

DOUGLAS SHIRE COUNCIL	
Received	
File Name	ROL 2046/2017
Document No.	
- 3 MAY 2017	
Attention	TAV orig ✓
Information	

Peter Tibaldi  
PO Box 812  
Mossman Qld 4873

The Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman Qld 4873

Dear Sir,

**RE: Proposed Boundary Realignment  
Lots 5 & 6 on RP907340  
Syndicate Road, Mossman**

Please find attached completed IDAS application Forms 1 and 7, supporting maps and cheque for \$1102.30.

The application is in support of a proposal to realign part of the common boundary between my son's cane farm Lot 5 on RP907340 and my smaller Lot 6 on RP907340. The proposal does not create any additional lots and achieves an improvement in the existing situation. Presently the most northerly point of Lot 6 encroaches upon the cane production area and adjoining headland. By shifting the common boundary the proposed lots are better suited to the existing use of the Lots. The areas of the new Lots would be adjusted by 310m<sup>2</sup>.

Could you please give consideration to my application and advise of the outcome in due course.

Yours faithfully



Peter Tibaldi

enc

App # 40. 2017. 2046.1

RN# 204554

# IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.3 effective 5 December 2016)

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.

## 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)

Peter Tibaldi

For companies, contact name

Postal address

PO Box 812

Suburb

Mossman

State

Qld

Postcode

4873

Country

Aust

Contact phone number

Peter Tibaldi 0417 712829

Mobile number (non-mandatory requirement)

Fax number (non-mandatory requirement)



Queensland  
Government

Email address (non-mandatory requirement)

tibaldipi@bigpond.com

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.)

Realignment of common boundary between Lot 5 on RP907340 and Lot 6 on RP907340

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)		156	Syndicate Road Mossman		5	RP907340	Douglas Shire Council
ii)			Syndicate Road Mossman		6	RP907340	Douglas Shire Council
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)	Rural		
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 land on which the development is proposed** (indicate square metres)

Lot 5 – 103.3 Hectares, Lot 6 – 1.802 Hectares (Total 105.102 Hectares)

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

Lot 5 – Residence & Cane Farm  
 Lot 6 – Vacant

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

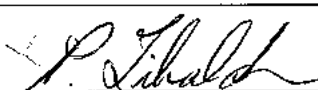

☒ No ☐ Yes—provide details below

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	Lot 5 RP907340 Wade Peter Tibaldi, Lot 6 RP907340 Peter Tibaldi	
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	3/5/2017	PETER TIBALDI WADE P. TIBALDI

**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**

Name of water body, watercourse or aquifer

**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 11 ☐ Yes

**10a. 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 local government/private certifier's copy of the accepted QLeave form

**Table L**

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

**11. 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)

**12. 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)**

Description of attachment or title of attachment	Method of lodgement to assessment manager
Proposed Boundary Realignment Concept Plan 407_02	Hand Delivered
Annotated Extract from Qld Globe	
Survey Plan RP907340	

**13. 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 10**

- 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 2013*.

**Question 10a**

- 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 can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481.

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

**OFFICE USE ONLY**

Date received

Reference numbers

**NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER**

To

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

Date of engagement	Name	BSA Certification license number	Building classification/s
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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



# IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.2 effective 3 August 2015)

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*.

## Mandatory requirements

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

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

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

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

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

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

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

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

☐ No ☐ Yes—provide details below

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

**6. Does the proposal involve multiple stages?**

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

**Table A**

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


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

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


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

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

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

Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage
Lot 5 RP907340	103.3 Ha	913.941 metres	Lot 5	103.331 Ha	913.941 metres
Lot 6 RP907340	1.802 Ha	20 metres	Lot 6	1.771 Ha	20 metres

**9. What is the reason for the boundary realignment?**

Achieves an improvement on the existing situation with respect to cane production on Lot 5.

