

## eLVAS Print File View (Generated on 30 Jan 2014 at 11:10:37)

(The print File View contains all items as at the time the File View print was generated))

**File Type:** Case File

**File Reference:** CF2009/010630

**Service Centre:** Brisbane

**Other Ref:** Case 2009/010630 (Roads)

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09/12/2009	Document	000070 Letter_to_adjoining_owner	2009/010630	651109
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RTI DL RELEASE DIRM

# eLVAS Client Interaction Report

## For Interaction id: 1108820

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 29-Jan-2014 1:51 PM  
Entered by: Rogers, Ken  
Reference: acknowledgement of email  
  
Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Outgoing email	proposed rti action	29-Jan-2014

### Interaction Record History

Service Centre: Beenleigh  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Rogers, Ken  
Date: 29-Jan-2014  
Details: acknowledgement of email that an RTI application will be made and request that no decision be made until the RTI information can be reviewed and commented on.

### Assignment History

Date assigned: 29-Jan-2014  
Assigned to: Mcdougall, Lynette  
Date required:  
Action required: Interaction for Case Id 2009/010630  
Date actioned:  
Action taken:

## Case Note Report

**Case id:** 2009/010630      **Service Centre:** Robina      **Assigned to:** Mcdougall, Lynette (Action Officer)  
**Category:** Roads      **Local Government:** Brisbane City Council      **Applicant:** Perusal Time (RP) Pty Ltd  
**Note id:** 55685

### Case Note Revision History

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**Revision:** 0      **Revision Date:** 29/01/2014 09:42:19

**Summary:** Call from Robert Johansen - re: preliminary decision letter

**Details:** Mr Johansen spoke to me and requested a copy of any objections from [redacted] about proposals for the PRC application. I informed Mr Johansen that I could not provide this information and that he should seek the information through the RTI process. I also advised that I would extend the time to make my decision if an RTI request was received so that Mr Johansen could consider all issues and respond to me accordingly about the preliminary decision and offer due to be responded to.

RTI DL RELEASED UNDER DNRM

## Orellana Jose

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**From:** Rogers Ken William  
**Sent:** Wednesday, 29 January 2014 1:48 PM  
**To:** 'Robert Johansen'  
**Subject:** RE: RTI Application

Good Afternoon Mr Johansen,

I acknowledge receipt of your email and confirm that I will delay making a decision about the permanent road closure application until you have reviewed documents through the proposed Right to Information process and made your response.

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

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**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Wednesday, 29 January 2014 10:12 AM  
**To:** Rogers Ken William  
**Subject:** RTI Application

Dear Mr Rogers,

Confirming our telephone conversation today:

- I acknowledge that you are unable to provide me with a copy of objections made by private citizens in respect of application for road closure;
- I advise that I was unaware of this policy because I had previously been given by a DNRM officer a copy of a submission by the Brisbane City Council and did not know that a different policy applied in respect of objections made by private citizens;
- I note your advice that in order to gain access to information about submissions from private citizens a RTI application must be made;
- I request that you delay finalising a decision on applications to close parts of Cambridge St and add them to Lot 17 on SL11240 and Lot 50 on RP10695 to allow me to receive and consider information pursuant to a RTI request in respect of the applications prior to making a submission on the applications.

Kind Regards,

**Robert Johansen**  
**Director**

T +61 7 3121 3066  
M +61 4 1719 5511  
A Level 36 Riparian Plaza 71 Eagle St Brisbane  
P GPO Box 995 Brisbane Q 4001  
E [rob@adamelia.com.au](mailto:rob@adamelia.com.au)

# eLVAS Client Interaction Report

## For Interaction id: 1105728

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 16-Jan-2014 5:33 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Outgoing email	Johansen - Natural Justice letter sent by email	16-Jan-2014

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 16-Jan-2014  
Details:

### Assignment History

**Date assigned:** 16-Jan-2014  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:2429186 Type: Outgoing email Title: Johansen - Natural Justice letter sent by email

**Date actioned:**  
**Action taken:**

# eLVAS Client Interaction Report

## For Interaction id: 1105724

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 16-Jan-2014 5:24 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Incoming email	Johansen - Access to Light and Air	16-Jan-2014

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 16-Jan-2014  
Details:

### Assignment History

**Date assigned:** 16-Jan-2014  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:2429179 Type: Incoming email Title: Johansen - Access to Light and Air

**Date actioned:**  
**Action taken:**

# eLVAS Client Interaction Report

## For Interaction id: 1105723

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Letter  
Interaction date: 16-Jan-2014 5:11 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Outgoing Letter/Document	PRC Cambridge St - Johansen Natural Justice letter	16-Jan-2014

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 16-Jan-2014  
Details:

### Assignment History

**Date assigned:** 16-Jan-2014  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:2429177 Type: Outgoing Letter/Document Title: PRC Cambridge St - Johansen Natural Justice letter

**Date actioned:**  
**Action taken:**



# eLVAS Client Interaction Report

## For Interaction id: 1105715

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 16-Jan-2014 4:23 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Brisbane City Council, Brisbane

### Documents

Document Type	Title	Received/Sent
Outgoing email	Request views from BCC on new proposal	16-Jan-2014

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 16-Jan-2014  
Details:

### Assignment History

**Date assigned:** 16-Jan-2014  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:2429121 Type: Outgoing email Title: Request views from BCC on new proposal

**Date actioned:**  
**Action taken:**

# eLVAS Client Interaction Report

## For Interaction id: 1105491

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 16-Jan-2014 9:51 AM  
Entered by: Rogers, Ken  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Incoming email	Email advising no solicitors acting for Perusal Ti	16-Jan-2014

### Interaction Record History

Service Centre: Beenleigh  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Rogers, Ken  
Date: 16-Jan-2014  
Details: Email advising that Hopgood Ganim no longer act for Perusal Time

### Assignment History

**Date assigned:** 16-Jan-2014  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630  
**Date actioned:**  
**Action taken:**

# eLVAS Client Interaction Report

## For Interaction id: 1105425

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 16-Jan-2014 8:28 AM  
Entered by: Rogers, Ken  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Outgoing email	Email advice about new proposal for PRC	16-Jan-2014

### Interaction Record History

Service Centre: Beenleigh  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Rogers, Ken  
Date: 16-Jan-2014  
Details: Email advising proposal withdrawn and new proposal to be made.

### Assignment History

Date assigned: 16-Jan-2014  
Assigned to: Mcdougall, Lynette  
Date required:  
Action required: Interaction for Case Id 2009/010630  
Date actioned:  
Action taken:

## Orellana Jose

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**From:** Palmer Ray  
**Sent:** Thursday, 16 January 2014 5:22 PM  
**To:** 'Robert Johansen'  
**Cc:** Rogers Ken William  
**Subject:** RE: Application for Permanent Road Closure - Cambridge Street - case no 2009/010630  
**Attachments:** PRC Cambridge Street - Johansen Natural Justice letter.pdf

Dear Mr Johansen,

Please refer to the above attachment that you did not receive.

Regards

Ray Palmer  
Administration Officer  
Land Management Brisbane  
Department of Natural Resources and Mines

Phone: (07) 3406 2534  
[SLAM-Brisbane@dnrm.qld.gov.au](mailto:SLAM-Brisbane@dnrm.qld.gov.au)

Web: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Level 3 Landcentre

GPO Box 2771, Brisbane QLD 4001

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**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Thursday, 16 January 2014 5:17 PM  
**To:** Rogers Ken William  
**Cc:** Palmer Ray  
**Subject:** Re: Application for Permanent Road Closure - Cambridge Street - case no 2009/010630

Dear Mr Rogers,

I did not receive an attachment with this email.

Regards

Robert Johansen

On 16/01/2014, at 15:53, "Rogers Ken William" <[Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)> wrote:

Good Afternoon Mr Johansen,

Attached is the new proposal that will form the basis of my decision based on Brisbane City Council advice which I am also requesting an update on. Please review and respond as requested.

The original will not be forwarded by post. Please confirm receipt of this email.

Ray, please record as an interaction to the case.

Regards

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

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**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Thursday, 16 January 2014 11:17 AM  
**To:** Rogers Ken William  
**Subject:** Re: Access to Light and Air

Mr Rogers,

That is no problem. I should also note that when [sch4p4(6) Personal Information] last painted his house the fences and trees visible in the picture were still in existence and he was able to erect scaffolding and complete the work without removing any of them.

Regards

Rob

On 16/01/2014, at 10:55, "Rogers Ken William" <[Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)> wrote:

Mr Johansen,

Thank you for this information.

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

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**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Thursday, 16 January 2014 10:01 AM  
**To:** Rogers Ken William  
**Subject:** Access to Light and Air

Dear Mr Rogers,,

Just a quick further note:

You mentioned today that [sch4p4(6) Personal Information] was concerned about loss of access to light and air to his house. It should be noted that the only window in the area in dispute is to

a bathroom and in the whole time we have been associated with the property (ie since 2007) it has been permanently blacked out by a film on the window, and sealed shut by [sch4p4(6) Personal Information] so no light or air can enter. Furthermore, until they were removed by us, the window was covered by a large stand of trees which pre-dated our occupation of No 18, and which [sch4p4(6) Personal Information] did not ever express an objection to. I have attached a photo from 2007 showing the trees and the location of fences when we originally purchased the property in 2007.

We thus contend that [sch4p4(6) Personal Information] argument that your proposal as made on the 9<sup>th</sup> January would block his access to light and air is not made in good faith and should be disregarded in the decision making process.

Regards,

**Robert Johansen**  
**Director**

T +61 7 3121 3066  
M +61 4 1719 5511  
A Level 36 Riparian Plaza 71 Eagle St Brisbane  
P GPO Box 995 Brisbane Q 4001  
E [rob@adamelia.com.au](mailto:rob@adamelia.com.au)

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RTI DL RELEASED DNRM



Author: Ken Rogers  
File / Ref number: 2009/010630  
Directorate / Unit: State Land Asset Management  
Phone: 3884 8069

Department of  
**Natural Resources and Mines**

16 January 2014

Perusal Time Pty Ltd  
c/- Mr Robert Johansen  
GPO Box 995  
**BRISBANE Q 4001**

Dear Mr Johansen

**APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 17 ON SL11240,  
CAMBRIDGE STREET, RED HILL**

Reference is made to your application dated 10/11/2009 and previous correspondence regarding the application for permanent road closure.

As you are aware the owner of Lot 50 on RP10695 at 3 Stoneleigh Street, Red Hill, has also applied for a permanent road closure over the area that you have applied for. Since the application was made a number of positions, proposals and offers have been made for permanent closure of the area of road. Since that time further review of the application has been made by Ms Lynette McDougall from our Brisbane office and myself and we have corresponded with you and the owners of Lot 50.

We have tried to achieve an agreed outcome with both you and the owner of Lot 50 about areas that may be allocated to each property if the road was permanently closed. An agreement of both parties has not been able to be achieved.

The Brisbane City Council has advised that it objects to the permanent road closure, as applied for by you, but the council would agree to a lesser area for a temporary road closure. This did not impact on the area that the owner of Lot 50 applied for.

In correspondence and discussion from and with you, and the owner of Lot 50, you have both made a point to me that you require the maximum area available to access parts of your property for ingress and egress and maintenance purposes. After further consideration, taking into account the Brisbane City Council objection, and visiting the site again, I now believe that it would be inequitable to deprive either of the properties access to the road without agreement of both applicants.

The initial applications for permanent road closure was driven by the identification that Lot 17 on SL11240 and Lot 50 on RP10695 both had minor encroachments onto the road from the structures built on the properties at that time. In the case of Lot 17 part of the road was also fenced and provided a benefit to Lot 17, as it appears to do now as well.

---

Postal :  
Department of Natural Resources and  
Mines  
PO Box 1164  
Beenleigh QLD 4207

Telephone : 3884 8069  
Fax: 3884 8024



I wish to advise that investigations into your Application for Permanent Road Closure are in the process of being finalised.

When evaluating applications of this nature, the Department is required under the *Land Act 1994* to undertake investigations into a range of matters including environmental, social and economic factors, as well as Native Title, cultural heritage, local planning schemes and the future needs of the community. This is to ensure that State land is allocated to the most appropriate use and tenure to derive the greatest benefits to meet the current and future needs of the people of Queensland. A component of this evaluation requires that State and local authorities, and community stakeholders with a potential interest in the land be consulted.

With consideration to all of the available information acquired through the investigation and assessment process for your application, I have determined that you be advised that I hold the preliminary view that I could not support a favourable determination on the application on the grounds that part of the road is still needed. Under Section 101(3) of the *Land Act 1994* (the Land Act) the Minister must refuse the road closure application if the Minister is satisfied the road is still needed.

Under Section 102 of the Land Act, in deciding an application, the Minister may change a road closure application in the way the Minister considers appropriate.

On this basis I would consider approval of closure of part of the road to ensure that structural improvements on the existing buildings are included into the title deed for your land. That is the a new property boundary would be for all practical purposes 0.1m from the existing encroachment with the property boundary being a straight line to the next intersecting corner where practicable. A similar offer will be made to the owner of Lot 50. The balance of the road will remain as road to provide access as required by the council (Attachment 1).

The landscaping improvements outside of the proposed new lot for 18 Cambridge Street, Lot 17, which would be on the road, will be referred to the Brisbane City Council for the council to consider action for trespass related acts. You may consider applying for approval under the council's local laws for an approval for ancillary works and encroachments on the road. This is contemplated in Section 66 of the *City of Brisbane Act 2010*.

The council has objected to permanent closure of the area applied for and only supports a temporary road closure. As I am considering permanently closing part of the road applied for I will also be seeking further views from the council. If the council still objects to the permanent road closure as proposed, the application for permanent road closure may be refused altogether. I will seek the council's views immediately.

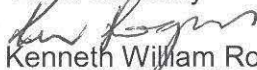
Prior to endorsing a final decision on the matter, and with consideration to the principles of procedural fairness, I extend an opportunity for you to make further representation in response to the reasons outlined above and or/ any other relevant information to support your case within 14 days of the date of this letter.

At the expiration of this period, I will consider any further submission on your behalf and make a final decision in this matter.

In the event that I do not receive a response from you within fourteen (14) days from the date of this letter, then a decision will be made on your application and a formal notice of the decision will be forwarded to you.

Please quote reference number 2009/010630 in any future correspondence.

Yours sincerely

  
Kenneth William Rogers  
Principal Land Officer  
Land Services, South Region

A duly Authorised Delegate of the Minister under the current Land Act (Ministerial) Delegation





## Orellana Jose

---

**From:** Rogers Ken William  
**Sent:** Thursday, 16 January 2014 3:27 PM  
**To:** Palmer Ray  
**Subject:** FW: Access to Light and Air - case 2009/010630

Ray, Please add the following email to the case as an interaction.

Thanks

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Rogers Ken William  
**Sent:** Thursday, 16 January 2014 10:55 AM  
**To:** 'Robert Johansen'  
**Subject:** RE: Access to Light and Air

Mr Johansen,

Thank you for this information.

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Thursday, 16 January 2014 10:01 AM  
**To:** Rogers Ken William  
**Subject:** Access to Light and Air

Dear Mr Rogers,,

Just a quick further note:

You mentioned today that [sch4p4(6) Personal information] was concerned about loss of access to light and air to his house. It should be noted that the only window [sch4p4(6) Personal information] in dispute is to a bathroom and in the whole time we have been associated with the property (ie since 2007) it has been permanently blacked out by a film on the window, and sealed shut by [sch4p4(6) Personal information] so no light or air can enter. Futhermore, until they were removed [sch4p4(6) Personal information] the window was covered by a large stand of trees which pre-dated our occupation of No 18, and which [sch4p4(6) Personal information] did not ever express an objection to. I have attached a photo from 2007 showing the trees and the location of fences when we originally purchased the property in 2007.

We thus contend that [sch4p4(6) Personal Information] argument that your proposal as made on the 9<sup>th</sup> January would block his access to light and air is not made in good faith and should be disregarded in the decision making process.

Regards,

**Robert Johansen**  
**Director**

T +61 7 3121 3066  
M +61 4 1719 5511  
A Level 36 Riparian Plaza 71 Eagle St Brisbane  
P GPO Box 995 Brisbane Q 4001  
E [rob@adamelia.com.au](mailto:rob@adamelia.com.au)

RTI DL RELEASE - DNRM



Department of  
**Natural Resources and Mines**

Author: Ken Rogers  
File / Ref number: 2009/010630  
Directorate / Unit: State Land Asset Management  
Phone: 3884 8069

16 January 2014

Perusal Time Pty Ltd  
c/- Mr Robert Johansen  
GPO Box 995  
**BRISBANE Q 4001**

Dear Mr Johansen

**APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 17 ON SL11240,  
CAMBRIDGE STREET, RED HILL**

Reference is made to your application dated 10/11/2009 and previous correspondence regarding the application for permanent road closure.

As you are aware the owner of Lot 50 on RP10695 at 3 Stoneleigh Street, Red Hill, has also applied for a permanent road closure over the area that you have applied for. Since the application was made a number of positions, proposals and offers have been made for permanent closure of the area of road. Since that time further review of the application has been made by Ms Lynette McDougall from our Brisbane office and myself and we have corresponded with you and the owners of Lot 50.

We have tried to achieve an agreed outcome with both you and the owner of Lot 50 about areas that may be allocated to each property if the road was permanently closed. An agreement of both parties has not been able to be achieved.

The Brisbane City Council has advised that it objects to the permanent road closure, as applied for by you, but the council would agree to a lesser area for a temporary road closure. This did not impact on the area that the owner of Lot 50 applied for.

In correspondence and discussion from and with you, and the owner of Lot 50, you have both made a point to me that you require the maximum area available to access parts of your property for ingress and egress and maintenance purposes. After further consideration, taking into account the Brisbane City Council objection, and visiting the site again, I now believe that it would be inequitable to deprive either of the properties access to the road without agreement of both applicants.

The initial applications for permanent road closure was driven by the identification that Lot 17 on SL11240 and Lot 50 on RP10695 both had minor encroachments onto the road from the structures built on the properties at that time. In the case of Lot 17 part of the road was also fenced and provided a benefit to Lot 17, as it appears to do now as well.

---

Postal :  
Department of Natural Resources and  
Mines  
PO Box 1164  
Beenleigh QLD 4207

Telephone : 3884 8069  
Fax: 3884 8024



I wish to advise that investigations into your Application for Permanent Road Closure are in the process of being finalised.

When evaluating applications of this nature, the Department is required under the *Land Act 1994* to undertake investigations into a range of matters including environmental, social and economic factors, as well as Native Title, cultural heritage, local planning schemes and the future needs of the community. This is to ensure that State land is allocated to the most appropriate use and tenure to derive the greatest benefits to meet the current and future needs of the people of Queensland. A component of this evaluation requires that State and local authorities, and community stakeholders with a potential interest in the land be consulted.

With consideration to all of the available information acquired through the investigation and assessment process for your application, I have determined that you be advised that I hold the preliminary view that I could not support a favourable determination on the application on the grounds that part of the road is still needed. Under Section 101(3) of the *Land Act 1994* (the Land Act) the Minister must refuse the road closure application if the Minister is satisfied the road is still needed.

Under Section 102 of the Land Act, in deciding an application, the Minister may change a road closure application in the way the Minister considers appropriate.

On this basis I would consider approval of closure of part of the road to ensure that structural improvements on the existing buildings are included into the title deed for your land. That is the a new property boundary would be for all practical purposes 0.1m from the existing encroachment with the property boundary being a straight line to the next intersecting corner where practicable. A similar offer will be made to the owner of Lot 50. The balance of the road will remain as road to provide access as required by the council (Attachment 1).

The landscaping improvements outside of the proposed new lot for 18 Cambridge Street, Lot 17, which would be on the road, will be referred to the Brisbane City Council for the council to consider action for trespass related acts. You may consider applying for approval under the council's local laws for an approval for ancillary works and encroachments on the road. This is contemplated in Section 66 of the *City of Brisbane Act 2010*.

The council has objected to permanent closure of the area applied for and only supports a temporary road closure. As I am considering permanently closing part of the road applied for I will also be seeking further views from the council. If the council still objects to the permanent road closure as proposed, the application for permanent road closure may be refused altogether. I will seek the council's views immediately.

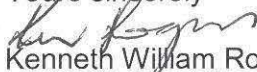
Prior to endorsing a final decision on the matter, and with consideration to the principles of procedural fairness, I extend an opportunity for you to make further representation in response to the reasons outlined above and or/ any other relevant information to support your case within 14 days of the date of this letter.

At the expiration of this period, I will consider any further submission on your behalf and make a final decision in this matter.

In the event that I do not receive a response from you within fourteen (14) days from the date of this letter, then a decision will be made on your application and a formal notice of the decision will be forwarded to you.

Please quote reference number 2009/010630 in any future correspondence.

Yours sincerely

  
Kenneth William Rogers  
Principal Land Officer  
Land Services, South Region

A duly Authorised Delegate of the Minister under the current Land Act (Ministerial) Delegation





## Orellana Jose

---

**From:** Rogers Ken William  
**Sent:** Thursday, 16 January 2014 3:20 PM  
**To:** enrard.fernando@brisbane.qld.gov.au; Palmer Ray  
**Cc:** McDougall Lynette  
**Subject:** Application for Permanent Road Closure - Cambridge Street, Red hill  
**Attachments:** PRC Cambridge Street - BCC views new proposal.pdf

Good Afternoon Ennard,

I have been given your email address to seek information from the council about a permanent road closure proposal while [REDACTED]

The department had previously sought views from the council on the matter and I have enclosed a copy of the council's previous response which was that council did not support the permanent road closure. I have developed a new proposal that may meet the applicants desire to legalise some old encroachments and take into council's requirements for possible future vehicular maneuverability and pedestrian access.

Could you please provide a response by 7 February so this case can be further considered by DNRM.

Ray, Could you please add this email and attachments to cases 2009/011301 and 2009/010630.

Thanks

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024

Mobile [REDACTED] Sch4p4(6) Personal Information

Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)

32 Tansey Street, Beenleigh Q 4207

PO Box 1164, Beenleigh Q 4207

RTI DL RELEASE - DNRM



Author: Ken Rogers  
File / Ref number: 2009/011301; 2009/010630  
Directorate / Unit: State Land Asset Management  
Phone: 3884 8069

Department of  
**Natural Resources and Mines**

16 January 2014

Chief Executive Officer  
Brisbane City Council  
GPO Box 1434  
**BRISBANE Q 4059**

**Attention: Ennard Fernando**

Dear Ennard

**RE: APPLICATION FOR PERMANENT ROAD CLOSURE ABUTTING LOT 50 ON RP10695  
AND LOT 17 ON SL11240 CAMBRIDGE STREET, RED HILL**

Reference is made to your applications made to this department in late 2009 where the owners of properties located at 18 Cambridge Street and 3 Stoneleigh Street, Red Hill applied for permanent road closure. The council provided this department advice by letter dated 28 April 2011 that it did not support permanent road closure as applied for but would consider a temporary road closure. I have attached a copy of the previous correspondence and drawing provided.

The department has reviewed the information provided by the council and has continued to investigate the applications by the owners of Lot 17 on SL11240 and Lot 50 on RP10695. Due to the council's advice the department has been trying to achieve an outcome whereby the existing encroachments on the road from the land owner's buildings could be included within title. It is noted that the Manager, City Assets, of council objected to the proposal on the grounds that part of the road may be needed for vehicle maneuverability and pedestrian purposes.

To deal with the existing encroachments on the road I propose that a road closure could be approved to cover the footprint of existing assets by permanently closing the area where the encroachment exists and adding a small curtilage area of 0.1m from the encroachment. This would still allow pedestrian access and vehicle maneuverability. My Attachment 1 is the proposal.

Could you please inform me if the council would be agreeable to this proposal by 7 February 2014.

It should be noted that the owner of Lot 17 on SL11240, 18 Cambridge Street, has constructed gardens beds, lawns, pathways and a letter box on the dedicated road in the area that I propose to remain as road. I have advised the owner that an application could be made to the council for consideration of a permit for ancillary works and encroachments under section 66 of the City of Brisbane Act 2010 and council's local laws. DNRM will not be taking trespass action in this regard as the council controls the road.

**Postal :**  
Department of Natural Resources and  
Mines  
PO Box 1164  
Beenleigh QLD 4207

**Telephone :** 3884 8069  
**Fax:** 3884 8024

Please quote reference number 2009/011301 and 2009/010630 in any future correspondence. I can be contacted on 3884 8069 if you would like to discuss this matter further with me.

Yours sincerely

sch4p4(6) Personal information

Kenneth William Rogers

Principal Land Officer

Land Services, South Region

A duly Authorised Delegate of the Minister under the current Land Act (Ministerial) Delegation

RTI DL RELEASE - DNRM



Dedicated to a better Brisbane

BCC Reference: 188/70/721/87  
DERM Reference: 2010/002270

28 April 2011

DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT  
SOUTH EAST DISTRICT  
03 MAY 2011  
RECEIVED  
ROBINA

Department of Environment and Resource Management  
PO Box 4297  
ROBINA TC QLD 4230

Attention: Suzanne Collis, Land Administration Officer

Dear Suzanne

**Re: Road Closure Application – 18 Cambridge Street, Red Hill**

I refer to an application made to close part of Cambridge Street, Red Hill by the land owner of the adjoining property at 18 Cambridge Street.

This matter has been given due consideration and I advise that the Manager, City Assets, as Council's delegate, objects to the closure as applied for, on the grounds that part of the road is required for its dedicated purpose (vehicular maneuverability and pedestrian purposes). Construction within Cambridge Street could be required for the provision of a formal turn-a-round facility.

However no objection would be raised to the temporary closure of a lesser area as shown shaded in blue on the attached "Plan of temporary closure" subject to the inclusion of a condition (s) in the road licence to the satisfaction of Council that would require the licence holder to seek Council agreement before constructing any further improvements in the licence area.

I apologise for the delay in replying to your request but unfortunately investigations regarding this proposal took longer than expected.

Yours faithfully,

Sch4p4(6) Personal information

Peter Wholohan  
Land Use Co-ordinator  
CITY PROPERTY

Document Scanned  
into eLVAS  
eLVAS ID: 2010/002270

Brisbane City Council ABN 72 002 765 795

Corporate Services Division, City Property

Reception Level 20

Level 19, Brisbane Square, 268 George St Brisbane QLD 4000 GPO Box 1434 Brisbane Qld 4001

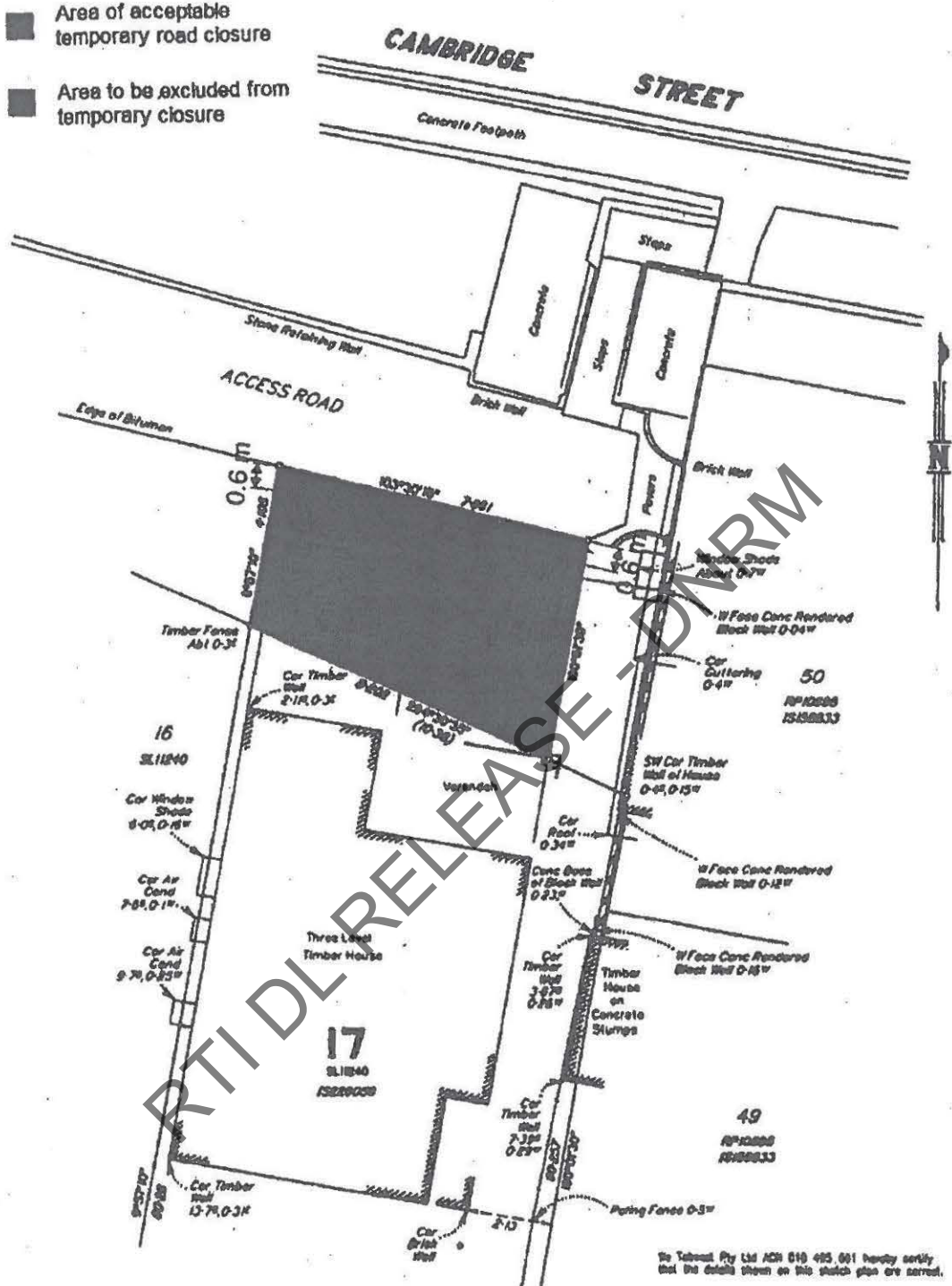
T 07 3403 4964 F 07 3334 0054

www.brisbane.qld.gov.au



Plan of temporary closure - (BCC modified version of Landmark drawing, for discussion purposes)

- Area of acceptable temporary road closure
- Area to be excluded from temporary closure



Scale 1:100 - Lengths are in Metres.

To: Tolson Pty Ltd ACN 610 495, 001 hereby certify that the details shown on this sketch plan are correct.

IAN ROBERT VIOGROF  
CADASTRAL SURVEYOR/  
DIRECTOR

LEX ROBERT BUNNELL  
CADASTRAL SURVEYOR/  
DIRECTOR

ST	Proposed Road Closure
DC/MK	Adjoining Lot 17 on SL11240
22/03/10	18 CAMBRIDGE STREET, RED HILL
20/03/10	Part of NORTH BRISBANE City PERVAL TIME (RP) P/L
LA	City of STANLEY Local Authority BRISBANE CITY COUNCIL

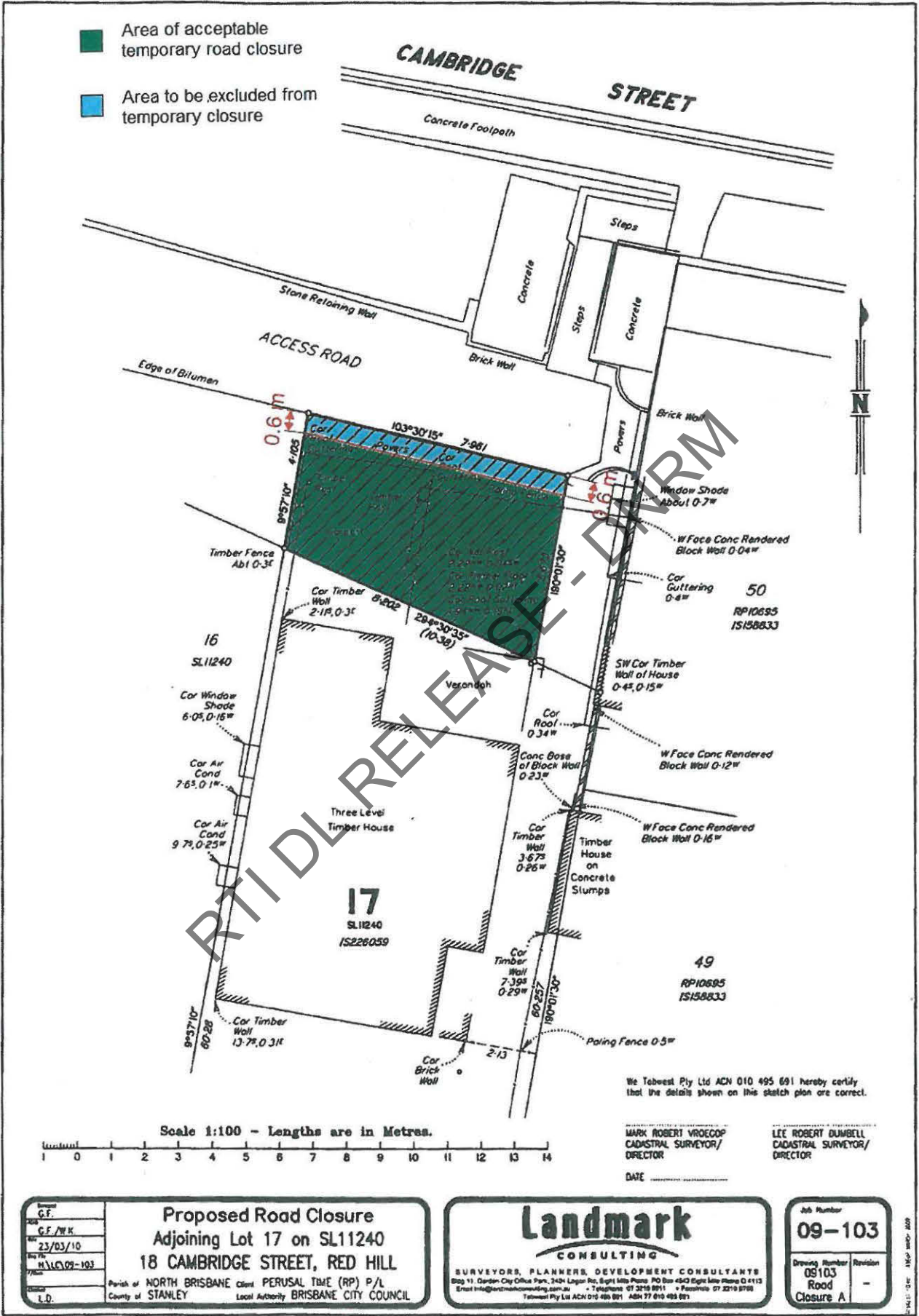
**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

111/11, Queen City Drive, From: South Logan Bus Stop, Interchange 100m West of Logan Interchange 6, 4040  
Dural NSW 2158  
Telephone 02 9515 5511 • Facsimile 02 9515 5512  
Tolson Pty Ltd ACN 610 495 001 ABN 77 010 010 010

Job Number	09-103
Drawing Number	09103
Road Closure	A

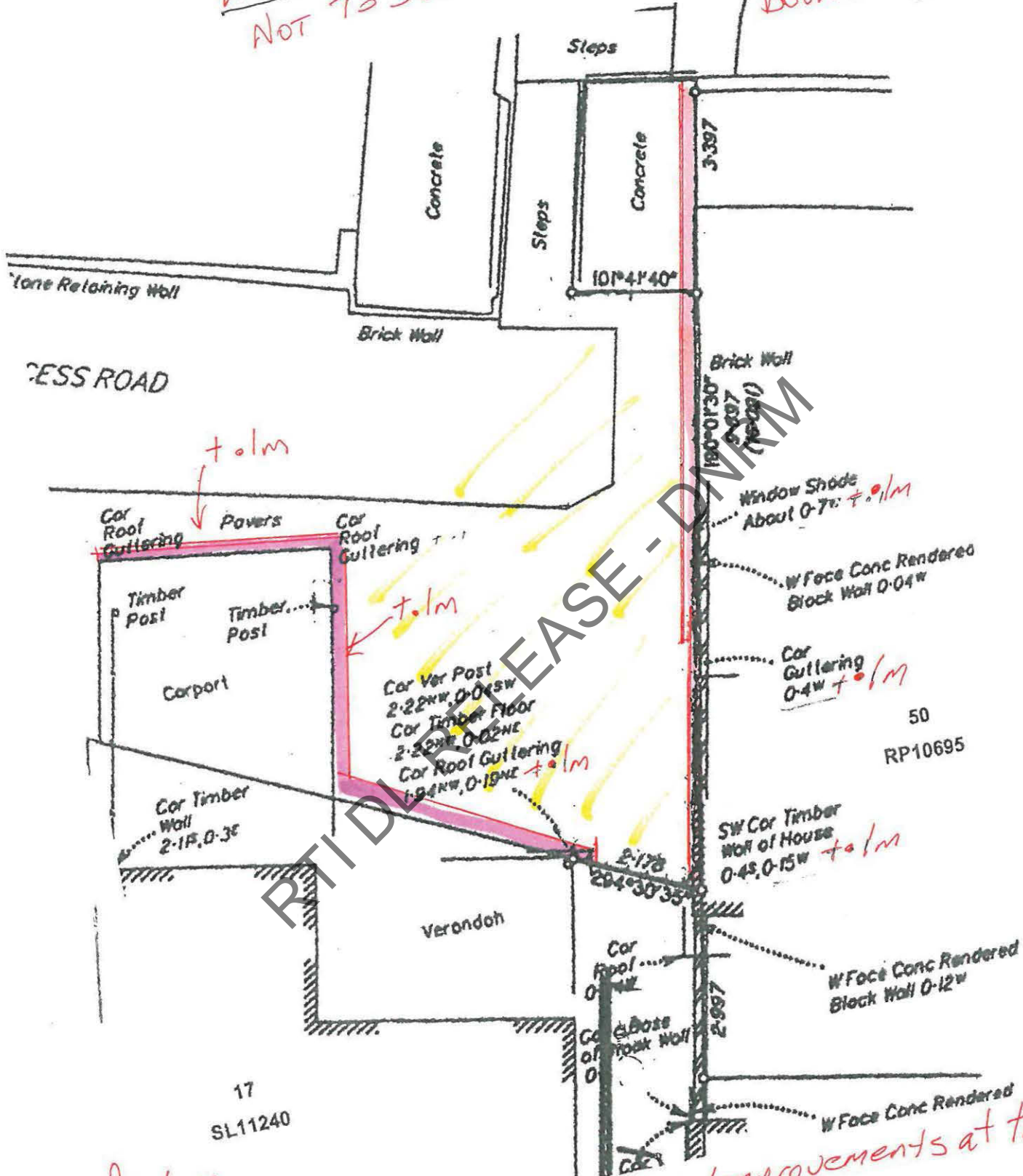
Plan of temporary closure - (BCC modified version of Landmark drawing, for discussion purposes)





ATTACHMENT 1.  
NOT TO SCALE

RED LINE  
INDICATIVE OF  
PROPOSED  
PROPERTY  
BOUNDARY.



RED LINE

Three Level  
Timber House

+ 0.1 metre for existing structural improvements at time of application.

ROAD.



Road to be closed and included in Lot 50 on RP10695

Road to be closed and included in Lot 17 on SL11240



## Orellana Jose

---

**From:** Robert Johansen <rob@adamelia.com.au>  
**Sent:** Thursday, 16 January 2014 9:47 AM  
**To:** Rogers Ken William  
**Subject:** Solicitors

Dear Mr Rogers,

As just discussed on the telephone, Hopgood Ganim no longer act for us in the matter of the proposed Cambridge St Road Closure.

Regards,

**Robert Johansen**  
**Director**

T +61 7 3121 3066  
M +61 4 1719 5511  
A Level 36 Riparian Plaza 71 Eagle St Brisbane  
P GPO Box 995 Brisbane Q 4001  
E [rob@adamelia.com.au](mailto:rob@adamelia.com.au)

RTI DL RELEASE - DNRM

## Orellana Jose

---

**From:** Rogers Ken William  
**Sent:** Thursday, 16 January 2014 8:27 AM  
**To:** 'Robert Johansen'  
**Cc:** McDougall Lynette  
**Subject:** RE: Application for Permanent Road Closure, Cambridge Street, Red Hill.

Mr Johansen,

I have received an email late yesterday from [sch4p4(6) Personal information] xpressing his concerns about the proposal I forwarded last week. On review of [sch4p4(6) Personal information] concerns and taking into account you concerns about having maximum access to the back of your property and [sch4p4(6) Personal information] concerns about having maximum access to the side of his property for maintenance it is clear that my proposal will not be agreeable to both parties.

