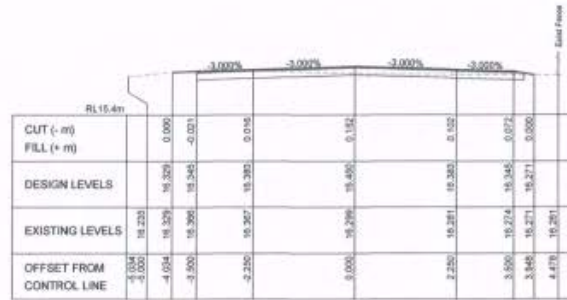
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 TATI ROAD, MIALLO.

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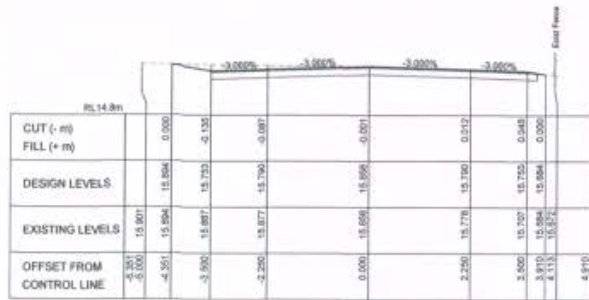
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DWG NUMBER	1407 - CD4	AM07	A	



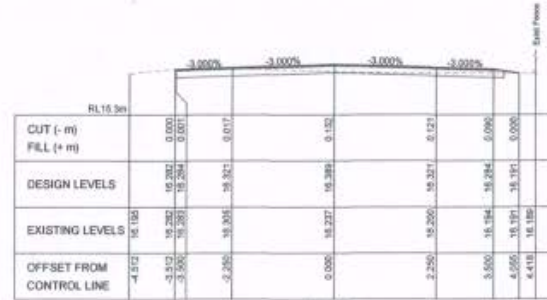
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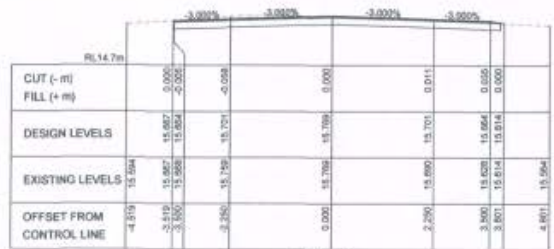
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CH 18.818 m



CH 60.000 m



CH 10.944 m



CH 40.000 m

SCALE 1:50

amendments	
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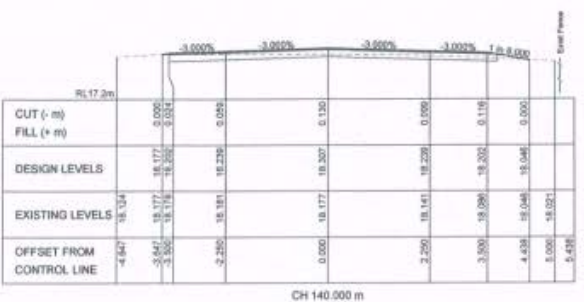
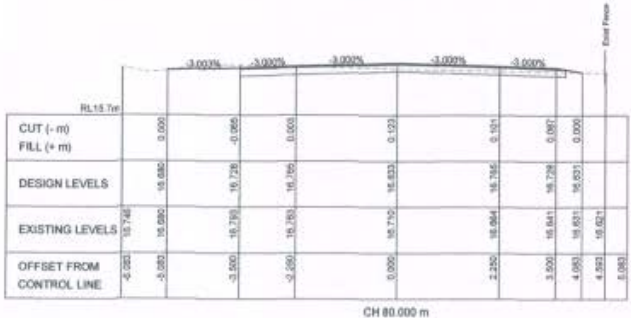
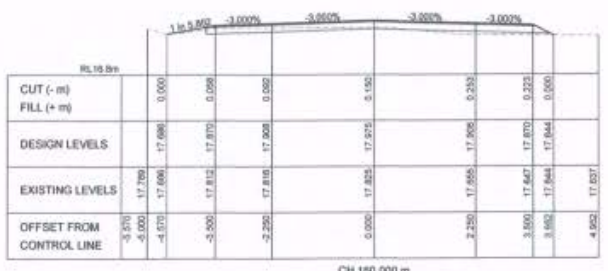
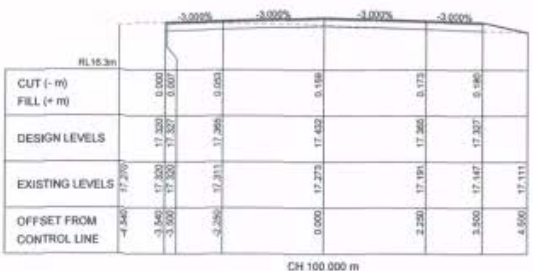
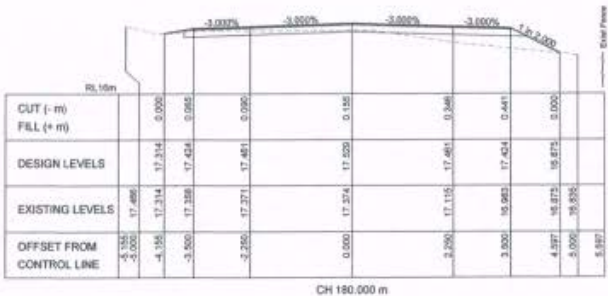
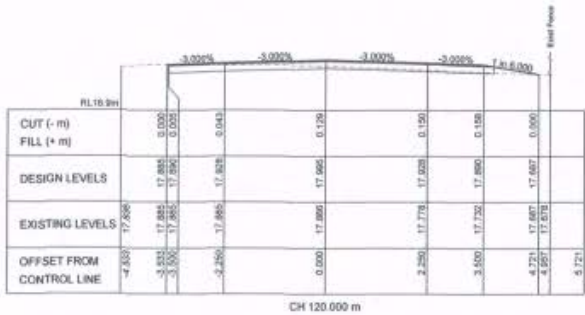
JIM PAPAS
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PROPOSED SEALING OF AND UPGRADING TO
TATI ROAD, MIALLO.

