

## **5.1. LAND OWNER'S CONSENT AND DELEGATION OF AUTHORITY FOR A MATERIAL CHANGE OF USE FOR A COMMUNITY CARE CENTRE AT 20-22 MILL STREET, MOSSMAN OWNER'S**

<b>REPORT AUTHOR(S)</b>	Jenny Elphinstone, Senior Planning Officer
<b>GENERAL MANAGER</b>	Michael Kriedemann, Acting General Manager Operations
<b>DEPARTMENT</b>	Development Assessment and Coordination
<b>PROPOSAL</b>	Request for Owners Consent to facilitate lodgement of a Development Application for a Material Change of Use (Code Assessment) - Community Care Centre and delegation of section 60 of the <i>Planning Act 2016</i> for a car parking reduction.
<b>APPLICANT</b>	Douglas Shire Community Services Ltd PO Box 682 Mossman Qld 4873
<b>LOCATION OF SITE</b>	20-22 Mill Street, Mossman.
<b>PROPERTY</b>	Lots 4 and 5 on RP706271

### **LOCALITY PLAN**



**Figure 1 - Locality Plan**

<b>ZONE</b>	Centre
<b>LOCAL PLAN</b>	Mossman, Precinct 5 – Town Centre Precinct.
<b>PLANNING SCHEME</b>	2018 Douglas Shire Planning Scheme
<b>REFERRAL AGENCIES</b>	None applicable.
<b>NUMBER OF SUBMITTERS</b>	Not applicable.

## RECOMMENDATION

- A. That Council delegate authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to provide Owner's Consent with respect to 22 Mill Street, Mossman, described as Lot 5 on RP706271 and sign the DA Form 1 to enable the development application to be considered properly made in accordance with section 51 of the *Planning Act 2016*.
- B. That Council delegate authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* and section 60 of the *Planning Act 2016* the ability to waive onsite car parking for the material change of use and the associated infrastructure charges for a Community Care Centre at 20-22 Mill Street, Mossman as per the application lodged with Council.

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## EXECUTIVE SUMMARY

The Douglas Shire Community Centre Services Association Ltd is based at and owns the land at 20 Mill Street, Mossman. The Association also leases land at 22 Mill Street from the Douglas Shire Council. The Association provides a range of outreach, care and support services from this facility. The Men's Shed is also based at the facility, utilising a large shed at the rear of 22 Mill Street.

The Association is seeking to develop another building on the land at 22 Mill Street, between the existing buildings. In order for the application to be considered as a properly made application under the *Planning Act 2016*, the consent of Douglas Shire Council as the owner of 22 Mill Street, Mossman (Lot 5 on RP 706271) is required. The Douglas Shire Community Centre Services Association Ltd is therefore seeking Owners Consent to enable the application to be considered properly made. It is recommended that Council favourably consider the request and grant Owners Consent for the purpose of lodging the development application.

## TOWN PLANNING CONSIDERATIONS

### Proposal

The new building will be constructed between the existing buildings on the site, will have a gross floor area of 72 m<sup>2</sup> and will be complimented by a verandah. No change is proposed to the streetscape and no additional, onsite car parking will be provided. Most clients attending the site do not have a vehicle. The new building will provide an additional counselling / break out area for clients visiting the centre. A copy of the application detail is included in Attachment 1.

The development will not increase the range of services operating from the centre as these are currently housed in the existing office/service building at 20 Mill Street. The Association will utilise car parking already established and provided at the sites.

### Officer Comment

As highlighted above, the consent of Douglas Shire Council as owner of 22 Mill Street is required in order for the application to be properly made under the *Planning Act 2016*. Council's Property Officer has raised no issue with the request for Council to provide Owner's Consent.

Under the 2018 Planning Scheme the proposal comprises code assessable development and the Act does not require public notification. A thorough assessment of the development application will be undertaken against the Planning Scheme once the development application is deemed to be properly made. Council's authority to delegate approval of code assessable applications is contingent on there being no reduction or waiver of onsite car parking. The Planning Scheme seeks, as an acceptable outcome, the development of three additional car spaces on the land for the proposed additional floor area, irrespective of the location of the land and the range of services provided. Given the relative minor increase of floor area proposed the report seeks that in this instance Council delegates authority to assess and determine the application, including any reduction and/or waiver of car parking to facilitate the expeditious development of the additional floor area.