The proposal put forward by me last week is withdrawn as there is no agreement to the proposal by both parties.

To maximise both your access to the rear of your property and to make suitable access to [sch4p4(6) Personal information] to maintain his property it will be necessary to keep the maximum area of road available for both your access needs.

I will prepare a new drawing for review and comment by both you and [sch4p4(6) Personal information] so that a decision can be made on whether the road is still required. This is the consideration that must be made under the Land Act 1994.

Regards

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Rogers Ken William  
**Sent:** Wednesday, 15 January 2014 7:27 AM  
**To:** 'Robert Johansen'  
**Cc:** McDougall Lynette  
**Subject:** RE: Application for Permanent Road Closure, Cambridge Street, Red Hill.

Good Morning Mr Johansen,

I will respond to your email later today. I have been unable to review it as I have had some leave and I will be seeking some further advice today from the department's State land policy area.

Regards

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024  
Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207

---

**From:** Robert Johansen [<mailto:rob@adamelia.com.au>]  
**Sent:** Friday, 10 January 2014 10:57 AM  
**To:** Rogers Ken William  
**Cc:** McDougall Lynette  
**Subject:** RE: Application for Permanent Road Closure, Cambridge Street, Red Hill.

Dear Mr Rogers,

Thanks for your email and for taking the time to come to the site on Wednesday.

Based on the drawing you supplied I have some points on which I request confirmation that I understand the proposal correctly, and one point on which I request the proposal be amended.

The points of confirmation are as follow and are marked on the attached diagram. They are essentially to confirm my understanding that the proposal reflects where we placed the markers during the site meeting.

Could you please confirm that:

- (a) The line marked A is the Eastern edge of the existing path.
- (b) The Line marked B is the Western edge of the existing path.
- (c) The measurements marked C are to be measured from the existing western boundary of Lot 50.
- (d) The line marked D is vertically below the southern edge of the southern-most window shade.

The point on which I request the proposal be amended is as follows: where the measurements of 0.5m from the western boundary of Lot 50 appear, I request that they be amended to read "vertically below the western edge of the existing gutter of the house on Lot 50".

This amendment will still ensure that all of the encroachments of Lot 50 including the gutter and footings are within the new proposed property boundary for Lot 50, but is more consistent with maintaining the widest possible access to the back of Lot 17 from the frontage of the property. Based on the plan, the difference is likely to be about 10cm which should have a negligible effect with respect to Lot 50, but could be significant for access to Lot 17 because every centimetre counts when manouvering around that particular area.

Please note that this change, if implemented, would not cause any additional land to be added to Lot 17 and would not diminish the access available to Lot 50. The only consequence is that a slightly wider area would remain as road reserve, allowing it to be used for access to both blocks.

I would greatly appreciate if you could let me know on the above points so I can provide a definitive response by the 17<sup>th</sup>.

Regards,

Rob

**Robert Johansen**  
**Director**

M 0417195511  
P GPO Box 995 Brisbane Q 4001  
E [rob@adamelia.com.au](mailto:rob@adamelia.com.au)

---

**From:** Rogers Ken William [<mailto:Ken.W.Rogers@dnrm.qld.gov.au>]  
**Sent:** Thursday, 9 January 2014 2:14 PM  
**To:** Robert Johansen  
**Cc:** McDougall Lynette  
**Subject:** Application for Permanent Road Closure, Cambridge Street, Red Hill.

Good Afternoon Mr Johanson,

You recently received a proposal from Ms Lynette McDougall of the department's Brisbane Land Services office in regard to an application for permanent road closure adjoining your property, Lot 17 on SL11240. Lynette asked me to review the proposal due to your enquiries. As explained to you yesterday I was involved with the applications for permanent road closure previously as team leader for the Brisbane office and believe that I have spoken to you at that time.

As previously advised by Lynette in her email dated 19/12/2013 the department is endeavouring to reach an agreement with both yourself and the owner of Lot 50 on RP10695. After inspecting the application area yesterday and again this morning I would like to propose a slight amendment to the areas previously proposed by Lynette. The changes are in recognition of your expressed need to have the widest amount of access possible for ingress and egress to the back of Lot 17 from frontage of the property.

The drawing that I have prepared recognises the encroachments from Lot 50 on RP10695 and your property onto the road. The proposal drawing caters for the carport and part of the new front garden to be within the proposed road closure area. The proposal for the neighbouring property ensures that building footings, overhead gutters and window shades should be within that permanent road closure area. The closure area for the neighbouring property varies between .5 metre and 1 metre. A joint access area will still exist between the new proposed property boundaries with known improvements delineating the future boundary to the proposed new property boundary eg. the garden bed and sandstone pathway, while the new stairs and an area to manoeuvre at the bottom of the stairs is provided and will remain as road. At the narrowest point for the permanent road closure for your neighbours application there will be a taper of say, over a length of 1 metre, from .5 metre to zero where the boundary of Lot 17 intersects with your property boundary.

Attached is a drawing showing the areas now proposed to be offered to both you and your neighbour. If you are satisfied with the proposed areas, I will obtain approval to make formal offers. As you can see, neither party will own the area adjoining the northern boundary of your lot, and you will each have equal right of access across the area to your respective properties.

As previously advised by Lynette each offer will be independent of the other in that should one party choose not to proceed, the other offer will be able to continue. No additional area will be offered to the other party should one party elect not to proceed.

The previous email from Lynette asked for confirmation of the previous proposal by 6 January 2014. As I have now introduced this new proposal that date is no longer relevant. Would you be able to advise me by return email by 17 January 2014 if the attached drawing proposal could be acceptable to you so that a formal offer can be made.

Thank You

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services,  
South Region Department of Natural Resources and Mines  
Telephone: 07 3884 8069 Facsimile: 07 3884 8024

Mobile: 0428 159 432  
Email: [Ken.W.Rogers@dnrm.qld.gov.au](mailto:Ken.W.Rogers@dnrm.qld.gov.au)  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

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RTI DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 937251

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 31-May-2012 2:27 PM  
Entered by: Palmer, Ray  
Reference:

Contact with:

sch4p4(6) Personal information

### Documents

Document Type	Title	Received/Sent
Application	RTI 11-220 sch4p4(6) Personal information Road Clos Cambridge St	30-May-2012

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 31-May-2012  
Details:

### Assignment History

**Date assigned:** 31-May-2012  
**Assigned to:** Mcdougall, Lynette  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:2019736 Type: Application  
**Date actioned:** 1-Jun-2012  
**Action taken:** noted  
Application Title: RTI 11-220 sch4p4(6) Personal information Road Clos Cambridge St

## Orellana Jose

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**From:** Corrooerrsdse@derm.qld.gov.au  
**Sent:** Thursday, 31 May 2012 11:23 AM  
**To:** Palmer Ray  
**Subject:** Allocated to you : Due: 04/06/12 06843/12 Subject: RTI 11-220 / sch4p4(6) Personal information / re Application for Road Closure Lot 17 SL11240 Parish North Brisbane / 18 Cambridge Street, Red Hill / Application Number 2009/010630 / Perusal Time (RP) Pty Ltd ??

Item Number 06843/12 has been sent to you for action. This item is due on 04/06/12  
They supplied the following (comments are inserted here if supplied): **Hi Ray,**

Please arrange for this RTI request to be actioned and the information provided on the attached partially completed form.

Following endorsement by Rebecca, the draft should be submitted to SER LS CORRO by 12 noon on Monday 04/06/2012.

Thanks Ray.

Diane.

### Item Details

Document Type: Request for RTI Documents  
Subject: RTI 11-220 / sch4p4(6) Personal information / re Application for Road Closure Lot 17 SL11240 Parish North Brisbane / 18 Cambridge Street, Red Hill / Application Number 2009/010630 / Perusal Time (RP) Pty Ltd ??  
Final due date: 06/06/12

You should either:

1. Allocate this to an officer for action.
2. Take responsibility for preparing a response by 'Accepting Authorship'.
3. Send back to the person who sent it to you by selecting 'Return to Sender'.

Please click on the [Item Link](#) to view the Request for RTI Documents

If you have any queries please contact SER LS Corro or officers from OER - RSD South East by emailing to [Corrooerrsdse@derm.qld.gov.au](mailto:Corrooerrsdse@derm.qld.gov.au) or via the link [Management Team Link](#).

email: EmailAllocateAgencyOfficerForResponseESU

Author: Lynette McDougall  
Directorate / Unit: State Land Asset Management  
Phone: 07-3406 2569  
File Ref: 2009/010630  
Your Ref:

Department of  
**Environment and Resource  
Management**

24 May 2012

Mr Robert Johanson  
Persual Time (RP) Pty Ltd  
GPO Box 995  
BRISBANE QLD 4001

Dear Mr Johanson

**APPLICATION FOR PERMANENT ROAD CLOSURE - CAMBRIDGE STREET, RED HILL**

I refer to the department's letter of 11 May 2012 in which it was advised that it had been approved to permanently close an area of road under Section 98 of the *Land Act* 1994 and to seek Executive Authority for its inclusion in your Lot 17 of SL11240 under Section 358 of the Land Act.

Following your submission to the department to give further consideration to the areas offered to both you and the owner of Lot 50 on RP10695, the delegate of the Minister who approved the decision to permanently close the road has repealed his decision by using the provisions of Section 24AA of the *Acts Interpretation Act 1954* so that further consultation can be undertaken between the department and both yourself and the owner of Lot 50.

You are hereby advised that the department's offer of 11 May 2012 is withdrawn. I will contact you shortly with a view to arranging a meeting to discuss how best to address both your requirements and the requirements of the owner of Lot 50.

Yours sincerely



**Lynette McDougall**  
**Senior Land Officer**  
**South East Region**



---

### Reference Details

Reference No. 2009/010630  
Action Type: DG 1.3 Sect 358 with consideration  
Action Status: Approved by MD

Title Ref:  
Previous Title Ref: 15686033  
Tenure Type: Deed of Grant

Service Centre: Robina  
Region: South East

---

### Interested Parties

Name: Brisbane City Council / Brisbane  
Address: GPO Box 1434, Brisbane, QLD, 4001  
Ref:

Name: Queensland Electricity / Virginia  
Address: Powerlink Queensland, PO Box 1193, Virginia, QLD, 4014  
Ref:

Name: Telstra Corporation Limited / Brisbane (C/- United Group Services)  
Address: C/- United Group Services, GPO Box 2474, BRISBANE, QLD, 4001  
Ref:

Name: Energex Limited / Network Strategy & Property Development  
Address: GPO Box 1461, Brisbane, QLD, 4001  
Ref:

Name: Australian Pipeline Trust / Mansfield  
Address: PO Box 2229, MANSFIELD, QLD, 4122  
Ref:

---

### Description of Land

**Total Area (ha):** 0.0607 Surveyed

**Exclusions/Restrictions/Reservations:** No

---

### Lot/Plan Details

Lot/Plan	Area
17/SL11240	0.0607 ha

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<b>Parish</b>	<b>County</b>
North Brisbane	Stanley
<b>Local Authority</b>	
Brisbane City Council	

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**No Forestry Entitlement**

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**No Future Conservation Areas**

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**Tenancy Details**

Tenancy: Sole Tenant

**Grantee**

PERUSAL TIME (RP) PTY LTD ACN 137905563

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**No Tenant Correspondents**

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**No Acts and Sections**

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**No Document Recipient**

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**No Encumbrances**

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**No Parent Titles**

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**No Attached Tenures**

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---

**No Reserves**

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RTI/DL RELEASE - DNRM

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**Land Value Information**

Purpose:  
Category:  
Sub Category:  
Rental Type:  
Fixed Rent Expires:  
Rate:  
Annual Rent:  
Purchase Price: \$22000.00  
Sale Price: \$24200.00  
Improvements Value: \$  
Deposit: \$  
Timber Value: \$  
Timber Installment: \$

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**Further Deed Information**

**Previous Title Ref**  
15686033

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**Optional Conditions**

Nil

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**Optional Reservations**

Nil

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RTI/DL RELEASE - DNR/M

# Offer Account

This is not a Tax Invoice

**Draft**

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to:  
Department of Natural Resources and Mines, (ABN 46 640 294 485)

<b>Payment Reference:</b>	618110	<b>Account No:</b>	902010630
<b>Offer Account Date:</b>	11/05/2012	<b>Account Due Date:</b>	08/06/2012
<b>Enquiry Reference:</b>	2009/010630/2		

**Applicant:** Perusal Time (RP) Pty Ltd  
18 Cambridge Street  
Red Hill QLD 4059  
Australia

**ABN No.**  
**ACN/ARBN No.** 137 905 563

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	24200.00	
Property Value (Taxable, GST Excl)	1	22000.00	22000.00
GST on Taxable Property Value	1	2200.00	2200.00
Conveyance/Stamp Duty (GST Exempt)	1	288.00	288.00
Plan Lodgement Fee (Div 81)	1	296.50	296.50
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$ 24784.50</b>

**Comment:**

Road closure for inclusion in Lot 17 on SL11240

A Tax Invoice will be provided on completion of this dealing.  
23-May-2012

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### Reference Details

Reference No. 2009/010630  
Action Type: Permanent Road Closure  
Action Status: Approved by MD

Title Ref:  
Tenure Type: Untenured

Service Centre: Robina  
Region: South East

---

### Interested Parties

Name: Brisbane City Council / Brisbane  
Address: GPO Box 1434, Brisbane, QLD, 4001  
Ref:

Name: Queensland Electricity / Virginia  
Address: Powerlink Queensland, PO Box 1193, Virginia, QLD, 4014  
Ref:

Name: Telstra Corporation Limited / Brisbane (C/- United Group Services)  
Address: C/- United Group Services, GPO Box 2474, BRISBANE, QLD, 4001  
Ref:

Name: Energex Limited / Network Strategy & Property Development  
Address: GPO Box 1461, Brisbane, QLD, 4001  
Ref:

Name: Australian Pipeline Trust / Mansfield  
Address: PO Box 2229, MANSFIELD, QLD, 4122  
Ref:

---

### Description of Land

**Total Area (ha):** 0.0000

**Exclusions/Restrictions/Reservations:** No

**Details:** Road Reserve at 18 Cambridge Street Red Hill

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### No Lot/Plans

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### No Forestry Entitlement

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**No Future Conservation Areas**

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**No Tenant Correspondents**

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**No Acts and Sections**

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**No Document Recipient**

---

**No Encumbrances**

---

**No Parent Titles**

---

**No Attached Tenures**

---

**No Reserves**

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**Land Value Information**

Subdivision Parcel:

Purpose:

Category:

Sub Category:

Rental Type:

Fixed Rent Expires:

Rate:

:

Sale Price:

Improvements Value:

Deposit:

Timber Value:

Timber Installment:

RTI DL RELEASE - DNRM

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**No Deeds To Be Issued**

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**Optional Conditions**

**Nil**

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**Optional Reservations**

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**Nil**

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RTI DL RELEASE - DNRM

# eLVAS Submission Report

## For Case id: 2009/010630

### Submission Details

**Type:** Submission

**Title:** Submission - withdrawal of offer

**Created:** 23-May-2012

**Submitted:** 23-May-2012

**Submitted By:** Mcdougall, Lynette

#### Actioning Officer's Recommendation:

Approval was given on 3 May 2012 for an offer of permanent road closures to be made to the owners of Lot 17 on SL11240 and Lot 50 on RP10695. The owner of Lot 17 is not satisfied with the offer made as he claims it will restrict his access to the rear of his property by reducing his road frontage. He claims the owner of Lot 50 will not require the 1 metre width offered to him if the road remains open for the whole 2 metre width as both parties will be able to use it for access as and when required.

He requested that the offers be withdrawn pending further discussions with both parties.

Section 24AA of the Acts Interpretation Act 1954 says if an Act authorises the making of a decision, the power includes the power to amend or repeal the decision. The power to amend or repeal a decision is exercisable in the same way and subject to the same conditions as the power to make the decision.

SUBMITTED:

In order to further pursue the claims of the owner of Lot 17 about the restriction to the access to the rear of his property, may your decision made on 3 May 2012 for an offer of permanent road closure be repealed under Section 24AA of the Acts Interpretation Act 1954.

#### Optional Recommendation Document:

None

### Documents

Component	Document Type	Title	Received/Sent
	Incoming email	Telstra Views - assets require relocation Cond Obj	24-Nov-2010
	Incoming Letter	BCC - OBJECTION	18-Apr-2012
	Incoming Letter	BCC no objection area	18-Apr-2012
	Word Submission	Cambridge Street submission	1-May-2012
	Audit Report	Submission Verification Report (Action 1)	1-May-2012
	Audit Report	Submission Verification Report	1-May-2012



Audit Report	(Action 2) Submission Verification Report	23-May-2012
Audit Report	(Action 1) Submission Verification Report (Action 2)	23-May-2012

## Case issues

No case issues

## Case notes

No case notes

## Applications

Application Id	Application Type	Status	Primary
1	Permanent Road Closure	Approved by MD	Y
	<b>No Decision</b>		

## Actions

Action Id	Action Type	Status	Status Date
1	Permanent Road Closure	Approved by MD	3-May-2012
	<b>No Decision</b>		
Action Id	Action Type	Status	Status Date
2	DG 1.3 Sect 358 with consideration	Approved by MD	3-May-2012
	<b>No Decision</b>		

## Additional comments

I have considered the submission and the request of the applicant in relation to my decision to permanently close the road and make an offer to the applicant. I repeal my previous decision by using the provisions of sec 24AA of the Acts Interpretation Act 1954 so that further consultation can be undertaken between the department and the applicant and the applicant for an adjacent area of road to be closed. The decision of 3 May 2012 is repealed. The applicant is to be advised accordingly.

RTI DL RELEASE - DNRM

# Offer Account

This is not a Tax Invoice

**Issued**

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to:  
Department of Natural Resources and Mines, (ABN 46 640 294 485)

<b>Payment Reference:</b>	618110	<b>Account No:</b>	902010630
<b>Offer Account Date:</b>	11/05/2012	<b>Account Due Date:</b>	08/06/2012
<b>Enquiry Reference:</b>	2009/010630/2		

**Applicant:** Perusal Time (RP) Pty Ltd  
18 Cambridge Street  
Red Hill QLD 4059  
Australia

**ABN No.**  
**ACN/ARBN No.** 137 905 563

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	24200.00	
Property Value (Taxable, GST Excl)	1	22000.00	22000.00
GST on Taxable Property Value	1	2200.00	2200.00
Conveyance/Stamp Duty (GST Exempt)	1	288.00	288.00
Plan Lodgement Fee (Div 81)	1	296.50	296.50
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$ 24784.50</b>

**Comment:**

Road closure for inclusion in Lot 17 on SL11240

A Tax Invoice will be provided on completion of this dealing.  
11-May-2012

INTERNAL CURRENT TITLE SEARCH  
ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Search Date: 11/05/2012 10:47

Title Reference: 15686033  
Date Created: 08/09/1977

Previous Title: 10614198

REGISTERED OWNER

Dealing No: 712641923 04/08/2009

PERUSAL TIME (RP) PTY LTD A.C.N. 137 905 563

ESTATE AND LAND

Estate in Fee Simple

LOT 17 CROWN PLAN SL11240  
County of STANLEY Parish of NORTH BRISBANE  
Local Government: BRISBANE CITY

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10614198 (ALLOT 7 SEC C2)
2. MORTGAGE No 712958516 23/12/2009 at 12:43  
HERITAGE BUILDING SOCIETY LIMITED A.C.N. 087 652 024  
Lodged at 12:43 on 23/12/2009 Recorded at 15:34 on 05/01/2010

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 \*\*

For Internal Use Only - Not to be used for External Viewing

Page 1/1

## Orellana Jose

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**From:** McDougall Lynette  
**Sent:** Friday, 11 May 2012 1:16 PM  
**To:** 'F0501488@team.telstra.com'  
**Subject:** Offer of permanent road closure  
**Attachments:** Cambridge Street road closures.pdf

Your Ref: QF99280-1

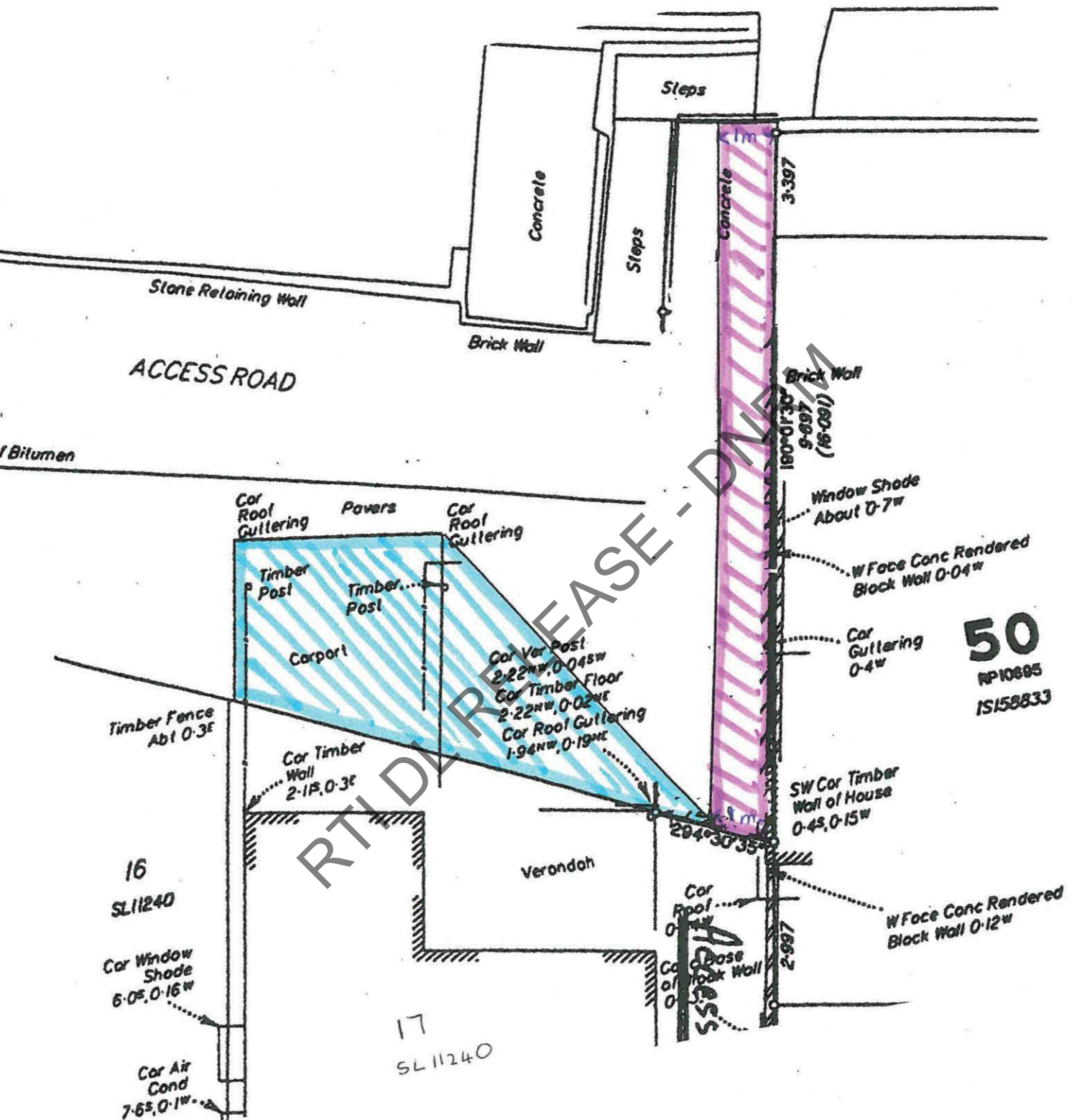
I refer to your letter of 24 November 2010 and advise that an offer has been made to the owner of Lot 17 on plan SL11240 for permanent closure of the area of road shown coloured blue on the attached drawing, subject to the applicant satisfying Telstra's requirements as detailed in your letter



Lynette McDougall  
Senior Land Officer, State Land Asset Management  
Brisbane District Office  
**Telephone:** (07) 3406 2569  
**Email:** [lynette.mcdougall@derm.qld.gov.au](mailto:lynette.mcdougall@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Level 2, Landcentre  
GPO Box 2771, BRISBANE QLD 4001

RTI DL RELEASE - DNRM





-  Road to be closed and included in Lot 17 on SL11240
-  Road to be closed and included in Lot 50 on RP10695



## Orellana Jose

---

**From:** McDougall Lynette  
**Sent:** Friday, 11 May 2012 1:07 PM  
**To:** 'Kerry Dodds'  
**Subject:** Permanent Road Closure - Cambridge Street, Red Hill  
**Attachments:** Cambridge Street road closures.pdf

Land Use Coordinator  
City Property  
Brisbane City Council

Your ref: 188/70/721/87

Offers have been made to the owners of Lot 17 on SL11240 and Lot 50 on RP10695 to permanently close the roads shown shaded blue and pink respectively on the attached drawing in order to legalise encroachments from buildings constructed on those lots onto Cambridge Street.

Lynette McDougall  
Senior Land Officer, State Land Asset Management  
Brisbane District Office  
**Telephone:** (07) 3406 2569  
**Email:** [lynette.mcdougall@derm.qld.gov.au](mailto:lynette.mcdougall@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Level 2, Landcentre  
GPO Box 2771, BRISBANE QLD 4001

RTI DL RELEASE - DNRM

# Offer Account



This is not a Tax Invoice

**Issued**

Department of  
Environment and Resource  
Management

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to:  
Department of Natural Resources and Mines, (ABN 46 640 294 485)

<b>Payment Reference:</b>	618110	<b>Account No:</b>	902010630
<b>Offer Account Date:</b>	11/05/2012	<b>Account Due Date:</b>	08/06/2012
<b>Enquiry Reference:</b>	2009/010630/2		

**Applicant:** Perusal Time (RP) Pty Ltd  
18 Cambridge Street  
Red Hill QLD 4059  
Australia

**ABN No.**  
**ACN/ARBN No.** 137 905 563

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	24200.00	
Property Value (Taxable, GST Excl)	1	22000.00	22000.00
GST on Taxable Property Value	1	2200.00	2200.00
Conveyance/Stamp Duty (GST Exempt)	1	288.00	288.00
Plan Lodgement Fee (Div 81)	1	296.50	296.50
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$ 24784.50</b>

**Comment:**

Road closure for inclusion in Lot 17 on SL11240

A Tax Invoice will be provided on completion of this dealing.  
11-May-2012





Author: Lynette McDougall  
Directorate / Unit: State Land Asset Management  
Phone: 07-3406 2569  
File Ref: 2009/010630  
Your Ref: 0929257

Department of  
Environment and Resource  
Management

11 May 2012

Hopgood Ganim Lawyers  
Attention: Anthony Boge  
PO Box 7822  
Waterfront Place Qld 4001

Dear Sir

**APPLICATION FOR PERMANENT ROAD CLOSURE - CAMBRIDGE STREET, RED HILL  
YOUR CLIENT: PERUSAL TIME (RP) PTY LTD**

I refer to your application for the permanent closure of an area of Cambridge Street, Red Hill, and advise that approval has been given for the permanent closure of the area of road shown shaded blue on the attached sketch under Section 98 of the *land Act* 1994 and to seek Executive Authority for its inclusion in your client's Lot 17 on SL11240 under Section 358 of the Land Act at a purchase price of \$22,000 exclusive of GST, subject to the terms and conditions as set out in the attached **Agreement to Offer a Permanent Road Closure**.

An offer of permanent closure of the area shaded blue on the attached sketch has been made to the owner of Lot 50 on RP10695. Your client may wish to liaise with them with respect to sharing the costs of the required survey. Should the owner of Lot 50 not wish to accept the offer made to them, the area offered to your client will not be increased.

The attached agreement duly signed, together with payment of \$24,784.50 as detailed in the attached offer account, must be returned to the Department by close of business on 30 May 2012, otherwise this offer lapses. All other conditions of this offer must be satisfied by close of business on 31 August 2012 otherwise this offer lapses.

If you believe you will be unable to comply with any of the conditions of this offer by the specified date, you should apply in writing for an extension of time. Any application for an extension of time should be made before the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the time for which the extension is requested, including reasons for the amount of time required.

If you do not apply for an extension of time and the offer lapses a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that will include re-assessment of the land value and all conditions and requirements applicable to the dealing. This re-assessment may also result in the application being refused.

You may wish to seek your own legal advice with regard to this offer.

Yours sincerely

sch4p4(6) Personal information

**Lynette McDougall  
Senior Land Officer  
South East Region**

Level 2 Landcentre  
Main Street, Woolloongabba  
GPO Box 2771, Brisbane Qld 4001  
Telephone: 07 3406 2569  
Facsimile: 07 3406 2582  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)  
ABN 83 768 93 2346



## Agreement to Offer permanent road closure Requirements and notification of acceptance of offer

### OVERVIEW

Subject to compliance with the Offer Requirements as set out in this document, approval has been given for the permanent closure of the area of road shown shaded blue on the sketch attached to this document for its inclusion in freehold Lot 17 on plan SL11240.

Your completion and return of this form together with payment of the attached account constitutes written agreement to the offer.

### OFFER REQUIREMENTS

This offer will lapse unless the following requirements are lodged by the specified time, with the NRM Brisbane Office –

1. Completion and return of this Agreement. This document should be completed by all proposed tenure holders
2. Forwarding of the sum of **\$24,784.50** as detailed in the attached account. A copy of the account should be returned to the department along with your payment.
3. Lodgement of any plan required in respect of this application]
4. Completion and return the attached Form 1 Transfer (under Section 358 of the *Land Act 1994*)
5. Satisfying the requirements of Telstra as detailed in its letter of 24 November 2010 (copy attached) and arranging for Telstra to advise this office when its requirements have been satisfied.

The **Agreement to Offer a permanent road closure** together with payment of all required monies must be returned to the department by close of business on **30 May 2012** otherwise this offer will lapse.

All other conditions of this offer must be satisfied by close of business on **31 August 2012** otherwise this offer lapses.

If you believe you will be unable to comply with **any** of the conditions of this offer by the due date, you should apply in writing for an extension of time. Any application for extension of time is to be made **before** the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the time for which the extension of time is requested, including reasons for the amount of time required.

**Note** - if you do not apply for an extension of time the offer lapses, you will need to make a fresh application and pay the required application fee. If the new application is accepted, the application will be re-investigated and include re-assessment of the purchase price, all conditions and requirements applicable to the dealing. This re-investigation may also result in the application being refused.

### PARTICULARS OF LAND

<b>Tenure Type -</b>	freehold
<b>Description -</b>	Part of Cambridge Street, Red Hill, to be included in Lot 17 on SL11240.
<b>Area (ha) -</b>	About 22 square metres
<b>Purchase price -</b>	\$22,00 (exclusive of GST)

**Office :**  
NRM Brisbane  
Level 2 Landcentre  
Cnr Main and Vulture Streets  
WOOLLOONGABRA QLD 4102

**Postal :**  
NRM Brisbane  
GPO Box 2771  
BRISBANE  
4001 QLD

**Telephone :** 3406 2569  
**Fax:** 3406 2582

## TENANCY DETAILS

### NAME

PERUSAL TIME (RP) PTY LTD A.C.N. 137 905 563

### ADDRESS

Town/City:

State:

Postcode:

## PURCHASE PRICE - INCLUSION IN FREEHOLD

The purchase price has been determined for inclusion of the area of closed road at \$24,200 inclusive of GST.

Please note that a tax invoice will be issued to the applicant after the offer conditions have been met and the Deed of Grant is issued or freeholding lease or reserve is amended.

## GOODS AND SERVICES TAX (GST)

Goods and Services Tax (GST) is payable on all land transactions in accordance with *A New Tax System (Goods and Services Tax) Act 1999* unless it is an input taxed supply under Division 40 or specifically exempted from GST under Division 38 of that Act.

## TAX INVOICE

A tax invoice for obtaining a deed of grant inclusive of the closed road will be issued to the registered owner within 28 days of the date of the issue of the deed.

## PLAN REQUIREMENTS

The department requires a plan to be prepared at your client's expense to satisfy the requirements of this offer and arrangements should be made with a Registered Consulting Surveyor to prepare the plan.

Your Registered Consulting Surveyor should contact the department's Principal Surveyor or Senior Surveyor, NRM Brisbane Office, if there are any questions or concerns in relation to any survey or plan requirements.

## FOREIGN OWNERSHIP

Your attention is drawn to the requirements of the *Foreign Ownership of Land Register Act 1988* that a foreign person (as defined in that Act) or a trustee of a foreign person or a foreign trust, must lodge a Notification of Ownership Form for each interest acquired. No fee is payable and further enquiries should be directed to the Foreign Ownership of Land Registry on (07) 3227 7262.

If you are a permanent resident of Australia, and Australian Citizen or wholly owned Australian Company, there is no requirement for you to take further action in this matter.

## APPROVALS AND/OR REQUIREMENTS OF THE COMMONWEALTH, STATE OR LOCAL GOVERNMENT

It should be noted that it is the responsibility of the holder of the tenure to ensure that all the necessary approvals and/or requirements of the Commonwealth, State or local government in respect of the use of the area are obtained and/or satisfied.

## DECLARATION

The information provided in this Agreement to Offer and any attachments is authorised under the *Land Act 1994* and is being used to process your application. The department will endeavour to maintain the confidentiality of information relating to your application. However, consideration of your application may involve consultation with other parties and if so, details of your application may be

disclosed to third parties. This information will not otherwise be disclosed outside of the department unless required or authorised by law such as under the *Right to Information Act 2009*.

I/We agree, subject to compliance with the Offer Requirements, the area of road to be closed is for inclusion in adjoining freehold, being Lot 17 on plan SL11240 on terms and conditions stated in this document and the attached Conditions Report and note that this acceptance shall not be effective until I/We have complied with the Offer Requirements.

**Note** - If the proposed tenure issues, the details of the tenure, including the registered owner will be registered in the Land Registry which is available to the public to search.

**DECLARATION BY A CORPORATION**

Executed for and on behalf of:

**Corporation name**

**A.C.N or A.R.B.N No.**

In accordance with section 127 of the *Corporations Act 2001*,

**Dated**

**day of**

**Year**

**Name and Signature of authorised person/s**

**Note** – Sole Directors simply insert name and sign as sole director. Other Companies require signature of two Directors or by a Director and Secretary. Where an attorney or other agent executes this Agreement on behalf of a company, the form of the execution must indicate the source of this authority and a certified copy of authority must be provided to DERM. A witness is only required for an attorney or other agent where the source of authority requires a witness.

**In relation to this agreement to offer, it is recommended you seek independent legal advice  
END OF DOCUMENT**

Dealing No.

Duty Imprint

OFFICE USE ONLY

Privacy Statement

Collection of this information is authorised by the Land Title Act 1994 the Land Act 1994 and the Water Act 2000 and is used to maintain the publicly searchable registers in the land registry and the water register. For more information about privacy in DERM see the department's website.

1. **Interest being transferred** (if shares show as a fraction)  
Fee Simple

**Lodger** (Name, address & phone number)  
Lynette McDougall, SLAM, Brisbane  
Phone: 3406 2569  
Email: SLAM-Brisbane@derm.qld.gov.au

**Lodger Code**  
  
**BE2340**

Note: A Form 24 - Property Information (Transfer) must be attached to this Form where interest being transferred is "fee simple" (Land Title Act), "State leasehold" (Land Act 1994) or Water Allocation (Water Act 2000)

2. Lot on Plan Description	County	Parish	Title Reference
LOT 17ON CROWN PLAN SL11240	STANLEY	NORTH BRISBANE	15686033

3. **Transferor**  
PERUSAL TIME (RP) PTY LTD A.C.N. 137 905 563

4. **Consideration**  
Section 358 of the Land Act 1994

5. **Transferee** Given names Surname/Company name and number (include tenancy if more than one)  
The State of Queensland (represented by the Department of Natural Resources and Mines)

6. **Transfer/Execution** The Transferor transfers to the Transferee the estate and interest described in item 1 for the consideration and in the case of monetary consideration acknowledges receipt thereof. ~~The Transferor declares that the information contained in items 3 to 6 on the attached Form 24 are true and correct. The Transferee states the information contained in items 1, 2 4 to 6 on the attached Form 24 is true and correct. Where a solicitor signs on behalf of the Transferee the information in items 1, 2 4 to 6 on Form 24 is based on information supplied by the Transferee.~~

**NOTE: Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994**

**Separate executions are required for each transferor and transferee. Signatories are to provide to the witness, evidence that they are the person entitled to sign the instrument (including proof of identity).**

.....  
.....  
**Witnessing Officer** (signature, full name & qualification)

/ /  
**Execution Date**

.....  
**Transferor's Signature**

.....  
.....  
**Witnessing Officer** (signature, full name & qualification)

/ /  
**Execution Date**

.....  
**Transferor's Signature**

.....  
.....  
**Witnessing Officer** (signature, full name & qualification)

/ /  
**Execution Date**

.....  
**Transferee's Signature**

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

\*Note: A Solicitor is required to print full name if signing on behalf of the Transferee and no witness is required in this instance

---

### Reference Details

Reference No. 2009/010630  
Action Type: DG 1.3 Sect 358 with consideration  
Action Status: Proposed

Title Ref:  
Previous Title Ref: 15686033  
Tenure Type: Deed of Grant

Service Centre: Robina  
Region: South East

---

### Interested Parties

Name: Brisbane City Council / Brisbane  
Address: GPO Box 1434, Brisbane, QLD, 4001  
Ref:

Name: Queensland Electricity / Virginia  
Address: Powerlink Queensland, PO Box 1193, Virginia, QLD, 4014  
Ref:

Name: Telstra Corporation Limited / Brisbane (C/- United Group Services)  
Address: C/- United Group Services, GPO Box 2474, BRISBANE, QLD, 4001  
Ref:

Name: Energex Limited / Network Strategy & Property Development  
Address: GPO Box 1461, Brisbane, QLD, 4001  
Ref:

Name: Australian Pipeline Trust / Mansfield  
Address: PO Box 2229, MANSFIELD, QLD, 4122  
Ref:

---

### Description of Land

**Total Area (ha):** 0.0607 Surveyed

**Exclusions/Restrictions/Reservations:** No

---

### Lot/Plan Details

Lot/Plan	Area
17/SL11240	0.0607 ha



---

<b>Parish</b>	<b>County</b>
North Brisbane	Stanley
<b>Local Authority</b>	
Brisbane City Council	

---

**No Forestry Entitlement**

---

**No Future Conservation Areas**

---

**No Tenancy Details**

---

**No Tenant Correspondents**

---

**No Acts and Sections**

---

**No Document Recipient**

---

**No Encumbrances**

---

**No Parent Titles**

---

**No Attached Tenures**

---

**No Reserves**

---

RTI/DL RELEASE - DNR/M

---

**Land Value Information**

Purpose:  
Category:  
Sub Category:  
Rental Type:  
Fixed Rent Expires:  
Rate:  
Annual Rent:  
Purchase Price: \$22000.00  
Sale Price: \$24200.00  
Improvements Value: \$  
Deposit: \$  
Timber Value: \$  
Timber Installment: \$

---

**Further Deed Information**

**Previous Title Ref**  
15686033

---

**Optional Conditions**

Nil

---

**Optional Reservations**

Nil

---

RTI DL RELEASE - DNRM

# Offer Account

This is not a Tax Invoice

**Draft**

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to:  
Department of Natural Resources and Mines, (ABN 46 640 294 485)

<b>Payment Reference:</b>	618110	<b>Account No:</b>	
<b>Offer Account Date:</b>	01/05/2012	<b>Account Due Date:</b>	30/05/2012
<b>Enquiry Reference:</b>	2009/010630/2		

**Applicant:** Perusal Time (RP) Pty Ltd  
18 Cambridge Street  
Red Hill QLD 4059  
Australia

**ABN No.**  
**ACN/ARBN No.** 137 905 563

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	24200.00	
Property Value (Taxable, GST Excl)	1	22000.00	22000.00
GST on Taxable Property Value	1	2200.00	2200.00
Conveyance/Stamp Duty (GST Exempt)	1	288.00	288.00
Plan Lodgement Fee (Div 81)	1	296.50	296.50
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$ 24784.50</b>

**Comment:**

Road closure for inclusion in Lot 17 on SL11240

A Tax Invoice will be provided on completion of this dealing.  
1-May-2012

# eLVAS Submission Report

## For Case id: 2009/010630

### Submission Details

**Type:** Submission

**Title:** Submission - permanent road closure

**Created:** 1-May-2012

**Submitted:** 1-May-2012

**Submitted By:** Mcdougall, Lynette

#### Actioning Officer's Recommendation:

submission attached

#### Optional Recommendation Document:

None

### Documents

Component	Document Type	Title	Received/Sent
	Incoming email	Telstra Views - assets require relocation Cond Obj	24-Nov-2010
	Incoming Letter	BCC OBJECTION	18-Apr-2012
	Incoming Letter	BCC no objection area	18-Apr-2012
	Word Submission	Cambridge Street submission	1-May-2012
	Audit Report	Submission	1-May-2012
	Audit Report	Verification Report (Action 1)	1-May-2012
	Audit Report	Submission	1-May-2012
	Audit Report	Verification Report (Action 2)	1-May-2012

### Case issues

No case issues

### Case notes

No case notes

### Applications

Application Id	Application Type	Status	Primary
1	Permanent Road Closure	Approved by MD	Y

**Decision:** Approved by MD

**Decision Date:** 3-May-2012

**Basis for Decision:**

**Additional Comments:**

None

**Declaration:**

I have considered the relevant legislation, policies and work instructions and have made my decision

Rogers, Ken  
Principal Land Officer  
Department of Natural Resources and Mines  
In accordance with Land Act (1994)

## Actions

Action Id	Action Type	Status	Status Date
1	Permanent Road Closure	Approved by MD	3-May-2012

**Decision:** Approved by MD

**Decision Date:** 3-May-2012

**Basis for Decision:**

**Section** 102Land Act 1994  
**Section** 109 (2)Land Act 1994  
**Section** 109C (4)Land Act 1994

**Additional Comments:**

After consideration of the application and seeking the views of the road controller I have amde a decision to change the application in regard to the area of road applied for closure by the applicant. The road is not of significant area to be dealt with as a lot . The road to be permanently closed is to be amalgamated with the adjoining land. The purchase price for the land is \$22,000.00 exclusive of gst.