DRAWING TITLE: CROSS SECTIONS (SHEET 1 OF 8)

SCALE	REV	DATE	BY	CHKD	APPD
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1:50	100				



SCALE 1:50

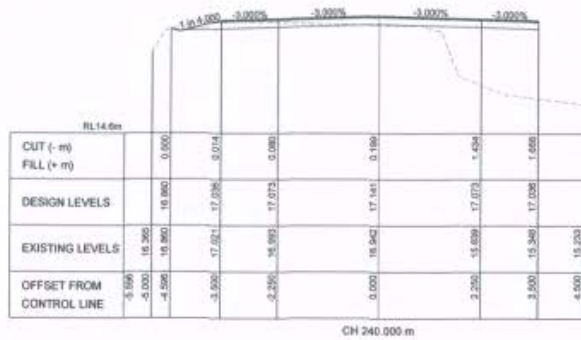
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NO.	DESCRIPTION

JIM PAPAS CIVIL ENGINEERING DESIGNER PTY. LTD.
 CIVIL ENGINEERING DESIGN AND SURVEYING
 P.O. Box 2347, Rd. 608 770 304, Maroubra NSW 1588
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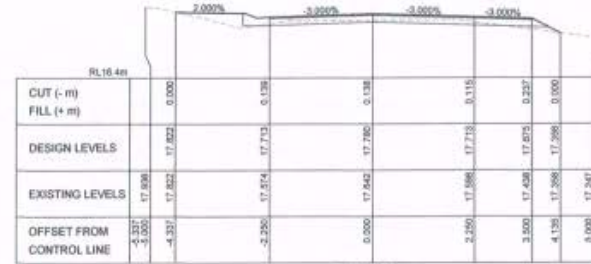
BRILEY CONSULTANTS
 CONSULTING ENGINEERS
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 Email: info@brileyconsultants.com.au

S. and P. QUAID
 PROPOSED SEALING OF AND UPGRADING TO TATI ROAD, MIALLO.
 DRAWING TITLE: CROSS SECTIONS (SHEET 2 OF 8)

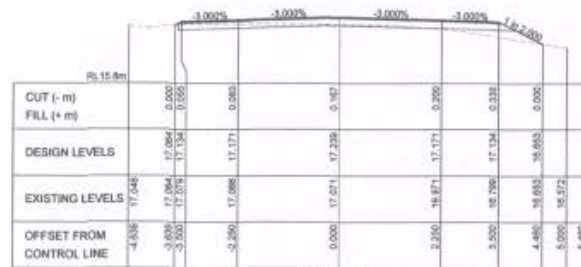
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DATE	APRIL 2019	CHECKED	J.P.
APPROVED	B. J. SMITH		REG. NO. 5128
DWG NUMBER	1407 - C06	AMOUNT	A



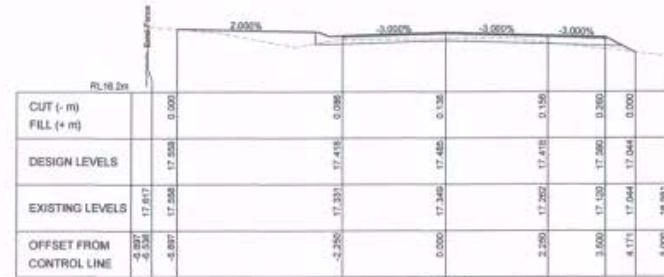
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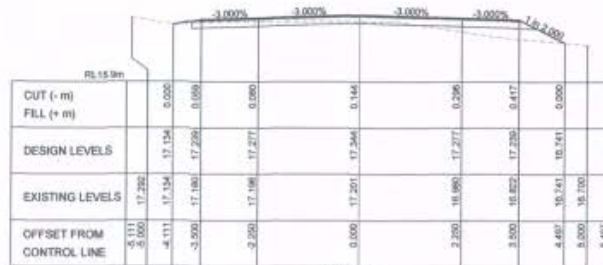
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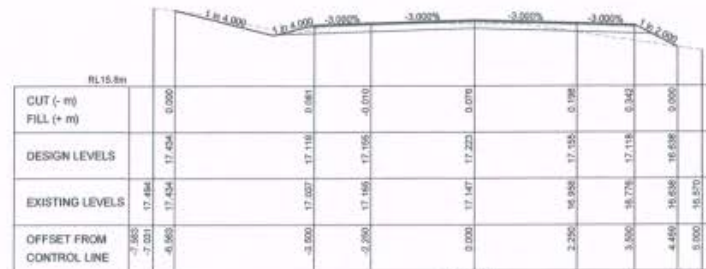
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CH 280.000 m



CH 200.000 m



CH 260.000 m

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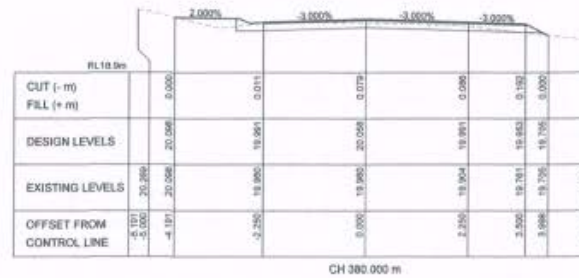
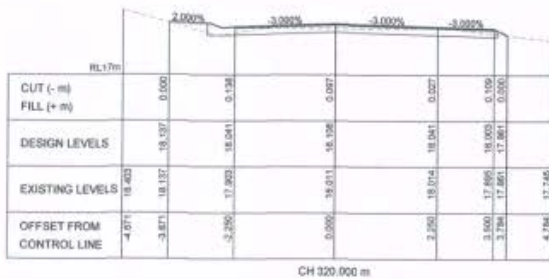
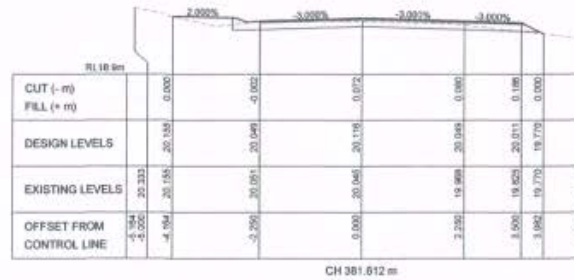
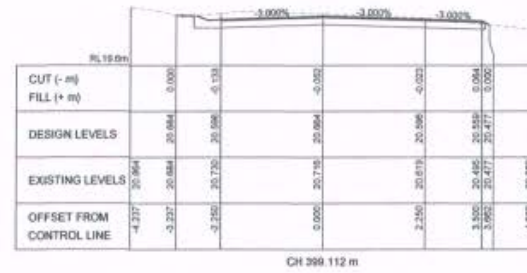
amendments	
A ORIGINAL COPY FOR OPERATIONAL RECORDS	04.04.19

