

IDAS form 1—Application details

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

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

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

For all development applications, you must:

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

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

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

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

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

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

Mandatory requirements

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

Name/s (individual or company name in full)

Mrs Priscilla Quaid

For companies, contact name

Claire Simmons

Postal address

C/- Planning Plus

PO Box 8046

Suburb	Cairns
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State	QLD
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Postcode	4870
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Country	Australia
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Contact phone number

(07) 40283653

Mobile number (non-mandatory requirement)

0401085438

Fax number (non-mandatory requirement)

Email address (non-mandatory requirement)

claire

@ planningplusqld.com.au

Applicant's reference number (non-mandatory requirement)

15-03/L000274

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

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

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

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

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

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

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

Boundary Realignment

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

☐ Impact assessment ☒ Code assessment

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

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

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

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

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

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

d) What is the level of assessment?

☐ Impact assessment ☐ Code assessment

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

☐ Refer attached schedule ☐ Not required

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

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

☒ Street address **and** lot on plan (All lots must be listed.)

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

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		164	Tati Road, Miallo		1 & 2	SP174875	Port Douglas (Douglas Shire Council)
ii)							
iii)							

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

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Rural Planning Area	Rural Areas and Rural Settlements Locality	Acid Sulfate Soils; Bushfire Hazard (Low & Medium Risk).
ii)			
iii)			

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

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

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

55.13ha

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

Shed and farm house, vacant land, and primary industry.

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

☒ No ☐ Yes—provide details below

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

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

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

Table F

Name of owner/s of the land	
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	

Table G

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

Table H

Name of owner/s of the land	Priscilla Quaid Shane William Quaid Owen Thomas Quaid Cheyne Emma Sellwood
<input checked="" type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

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

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

Table I

Name of water body, watercourse or aquifer
Saltwater Creek

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

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

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

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

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

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

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

☒ No—go to question 12 ☐ Yes

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

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

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

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

☒ No
☐ Yes—please provide details below

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

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

Description of attachment or title of attachment	Method of lodgement to assessment manager
Planning Report – including all supporting documentation	Smart eDA

14. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

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

Question 11

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

Question 12

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

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

OFFICE USE ONLY

Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

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

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

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

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

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

IDAS form 7—Reconfiguring a lot

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

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

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

For all development applications, you must:

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

For requests for compliance assessment, you must:

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

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

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

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

Mandatory requirements

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

2

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

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

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

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

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

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

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

☐ No ☐ Yes—provide details below

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

6. Does the proposal involve multiple stages?

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

Table A

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

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

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

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

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

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

Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage
Lot 1 on SP174875	Approx. 12.2ha	Approx. 406.03m	Lot 101 on SP174875	Approx. 47.2ha	Approx. 682.975m
Lot 2 on SP174875	Approx. 43ha	Approx. 682.975m	Lot 102 on SP174875	Approx. 8ha	Approx. 249.967m

9. What is the reason for the boundary realignment?

To obtain individual ownership over the northern portion of Lot 2 on SP174875

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

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

Mandatory supporting information

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

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

their height • the location of any stormwater detention on the relevant land • the location and dimension of any land dedicated for community purposes • the final intended use of any new lots.		
For a development application – A statement about how the proposed development addresses the local government's planning scheme and any other planning documents relevant to the application. For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed.	<input checked="" type="checkbox"/> Confirmed	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	

Notes for completing this form

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

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

OFFICE USE ONLY

Date received

Reference numbers

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

Department of State Development, Infrastructure and Planning

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IDAS form 7—Reconfiguring a lot
Version 3.1—1 October 2014



Our Ref: 15-03/L000274
Date: 23 June 2015

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Smart eDA

Dear Madam,

RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR 'RECONFIGURATION OF A LOT' (BOUNDARY REALIGNMENT) OVER LAND LOCATED AT 164 TATI ROAD, MIALLO, MORE PARTICULARLY DESCRIBED AS LOT 1 AND LOT 2 ON SP174875

Planning Plus Pty Ltd has been engaged by Mrs Priscilla Quaid ('the applicant') to prepare and lodge the abovementioned development application.

In support of the application, please find **attached**:

- Completed IDAS Forms 1 and 7 (**Annexure 1**); and
- Payment for the relevant application fee of \$1,033.95 in accordance with Council's 2014-2015 Schedule of Fees and Charges.

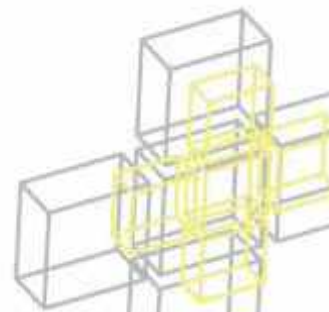
In addition to the above, the following submission has been prepared to assist Council and other relevant authorities with their assessment of the application.

1.0. Site Information

Site Details

Key details of the subject site include:

Address:	164 Tati Road, Miallo
Real Property Description:	Lot 1 & Lot 2 on SP174875 <i>Refer to Figure 1 & 2 – SmartMap & Google Globe Image</i>
Site Area:	55.13ha (Lot 1 - 12.16ha and Lot 2 - 42.97ha)



Land Owner:	Priscilla Quaid (Lot 1 on SP174875 & Lot 2 on SP174875) Shane William Quaid (Lot 1 on SP174875 & Lot 2 on SP174875) Owen Thomas Sellwood (Lot 2 on SP174875) Cheyne Emma Sellwood (Lot 2 on SP174875) <i>Refer to Annexure 2 – Title Searches</i>
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Planning Context

The planning context of the site includes:

Regional Plan designation:	Regional Landscape and Rural Production Area.
Planning Scheme Locality:	Rural Areas and Rural Settlements Locality.
Planning Area:	Rural Planning Area.
Planning Scheme Overlays:	<ul style="list-style-type: none"> ▪ Acid Sulfate Soils; and ▪ Bushfire Hazard (Low & Medium Risk).

Site Characteristics

Key site characteristics include:

Topography:	Generally flat on northern side of Tati Road, sloping to road frontage on southern side of Tati Road.
Vegetation:	Generally cleared. Category B mapped remnant vegetation at the rear of the southern portion of Lot 2.
Wetlands:	None.
Conservation:	None.
Services:	<p>The site is connected to, or has access to, all of the following urban infrastructures:</p> <ul style="list-style-type: none"> ▪ Reticulated water supply; ▪ Telecommunications; ▪ Electricity; and ▪ Roads.
Waterways:	Saltwater Creek is the northern boundary of Lot 1 and Lot 2.
Road frontages and length:	Approximately 660 meters along Tati Road.
Existing use of site:	Lot 1 contains a shed, and Lot 2 contains a shed and

2.0. Application Details

2.1. General Description

Aspects of Development Sought:	Application for a Development Permit for Reconfiguration of a Lot (Boundary Realignment).
Applicant:	Mrs Priscilla Quaid C/- Planning Plus Pty Ltd PO Box 8046 CAIRNS Q 4870
Contact:	Miss Claire Simmons Planning Plus Pty Ltd PO Box 8046 CAIRNS QLD 4870 Ph: (07) 4028 3653 E: claire@planningplusqld.com.au

3.0. Proposal

3.1. Proposal Detail

This application seeks a Development Permit for Reconfiguration of a Lot (Boundary Realignment). The proposal is illustrated by the Proposal Plan, Drawing No. Q154021_001A - 12/05/2015, which is included for reference as **Figure 3**.

Lot 2 on SP174875 was originally purchased jointly with other owners who are the applicant's daughter and son in-law and it is now proposed to have the northern portion of this lot under individual ownership. This is to enable separate ownership of the northern portion of Lot 2 by the applicant's daughter and son in-law who currently reside in the improvements on the lot, as well as for the purpose of separate property numbers for the Department of Primary Industry requirements. It is not intended that the existing use of the land for cattle grazing will change.

The proposal seeks to transfer the larger portion of Lot 2 located south of Tati Road to the adjoining Lot 1, utilising Tati Road as a boundary to allow the northern portion of Lot 2 (which includes all of the improvements) to be transferred to the applicant's daughter and son in-law (Refer to **Figure 3**).

Although a Boundary Realignment would result in the northern portion of Lot 2 becoming non-compliant with the minimum lot size for the planning area, the proposal merely redistributes the lot areas, resulting in Lot 2 being the non-compliant lot as opposed to Lot 1 which is currently non-compliant. Furthermore, the new boundary for the redistributed lots would utilise the existing physical boundary along Tati Road, eliminating any further fragmentation of agricultural land.

A Pre-lodgement Enquiry was lodged with Council on 2 March 2015 seeking support for the proposed development. A Pre-lodgement Response was issued on 2 April 2015 (Council Ref: D#451619) which detailed Council's 'in principal' support for the Boundary Realignment (Refer to **Annexure 3**). In particular, Council's response recognised the existing non-compliance of minimum lot size requirements under the Planning Scheme, however indicated Council's support for the proposed development as it does not result in any additional lots.