**Declaration:**

I have considered the relevant legislation, policies and work instructions and have made my decision

Rogers, Ken  
Principal Land Officer  
A duly authorised delegate of the Minister  
under the current Land Act (Ministerial) Delegation

Action Id	Action Type	Status	Status Date
2	DG 1.3 Sect 358 with consideration	Approved by MD	3-May-2012

**Decision:** Approved by MD

**Decision Date:** 3-May-2012

**Basis for Decision:**

**Section** 358 (2)Land Act 1994

**Additional Comments:**

The most appropriate use for the permanently closed road is for inclusion with the adjoining title. The applicant is to surrender its title for inclusion of the permanently closed road for the issue of a new deed of grant under sec 358 of the Land Act 1994.

**Declaration:**

I have considered the relevant legislation, policies and work instructions and have made my decision

Rogers, Ken

Principal Land Officer

A duly authorised delegate of the Minister  
under the current Land Act (Ministerial) Delegation

**Additional comments**

None

RTI DL RELEASE - DNRM



---

### Reference Details

Reference No. 2009/010630  
Action Type: Permanent Road Closure  
Action Status: Proposed

Title Ref:  
Tenure Type: Untenured

Service Centre: Robina  
Region: South East

---

### Interested Parties

Name: Brisbane City Council / Brisbane  
Address: GPO Box 1434, Brisbane, QLD, 4001  
Ref:

Name: Queensland Electricity / Virginia  
Address: Powerlink Queensland, PO Box 1193, Virginia, QLD, 4014  
Ref:

Name: Telstra Corporation Limited / Brisbane (C/- United Group Services)  
Address: C/- United Group Services, GPO Box 2474, BRISBANE, QLD, 4001  
Ref:

Name: Energex Limited / Network Strategy & Property Development  
Address: GPO Box 1461, Brisbane, QLD, 4001  
Ref:

Name: Australian Pipeline Trust / Mansfield  
Address: PO Box 2229, MANSFIELD, QLD, 4122  
Ref:

---

### Description of Land

**Total Area (ha):** 0.0000

**Exclusions/Restrictions/Reservations:** No

**Details:** Road Reserve at 18 Cambridge Street Red Hill

---

### No Lot/Plans

---

### No Forestry Entitlement

---

---

**No Future Conservation Areas**

---

**No Tenant Correspondents**

---

**No Acts and Sections**

---

**No Document Recipient**

---

**No Encumbrances**

---

**No Parent Titles**

---

**No Attached Tenures**

---

**No Reserves**

---

**Land Value Information**

Subdivision Parcel:

Purpose:

Category:

Sub Category:

Rental Type:

Fixed Rent Expires:

Rate:

:

Sale Price:

Improvements Value:

Deposit:

Timber Value:

Timber Installment:

RTI DL RELEASE - DNRM

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**No Deeds To Be Issued**

---

**Optional Conditions**

**Nil**

---

**Optional Reservations**

---

**Nil**

---

RTI DL RELEASE - DNRM

**Date:** 30 April 2012 **Application Type:** Permanent Road Closure

**Applicant:** 2009/010630 - Perusal Time (RP) Pty Ltd - Lot 17 on SL11240  
2009/011301 - Sch4p4(6) Personal Information Lot 50 on RP10695

**Description of Land:** Parts of Cambridge Street adjoining Lot 17 on SL11240 and Lot 50 on RP10695

**Local Government:** Brisbane City council

**Proposed Action:** Permanent closure of road for inclusion in Lot 17 on SL11240 and Lot 50 on RP10695

## **Background:**

The owner of Lot 17 on SL11240 applied for permanent closure of part of Cambridge Street to legalise the encroachment of a carport and part of the dwelling. The owner of Lot 50 on RP10695 objected to the closure as he required access to the area for maintenance of that part of his dwelling that adjoined the road. There was also a small encroachment onto the road by that dwelling. The owner of Lot 50 then applied for permanent closure of a strip of the road adjoining his property.

Consideration was given to requiring the applicants to enter into reciprocal easements for access and over the closure area to allow both parties to have access to their properties. However, it is felt that the reduced areas to be offered to each party will allow sufficient access without the requirement for easements.

## **Native Title:**

Native title is not an issue as the road was shown on a plan of subdivision that was subject to Executive Authority action. Module CB applies.

## **Interested Parties Views:**

Brisbane City Council objected to the whole area applied for, but no objection to temporary closure. However, it is felt that the encroachments should be legalised by permanent closure of a reduced area.

The application has not been advertised, but the views of public utility providers parties were sought. Telstra has requirements with respect to its installations adjoining Lot 17. The map provided with their letter indicates that there are no Telstra installations on the area to be offered to the owner of Lot 50.

Energex and Queensland Urban Utilities had no objection to the closure. No response was received from the APA Group.

## **Inspection and Valuation:**

The area adjoining Lot 17 on SL11240 has been valued at \$22,000.

The area adjoining Lot 50 on RP10695 has been valued at \$15,000

**Survey:** Required

## **Departmental Policies And Relevant Legislation:**

- Section 109 of the Land Act 1994
- Section 358 of the Land Act 1994
- Policy PUX/901/237 Version 2 (dated 13-Dec-2007)

**SUBMITTED:**

May the owners of Lot 17 on SL11240 and Lot 50 on RP10695 be advised that it has been approved to request the Minister to permanently close the areas of road shown shaded blue and purple on the attached drawing and to seek Executive Authority for the issue of deeds of grant over their respective freehold parcels inclusive of the road to be closed at purchase prices of \$22,000 and \$15,000 (exclusive of GST) respectively. The offers to be subject to the applicants bearing all costs including survey

The owner of Lot 17 is to satisfy the requirements of Telstra and arrange for Telstra to advise in writing that its requirements have been satisfied.

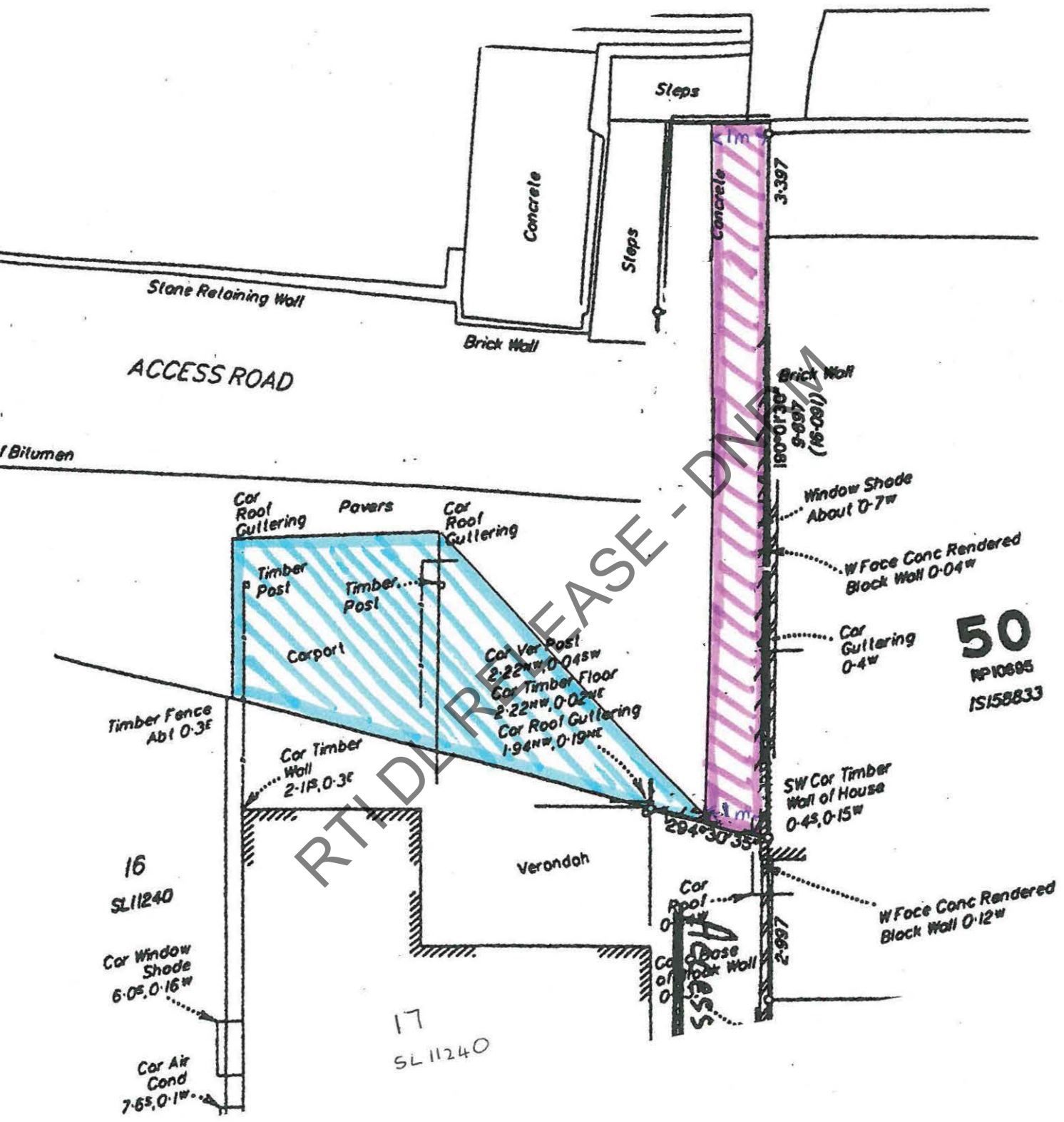
Each applicant to be advised of the offer made to the other applicant and advised that should either one decide not to accept the offer made to them, the area will not be offered to the other and it will remain open as road.



Sch4p4( 6) Personal information

**Lynette McDougall**  
**Senior Land Officer**  
**BRISBANE**

RTI DL RELEASE - DNRM






-  Road to be closed and included in Lot 17 on SL11240
-  Road to be closed and included in Lot 50 on RP10695



No interest has accrued on this transaction

## Transfer Duty Calculator

 Transfer Duty rates and eligibility for the Home Concession change from 1 August 2011. For accurate liability calculation, please ensure correct document date is entered

Enter the details and click 'Calculate'.

### Document details

File reference (optional):   
 Document date:   
 Unconditional date (if applicable):   
 Date that document is due to be lodged at OSR:   
 Date document will be lodged and paid at OSR:   
 Assessment type?:  Commissioner Assessment  Self Assessment

### Nature of interest

Show nature of interest as a fraction; eg. 1/2, 1/3, 1.  
 First home vacant land concession calculation?:  Yes  No  
 First home vacant land:   
 First home:   
 No concession claimed:

### Property

Unencumbered value of entire property:   
 Value of any non-residential property:   
 Is the acquisition wholly or partly by way of gift:  Yes  No

### Assessment details

Assessment due date:   
 Duty payable (in \$):

### Unpaid Tax Interest (UTI) details

Non-compliance period (in days):   
 UTI start date:   
 Number of days UTI accrued (in days):   
 UTI rate (% p.a.):   
 Daily UTI amount (in \$):   
 UTI to be paid with lodgement (in \$):   
**Total liability (in \$)**

Tuesday, 01 May 2012 09:35:00

© The State of Queensland (Office of State Revenue) 2008. Version 1.0

**Orellana Jose**

---

**From:** Fenn Jonathan  
**Sent:** Monday, 23 April 2012 1:07 PM  
**To:** McDougall Lynette  
**Cc:** Kunnath Sunil  
**Subject:** Reference 2009/010630

Good afternoon Lynette, we have undertaken a valuation review as instructed for a parcel of land at 18 Cambridge Street Red Hill. We believe there has been a review of the area to be valued: to approximately 22m2 and a subsequent revaluation required. In consideration of all relevant factors pertaining to this land we have adduced a rate of \$1000 per square metre by the new area of 22m2 equates to \$22,000 (twenty two thousand dollars) Please contact ourselves if you require any further information.

yours sincerely

Jonathan Fenn

RTI DL RELEASE - DNRM

## Orellana Jose

---

**From:** McDougall Lynette  
**Sent:** Wednesday, 18 April 2012 11:27 AM  
**To:** Kunnath Sunil  
**Subject:** Review of valuation - 18 Cambridge Street - eLVAS Case 2009/010630  
**Attachments:** Valuation 18 cambridge.pdf; Cambridge street option.pdf

Hi Sunil

The attached valuation is for a road closure at 18 Cambridge Street. I've revised the area to be offered to that shown edged blue on the attached map, based on an objection from Brisbane City Council to permanent closure of the whole area due to the need for a turning circle to be maintained. This objection has merit.

This reduced area is about 22 square metres, as opposed to the original 36 square metres. The valuation for the 36 square metres is \$35,000 (\$1,000 per square metre)

Could you please advise whether a valuation of \$22,000 for the 22 square metres for inclusion in the adjoining freehold land is appropriate.

Lynette McDougall  
Senior Land Officer, State Land Asset Management  
Brisbane District Office  
**Telephone:** (07) 3406 2569  
**Email:** [lynette.mcdougall@derm.qld.gov.au](mailto:lynette.mcdougall@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Level 2, Landcentre  
GPO Box 2771, BRISBANE QLD 4001

RTI DL RELEASE - DNRM

# CAMBRIDGE STREET

ACCESS ROAD

Proposed Road Closure 51m<sup>2</sup>

16  
SLI1240

50  
RPI0695

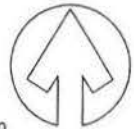
49  
RPI0695

RTI DRAFT RELEASE

All dimensions and areas are approximate only and are subject to final survey.

*L.D. Dumbrell*  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE 13/11/09



SCALE 1:100

Surveyed	D.D.
ACAD	W.K.
Date	13/11/09
Dwg Title	LC_09103.DWG
F/Book	SDR
Checked	L.D.

**PLAN SHOWING PROPOSED ROAD CLOSURE**  
**18 CAMBRIDGE STREET, RED HILL**

Parish of NORTH BRISBANE County of STANLEY  
Client PERUSAL TIME (RP) P/L Local Authority B.C.C.

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
Bldg 11, Garden City Office Park, 2404 Logan Rd, Eight Mile Plains, PO Box 4542 Eight Mile Plains Q 4113  
Email info@landmarkconsulting.com.au • Telephone 07 3219 9911 • Facsimile 07 3219 9766  
Tabwest Pty Ltd ACN 010 495 691 ABN 77 010 495 691

Revision	A
Job No	09-103



## Report Format 2 - SLAM Inspection & Valuation Report

<b>INSTRUCTION FROM</b>	Lynette McDougall		
<b>Business Unit Name (if applicable)</b>	SLAM Brisbane		<b>Contact Number</b>
			07 34062724
<b>Valuation prepared by State valuation service</b>	<b>Address</b>		
State Valuation Services	Level 2 ,Land centre building Brisbane.		

<b>Applicant Details</b>
Perusal Time (RP) Pty Ltd
<b>Purpose of Valuation</b>
Permanent road closure

<b>PROPERTY DETAILS</b>	
<b>Reference</b>	<b>MIS Code BNESVS01520</b>
2009/010630	

<b>Property Name / Address</b>	<b>Tenure</b>
18 Cambridge Street, Red Hill Qld 4059	Road

<b>Real Property Description</b>				<b>Property Type</b>	<b>Encumbrances</b>	<b>Area</b>
<b>Lot</b>	17	<b>Plan</b>	SL11240	Road	Nil	36m2
<b>Lot</b>		<b>Plan</b>		<b>Current Use</b>	<b>Highest and Best Use</b>	
<b>Lot</b>		<b>Plan</b>		Residential	Residential	

<b>Indicative Planning</b>	<b>Proposed Use</b>	<b>Local Authority</b>
Character Residential area	Residential	Brisbane city council

**Roads and Access**

The section of road in consideration of the road closure is a no through laneway, is bitumen sealed and has fair vehicular access.

**Brief Description of Country**

The subject property is predominantly level with Cambridge Street (access is service type laneway), the topography then slopes steeply from the road side.

**Improvements**

It appears that a carport, front steps, paved area and garden encroach on the subject property.

**Additional Comments:**

Services: Sewerage, electricity, water, telephone, garbage collection are available.  
 Noxious Plants: None identified  
 Public Use: Nil  
 Timber: N/A  
 Contaminated Land: No formal search undertaken  
 Native Title: No formal search undertaken

<b>Basis/Sales Property</b>				
ID	Address	Sale Date	Price	Comments (similar/superior/inferior)
41082987	7 Coopers Camp Rd Bardon (460m2)	02/09/2011	\$400,000	Inferior
41055041	17 Coopers Camp Rd Bardon (425m2)	22/01/2011	\$301,000	Inferior
40679596	47 Mackay Tce, Bardon (450m2)	03/11/2010	\$585,000	Inferior on land area basis, slightly inferior on value basis.

**Issues Identified during Inspection**

No issues identified.

<b>VALUATION</b>			
<b>Date of Valuation</b>	24/02/2012	<b>Date of Inspection</b>	24/02/2012

**VALUATION Rationale**



## Report Format 2 - SLAM Inspection & Valuation Report

"Before and After" method. Based on direct comparison method of vacant land sales.

"Before" As Site 607m2 Site \$600,000

"After" As Site 643m2 Site \$635,000

The difference is the value of the road closure area \$35,000. Therefore adduced value is \$35,000 (thirty-five thousand dollars)

<b>Valuers Signature</b>	sch4p4( 6) Personal information	<b>Valuers Name / Qualification</b>
		Jonathan Fenn PO3
<b>Endorsing Officers Signature</b>		<b>Valuers File Ref:</b>
sch4p4( 6) Personal information		

27/2/2012

RTI DL RELEASE - DNRM

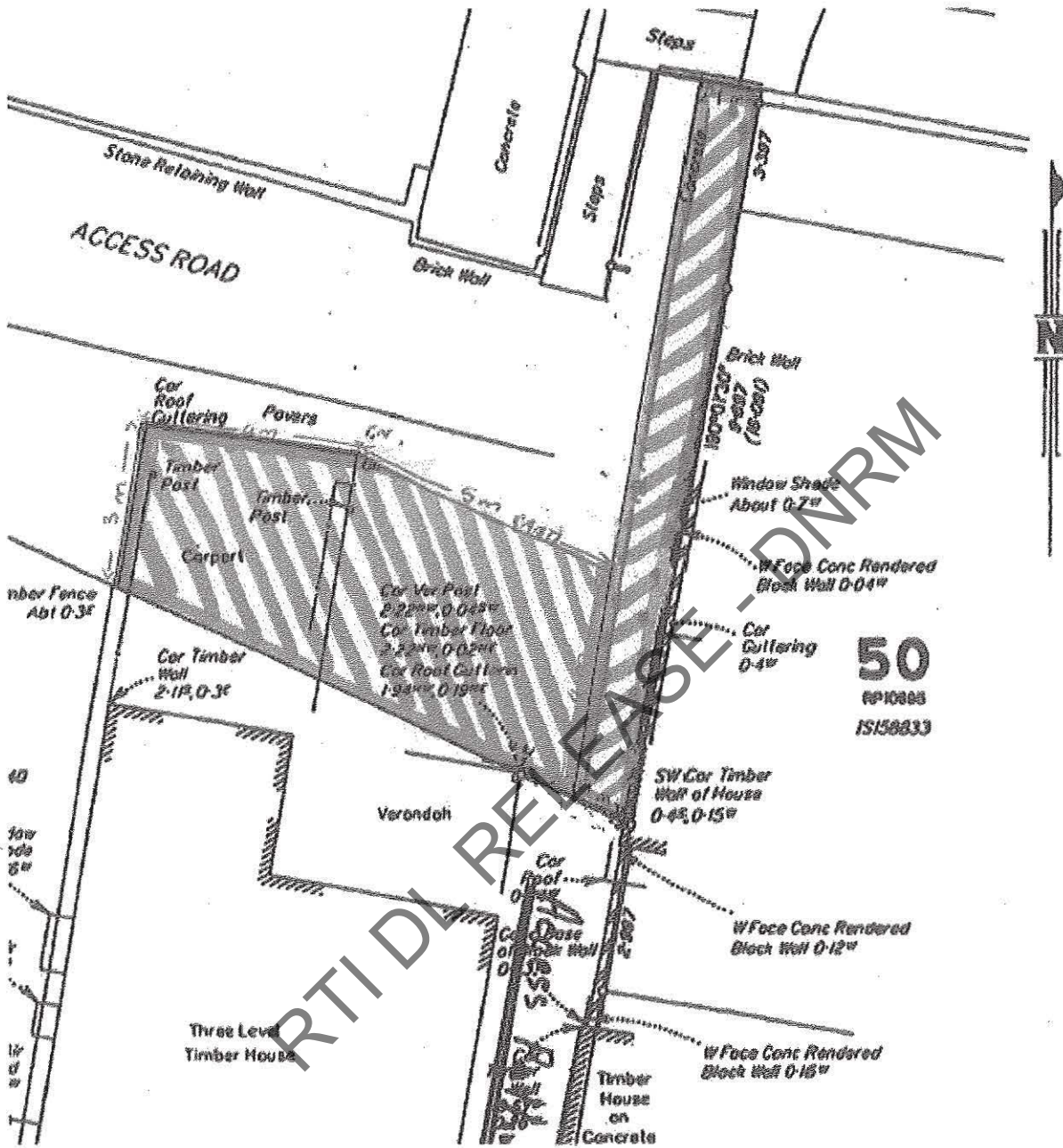


### Appendix A – Locality Map





Appendix B – Drawing of the proposed road closure



Road to be closed and included in Lot 17 on SL11240



Road to be closed and included in Lot 50 on RP10695



## Appendix C - Photographs



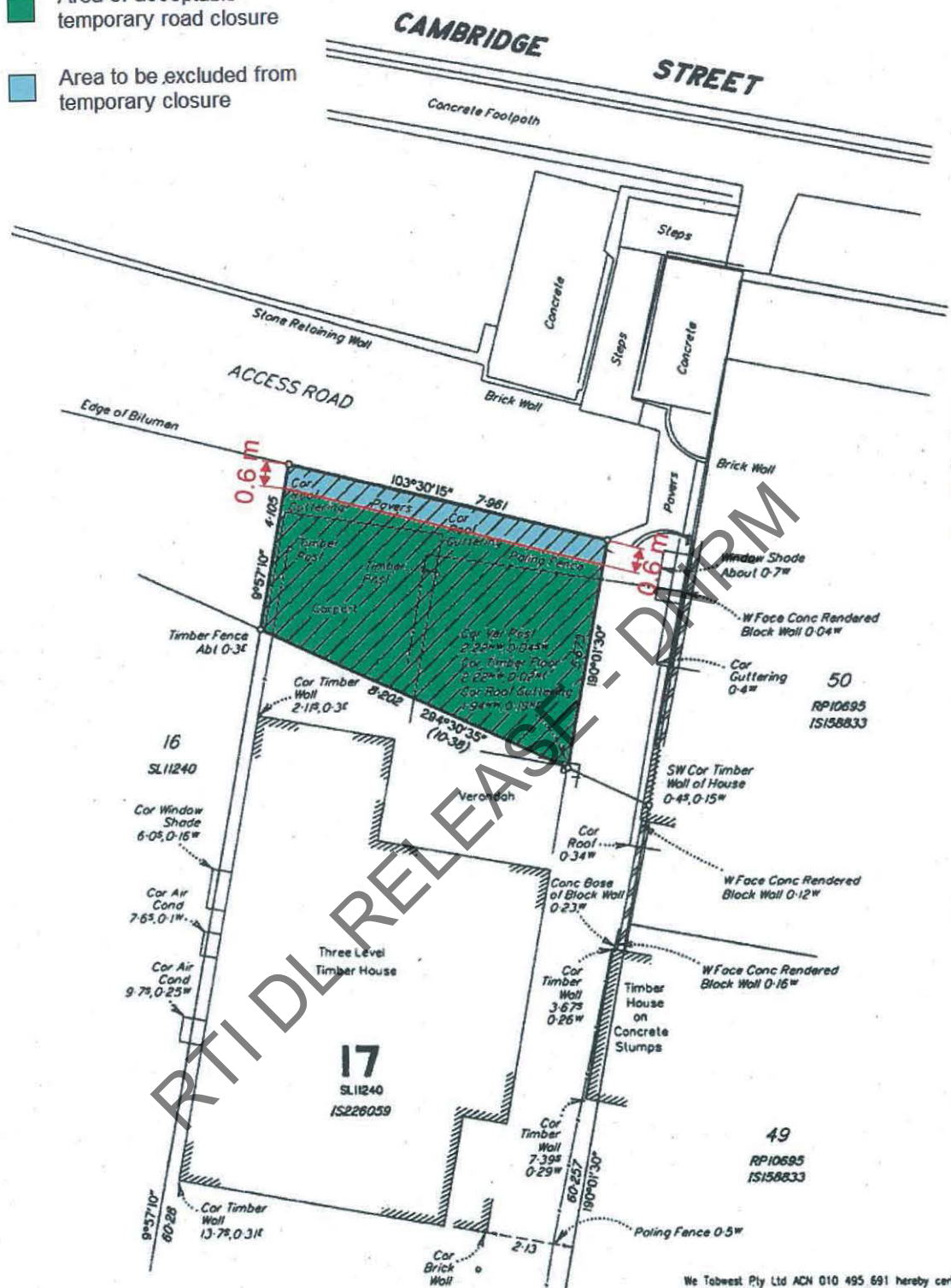
Photo looking down from Cambridge Street to access laneway.



Photo looking along laneway.

RTI/DL RELEASE - DNRM

- Area of acceptable temporary road closure
- Area to be excluded from temporary closure



RTI/DI RELEASED - DIRM

Scale 1:100 - Lengths are in Metres.

1 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14

We Tabwest Pty Ltd ACN 010 495 691 hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT VROCOOP  
CADASTRAL SURVEYOR/  
DIRECTOR

LEE ROBERT DUMBELL  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE .....

Drawing G.F. G.F./W.K. Date 23/03/10 Project M/LC/09-103 Client L.D.	<b>Proposed Road Closure</b> Adjoining Lot 17 on SL11240 18 CAMBRIDGE STREET, RED HILL
Parish of NORTH BRISBANE County of STANLEY	Client PERUSAL TIME (RP) P/L Local Authority BRISBANE CITY COUNCIL

## Landmark

CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

Shop 11, Garden City Office Park, 24th Logan Rd, Eight Mile Plains, PO Box 4842 Eight Mile Plains Q 4113

Email info@landmarkconsulting.com.au Telephone 07 3219 8811 Facsimile 07 3219 8788

Tabwest Pty Ltd ACN 010 495 691 ABN 77 010 495 691

Job Number	
09-103	
Drawing Number	Revision
09103	-
Road Closure A	





*Dedicated to a better Brisbane*

BCC Reference: 188/70/721/87  
DERM Reference: 2010/002270

28 April 2011

DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT  
SOUTH EAST DISTRICT  
03 MAY 2011  
RECEIVED  
ROBINA

Department of Environment and Resource Management  
PO Box 4297  
ROBINA TC QLD 4230

Attention: Suzanne Collis, Land Administration Officer

Dear Suzanne

**Re: Road Closure Application – 18 Cambridge Street, Red Hill**

I refer to an application made to close part of Cambridge Street, Red Hill by the land owner of the adjoining property at 18 Cambridge Street.

This matter has been given due consideration and I advise that the Manager, City Assets, as Council's delegate, objects to the closure as applied for, on the grounds that part of the road is required for its dedicated purpose (vehicular maneuverability and pedestrian purposes). Construction within Cambridge Street could be required for the provision of a formal turn-a-round facility.

However no objection would be raised to the temporary closure of a lesser area as shown shaded in blue on the attached "Plan of temporary closure" subject to the inclusion of a condition (s) in the road licence to the satisfaction of Council that would require the licence holder to seek Council agreement before constructing any further improvements in the licence area.

I apologise for the delay in replying to your request but unfortunately investigations regarding this proposal took longer than expected.

Yours faithfully,

sch4p4(6) Personal information

Peter Wholohan  
Land Use Co-ordinator  
CITY PROPERTY

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into eLVAS  
eLVAS ID: 2010/002270

Brisbane City Council ABN 72 002 765 795

Corporate Services Division, City Property

Reception Level 20

Level 19, Brisbane Square, 288 George St Brisbane QLD 4000 GPO Box 1434 Brisbane Qld 4001

T 07 3403 4964 F 07 3334 0054

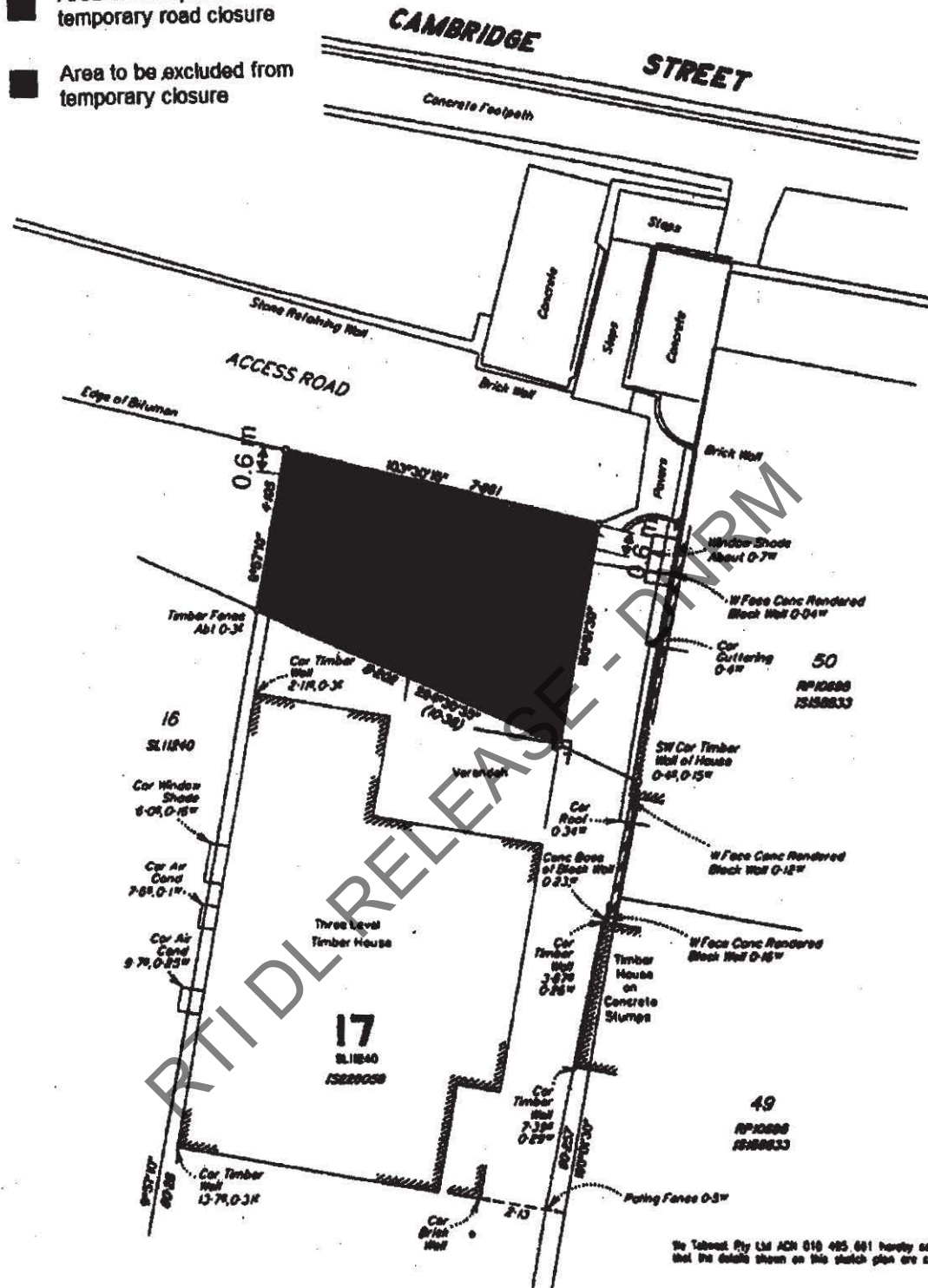
www.brisbane.qld.gov.au

File A

86 of 234

Plan of temporary closure - (BCC modified version of Landmark drawing, for discussion purposes)

- Area of acceptable temporary road closure
- Area to be excluded from temporary closure



Scale 1:100 - Lengths are in Metres.



We, the undersigned, being duly sworn, hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT VROCOFF  
CADASTRAL SURVEYOR/  
DIRECTOR

LEE ROBERT SAMBELL  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE	23/03/10
BY	MARK ROBERT VROCOFF
FOR	PERUSAL TIME (RP) P/A
BY	STANLEY

**Proposed Road Closure**  
**Adjoining Lot 17 on SL11240**  
**18 CAMBRIDGE STREET, RED HILL**

Part of NORTH BRISBANE District PERUSAL TIME (RP) P/A  
 County of STANLEY Local Authority BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

11, Bowen City Office Park, 24th Level, 1st Stage, 2nd Floor, 40-42 St James Street, Brisbane, Queensland 4000  
 Email: info@landmarkconsulting.com.au • Telephone: 07 2210 1211 • Facsimile: 07 2210 1212  
 Telex: 911 424 424-224 • Fax: 911 424 424-224

Job Number	09-103
Drawing Number	09103
Revision	-
Scale	AS SHOWN



# Annexure 7.1

## *Native Title Assessment Form*

This annexure provides a template Native Title Assessment Form to record your native title assessment for a proposed dealing.

To help you complete this Native Title Assessment Form, some of the Modules (eg. Module BA) contain example extracts of this form.

If you have any queries in relation to using this form, please contact your NTCO. If your NTCO is unsure how to proceed, Indigenous Services should be contacted for advice.

RTI DL RELEASE - DIRM



### QNTIME

Remember to –

- record your tenure and use findings as **research items** in the research layer in QNTIME; and
- request a **conclusion** be published in QNTIME for any research item you have assessed to be a previous exclusive possession act (PEPA).

# Native Title Assessment Form

Information about this Form –

1. This form is mainly based upon the *Path through Native Title Assessment*.
2. To correctly complete this form, you will need to have read the relevant Modules of the Procedures.
3. Complete each part of the **Assessment Section** until you reach a **Go to Reason for Decision**, and then complete the **Decision Section** at the end of this form.
4. Where there is a check box, make your selection by clicking on the box. Insert all relevant information in the appropriate table field.
5. Where a Module only applies to part of your proposed dealing area, ensure you have ticked the "Part of the proposed dealing area" box. Proceed through the form for the balance of your proposed dealing area. In this instance, a diagram should be attached to identify and to distinguish between the different areas.



Please ensure this assessment is still correct at the time you do the dealing.

## Assessment Section

### Module AA. Proposed Dealing

Permanent road closure of part of Cambridge Street, Red Hill

### Proposed Dealing Area

Lot(s)/Plan(s): Road adjoining Lot 17 on SL11240 and Lot 50 on RP10695

Parish: Enoggera County: Stanley

Current Status:

Locality Description: Cambridge Street, Red Hill

Attached Plan/Map:

### Module AB. Is this a dealing that can proceed without further reference to native title?

- Yes  Dealing is within a QNTIME conclusion boundary  
[C/]. Go to Module BB (if conclusion based on Module BA).
- Dealing is not a future act, ie. it is listed in Part 2
- Activities done in accordance with a valid lease, licence, permit or authority
- Emergency action

No

**Module AC. Is there a registered ILUA that covers the proposed dealing?**

- Yes – Go to Reason for Decision       Part of the proposed dealing area
- No

**Module AD. Is there a determination of native title that covers the proposed dealing area?**

- Yes – Go to Reason for Decision       Part of the proposed dealing area
- No

IF YES, does the determination state that native title does **not** exist over the proposed dealing area?

- Yes – Go to Reason for Decision
- No - Go to **Modules F to N** section of this Form as native title exists over the proposed dealing area unless subsequently extinguished by a later act.

**Module BA. Is there or has there been a valid grant or vesting of exclusive possession over the proposed dealing area?**

- Yes – Go to Module BB       Part of the proposed dealing area
- No – Go to Module CA

**Module BB. Can the extinguishing effect of the PEPA / QNTIME Conclusion be relied upon?**

- Yes – Go to Reason for Decision
- No

**Module CA. Is there or has there been a valid public work over the proposed dealing area?**

- Yes – Go to Reason for Decision       Part of the proposed dealing area
- No

**Module CB. Is there or has there been an area dedicated or declared as road over the proposed dealing area?**

- Yes**  Part of the proposed dealing area  
 **No**

**IF YES**, can the dedication/declaration be relied upon to carry out the proposed dealing?

- Yes – Go to Reason for Decision**  
 **No**

**Module D. Is the area subject to other works that were done under the authority of the Crown, ie. (private works)?**

- Yes**  Part of the proposed dealing area  
 **No**

**IF YES**, can I proceed with my dealing on the basis of the works?

- Yes – Go to Reason for Decision**  
 **No**

**Module E. Information Module ONLY regarding past and intermediate period acts**

Proceed to Modules F to N.

**Modules F to N. Do the future act sections apply to your proposed dealing?**

- Yes**  Part of the proposed dealing area

Which future act provision and Module applies

Section/s: Modules:

**Go to Reason for Decision**

- No** Your only options now are –
- an ILUA (Module Q); or
  - a non-claimant application (Module R).

Can a non-claimant application be made?

- Yes**  
 **No – Your only option is an ILUA.**

**Go to Reason for Decision**



# Decision Section

## Reason for Decision

### Reasons

The road is shown on plan SL11240 which was subject to Executive Authority action by issue of deeds of grant, such as 10614198 over Allotmen 7 (now Lot 7) which issued on 21 July 1886.

The requirements of Module CB are satisfied, as the road has been validly dedicated in 1886, and it is still road.

