

40. 2016.1307.1

09th February 2016

PO Box 195
Mossman QLD 4873

Attn: Mr Neil Beck
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

DOUGLAS SHIRE COUNCIL	
Received	
File Name	ROL1307/2016
Document No	
10 FEB 2016	
Attention	SKA orig ✓
Information	

Dear Sir

RE: DEVELOPMENT APPLICATION FOR BOUNDARY REALIGNMENT ON LAND AT
LOT 4 & 7 FERRERO ROAD, DESCRIBED AS LOTS 4 & 7 ON RP857596

With respect to the above matter, we confirm that we seek to re-align the boundary between
Lots 4 & 7.

To assist Council with its consideration of the development application we provide the following
information:

- Powerpole and Embankment stops access
- The realignment allows access into Lot 4 as it currently stands or exists
- Lot 4 is not used for rural purposes
- The boundary realignment will not affect the rural use of Lot 7.
- There is no material impact.

Please find completed IDAS application attached.

Should you have any additional queries feel free to contact me on 07 4098 5154.

Yours sincerely

M Ferrero

Maurice Ferrero

N/W 121 607

IDAS form 1—Application details

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

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

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

For all development applications, you must:

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

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

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

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

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

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

Mandatory requirements

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

Name/s (individual or company name in full)

Mr Maurice Ferrero

For companies, contact name

Postal address

PO Box 195

Suburb Mossman

State QLD

Postcode

4873

Country Australia

Contact phone number

(07) 4098 5154

Mobile number (non-mandatory requirement)

Fax number (non-mandatory requirement)

N/A

Email address (non-mandatory requirement)

Applicant's reference number (non-mandatory requirement)

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

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

- a) What is the nature of the development? (Please only tick one box.)
- ☐ Material change of use ☒ Reconfiguring a lot ☐ Building work ☐ Operational work
- b) What is the approval type? (Please only tick one box.)
- ☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☒ Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)
- Boundary re alignment between lots 4 and 7 on Rp857596
- d) What is the level of assessment? (Please only tick one box.)
- ☐ Impact assessment ☒ Code assessment

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

- a) What is the nature of development? (Please only tick one box.)
- ☐ Material change of use ☐ Reconfiguring a lot ☐ Building work ☐ Operational work
- b) What is the approval type? (Please only tick one box.)
- ☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☐ Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)
-
- d) What is the level of assessment?
- ☐ Impact assessment ☐ Code assessment

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

- ☐ Refer attached schedule ☐ Not required

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

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

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

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)			Ferrero Road	4877	4	RP857596	Douglas
ii)			Ferrero Road	4877	7	RP857596	Douglas
iii)							

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

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	RURAL		
ii)			
iii)			

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

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

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

41002

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

Vacant Land

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

☒ No ☐ Yes—provide details below

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

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

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

Table F

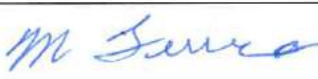
Name of owner/s of the land	
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	10.2.16

Table G

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

Table H

Name of owner/s of the land	
<input type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

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

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

Table I

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

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

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

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

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

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

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

☒ No—go to question 12 ☐ Yes

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

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

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

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

☒ No
☐ Yes—please provide details below

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

Question 12

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

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

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Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

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

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

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

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form
		1071.20	10/02/16	4/11/21607	

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

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

Description of attachment or title of attachment	Method of lodgement to assessment manager
Development Application	Smart eDA
IDAS Forms 1 and 7	
Proposal Plans	
Owners Consent	

14. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

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

Question 11

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

IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.0 effective 1 July 2013)

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

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

For all development applications, you must:

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

For requests for compliance assessment, you must:

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

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

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

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

Mandatory requirements

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

2

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

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

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

Intended final use of new lots	Residential	Commercial	Industrial	Other—specify
Number of additional lots created	0			

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

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

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

☒ No ☐ Yes—provide details below

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

6. Does the proposal involve multiple stages?

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

Table A

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

NA

NA

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

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

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

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

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

Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage
Lot 4 RP857596	7682 m ²	64 metres	Lot 4	8706 m ²	89 metres
Lot 7 RP857596	33320 m ²	190.19 metres	Lot 7	32290 m ²	165.19 metres

9. What is the reason for the boundary realignment?

Access into existing Lot 4

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

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

Mandatory supporting information

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

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

<ul style="list-style-type: none"> the location and dimension of any land dedicated for community purposes the final intended use of any new lots. 		
<p>For a development application – A statement about how the proposed development addresses the local government's planning scheme and any other planning documents relevant to the application.</p> <p>For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed.</p>	<input checked="" type="checkbox"/> Confirmed	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
For an application involving assessable development in a wild river area		
<p>Documentation that:</p> <ul style="list-style-type: none"> describes how the development to which the application relates is not prohibited development and demonstrates how the proposed development will meet the requirements set out in the relevant wild river declaration and any applicable code mentioned in the relevant wild river declaration under the <i>Wild Rivers Act 2005</i>. 	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
<p>A map showing the proposed location of the development in relation to any nominated waterways under the <i>Wild Rivers Act 2005</i> and wild river management areas. (a map may be produced digitally at www.ehp.qld.gov.au/wildrivers/wildrivers-map.php).</p> <p>Wild river management area means any of the following areas under the <i>Wild Rivers Act 2005</i>:</p> <ul style="list-style-type: none"> special floodplain management area preservation area high preservation area floodplain management area subartesian management area designated urban area. <p>Editor's note: A floodplain management area, subartesian management area or designated urban area may be over all or part of a high preservation area or preservation area. A subartesian management area or designated urban area may be over all or part of a special floodplain management area.</p>	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	

Notes for completing this form

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

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

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Date received

Reference numbers

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