**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
<b>All applications and requests for reconfiguring a lot</b>		
<p>Site plans drawn to an appropriate scale (1:100, 1:200 or 1:500 are the <b>recommended</b> scales) which show the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application or request relates (<b>relevant land</b>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the contours and natural ground levels of the relevant land</li> <li>the location of any existing buildings or structures on the relevant land</li> <li>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)</li> <li>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%</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>all existing and proposed roads and access points on the relevant land</li> <li>any existing or proposed car parking areas on the relevant land</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any stormwater detention on the relevant land</li> </ul>	<input checked="" type="checkbox"/> Confirmed	

<ul style="list-style-type: none"> <li>the location and dimension of any land dedicated for community purposes</li> <li>the final intended use of any new lots.</li> </ul>		
<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	

**Notes for completing this form**

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

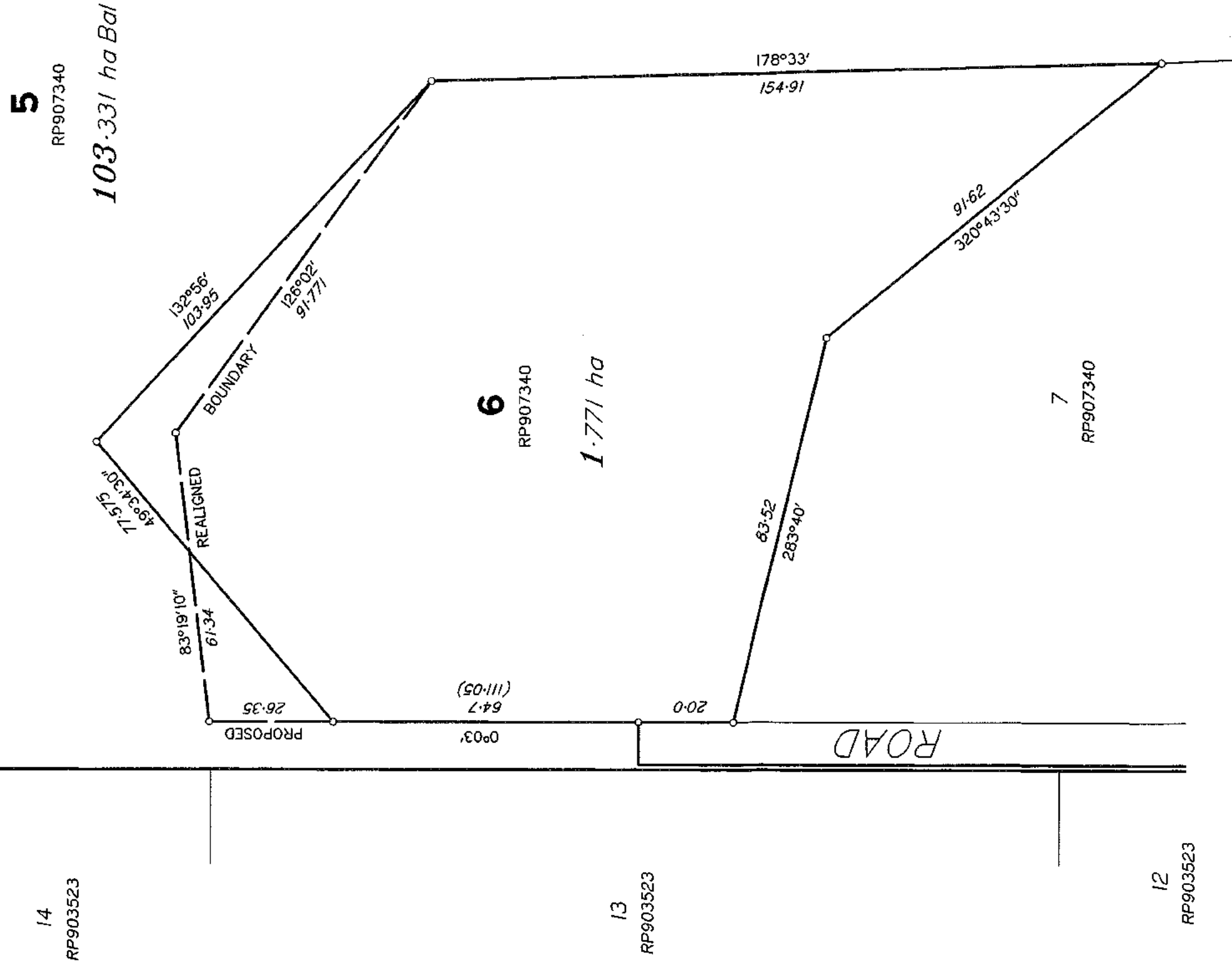
**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