JIM PAPAS
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S. and P. QUAID
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.
 DRAWING TITLE: CROSS SECTIONS (SHEET 3 OF 9)

SCALE	NOR 1:50	DSM	J.P.
DATE	19/04/2018	CHECKED	J.P.
APPROVED		BY	B. J. SMITH BPEL No. 3335
DWG NUMBER	1407 - C07	AMT	A



SCALE 1:50

amendments	
A. ORIGINAL ISSUE FOR OPERATIONAL PURPOSES	04.04.18

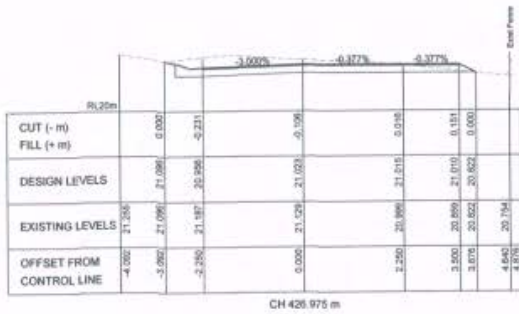
JIM PAPAS
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DESIGNER PTY. LTD.
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 Email: briley@briley.com.au

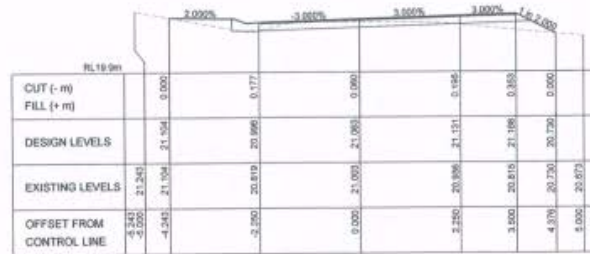
S. and P. QUAID
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.

DRAWING TITLE: CROSS SECTIONS (SHEET 4 OF 9)

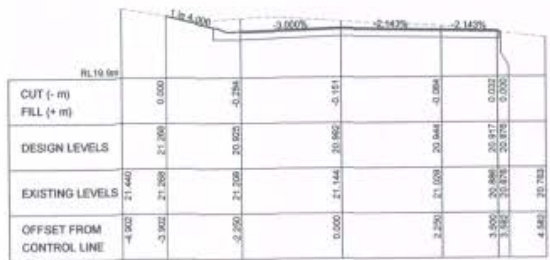
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DATE	APR 2018	CHECKED	J.P.
APPROVED		DR. S. & P. SMITH RES. No. 6328	
DWG NUMBER	1407 - CDB	AMST	A



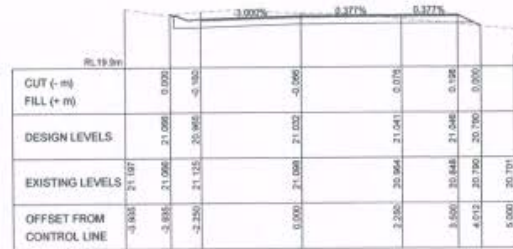
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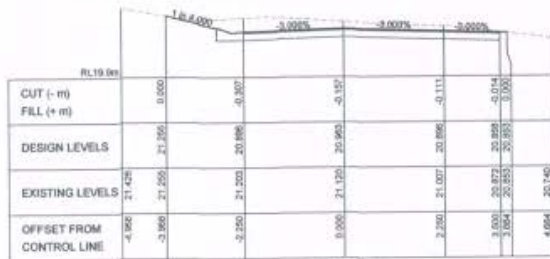
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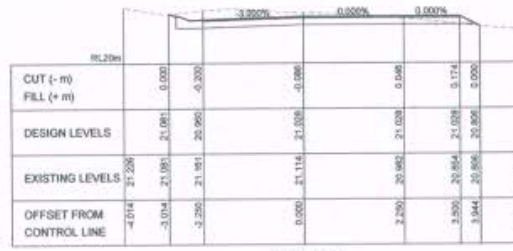
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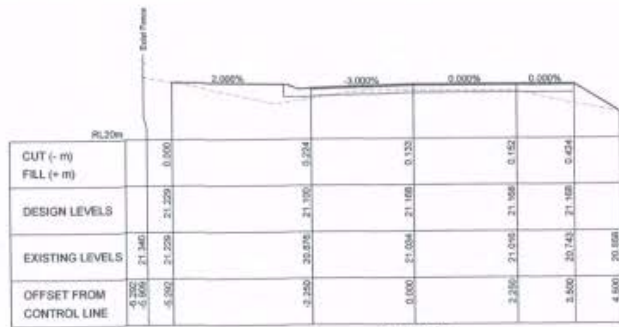
JIM PAPAS
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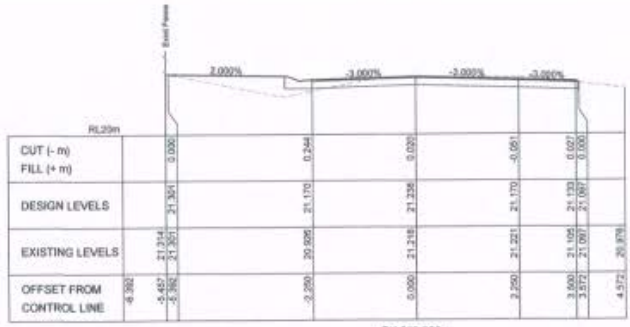
S. and P. QUAID
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.