An imagery plan is included for reference as **Figure 4** which includes photographs of the site which were taken on 4 June 2015.

4.0. Legislative Requirements

4.1. Sustainable Planning Act 2009 (SPA)

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

4.1.1. Confirmation That Development is Not Prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under SPA including:

- Prohibited Development defined at Schedule 1 of the *Sustainable Planning Regulation 2009* (Section 234).

4.1.2. Assessable Development

The development proposed by this application is assessable development pursuant to Schedule 3 of the *Sustainable Planning Act 2009*, which states that 'assessable development' includes: *development not prescribed under a regulation to be assessable development, but declared to be assessable development under any of the following that applies to the area -*

- *the planning scheme for the area;*
- *a temporary local planning instrument;*
- *a temporary local planning instrument; or*
- *a preliminary approval to which section 242 applies.*

4.1.3. Assessment Manager

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

4.1.4. Level of Assessment

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

Aspect of Development	Planning Instrument that determines Level of Assessment	Level of Assessment
Development Permit for 'Reconfiguring of a Lot' (Boundary Realignment)	Douglas Shire Council	Code Assessable

There are no inconsistencies in the level of assessment between planning instruments for the proposed development, therefore this application is subject to 'code assessment'.

4.1.5. Statutory Considerations for Assessable Development

As the development is subject to 'code assessment', the relevant considerations of the Assessment Manager in making the decision pursuant to Sections 313, 324 and 326 of the *Sustainable Planning Act 2009* have been assessed at Section 5 of this Planning Report.

4.1.6. Referral Agencies

A review of Schedule 7 of the *Sustainable Planning Regulations 2009* indicates that no State Agency referrals are triggered by the proposed development.

4.1.7. Public Notification

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

4.1.8. State Resources

The proposal does not involve any State Resources.

5.0. Statutory Planning Assessment

5.1. Overview

This section assesses the application against all relevant statutory planning provisions.

5.2. State Planning Regulatory Provisions

No State Planning Regulatory Provisions are applicable to this application.

5.3. State Planning Policy

No elements of the State Planning Policy are applicable to this application.

5.4. Regional Plan

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Regional Landscape and Rural Production Area'. The proposal is considered to be consistent with the intent of this area and with the broader objectives of the plan which seek to protect these areas from encroachment by inappropriate development, particularly urban or rural residential development.

5.5. State Development Assessment Provisions (SDAP)

No State Development Assessment Provisions are identified as being applicable to the proposal.

5.6. Planning Scheme

Under the Douglas Shire Council Planning Scheme, the subject site is included within the 'Rural' Planning Area. Within this designation, the proposed Reconfiguration of a Lot is identified as being 'code-assessable' development.

5.6.1. Applicable Codes

The following codes are considered to be relevant to this development:

- Rural Areas & Rural Settlement Locality Code;
- Rural Planning Area Code;
- Natural Hazards Code; and
- Reconfiguring a Lot Code.

A detailed assessment against the Douglas Shire Council Planning Scheme codes is included as **Annexure 4** to this report. The proposal is considered generally compliant with the relevant 'Acceptable Solutions' and/or 'Performance Criteria' of the relevant codes. Where strict compliance with the 'Acceptable Solutions' is not achieved, comments addressing the relevant 'Performance Criteria' are provided.

6.0. Conclusions and Recommendations

This submission supports an application by Mrs Priscilla Quaid for a Development Permit for Reconfiguration of a Lot (Boundary Realignment) on land located at 164 Tati Road, Miallo, more particularly described as Lot 1 and Lot 2 on SP174875.

The submission has included an assessment of the proposal against the relevant statutory planning controls at both the local and state level and included supporting information intended to address the likely concerns of Council and assessing authorities.

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

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

Yours Faithfully



Claire Simmons
Planner

Planning Plus Pty Ltd

enc: Figure 1:	SmartMap
Figure 2:	Google Globe Image
Figure 3:	Proposal Plan, Drawing No. Q154021_001A – 12-05-2015
Figure 4:	Imagery Plan
Annexure 1:	IDAS Forms
Annexure 2:	Title Searches
Annexure 3:	Pre-lodgement Response dated 2 April 2015
Annexure 4:	Code Assessment – Douglas Shire Council

Annexure 4

Code Assessment – Douglas Shire Council

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Elements of the Code					
Site Requirements					
P1	Buildings and structures complement the height of surrounding development and/or are subservient to the surrounding environment and are in keeping with the character of the Locality.	A1.1 In all Planning Areas in this Locality the maximum height of buildings/structures is 6.5 metres and 2 storeys. In addition, the roof or any ancillary roof features do not exceed a maximum height of 3.5 metres.	N/A	Not applicable.	
P2	Development is connected to all urban services or to sustainable on Site infrastructure services.	A2.1 Development is connected to available urban services by underground connections, wherever possible. AND/OR Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions. OR Water storage tank/s with a minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks.	✓	Proposal complies.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting. AND An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive. AND On-site sewerage facilities are provided in accordance with the On-site Sewerage Code.			
P3 Landscaping of development Sites complements the existing rural character of the Locality.	A3.1 Landscaping utilises predominantly native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality. AND A minimum of 60% of the total proposed species are endemic or native species	N/A	Not applicable.	
P4 Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	Proposal complies.	
Protecting Rural/Rural Settlement Amenity - General				
P5 Industrial development in a rural area relies on or has a strong nexus with the primary rural activity undertaken on Site or in the surrounding area.	A5.1 Any industrial development is limited to rural industrial activities which, by necessity, are related to primary industries in the surrounding area and require a rural location and where an urban location is inappropriate.	N/A	Not applicable.	

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

Annexure 4

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

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	<p>A8.2 Any new lots are included in a Designated Development Area (DDA) identified on the proposal plan of reconfiguration and ultimately, on the registered survey plan.</p> <p>A8.3 Development located within a Designated Development Area is sited where Clearing is limited to a maximum area of 800 m² of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m² area of Clearing does not include an access driveway.)</p> <p>OR, ALTERNATIVELY</p> <p>If a greater part of the Site is to be cleared, that part of a Site not cleared is to be included in a Conservation Covenant to protect the integrity of the natural environment.</p> <p>A8.4 Clearing is limited to the DDA and the DDA is sited on that part of the lot which is least constrained by slope, vegetation or Access constraints, and does not require extensive cut and fill and/or complex geotechnical solutions.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	

Solution: ✓ = Acceptable Solution

A/S = Alternative Solution

N/A = Not applicable to this proposal

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	A8.5 The DDA is sited so that the development of a House does not obstruct the views from any adjacent existing Houses. AND Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.	N/A	Not applicable.	
P9 Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban services.	A9.1 Any future reconfiguration of Lot 32 on RP 850495 for Rural Settlement purposes only occurs in association with connection to reticulated sewerage and water supply servicing Wonga Beach.	N/A	Not applicable.	
P10 The development of part of Lots 10 and 11 on SP 132055 for residential purposes is undertaken to protect the environmental values of the site and the scenic amenity of the local area.	A10.1 Residential development occurs on the more gently sloping part of the site, elevated above the steep bank adjacent to Mossman-Daintree Road. AND The area appropriate for residential development is determined on the basis of contour and vegetation surveys of the site. AND	N/A	Not applicable.	
	AND Only one access point from the site to the State-Controlled Road is permitted. AND At reconfiguration stage a broad vegetation screen is provided along the elevated frontage of the site to the Mossman-Daintree Road so that the residential development is screened from the road. AND The balance of the site is protected from clearing to maintain the forested mountain landscape and no further reconfiguration of the balance area occurs.			