**OFFICE USE ONLY**

Date received

Reference numbers

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



Dimensions and Areas  
Subject to Final Survey

Scale 1:1000 - Lengths are in Metres.

0 50 100 150  
0 50 100 150

<b>PETER TIBALDI</b>		Scale : 1:1000
PROPOSED BOUNDARY REALIGNMENT		Sheet Size : A3
LOTS 5 & 6 on RP907340		Metric : RP907340
PARISH of WHYANBEEL		Drawing No : 407_02
LOCALITY of MOSSMAN		Issue :



**Legend**

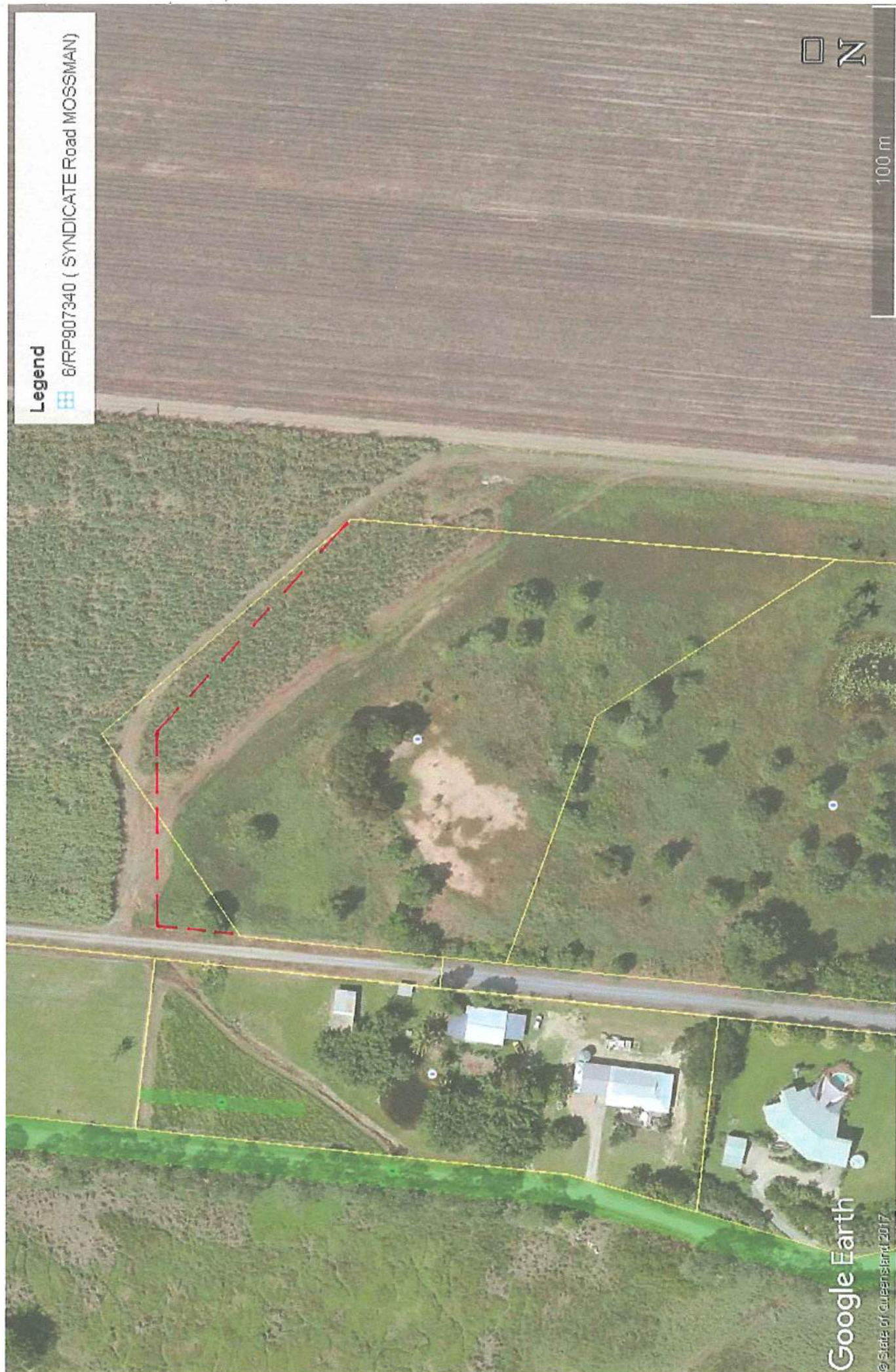
 6/RP907340 ( SYNDICATE Road MOSSMAN)