### ADOPTED INFRASTRUCTURE CHARGES

The proposed development triggers local government infrastructure charges in accordance with the Councils Local Government Infrastructure Plan (LGIP). Charges for community services are levied under the LGIP at \$4.09 per square metre of gross floor area. The proposal triggers an infrastructure charge of \$294.48. It is proposed to waive the infrastructure charge because of the minor nature of the proposed development.

### COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following area outlines where Council has a clear responsibility to act:

**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

Council is the owner of the land and under section 257 of the *Local Government Act 2009* can delegate authority for owner's consent to the Chief Executive Officer. Under the *Planning Act 2016* and the *Planning Regulation 2017* Council is the assessment manager for the application.

## CONSULTATION

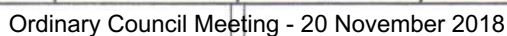
**Internal:** Comment has been sought from Council's Property Officer as discussed above.

**External:** None required under the *Planning Act 2016*.

## ATTACHMENTS

1. Attachment 1 22 Mill St **[5.1.1]**



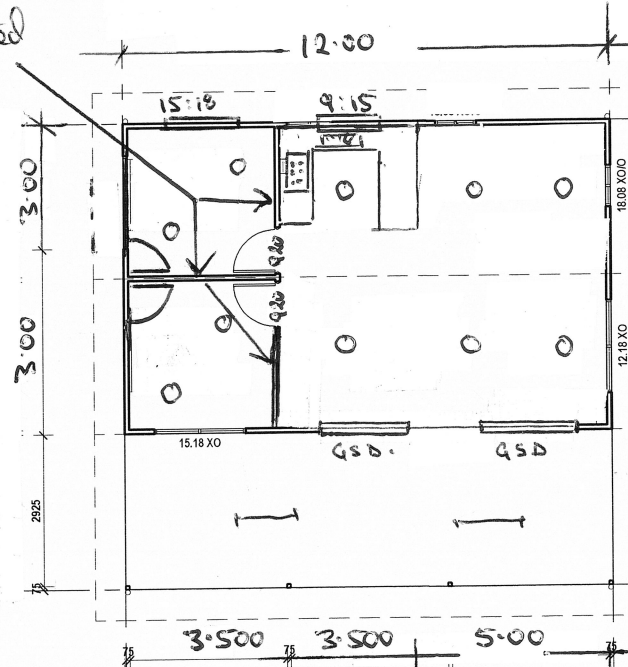




## ELEVATION KEY

FLOOR AREAS LEGEND	
LIVING	57.60 m <sup>2</sup>
PATIO	28.80 m <sup>2</sup>
	86.40 m <sup>2</sup>

\*Walls Sound Insulated



## Owners Approval of Preliminary Plans

Owners: \_\_\_\_\_

Date: \_\_\_\_\_

DESIGN WIND SPEED - C- SOIL CLASSIFICATION - TBA

A		

No. DATE DESCRIPTION

## VARIATIONS INCLUDED IN THIS DRAWING

DRAWING TITLE

FLOOR PLAN

SHEET NO. 03 PRINT TIME: 19/04/2018 4:36:25 PM

PRELIMINARY: 19/04/18 CONSTRUCTION

A3	SCALE: 1:100 AT A3	ISSUE: A
		DRAWN BY: WE

## PRELIMINARY ISSUE

SSH-HQ JOB No. DRAWING No.