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Protection of Scenic Amenity and Natural Values				
P11 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality.	A11.1 No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	✓	Proposal complies. The proposal is merely a boundary realignment which moves a boundary along an existing road and therefore does not result in adverse impacts on areas mentioned in P11.	
Indigenous Interests				
P12 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.	A12.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Elements of the Code					
Consistent and Inconsistent Uses					
P1 The establishment of uses is consistent with the outcomes sought for the Rural Planning Area	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Planning Area.	N/A	Not applicable. It is not intended that the existing use of the land for cattle grazing will not change.	
Good Quality Agricultural Land					
P2 GQAL is only used for agricultural uses and primary production purposes.	A2.1	Agricultural land is used for agricultural uses in accordance with the classifications of the Agricultural Land Classes identified in the Shire and the requirements of State Planning Policy 1/92 – Development and the Conservation of Agricultural Land.	N/A	Not applicable. It is not intended that the existing use of the land for cattle grazing will not change.	
Buffering Incompatible Land Uses					
P3 A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.	A3.1	A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS		SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
<i>Building/Structure Setbacks and Screening</i>						
P4	Buildings/structures are Setback to: <ul style="list-style-type: none">• maintain the rural character of the area; and• achieve separation from neighbouring Buildings and from Road Frontages.	A4.1	Buildings/structures are Setback not less than: <ul style="list-style-type: none">• 40 metres from the property boundary adjoining a StateControlled Road; or• 25 metres from the property boundary adjoining the Cape Tribulation Road; or• 20 metres from the property boundary fronting any other Road; and• 6 metres from the side and rear property boundaries of the Site.	✓	Proposal complies.	
P5	Rural activities north of the Daintree River are screened to protect the Scenic Amenity of the area.	A5.1	A 10 metre Setback on rural land adjacent to any Road Frontage north of the Daintree River including Dense Planting of the setback area.	N/A	Not applicable.	
<i>Rural Character</i>						
P6	Buildings/structures are designed to maintain the rural character of the area.	A6.1	White and shining metallic finishes are avoided on external surfaces of Buildings located in prominent view.	N/A	Not applicable.	
<i>Protecting and Enhancing Native Vegetation and Adjacent Environmentally Sensitive Areas</i>						
P7	Native vegetation existing along Watercourses and in or adjacent to areas of environmental value or areas of remnant vegetation of value is protected.		No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Report and Information the Council May Request, for code and impact assessable development).	✓	Proposal complies. No clearing of vegetation is proposed and no new boundaries which intersect native vegetation are proposed.	

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

Annexure 4

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Sloping Sites					
P8	Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	A8.1 Building/structures are Erected on land with a maximum slope not exceeding 15%. OR Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage. OR Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which Includes signoff that the Site can be stabilised. AND Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage. (Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
P9 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.	A9.1 A split level building form is utilised.	N/A	Not applicable.	
	A9.2 A single plane concrete slab is not utilised.	N/A	Not applicable.	
	A9.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.	N/A	Not applicable.	
P10 Development on sloping sites minimises any impact on the landscape character of the surrounding area.	A10.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.	N/A	Not applicable.	
P11 Development on sloping sites ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.	A11.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.	N/A	Not applicable.	
<i>Sustainable Siting and Design of Houses on land where the Natural Areas and Scenic Amenity Code is triggered</i>				
P12 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.	A12.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m2 and is sited clear of the High Bank of any Watercourse. EXCEPT In the World Heritage Areas and Environs Locality and the Settlement Areas North of the Daintree River Locality where the maximum clearing is limited to 700m2.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	<p>(The 800m² /700m² area of Clearing does not include an access driveway.)</p> <p>A12.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>	N/A	Not applicable.	
P13 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.	A13.1 A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.	N/A	Not applicable.	
P14 The exterior finishes of a House complements the surrounding natural environment.	<p>A14.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p>AND</p> <p>For self assessable development the exterior colours of Buildings/structures are chosen from the following list of Colourbond Colours:</p> <ul style="list-style-type: none"> • Jasper • Sandbank • Paperbark • Dune • Windspray 	N/A	Not applicable.	

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

Annexure 4

	<ul style="list-style-type: none"> • Woodland Grey • Bushland • Pale Eucalypt • Wilderness • Cottage Green • Plantation • Blue Ridge and • Ironstone. 			
P15 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.	A15.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements	N/A	Not applicable.	
P16 Any filling and excavation work does not create a detrimental impact on slope stability, erosion potential or Visual Amenity of the Site or the surrounding area.	A16.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.	N/A	Not applicable.	
P17 The bulk and scale of a House is not visually obtrusive and does not compromise the Visual Amenity of the site and the surrounding area.	A17.1 The Gross Floor Area of the House does not exceed 250m ² .	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Bushfire					
P1	Development does not compromise the safety of people or property from bushfire.	A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide. AND Development complies with a Bushfire Management Plan prepared for the site.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
P2 Development maintains the safety of people and property by: <ul style="list-style-type: none"> - avoiding areas of High or Medium Risk Hazard; or - mitigating the risk through: <ul style="list-style-type: none"> o lot design and the siting of Buildings; and o including firebreaks that provide adequate: <ul style="list-style-type: none"> ▪ Setbacks between Building/structures and hazardous vegetation, and ▪ Access for fire fighting/other emergency vehicles; - providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and - providing an adequate and accessible water supply for firefighting purposes 	A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard. <p style="text-align: center;">OR</p> <p>For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m2:</p> <ul style="list-style-type: none"> - are sited in locations of lowest hazard within the lot; and - achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and - 10 metres from any retained vegetation strips or small areas of vegetation; and - are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>Building and structures on lots less than or equal to 2500 m2, maximise Setbacks from hazardous vegetation.</p> <p style="text-align: center;">AND</p>	A/S	The proposal is mainly within the low bushfire risk area, although the southern portion of the site is considered medium bushfire risk. No new buildings or structures are proposed.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	<p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:</p> <ul style="list-style-type: none"> - a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or - an on Site water storage of not less than 5000 litres (eg. Accessible dam or tank with fire brigade tank fittings, swimming pool). <p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> - efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to buildings); and - Setbacks and Building siting in accordance with 2.1 (a) above. <p>AND</p>	N/A	Not applicable. No new lots are proposed.	

Solution: ✓ = Acceptable Solution

A/S = Alternative Solution

N/A = Not applicable to this proposal

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	<p>Firebreaks are provided by:</p> <ul style="list-style-type: none"> - a perimeter Road that separates lots from areas of bushfire hazard and that Road has: - a minimum cleared width of 20 metres; and - a constructed Road width and all-weather standard complying with Council standards. <p>OR</p> <ul style="list-style-type: none"> - where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: - have a minimum cleared width of 6 metres; and - have a formed width and gradient, and erosion control devices to Council standards; and - have vehicular Access at each end; and - provide passing bays and turning areas for fire fighting applicants; and - are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS). <p>AND</p>			

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
	<ul style="list-style-type: none"> - Sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg. Creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response. <p>AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> - Have a maximum gradient of 12.5%; and - Exclude a cul-de-sac, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternative Access linking the cul-de-sac to other through roads. 			
P3 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	A3.1 Development complies with a bushfire Management Plan prepared for the site	N/A	Not applicable. No new lots are proposed. Similarly, no new buildings are proposed and the existing use of the site for cattle grazing is not intended to change.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Elements of the Code				
Area and Dimensions of Lots				
P1 Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	A1.1 Lots comply with the area and dimension identified for lots in the respective Planning Areas in Table 1.	A/S	No new lots are proposed. The existing lot configuration results in Lot 1 being non-compliant with the minimum lot size requirements. The proposal merely redistributes the lot areas, resulting in Lot 2 becoming the non-compliant lot.	
Rural Planning Area				
P2 Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal.	A2.1 Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation.	✓	Complies.	
	A2.2 Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above.	A/S	No new lots are proposed. The existing lot configuration results in Lot 1 being non-compliant with the minimum lot size requirements. The proposal merely redistributes the lot areas, resulting in Lot 2 becoming the non-compliant lot.	
	A2.3 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Rural Settlement Planning Area				
P3 Rural Settlement lots are located and designed such that they: <ul style="list-style-type: none"> have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat; retain significant landscape features, views and vegetation cover; provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and do not impact on the safety and efficiency of the Shire's Road network. 	P3 Rural Settlement lots are located and designed such that they: <ul style="list-style-type: none"> have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat; retain significant landscape features, views and vegetation cover; provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and do not impact on the safety and efficiency of the Shire's Road network. 	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
P4 The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by: <ul style="list-style-type: none"> protecting natural features, areas of environmental value and Watercourses; incorporating Site characteristics, views and landmarks; providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks; providing community or necessary facilities at convenient focal points; orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency; 	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	N/A	Not applicable.	
P5 Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.	AS.1 In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Commercial/Industrial Planning Areas				
P6 The reconfiguration layout of an industrial/commercial area: <ul style="list-style-type: none"> • facilitates the efficient use of industrial or commercial land; • ensures minimum impact on the natural environment and on the amenity of adjacent uses; • provides for a variety of lot sizes and complementary uses. 	P6.1 A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location of: <ul style="list-style-type: none"> • natural features, areas of environmental value and Watercourses; • street, bicycle and pedestrian networks and linkages to adjoining areas; • a variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1, above. 	N/A	Not applicable.	

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

Annexure 4

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

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

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
<i>Pedestrian and Bicycle Network</i>				
P11 Networks of pedestrian and bicycle paths are provided in safe and convenient locations.	A11.1 Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.	N/A	Not applicable.	
	A11.2 The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
	A11.3 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Stormwater Drainage				
P12 Stormwater runoff is contained and managed so that it does not adversely affect: <ul style="list-style-type: none"> natural Watercourses; surface or underground water quality; or the built environment either upstream or downstream of the Site. 	A12.1 Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
Water Supply				
P13 An adequate, safe and reliable supply of potable water is provided.	A13.1 Where in a water supply area, each new lot is connected to Council's reticulated water supply system. AND The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A N/A N/A	Not applicable. Not applicable. Not applicable.	
	A13.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.			