### Native Title Parties & Procedural Rights (if relevant)

Types of native title parties	Names of native title parties	Procedural rights to be provided to the native title parties
Registered Native Title Body Corporate		
Registered Native Title Claimants		
Native Title Representative Body		

- Proceed (first providing any relevant procedural rights)
- Send to NTCO
- Send to Indigenous Services through NTCO

Name, title and signature of officer making this assessment –

Name: Lynette McDougall

Title: Senior Land Officer

Department/Agency: DERM

Signature:

sch4p4(6) Personal information

Date: 1.3.2012

Don't forget to:

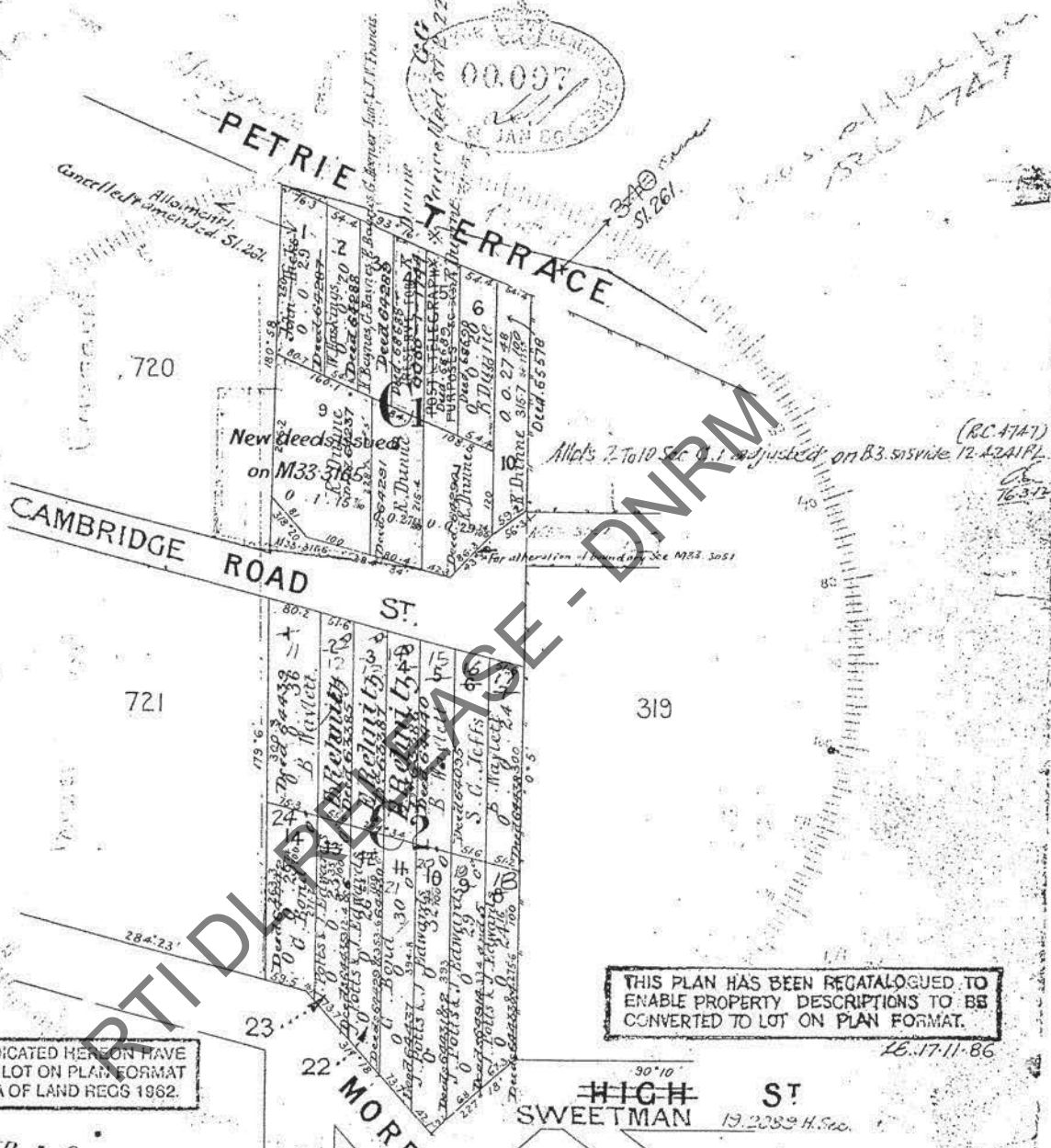
1) Enter your research into QNTIME.

RB / \_\_\_\_\_

RI / \_\_\_\_\_

2) Request a conclusion be published where you found a PEPA.

SELECTOR	DESCRIPTIONS CONVERTED TO LOT(S) ON PLAN <u>SL11240</u>		
No. of Selection	Authorised <u>R. Watson</u> , Senior Draftsman, 19/12/1985		
	ALLOTS	SECTIONS	LOTS
	1-10	C1	1-10
	1-14	C2	11-24



For Additional Plan & Document Notings Refer to CISP

THIS PLAN HAS BEEN RECATALOGUED TO ENABLE PROPERTY DESCRIPTIONS TO BE CONVERTED TO LOT ON PLAN FORMAT.

DESCRIPTIONS AS INDICATED HEREON HAVE BEEN CONVERTED TO LOT ON PLAN FORMAT IN TERMS OF REG. 41A OF LAND RECS 1982.

Noted on B 3, 8.

I hereby certify, on honour, that this survey has been carried out with the theodolite, and that the boundaries shown on the diagram accord with those marked and defined on the ground.

SCALE 2 chains to one inch. Allan Aspin Surveyor.

Surveyed under written instructions from Surveyor-General, No. 10677 PL dated Oct. 12<sup>th</sup> 1885. Transmitted to the Surveyor-General with my letter No. 10677 PL dated Dec. 30<sup>th</sup> 1885.

CC91

Allan Aspin

Vol 5 fol 350  
**SURVEY**  
 Of Sections C1 & C2  
 OF PORTION Nos.  
 PARISH OF North Brisbane  
 COUNTY OF Stanley  
 LAND AGENT'S DISTRICT OF **SL11240**  
 Cat. No. 151

SL11240



No. 611438  
County Stanley  
Parish North Brisbane  
Town of City of Brisbane  
Date of Purchase } 23<sup>rd</sup> February 1886  
Area 24 perches

QUEENSLAND.

B. DEED OF GRANT. AUCTION LANDS.—TOWN LOT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith and so forth:—  
TO ALL to whom these Presents shall come, Greeting.

WHEREAS, in conformity with the Laws and Regulations in force for the Alienation of Crown Lands in Our Colony of Queensland, Benjamin Waylett of \_\_\_\_\_ has become the Purchaser \_\_\_\_\_ at Auction of the Land hereinafter described, for the Sum of Sixty pounds Sterling: Now Know Ye, That in consideration of the said Sum, for Us and on Our behalf well and truly paid into the Treasury of Our said Colony, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter reserved, We, with the advice of the Executive Council of Our said Colony, have Granted, and for Us, Our Heirs and Successors, do hereby Grant unto the said Benjamin Waylett his Administrators and Assigns, subject to the several and respective Reservations hereinafter mentioned, all that \_\_\_\_\_

\_\_\_\_\_ Piece or Parcel of Land in Our said Colony, containing by Admeasurement Twenty four perches be the same more or less, situated in the County of Stanley Parish of North Brisbane and \_\_\_\_\_ of City of Brisbane being Allotment No. Seven of Section No. C Two

Commencing at the North-east corner of Allotment five and bounded thence on the North by a road bearing one hundred and four degrees thirty four minutes fifty one and six tenths links on the East by a line bearing one hundred and eighty degrees five minutes three hundred links on the South by Allotment Eight bearing two hundred and eighty four degrees thirty four minutes fifty one and two tenths links and on the West by Allotment six bearing North three hundred links to the point of commencement.  
Being this Land proclaimed as Town Lot on the 23<sup>rd</sup> January 1886

with all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said Benjamin Waylett his Administrators and Assigns for ever

Yielding and Paying therefor Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Peppercorn for ever, if demanded: But Subject Nevertheless to the several Conditions and Reservations contained in and declared by "The Crown Lands Act of 1884:" And We do hereby Reserve unto Us, Our Heirs and Successors, all Gold and Mines of Gold lying and being within and under the said Land. In Testimony Whereof We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

WITNESS Our Truly and Well-beloved Sir Arthur Hunter Palmer *Comptroller* Comptroller Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander in Chief of the Colony of QUEENSLAND and its Dependencies, at Government House, Brisbane, in QUEENSLAND aforesaid, this twenty first day of July in the \_\_\_\_\_ year of Our Reign, and in the year of our Lord One thousand eight hundred and eighty-two

ENTERED in the Register Book Fourth day of August Vol. 6114, Folio 198, this 18 86. Benjamin Waylett Administrator  
Benjamin Waylett Administrator  
REGISTRAR OF TITLES.

RTI/DL RELEASE - DNR/M









Annexed to D.G. 64438 Vol 614 Feb 198 this 16 day of Apr. 1971 for the purpose of recording memorials.

*Hayfa*  
REGISTRAR OF TITLES

No. E5093 Bill of Mortgage No. D65017  
 Is transmitted to Andrew Edward Kelly and Sarah Louise Newton wife of John Newton  
 Executors Produced 11 Mar. 1971 at 3.49 p.m.  
 Administrator Registered 16 Apr. 1971  
*Hayfa*  
 REGISTRAR OF TITLES

*3rd of mtge  
NO D65017  
E28832  
May 11/5/71.*

No. E28832 Transfer of Bill of Mortgage No. D65017  
 to Andrew Edward Kelly  
 Produced 5 May 1973 at 10.23 a.m. Registered 10 SEP 1973  
 Mortgage released  
*Hayfa*  
 ACTING REGISTRAR OF TITLES

*Reg NT  
E44348  
(w/ly)  
E44349  
W/D R/15  
15/8/77  
Reg NT  
E44349  
(with)*

RECORD OF DEATH of Alexander Sanger  
Walker Sanger on 1 Jan 1977  
 No. E44349 PRODUCED 28 July 1977  
 at 11.24 a.m. ENTERED 23 AUG 1977  
*Hayfa*  
 REGISTRAR OF TITLES

REQUEST to Issue Certificate of Title for the whole of the land  
 No. E44349 PRODUCED 16 Aug 1977  
 at 9.00 a.m. REGD. 23 AUG 1977  
 Vol. 5686  
 Fol. 33  
*Hayfa*  
 REGISTRAR OF TITLES

RTI DL RELEASE - DNRM

FULLY CANCELLED



## Report Format 2 - SLAM Inspection & Valuation Report

<b>INSTRUCTION FROM</b>	Lynette McDougall		
<b>Business Unit Name (if applicable)</b>	SLAM Brisbane		<b>Contact Number</b>
			07 34062724
<b>Valuation prepared by State valuation service</b>	<b>Address</b>		
State Valuation Services	Level 2 ,Land centre building Brisbane.		
<b>Applicant Details</b>			
Perusal Time (RP) Pty Ltd			
<b>Purpose of Valuation</b>			
Permanent road closure			

### PROPERTY DETAILS

<b>Reference</b>	<b>MIS Code BNESVS01520</b>
2009/010630	

<b>Property Name / Address</b>	<b>Tenure</b>
18 Cambridge Street, Red Hill Qld 4059	Road

<b>Real Property Description</b>	<b>Property Type</b>	<b>Encumbrances</b>	<b>Area</b>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Lot</td> <td style="width: 10%;">17</td> <td style="width: 10%;">Plan</td> <td style="width: 80%;">SL11240</td> </tr> <tr> <td>Lot</td> <td></td> <td>Plan</td> <td></td> </tr> <tr> <td>Lot</td> <td></td> <td>Plan</td> <td></td> </tr> </table>	Lot	17	Plan	SL11240	Lot		Plan		Lot		Plan		Road	Nil	36m2
Lot	17	Plan	SL11240												
Lot		Plan													
Lot		Plan													

<b>Current Use</b>	<b>Highest and Best Use</b>
Residential	Residential

<b>Proposed Use</b>	<b>Local Authority</b>
Residential	Brisbane city council

**Indicative Planning**  
Character Residential area

**Roads and Access**  
The section of road in consideration of the road closure is a no through laneway, is bitumen sealed and has fair vehicular access.

**Brief Description of Country**  
The subject property is predominantly level with Cambridge Street (access is service type laneway), the topography then slopes steeply from the road side.

**Improvements**  
It appears that a carport, front steps, paved area and garden encroach on the subject property.

**Additional Comments:**  
 Services: Sewerage, electricity, water, telephone, garbage collection are available.  
 Noxious Plants: None identified  
 Public Use: Nil  
 Timber: N/A  
 Contaminated Land: No formal search undertaken  
 Native Title: No formal search undertaken

Basis/Sales Property				Comments
ID	Address	Sale Date	Price	(similar/superior/inferior)
41082987	7 Coopers Camp Rd Bardon (460m2)	02/09/2011	\$400,000	Inferior
41055041	17 Coopers Camp Rd Bardon (425m2)	22/01/2011	\$301,000	Inferior
40679596	47 Mackay Tce, Bardon (450m2)	03/11/2010	\$585,000	Inferior on land area basis, slightly inferior on value basis.

**Issues Identified during Inspection**  
No issues identified.

### VALUATION

<b>Date of Valuation</b>	24/02/2012	<b>Date of Inspection</b>	24/02/2012
--------------------------	------------	---------------------------	------------

### VALUATION Rationale



# Report Format 2 - SLAM Inspection & Valuation Report

"Before and After" method. Based on direct comparison method of vacant land sales.

"Before" As Site 607m2 Site \$600,000

"After" As Site 643m2 Site \$635,000

The difference is the value of the road closure area \$35,000. Therefore adduced value is \$35,000 (thirty-five thousand dollars)

**Valuers Signature**

sch4p4(6) Personal information

**Valuers Name / Qualification**

Jonathan Fenn PO3

**Endorsing Officers Signature**

sch4p4(6) Personal information

**Valuers File Ref:**

sch4p4(6) Personal information

27/2/2012

RTI DL RELEASE - DNRM

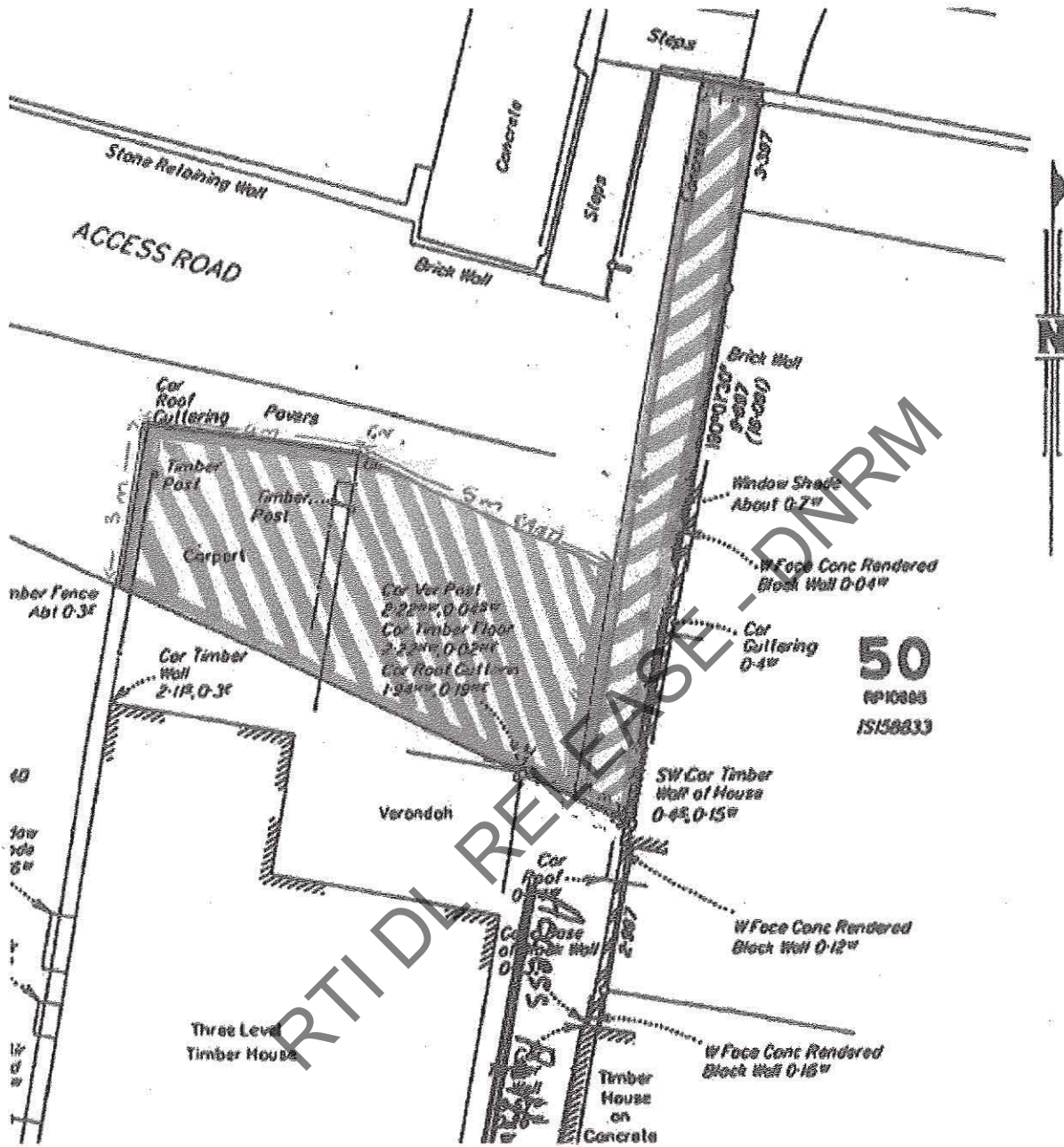


### Appendix A – Locality Map





Appendix B – Drawing of the proposed road closure



Road to be closed and included in Lot 17 on SL11240



Road to be closed and included in Lot 50 on RP10695



## Appendix C - Photographs

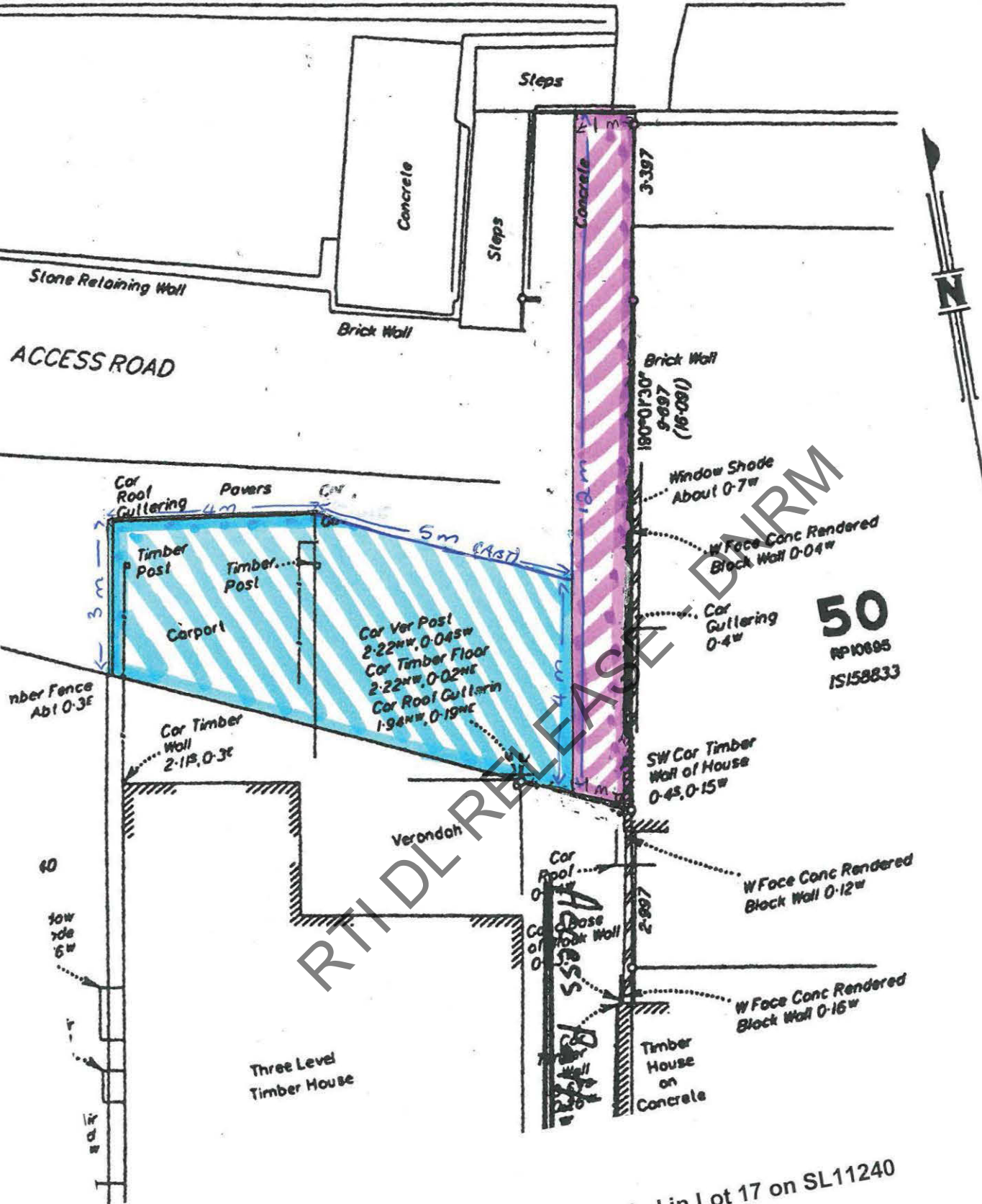




Photo looking down from Cambridge Street to access laneway.



Photo looking along laneway.

Concrete Footpath



-  Road to be closed and included in Lot 17 on SL11240
-  Road to be closed and included in Lot 50 on RP10695



## Orellana Jose

---

**From:** Rogers Ken William  
**Sent:** Wednesday, 13 April 2011 4:13 PM  
**To:** rob@ptipl.com  
**Cc:** Ashman Kym  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Good Afternoon Rob,

We are still awaiting a response from BCC about the application for the amended area. Our recent email from the council in late March indicated that council officers still had not made a decision and therefore a recommendation has not yet gone to council for a decision.

I would still like to finalise this application prior to further discussions about the balance of the road area.

Regards,

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Robert Johansen [mailto:rob@ptipl.com]  
**Sent:** Monday, 11 April 2011 1:35 PM  
**To:** Rogers Ken William  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Hi Ken,

Sorry to keep asking you about this, but we have heard nothing further regarding the application for the amended area per your email below in November last year.

I understand from council that they took a look at the site in early January. Could you please advise what additional steps we have to take to finalise this issue.

Kind Regards,

*Rob Johansen*

---

GPO Box 995 | Brisbane Q 4001 | Australia  
+61 4 1719 5511



---

**From:** Rogers Ken William [mailto:Ken.W.Rogers@derm.qld.gov.au]  
**Sent:** Thursday, 11 November 2010 8:07 AM  
**To:** Rogers Ken William; rob@ptipl.com  
**Cc:** Williams Giuliana  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Rob,

We will be proceeding with your application for the amended area immediately. The larger area as originally applied for is still problematic as it appears that we now have a second/amended application for the same area by the neighbouring resident. I will be seeking further advice from within the region on how to proceed with the applications.

Regards,

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Rogers Ken William  
**Sent:** Monday, 1 November 2010 11:34 AM  
**To:** 'rob@ptipl.com'  
**Cc:** Williams Giuliana; Rogers Ken William  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Rob,

I will meet with my team handling your application next Tuesday to review the next actions that need to be considered. I will be in contact with you after this meeting to give you an update.

Regards,

ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

---

**From:** Robert Johansen [mailto:rob@ptipl.com]  
**Sent:** Monday, 25 October 2010 8:08 AM  
**To:** Rogers Ken William  
**Cc:** Williams Giuliana  
**Subject:** Applications for Road Closure - 18 Cambridge St

Hi Ken,

I hope you have recovered well from your surgery in April.

We have had no communication from your office regarding Perusal Time (RP) P/L's two applications for closure of part of the road reserve in front of 18 Cambridge St since your email of 8 April, which suggested that a decision may be forthcoming in a couple of weeks from that date.

We understand that both we and sch4p4(6)  
Personal  
Information requested details of each other's applications through the Right to Information process and that you may have been waiting for this process to be completed prior to making a decision. As that process has been complete for some time now we would appreciate if you could advise when a decision on our applications will be made.

Kind Regards,

*Rob Johansen*

---

GPO Box 995 | Brisbane Q 4001 | Australia  
+61 7 3102 5756

---

---

**From:** Rogers Ken William [mailto:Ken.W.Rogers@derm.qld.gov.au]  
**Sent:** Thursday, 8 April 2010 5:20 PM  
**To:** [rob@ptipl.com](mailto:rob@ptipl.com)  
**Cc:** Williams Giuliana  
**Subject:** RE: Removal of Fence

Robert

Thanks for keeping me informed about your actions with your property and the road. It will be a couple of weeks before I will be making a decision as I am off on sick leave for most of the next two weeks as I have to have surgery.

I have informed Mr Brant's legal representatives of this need for time off as well.

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services

South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)  
Department of Environment and Resource Management  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

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**From:** Robert Johansen [<mailto:rob@ptipl.com>]  
**Sent:** Tuesday, 6 April 2010 3:47 PM  
**To:** Rogers Ken William  
**Subject:** Removal of Fence  
Hi Ken,

Please be advised that we have removed the wooden fence in front of 18 Cambridge St, Red Hill as per your verbal request to us when on site.

We would very much appreciate if you could advise the timetable for making a decision on our applications for road closure so we can take appropriate steps to secure the property in the absence of the fence.

Kind Regards,

---

**Robert Johansen** | Director

---

[www.perusaltime.com](http://www.perusaltime.com)  
GPO Box 995 | Brisbane | QLD 4001  
P: +61 7 3118 8561  
F: +61 7 3102 6266

As of 26 March 2009 the Department of Natural Resources and Water/Environmental Protection Agency integrated to form the Department of Environment and Resource Management

+-----+  
Think B4U Print  
1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere  
3 sheets of A4 paper = 1 litre of water  
+-----+

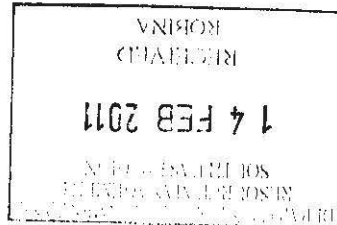




GPO Box 2765  
Brisbane Q 4001

General Enquiries **13 26 57**  
Faults & Emergencies **13 23 64**  
[www.urbanutilities.com.au](http://www.urbanutilities.com.au)

10 February 2011



Ms Julie Williams  
A/Senior Land Officer  
Land Management  
South East Region, DERM  
PO Box 4297  
ROBINA TC QLD 4230

Dear Ms Williams

Thank you for your letter dated 22 November 2010 regarding an application for a proposed permanent road closure (access road) adjoining Lot 17 on SL11240 – 18 Cambridge Street, Red Hill.

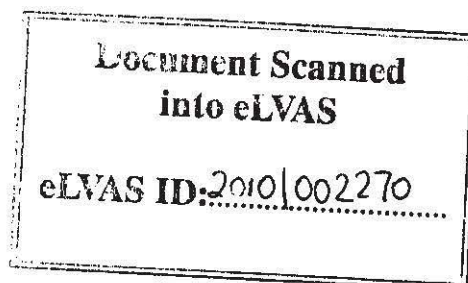
I am pleased to advise that Queensland Urban Utilities has no objection to the proposed road closure as shown on the attached drawing that accompanied your letter.

Yours sincerely

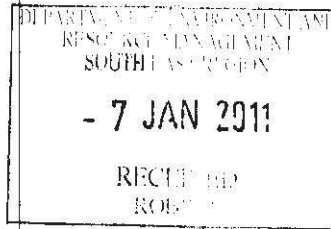
Release

ROBIN LEWIS  
Chief Operating Officer  
Queensland Urban Utilities

File reference: CO41592-2010



5 January, 2011



Land Administration Officer  
Department of Environment & Resource Management  
PO Box 4297  
ROBINA TC QLD 4230

Attention: Julie Williams

Dear Julie

**Application for Proposed Permanent Road Closure (Access Road)  
Adjoining Lot 17 on SL11240 – 18 Cambridge Street, Red Hill**  
Your Ref: 2010/002270

We refer to your correspondence dated the 22 November, 2010 and wish to advise that ENERGEX has no objection to the above application.

Yours faithfully

sch4p4(6) Personal information

For  
Network Strategy & Property Manager

RTI/DI RELEASE/DIARM

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eLVAS ID: 2010/002270



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www.energex.com.au

**ENERGEX Limited**  
ABN 40 078 849 055  
109 of 234

## Orellana Jose

---

**From:** Ferrer, Raphael <Raff.Ferrer@team.telstra.com>  
**Sent:** Wednesday, 24 November 2010 12:21 PM  
**To:** Williams Giuliana  
**Subject:** REF: 2010/002270  
**Attachments:** Telstra Views.pdf; QF99280-1 Letter.pdf; QF99280-1 GDD.pdf

Hi Julie,

Attached is the original application for a permanent road closure at 18 Cambridge Street, Red Hill.

Also attached are Telstra's response regarding the proposal along with a map showing assets within the vicinity.

Regards.

*Raphael Ferrer*

**Network Integrity Project Coordinator**

Field Enablement & Infrastructure | Service Solutions | Service Delivery

Phone 07 3455 2165 | Fax 07 30279740

WEB <http://www.in.telstra.com.au/ism/networkintegrity/index.asp>

FE&I - *Bringing Together* – People - Technology - Infrastructure – to develop strategies to deliver Customer Solutions

**Dial 1100 Before You Dig Network Integrity: Working with the civil construction industry to prevent damage to Telstra's underground assets.**

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---

**From:** Williams Giuliana [<mailto:Giuliana.Williams@derm.qld.gov.au>]

**Sent:** Monday, 22 November 2010 10:24 AM

**To:** ! NI Road Closures & Easements

**Subject:** Request for Telstra Views - Proposed Permanent Road Closure - Case ID 2010/002270

Good Morning

Please find attached a request for views in relation to a permanent road closure.

Should you require any further information please do not hesitate to contact me.

Kindest Regards

Julie

Ms Giuliana (Julie) Williams

**A/Senior Land Officer**

**Land Management**

**Department of Environment & Resource Management**

[Giuliana.Williams@derm.qld.gov.au](mailto:Giuliana.Williams@derm.qld.gov.au)

PO Box 4297, Robina Town Centre QLD 4226

Ph: 07 5583 1750 Fx 07 5583 1733

[www.derm.qld.gov.au](http://www.derm.qld.gov.au)



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+-----+

Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+

RTI DL RELEASE - DNRM







Date **24 November 2010**

Your Ref: **2010/002270**

Our Ref: **QF99280-1**

**Julie Williams**  
**14 Edgewater Court**  
**PO Box 4297**  
**Robina Town Centre QLD 4226**  
**Giuliana.Williams@derm.qld.gov.au**

## Network Integrity

Level 18, 275 George Street  
Brisbane, QLD 4000

Postal Address:  
Locked Bag 3573  
Brisbane, QLD 4000

Email: [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

Dear Julie,

**Re: APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE (ACCESS ROAD) ADJOINING LOT 17 ON SL11240 - 18 CAMBRIDGE STREET, RED HILL (BRISBANE CITY)**

RE: ROAD CLOSURE APPLICATION

Thank you for your communication dated **22 November** in relation to the address specified above.

Telstra's plant records indicate that we have **assets in this vicinity**; the approximate location is conveyed on the attached sketch. We note that our plant records merely indicate the approximate location of the Telstra assets and should not be relied upon as depicting a true and accurate reflection of the exact location of the assets.

Telstra wishes to retain rights over all of its assets at the above mentioned location. At this stage, Telstra has determined that the assets held within this location require **relocation**.

Please engage **Telstra's Asset Relocation** team to obtain a quote to relocate the assets from the location in question. The relocation of the assets would be carried out at your cost, however the relocation would ensure that the land/s and its projected use would not be hindered or restricted by easements.

Please phone 1800 810 443 (opt 1) or email [F1102490@team.telstra.com](mailto:F1102490@team.telstra.com) to arrange for asset relocation at the property.

As these assets comprise an essential component of the Telstra network, we take this opportunity to highlight Telstra's rights and requirements to ensure that they are understood. The following is stated for your information:

(1) Telstra's existing facilities are grandfathered under the 1997 Telecommunications Act. This enables such facilities to legally occupy land in perpetuity for the duration of that facilities use.

(2) Part 1 of Schedule 3 of the Telecommunications Act 1997 authorises a carrier to enter land and exercise any of the following powers:

- inspect the land
- install a facility
- maintain a facility

In the case of installation and planned maintenance a notification will be afforded and such work will generally proceed during business hours. However, from time to time, certain activities need to be carried out without delay in order to protect the integrity of the network. Such activities may require vehicular access without notice and at any time of the day or night.

(3) If at any time in the future it becomes necessary, in the opinion of the carrier because of a subdivision of any land to remove, or alter the position of a facility, the carrier may enter the land and do anything necessary or desirable for that purpose. The person who proposes to subdivide the land is liable to pay the carrier the reasonable cost of anything reasonably done by the carrier in this regard.

(4) If at any time in the future it becomes necessary, in the opinion of the carrier or the land owner to remove, or alter the position of any Telstra assets, the carrier may enter the land and do anything necessary or desirable for that purpose. If the land owner is contemplating carrier relocation of these assets, then the land owner is liable to pay the carrier the reasonable cost of anything done in this regard.

(5) All individuals have a legal "Duty of Care" that must be observed when working in the vicinity of Telstra's communication plant. It is the constructors/land owner's responsibility to anticipate and request the nominal location of Telstra plant in advance of any construction activities in the vicinity of Telstra's assets. **All enquires for plant locations should be made through Telstra's freecall "1100" inquiry number. On receipt of plans, notwithstanding the recorded location of Telstra's plant, the constructor/land owner is responsible for potholing and physical exposure to confirm the actual plant location before site civil work begins.** Telstra reserves all rights to recover compensation for loss or damage caused by interference to its cable network or other property.

Telstra would also appreciate due confirmation in the event that the applicant contemplates divesting its interest or control of this land, that the information contained here is passed on to the prospective owners.

Any difficulties in meeting the above conditions, or questions relating to them, please do not hesitate to contact Telstra Network Integrity **Raphael Ferrer** on email **raff.ferrer@team.telstra.com**.

Yours sincerely,

Sch4p4(6) Personal information

Raphael Ferrer – Project Coordinator  
Network Integrity - Field Enablement & Infrastructure



Author: Julie Williams  
Email: [giuliana.williams@derm.qld.gov.au](mailto:giuliana.williams@derm.qld.gov.au)  
Directorate / Unit: Land Management  
Phone: 07 5583 1750  
File / Ref number: 2010/002270  
Your Ref:

Department of  
**Environment and Resource  
Management**

1<sup>st</sup> Floor, AVC Bldg  
14 Edgewater Court  
Robina

PO Box 4297  
Robina TC QLD 4230

Ph: 07 5583 1737  
Fax: 07 5583 1733  
Website: [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

22 November 2010

Telstra Corporation Limited  
C/- Jones Lang LaSalle  
Level 22, 275 George Street  
**BRISBANE QLD 4001**

Via email: [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

Dear Sir/Madam

**APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE (ACCESS ROAD) ADJOINING  
LOT 17 ON SL11240 – 18 CAMBRIDGE STREET, RED HILL (BRISBANE CITY)**

Please be advised that an application has been made under the *Land Act 1994* by Perusal Time Pty Ltd for a permanent road closure over an approximate area of 39m<sup>2</sup> abutting the northern boundary of Lot 17 on SL11240 as shown on the attached drawing by Landmark Consulting with drawing reference 09-103.

The area proposed to be closed, if approved, will be amalgamated into the adjoining freehold parcel. This will subsequently rectify the existing carport encroachment on the road reserve.

To enable full consideration to be given to this matter, please submit your views and/or requirements, in writing, to this office by 4 January 2011. If you offer an objection to the application, a full explanation stating the reason for such an objection should be forwarded to this Office.

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If you wish to discuss this matter please contact myself on (07) 5583 1750.

All future correspondence relative to this matter is to be referred to the contact Officer at the address above or by email to [slam-goldcoast@derm.qld.gov.au](mailto:slam-goldcoast@derm.qld.gov.au). Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2010/002270 in any future correspondence.



Yours faithfully

[Redacted signature area]  
sch4p4( 6) Personal information

[Redacted contact information]  
sch4p4( 6) Personal information

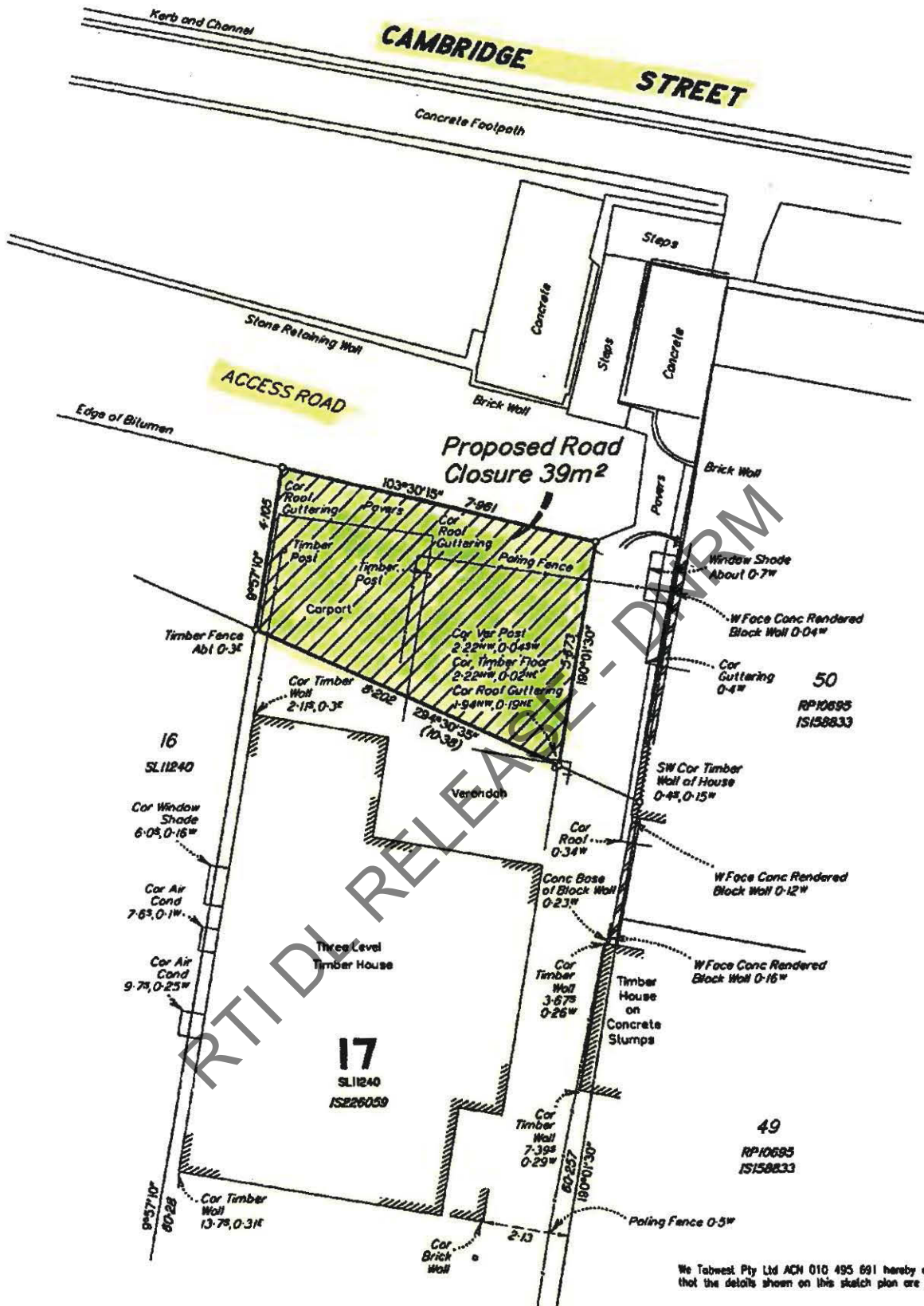
Julie Williams  
**A/Senior Land Officer**  
**Land Management**  
**South East Region**

**Attachments:**

- Landmark Consulting Drawing 09-103
- Smart Map

RTI DL RELEASE - DNRM

# CAMBRIDGE STREET



Scale 1:100 - Lengths are in Metres.



We Tabwest Pty Ltd ACH 010 495 691 hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT VROEGOP  
CADASTRAL SURVEYOR/  
DIRECTOR

LEE ROBERT DUMBELL  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE \_\_\_\_\_

Drawn	G.F.
Checked	G.F./W.K.
Date	23/03/10
Job No.	181109-103
Client	
City	
L.D.	

**Proposed Road Closure**  
Adjoining Lot 17 on SL11240  
18 CAMBRIDGE STREET, RED HILL

Parish of NORTH BRISBANE Client PERUSAL TIME (RP) P/L  
County of STANLEY Local Authority BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
Step 11, Gordon City Office Park, 2404 Logan Rd, Eight Mile Plains, QLD 4113  
Email info@landmarkconsulting.com.au Telephone 07 3218 8911 Facsimile 07 3218 8911  
Tabwest Pty Ltd ACH 010 495 691 ABN 77 010 495 691

Job Number  
**09-103**

Drawing Number  
**09103**  
Road Closure A



## Orellana Jose

---

**From:** Williams Giuliana  
**Sent:** Monday, 22 November 2010 10:24 AM  
**To:** 'F0501488@team.telstra.com'  
**Subject:** Request for Telstra Views - Proposed Permanent Road Closure - Case ID 2010/002270  
**Attachments:** Telstra Views.pdf

Good Morning

Please find attached a request for views in relation to a permanent road closure.