100 m

Google Earth

© State of Queensland 2017





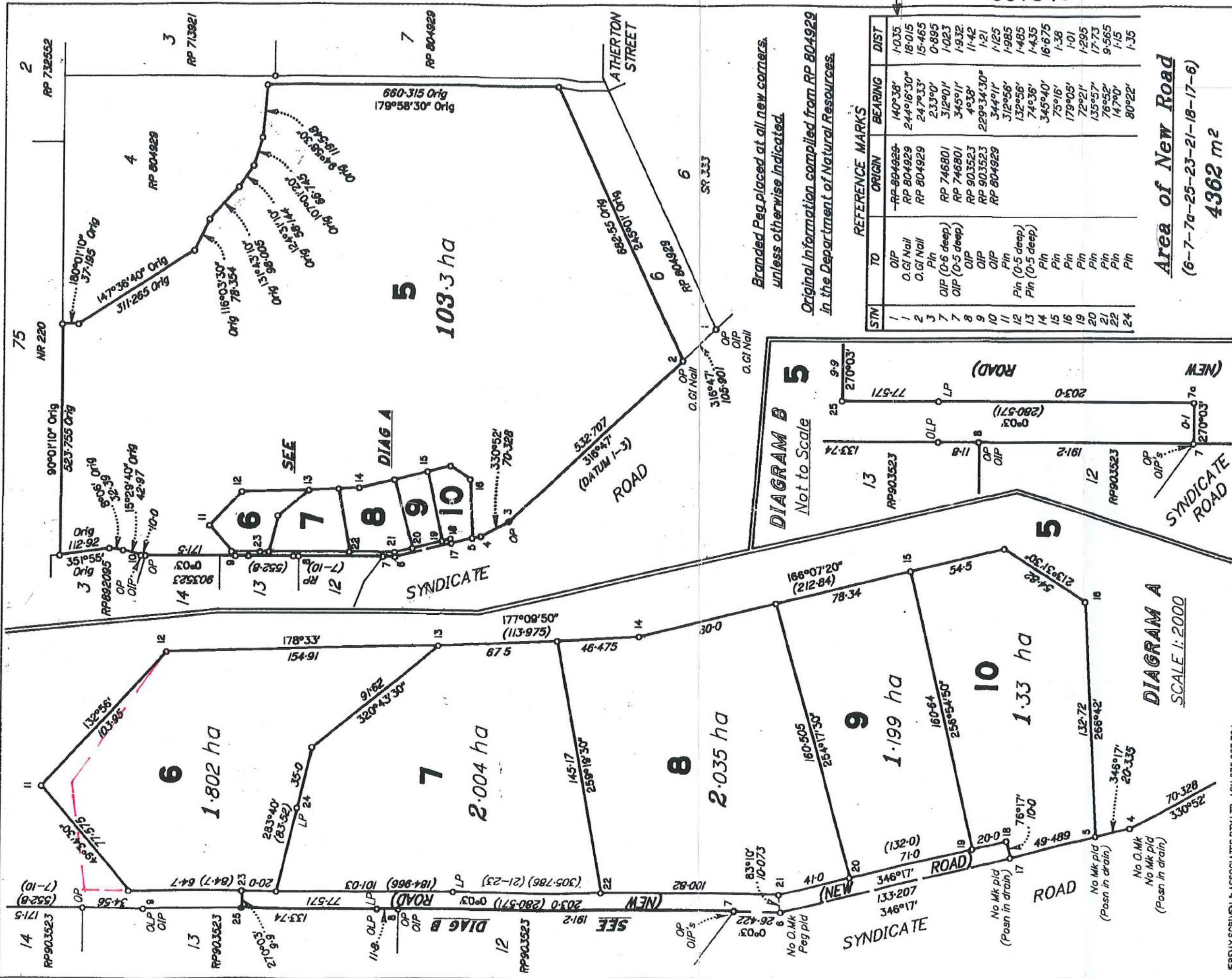
907340

WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED

907340

PLAN MUST BE DRAWN WITHIN BLACK LINES

907340



Branded Peg placed at all new corners.  
unless otherwise indicated.

Original information compiled from RP 804929  
in the Department of Natural Resources.

REFERENCE MARKS				
STN	TO	ORIGIN	BEARING	DIST
1	OIP	RP 804929	140°38'	1-035
1	O.G.I Nail	RP 804929	244°16'30"	18-015
2	O.G.I Nail	RP 804929	247°33'	15-465
3	Pin	RP 804929	233°00'	0-895
7	OIP (0-5 deep)	RP 746801	312°00'	1-023
7	OIP (0-5 deep)	RP 746801	345°11'	1-932
8	OIP	RP 903523	4°38'	1-42
9	OIP	RP 903523	229°34'30"	1-21
10	OIP	RP 804929	344°11'	1-125
11	Pin		312°56'	1-985
12	Pin (0-5 deep)		132°56'	1-485
13	Pin (0-5 deep)		74°36'	1-435
14	Pin		345°40'	16-675
15	Pin		75°16'	1-38
16	Pin		179°05'	1-01
19	Pin		72°21'	1-295
20	Pin		135°57'	17-73
21	Pin		76°52'	9-565
22	Pin		147°00'	1-15
24	Pin		80°22'	1-35

Area of New Road  
(6-7-7a-25-23-21-18-17-6)  