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Treatment and Supply of Effluent				
P14 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	A14.1 Each new lot is connected to Council's sewerage system.	N/A	Not applicable.	
	AND			
	The extension of and connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
	OR			
	Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997.			
	AND			
	The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewage Law.			
	A14.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
<i>Residential Development – Standard Format Plan with Common Property</i>				
P15 Lots have an appropriate area and dimension to protect residential amenity.	A15.1 The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code, as set out in Table 1, below.	N/A	Not applicable.	
P16 The Setback of Residential Use from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	A16.1 A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.	N/A	Not applicable.	
P17 Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	A17.1 Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.	N/A	Not applicable.	
P18 Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	A18.1 The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.	N/A	Not applicable.	
P19 Boundary fencing does not have a significant impact on the visual amenity of the local area.	A19.1 The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.	N/A	Not applicable.	
P20 The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.	A20.1 Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.	N/A	Not applicable.	

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

Annexure 4

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Boundary Realignment				
P21 The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.	A21.1 No additional lots are created. AND The area and configuration of the proposed lots are consistent with the historical pattern of reconfiguration in the local area. AND An improvement on the existing situation is achieved by: <ul style="list-style-type: none"> the provision of Access to a lot which previously had no Access; OR <ul style="list-style-type: none"> the proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met; OR <ul style="list-style-type: none"> the Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing lots. 	✓	Proposal complies.	

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

Annexure 4

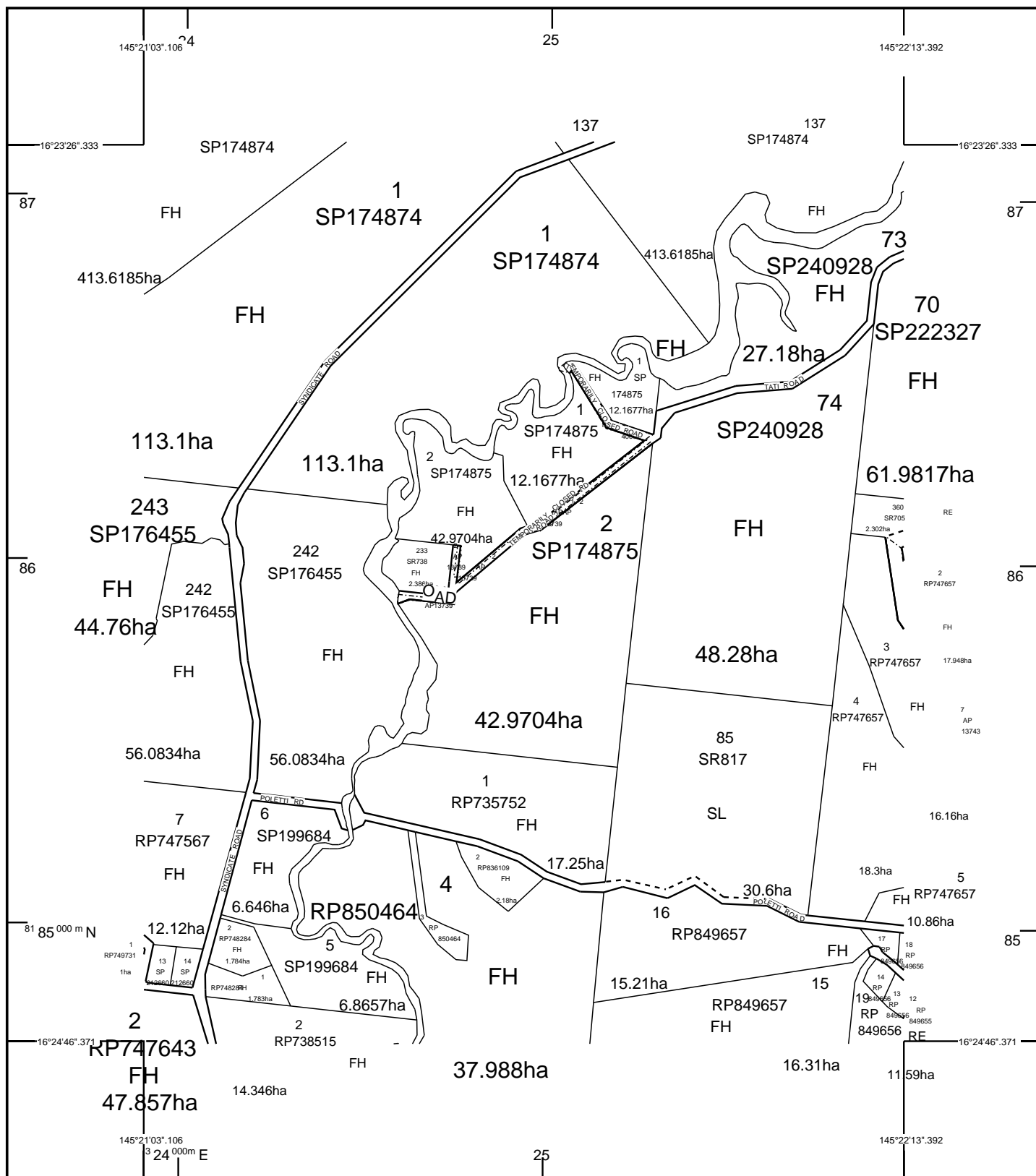
PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION ¹	COMMENTS	COUNCIL USE ONLY
Energy Efficiency				
P22 The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution	N/A	Not applicable.	
P23 The road and lot layout minimises fossil fuel use by: reducing the need for and length of local vehicle trips, maximising public transport effectiveness, encouraging walking and cycling, and provision of appropriate street landscaping	No Acceptable Solution	N/A	Not applicable.	

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

Annexure 4

Figure 1

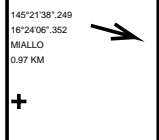
SmartMap



STANDARD MAP NUMBER
7965-23112

0 300 600 900 1200 1500 m
HORIZONTAL DATUM: GDA94 ZONE: 55 SCALE 1 : 15000

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	2/SP174875
Area/Volume	42.9704ha
Tenure	FREEHOLD
Local Government	DOUGLAS SHIRE
Locality	MIALLO
Parish	WHYANBEEL
County	SOLANDER
Segment/Parcel	8640/59

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 27/02/2015

DCDB 26/02/2015 (Lots with an area less than 1500m² are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

For further information on SmartMap products visit <http://nrm.qld.gov.au/property/mapping/blinmap>

SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base



(c) The State of Queensland,
(Department of Natural
Resources and Mines) 2015.

Figure 2

Google Globe Image



Lot 1 on SP174875

Lot 2 on SP174875

Lot 2 on SP174875

Tati Rd

Schildts Rd

Syndicate Rd

Poletti Rd

© State of Queensland 2014, © CNES 2012, Distribution Astrium Services / Spot Image S.A France.

Google earth

Imagery Date: 6/13/2011 16°24'03.77" S 145°21'41.06" E elev 54 m eye alt 2.27 km

2011

Figure 3

Proposal Plan, Drawing No. Q154021_001A –
12/05/2015

DATE PLOTTED: 20 May 2015 8:28 AM BY: TOBY CHESTER

PROPOSED LOTS 101 & 102
(RECONFIGURING LOTS 1 & 2 ON SP174875)
TATI ROAD, MIALLO

PARISH OF WHYANBEEL
COUNTY OF SOLANDER

1
SP174874

73
SP240928

PROPOSED LOT 101
(PART)
3.1 Ha (Approx)

PROPOSED LOT 101 (PART)
9.1 Ha (Approx)

PROPOSED LOT 102
8.0 Ha (Approx)

74
SP240928

233
SR738

PROPOSED LOT 101 (PART)
35 Ha (Approx)

85
SR817

242
SP176455

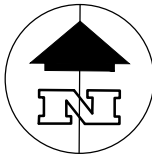
1
RP735752



AREA OF LAND TO BE ALLOCATED INTO PROPOSED LOT 101
APPROXIMATE TOTAL AREA - 47.2 Ha (SUBJECT TO SURVEY)



AREA OF LAND TO BE ALLOCATED INTO PROPOSED LOT 102
APPROXIMATE TOTAL AREA - 8 Ha (SUBJECT TO SURVEY)