Should you require any further information please do not hesitate to contact me.

Kindest Regards

Julie

Ms Giuliana (Julie) Williams  
**A/Senior Land Officer**  
**Land Management**  
**Department of Environment & Resource Management**  
[Giuliana.Williams@derm.qld.gov.au](mailto:Giuliana.Williams@derm.qld.gov.au)

PO Box 4297, Robina Town Centre QLD 4226  
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## Orellana Jose

---

**From:** Williams Giuliana  
**Sent:** Monday, 22 November 2010 10:26 AM  
**To:** 'recordsmanagement@energex.com.au'  
**Subject:** Request for Telstra Views - Proposed Permanent Road Closure - Case ID 2010/002270  
**Attachments:** Energex Views.pdf

Good Morning

Please find attached a request for views in relation to a permanent road closure.

Should you require any further information please do not hesitate to contact me.

Kindest Regards

Julie

Ms Giuliana (Julie) Williams  
**A/Senior Land Officer**  
**Land Management**  
**Department of Environment & Resource Management**  
[Giuliana.Williams@derm.qld.gov.au](mailto:Giuliana.Williams@derm.qld.gov.au)

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RTI DL RELEASE - DNRM

Author: Julie Williams  
Email: [giuliana.williams@derm.qld.gov.au](mailto:giuliana.williams@derm.qld.gov.au)  
Directorate / Unit: Land Management  
Phone: 07 5583 1750  
File / Ref number: 2010/002270  
Your Ref:

Department of  
**Environment and Resource  
Management**

1<sup>st</sup> Floor, AVC Bldg  
14 Edgewater Court  
Robina

PO Box 4297  
Robina TC QLD 4230

Ph: 07 5583 1737  
Fax: 07 5583 1733  
Website: [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

22 November 2010

Energex Limited  
Network Strategy Property Dept  
GPO Box 1461  
**BRISBANE QLD 4001**

Via email: [recordsmanagement@energex.com.au](mailto:recordsmanagement@energex.com.au)

Dear Sir/Madam

**APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE (ACCESS ROAD) ADJOINING LOT 17 ON SL11240 – 18 CAMBRIDGE STREET, RED HILL (BRISBANE CITY)**

Please be advised that an application has been made under the *Land Act 1994* by Perusal Time Pty Ltd for a permanent road closure over an approximate area of 39m<sup>2</sup> abutting the northern boundary of Lot 17 on SL11240 as shown on the attached drawing by Landmark Consulting with drawing reference 09-103.

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Please quote reference number 2010/002270 in any future correspondence.

Yours faithfully

sch4p4(6) Personal information

sch4p4(6)  
Personal  
information

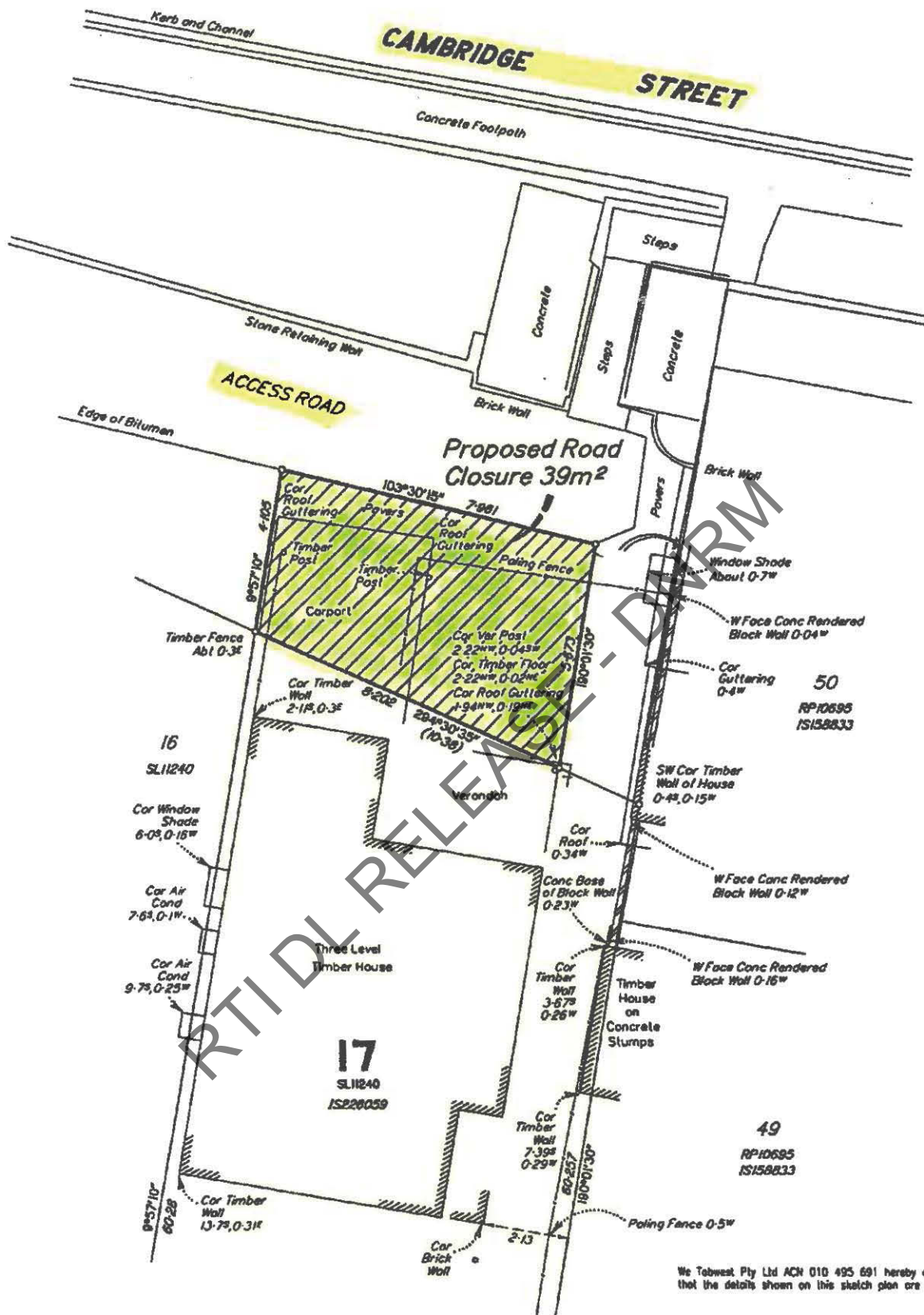
Julie Williams  
**A/Senior Land Officer**  
**Land Management**  
**South East Region**

**Attachments:**

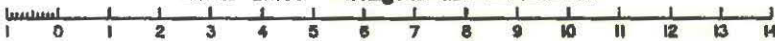
- Landmark Consulting Drawing 09-103
- Smart Map

RTI DL RELEASE - DNRM

# CAMBRIDGE STREET



Scale 1:100 - Lengths are in Metres.



We Tabwest Pty Ltd ACN 010 495 691 hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT VROEGOP  
CADASTRAL SURVEYOR/  
DIRECTOR

LEE ROBERT DUMBELL  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE \_\_\_\_\_

Surveyor G.F.	<p><b>Proposed Road Closure</b>                  Adjoining Lot 17 on SL11240                  18 CAMBRIDGE STREET, RED HILL</p> <p>Parish of NORTH BRISBANE Client PERUSAL TIME (RP) P/L                  County of STANLEY Local Authority BRISBANE CITY COUNCIL</p>
Drawn G.F./W.K.	
Date 23/03/10	
Project H31C109-103	
City L.D.	

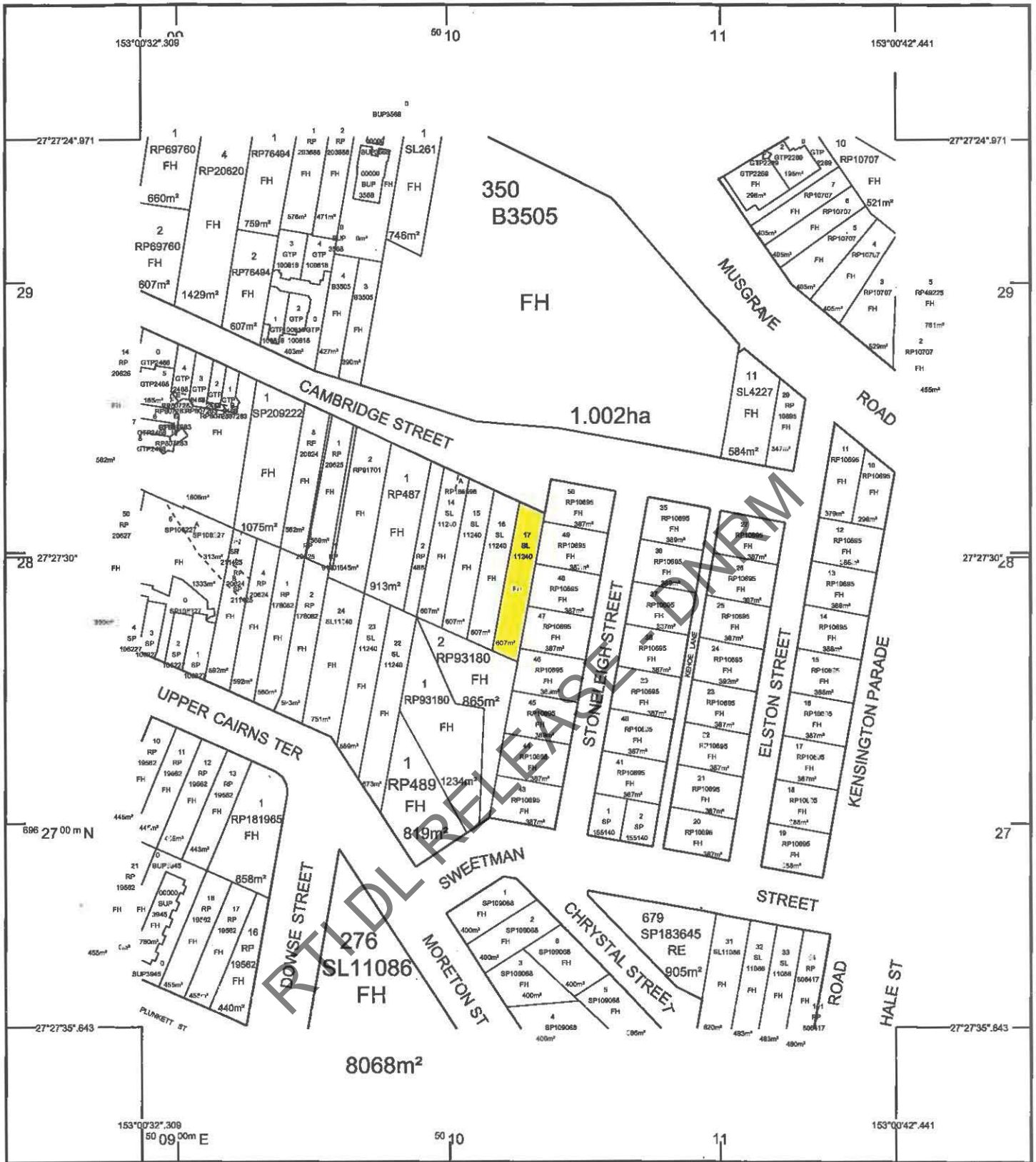
**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

180g 11, Gordon City Office Park, 240g Logan Rd, Eight Mile Plains QLD 6052 Eight Mile Plains Q 4113  
 Email info@landmarkconsulting.com.au Telephone 07 3219 9911 Facsimile 07 3219 9798  
 Tabwest Pty Ltd ACN 010 495 691 ABN 77 010 495 691

Job Number <b>09-103</b>
Drawing Number 09103
Revision Road Closure A





STANDARD MAP NUMBER

9543-33343



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	17/SL11240
Area/Volume	807m <sup>2</sup>
Tenure	FREEHOLD
Local Government	BRISBANE CITY
Locality	RED HILL
Parish	NORTH BRISBANE
County	STANLEY
Segment/Parcel	1912/123

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 22/11/2010  
For additional information regarding this SmartMap see page 2.  
Shading Rules have been applied.

DCDB 19/11/2010

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File A

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**SmartMap**

An External Product of SmartMap Information Services  
Based upon an extraction from the Digital Cadastral Data Base



**Queensland Government**

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Author: Julie Williams  
Email: [giuliana.williams@derm.qld.gov.au](mailto:giuliana.williams@derm.qld.gov.au)  
Directorate / Unit: Land Management  
Phone: 07 5583 1750  
File / Ref number: 2010/002270  
Your Ref:

1<sup>st</sup> Floor, AVC Bldg  
14 Edgewater Court  
Robina

PO Box 4297  
Robina TC QLD 4230

Ph: 07 5583 1737  
Fax: 07 5583 1733  
Website: [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

22 November 2010

Brisbane City Council  
GPO Box 1434  
**BRISBANE QLD 4001**

Dear Sir/Madam

**APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE (ACCESS ROAD) ADJOINING LOT 17 ON SL11240 – 18 CAMBRIDGE STREET, RED HILL (BRISBANE CITY)**

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Yours faithfully

Julie Williams  
**A/Senior Land Officer**  
**Land Management**  
**South East Region**

**Attachments:**

- Landmark Consulting Drawing 09-103
- Smart Map

RTI DL RELEASE - DNRM

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Fax: 07 5583 1733  
Website: [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

22 November 2010

Queensland Urban Utilities  
GPO Box 2765  
**BRISBANE QLD 4001**

Dear Sir/Madam

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Ph: 07 5583 1737  
Fax: 07 5583 1733  
Website: [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

22 November 2010

Australian Pipeline Trust  
PO Box 2229  
**MANSFIELD QLD 4122**

Dear Sir/Madam

**APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE (ACCESS ROAD) ADJOINING LOT 17 ON SL11240 – 18 CAMBRIDGE STREET, RED HILL (BRISBANE CITY)**

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**A/Senior Land Officer**  
**Land Management**  
**South East Region**

**Attachments:**

- Landmark Consulting Drawing 09-103
- Smart Map

RTI DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 766857

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 15-Nov-2010 2:20 PM  
Entered by: Williams, Giuliana  
Reference:

Contact with: DERM, Beenleigh - NRW

### Documents

Document Type	Title	Received/Sent
Incoming email	Advice from PLO to Applicant	11-Nov-2010

### Interaction Record History

Service Centre: Robina  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Williams, Giuliana  
Date: 15-Nov-2010  
Details:

### Assignment History

RTI DL RELEASE - DNRM





## Orellana Jose

---

**From:** Rogers Ken William  
**Sent:** Thursday, 11 November 2010 8:07 AM  
**To:** Rogers Ken William; 'rob@ptipl.com'  
**Cc:** Williams Giuliana  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Rob,

We will be proceeding with your application for the amended area immediately. The larger area as originally applied for is still problematic as it appears that we now have a second/amended application for the same area by the neighbouring resident. I will be seeking further advice from within the region on how to proceed with the applications.

Regards,

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management  
32 Tansey Street, Beenleigh Q 4207  
PO Box 1164, Beenleigh Q 4207

---

**From:** Rogers Ken William  
**Sent:** Monday, 1 November 2010 11:34 AM  
**To:** 'rob@ptipl.com'  
**Cc:** Williams Giuliana; Rogers Ken William  
**Subject:** RE: Applications for Road Closure - 18 Cambridge St

Rob,

I will meet with my team handling your application next Tuesday to review the next actions that need to be considered. I will be in contact with you after this meeting to give you an update.

Regards,

ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024  
**Mobile:** 0428 159 432  
**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

---

**From:** Robert Johansen [<mailto:rob@ptipl.com>]  
**Sent:** Monday, 25 October 2010 8:08 AM  
**To:** Rogers Ken William  
**Cc:** Williams Giuliana  
**Subject:** Applications for Road Closure - 18 Cambridge St

Hi Ken,

I hope you have recovered well from your surgery in April.

We have had no communication from your office regarding Perusal Time (RP) P/L's two applications for closure of part of the road reserve in front of 18 Cambridge St since your email of 8 April, which suggested that a decision may be forthcoming in a couple of weeks from that date.

We understand that both we and [sch4p4(6) Personal information] requested details of each other's applications through the Right to Information process and that you may have been waiting for this process to be completed prior to making a decision. As that process has been complete for some time now we would appreciate if you could advise when a decision on our applications will be made.

Kind Regards,

*Rob Johansen*

---

GPO Box 995 | Brisbane Q 4001 | Australia  
+61 7 3102 5756

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**From:** Rogers Ken William [<mailto:Ken.W.Rogers@derm.qld.gov.au>]  
**Sent:** Thursday, 8 April 2010 5:20 PM  
**To:** [rob@ptipl.com](mailto:rob@ptipl.com)  
**Cc:** Williams Giuliana  
**Subject:** RE: Removal of Fence

Robert

Thanks for keeping me informed about your actions with your property and the road. It will be a couple of weeks before I will be making a decision as I am off on sick leave for most of the next two weeks as I have to have surgery.

I have informed [sch4p4(6) Personal information] legal representatives of this need for time off as well.

Ken

Ken Rogers  
Principal Land Officer, Land Management, Land Services  
South East Region  
**Telephone:** 07 3884 8069 **Facsimile:** 07 3884 8024

**Mobile:** 0428 159 432

**Email:** [ken.w.rogers@derm.qld.gov.au](mailto:ken.w.rogers@derm.qld.gov.au)

[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management

32 Tansey Street, Beenleigh Q 4207

PO Box 1164, Beenleigh Q 4207

---

**From:** Robert Johansen [<mailto:rob@ptipl.com>]

**Sent:** Tuesday, 6 April 2010 3:47 PM

**To:** Rogers Ken William

**Subject:** Removal of Fence

Hi Ken,

Please be advised that we have removed the wooden fence in front of 18 Cambridge St, Red Hill as per your verbal request to us when on site.

We would very much appreciate if you could advise the timetable for making a decision on our applications for road closure so we can take appropriate steps to secure the property in the absence of the fence.

Kind Regards,

---

**Robert Johansen** | Director

---

[www.perusaltime.com](http://www.perusaltime.com)

GPO Box 995 | Brisbane | QLD 4001

P: +61 7 3118 8561

F: +61 7 3102 6266

As of 26 March 2009 the Department of Natural Resources and Water/Environmental Protection Agency integrated to form the Department of Environment and Resource Management

+-----+  
Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+



# eLVAS Client Interaction Report

## For Interaction id: 699409

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (outwards) General  
Interaction method: Email  
Interaction date: 11-May-2010 4:30 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: DERM, Admin Review - Mineral House - NRW

### Documents

Document Type	Title	Received/Sent
Outgoing email	Completed RTI 09-212 <small>sch4p4(6) Personal information</small>	11-May-2010

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 11-May-2010  
Details:

### Assignment History

**Date assigned:** 11-May-2010  
**Assigned to:** Speechley, Erin  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:1477335 Type:  
**Date actioned:** 11-Feb-2011  
**Action taken:** Noted.  
Outgoing email Title: Completed RTI 09-212 sch4p4(6) Personal information

# eLVAS Client Interaction Report

## For Interaction id: 699398

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 11-May-2010 4:22 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: DERM, Admin Review - Mineral House - NRW

### Documents

Document Type	Title	Received/Sent
Application	RTI 09-212 <small>sch4p4(6) Personal information</small>	5-May-2010

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 11-May-2010  
Details:

### Assignment History

**Date assigned:** 11-May-2010  
**Assigned to:** Speechley, Erin  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:1477312 Type:  
**Date actioned:** Application Title: RTI 09-212 sch4p4(6) Personal information  
11-Feb-2011  
**Action taken:** Noted.

## Orellana Jose

---

**From:** Palmer Ray  
**Sent:** Tuesday, 11 May 2010 4:16 PM  
**To:** Foster Mary; Patu Jane  
**Subject:** RTI 09-212 sch4p4(6) Personal information  
**Attachments:** DOC110510.pdf

Dear Mary/ Jane,

Please find attached the completed RTI 09-212 - there are(3) ELVAS Cases relating to this request. The hard copy of these forms will be sent over to you in the morning's internal zip bag.  
Regards

Ray Palmer  
Administration Officer  
Land Management  
Department of Environment and Resource Management Brisbane  
Phone:3406 2534  
Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

RTI DL RELEASE - DNRM



# Document Search and Location Form

## RIGHT TO INFORMATION REQUEST

Please return this completed form and any relevant files, documents or records to Administrative Review at the address below.

**Applicant's name:** sch4p4(6) Personal information

**Application number:** 09-212

(please quote this number in any dealings with Administrative Review)

**Documents required in Administrative Review by:** 13 May 2010

If this request is not relevant to your area please advise where the request should be directed and return this form to Administrative Review.

**Not my area, please direct request to:**

If this request is relevant to your area, please complete the remainder of this form.

**Departmental officer's name:**  
(for safe return of documents) RAY PALMER, LAND MANAGEMENT, DERM,

**Postal Address of officer:**  
(for safe return of documents) LEVEL 2 LANDCLIMATE, GPO BOX 2771, BRISBANE 4001

**Have you found any documents, files or other records relevant to this request?**

The search for documents should include:

- hard copy files
- any documents held electronically of which there are no hard copies, e.g. eLVAS, Ecomaps etc.
- any disc, tape, video or other article or material from which sounds, images, writings or messages are capable of being reproduced
- documents not held on central registry files, such as diaries, documents held in manila folders, and the like
- secondary storage or archived files
- (if necessary) DERM documents which are held by Shared Services Agency

**Yes** Please provide details of documents, files or other records found in the table below

File number (if applicable)	Barcode number	File, document or record title/description
① 2009/010630	ELVAS CASE	PERUSAL TIME (RP) PTY LTD - APPLICATION FOR PERMANENT ROAD CLOSURE PART CAMBRIDGE ST RED HILL
② 2009/011301	ELVAS CASE	<span style="border: 1px solid black; padding: 2px;">sch4p4(6) Personal information</span> - APPLICATION FOR PERMANENT ROAD CLOSURE PART CAMBRIDGE ST RED HILL
③ 2010/002270	ELVAS CASE	PERUSAL TIME (RP) PTY LTD - APPLICATION FOR PERMANENT ROAD CLOSURE PART CAMBRIDGE ST RED HILL

**No** Please provide details of your search i.e. files or databases etc. in the table below

**If no records were found please provide details of your search i.e. files, databases etc.**

--



**Is there any information not readily apparent from the documents that the RTI decision maker should know before a decision is made on this access request?**

*For example, that there are contested issues between the people who are the subject of the documents, that the documents have been submitted to Cabinet, that documents were prepared in anticipation of a legal proceeding, or there is an undertaking or formal agreement of confidentiality.*

**Yes** Please provide details of the situation  
**Details**

**No**

**Do you believe there are any other relevant documents being held by another region/business group or agency?**

**Yes** Please provide details of documents and region/business group  
**Details**

**No**

**Details of the officer coordinating or supervising the search**

**Name:** KEN BRANDS

**Position:** SENIOR LAND OFFICER **Level:** A06-4

**Signed:** sch4p4(6) Personal information **Date:** 11/5/10

*To be signed by a person sufficiently senior to advise on this issue*

**PLEASE RETURN THIS COMPLETED FORM AND ANY RELEVANT FILES,  
DOCUMENTS OR RECORDS TO:**

**Mary Foster or Jane Patu  
Department of Environment and Resource Management  
Administrative Review  
GPO Box 2454  
Level 10, Mineral House  
41 George Street  
Brisbane Qld 4000**

**Or email: [AdminReview@derm.qld.gov.au](mailto:AdminReview@derm.qld.gov.au)**

**If at any time you need to contact Administrative Review about this application please quote the application number "RTIPS 09-212".**



Queensland  
Government

# Time Control Form RIGHT TO INFORMATION REQUEST

Please return this completed form with the documents requested so that Administrative Review can keep an accurate record of the cost of providing the RTI service.

Applicant's name: sch4p4(6) Personal information

Application number: 09-212

(please quote this number in any dealings with Administrative Review)

Documents required in Administrative Review by: 13 May 2010

All officers involved in processing this RTI request must accurately record the time spent by them on all tasks associated with this request. This includes document/file search and retrieval, consultation, deliberation, supervising inspection and photocopying.

Date	Name of Officer	Classification	Duties Performed	Time
11/5/10	RAY PALMER	A02-8	SEARCH ECUMS & COMPLETE RTI FORMS	15 mins

RTI DL RELEASE / DIVISION

**Mary Foster**

---

**From:** osidt@smartservice.qld.gov.au  
**Sent:** Wednesday, 5 May 2010 9:50 PM  
**To:** adminreview@derm.qld.gov.au  
**Subject:** Right to Information Application - [Redacted] (Receipt No: 1663257) - 05-05-2010

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Right to Information Application (Both)

RTI Ref: 202712

An application for the following has been made by:

**Organisation:**

Name: [Redacted]

**Contact details:**

Phone: [Redacted]  
Email: [Redacted]  
Fax: [Redacted]

**Postal:**

[Redacted]  
Town/suburb: [Redacted]  
State/territory: QLD  
Postcode: [Redacted]  
Country: Australia

**Details of request:**

Department of Environment and Resource Management, Department of Environment and Resource Management

The applicant is seeking access to documents that contain personal information (either in relation to themselves or on behalf of another person) and may contain the personal information of someone else and/or non-personal information.

The applicant has had contact with the department

Name:

Reference:

Subject matter of the documents the applicant is seeking:

All available information and correspondence about any and all applications for road closure (and/or addition of the land to an adjacent block) made by the Owner (Perusal Time (RP) Pty Ltd) of L.17 SL.11240 PAR NTH BRISBANE at 18 Cambridge Street, Red Hill.

Also, all information and correspondence relating to the determination of these applications by the Department of Environment and Resource Management.

The type of documents the applicant is seeking:

All

The time period / date range the applicant would like to search within: 1 Jan 2009 - Current

Document reference numbers: Application Number 2009/010630 and others as applicable

The applicant thinks the documents may be located: Woollongabba, Beenleigh and Gold Coast (Robina) offices of DERM (Land Management?)

Other details provided by the applicant:

Access type requested:

Media: CD

This request was made on the Wednesday 5 May 2010 at 21:47

Receipt ID: 1663257

\*\*\*\*\*  
Important! Please do not reply to this email.  
\*\*\*\*\*

RTI DL RELEASE - DNRM



**Palmer Ray**

---

**From:** Brandes Ken  
**Sent:** Tuesday, 11 May 2010 2:29 PM  
**To:** Palmer Ray  
**Subject:** FW: RTI 09-212 Tracer Request  
**Attachments:** Application scan.pdf; Document Search & location form.doc

Ray

Not sure if I sent this to you

kb

Ken Brandes  
Senior Land Officer, Brisbane.  
Land Management, South East Region.  
Department of Environment and Resource Management  
Cnr Main and Vulture Streets  
Woolloongabba Q4102  
Telephone (07) 3406 2540 Facsimile (07) 3406 2582  
Email: [ken.brandes@derm.qld.gov.au](mailto:ken.brandes@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

RTI/DL RELEASE - DNRM

---

**From:** Carpenter Greg  
**Sent:** Friday, 7 May 2010 11:23 AM  
**To:** Brandes Ken  
**Subject:** FW: RTI 09-212 Tracer Request

Ken,

could you perhaps ask Ray to get this info together please.

Cheers Greg c

---

**From:** Kilminster Linda  
**Sent:** Friday, 7 May 2010 10:05 AM  
**To:** Carpenter Greg  
**Subject:** FW: RTI 09-212 Tracer Request

Hello Greg

this one looks like yours - could you let me know if its not.

Regards  
Linda

---

**From:** Foster Mary  
**Sent:** Thursday, 6 May 2010 4:46 PM  
**To:** Kilminster Linda  
**Subject:** RTI 09-212 Tracer Request

RTI 09-212

ADMINISTRATIVE REVIEW REQUIRE THESE DOCUMENTS BY: 13 May 2010.

**Under the new legislation (*Right to Information Act 2009*), timeframes for processing applications has been significantly reduced. Documents must now be provided to Administrative Review within five (5) business days. Thank you for your cooperation.**

A request for access to documents under the *Right to Information Act 2009* (RTI Act) has been received by this department from sch4p4(6) Personal Information. A copy of the request is attached for your action.

Please coordinate a search in your Region/Business Group/Work Unit for documents within the scope of this request. To assist areas in the searching for documents and to ensure a comprehensive search has been undertaken, please complete and sign the attached checklist.

When searching for documents, the broadest interpretation of the request should be taken. The decision maker will make the final decision on what documents are relevant to the request.

If the scope of the request is unclear or is unreasonably large, please contact Administrative Review urgently and we will consider contacting the applicant to clarify or negotiate the scope of the request.

If your searches reveal that another department or agency may hold documents relevant to an RTI request, please note the details on page 2 of the Document Search and Location Form. Under no circumstances should a document search request be referred to another department or agency.

When all documents, files or records have been located, respondents should arrange for the copies (be alert for double-sided documents), originals or scanned documents to be provided to **Administrative Review, Department of Environment and Resource Management**, <Level 10, Mineral House, 41 George Street, GPO Box 2454 Brisbane>, by **13 May 2010**.

**The attached Checklist and Document Search and Location Form should be completed by Business Services Managers, Regional Managers or other senior officers who have supervised and/or coordinated the search, and returned to Administrative Review with the subject documents.** If you are providing original documents, Administrative Review will require the files for approximately three months (longer if an internal/external review is sought by the applicant).

Please contact **Administrative Review** if the files are needed during the course of the application.

If you have any queries or require further information on this RTIPS request, please contact me on telephone (07) 3239 3599 and quote the application number RTIPS 09-212.

**Thanks & Regards**

**Mary Foster**

(work days: Wed, Thurs, Friday)

Monday & Tuesday: please contact Jane Patu on 07 3896 3169

10<sup>th</sup> Floor Mineral House

Admin Review

Department of Environment and Resource Management

Ph: (07) 3239 3599

E-mail: [mary.foster@derm.qld.gov.au](mailto:mary.foster@derm.qld.gov.au)

Visit us online at [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

RTI DL RELEASE - DNRM

**Orellana Jose**

---

**From:** Brandes Ken  
**Sent:** Tuesday, 11 May 2010 2:29 PM  
**To:** Palmer Ray  
**Subject:** FW: RTI 09-212 Tracer Request  
**Attachments:** Application scan.pdf; Document Search & location form.doc

Ray

Not sure if I sent this to you

kb

Ken Brandes  
Senior Land Officer, Brisbane.  
Land Management, South East Region.  
Department of Environment and Resource Management  
Cnr Main and Vulture Streets  
Woolloongabba Q4102  
Telephone (07) 3406 2540 Facsimile (07) 3406 2582  
Email: [ken.brandes@derm.qld.gov.au](mailto:ken.brandes@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

---

**From:** Carpenter Greg  
**Sent:** Friday, 7 May 2010 11:23 AM  
**To:** Brandes Ken  
**Subject:** FW: RTI 09-212 Tracer Request

Ken,

could you perhaps ask Ray to get this info together please.

Cheers Greg c

---

**From:** Kilminster Linda  
**Sent:** Friday, 7 May 2010 10:05 AM  
**To:** Carpenter Greg  
**Subject:** FW: RTI 09-212 Tracer Request

Hello Greg

this one looks like yours - could you let me know if its not.

Regards  
Linda

---

**From:** Foster Mary  
**Sent:** Thursday, 6 May 2010 4:46 PM  
**To:** Kilminster Linda  
**Subject:** RTI 09-212 Tracer Request



**RTI 09-212**

**ADMINISTRATIVE REVIEW REQUIRE THESE DOCUMENTS BY: 13 May 2010.**

**Under the new legislation (*Right to Information Act 2009*), timeframes for processing applications has been significantly reduced. Documents must now be provided to Administrative Review within five (5) business days. Thank you for your cooperation.**

A request for access to documents under the *Right to Information Act 2009* (RTI Act) has been received by this department from sch4p4(6) Personal Information. A copy of the request is attached for your action.

Please coordinate a search in your Region/Business Group/Work Unit for documents within the scope of this request. To assist areas in the searching for documents and to ensure a comprehensive search has been undertaken, please complete and sign the attached checklist.

When searching for documents, the broadest interpretation of the request should be taken. The decision maker will make the final decision on what documents are relevant to the request.

If the scope of the request is unclear or is unreasonably large, please contact Administrative Review urgently and we will consider contacting the applicant to clarify or negotiate the scope of the request.

If your searches reveal that another department or agency may hold documents relevant to an RTI request, please note the details on page 2 of the Document Search and Location Form. Under no circumstances should a document search request be referred to another department or agency.

When all documents, files or records have been located, respondents should arrange for the copies (be alert for double-sided documents), originals or scanned documents to be provided to **Administrative Review, Department of Environment and Resource Management, <Level 10, Mineral House, 41 George Street, GPO Box 2454 Brisbane>**, by **13 May 2010**.

**The attached Checklist and Document Search and Location Form should be completed by Business Services Managers, Regional Managers or other senior officers who have supervised and/or coordinated the search**, and returned to Administrative Review with the subject documents. If you are providing original documents, Administrative Review will require the files for approximately three months (longer if an internal/external review is sought by the applicant).

Please contact **Administrative Review** if the files are needed during the course of the application.

If you have any queries or require further information on this RTIPS request, please contact me on telephone (07) 3239 3599 and quote the application number RTIPS **09-212**.

**Thanks & Regards**

**Mary Foster**

(work days: Wed, Thurs, Friday)

Monday & Tuesday: please contact Jane Patu on 07 3896 3169

10<sup>th</sup> Floor Mineral House

Admin Review

Department of Environment and Resource Management

Ph: (07) **3239 3599**

E-mail: [mary.foster@derm.qld.gov.au](mailto:mary.foster@derm.qld.gov.au)

Visit us online at [www.derm.qld.gov.au](http://www.derm.qld.gov.au)



# Document Search and Location Form

## RIGHT TO INFORMATION REQUEST

*Please return this completed form and any relevant files, documents or records to Administrative Review at the address below.*

**Applicant's name:** sch4p4(6) Personal information

**Application number:** **09-212**

(please quote this number in any dealings with Administrative Review)

**Documents required in Administrative Review by:** **13 May 2010**

If this request is not relevant to your area please advise where the request should be directed and return this form to Administrative Review.

**Not my area, please direct request to:**

If this request is relevant to your area, please complete the remainder of this form.

**Departmental officer's name:**  
(for safe return of documents) \_\_\_\_\_

**Postal Address of officer:**  
(for safe return of documents) \_\_\_\_\_

**Have you found any documents, files or other records relevant to this request?**

*The search for documents should include:*

- hard copy files*
- any documents held electronically of which there are no hard copies, e.g. eLVAS, Ecomaps etc.*
- any disc, tape, video or other article or material from which sounds, images, writings or messages are capable of being reproduced*
- documents not held on central registry files, such as diaries, documents held in manila folders, and the like*
- secondary storage or archived files*
- (if necessary) DERM documents which are held by Shared Services Agency*

**Yes** Please provide details of documents, files or other records found in the table below

File number (if applicable)	Barcode number	File, document or record title/description

**No** Please provide details of your search i.e. files or databases etc. in the table below

<b><i>If no records were found please provide details of your search i.e. files, databases etc.</i></b>

---

**Is there any information not readily apparent from the documents that the RTI decision maker should know before a decision is made on this access request?**

*For example, that there are contested issues between the people who are the subject of the documents, that the documents have been submitted to Cabinet, that documents were prepared in anticipation of a legal proceeding, or there is an undertaking or formal agreement of confidentiality.*

**Yes** *Please provide details of the situation*  
**Details**

**No**

---

**Do you believe there are any other relevant documents being held by another region/business group or agency?**

**Yes** *Please provide details of documents and region/business group*  
**Details**

**No**

---

**Details of the officer coordinating or supervising the search**

**Name:** \_\_\_\_\_

**Position:** \_\_\_\_\_ **Level:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*To be signed by a person sufficiently senior to advise on this issue*

---

*PLEASE RETURN THIS COMPLETED FORM AND ANY RELEVANT FILES,  
DOCUMENTS OR RECORDS TO:*

**Mary Foster or Jane Patu**  
**Department of Environment and Resource Management**  
**Administrative Review**  
**GPO Box 2454**  
**Level 10, Mineral House**  
**41 George Street**  
**Brisbane Qld 4000**

Or email: [AdminReview@derm.qld.gov.au](mailto:AdminReview@derm.qld.gov.au)

If at any time you need to contact Administrative Review about this application please quote the application number “**RTIPS 09-212**”.



# Time Control Form RIGHT TO INFORMATION REQUEST

*Please return this completed form with the documents requested so that Administrative Review can keep an accurate record of the cost of providing the RTI service.*

Applicant's name: sch4p4( 6) Personal information

Application number: **09-212**

(please quote this number in any dealings with Administrative Review)

Documents required in Administrative Review by: **13 May 2010**

**All officers involved in processing this RTI request must accurately record the time spent by them on all tasks associated with this request. This includes document/file search and retrieval, consultation, deliberation, supervising inspection and photocopying.**

Date	Name of Officer	Classification	Duties Performed	Time

RTI DL RELEASE - DMM



## Mary Foster

---

**From:** osidt@smartservice.qld.gov.au  
**Sent:** Wednesday, 5 May 2010 9:50 PM  
**To:** adminreview@derm.qld.gov.au  
**Subject:** Right to Information Application - [sch4p4(6) Personal information] Receipt No: 1663257) - 05-05-2010

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Right to Information Application (Both)

RTI Ref: 202712

An application for the following has been made by:

Organisation:

Name: [sch4p4(6) Personal information]

Contact details:

Phone: [sch4p4(6) Personal information]

Email: [redacted]

Fax: [redacted]

Postal:

[sch4p4(6) Personal information]

Town/suburb: [sch4p4(6) Personal information]

State/territory: QLD

Postcode: [sch4p4(6) Personal information]

Country: Australia

Details of request:

Department of Environment and Resource Management Department of Environment and Resource Management

The applicant is seeking access to documents that contain personal information (either in relation to themselves or on behalf of another person) and may contain the personal information of someone else and/or non-personal information.

The applicant has had contact with the department

Name:

Reference:

Subject matter of the documents the applicant is seeking:

All available information and correspondence about any and all applications for road closure (and/or addition of the land to an adjacent block) made by the Owner (Perusal Time (RP) Pty Ltd?) of L17 SL.11240 PAR NTH BRISBANE at 18 Cambridge Street, Red Hill.

Also, all information and correspondence relating to the determination of these applications by the Department of Environment and Resource Management.

The type of documents the applicant is seeking:

All

The time period / date range the applicant would like to search within: 1 Jan 2009 - Current

Document reference numbers: Application Number 2009/010630 and others as applicable

The applicant thinks the documents may be located: Woollongabba, Beenleigh and Gold Coast (Robina) offices of DERM (Land Management?)

Other details provided by the applicant:

Access type requested:

Media: CD

This request was made on the Wednesday 5 May 2010 at 21:47

Receipt ID: 1663257

\*\*\*\*\*  
Important! Please do not reply to this email.  
\*\*\*\*\*

RTI DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 684969

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 26-Mar-2010 9:11 AM  
Entered by: Howard, Judith  
Reference:

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
External Formal Document	Attachment A	25-Mar-2010

### Interaction Record History

Service Centre: Beenleigh  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Howard, Judith  
Date: 26-Mar-2010  
Details: Scanned document received from Perusal Time (RP) Pty Ltd

### Assignment History

RTI DL RELEASE - DNRM

**Attachment A**

1. Perusal Time (RP) Pty Ltd (**Applicant**) is the registered owner of the land described as lot 17 on Plan SL11240, in the County of Stanley, Parish of North Brisbane (title reference 15686033) which is situated at 18 Cambridge Street, Red Hill (**Land**).
2. A single dwelling house (**House**) is constructed on the Land and the Land is used as a private dwelling.
3. The House has been in its existing location since its construction in 1885.
4. The Applicant purchased the Land from a related entity in August 2009. The Land had been purchased by the related entity from a third party in 2007.
5. The Land has direct access to a declared road, Cambridge Street (**Road**), which is situated to the north of the Land. That part of the Road immediately in front of the Land comprises an access road separate from the main part of Cambridge Street. The access road is a "dead-end" road which terminates at a point in front of the Land.
6. The Land and the Road adjoins Lot 50 on RP10695 in the County of Stanley, Parish of North Brisbane which is situated at 16 Cambridge St (**Lot 50**).
7. The Land is a parcel of 607m<sup>2</sup>.
8. The Applicant requests that the part of the Road hatched (**Area Applied For**) on the attached surveyed drawing "#09-103 Road Closure B" (**Attached Surveyed Drawing**) prepared for the applicant by Landmark Consulting be closed and that the area of road closed be amalgamated with the Land for the reasons set out below.
9. The Land has no road access other than to the Road. Because of the position of the House on the Land, the bulk of the land (all except approximately 10m<sup>2</sup>) is only practically accessible through an access path (**Access Path**) on the Land between the House and a house located on the adjoining lot.
10. The Access Path is only approximately 2m wide and immediately abuts the Area Applied For. The positions of the Access Path and the neighbouring houses are illustrated in the Attached Survey Drawing..
11. The House is in a demolition control precinct, and because of its age and character value, demolition of the House would breach the applicable building codes. Thus there is no practical method to access the bulk of the Land other than through the Road and then the Access Path.