4362 m<sup>2</sup>

DIAGRAM B  
Not to Scale

DIAGRAM A  
SCALE 1:2000

JEREMY SCRIVEN & ASSOCIATES PTY LTD ACN 072 257 704  
hereby certify that the Company has surveyed the land  
comprised in this plan by DAVID ALLAN JERICO, Licensed  
Surveyor & JEREMY MATTHEW SCRIVEN, Licensed Surveyor,  
for whose work the company accepts  
responsibility. The survey was conducted in accordance with the  
aid survey regulations of the Survey Regulation 1992  
and that the survey was surveyed on 9/1/97.

DATE 07/01/97 OF 07/01/97  
JEREMY SCRIVEN & ASSOCIATES PTY LTD  
JEREMY SCRIVEN, Director

PLAN OF  
**LOTS 5 - 10**  
Cancelling Lot 5 on RP 804929

ORIGINAL Por 54

Meridian  
VDE  
RP 804929

MAP REF  
20 CH  
888 N

SCALE  
1:8000

ENDORSED  
ACCREDITED  
JMS 12-1-98

NO SURVEY RECORDS DEPOSITED  
ARCHIVED  
NORTHERN

PARISH **WHYANBEEL**  
COUNTY **Solander**  
TOWN/LOCALITY  
LOCAL GOVERNMENT **DOUGLAS S.C.**  
LANDS REGION **FAR NORTH**  
MINING DISTRICT

PLAN 907340

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