DRAWING TITLE: CROSS SECTIONS (SHEET 5 OF 9)

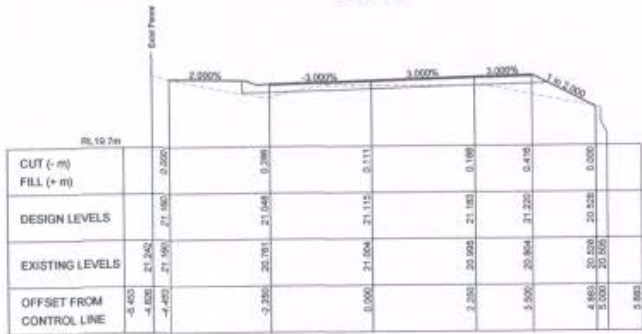
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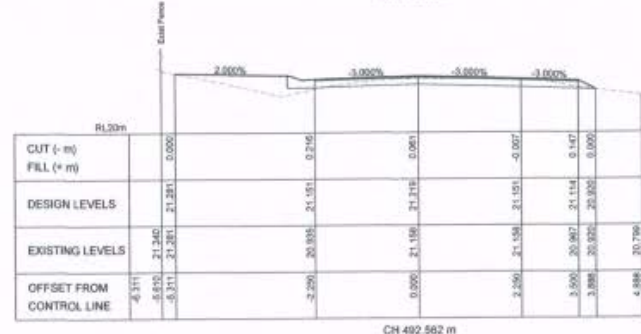
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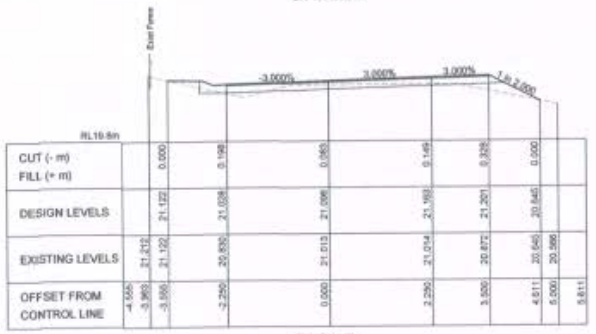
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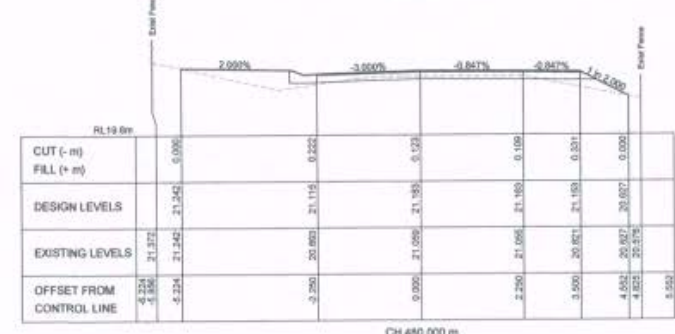
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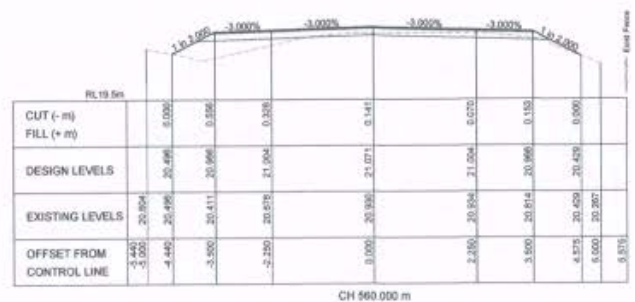
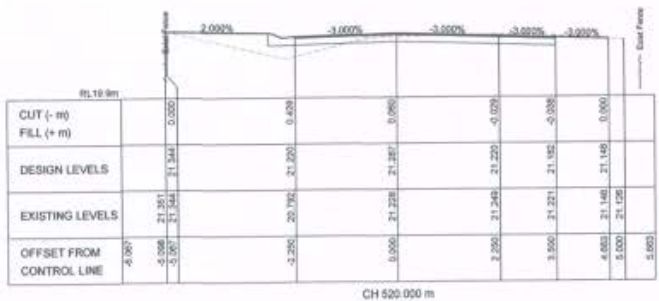
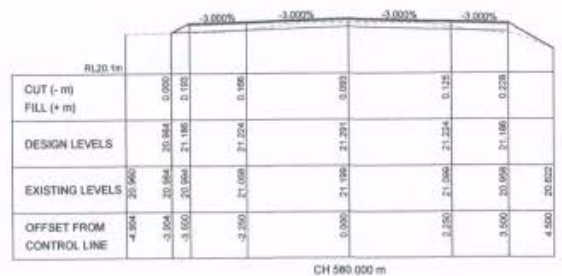
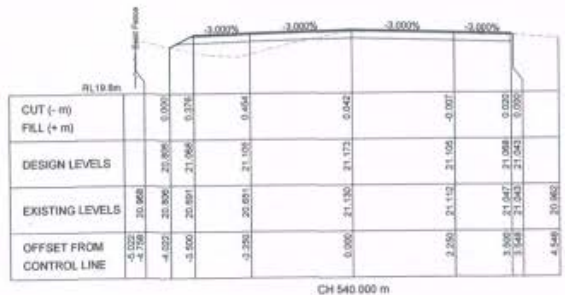
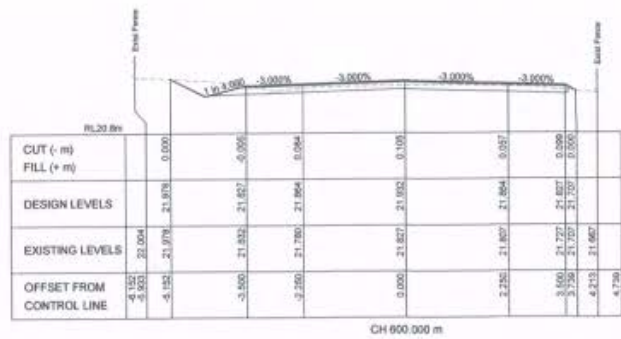
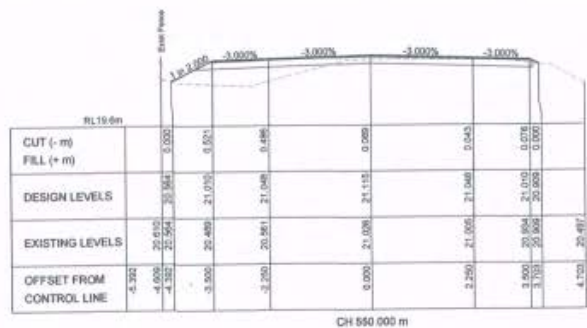
amendments	
A	ORIGINAL ISSUE FOR OPERATIONAL WORKS