12. As a result of survey work recently undertaken in relation to various properties in the vicinity of the Land by a third party, the Applicant has been made aware that improvements used in connection with the dwelling house on the Land encroach onto part of the Road.
13. The Applicant has caused a survey of the Land to be undertaken which has confirmed that improvements encroach onto the Road.
14. The results of this survey were provided to the Department of Environment and Resource Management (DERM) on 25 August, 2009 in accordance with the Survey and Mapping Infrastructure Regulation 2004.
15. DERM responded on 7 October, 2009 (Ref: Bri/002419Pt217#65) advising that the owner should apply for a road closure of the affected area and providing materials to do so. This application is made pursuant to that advice.
16. The encroachments on the Area Applied For comprise:
- (a) concreted areas including a section of stairs used to access the Access Path;
  - (b) paved areas laid in conjunction with other paving associated with the House;
  - (c) brick containment walls which contain trees planted by a previous owner of the Land;
  - (d) part of a fence;
  - (e) a turfed area which is used as part of the front yard of the house; and
  - (f) gardens.
17. The encroachments have been constructed in an area immediately in front of the dwelling house. Encroachments have also been constructed on the area immediately in front of the Land at the end of the dead end part of the access road. The encroachments are shown on the Attached Surveyed Drawing.
18. The Applicant has made enquiries with the previous owner of the Land (that is, the third party who owned the Land immediately prior to its purchase in 2007 by a related entity of the Applicant) and has been informed that during the whole of the time the previous owner owned the Land:
- (a) the constructed area of the access road was in the same position in which it is now; and
  - (b) the encroachments existed in substantially the same form as they do now.

19. The Applicant has made enquiries with neighbouring property owners and has been informed that:

- (a) none of them remembers the constructed area of the access road being in any different position to its current position; and
- (b) the encroachments (and other similar encroachments in the general area) have been in place for as long as any of them can remember.

The longest standing resident in the area of the access road who provided this information, has been a resident in the area for approximately 25 years.

20. The Applicant uses the Land and the encroachments for private and personal use only, and for access to the rear of the Land.

21. The Applicant has acted promptly to resolve the issue of the encroachment (by causing a survey to be undertaken and then applying for road closure) on being made aware of the encroachment.

22. The Area Applied For is not the only dedicated access to any person's land but it contains the only dedicated access to the bulk of the Applicant's Land because of the immovable natures of the House and the house constructed on the neighbouring Lot 50, and because of the location of the Access Path in relation to the Area Applied For.

23. The Area Applied For is not regularly used by the public as a road or stock route.

24. The Area Applied For does not provide continuity to a road network.

25. The owner of Lot 50 has made an application for Road Closure which coincides with some of the Area Applied For (**Coincident Area**).

26. The Applicant is unable to provide exact details of the Coincident Area because it has not been provided with a copy of the application made by the owner of Lot 50. The Applicant is seeking access to the relevant file under Freedom of Information processes.

27. The building on Lot 50 encroaches partially on the Coincident Area (**Lot 50 Encroachments**).

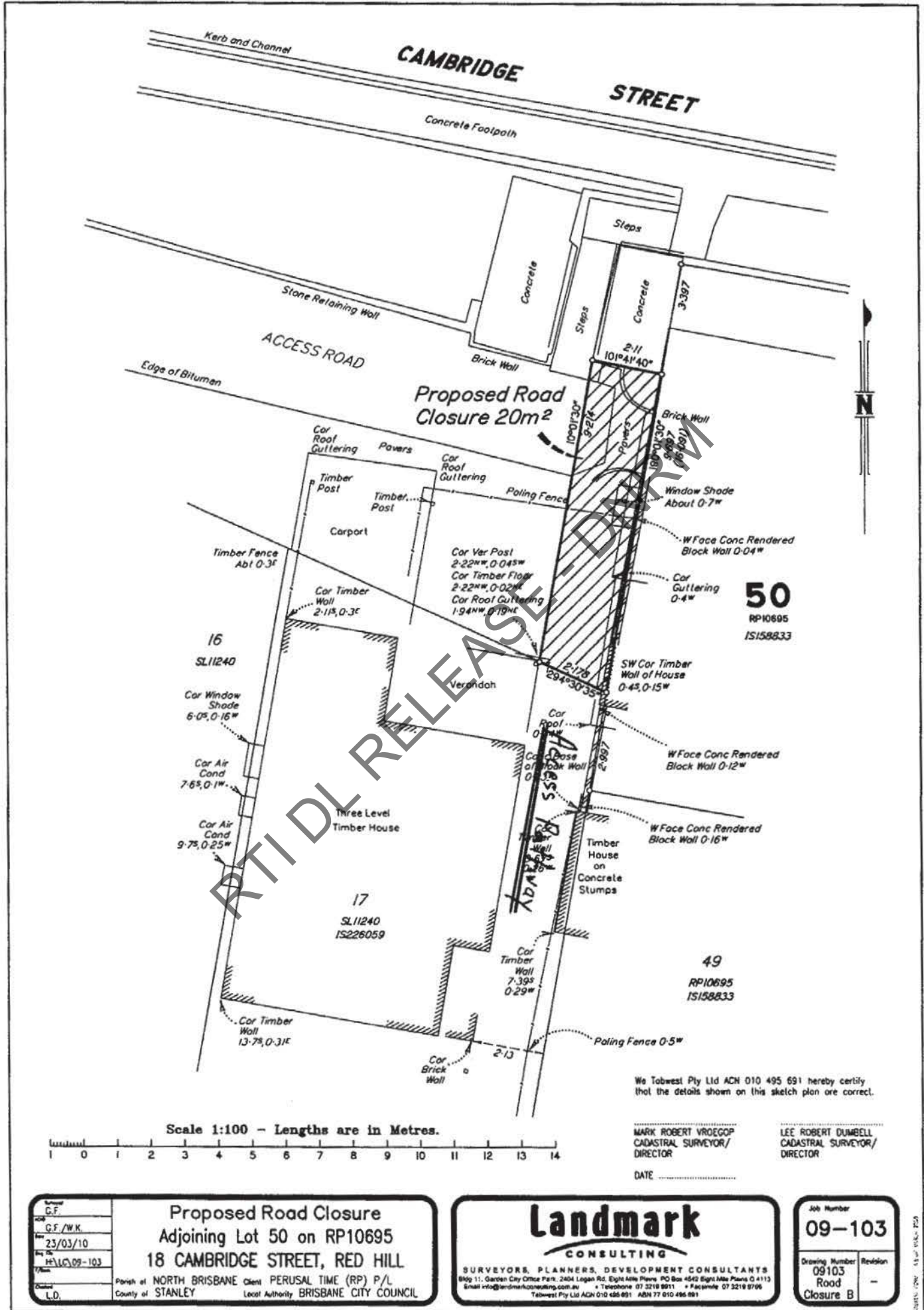
28. The Coincident Area is larger than the area of the Lot 50 Encroachments.

29. If a road closure and subsequent offer of land is made to it pursuant to this Application (**Offer of Land**) which includes the Coincident Area, the Applicant is prepared to offer an easement to the owner of Lot 50, on reasonable terms, which will:

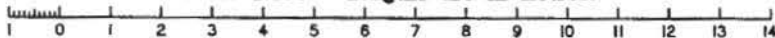
- (a) provide for access by the owner of Lot 50 to the Coincident Area for purposes of maintenance, painting, termite control, access to electrical fixtures and similar activities in respect of the house located on Lot 50; and
  - (b) provide for the encroachments of the house on Lot 50 on the Coincident Area as at the date of this Application to remain on the Coincident Area.
30. If a road closure and subsequent offer of land is instead made to the owner of Lot 50 which includes the Coincident Area (other than the parts of the Coincident Area on which the Lot 50 Encroachments actually exist), then the ability of the Applicant to access the bulk of its Land will be severely compromised because of the arrangement of the Coincident Land in relation to the buildings on the Land and Lot 50, and the Access Path described in paragraphs 9 to 11 above.
31. The Applicant uses the Area Applied For, including the Coincident Area on a daily basis. Since the purchase of the Land in 2007, the owner of Lot 50 has used the Coincident Area only twice.

RTI DL RELEASE - DNR/M





Scale 1:100 - Lengths are in Metres.



We Tabwest Pty Ltd ACN 010 495 691 hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT VROEGOP  
CADASTRAL SURVEYOR/  
DIRECTOR

LEE ROBERT DUMBELL  
CADASTRAL SURVEYOR/  
DIRECTOR

DATE .....

Author G.F.	<p><b>Proposed Road Closure</b>          Adjoining Lot 50 on RP10695          18 CAMBRIDGE STREET, RED HILL</p> <p>Parish of NORTH BRISBANE Client PERUSAL TIME (RP) P/L          County of STANLEY Local Authority BRISBANE CITY COUNCIL</p>
Drawn G.F./W.K.	
Date 23/03/10	
Project No H/LC/09-103	
Checked L.D.	

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

Block 11, Garden City Office Park, 2404 Logan Rd, Eight Mile Plains, PO Box 4542 Eight Mile Plains Q 4113  
 Email info@landmarkconsulting.com.au Telephone 07 3219 9011 Facsimile 07 3219 9706  
 Tabwest Pty Ltd ACN 010 495 691 ABN 77 910 486 981

Job Number <b>09-103</b>
Drawing Number 09103
Revision Road Closure B



**Orellana Jose**

---

**From:** Bein Ross  
**Sent:** Friday, 12 February 2010 9:16 AM  
**To:** Speechley Erin  
**Subject:** FW: 2009 010630 Cambridge St Red Hill R. C..doc  
**Attachments:** 2009 010630 Cambridge St Red Hill R. C..doc

Erin

the valuation is approved at \$55,000.

Note the comments in the report about side access.

Ross M Bein  
Specialist Coordinating Valuer  
Beenleigh.

---

**From:** Lochel John  
**Sent:** Friday, 12 February 2010 8:36 AM  
**To:** Bein Ross  
**Subject:** 2009 010630 Cambridge St Red Hill R. C..doc

Ross,

For approval.

John.

RTI DL RELEASE - DNRM

# SLAM Valuation and Inspection Report

Instructions from:	Erin Speechley
Business Name:	Land Management, South East Region - Robina
Contact Number:	0755831726
Address:	14 Edgewater Court, Robina QLD 4226
Valuation prepared by:	State Valuation Services

## Applicant Details

Applicant Details:	Perusal Time (RP) Pty Ltd
Purpose of Valuation:	Permanent Road Closure

## Property Details

Reference:	2009/010630
MIS Code:	BNESVS 01520
Property Name/Address:	18 Cambridge Street, Red Hill Qld 4059
Tenure:	Road
Property Type:	Residential
Encumbrances:	Nil

## Parent Real Property Description

Lot	17	Plan	SL11240	Property Type:	Residential
Lot		Plan		Encumbrances:	Nil
Lot		Plan		Closure Area:	About 46m <sup>2</sup>

Current Use:	Residential
Highest and Best Use:	Residential
Indicative Planning:	Character Residential Area
Proposed Use:	Residential
Local Authority:	Brisbane City Council

Roads and Access	Cambridge Street is a narrow, bitumen strip, dead end service road past the parent property. Access is considered to be fair.
------------------	---

Brief Description of Country:	The subject land is level with Cambridge Street at its frontage from where it has a medium southerly fall. It has a high elevation.
-------------------------------	---

Improvements:	A car port and front steps to the applicants' house and paved front garden area are encroaching on the subject land.
---------------	--

## Additional Comments

Services:	Electricity, water, sewerage, telephone, garbage collection are available.
Noxious Plants:	None identified
Public Use:	No

## SLAM Valuation and Inspection Report

Timber:	N/A
Contaminated Land:	No search undertaken
Native Title:	No search undertaken

Date of Inspection:	9/2/2010
Issues identified during inspection:	The applicant has an issue about eastern side access to their property being lost due to a proposed adjoining Road Closure.

### Basis/Sales

Property Id	Address	Sale Date	Price	Comments (similar/Superior/inferior)
40969009	42 Fernberg Road, Paddington (521m2)	21/7/2009	\$750,000	Similar
40676255	4 Club Street, Paddington (353m2)	17/9/2009	\$480,000	Inferior

### Valuation Rationale

<u>“Before and After” Method.</u>			
“Before”	As Site	607m2 Site	\$740,000
“After”	As Site	653m2 Site	\$795,000
The difference is the value of the road closure area			\$ <u>55,000</u>

### Valuation

Date of Valuation:	
Valuation Amount:	\$ 55,000 (Fifty-Five Thousand Dollars) exclusive of GST
Valuers Name and Qualifications:	John Lochel PO4
Valuers Signature:	
Endorsing Officers Name and Qualifications:	
Endorsing Officers Signature:	
Valuers File Reference:	

## Appendix A – Locality Map

## Appendix B – Survey Plan

# SLAM Valuation and Inspection Report

## Appendix C - Photographs

RTI DL RELEASE - DNRM



# eLVAS Client Interaction Report

## For Interaction id: 666850

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Letter  
Interaction date: 4-Feb-2010 10:55 AM  
Entered by: Speechley, Erin  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Outgoing Letter/Document	Ltr to Perusal time - Notification of decision	4-Feb-2010

### Interaction Record History

Service Centre: Robina  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Speechley, Erin  
Date: 4-Feb-2010  
Details:

### Assignment History

RTI DL RELEASE - DNRM

# SLAM Valuation and Inspection Report

Instructions from:	Erin Speechley
Business Name:	Land Management, South East Region - Robina
Contact Number:	0755831726
Address:	14 Edgewater Court, Robina QLD 4226
Valuation prepared by:	State Valuation Services

## Applicant Details

Applicant Details:	Perusal Time (RP) Pty Ltd
Purpose of Valuation:	Permanent Road Closure

## Property Details

Reference:	2009/010630
MIS Code:	
Property Name/Address:	Road adjoining 18 Cambridge Street, Red Hill Qld 4059
Tenure:	Road
Property Type:	Road
Encumbrances:	Nil

Lot	17	Plan	SL11240	Property Type:	Road
Lot		Plan		Encumbrances:	Nil
Lot		Plan		Area:	46m <sup>2</sup>

Current Use:	
Highest and Best Use:	
Indicative Planning:	
Proposed Use:	
Local Authority:	

Roads and Access	
------------------	--

Brief Description of Country:	
-------------------------------	--

Improvements:	
---------------	--

## Additional Comments

Services:	
Noxious Plants:	
Public Use:	
Timber:	
Contaminated Land:	
Native Title:	

Date of Inspection:	
Issues identified during inspection:	

# SLAM Valuation and Inspection Report

## Basis/Sales

Property Id	Address	Sale Date	Price	Comments (similar/Superior/inferior)

## Valuation Rationale

## Valuation

Date of Valuation:	
Valuation Amount:	\$ (in words) exclusive of GST
Valuers Name and Qualifications:	
Valuers Signature:	
Endorsing Officers Name and Qualifications:	
Endorsing Officers Signature:	
Valuers File Reference:	

## Appendix A – Locality Map

## Appendix B – Survey Plan

## Appendix C - Photographs

RTI/DL RELEASE - DNR/IA

Author Erin Speechley  
Email [erin.speechley@derm.qld.gov.au](mailto:erin.speechley@derm.qld.gov.au)  
Directorate / Unit State Land Asset Management  
Phone 07 5583 1726  
File / Ref number 2009/010630

4<sup>th</sup> February 2010

Hopgood Ganim  
Lawyers  
PO Box 7822  
**WATERFRONT PLACE QLD 4001**

Dear Sir/Madam

**APPLICATION FOR PERMANENT ROAD CLOSURES – CAMBRIDGE STREET, RED HILL**

Thank you for your letter dated 2<sup>nd</sup> November 2009 regarding the abovementioned matter.

Please be advised that an application has been received from the owner of Lot 50 on RP10695. The areas of land applied for by both you and sch4p4(6) Personal Information are overlapping. Unfortunately, as both applications are relating to the legalisation of encroachments onto State Land these matters are required to be pursued.

After discussing the matter with Senior Officers of this Department it has been decided that, pending a valuation, you will be offered the area of land marked as *Part A* on the attached drawing (Ref: DWG 10/017) only.

A valuation has been requested, but can take up to four (4) months to complete. Upon competition an official letter of offer will be forwarded to you for consideration.

You are under no obligation to accept the offer extended by our Department. However, should you not wish to purchase the area, under the provision of the *Land Act 1994* this Department may commence trespass action.

Whilst we understand that you would ideally like to purchase a portion of the area being offered to sch4p4(6) Personal Information we ask that you appreciate the immovable nature of sch4p4(6) Personal Information

**Office:**  
DERM Robina  
Level 1, AVPC Building  
14 Edgewater Court  
Robina QLD 4226

**Postal:**  
DERM Robina  
PO Box 4297  
Robina Town Centre  
QLD 4230

**Telephone:** (07) 55 831 700  
**Fax:** (07) 55 831 733  
**Web:** [derm.qld.gov.au](http://derm.qld.gov.au)

Sch4p4(6) Personal information  
encroachment and a need by this Department to be fair when considering the best use of State land assets.

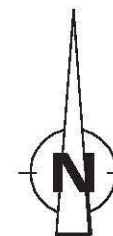
We do not require any response from you at this point in the application process, however if you require any further information with regard to this matter, please contact Erin Speechley by telephone on 5583 1726 or facsimile on 5583 1733, quoting reference 2009/010630.

Yours faithfully

Erin Speechley  
**Administration Officer**  
**Land Management South East Region**  
**Department of Environment & Resource Management**

RTI DL RELEASE - DNRM





350  
B3505

Suburb of  
Red Hill

**Part B**

**Road Proposed To Be  
Permanently Closed**

*abt 12m<sup>2</sup>*

**CAMBRIDGE**

**STREET**

**Part A**

**Road Proposed To Be  
Permanently Closed**

*abt 46m<sup>2</sup>*

2  
RP488

14  
SL11240

15  
SL11240

16  
SL11240

17  
SL11240

50  
RP10695

49  
RP10695

48  
RP10695

47  
RP10695

46  
RP10695

45  
RP10695

35  
RP10695

36  
RP10695

37  
RP10695

38  
RP10695

39  
RP10695

40  
RP10695

23  
RP10695

22  
RP10695

Suburb of  
Paddington

2  
RP93180

1  
RP93180



Scale - 1:500



Prepared by  
IPSWICH OFFICE  
PLANNING & ASSESSMENT  
SOUTH EAST REGION  
DEPT OF ENVIRONMENT and  
RESOURCE MANAGEMENT

LEVEL 1  
TOWER CENTRAL  
IPSWICH Q 4305

©The State of Queensland (Dept of Environment & Resource Management)  
Base data extracted from the Digital Cadastral Data Base on the 19/01/2010

ROAD PROPOSED TO BE PERMANENTLY CLOSED



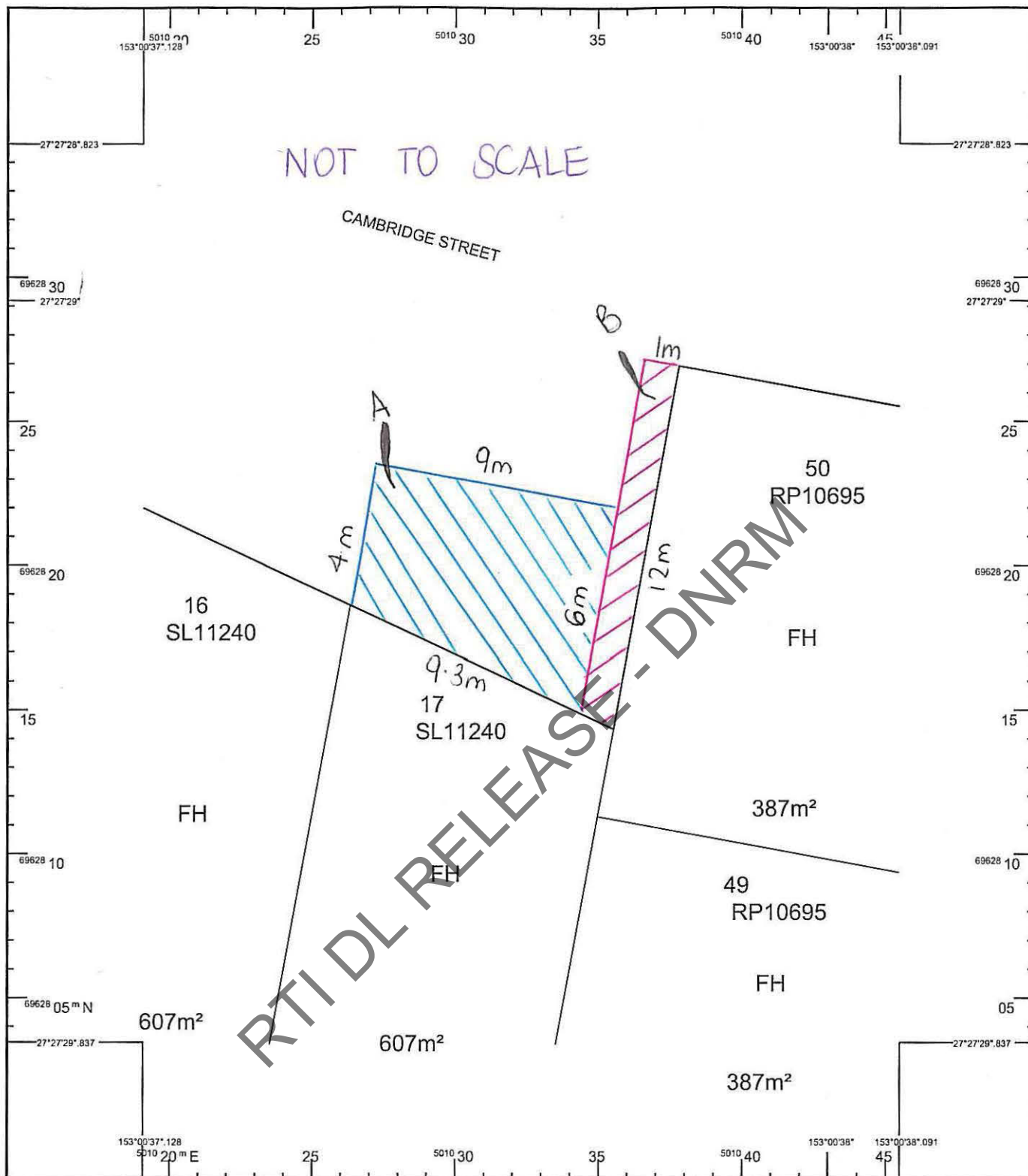
**PROPOSAL**

Scale: 1 : 500  
NOTE: A4 copy is reduced

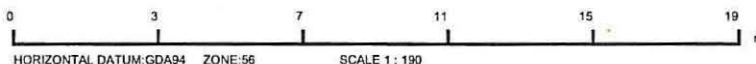
**DWG 10/017**

PARISH: NORTH BRISBANE COUNTY: STANLEY  
LOCALITY: RED HILL LOCAL AUTH: CITY OF BRISBANE

Compiled from: DCDB, DWG 09/330 & Sketch on file Drawn by: JKN  
File Ref: Case Id 2009/010630 Map Ref: 9543 - 33343 Date: 19/01/2010



STANDARD MAP NUMBER  
9543-33343



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Parish	No Lot/Plan Selected.
County	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 15/01/2010

DCDB 14/01/2010

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 Environment and Resource Management (DERM)'s best efforts, DERM 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://nrw.qld.gov.au/property/mapping/blinmap>

SmartMap

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base



Queensland Government  
(c) The State of Queensland,  
(Department of Environment and  
Resource Management) 2010.

# eLVAS Client Interaction Report

## For Interaction id: 657190

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 6-Jan-2010 10:24 AM  
Entered by: Speechley, Erin  
Reference:

Contact with: DERM, Brisbane - NRW

### Documents

Document Type	Title	Received/Sent
Incoming email	Random Audit email - Lynette McDougal - Policy	10-Dec-2009

### Interaction Record History

Service Centre: Robina  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Speechley, Erin  
Date: 6-Jan-2010  
Details:

### Assignment History

RTI/DL RELEASE - DNRM

**Orellana Jose**

---

**From:** Bein Ross  
**Sent:** Friday, 12 February 2010 9:16 AM  
**To:** Speechley Erin  
**Subject:** FW: 2009 010630 Cambridge St Red Hill R. C..doc  
**Attachments:** 2009 010630 Cambridge St Red Hill R. C..doc

Erin

the valuation is approved at \$55,000.

Note the comments in the report about side access.

Ross M Bein  
Specialist Coordinating Valuer  
Beenleigh.

---

**From:** Lochel John  
**Sent:** Friday, 12 February 2010 8:36 AM  
**To:** Bein Ross  
**Subject:** 2009 010630 Cambridge St Red Hill R. C..doc

Ross,

For approval.

John.

RTI DL RELEASE - DNRM

## Orellana Jose

---

**From:** Ashman Kym  
**Sent:** Thursday, 10 December 2009 10:08 AM  
**To:** Speechley Erin; Williams Giuliana  
**Subject:** FW: eLVAS Case 2009/010630

Erin

Please take note and attached to both cases.

Kym Ashman  
Senior Land Officer, Land Management and Use,  
South East Region  
**Telephone:** 07 55831 737 **Facsimile:** 07 55831 733  
**Mobile:** [sch4p4(6) Personal information]  
**Email:** [Kym.Ashman@derm.qld.gov.au](mailto:Kym.Ashman@derm.qld.gov.au)  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management  
Level 1 14 Edgewater Court, Robina Q 4230  
PO Box 4297, Robina Town Centre Q 4230



Save a tree. Don't print this e-mail unless it's really necessary.

---

**From:** McDougall Lynette  
**Sent:** Wednesday, 9 December 2009 2:16 PM  
**To:** Ashman Kym  
**Subject:** eLVAS Case 2009/010630

Hi Kym

I am doing a random audit of eLVAS Cases to ensure correct procedures are followed etc.

2009/010630 is a permanent road closure application that Erin is processing for Brisbane. I note that she has written to the adjoining owner, prior to the closure being advertised in the government gazette and newspaper.

This is not the correct procedure. Road closures are to be advertised in the government gazette, then when the gazette notices are received, notices are sent to adjoining owners, the local government and public utility providers, attaching a copy of the drawing and gazette notice. The gazette notice sets out the latest date for objections, and it is for this reason the correct procedures must be followed, to ensure that the Land Act is complied with correctly, especially in the event there is a dispute about the application.

I believe this particular case could become difficult as an [sch4p4(6) Personal information] encroaches onto the area applied for by Perusal Time, has also applied for the some of the same area - 2009/01130. An email from Ray Palmer on 2009/010630 indicates that Perusal Time is not prepared to allow the other applicant to have any of the road, despite the encroachment by [sch4p4(6) Personal information] house onto the road [redacted]

It would be best if both owners could agree on how to share, but because of the encroachment of [sch4p4(6) Personal information] house onto the road, that particular part cannot be sold to Perusal Time, and at the very least the barest minimum to satisfy the encroachment must be offered to [sch4p4(6) Personal information]

Lynette McDougall



Senior Policy Officer, State Land Asset Management

**Telephone:** (07) 3330 6158

**Email:** [lynette.mcdougall@derm.qld.gov.au](mailto:lynette.mcdougall@derm.qld.gov.au)

[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management

400 George Street, Brisbane Q 4000

GPO Box 2454, Brisbane Q 4001

RTI DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 651109

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Letter  
Interaction date: 9-Dec-2009 1:51 PM  
Entered by: Speechley, Erin  
Reference:

Contact with:

sch4p4(6) Personal information

### Documents

Document Type	Title	Received/Sent
Outgoing Letter/Document	Letter to adjoining owner	9-Dec-2009

### Interaction Record History

Service Centre: Robina  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Speechley, Erin  
Date: 9-Dec-2009  
Details:

### Assignment History

RTI DL RELEASE - DNRM

Author Erin Speechley  
Email [erin.speechley@derm.qld.gov.au](mailto:erin.speechley@derm.qld.gov.au)  
Directorate / Unit State Land Asset Management  
Phone 07 5583 1726  
File / Ref number 2009/010630

8<sup>th</sup> December 2009

sch4p4( 6) Personal information



Dear Sir/Madam

### **APPLICATION FOR PERMANENT ROAD CLOSURE – CAMBRIDGE STREET, RED HILL**

Please be advised that an application has been made under the *Land Act 1994*, by Hopgood Ganim Lawyers on behalf of Perusal Time (RP) Pty Ltd (being the owner of 18 Cambridge Street, Red Hill), to permanently close an area of road approximately 50m<sup>2</sup> as per the **enclosed** Departmental Drawing (reference no. DWG 09/330).

Perusal Time P/L is seeking to purchase the area of road to legalise an encroachment on the adjoining road reserve and for landscaping improvements.

The Department is currently assessing this application and we seek your views and/or objections in relation to the above proposal. If you offer any objection, a full explanation of the reasons should be provided for consideration by the Minister. Please provide any reply in writing with **two (2) months** to:

**Senior Land Officer  
Department of Environment & Resource Management  
PO Box 4297  
ROBINA QLD 4230**

*Please quote reference number: 2009/010630*

**Any objections received may be viewed by the other parties interested in the proposed road closure under the provisions of the *Freedom of Information Act 1992* (the FOI Act).**

It is understood by this Department that you have met with Mr Ken Brandes, Senior Land Officer Brisbane, recently and that it is your intention to submit an application to close a one

**Office:**  
DERM Robina  
Level 1, AVPC Building  
14 Edgewater Court  
Robina QLD 4226

**Postal:**  
DERM Robina  
PO Box 4297  
Robina Town Centre  
QLD 4230

**Telephone:** (07) 55 831 700  
**Fax:** (07) 55 831 733  
**Web:** [derm.qld.gov.au](http://derm.qld.gov.au)

metre strip of Cambridge Street running along your western boundary which, upon investigation, is a section of the land Perusal Time P/L has applied for.

As an adjoining owner you are entitled to make your own application to purchase, which we understand is your intention. We feel that the most efficient way to advance this matter is to process both applications simultaneously. Should you wish to make an application to purchase the road, you must complete the **enclosed** application forms Part A and Part B. An application fee in the sum of \$213.00 is required to be paid if you decide to make an application. It would also be appreciated if you could mark on the departmental drawing what area you are interested in purchasing as well as the dimensions.

Please find **enclosed** fact sheets outlining the Departments process for your information.

However, should you not wish to apply for the road area, please advise the Department of our views or requirements that the Department should consider when assessing this application. Objections to the application and any views or requirements that may affect the future use of the land should be received by close of business on **22<sup>nd</sup> January 2010**. If you offer an objection to the application, a full explanation stating the reason for such as objection should be forwarded to this office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Further, we would like to take this opportunity to inform you that, whilst the applicant has indicated that the intended use of the land will be for the legalisation of their encroachment and landscaping improvements, if the proposed road closure is approved the area will be amalgamated into their freehold property. Any future development of the site will be subject to Council approval and will no longer be an issue for this Department.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company or organisation, without the express written permission of the Department unless required.

If you wish to discuss this matter further please contact myself on **(07) 55 831 726**.

All future correspondence relative to this matter is to be referred to the contact officer at the address above or by email to [slam-goldcoast@derm.qld.gov.au](mailto:slam-goldcoast@derm.qld.gov.au). Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

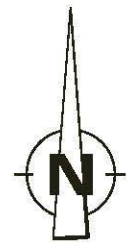
Please quote reference number **2009/010630** in any future correspondence.

Yours faithfully

Erin Speechley  
**Administration Officer**  
**Land Management South East Region**  
**Department of Environment & Resource Management**

Environment and Resource Management

350  
B3505



Suburb of  
Red Hill

**CAMBRIDGE** **Road Proposed To Be**  
**Permanently Closed**

*abt 50 m<sup>2</sup>*

**STREET**



Scale - 1:500



Prepared by  
IPSWICH OFFICE  
PLANNING & ASSESSMENT  
SOUTH EAST REGION  
DEPT OF ENVIRONMENT and  
RESOURCE MANAGEMENT

LEVEL 1  
TOWER CENTRAL  
IPSWICH Q 4305

ROAD PROPOSED TO BE PERMANENTLY CLOSED



**PROPOSAL**

Scale: 1 : 500  
NOTE: A4 copy is reduced

PARISH : NORTH BRISBANE COUNTY : STANLEY  
LOCALITY : RED HILL LOCAL AUTH : CITY OF BRISBANE

**DWG 09/330**

Compiled from : DCDB & Sketch on file Drawn by : AEF

File Ref : Case Id 2009/010630 Map Ref : 9543 - 33343 Date : 07/12/2009



**Orellana Jose**

---

**From:** Palmer Ray  
**Sent:** Friday, 4 December 2009 12:07 PM  
**To:** Speechley Erin  
**Subject:** CASE NOTE - Case 2009/010630

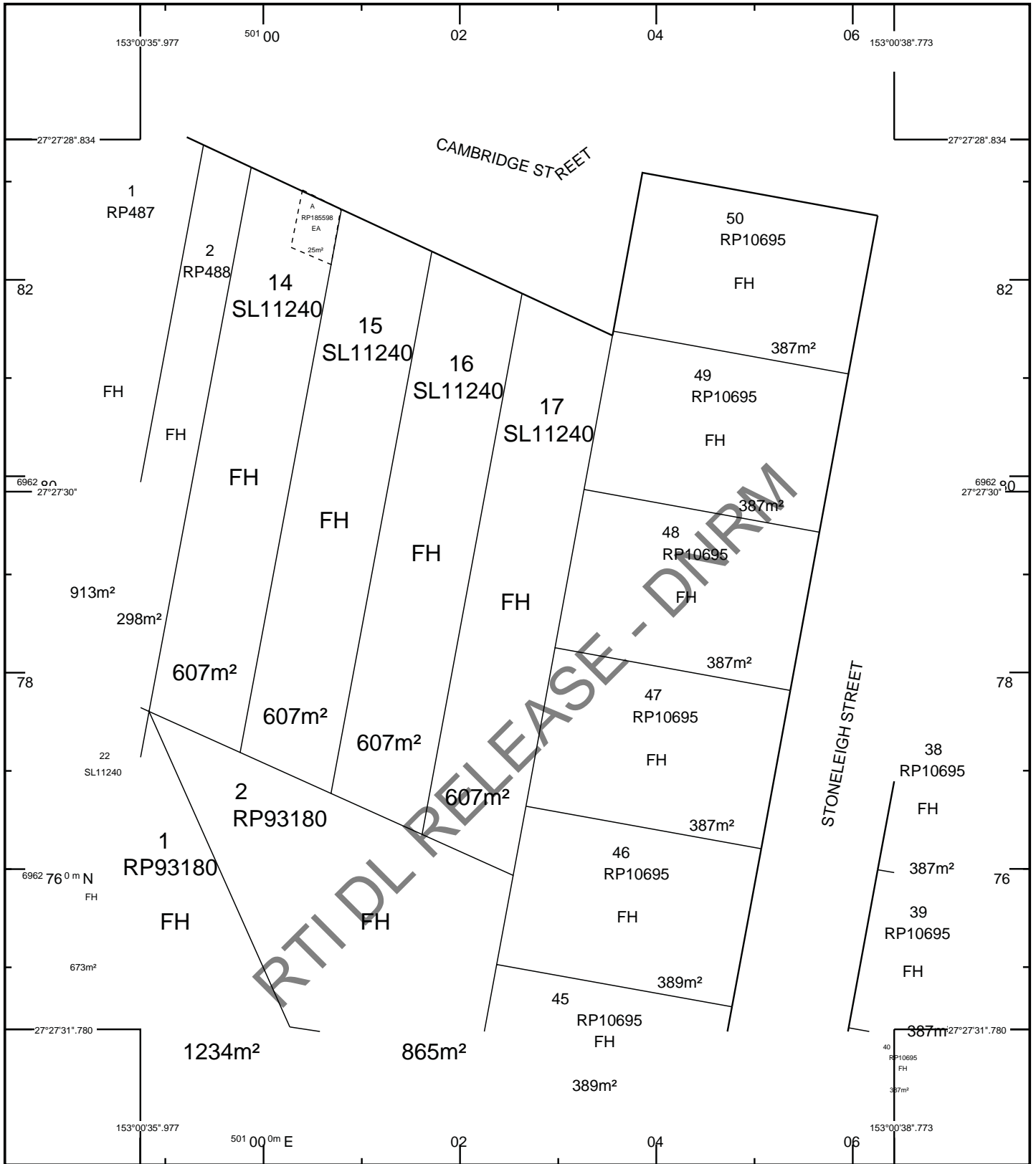
Hi Erin,

Recently Ken Brandes, SLO Brisbane met with [sch4p4(6) Personal information] who is an [sch4p4(6) Personal information] of a road closure application at Cambridge Street Red Hill, for which you are currently getting a drawing compiled. [sch4p4(6) Personal information] rang me today and advised that he will also be lodging (mid next week) an application (over part of the same area of road reserve) for a one metre wide strip of the road reserve along the full western side of his property Lot 50 RP10695.

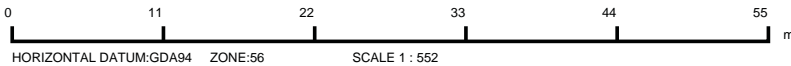
I pointed out to [sch4p4(6) Personal information] today that part of his house encroaches onto part of this road reserve by up to **150mm wide** and [sch4p4(6) Personal information] [sch4p4(6) Personal information] recently. [sch4p4(6) Personal information] advised me today that he had discussed his intentions that he would be applying for this one metre strip, with the current Applicants (on Ken Brandes advice). The Applicants indicated that they wished to still purchase the whole area & not share part of this road reserve with him. I will create another new case as soon as it is lodged & assign to you to process both cases concurrently.

Regards  
Ray Palmer  
Administration Officer  
Land Management  
Department of Environment and Resource Management  
Brisbane  
Phone:3406 2534  
Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

RTI DL RELEASE - DNRM



STANDARD MAP NUMBER  
9543-33343

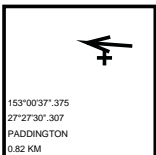


**SmartMap**

An External Product of  
SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	17/SL11240
Area/Volume	607m <sup>2</sup>
Tenure	FREEHOLD
Local Government	BRISBANE CITY
Locality	RED HILL
Parish	NORTH BRISBANE
County	STANLEY
Segment/Parcel	1912/123

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy)	18/11/2009
DCDB	17/11/2009
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 Environment and Resource Management(DERM)'s best efforts, DERM 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 the Information.	
For further information on SmartMap products visit <a href="http://nrw.qld.gov.au/property/mapping/blinmap">http://nrw.qld.gov.au/property/mapping/blinmap</a>	



13-258



**Queensland  
Government**

(c) The State of Queensland,  
(Department of Environment and  
Resource Management) 2009.

INTERNAL CURRENT TITLE SEARCH  
ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Search Date: 18/11/2009 13:35

Title Reference: 15686033  
Date Created: 08/09/1977

Previous Title: 10614198

REGISTERED OWNER

Dealing No: 712641923 04/08/2009

PERUSAL TIME (RP) PTY LTD A.C.N. 137 905 563

ESTATE AND LAND

Estate in Fee Simple

LOT 17 CROWN PLAN SL11240  
County of STANLEY Parish of NORTH BRISBANE  
Local Government: BRISBANE CITY

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10614198 (ALLOT 7 SEC C2)

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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

RTI DL RELEASE - DNRM

For Internal Use Only - Not to be used for External Viewing

Page 1/1

DEPT. OF ENVIRONMENT  
& RESOURCE MANAGEMENT  
10 NOV 2009  
SOUTH EAST REGION



HopgoodGanim  
LAWYERS

2 November 2009

The Administration Officer  
Land Management South East Region  
Department of Environment & Resource Management  
Locked Bag 40  
Coorparoo DC Qld 4151

Document Scanned  
into eLVAS 11/11/09  
eLVAS ID: 2009/010630  
NOT ON RECORD X

Our Ref: 0929257  
Your Ref: Bri/002419P217#65

Dear Sir

**Perusal Time (RP) Pty Ltd - Lot 17 on Plan SL11240 (18 Cambridge Street, Red Hill)**

We act for Perusal Time (RP) Pty Ltd, the registered owner of the above land.