MRS PRISCILLA QUAID
C/O PLANNING PLUS
PO BOX 8046,
CAIRNS Q 4870



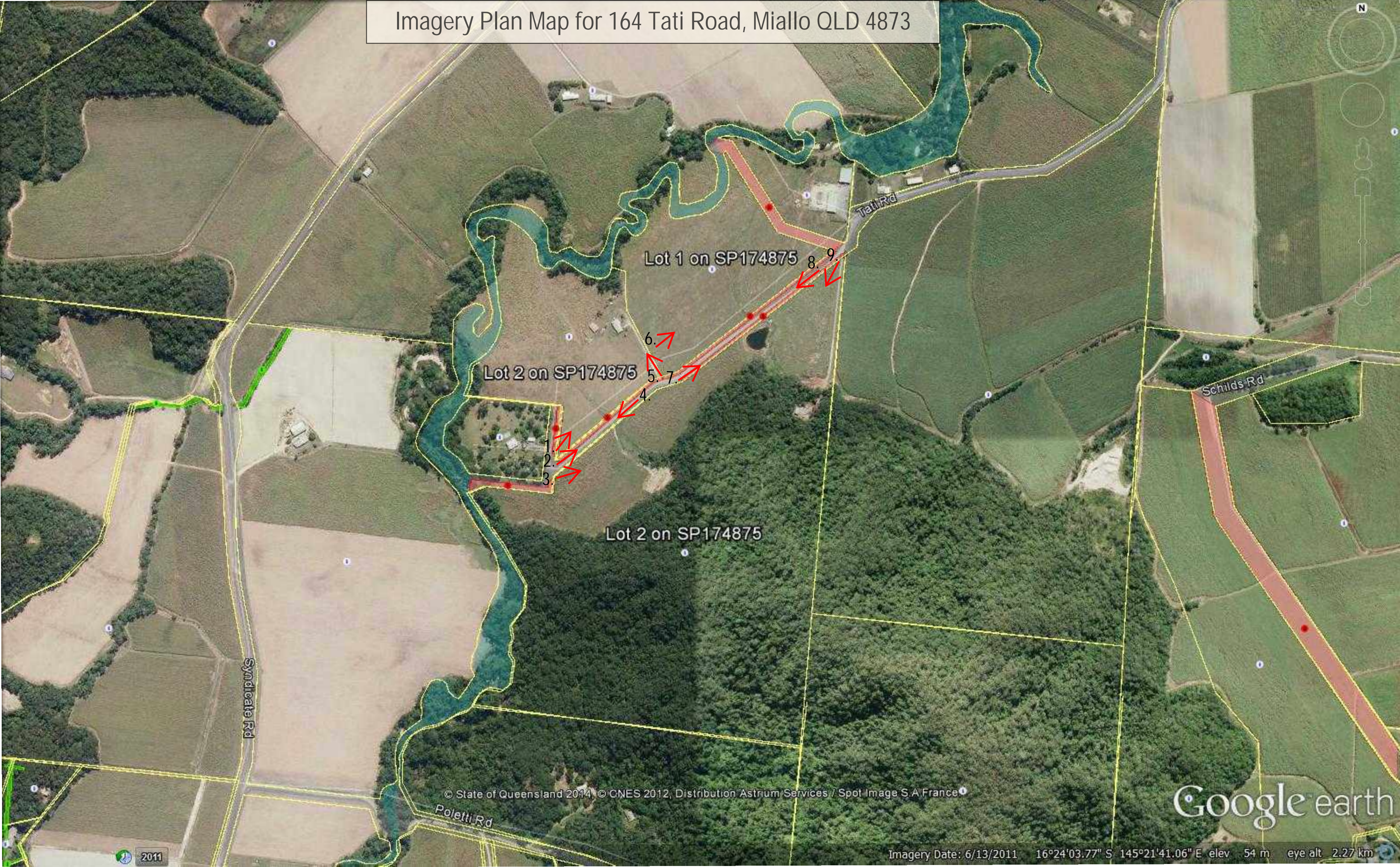
| Date: 12/05/2015
| Scale: 1:4000 (A3)
| Drawn: TJC
| Job No.: Q154021_001
| Plan No.: Q154021_001A

DIMENSIONS SHOWN ARE A COMBINATION OF DCDB AND/OR PLOTTED FROM ORIGINAL SP174875

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

Figure 4

Imagery Plan



164 Tati Road, Miallo QLD 4873
Image 1 - Smaller portion of Lot 2 - Facing North - East



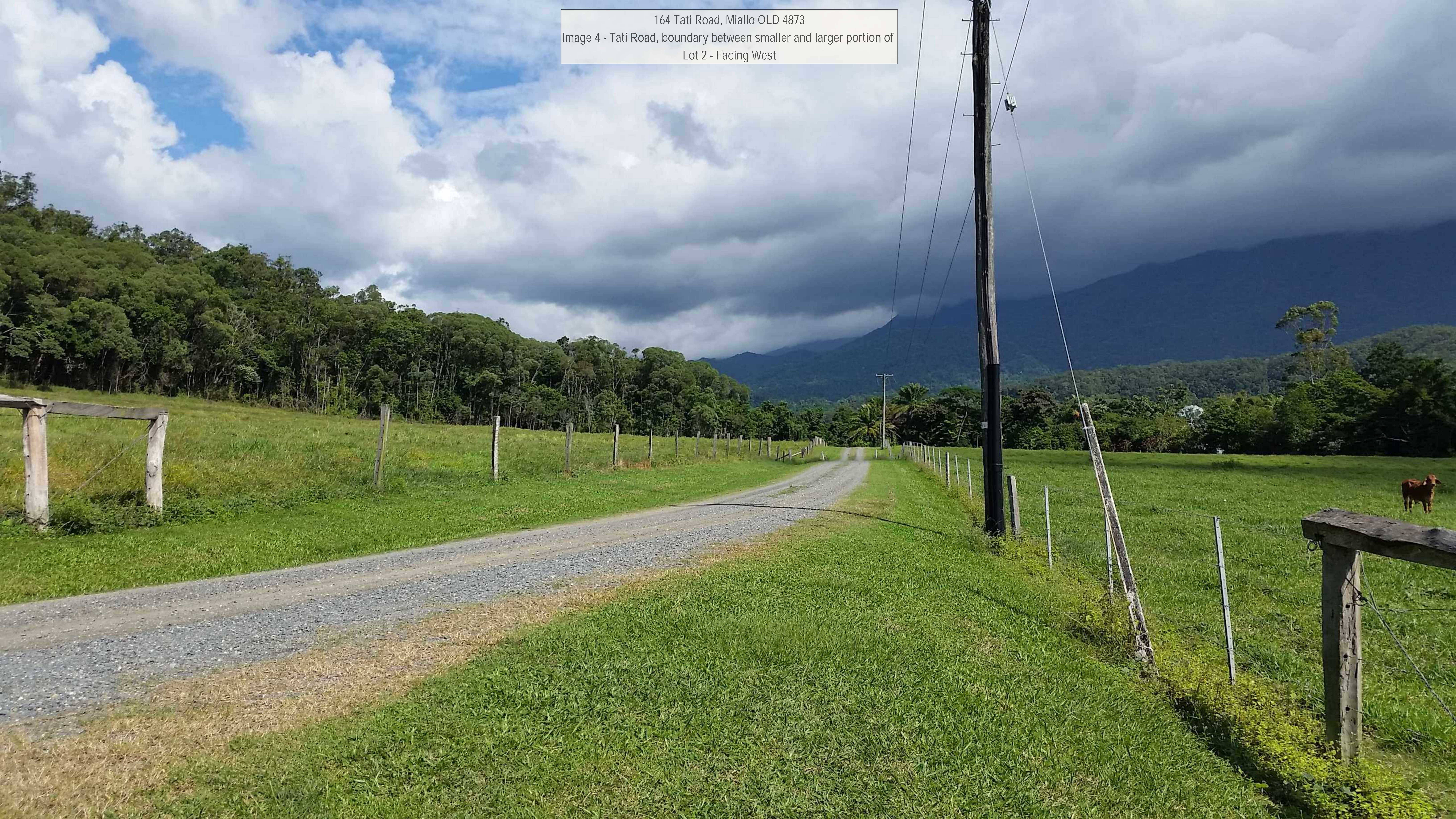
164 Tati Road, Miallo QLD 4873
Image 2 - Tati Road, boundary between the smaller and larger
portion of Lot 2 - Facing East