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S. and P. QAID
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.
 DRAWING TITLE: CROSS SECTIONS (SHEET 6 OF 9)

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APPROVED		BY	B. J. SMITH PRES. No. 5328
DWG NUMBER	1407 - C10	AMDT	A



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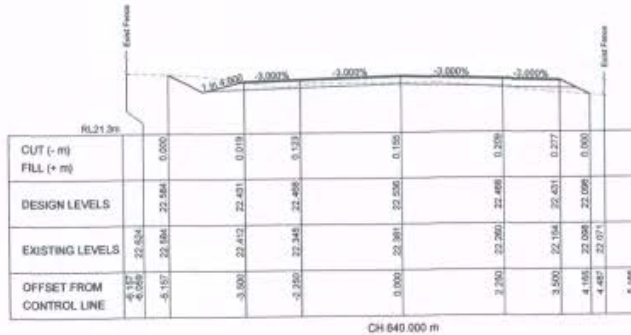
amendments	
A	ISSUE FOR OPERATIONAL WORK

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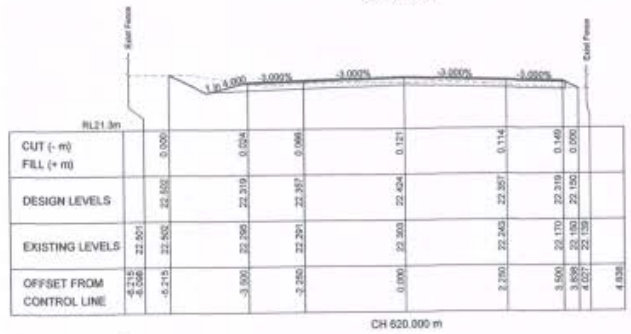
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S. and P. QUAID
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.
 DRAWING TITLE: CROSS SECTIONS (SHEET 7 OF 9)

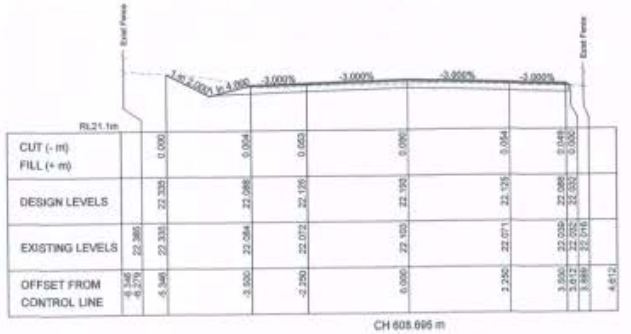
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APPROVED		BY	B. J. SMITH
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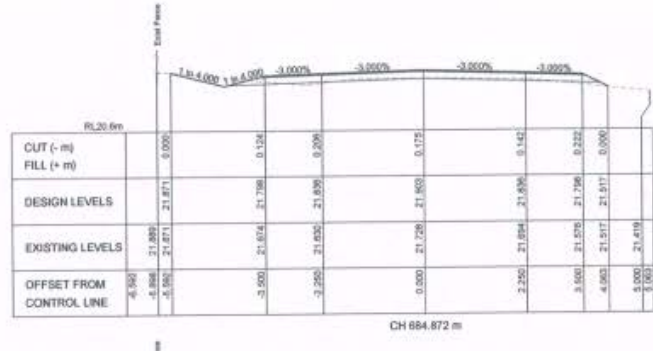
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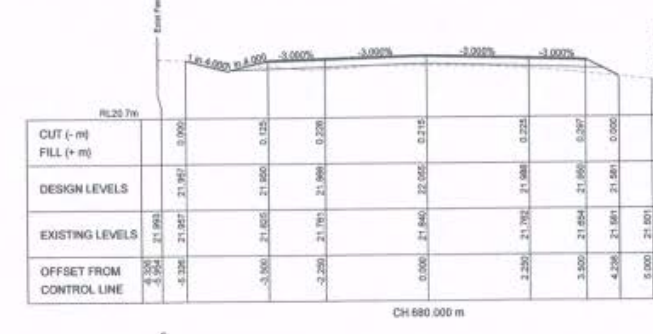
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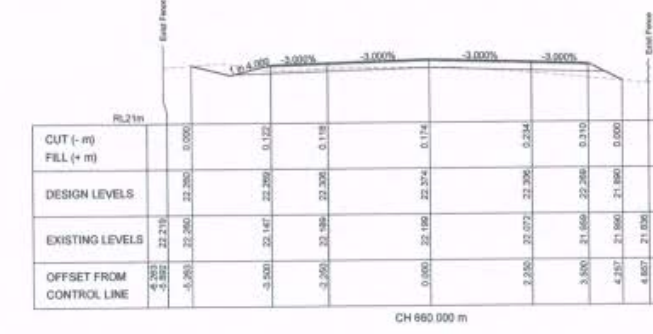
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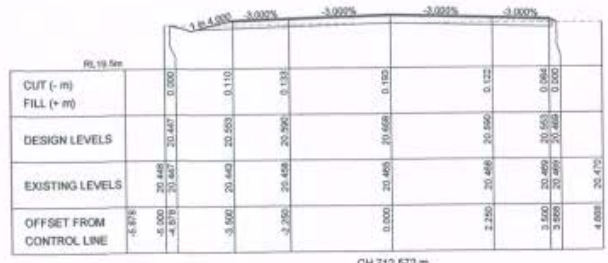
amendments	DATE
A	ORIGINAL ISSUE FOR OPERATIONAL WORKS