## PROJECT

## CLIENT

QBCC: 1117525

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**KIT HOMES**

Affordability Without Compromise  
 34/5 FACULTY CLOSE, SMITHFIELD

PH: (07) 4038 3900

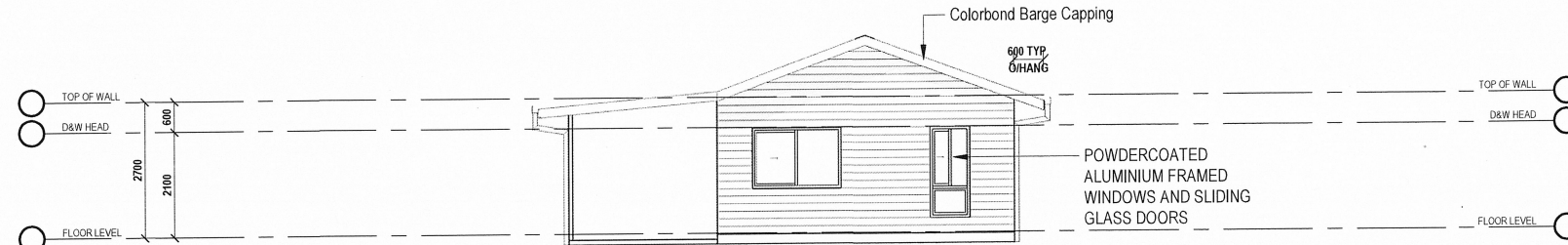
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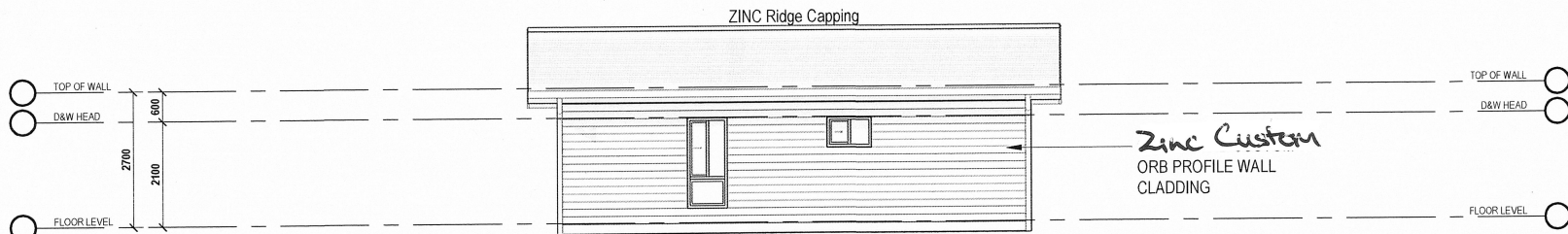
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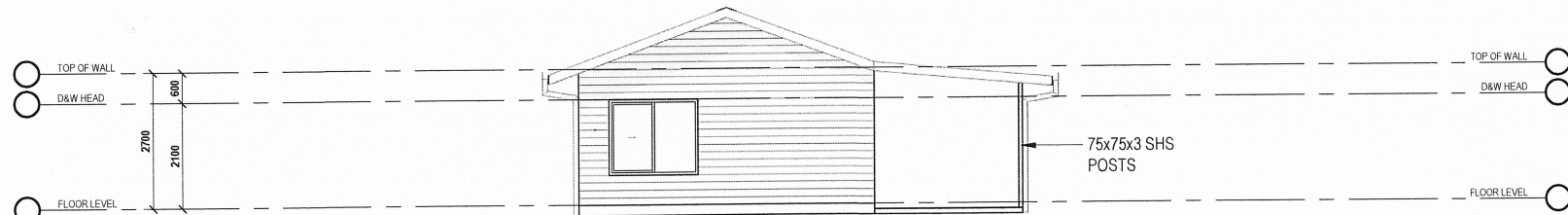
**TYPICAL ROOFING**  
 ROOF PITCH - 5 & 20 DEG.  
 ROOF TRUSSES - 900 CTS.  
 TYPICAL OVERHANG - 600 mm



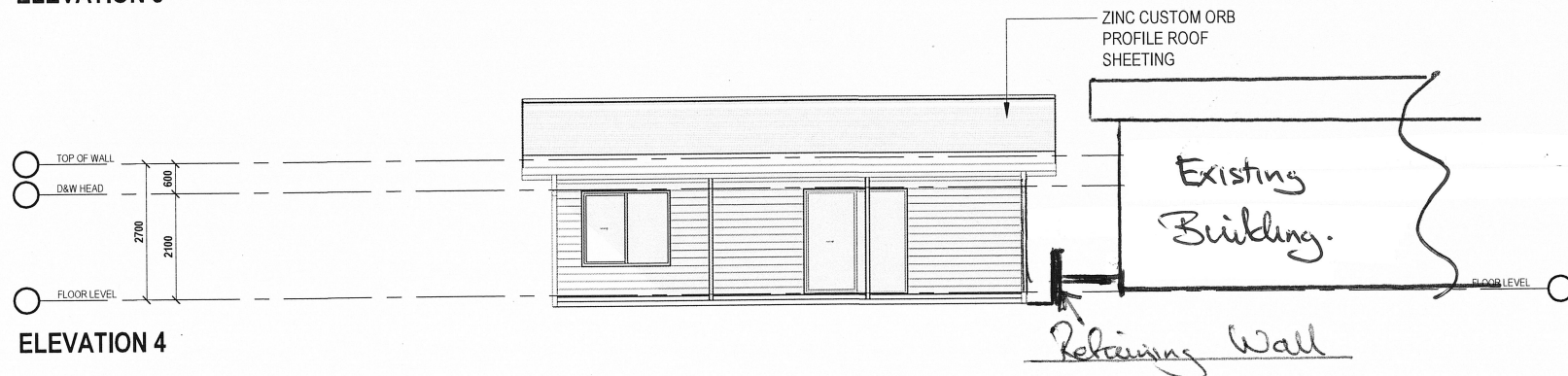
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4