164 Tati Road, Miallo QLD 4873
Image 3 - Larger portion of Lot 2 - Facing East



164 Tati Road, Miallo QLD 4873
Image 4 - Tati Road, boundary between smaller and larger portion of
Lot 2 - Facing West



164 Tati Road, Miallo QLD 4873
Image 5 - Boundary between smaller portion of Lot 2 and Lot 1 -
Facing North



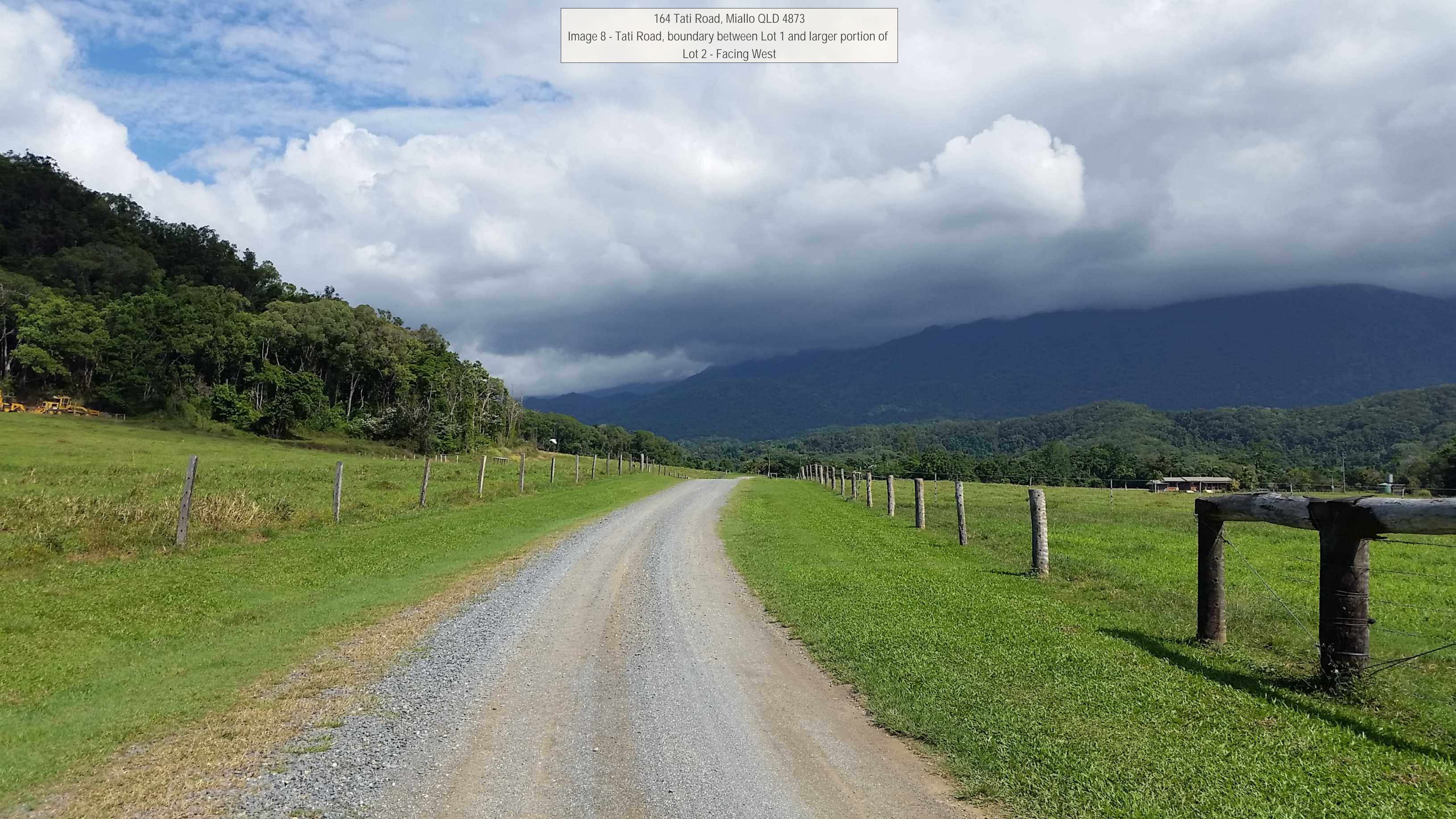
164 Tati Road, Miallo QLD 4873
Image 6 - Boundary between smaller and larger portion of Lot 2 -
Facing North - East



164 Tati Road, Miallo QLD 4873
Image 7 - Tati Road, boundary between Lot 1 and larger portion of
Lot 2 - Facing East



164 Tati Road, Miallo QLD 4873
Image 8 - Tati Road, boundary between Lot 1 and larger portion of
Lot 2 - Facing West



164 Tati Road, Miallo QLD 4873
Image 9 - Boundary of larger portion of Lot 2 - Facing South - West



Annexure 1

IDAS Forms

Annexure 2

Title Searches

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 20439110

Search Date: 27/02/2015 07:24

Title Reference: 50521123

Date Created: 12/10/2004

Previous Title: 21424103

REGISTERED OWNER

Interest

Dealing No: 708382747 21/01/2005

SHANE WILLIAM QUAID

1/2

PRISCILLA QUAID

1/2

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 174875
County of SOLANDER Parish of WHYANBEEL
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20120145 (Lot 285 on CP SR885)
2. COVENANT No 708382823 21/01/2005 at 15:33
restricts dealings over
LOT 1 ON RL4069 AND
LOT 1 ON SP174875
3. COVENANT No 709999083 09/10/2006 at 08:52
THE STATE OF QUEENSLAND
(REPRESENTED BY THE DEPARTMENT OF NATURAL RESOURCES AND
WATER)
RESTRICTS DEALINGS OVER
LOT 1 ON SP174875 AND LOT 1 ON AP13739
4. MORTGAGE No 713760756 16/03/2011 at 10:58
BENDIGO AND ADELAIDE BANK LIMITED A.B.N. 11 068 049 178
5. MORTGAGE No 713785222 31/03/2011 at 09:02
MPDT PTY LTD A.C.N. 120 581 544

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 20439110

Search Date: 27/02/2015 07:24

Title Reference: 50521123

Date Created: 12/10/2004

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D APPLICATIONS SAI GLOBAL

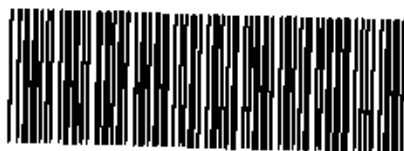
FORM 31 Version 1

Land Title Act 1994 and Land Act 1994

COVENANT

QUEENSLAND LAND REGISTRY

Page 1 of



708382823

CS 616

\$105.60
21/01/2005 15:33

Lodger Name, address & phone number
 Stacey O'Brien
 Land Administration Officer
 State Land Asset Management
 Dept Natural Resources and Mines
 PO Box 937
 CAIRNS QLD 4870
 CNS/010797 & CNS/11088
 PH: 07 40398435

Lodg
Code

1. Covenantor

SHANE WILLIAM QUAID
 PRISCILLA QUAID

2. Description of Lots subject to the covenant

County

Parish

Title Reference

Lot 1 on Crown Plan RL4069

Solander

Whyanbeel

17700177

Lot 1 on SP174875

Solander

Whyanbeel

50521123

3. Covenantee

THE STATE OF QUEENSLAND (DEPARTMENT OF NATURAL RESOURCES AND MINES)

4. Description of Covenant

PURSUANT TO SECTION 97A(3)(c) OF THE LAND TITLE ACT 1994 AND SECTION 373(A)(3)(B) OF THE LAND ACT 1994.

5. Execution

The Covenantor being the registered owner of the lots described in item 2 covenants with the Covenantee in respect of the covenant described in item 4.

Witnessing Officer

Execution Date

Covenantor's Signature

signature
 full name
 qualification
 as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

21/2/09

.....
 Priscilla Quaid

Witnessing Officer

Execution Date

Covenantee's Signature

signature
 full name
 qualification
 as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

15/10/04

.....
 Leah Slade
 A/senior Land Officer
 Department of the Minister
 for Natural Resources
 & Minister for Mines

REGION: NORTH
DISTRICT OFFICE: CAIRNS

DATE: 15/10/2004

TENURE REF: 1 RL 9/4069
TITLES REF: 17700177
LESSEE: SALVATORE TATI

FUNDCODE: 13

DUE DATE 01/09/2005

ASSOC A/C: N

RENTAL POSITION/~~CLEARANCE~~

CURRENT ANNUAL RATE: \$ 75.00 AS AT 15/10/2004
(Exclusive of GST) FROM 01/10/2004
AMOUNT PENDING: \$ 0.00 (Amount due in the near future)
(Inclusive of GST)
ACCOUNT BALANCE: \$ 82.50 (Negative balance means A/C in credit)
(Inclusive of GST)
PENALTY TO 15/10/2004: \$ 0.80 (Penalty is charged for late payments)
TOTAL: \$ 83.30

PAYOUT PARTICULARS

THIS IS NOT A FREEHOLDING TENURE.

I REFER TO YOUR REQUEST OF THE 15/10/04 REF: CNS/10797:.....
CONFIRMING THAT YOU ARE THE REGISTERED LESSEE OR HAVE AUTHORISATION FROM THE
LESSEE TO OBTAIN THIS INFORMATION.

THE ABOVE INFORMATION IS CORRECT ONLY FOR THE DATE OF ISSUE AND MAY BE SUBJECT
TO A BACKDATED CHANGE DUE TO INFORMATION NOT PRESENTLY AVAILABLE TO THE LANDS
TENURE LEDGER.