We have enclosed:

1. our client's application for a permanent road closure in relation to part of the road immediately adjacent to our client's land;
2. a plan which shows the area of road in relation to which our client's application is made; and
3. our client's cheque in favour of the Department for \$213.00 for the fee payable in connection with our client's application.

Please do not hesitate to contact the writer if you wish to discuss this matter.

Yours faithfully

sch4p4(6) Personal information

**HopgoodGanim Lawyers**

Contact **Anthony Boge**  
Special Counsel  
Accredited Property Law Specialist  
T 07 3024 0321  
F 07 3024 0021  
E a.boge@hopgoodganim.com.au

RE: ENCLOSURE NOTICE DATED 25/8/09 (IDENT SURVEY IS 226059)  
OVER LOT 17 SL11240 - SEE BRI/002419 (PT 21) #65.

# DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

## Application form Contact and Land Details Part A

### Application form requirements

1. **Part A:** Contact and land details will need to be completed.
2. **Part B:** Application specific form will need to be completed.
3. Payment of the prescribed application fee, if relevant. A refund of application fees will not be given. (Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

### Important information

All applications will be processed having regard to the requirements of the *Land Act 1994* and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.

Preferably applications should be lodged in the Department of Environment and Resource Management (DERM) regional office nearest to which the land is located. If this is not possible applications may be lodged at your nearest DERM office.

In terms of the Freedom of Information Act interested parties may seek access to DERM records and view relevant documents.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.



**Contact details**

**Lodger Details and Mailing Address**

A lodger is only required when a solicitor, bank, consultant etc lodges the application on behalf of the applicant.

**Full Name/ Company Name**

HopgoodGanim Lawyers

(Attention: Anthony Boge)

**Postal Address**

PO Box 7822

Waterfront Place

Queensland 4001

**Phone number**

07 3024 0321

**Mobile phone**

**Email**

a.boge@hopgoodganim.com.au

**Fax**

07 3024 0021

**Applicant(s) Details and Mailing Address**

If the applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.

**Full Name/ Company Name**

Perusal Time (RP) Pty Ltd

If a Corporation then record



ACN



ARBN



ABN

137 905 563

**Postal Address**

18 Cambridge Street

Red Hill

Queensland 4059

**Phone number**

**Mobile phone**

**Email**

**Fax**

Future correspondence should be sent to



Lodger



Applicant

## Details of land for which the application is being lodged

1. Select the type of land for which the application is being lodged.

- Permit  
 Lease  
 Licence  
 Trust Land Reserve/Deed of Grant in Trust (DOGIT)  
 Road  
 Unallocated State Land (USL)

go to 2

2. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1		
You must enter either the Lot or Plan or Title Reference of the land for which the application is being lodged.		
Lot	Plan	Title Reference
17	Crown Plan SL 11240	15686033

go to 3

The details of the land can be found on a current copy of the Title or on your rates notice. If insufficient space, please add additional description as an attachment.

3. Enter additional details of the land

Dealing number

Tenure type

Tenure number

Local Government

Brisbane City Council

Other details of land location (optional)

18 Cambridge Street, Red Hill, Queensland, 4059

**THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM.**



# DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

## Application for road closure

### Part B

#### Application form requirements

1. This Application is for road closure.
2. Read the respective *Application for road closure* Fact Sheet which include application restrictions
3. Payment of the prescribed application fee  
(Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. Any additional information to support application
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. Your application will not be considered as having been properly made unless all parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

#### Important information

An adjoining landholder may apply for a permanent or temporary road closure. A public utility provider as defined under the *Land Act 1994* may also apply for a permanent road closure and an application for temporary closure can be considered for another person for:

- pipes for irrigation purposes that cross the road beneath its surface
- water channels for irrigation purposes that cross the road

A road may be closed "in strata" to provide for works such as:

- connecting overhead viaduct, or underground tunnel for commercial purposes between two buildings;
- structure which will overhang a road;
- car park or building under or over a road;

You may be required to pay a purchase price for the permanent closure of a road.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the Department of Environment and Resource Management (DERM) unless required or authorised by law.



1. The Application is for:  Permanent road closure go to 2  
 Temporary road closure go to 2

2. Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application?  Yes go to 4  No  
 Application cannot be considered unless temporary closure is for reasons stipulated in Question 3

Section 99(1) of the Land Act 1994, only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.  
 Section 99(2) of the Land Act 1994, only the registered owner, lessee or trustee of the land adjoining a road may apply for a temporary closure of the road or another person for (a) Pipes for irrigation purposes that cross the road beneath its surface or (b) Water channels for irrigation purposes that cross the road.

3. Is the temporary closure to make structural improvements for:  Pipes for irrigation purposes that cross the road beneath its surface go to 4  
 Water channels for irrigation purposes that cross the road

4. Provide details in Schedule 1 below, of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for. (If there is insufficient space, please lodge as an attachment) go to 5

Schedule 1  
You must enter either the Lot or Plan or Title Reference of the land.

Lot	Plan	Title Reference
17	Crown Plan SL 11240	15686033

5. Have you made a previous application for closure of this area of road?  Yes go to 6  No go to 9

6. Was this application refused?  Yes go to 7  No go to 9

7. Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?  Yes go to 8  No go to 9

The application may be rejected without further consideration.

8. Provide details of the change in circumstances from the previous application. (If there is insufficient space, please lodge as an attachment) go to 9



9. Is any use currently being made of the road area?  Yes go to 10  No go to 11

10. Provide details of the current use of road e.g. grazing, encroachment of building or structure (If there is insufficient space, please lodge as an attachment) go to 11

Encroachment of building and landscaping improvements

11. Provide details of the proposed use of the road area. (If there is insufficient space, please lodge as an attachment) go to 12

Carport and front garden (landscaped area)

12. Provide details of any additional information to support the application. (optional) (If there is insufficient space, please lodge as an attachment) go to 13

See attachment "A"

**Attachments**

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted, your application will be returned.

13. Tick the box to confirm the attachments for part of the application.

Application fee

Copy of sketch/drawing

It is recommended that any attached plans, sketches or maps be of A4 or A3 size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

**Declaration**

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

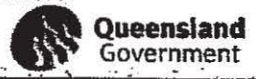
Signature of applicant (or their legal representative)

sch4p4(6) Personal information

[Redacted signature area]

Date: 21 / 10 / 2009

If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.





**"A"**

1. Perusal Time (RP) Pty Ltd (**Applicant**) is the registered owner of the land described as lot 17 on Plan SL11240, in the County of Stanley, Parish of North Brisbane (title reference 15686033) which is situated at 18 Cambridge Street, Red Hill (**Land**).
2. A single dwelling house is constructed on the Land and the Land is used as a private dwelling.
3. The house has been in its existing location since its construction in 1885.
4. The Applicant purchased the Land from a related entity in August 2009. The Land had been purchased by the related entity in 2007.
5. The Land has direct access to a declared road, Cambridge Street (**Road**), which is situated to the north of the Land. That part of the Road immediately in front of the Land comprises an access road separate from the main part of Cambridge Street. The access road is a "dead-end" road which terminates at a point in front of the Land.
6. As a result of survey work recently undertaken in relation to various properties in the vicinity of the Land, the Applicant has been made aware that improvements used in connection with the dwelling house on the Land encroach onto part of the Road.
7. The Applicant has caused a survey of the Land to be undertaken which has confirmed that improvements encroach onto the Road. The encroachments comprise:
  - (a) a carport;
  - (b) steps attached to the dwelling house;
  - (c) paved and concreted areas; and
  - (d) gardens.
8. The results of this survey were provided to the Department of Environment and Resource Management (DERM) on 25 August, 2009 in accordance with the Survey and Mapping Infrastructure Regulation 2004.
9. DERM responded on 7 October, 2009 (Ref: Bri/002419Pt217#65) advising that the owner should apply for a road closure of the affected area and providing materials to do so. This application is made as a result of that advice.
10. The encroachments have been constructed in an area between the dwelling house on the Land and the edge of the constructed part of the access road (ie, the edge of the

bitumen). The encroachments are shown on the attached drawing prepared for the Applicant by Landmark Consulting (drawing 09103-DET).

11. The Applicant has made enquiries with the previous owner of the Land (that is, the party who owned the Land immediately prior to related entity of the Applicant) and has been informed that during the whole of the time the previous owner owned the Land:

(a) the constructed area of the access road was in the same position in which it is now; and

(b) the encroachments existed.

12. The Applicant has made enquiries with neighbouring property owners and has been informed that:

(a) none of them remembers the constructed area of the access road being in any different position to its current position; and

(b) the encroachments (and other similar encroachments in the general area) have been in place for as long as any of them can remember.

The longest standing resident in the area of the access road, has been a resident in the area for approximately 25 years.

13. The Applicant uses the Land and the encroachments for private and personal use only.

14. The Applicant has acted promptly to resolve the issue of the encroachment (by causing a survey to be undertaken and then making this application) on being made aware of the encroachment.

15. The Applicant requests that the part of the Road hatched on the attached drawing be closed and that the area of road closed be amalgamated with the Land.

16. The part of the Road for which the application is made is not the only dedicated access to any person's land.

17. The part of the Road for which the application is made is not regularly used by the public as a road or stock route.

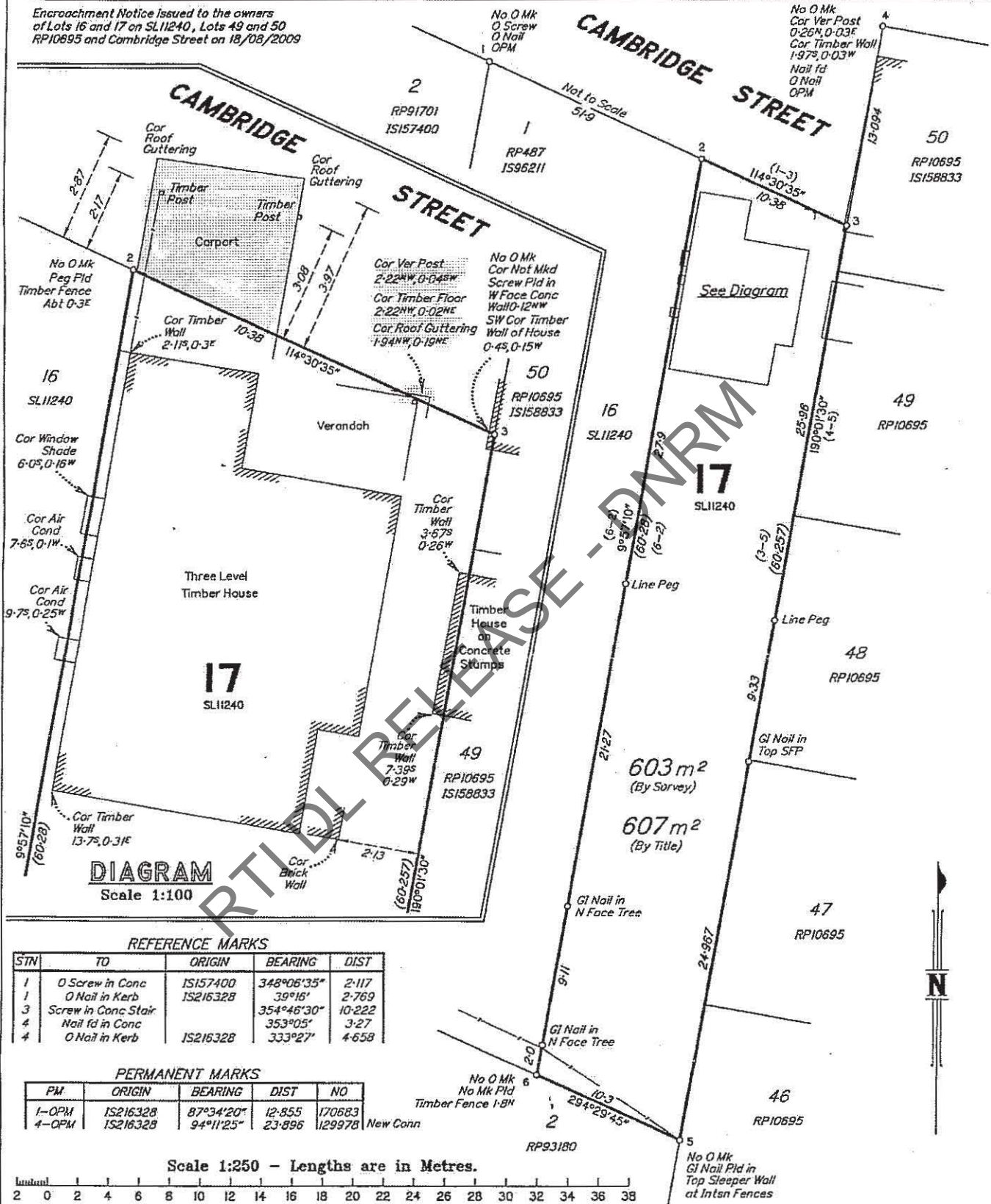
18. The part of the Road for which the application is made does not provide continuity to a road network.







Encroachment Notice issued to the owners of Lots 16 and 17 on SL11240, Lots 49 and 50 RP10695 and Cambridge Street on 18/08/2009



**DIAGRAM**  
Scale 1:100

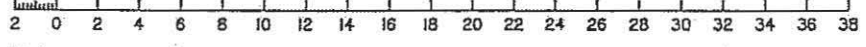
**REFERENCE MARKS**

STN	TO	ORIGIN	BEARING	DIST
1	O Screw in Conc	IS157400	348°06'35"	2-117
1	O Nail in Kerb	IS216328	39°16'	2-769
3	Screw in Conc Stair		354°46'30"	10-222
4	Nail in Conc		353°05'	3-27
4	O Nail in Kerb	IS216328	333°27'	4-658

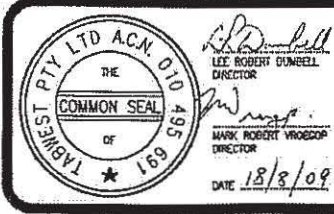
**PERMANENT MARKS**

PM	ORIGIN	BEARING	DIST	NO
1-OPM	IS216328	87°34'20"	12-855	170563
4-OPM	IS216328	94°11'25"	23-896	129978

Scale 1:250 - Lengths are in Metres.



This Plan is of an Identification Survey only and as such is not eligible for registration by the Department of Environment and Resource Management although it is lodged in that Office for survey information only, in accordance with the Survey and Mapping Infrastructure Act 2003. No responsibility can therefore be accepted for any future differences in boundary definition, which may result from resurveys of adjoining lands or subsequent registration of new Survey Plans.



TABWEST PTY LTD ACN 010 495 691 hereby certify that the land comprised in this plan was surveyed by the corporation, by Lee Robert DUMBELL (Cadastral Surveyor) and Gordon Keith FRASER (Cadastral Surveyor) for whose work the corporation accepts responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and enclosed Regulations and Standards and that the said survey was completed on 03/08/2008.

Surveyed G.F. Date 04/08/08  
 Drawn G.F. 1/Book  
 HLC/09083/dwg

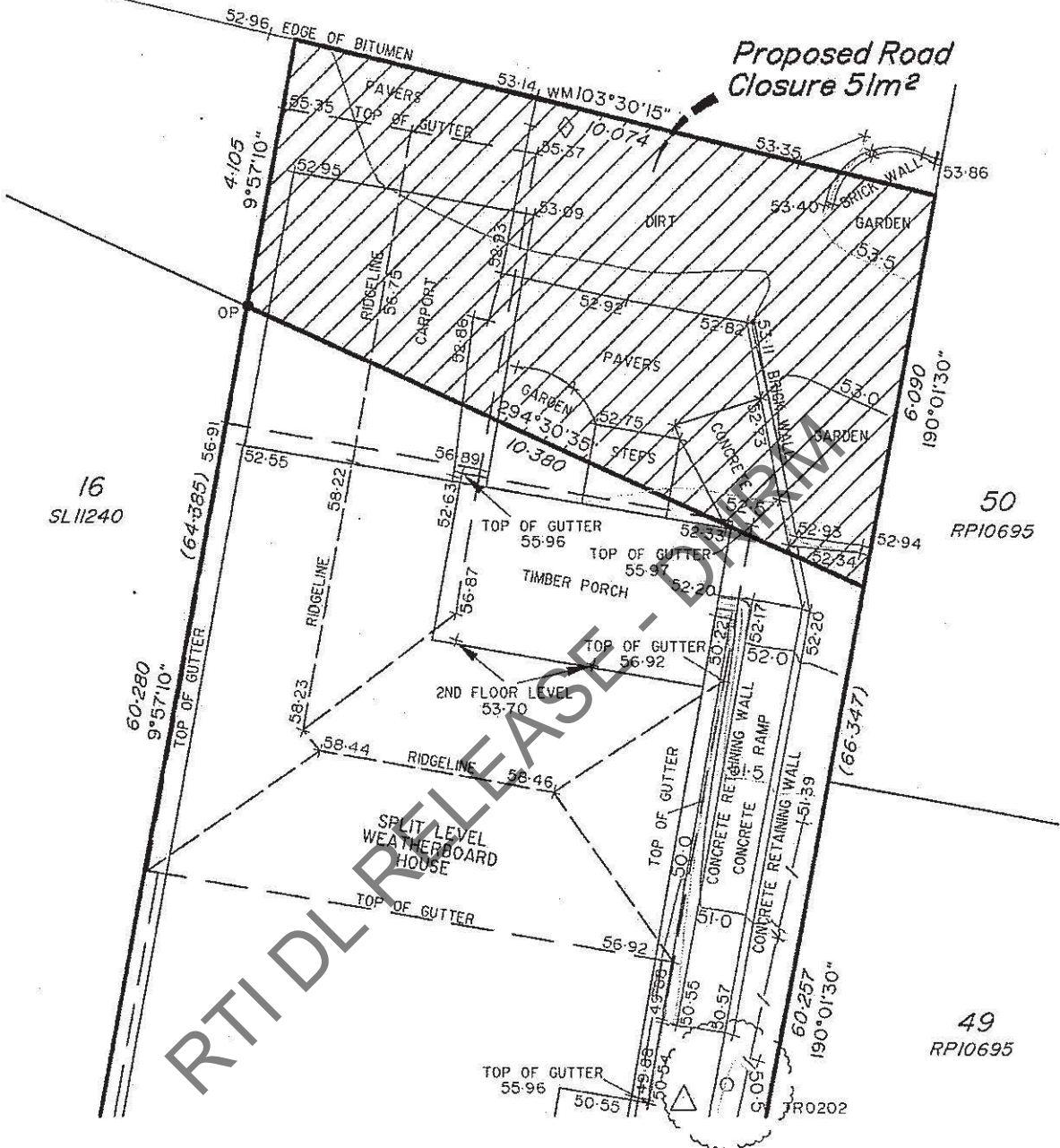
**IDENTIFICATION SURVEY of**  
 Lot 17 on SL11240  
 18 Cambridge Street Red Hill  
 Parish of NORTH BRISBANE  
 County of STANLEY

IS 226059  
 Job No 09-103

# CAMBRIDGE STREET

ACCESS ROAD

Proposed Road Closure 51m<sup>2</sup>



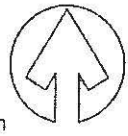
16  
SL11240

50  
RPI0695

49  
RPI0695

*L.D. Dumbell*  
 CADASTRAL SURVEYOR/  
 DIRECTOR  
 DATE 13/11/09

All dimensions and areas are approximate only and are subject to final survey.



SCALE 1:100

Surveyed D.D.
ACAD W.K.
Date 13/11/09
Dwg File LC\09103\DWG
T/Book SDR
Checked L.D.

**PLAN SHOWING PROPOSED ROAD CLOSURE**  
**18 CAMBRIDGE STREET, RED HILL**  
 Parish of NORTH BRISBANE County of STANLEY  
 Client PERUSAL TIME (RP) P/L Local Authority B.C.C.

**Landmark CONSULTING**  
 SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
 Bldg 11, Garden City Office Park, 240s Logan Rd, Eight Mile Plains, PO Box 4542 Eight Mile Plains Q 4113  
 Email info@landmarkconsulting.com.au Telephone 07 3219 5911 Facsimile 07 3219 5766  
 Tisbury Pty Ltd ACN 0 69 495 991 ABN 77 010 495 091

Revision A
09-103
No
Job



**Speechley Erin**

**From:** Anthony Boge [a.boge@hopgoodganim.com.au]  
**Sent:** Thursday, 12 November 2009 2:59 PM  
**To:** Palmer Ray  
**Cc:** Robert Johansen  
**Subject:** Road Closure - 18 Cambridge Street, Red Hill - Case 2009/010630  
**Importance:** High

Dear Ray,

In relation to your request for details of the dimensions of the area of road to be closed, I am instructed as follows:

- the western edge is 4.105m on bearing 9 degrees, 57 minutes, 10 seconds;
- the eastern edge is 6.090m on bearing 190 degrees, 1 minute, 30 seconds;
- the southern edge is 10.380m on bearing 294 degrees, 30 minutes, 35 seconds; and
- for completeness, the northern edge (ie, the existing road frontage) is 10.074m on bearing 103 degrees, 30 minutes, 15 seconds.

If you require anything further information in relation to my client's application, please do not hesitate to contact me.

Regards

**Anthony Boge**

Special Counsel, Accredited Property Law Specialist

HopgoodGanim Lawyers  
 Level 8, Waterfront Place, 1 Eagle Street,  
 Brisbane QLD 4000 Australia  
 PO Box 7822, Waterfront Place, QLD 4001 Australia

T+61 7 3024 0321  
 F+61 7 3024 0021

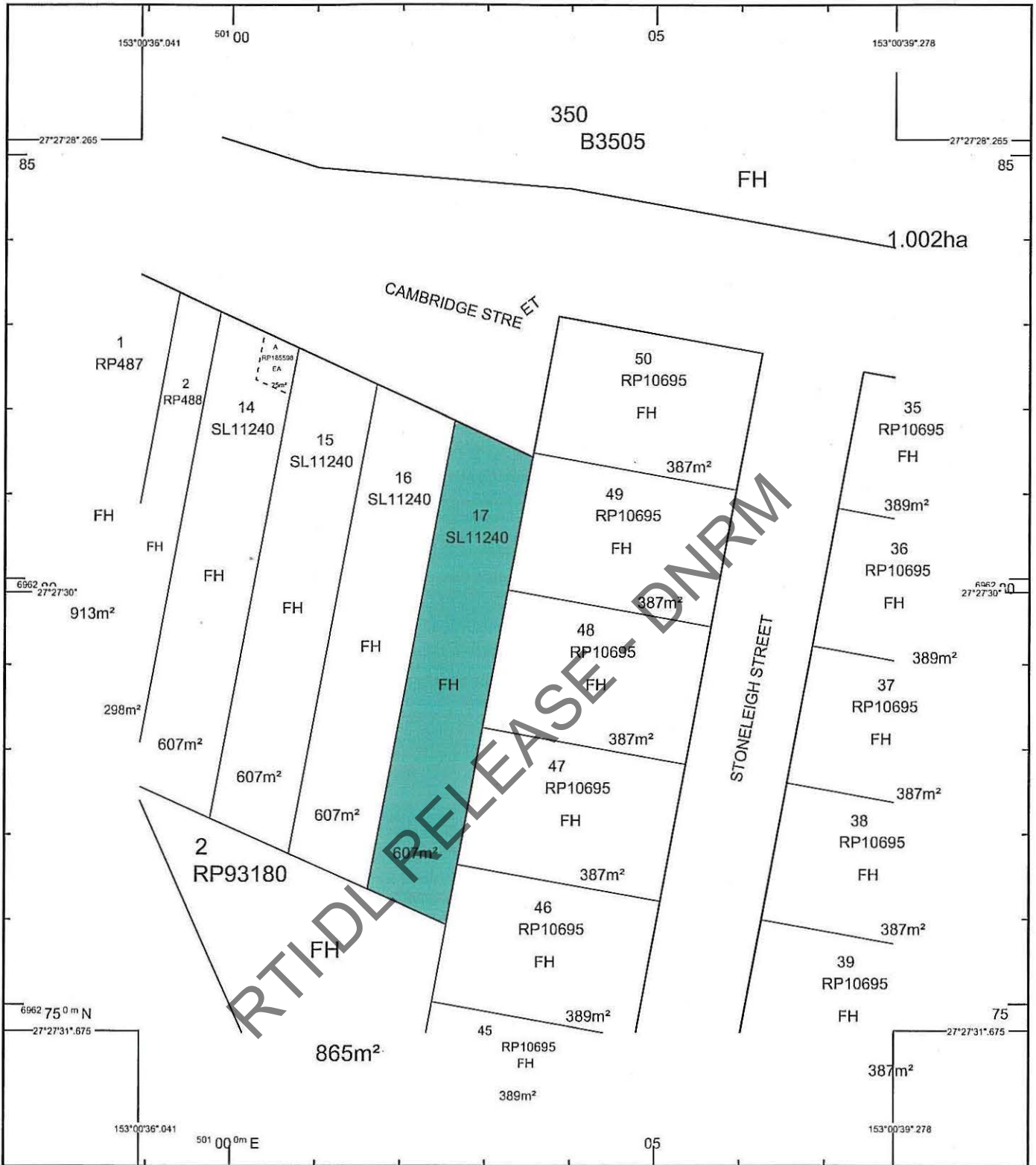


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 LAWYERS

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RTID/RELEASE/DNRM

STANDARD MAP NUMBER  
9543-33343



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Parish	No Lot/Plan Selected.
County	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 18/11/2009  
For additional information regarding this SmartMap see page 2.  
Shading Rules have been applied.

DCDB 17/11/2009

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

**SmartMap**

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



**Queensland Government**  
(c) The State of Queensland, (Department of Environment and Resource Management) 2009.



# eLVAS Client Interaction Report

## For Interaction id: 641784

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 13-Nov-2009 6:03 PM  
Entered by: Palmer, Ray  
Reference:  
  
Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Outgoing email	Acknowledge plan of road & advise case allocation	13-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 13-Nov-2009  
Details:

### Assignment History

**Date assigned:** 13-Nov-2009  
**Assigned to:** Ashman, Kym  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:1351452 Type: Outgoing email Title: Acknowledge plan of road & advise case allocation  
**Date actioned:** 24-Nov-2009  
**Action taken:** noted

# eLVAS Client Interaction Report

## For Interaction id: 641783

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 13-Nov-2009 5:51 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Incoming email	Detailed measurements - 4 sides of road closure	12-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 13-Nov-2009  
Details:

### Assignment History

**Date assigned:** 13-Nov-2009  
**Assigned to:** Ashman, Kym  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:1351451 Type: Incoming email Title: Detailed measurements - 4 sides of road closure  
**Date actioned:** 24-Nov-2009  
**Action taken:** noted



# eLVAS Client Interaction Report

## For Interaction id: 641782

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 13-Nov-2009 5:45 PM  
Entered by: Palmer, Ray  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
External Formal Document	Detailed Plan of Road Closure area of 51 m2	13-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 13-Nov-2009  
Details:

### Assignment History

**Date assigned:** 13-Nov-2009  
**Assigned to:** Ashman, Kym  
**Date required:**  
**Action required:** Interaction for Case Id 2009/010630

The following document has been added to the case. Id:1351449 Type: External Formal Document Title: Detailed Plan of Road Closure area of 51 m2

**Date actioned:** 24-Nov-2009  
**Action taken:** noted

**Orellana Jose**

---

**From:** Palmer Ray  
**Sent:** Friday, 13 November 2009 6:01 PM  
**To:** 'Anthony Boge'  
**Subject:** RE: Road Closure - 18 Cambridge Street Red Hill - Case 2009/010630

Dear Anthony,

Thank you for providing the detailed plan of the road closure area of 51 m2 which I have attached to Case 2009/010630. This case has now been assigned to Kym Ashman, Senior Land Officer, Robina (Phone 5583 1737) who will be allocating this application to one of her Case Officers in Robina for investigation.

Regards

Ray Palmer  
Administration Officer  
State Land Asset Management  
Department of Environment and Resource Management  
Brisbane  
Phone:3406 2534  
Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

RTI/DL RELEASE - DNRM

---

**From:** Anthony Boge [<mailto:a.boge@hopgoodganim.com.au>]  
**Sent:** Friday, 13 November 2009 10:36 AM  
**To:** Palmer Ray  
**Cc:** Robert Johansen  
**Subject:** Road Closure - 18 Cambridge Street Red Hill - Case 2009/010630  
**Importance:** High

Dear Ray,

Further to my email to you yesterday, I have attached a copy of a further plan prepared by my client's surveyor which shows the area of the road to be closed in greater detail. I would be obliged if you would include the attached plan with my client's application.

Please do not hesitate to contact me if you have any queries in relation to this matter.

Regards

**Anthony Boge**  
Special Counsel, Accredited Property Law Specialist

HopgoodGanim Lawyers  
Level 8, Waterfront Place, 1 Eagle Street,  
Brisbane QLD 4000 Australia  
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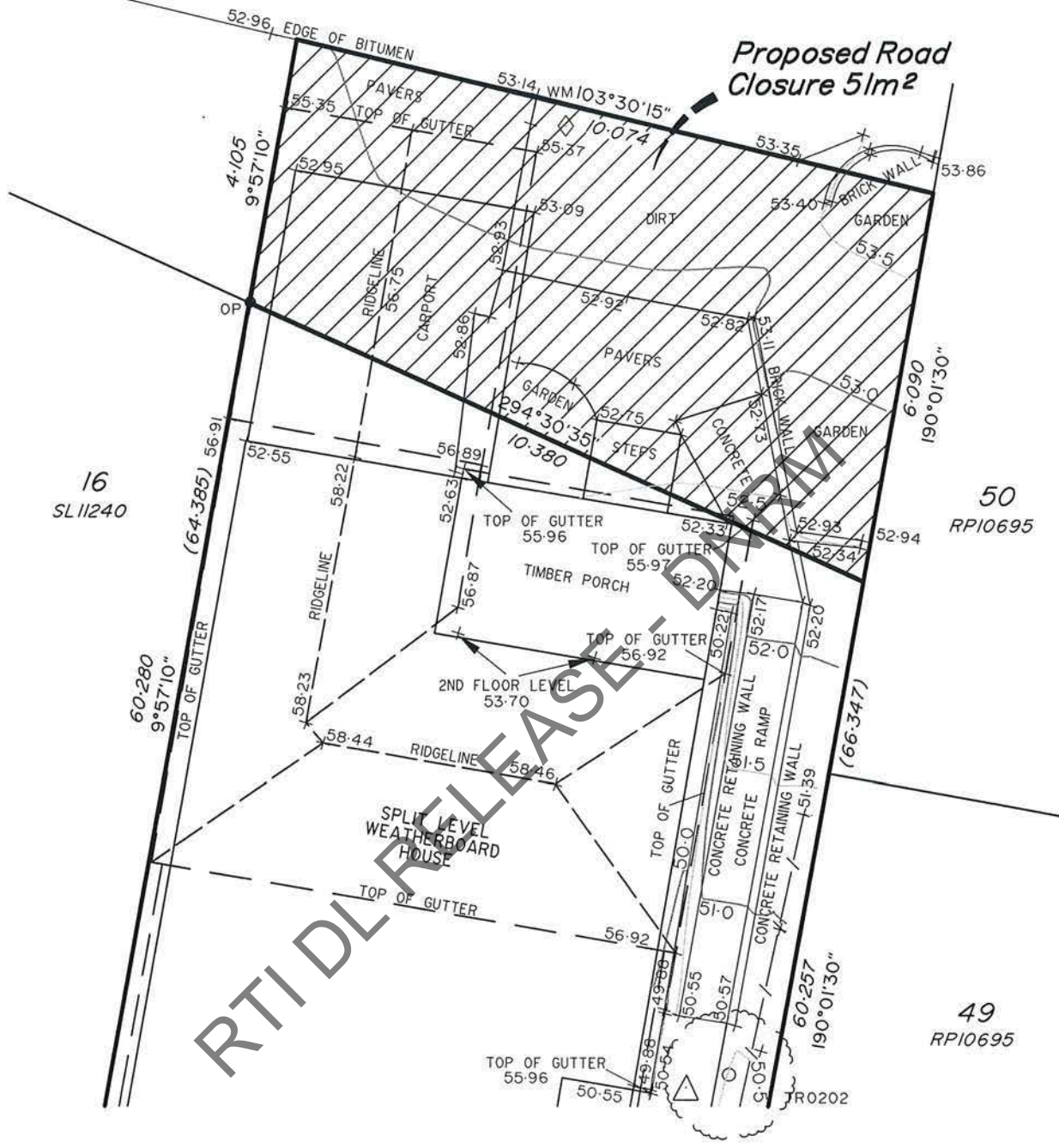
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RTI DL RELEASE - DNRM

# CAMBRIDGE STREET

ACCESS ROAD

Proposed Road Closure 51m<sup>2</sup>



RTI DRAFT RELEASED

sch4p4(6) Personal information

CADASTRAL SURVEYOR/  
DIRECTOR

DATE 13/11/09



All dimensions and areas are approximate only and are subject to final survey.



SCALE 1:100

Surveyed D.D.	<b>PLAN SHOWING PROPOSED ROAD CLOSURE 18 CAMBRIDGE STREET, RED HILL</b>
ACAD W.K.	
Date 13/11/09	
Dwg File LC\09103\DWG	
F/Book SDR	
Checked L.D.	Parish of NORTH BRISBANE County of STANLEY Client PERUSAL TIME (RP) P/L Local Authority B.C.C.

## Landmark

CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
Bldg 11, Garden City Office Park, 2404 Logan Rd, Eight Mile Plains PO Box 4542 Eight Mile Plains Q 4113  
Email info@landmarkconsulting.com.au • Telephone 07 3219 9911 • Facsimile 07 3219 9766  
Tabwest Pty Ltd ACN 010 495 691 ABN 77 010 495 691

Revision A
09-103
Job No



**Orellana Jose**

---

**From:** Anthony Boge <a.boge@hopgoodganim.com.au>  
**Sent:** Friday, 13 November 2009 10:36 AM  
**To:** Palmer Ray  
**Cc:** Robert Johansen  
**Subject:** Road Closure - 18 Cambridge Street Red Hill - Case 2009/010630  
**Attachments:** 20091113101955.pdf

**Importance:** High

Dear Ray,

Further to my email to you yesterday, I have attached a copy of a further plan prepared by my client's surveyor which shows the area of the road to be closed in greater detail. I would be obliged if you would include the attached plan with my client's application.

Please do not hesitate to contact me if you have any queries in relation to this matter.

Regards

**Anthony Boge**  
Special Counsel, Accredited Property Law Specialist

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# eLVAS Client Interaction Report

## For Interaction id: 640955

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) General  
Interaction method: Email  
Interaction date: 12-Nov-2009 11:28 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Brisbane City Council, City Property

### Documents

Document Type	Title	Received/Sent
Incoming email	BCC - Compliance Branch to investigate & advise	12-Oct-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI/DL RELEASE - DNR/M

# eLVAS Client Interaction Report

## For Interaction id: 640952

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (outwards) General  
Interaction method: Letter  
Interaction date: 12-Nov-2009 11:26 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Landmark Consulting, Eight Mile Plains

### Documents

Document Type	Title	Received/Sent
Outgoing Letter/Document	Advise remove encroachments or road closure	7-Oct-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI/DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 640948

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) General  
Interaction method: Letter  
Interaction date: 12-Nov-2009 11:24 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Landmark Consulting, Eight Mile Plains

### Documents

Document Type	Title	Received/Sent
Incoming Letter	Encroachment Notice - Ident survey IS226059	25-Aug-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI/DL RELEASE - DNRM



# eLVAS Client Interaction Report

## For Interaction id: 640927

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 12-Nov-2009 10:59 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Outgoing email	Request detailed dimensions of road closure area	10-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI/DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 640923

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 12-Nov-2009 10:56 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Incoming email	Information has been requested from surveyors	12-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI/DL RELEASE - DNRM

# eLVAS Client Interaction Report

## For Interaction id: 640917

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 12-Nov-2009 10:53 AM  
Entered by: Palmer, Ray  
Reference:

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Outgoing email	Acknowledgement of Application	11-Nov-2009

### Interaction Record History

Service Centre: Brisbane  
Associated to Case: 2009/010630  
Revision No.: 0  
Updated by: Palmer, Ray  
Date: 12-Nov-2009  
Details:

### Assignment History

RTI DL RELEASE - DNRM

**Orellana Jose**

---

**From:** Anthony Boge <a.boge@hopgoodganim.com.au>  
**Sent:** Thursday, 12 November 2009 2:59 PM  
**To:** Palmer Ray  
**Cc:** Robert Johansen  
**Subject:** Road Closure - 18 Cambridge Street, Red Hill - Case 2009/010630

**Importance:** High

Dear Ray,

In relation to your request for details of the dimensions of the area of road to be closed, I am instructed as follows:

- the western edge is 4.105m on bearing 9 degrees, 57 minutes, 10 seconds;
- the eastern edge is 6.090m on bearing 190 degrees, 1 minute, 30 seconds;
- the southern edge is 10.380m on bearing 294 degrees, 30 minutes, 35 seconds; and
- for completeness, the northern edge (ie, the existing road frontage) is 10.074m on bearing 103 degrees, 30 minutes, 15 seconds.

If you require anything further information in relation to my client's application, please do not hesitate to contact me.

Regards

**Anthony Boge**

Special Counsel, Accredited Property Law Specialist

HopgoodGanim Lawyers

Level 8, Waterfront Place, 1 Eagle Street,

Brisbane QLD 4000 Australia  
PO Box 7822, Waterfront Place, QLD 4001  
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## Orellana Jose

---

**From:** Anthony Boge <a.boge@hopgoodganim.com.au>  
**Sent:** Thursday, 12 November 2009 8:52 AM  
**To:** Palmer Ray  
**Subject:** RE: Perusal Time (RP) Pty Ltd - Road Closure Cambridge Street Red Hill

**Importance:** High

Dear Ray,

Thank you for your note.

My client has been in contact with its surveyors regarding the additional information you requested in your email of 10 November and I expect to be in position to provide you with that information shortly. In the meantime, if you require anything further, please do not hesitate to contact me.

Regards

Anthony Boge  
Special Counsel, Accredited Property Law Specialist

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Brisbane QLD 4000 Australia  
PO Box 7822, Waterfront Place, QLD 4001 Australia

[www.hopgoodganim.com.au](http://www.hopgoodganim.com.au)

-----Original Message-----

From: Palmer Ray [<mailto:Ray.Palmer@derm.qld.gov.au>]  
Sent: Wednesday, 11 November 2009 9:11 PM  
To: Anthony Boge  
Subject: Perusal Time (RP) Pty Ltd - Road Closure Cambridge Street Red Hill

Dear Mr Boge,

Please find enclosed the acknowledgement of your application lodged on behalf of Perusal Time (RP) Pty Ltd for a permanent road closure over part of an access road off Cambridge Street Red Hill. I have also enclosed your receipt number 3826068 in payment of the application fee of \$213.00. Case 2009/010630 has been assigned to Carolyn Hackett, Senior Land Officer Brisbane for allocation to a Case Officer for investigation.

However, this application will be held in abeyance until receipt of detailed dimensions of the area of road closure, as requested from you by email dated 10 November 2009.