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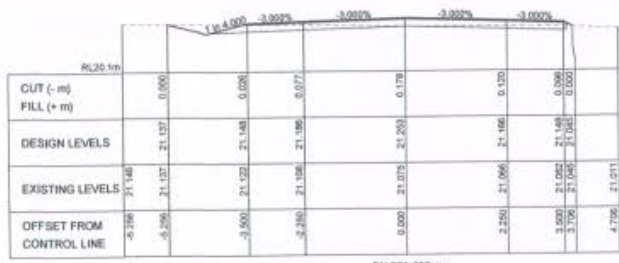
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 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.
 DRAWING TITLE: CROSS SECTIONS (SHEET 8 OF 9)

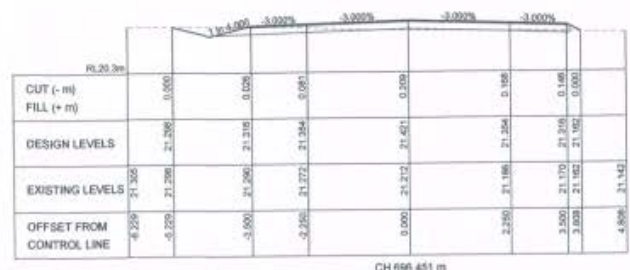
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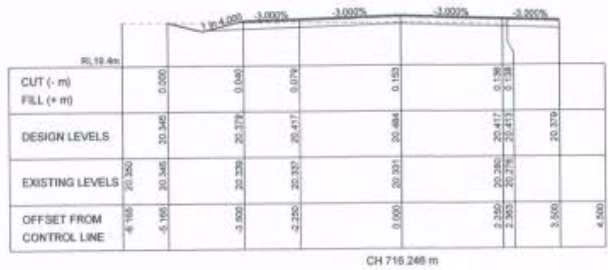
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CH 700.000 m



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CH 716.248 m

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amendments	
1 ORIGINAL ISSUE FOR OPERATIONAL WORKS	21.04.19

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S. and P. QUAIL
 PROPOSED SEALING OF AND UPGRADING TO
 TATI ROAD, MIALLO.

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APPROVED					
DWG NUMBER	1407 - C13	AMDT	A		

APPENDIX B: STANDARD CONDITIONS

General

1. The proposed works are permitted subject to any alterations:
 - a. found necessary by Chief Executive Officer at the time of examination of Engineering drawings or during construction of the works because of particular engineering requirements and.
 - b. to ensure the works comply in all respects with the requirements of the *FNQROC Development Manual* and good engineering practice; and
 - c. to comply with project specific conditions and the following standard conditions of approval.

All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.

2. The conditions of any Reconfiguration of Lot or Material Change of Use permits applicable to the subject lot or lots shall be complied with in conjunction with this development permit.
3. Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.
4. Notwithstanding any approval given to engineering documents, where a discrepancy occurs between these documents and Council's standards, then Council's standards shall apply. All works must be performed in accordance with Council standards and Local Laws and other statutory requirements.
5. If in fact there are errors, omissions or insufficient detail on the plans for the purpose of construction, these deficiencies shall be made good during construction and Council reserves the right to withhold approval of construction until such deficiencies are made good to its satisfaction.
6. Work and or Technical Documents identified within these Development Approval Conditions require Council approval prior to granting Early Plan Sealing or Plan Sealing of a Subdivision Plan or the issue of a Works Acceptance Certificate, whichever occurs first.

Timing of Effect

7. The conditions of this development permit must be effected prior to the approval and dating of the survey plan, except where specified otherwise in these conditions of approval, or at Council's discretion.

Easement Documentation

8. Easement documents are to be submitted to Council's solicitors for checking in accordance with the conditions of the Reconfiguration Development Permit. Contact Council for current nominated solicitors details.

Portable Long Service Leave Notification

9. As per the QLeave – Building and Construction Industry Authority Guidelines, if the works are over \$150 000, Council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to commencement of work.

Construction Security Bond

10. Lodgement of Construction Security Bond as per the *FNQROC Development Manual*, Section CP1.07, (ie, five (5) per cent of the value of the works) is required, prior to commencement of work. The bond shall be in favour of Council and in the format of cash or an unconditional bank guarantee, which must cover all aspects of the construction and have no termination date.

Third Party Agreement

11. The developer must obtain written agreement from third parties and/or Referral Agencies for any works proposed on adjacent properties. The agreement(s) must be provided prior to the associated works commencing on site. All agreements must be available for Council scrutiny, upon request.

Commencement of Works

12. Council is to receive written Notice of Intention to Commence Works and all matters relevant to the Pre-Start meeting are to be attended to in accordance with Section CP1.07, CP1.08 and Section CP1.09, of the *FNQROC Development Manual*.

Hours of Work

13. Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:
 - a. 7:00 am to 6:00 pm, Monday to Friday;
 - b. 7:00 am to 1:00 pm, Saturdays; and
 - c. no work is permitted on Sundays or Public Holidays.

Any variations to the above working hours must be authorised by the Chief Executive Officer, prior to the commencement of such works.

Public Notification of the Works

14. The developer or the nominated representative must provide:
 - a. Public notification of the development in local newspapers in accordance with Section CP1.11 of the *FNQROC Development Manual*.
 - b. Signage identifying the location of the project, general allotment layout, contact numbers (including out-of-office hours emergency numbers) must be provided at all entrance points to the development. All signage must be appropriately positioned, prior to the commencement of any works on the site.

Site Inspections

15. Council requires a number of major inspections to be completed as Witness and Hold Points for Consulting Engineers and Council officers during the construction of the works. Inspections undertaken during construction shall be in accordance with Section CP1.16 (Inspection and Testing) of the *FNQROC Development Manual*. These Witness and Hold points are to be included in the contractors Inspection and Test Plan (ITP) and be made available for inspection, prior to the commencement of any works on the site.