.....
FOR DISTRICT MANAGER
NATURAL RESOURCES MINES & ENERGY

15.10.04

**** END OF REPORT ****

Long Title Act 1994; Long Act 1994
Form 28 Version 2

SURVEY PLAN

Sheet	of
1	1

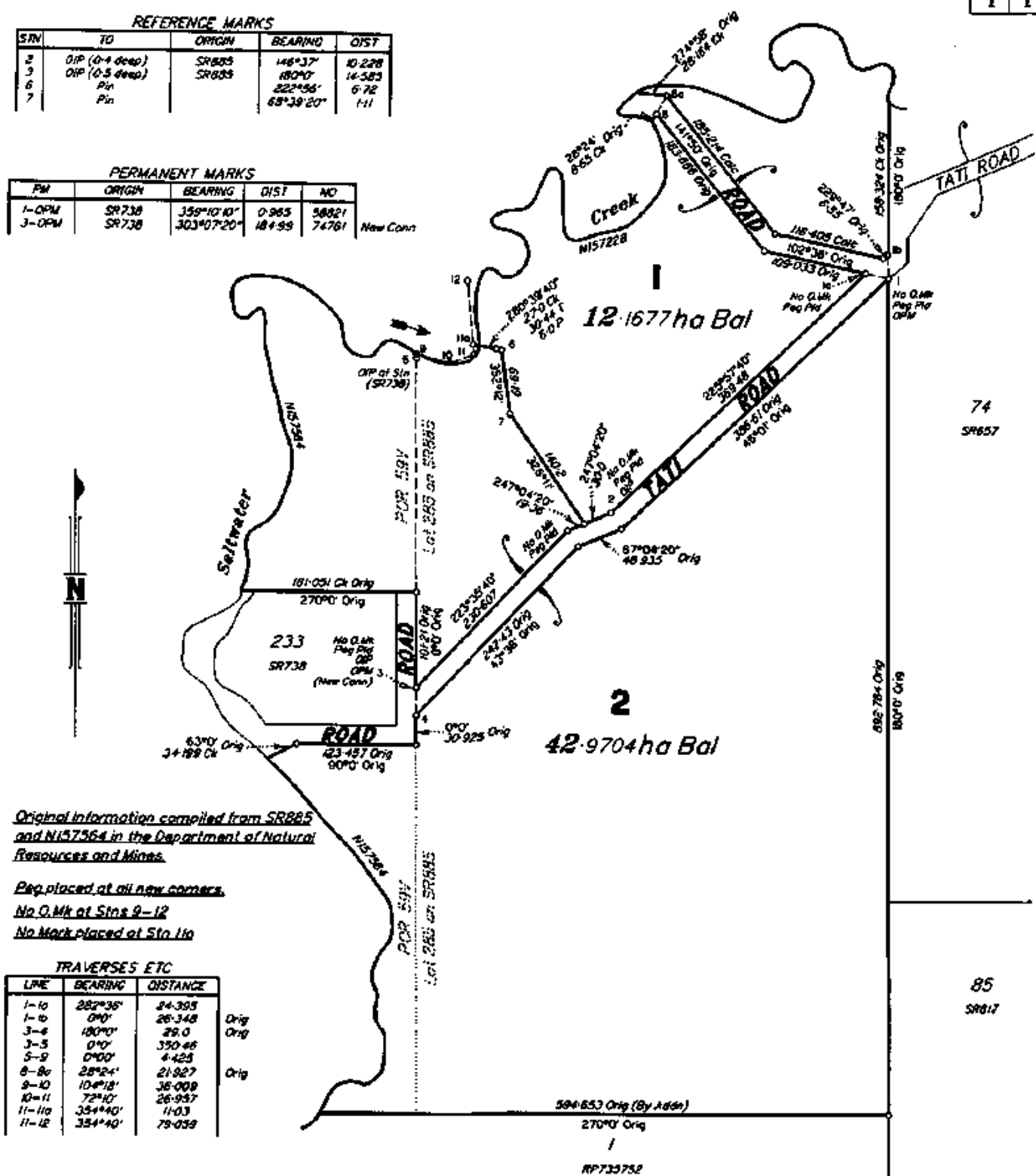
REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
2	OIP (0.4 deep)	SR883	148°37'	10.228
3	OIP (0.5 deep)	SR883	180°0'	14.583
6	P _{in}		222°56'	6.78
7	P _{in}		68°39'20"	11.1

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
1-OPW	SR 738	359°10'10"	0.983	50821
3-OPW	SR 738	303°07'20"	184.99	74761

New Conn



Original information compiled from SR885
and N437364 in the Department of Natural
Resources and Mines.

Peo placed at oil new corners.

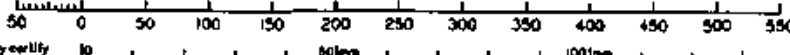
No O.M. of Sins 9-12

No Mark placed at Sta 110

TRAVERSEES ETC

LINE	BEARING	DISTANCE
1-10	282°36'	24.383
1-10	0°0'	26.348
3-6	100°0'	29.0
3-3	0°0'	330.46
5-9	0°0'	4.423
8-80	28°24'	21.927
9-10	104°18'	38.009
10-11	72°10'	26.937
11-110	354°40'	11.03
11-12	334°40'	79.039

Scale 1:4000 - Lengths are in Metres.



C & M CONSULTANTS PTY LTD (ACN 055 931 086) hereby certify that this company has been advised by Adrian Geyers, SOLOMON and the Director, SAHARA, that the land comprised in this plan and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and the Surveyors Act 2003 and associated Regulations and Standards, and that the said survey was completed on



Plan of Lots 1 and 2

Concelling Lot 285 on SR885 and
Lot 59 on N157564

PARISH: **WHYANBEEL** COUNTY: *Solander*

Identification: **SP885**

F/N^2 :	105
-----------	-----

Scale: 1:4000

Format: **STANDARD**

SP 174875

Plan Status:

**709999083**

Lodger (Name, address & phone number)

Lodger
Code**CS 616****NO FEE**
09/10/2006 08:52Liam Nicholas
NRM + W
P O Box 937, Cairns
40 398 280The information from this form is collected under the authority of the
Land Title Act 1994 and the Land Act 1994 and is used for the purpose
of maintaining the publicly searchable registers in the land registry.

2005/004998

CNS/011088

1. Covenantor

Shane William Quaid and Priscilla Quaid

2. Lot on Plan

LOT 1 on SP174875

County

Solander

Parish

Whyanbeel

Title Reference

50521123

LOT 1 on AP13739

Solander

Whyanbeel

40032419

3. Covenantantee

The State of Queensland (Represented by the Department of Natural Resources and Mines) (batter)

4. Description of Covenant (include reference to relevant section of legislation)

Pursuant to Section 97A(3)(c) of the Land Title Act 1994 and Section 373A(3)(b) of the Land Act 1994

5. Execution

The Covenantor being the registered owner of the lots described in item 2 covenants with the Covenantantee in respect of the covenant described in item 4.

Witnessing officer must be aware of his/her obligations under section 161 of the Land Title Act 1994

Witnessing Officer

Execution Date

Covenantor's Signature

signature

13/3/2006

full name

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

signature

13/3/2006

full name

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Covenantantee's Signature

signature

3/10/06

full name

qualification

Liam Nicholas
Secretary of the Minister for Natural Resources
and Water as authorised under
(Ministerial) Delegation (No. 2) 2002

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

1. Lot or Plan Description	County	Parish	Title Reference
Lot 1 on SP174875	Solander	Whyanbeel	50521123
Lot 1 on AP13739	Solander	Whyanbeel	40052419

2. Instrument being consented to

Instrument type Covenant

Dated / /

Names of parties: Shane William Quaid and Priscilla Quaid and the State of Queensland represented by the Department of Natural Resources and Water

3. Instrument under which consent required

Dealing Type Covenant in terms of Section 373A(3)(b) of The Land Act 1994 and section 97A(3)(c) of the Land Title Act 1994.

Dealing No.

Name of consenting party Minister for Natural Resources and Water

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2.