Yours faithfully

Ray Palmer  
Administration Officer  
Land Management  
South East Region  
Department of Environment and Resource Management Brisbane  
Phone:3406 2534

Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

As of 26 March 2009 the Department of Natural Resources and Water/Environmental Protection Agency integrated to form the Department of Environment and Resource Management

+-----+  
Think B4U Print  
1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere  
3 sheets of A4 paper = 1 litre of water  
+-----+

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RTI DL RELEASE - DIRM

# eLVAS Client Interaction Report

## For Interaction id: 640801

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 11-Nov-2009 8:35 PM  
Entered by: Palmer, Ray  
Reference: 0929257

Contact with: Hopgood Ganim Lawyers, Waterfront Place

### Documents

Document Type	Title	Received/Sent
Application	Perusal Time(RP) P/L-Road Closure Cambridge Street	2-Nov-2009

### Interaction Record History

Service Centre: Brisbane

Associated to Case: 2009/010630

Revision No.: 0  
Updated by: Palmer, Ray  
Date: 11-Nov-2009  
Details: Scanned document received from Hopgood Ganim Lawyers

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 640800

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 11-Nov-2009 8:35 PM  
Entered by: Palmer, Ray  
Reference: 0929257

Contact with: Perusal Time (RP) Pty Ltd, Red Hill

### Documents

Document Type	Title	Received/Sent
Internal Document/Report	Paid \$213.00 Application fee - R/N 3826068	10-Nov-2009

### Interaction Record History

Service Centre: Brisbane

Associated to Case: 2009/010630

Revision No.: 0  
Updated by: Palmer, Ray  
Date: 11-Nov-2009  
Details: Scanned document received from Perusal Time (RP) Pty Ltd

### Assignment History



DEPT. OF ENVIRONMENT  
& RESOURCE MANAGEMENT

10 NOV 2009

SOUTH EAST REGION



HopgoodGanim

LAWYERS

2 November 2009

The Administration Officer  
Land Management South East Region  
Department of Environment & Resource Management  
Locked Bag 40  
Coorparoo DC Qld 4151

Document Scanned  
into eLVAS 11/11/09

eLVAS ID: 2009/010630

NOT ON RECORD

Our Ref: 0929257  
Your Ref: Bri/002419Pt217#65

Dear Sir

**Perusal Time (RP) Pty Ltd - Lot 17 on Plan SL11240 (18 Cambridge Street, Red Hill)**

We act for Perusal Time (RP) Pty Ltd, the registered owner of the above land.

We have enclosed:

1. our client's application for a permanent road closure in relation to part of the road immediately adjacent to our client's land;
2. a plan which shows the area of road in relation to which our client's application is made; and
3. our client's cheque in favour of the Department for \$213.00 for the fee payable in connection with our client's application.

Please do not hesitate to contact the writer if you wish to discuss this matter.

Yours faithfully

sch4p4(6) Personal information

**HopgoodGanim Lawyers**

Contact **Anthony Boge**  
Special Counsel  
Accredited Property Law Specialist  
T 07 3024 0321  
F 07 3024 0021  
E a.boge@hopgoodganim.com.au

RE: ENCROACHMENT NOTICE DATED 25/8/09 (IDENT SURVEY IS 226059)  
OVER LOT 17 SL11240 - SEE BRI/002419 (PT 21) #65.

**Application form**  
**Contact and Land Details**  
**Part A**

**Application form requirements**

1. **Part A:** Contact and land details will need to be completed.
2. **Part B:** Application specific form will need to be completed.
3. **Payment of the prescribed application fee, if relevant. A refund of application fees will not be given.** (Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. **All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.**

**Important information**

All applications will be processed having regard to the requirements of the *Land Act 1994* and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.

Preferably applications should be lodged in the Department of Environment and Resource Management (DERM) regional office nearest to which the land is located. If this is not possible applications may be lodged at your nearest DERM office.

In terms of the Freedom of Information Act interested parties may seek access to DERM records and view relevant documents.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.

**Contact details****Lodger Details and Mailing Address**

A lodger is only required when a solicitor, bank, consultant etc lodges the application on behalf of the applicant.

**Full Name / Company Name**

HopgoodGanim Lawyers

(Attention: Anthony Boge)

**Postal Address**

PO Box 7822

Waterfront Place

Queensland 4001

**Phone number**

07 3024 0321

**Mobile phone****Email**

a.boge@hopgoodganim.com.au

**Fax**

07 3024 0021

**Applicant(s) Details and Mailing Address**

If the applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.

**Full Name / Company Name**

Perusal Time (RP) Pty Ltd

If a Corporation then record  ACN  ARBN  ABN 137 905 563

**Postal Address**

18 Cambridge Street

Red Hill

Queensland 4059

**Phone number****Mobile phone****Email****Fax**

Future correspondence should be sent to



Lodger



Applicant



## Details of land for which the application is being lodged

1. Select the type of land for which the application is being lodged.

- Permit  
 Lease  
 Licence  
 Trust Land Reserve/Deed of Grant in Trust (DOGIT)  
 Road  
 Unallocated State Land (USL)

go to 2

2. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged.		
Lot	Plan	Title Reference
17	Crown Plan SL 11240	15686033
The details of the land can be found on a current copy of the Title or on your rates notice. If insufficient space, please add additional description as an attachment.		

go to 3

3. Enter additional details of the land

Dealing number

Tenure type

Tenure number

Local Government

Brisbane City Council

Other details of land location (optional)

18 Cambridge Street, Red Hill, Queensland, 4059

**THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM.**



# DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

## Application for road closure

### Part B

#### Application form requirements

1. This Application is for road closure.
2. Read the respective *Application for road closure* Fact Sheet which include application restrictions
3. Payment of the prescribed application fee  
(Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. Any additional information to support application
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. Your application will not be considered as having been properly made unless all parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

#### Important information

An adjoining landholder may apply for a permanent or temporary road closure. A public utility provider as defined under the *Land Act 1994* may also apply for a permanent road closure and an application for temporary closure can be considered for another person for:

- pipes for irrigation purposes that cross the road beneath its surface
- water channels for irrigation purposes that cross the road

A road maybe closed "in strata" to provide for works such as:

- connecting overhead viaduct, or underground tunnel for commercial purposes between two buildings;
- structure which will overhang a road;
- car park or building under or over a road;

You may be required to pay a purchase price for the permanent closure of a road.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the Department of Environment and Resource Management (DERM) unless required or authorised by law.

1. The Application is for:  Permanent road closure go to 2  
 Temporary road closure go to 2

2. Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application?  Yes go to 4  No  
 Application cannot be considered unless temporary closure is for reasons stipulated in Question 3

Section 99(1) of the Land Act 1994, only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.  
 Section 99(2) of the Land Act 1994, only the registered owner, lessee or trustee of the land adjoining a road may apply for a temporary closure of the road or another person for (a) Pipes for irrigation purposes that cross the road beneath its surface or (b) Water channels for irrigation purposes that cross the road.

3. Is the temporary closure to make structural improvements for:  Pipes for irrigation purposes that cross the road beneath its surface  
 Water channels for irrigation purposes that cross the road go to 4

4. Provide details in Schedule 1 below, of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for. (If there is insufficient space, please lodge as an attachment) go to 5

**Schedule 1**  
 You must enter either the Lot or Plan or Title Reference of the land.

Lot	Plan	Title Reference
17	Crown Plan SL 11240	15686033

5. Have you made a previous application for closure of this area of road?  Yes go to 6  No go to 9

6. Was this application refused?  Yes go to 7  No go to 9

7. Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?  Yes go to 8  No go to 9

The application may be rejected without further consideration.

8. Provide details of the change in circumstances from the previous application. (If there is insufficient space, please lodge as an attachment) go to 9





9. Is any use currently being made of the road area?  Yes go to 10  No go to 11

10. Provide details of the current use of road e.g. grazing, encroachment of building or structure (If there is insufficient space, please lodge as an attachment) go to 11

Encroachment of building and landscaping improvements

11. Provide details of the proposed use of the road area. (If there is insufficient space, please lodge as an attachment) go to 12

Carport and front garden (landscaped area)

12. Provide details of any additional information to support the application. (optional) (If there is insufficient space, please lodge as an attachment) go to 13

See attachment "A"

### Attachments

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted, your application will be returned.

13. Tick the box to confirm the attachments for part of the application.

Application fee

Copy of sketch/drawing

It is recommended that any attached plans, sketches or maps be of A4 or A3-size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

### Declaration

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)

sch4p4(6) Personal information

[Redacted signature area]

Date: 21 / 10 / 2009

If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.



**"A"**

1. Perusal Time (RP) Pty Ltd (**Applicant**) is the registered owner of the land described as lot 17 on Plan SL11240, in the County of Stanley, Parish of North Brisbane (title reference 15686033) which is situated at 18 Cambridge Street, Red Hill (**Land**).
2. A single dwelling house is constructed on the Land and the Land is used as a private dwelling.
3. The house has been in its existing location since its construction in 1885.
4. The Applicant purchased the Land from a related entity in August 2009. The Land had been purchased by the related entity in 2007.
5. The Land has direct access to a declared road, Cambridge Street (**Road**), which is situated to the north of the Land. That part of the Road immediately in front of the Land comprises an access road separate from the main part of Cambridge Street. The access road is a "dead-end" road which terminates at a point in front of the Land.
6. As a result of survey work recently undertaken in relation to various properties in the vicinity of the Land, the Applicant has been made aware that improvements used in connection with the dwelling house on the Land encroach onto part of the Road.
7. The Applicant has caused a survey of the Land to be undertaken which has confirmed that improvements encroach onto the Road. The encroachments comprise:
  - (a) a carport;
  - (b) steps attached to the dwelling house;
  - (c) paved and concreted areas; and
  - (d) gardens.
8. The results of this survey were provided to the Department of Environment and Resource Management (DERM) on 25 August, 2009 in accordance with the Survey and Mapping Infrastructure Regulation 2004.
9. DERM responded on 7 October, 2009 (Ref: Bri/002419Pt217#65) advising that the owner should apply for a road closure of the affected area and providing materials to do so. This application is made as a result of that advice.
10. The encroachments have been constructed in an area between the dwelling house on the Land and the edge of the constructed part of the access road (ie, the edge of the



bitumen). The encroachments are shown on the attached drawing prepared for the Applicant by Landmark Consulting (drawing 09103-DET).

11. The Applicant has made enquiries with the previous owner of the Land (that is, the party who owned the Land immediately prior to related entity of the Applicant) and has been informed that during the whole of the time the previous owner owned the Land:
  - (a) the constructed area of the access road was in the same position in which it is now; and
  - (b) the encroachments existed.
12. The Applicant has made enquiries with neighbouring property owners and has been informed that:
  - (a) none of them remembers the constructed area of the access road being in any different position to its current position; and
  - (b) the encroachments (and other similar encroachments in the general area) have been in place for as long as any of them can remember.

The longest standing resident in the area of the access road, has been a resident in the area for approximately 25 years.

13. The Applicant uses the Land and the encroachments for private and personal use only.
14. The Applicant has acted promptly to resolve the issue of the encroachment (by causing a survey to be undertaken and then making this application) on being made aware of the encroachment.
15. The Applicant requests that the part of the Road hatched on the attached drawing be closed and that the area of road closed be amalgamated with the Land.
16. The part of the Road for which the application is made is not the only dedicated access to any person's land.
17. The part of the Road for which the application is made is not regularly used by the public as a road or stock route.
18. The part of the Road for which the application is made does not provide continuity to a road network.

**GENERAL NOTES**

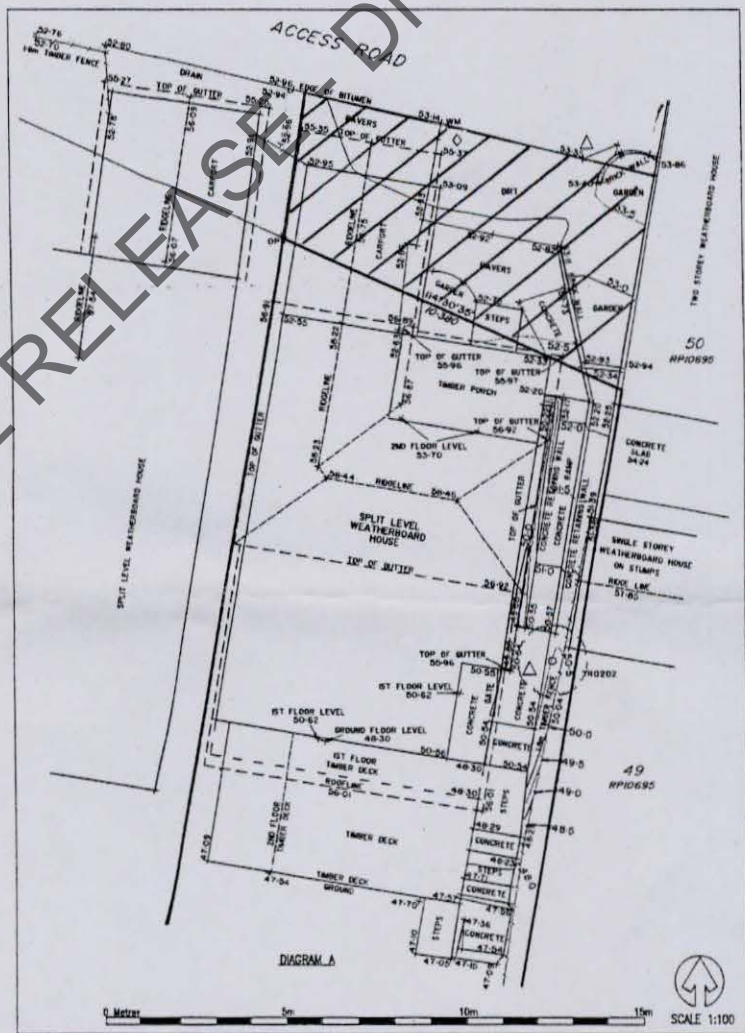
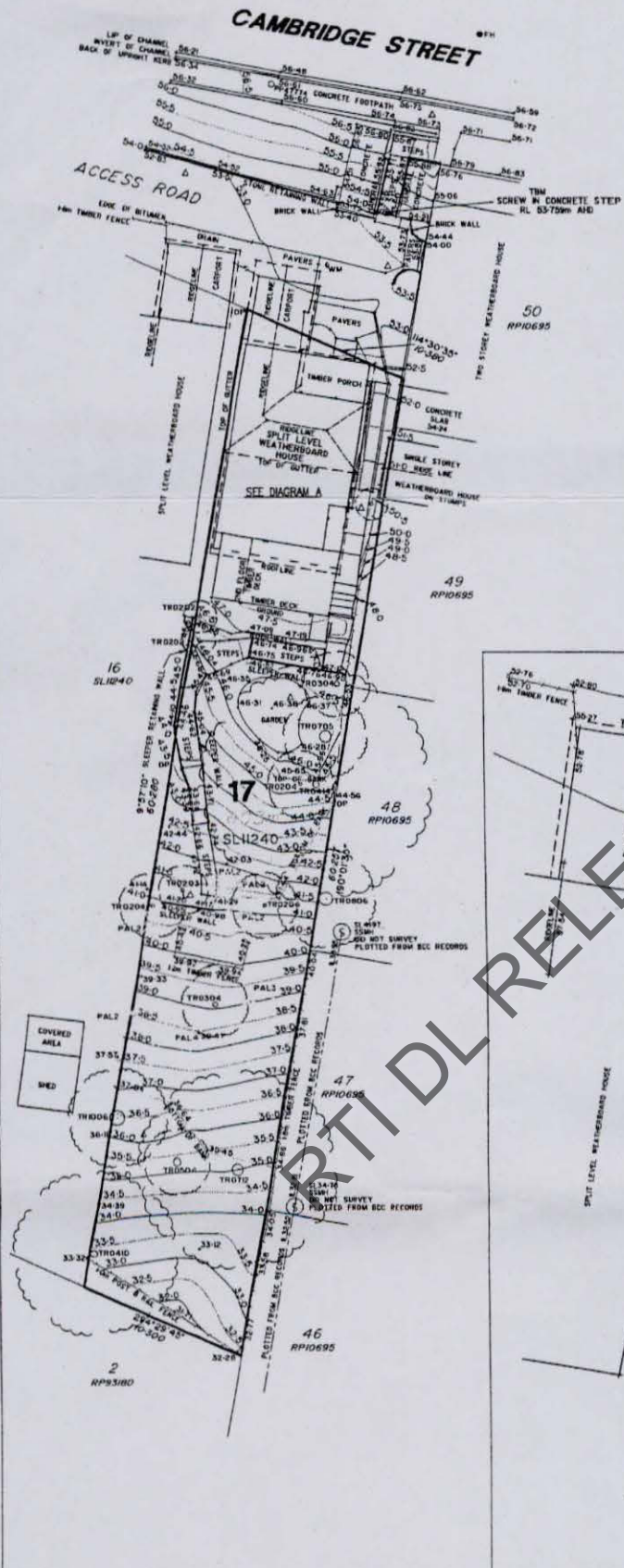
1. CONTOUR INTERVAL 0.5m
2. LEVEL DATUM: R.L. 54.580m AHD, PSN 152731
3. TOTAL AREA: 803m<sup>2</sup> (SURVEYED AREA)
4. THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY. THE LOCATIONS OF FEATURES WITH RESPECT TO BOUNDARIES ARE APPROXIMATE ONLY UNLESS OTHERWISE DIMENSIONED. THE SITE BOUNDARY DIMENSIONS HAVE BEEN DERIVED FROM IDENTIFICATION SURVEY E226055.
5. SERVICES SHOWN HEREON HAVE BEEN LOCATED WHERE POSSIBLE BY FIELD SURVEY. IF NOT ABLE TO BE SO LOCATED, SERVICES HAVE BEEN PLOTTED FROM THE RECORDS OF RELEVANT AUTHORITIES WHERE AVAILABLE AND HAVE BEEN NOTED ACCORDINGLY ON THIS PLAN. WHERE SUCH RECORDS EITHER DO NOT EXIST OR ARE INADEQUATE A NOTATION HAS BEEN MADE HEREON, PRIOR TO EXCAVATION THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR VERIFICATION OF THE LOCATION OF ALL UNDERGROUND SERVICES.
6. THE GROUND LEVELS SHOWN HEREON ARE SURFACE LEVELS AT THE TIME OF SURVEY AND ARE NOT NECESSARILY NATURAL GROUND LEVELS.

**LEGEND**

Overhead power line	Drainage line/gully/creek
Underground power line	Top or bottom of bank/ change of grade
Gas pipeline	Fence
Sewer pipeline	Retaining wall
Stormwater pipeline	Edge of bitumen
Telstra cable	Edge of concrete
Water reticulation line	

Electric light pole	OELP	Stormwater manhole	SWMH
Power pole	OPP	Stormwater grate	
Electricity pillar box	EB	Telstra pillar	TPIL
Electricity pit	EIP	Telstra pit	TPIT
Fire hydrant	FH	Double telstra pit	DTPT
Water valve	WV	Sewer manhole	SSMH
Water meter	WM	Gas valve	GV
Water tap	WTAP	Traffic sign	TS
Traffic light	TL	Post (2m spread)	PAL2
Floor Level	FL	Shed (2m spread)	SH2
Survey station	ST	Nail in bitumen	NI
Temporary bench mark	TBM	Tree (20m trunk, 5m spread)	TR020



CADASTRAL SURVEYOR/  
DIRECTOR

DATE

0 Meters 10m 20m 30m

**CONTOUR and DETAIL SURVEY**  
of LOT 17 on SL1240  
18 CAMBRIDGE STREET, RED HILL

Part of NORTH BRISBANE City of STANLEY  
Local Authority BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

11, Cannon City Office Park, 3rd Floor Level, 3rd Floor Level, PO Box 4802, North Brisbane QLD 4113  
Email: info@landmarkconsulting.com.au • Telephone: 07 2614 8111 • Facsimile: 07 2614 8112  
Taxation Pty Ltd ACN 914 488 981 ABN 17 914 488 981

Job Number  
**09-103**

Survey Number/Version  
09103-DET

Queensland Government  
Dept of Environment & Resource Management

ABN: 46 640 294 485

**RECEIPT**

Received from: PERUSAL TIME PTY LTD  
ABN/Address:

No.: 3826068

Description	Qty	Unit Val	Extended	Discount	Ext Value	GST	Total Price
APPLICATION TO CLOSE A ROAD UNDER S98	1	213.00	213.00	0.00	213.00		213.00

RTI DL RELEASE - DNRM

Date: 10/11/09	Time: 14:24	CHEQUE	213.00	Tot Value:	213.00
Brch: lscgabba	SPer: jjx			GST:	0.00
CYC: 140447	Reg: 20	Tendered	213.00	Tot Price:	213.00
				Tendered:	213.00
				Change:	0.00

Cheques or other negotiable instruments accepted subject to clearance.



**Orellana Jose**

---

**From:** Palmer Ray  
**Sent:** Wednesday, 11 November 2009 9:11 PM  
**To:** 'a.boge@hopgoodganim.com.au'  
**Subject:** Perusal Time (RP) Pty Ltd - Road Closure Cambridge Street Red Hill  
**Attachments:** DOC111109.pdf; DOC111109.pdf

Dear Mr Boge,

Please find enclosed the acknowledgement of your application lodged on behalf of Perusal Time (RP) Pty Ltd for a permanent road closure over part of an access road off Cambridge Street Red Hill. I have also enclosed your receipt number 3826068 in payment of the application fee of \$213.00.

Case 2009/010630 has been assigned to Carolyn Hackett, Senior Land Officer Brisbane for allocation to a Case Officer for investigation.

However, this application will be held in abeyance until receipt of detailed dimensions of the area of road closure, as requested from you by email dated 10 November 2009.

Yours faithfully

Ray Palmer  
Administration Officer  
Land Management  
South East Region  
Department of Environment and Resource Management Brisbane  
Phone:3406 2534  
Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

RTI DL RELEASE - DNRM



Queensland Government  
Dept of Environment & Resource Management

ABN: 46 640 294 485

RECEIPT

Received from: PERUSAL TIME PTY LTD  
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CYC: 140447	Reg: 20	Tendered	213.00	Tot Price:	213.00
				Tendered:	213.00
				Change:	0.00

Cheques or other negotiable instruments accepted subject to clearance.

Author: Ray Palmer  
File: 2009/010630  
Your Ref : 0929257  
Unit: Land Management  
Phone: 07 340 62534  
Email: [SLAM-Brisbane@derm.qld.gov.au](mailto:SLAM-Brisbane@derm.qld.gov.au)



Department of  
Environment and Resource  
Management

Level 2 Landcentre  
Locked Bag 40  
Coorparoo Delivery Centre  
Coorparoo Qld 4151

11 November 2009

**Anthony Boge**  
**Hopgood Ganim Lawyers**  
**PO Box 7822**  
**Waterfront Place**  
**QLD 4101**

Dear Mr Boge

**RE: Application for Permanent Road Closure - Part of Access Road off Cambridge Street Red Hill adjoining Lot 17 SL11240**

I acknowledge receipt of your application dated 2 November 2009, received in this Office on 10 November 2009, for a permanent road closure over part of the access road off Cambridge Street Red Hill adjoining Lot 17 SL11240 Parish of North Brisbane County of Stanley at 18 Cambridge Street Red Hill. Please find enclosed your receipt number 3826068 for payment of the application fee of \$213.00.

As part of our process, this Department will seek the views of Brisbane City Council and other parties who may have an interest in the proposed road closure.

You are advised that the Brisbane City Council levies an assessment fee of **\$1290.00** to investigate road closure applications. However, you are not required to pay this fee at this stage, as Brisbane City Council will write to you in due course, after we have requested their views.

Would you kindly refer to our file reference **2009/010630** for any future correspondence. This case has been assigned to **Carolyn Hackett, Senior Land Officer Brisbane (Phone 340 62569)** who will allocate this application to a Case Officer for investigation.

Yours faithfully

sch4p4(6) Personal information

*Ray Palmer*  
**Administration Officer**  
**Land Management**  
**South East Region**  
**Department of Environment and Resource Management**  
**Brisbane**

**Orellana Jose**

---

**From:** Palmer Ray  
**Sent:** Tuesday, 10 November 2009 11:42 AM  
**To:** 'a.boge@hopgoodganim.com.au'  
**Subject:** Road Closure - 18 Cambridge Street Red Hill  
**Attachments:** DOC101109.pdf

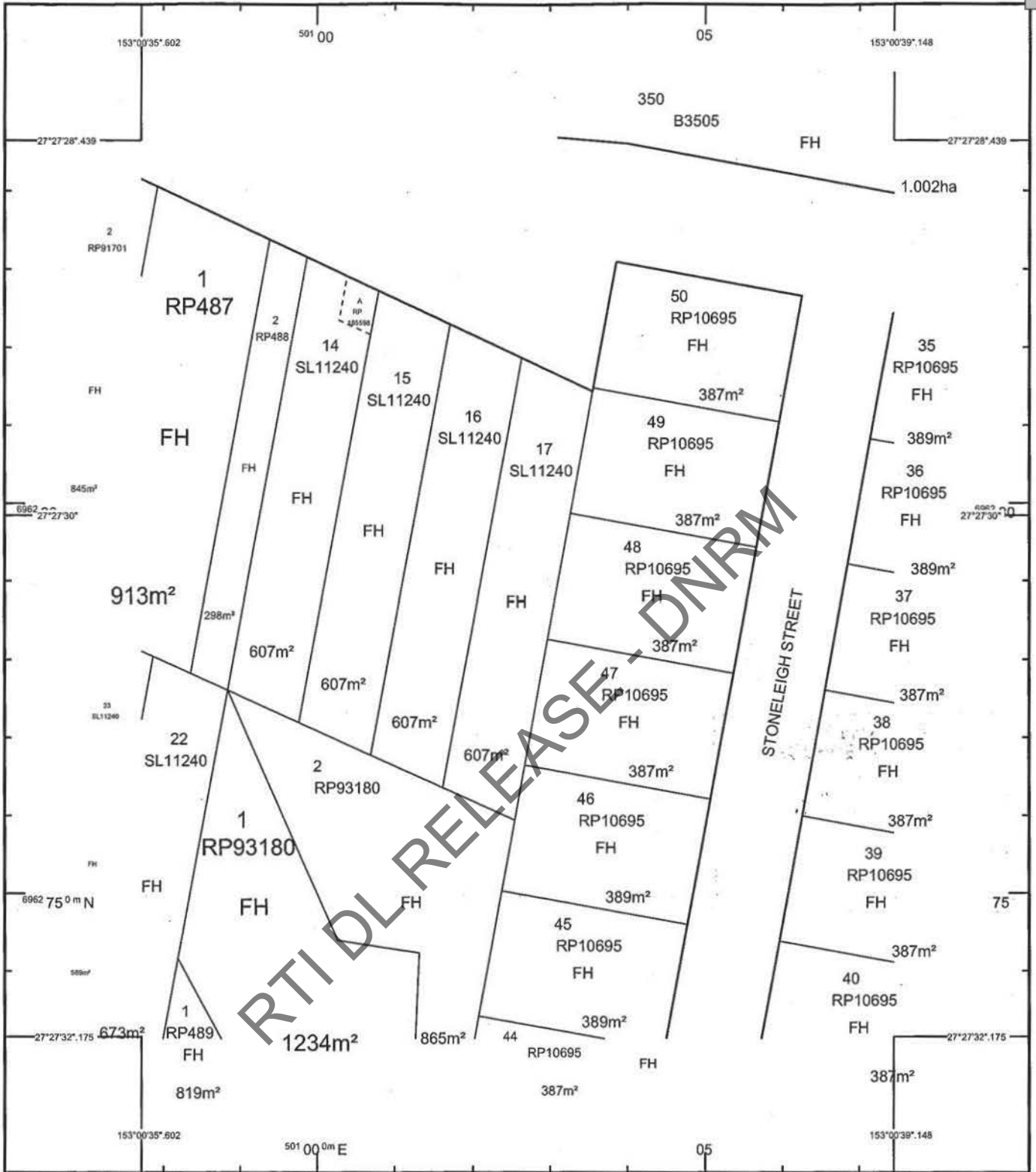
Dear Mr Boge,

I acknowledge receipt of an application for permanent road closure over part of the road reserve in Cambridge Street Red Hill adjoining Lot 17 RP11240. Would you kindly request the Applicant to provide the exact dimensions on the (3) sides of the area of this road closure (excludes existing frontage of Lot 17). This is required as our Cartographers must compile an accurate drawing suitable for the road notices to be prepared. These dimensions do not appear on the enclosed plan from Landmark Consulting who should be able to readily provide these details on the attached "smartmap".

Yours faithfully

Ray Palmer  
Administration Officer  
Land Management  
Department of Environment and Resource Management Brisbane  
Phone:3406 2534  
Fax:3406 2582  
Email:SLAM-Brisbane@derm.qld.gov.au

RTI DL RELEASE - DNRM



STANDARD MAP NUMBER  
9543-33343



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	Lot/Plan	17/SL11240
	Area/Volume	607m <sup>2</sup>
	Tenure	FREEHOLD
	Local Government	BRISBANE CITY
	Locality	RED HILL
	Parish	NORTH BRISBANE
	County	STANLEY
	Segment/Parcel	1912/123

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 10/11/2009

DCDB 09/11/2009

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 Environment and Resource Management (DERM)'s best efforts, DERM 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://nrw.qld.gov.au/property/mapping/blinmap>

SmartMap

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

(c) The State of Queensland, (Department of Environment and Resource Management) 2009.





**Wong Toh**

---

**From:** Peter Wholohan [Peter.Wholohan@brisbane.qld.gov.au]  
**Sent:** Monday, 12 October 2009 11:27 AM  
**To:** Wong Toh  
**Subject:** Encroachment onto road by Lot 17 on RP11240 - 18 Cambridge St, Red Hill

Toh,

DERM Ref - Bri/002419Pt2#65  
BCC Ref - 182/113/269/13

I wish to advise that this matter has been referred to Council's Compliance and Regulatory Services to investigate and they have been requested to advise you of the outcome.

Regards,

Peter Wholohan  
Land Use Co-ordinator  
City Property  
Brisbane City Council  
Floor 19  
266 George Street  
Brisbane  
Ph. 3403 4964  
Email: [peter.wholohan@brisbane.qld.gov.au](mailto:peter.wholohan@brisbane.qld.gov.au)  
Fax 3407 2947

---

This message has passed through an insecure network.  
Please direct all enquiries to the message author.

---

RTI DL RELEASE - DNRM



Contact: Toh Wong  
Your Ref: 09-103  
Our Ref: Bri/002419Pt217#65  
Unit: Land Management  
Phone: 3406 2526  
Email: [toh.wong@derm.qld.gov.au](mailto:toh.wong@derm.qld.gov.au)

Department of  
**Environment and Resource  
Management**

Landcentre Level 2  
cnr Main & Vulture Streets  
Woolloongabba Qld 4102  
Locked Bag 40  
Coorparoo Delivery Centre,  
Coorparoo Qld 4151  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

7 October 2009

To: Mr Lee Dumbell  
Landmark Consulting  
P O Box 4542  
Eight Mile Plains Qld 4113

Dear Sir,

Re: Encroachments onto road by Lot 17 RP11240  
at 18 Cambridge Street, Red Hill.

Thank-you for your letter dated 25 August 2009 informing this Department of the encroachments that part of a carport and guttering encroached up to 3.97 meters and part of a timber verandah floor and guttering encroached up to 0.19 meter on the above mentioned property as detailed on the enclosed plan IS226059.

As these encroachments shown on IS226059 are regarded as significant and of a major nature, this Department requires the owner to remove these encroachments from the road or apply for a road closure of the affected areas.

Enclosed are relevant information to carry out the procedure for road closure.

As Section 901(1) of the Local Government Act 1993 states that 'A local government has control of all roads in its area'. A copy of your letter has been forwarded to Brisbane City Council.

Yours sincerely,

sch4p4(6) Personal information

.....  
Administration Officer  
Land Management  
South East Region

B/C: Peter Wholohan  
Brisbane City Council  
GPO Box 1434  
Brisbane Qld 4001



Contact: Toh Wong  
Our Ref: Bri/002419Pr21#65  
Unit: SLAM  
Phone: (07) 3406 2526  
Email: toh.wong@derm.qld.gov.au

7 October 2009  
Department of  
**Environment and Resource  
Management**

Level 2, Landcentre  
cnr Main & Vulture St  
Woolloongabba Q 4102  
Locked Bag 40  
Coorparoo Qld 4151  
www.derm.qld.gov.au

To: Peter Wholohan  
Land Use Co-ordinator  
Brisbane City Council  
GPO Box 1434  
Brisbane Qld 4001

Dear Sir,

Re: Encroachment onto road by Lot 17 RP11240  
at 18 Cambridge Street, Red Hill

Enclosed is correspondence received by this Department from Land Consulting Pty Ltd informing of encroachments that part of a carport and guttering encroached up to 3.97 meters and part of a timber verandah floor and guttering encroached up to 0.19 meter on the above mentioned property as detailed on the enclosed plan IS226059.

These encroachments shown on IS226059 are regarded as significant and of a major nature.

This Department would like to inform Brisbane City Council that the owner is advised to remove these encroachments from the road or apply for a road closure of the affected areas.

Yours Sincerely,

sch4p4(6) Personal information

.....  
Administration Officer  
Land Management  
Brisbane



DEPT OF ENVIRONMENT  
& RESOURCE MANAGEMENT  
31 AUG 2009  
SOUTH EAST REGION

COPY

Our Ref: 09-103

25 August, 2009

Mr Ken Brandes  
The Department of Environment and Resource Management  
SLAM Brisbane  
Locked Bag 40  
COORPAROO QLD 4151

Document Scanned  
into eLVAS 16/9/09  
eLVAS ID: BNE 924424  
002419 (PT 21) #65

Dear Sir,

**Re: Notification of Encroachments onto Road**

We refer to the above matter and advise that we act for the registered owners of Lot 17 on SL11240 situated at 18 Cambridge Street, Red Hill.

We have been instructed by our client to undertake an Identification Survey of the above lot 17 on SL11240. During the course of the survey, it was established that part of a carport and guttering encroaches up to 3.97 meters and part of a timber verandah floor and guttering encroaches up to 0.19 meters over State Land from Lot 17 on SL11240.

We would be obliged if you could advise us of the Department's requirements in relation to this encroachment.

Yours faithfully  
**LANDMARK CONSULTING**

sch4p4(6) Personal information

**LEE DUMBELL**  
Cadastral Surveyor

Encl

PRIVILEGE - DNRM

12.00  
12.  
③ give copy to me to place on Cirrus  
SLO 2/10/09

① major encroachment  
② Advise Landmark that unless his clients wish to remove the improvements from the road area, his clients should apply for a permanent Road closure of the area. Send copies of Form A+B for their information + apply fee adv. send a copy to BCC for see in

sch4p4(6) Personal information

INDEXED

I:\Docs\Projects\09-103 18 Cambridge St, Red Hill\20090818 notification of encroachments onto state road ltr.doc

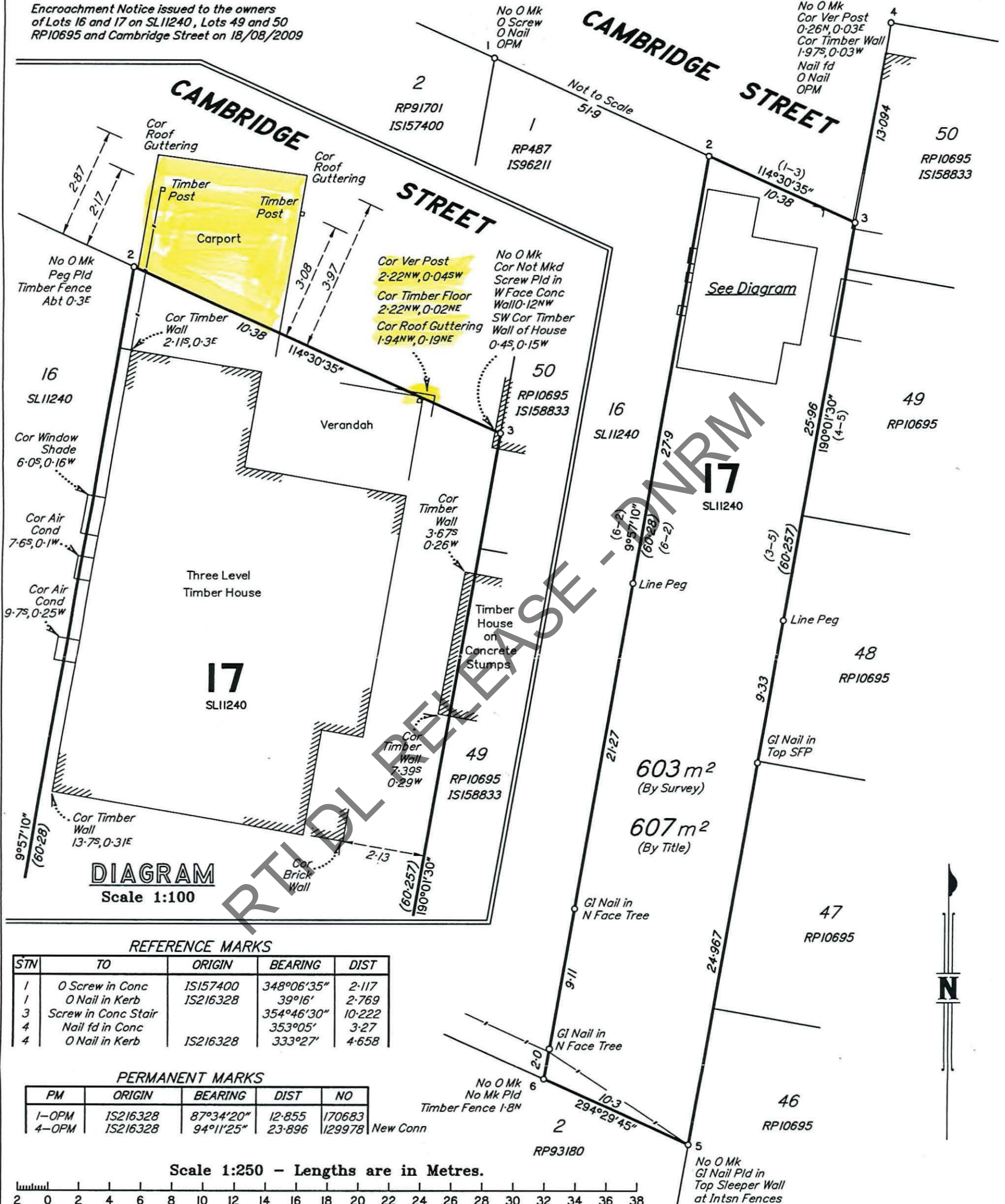
**SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS**

Building 11, Garden City Office Park, 2404 Logan Road, Eight Mile Plains PO Box 4542 Eight Mile Plains Qld 4113  
Email info@landmarkconsulting.com.au • Telephone 07 3219 9911 • Facsimile 07 3219 9966

Tabwest Pty Ltd ACN 010 495 691 ABN 77 010 495 691



Encroachment Notice issued to the owners of Lots 16 and 17 on SL11240, Lots 49 and 50 RP10695 and Cambridge Street on 18/08/2009



**DIAGRAM**  
Scale 1:100

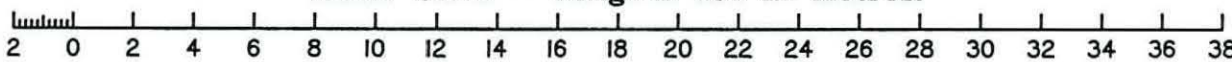
**REFERENCE MARKS**

STN	TO	ORIGIN	BEARING	DIST
1	O Screw in Conc	IS157400	348°06'35"	2.117
1	O Nail in Kerb	IS216328	39°16'	2.769
3	Screw in Conc Stair		354°46'30"	10.222
4	Nail fd in Conc		353°05'	3.27
4	O Nail in Kerb	IS216328	333°27'	4.658

**PERMANENT MARKS**

PM	ORIGIN	BEARING	DIST	NO
1-OPM	IS216328	87°34'20"	12.855	170683
4-OPM	IS216328	94°11'25"	23.896	129978

Scale 1:250 - Lengths are in Metres.



This Plan is of an Identification Survey only and as such is not examined for registration by the Department of Environment and Resource Management although it is lodged in that Office for survey information only, in accordance with the Survey and Mapping Infrastructure Act 2003. No responsibility can therefore be accepted for any future differences in boundary definition, which may result from resurveys of adjoining lands or subsequent registration of new Survey Plans.

sch4p4(6) Personal information  
 DIRECTOR  
 sch4p4(6) Personal information  
 MARK ROBERT VROEGOP  
 DIRECTOR  
 DATE 18/8/09

TABWEST PTY LTD ACN 010 495 691 hereby certify that the land comprised in this plan was surveyed by the corporation, by Lee Robert DUMBELL (Cadastral Surveyor) and Gordon Keith FRASER (Cadastral Surveyor) for whose work the corporation accepts responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 03/08/2009.

Surveyed	ACAD	Date
G.F.	G.F.	04/08/09
Dwg File	F/Book	Checked
H:LC/09093/dwg		

**IDENTIFICATION SURVEY of**  
 Lot 17 on SL11240  
 18 Cambridge Street Red Hill  
 Parish of NORTH BRISBANE  
 County of STANLEY

IS 226059  
 Job No 09-103