Soil and Water Management

16. All works must be in accordance with Section CP1.13 and D5 of the *FNQROC Development Manual*, and must comply with the following:
- a. A copy of the contractor's Erosion and Sediment Control (ESC) Plan is to be submitted to Council and endorsed by the Consulting Engineer, prior to commencement of any works. In particular, the ESC Plan must address the Institution of Engineers' Australia *Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy* and Clauses CP1.06, CP1.13 and D5.10 of Council's *FNQROC Development Manual*. The ESC Plan must be relevant to all phases of the construction and be updated where necessary as works progress.
 - b. Any dewatering activities will require approval from Council's Environmental Protection Unit, telephone number 07 4099 9475 and a valid permit obtained prior to commencement.
 - c. During the construction period, the Consulting Engineer shall randomly audit and inspect ESC measures for compliance with the Engineer endorsed contractor's ESC Plan, derived from the Engineer's ESC Strategy (As per *FNQROC Development Manual* CP1 Appendix A).
 - d. It is the contractor's responsibility to ensure that the ESC Plan is updated and amended to reflect any changes in the construction methodology. All such amendments shall be approved by the Engineer and presented to Council.
 - e. The developer shall be held responsible for any rectification works required to clean up dust, pollutants and sediments that may leave the site as a result of construction activities.
 - f. The developer or their representative shall be responsible for communicating with third parties affected by any dust, pollutants or sediment leaving the site as a result of any construction activity that is associated with the project site.

Street Lighting

17. The provision of street lighting is to be in accordance with the *FNQROC Development Manual* D8 and designed to comply with the Road Lighting Standard AS/NZS 1158, a compliance certificate that has been certified by an appropriate Registered Professional Engineer of Queensland (RPEQ) must be provided to demonstrate the lighting design complies to the requirements of the Road Lighting Standard AS/NZS 1158. New street lighting is to be erected as a Rate 2 public lighting installation, Rate 1 will only be considered where an overhead electricity reticulation exists:
- a. Lighting columns, luminaires and lamps are to be of a type specified in Ergon Energy's *Lighting Construction Manual*, unless approved otherwise by Council.
 - b. The applicable lighting category for roads associated with this project having a road hierarchy of residential access and above is identified in Table D8.1 of the *FNQROC Development Manual*.
 - c. Local Area Traffic Management (LATM) devices including roundabouts, must be provided with an illumination of not less than 3.5 Lux as specified in the Road Lighting Standard AS/NZS 1158.
 - d. Street lighting located adjacent to the development frontage must be located behind the kerb (usually a minimum of 820 mm from the invert of the kerb) and spaced to meet the required lighting category for the road.

Infrastructure Plans for Utility Services

18. Approved infrastructure plans for gas, electrical and telecommunications services must be endorsed by Council, prior to the commencement of associated works.

Landscaping General

19. Landscaping shall be provided in accordance with Part D9 and Part S8 of the *FNQROC Development Manual*, unless approved otherwise by Council.
20. The landscaping works must be constructed in accordance with the approved plans and conditions. The developer must seek approval in writing from the Council for any changes to the plan or the landscaping works on the site. This approval must be obtained prior to commencement of these works on site.
21. The landscape must be maintained in good order by the developer for at least three (3) months during the Works Acceptance period, and generally timed to coincide with the Final Works Acceptance Inspection, when all landscaping works must be in a condition suitable for Council to commence regular maintenance.

Trees

22. Any trees must be planted and staked in accordance with the *FNQROC Development Manual* drawing S4210, with root barriers installed such that they are just visible at the finished surface level. Note that where footpaths are to be provided, a root barrier must also be provided between the tree and the path. Root barriers must be installed and appropriate topsoil, level of compaction and drainage provided, as specified by the manufacturer.
23. Street tree planting locations must be in compliance with *FNQROC Development Manual* D9.07.6 'Alignment and placement of Street Trees'. Trees shall be positioned a minimum of:
 - a. 7.5 metres from streetlights;
 - b. two (2) metres from the inlet or outlet of stormwater pipes;
 - c. three (3) metres from any driveways;
 - d. ten (10) metres back from the apex of both boundaries of a corner lot;
 - e. 0.8 metres – one (1) metres from the back of kerbs.
24. All trees must be watered directly after planting and prior to laying mulch. The mulch must be left clear of the trunk and be laid in accordance with *FNQROC Development Manual* drawing S4210 and S8.14, at a radius of 0.5 metre around the base of the tree and out to the back of kerb.
25. All trees must be of good vigour and health and must not be root-bound at the time of planting. They should be approximately 1.5 metres – two (2) metres tall with well-established root and branch formation. Trees should have a clear dominant central leader.
26. A joint site inspection is to be held with Council officers and developer's representative to assess the general condition of any existing trees and shrubs within six (6) metres of any property boundary abutting the road reserve, or other Council land. If any dead, dying or dangerous trees are identified during the meeting, with the landowner's consent, they are to be removed to the satisfaction of Council officers, prior to the sealing of plans for the associated lot.

27. Any trees identified on drawings to be retained, are to be protected in accordance with approved plans. This must include, but is not limited to, the erection and continued maintenance of suitable physical barrier(s) placed around the tree to protect the tree and the root system. Additional protection of tree trunks by the fixing of timber planks using wire loops is also required unless approved otherwise by Council. Any damage caused to nominated trees as a result of construction activity, will require inspection by Council and will require a specified number of suitable replacements trees of suitable maturity to be provided to replace the loss in amenity.

Verges

28. All verges are to be covered full-width with topsoil (AS 4419/Soils for Landscaping and Garden Use) to a depth of not less than 40 mm, lightly compacted and grassed in accordance with Council's Guidelines and Specifications.
29. Any island beds or any shrub beds must have a permanent irrigation system installed, which must be connected to the Douglas Water Network. An Application for a Water Service Connection must be presented to Douglas Water & Waste to facilitate the connection, and must include the installation of a flow meter and associated valves.
30. All water reticulation, including permanent irrigation systems, are to be identified in as-constructed plans which must be submitted to Council for approval prior to the Works Acceptance (On Maintenance) meeting for landscaping.

Structures and Retaining Walls

31. Separate building certification and/or structural certification is required for any works to alter existing structures, provide new structures or construct retaining walls that are over 900 mm high. Certification by a suitably qualified engineer must be provided, prior to opening the work site to the public.