Witnessing officer must be aware of his/her obligations under section 161 of the Land Title Act 1994

NO WITNESS REQUIRED

Witnessing Officer	Execution Date	Consenting Party's Signature
--------------------	----------------	------------------------------

.....signature

3/10/06

.....full name

.....qualification

Heath Heale

A1 Senior Land Officer
Delegate of the Minister for Natural Resources
and Mines as authorised under Land Act
(Ministerial) Delegation (No 2) 2006

(Witnessing officer must be in accordance with Schedule 1
of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)



Privacy Statement

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 20439114

Search Date: 27/02/2015 07:25

Title Reference: 50521124

Date Created: 12/10/2004

Previous Title: 20535140
21424103

REGISTERED OWNER

Interest

Dealing No: 712027527 04/11/2008

SHANE WILLIAM QUAID

PRISCILLA QUAID

JOINT TENANTS INTER SE

29/50

OWEN THOMAS SELLWOOD

CHEYNE EMMA SELLWOOD

JOINT TENANTS INTER SE

21/50

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 2

SURVEY PLAN 174875

County of SOLANDER

Parish of WHYANBEE

Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20120145 (Lot 285 on CP SR885)
Deed of Grant No. 20129111 (POR 59V)
2. COVENANT No 709999095 09/10/2006 at 08:55
THE STATE OF QUEENSLAND
(REPRESENTED BY THE DEPARTMENT OF NATURAL RESOURCES AND
WATER)
RESTRICTS DEALINGS OVER
LOT 2 ON SP174875 AND LOT 2 ON AP13739
3. MORTGAGE No 712027536 04/11/2008 at 16:13
BENDIGO AND ADELAIDE BANK LIMITED A.B.N. 11 068 049 178

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

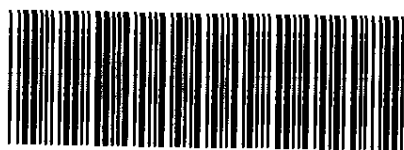
** End of Current Title Search **

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Requested By: D APPLICATIONS SAI GLOBAL

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

COVENANT

FORM 31 Version 2
Page 1 of



709999095

Lodger (Name, address & phone number)

Lodger
Code

NO FEE

09/10/2006 08:55

Liam Nicholas
NRM & W
P O Box 937, Cairns
40 398 280

CS 616

The information from this form is collected under the authority of the
Land Title Act 1994 and the Land Act 1994 and is used for the purpose
of maintaining the publicly searchable registers in the land registry.

2005/004998

CNS/011088

1. Covenantor

Jolly Brothers International Pty Ltd A.C.N. 002 186 512, Helen Lorraine Jolly and Matthew Warren Jolly

2. Lot on Plan	County	Parish	Title Reference
LOT 2 on SP174875	Solander	Whyanbeel	50521124
LOT 2 on AP13739	Solander	Whyanbeel	40052418

3. Covenantee

The State of Queensland (Represented by the Department of Natural Resources and Water)

4. Description of Covenant (include reference to relevant section of legislation)

Pursuant to Section 97A(3)(c) of the Land Title Act 1994 and Section 373A(3)(b) of the Land Act 1994

5. Execution

The Covenantor being the registered owner of the lots described in item 2 covenants with the Covenantee in respect of the covenant described in item 4.

Witnessing officer must be aware of bis/her obligations under section 161 of the Land Title Act 1994

Witnessing Officer

Execution Date

Covenantor's Signature

SEE ATTACHED FORM 20

**SCHEDULE / ENLARGED PANEL /
ADDITIONAL PAGE / DECLARATION**

Title Reference 50521124

Witnessing Officer

Execution Date

Covenantor's Signature

.....signature

27/06/2006

Jolly Brothers International
Pty Ltd ACN 002 186 512

.....full name

.....qualification

Director

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

.....signature

1/7/06

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

.....signature

11/7/06

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

.....signature

3/10/06

.....full name

.....qualification

A/ Senior Land Officer
Delegate of the Minister for Natural Resources,
Mining and Water as authorised under
Land Act (Ministerial) Delegation (No. 2) 2006

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

1. Lot on Plan Description	County	Parish	Title Reference
Lot 2 on SP174875	Solander	Whyanbeel	50521124
Lot 2 on AP13739	Solander	Whyanbeel	40052418

2. Instrument being consented to

Instrument type Covenant

Dated / /

Names of parties: Jolly Brothers International Pty Ltd A.C.N. 002 188 512, Helen Lorraine Jolly and Matthew Warren Jolly and the State of Queensland represented by the Department of Natural Resources and Water

3. Instrument under which consent required

Dealing Type Covenant in terms of Section 373A(3)(b) of The Land Act 1994 and section 97A(3)(c) of the Land Title Act 1994.

Dealing No.

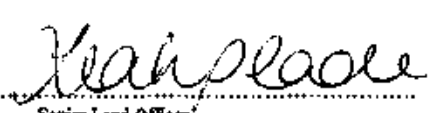
Name of consenting party Minister for Natural Resources and Water

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2.

Witnessing officer must be aware of his/her obligations under section 161 of the Land Title Act 1994

NO WITNESS REQUIRED

Witnessing Officer	Execution Date	Consenting Party's Signature
.....signature	3/10/06	 Senior Land Officer Delegate of the Minister for Natural Resources and Water as authorised under Land Act (Ministerial) Delegation (No 2) 2006
.....full name		
.....qualification		

(Witnessing officer must be in accordance with Schedule 1
of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)



Privacy Statement

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

Annexure 3

Pre-lodgement Response dated 2 April 2015

YOUR REF: 15-03/L000216
OUR REF: D#451619

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

2 April 2015

Planning Plus
PO Box 8046
CAIRNS QLD 4870

claire@planningplusqld.com.au

Dear Ms Simmons

**RE PRELODGE MENT ENQUIRY RESPONSE FOR PROPOSED RECONFIGURATION
OF LOTS/BOUNDARY REALIGNMENT FOR LOTS 1 AND 2 SP174875 TATI ROAD
MIALLO**

Council refers to your prelodgement enquiry received by Council on 3 March 2015 (Council's electronic reference number D# 449646), concerning the above and advises as follows.

Under the Douglas Shire Planning Scheme the land is included in the Rural Planning Area of the Rural Areas and Rural Settlement Locality.

Reconfiguration of Lots and Boundary Realignments require a code assessable approval from Council and this application does not undergo public notification.

Council's Planner of the Day service is currently operating on Mondays, Wednesday and Fridays. The Council's Planning Scheme is available on the Council's website: <http://douglas.qld.gov.au/development/planning-services/douglas-shire-planning-scheme/>

Application forms are available on the State Government website at the following link: <http://www.dsdip.qld.gov.au/forms-templates/sara-idas-forms.html>

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

Council's application fees are as follows.

- Reconfiguration of a lot (Preliminary Approval and Development Permits) \$1232.85 plus \$463.10 per lot created,
- Boundary realignment \$1033.95,
- Signing and dating Survey Plan - standard format \$467.25 plus per lot \$86 per lot.

Codes to consider for a reconfiguration of the subject lots /boundary realignment under the Douglas Shire Planning Scheme 2008 are:

- Rural Areas and Rural Settlements Locality Code
- Rural Planning Area Code
- Acid Sulfate Soils Code
- Cultural Heritage and Valuable Sites Code
- Natural Hazards Code
- Natural Areas and Scenic Amenity Code
- Reconfiguring a Lot (ROL) Code

Reconfiguration of Lots

The ROL Code requires a minimum lot size in the Rural Planning Area of 40 hectares. On this basis Council staff will not support a Development Application for a Reconfiguration of Lots (two into three) in this location as the creation of two additional undersized parcels, notwithstanding the existing physical location of Tati Road, is considered to result in fragmentation of agricultural land and is not consistent with the purpose of the Code.

Boundary Realignment

The second option of a boundary realignment outlined in your enquiry would be supported by Council staff as this does involve the creation of any additional undersized parcels. Realigning the boundary so that the southern portion of Lot 2 becomes part of adjoining Lot 1 would result in lots that appear to be approximately 12 hectares and 42 hectares respectively, which is not considered to be a significant variation on the existing scenario.

Headworks Charges

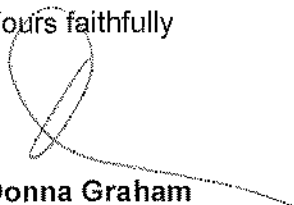
The requested draft infrastructure charges notice has not been included in this response, as headworks charges would not apply to the boundary realignment, and would most likely not be applicable to the land in any event, given the distance of the land from water and sewer mains.

Other

The above advice is provided on a without prejudice basis.
The determination of an application is a matter for Council resolution.

Should you require further assistance on this matter please contact Heather Fardy by telephone on (07) 4099 9457 or by email on heather.fardy@yahoo.com.au.

Yours faithfully



Donna Graham
Manager Development and Environment

Smart eDA ID: 1435047149878

State assessments

164 TATI RD, MIALLO

3 matters requiring further investigation.

State Assessment and Referral Agency

State Assessment and Referral Agency**Environment and Heritage**[Category A and B extract from the regulated vegetation management map](#)

Yes

[Coastal zone](#)

Yes

[Qld waterways for waterway barrier works](#)

Yes

171 TATI RD, MIALLO

3 matters requiring further investigation.

State Assessment and Referral Agency

State Assessment and Referral Agency**Environment and Heritage**[Category A and B extract from the regulated vegetation management map](#)

Yes

[Coastal zone](#)

Yes

[Qld waterways for waterway barrier works](#)

Yes