## Owners Approval of Preliminary Plans

Owners: \_\_\_\_\_

Date: \_\_\_\_\_

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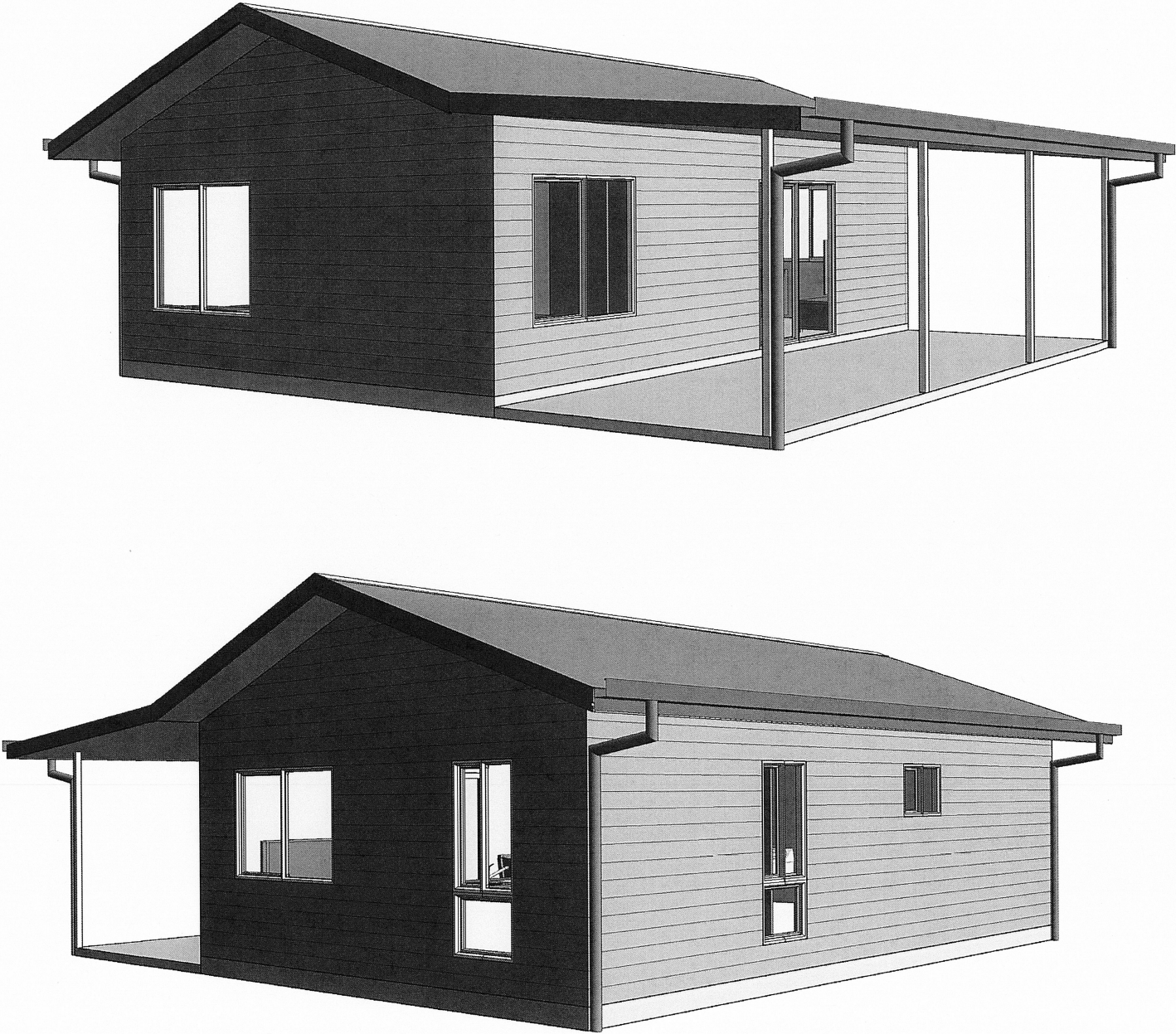
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Ordinary Council Meeting - 20 November 2018



Owners Approval of Preliminary Plans		
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