The Location of Stormwater Quality Interception Devices (SQIDs)

32. Council must approve the location of any SQIDs prior to installation. They shall be positioned to allow for economic and efficient maintenance operations, and will require a reinforced concrete hard standing area to be provided from the edge of the carriageway to the SQID location. Vehicular access from the public road reserve to the SQID must remain unrestricted.

Sewer and Water

33. All water and sewerage works must be in accordance with Sections D6 and D7 of the *FNQROC Development Manual*, and must comply with the following:
 - a. Douglas Shire Council requires a minimum of five (5) working days notice of intention to commence water and sewerage related works. The notice shall be given to the Senior Plumbing Inspector at Douglas Shire Council either in writing, by telephone 07 4099 9479, fax 07 4098 2902 or email to enquiries@douglas.qld.gov.au prior to the commencement of works.
 - b. The developer shall be responsible for confirming the location of all existing sewer, water and utility service infrastructure prior to the commencement of works on site. Any permits necessary to alter/interfere with such services must be obtained prior to the commencement of work and be available for Council inspection if required.
 - c. Any works over or within the zone of influence of Council's existing water and sewerage infrastructure must be approved by Douglas Shire Council prior to the commencement of the proposed works. Unless otherwise approved in writing, existing infrastructure impacted

by the development shall be subject to the maintenance period provisions contained in this Decision Notice.

Construction works shall include any works that may impact on existing infrastructure such as, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, site filling, stockpiling of materials and installation of erosion and sediment control measures.

- d. All testing and acceptance of water and sewerage works shall be in accordance with CP1 Construction Procedures of the *FNQROC Development Manual*. Works are to be certified as acceptable by Douglas Water & Waste, and any operating manuals etc be provided to Council, prior to making an application for the acceptance of the works.

Sewer

34. Douglas Water & Waste must be contacted to perform any direct connection to live sewer mains. Unless otherwise approved in writing, separate applications for approval on the prescribed forms shall be made to Douglas Water & Waste for each connection together with payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for Plumbing Works'.
 - a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.
 - b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.
 - c. Where retaining walls are located within the zone of influence of a sewer the footings must be 1000 mm clear of the sewer and designed in accordance with the *Queensland Development Code*. Full design details and structural certification must be approved prior to commencement of works.
 - d. Minimum clearances between sewer mains and other services must be in accordance with the *Sewerage Code of Australia*. Clearances must be included on the long-section drawing.
 - e. Where a manhole is located in a batter, a flat area of 1.5 metres radius from the centre of the manhole must be provided. Where the manhole is located along a side or rear boundary and is on the 0.8 metre standard alignment then the flat area must be on at least three (3) sides.
 - f. Where an easement is required the property connection branch must be extended at least one (1) metre from the easement boundary.
 - g. House drains are to extend one (1) metre past the end of the driveway on hatchet blocks and 1.5 metres beyond the top of batters. An I.O. is to be provided at the downstream end of the house drain within one (1) metre of the boundary to delineate the end of the property connection branch.
 - h. As-constructed sewerage drawings must be approved prior to granting of Early Plan Sealing or Issue of a Works Acceptance Certificate whichever occurs first. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Water

35. Douglas Shire Council must be contacted to perform any direct connection to live water mains whether being as a permanent connection, a connection for irrigation purposes or for construction water. Unless otherwise approved in writing, separate applications on the prescribed forms shall be made to Douglas Shire Council for connections, together with payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for a Water Service Connection'.
- a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.
 - b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.
 - c. Minimum clearances between water mains and other services must be in accordance with the *Water Supply Code of Australia* in particular the minimum clearance between water mains and sewer mains must be 500 mm with the sewer under the water main.
 - d. As-constructed water drawings must be approved prior to Issue of a Works Acceptance Certificate. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Roads and Footpaths

36. All works are to be designed and constructed in accordance with AS 1428.1-2001: '*Design for access and mobility*' – General requirements for access – New building work, and associated standard AS/NZS 1428.4 2002, '*Design for Access and Mobility*' – Tactile Indicators. The design is required to provide equal access for people with disability and include the provision of suitable ramps and landing areas and the installation of Tactile Ground Surface Indicators (TGSIs) where required.

Cultural Heritage

37. The *Aboriginal Cultural Heritage Act 2003* (the Act) seeks to protect artefacts and cultural sites that are of significance to Aboriginal people. The Act requires anyone carrying out an activity to exercise a Duty of Care. Guidelines have been produced to enable assessment of sites under the Act. These are available from Department of Environment Heritage Protection and can be downloaded from their website at www.ehp.qld.gov.au. The work identified in the project documentation is likely to require assessment of the site under the Act.

SCHEDULE 2 – PLANNING ACT EXTRACT ON APPEAL RIGHTS

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note — See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
- (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

- (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Extract of Schedule 1 of the Planning Act 2016

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
1. Development applications An appeal may be made against— <ul style="list-style-type: none"> (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval. 			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application

**Table 2
Appeals to the P&E Court only**

2. Eligible submitter appeals
 An appeal may be made against the decision to give a development approval, or an approval for a change application, to the extent that the decision relates to—
 (a) any part of the development application for the development approval that required impact assessment; or
 (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

3. Eligible submitter and eligible advice agency appeals
 An appeal may be made against a provision of a development approval, or failure to include a provision in the development approval, to the extent the matter relates to—
 (a) any part of the development application or the change application, for the development approval, that required impact assessment; or
 (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

Note:

Attached is a Rights of Appeal Waiver form (Schedule 3). Please complete and return this form if you are satisfied with the approval and agree to the conditions contained therein and you wish to waive the 20 day appeal period available under the *Planning Act 2016*

SCHEDULE 3 – RIGHT OF APPEAL WAIVER

Mail To: Douglas Shire Council
Email Address: enquiries@douglas.qld.gov.au
Attention: Development Assessment

RE:

Council reference: 44.2019.3076.1

Property Address: Tati Road MIALLO; land described as LOT: 1 RL: 4069

This advice is to confirm that I/We have received the above approval and agree to the conditions contained therein. I/We hereby waive My/Our appeal rights available under the *Planning Act 2016*.

Applicants Name: _____

Signature: _____

Date : _____

APPROVED PLANS (ATTACHING TO THE DECISION NOTICE)

