REF: HARRISON_MCU

Chief Executive Officer Douglas Shire Council P O Box 723 MOSSMAN QLD 4873

13 May, 2015

Attention: Mr. Neil Beck

RE:

APPLICATION FOR MATERIAL CHANGE OF USE TO ALLOW LOT 35 RP 726590, A SINGLE STOREY DWELLING IN A RESIDENTIAL 1 PLANNING AREA, FOR BED & BREAKFAST USE AS A HOME BASED BUSINESS.

Applicant:

Mr & Mrs Cheryl & Perry Harrison 17 Limpet Avenue Port Douglas 4877

Contact: Perry - m. 0401 598836 / me@perryharrison.com.au

The application is comprised of:

- IDAS Forms 1 & 5: and
- A sketch plan of the proposed bed and breakfast rooms within the house and the associated car parking on the land.
- A report that assesses the development against the Planning Scheme Codes.
- A statement of intensity and scale of the proposed use.

An application fee of \$860.95 will be paid by Perry Harrison at the Council Chambers in Mossman in the week commencing Monday $\mathbf{11}^{th}$ following the email lodgement of this MCU application.

The Site and Locality

The subject site of the application is a single storey dwelling 17 Limpet Avenue, Port Douglas.



LOCALITY PLAN SHOWING THE LOCATION OF LOT 35 | 17 LIMPET AVE

Intensity and scale of the proposed use.

The proposed bed and breakfast facility is to provide a single bedroom/living room space with an adjoining ensuite of a combined floor area, including verandah of 48m². The existing, single storey, dwelling is a total of 166m².

Provide short-term accommodation services 7 days per week, 24 hours a day, to no more than two (2) people at any one time/booking.

Code Considerations

<u>Port Douglas and Environs Locality Code &</u> Residential 1 Planning Area Code.

As a major tourist accommodation service for the area there is a lack of quality, legitimate, alternatives to resort style accommodation. The proposal is to offer a more personalised experience for tourists within an anonymous residential frontage and well landscaped home that has been established in Port Douglas for 24 years.

This would be the only home-based business of this type in Limpet Avenue.

There will be no structural building work required as the proposed letting area is within the existing building, which is a single storey dwelling.

As the property is well established there is existing fencing with established gardens over large portions of the entire property and its frontage. There are plans to continue to maintain and develop the landscaping with native trees and shrubs.

Home Based Business Land use Code.

The proposed short-term guest accommodation is a total of twenty-nine percent (29%) of the total house area.

Our primary target market is for couples; our planning is based on a maximum of two (2) people staying as guests at any one time in a single large open bedroom with incorporated living area.

The home has a large existing bathroom, which will be reconfigured into two (2) bathrooms to allow a bathroom for residents and an ensuite for guests. This work will not be structural in nature but will require some internal cosmetic changes and the necessary plumbing alterations and permissions.

No signage will be employed except for a street number of standard size proportions.

Filling and Excavation Code.

There will be no filling & excavation required.

Design and Siting of Advertising Code.

There will be no signage incorporated aside from standard size street numbering.

Landscaping Code.

There is existing and comprehensive landscaping, fencing and mature vegetation over large portions of the property and its frontage. There are plans to further develop native species and increase shade trees. There will be small amount of landscaping within the property to define the guest parking and further enhance privacy in a section of the

garden. Shrub planting along the fence lines to further enhance the privacy of the guests and the surrounding residence will also be a priority.

Vehicle Parking and Access Code.

There is adequate car parking on site for the traffic generated by the short term let. Residents parking accommodates two (2) spaces including garage/carport and there has been provision for an additional 5.5m x 3m parking area for guests, with enough space around it to allow vehicles in and out of the property and easy access for guests to and from the vehicle.

Sustainable Development Code.

There will be cosmetic building works to upgrade the existing bathroom/ensuite, no structural works will be required.

A longer-term plan to incorporate more efficient sustainability, in terms of water consumption, will be to eventually install a water tank to catch run off from the roof.

Material Change of Use Application - Intensity and scale of the proposed use.

Perry & Cheryl Harrison 17 Limpet Avenue Port Douglas 4877

Contact: Perry Harrison - 0401 598836 / me@perryharrison.com.au

Home Based Business - Bed & Breakfast Use.

Intensity and scale of the proposed use.

The proposed bed and breakfast facility is a single bedroom/living room space with an adjoining ensuite of a total $48m^2$, which is a 29% of the total dwelling area. The existing dwelling is a total of $166m^2$.

The aim is to provide accommodation services 7 days per week to no more than 2 people at any one time/booking.

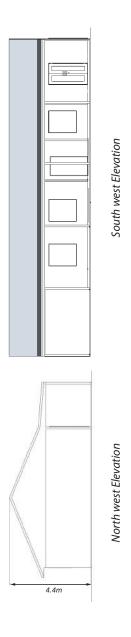
Plan - Material Change of Use Application

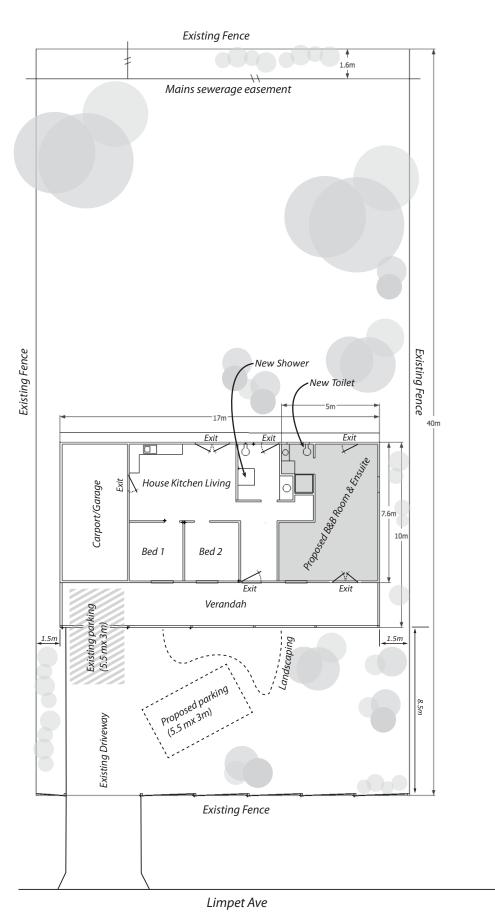
Perry & Cheryl Harrison 17 Limpet Avenue | LOT 35 RP 726590 Port Douglas 4877

SCALE: 200:1

---- Dotted line indicates proposed parking & landscaping.







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 & Mrs Perry & Cheryl Harrison				
For companies, contact name					
Postal address	PO Box 45	i1			
	Suburb	Port Douglas			
	State	Qld	Postcode	4877	
	Country		·		
Contact phone number	Perry - 040)1598836			
Mobile number (non-mandatory requirement)	Perry - 040)1598836			
Fax number (non-mandatory requirement)					



Email address (non-mandatory requirement)	me					
	@ perryharrison.com					
Applicant's reference number (non-mandatory requirement)						
1. What is the nature of the development p	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? (Ple	ase only tick one box.)					
X Material change of use Reconfigu	uring a lot					
b) What is the approval type? (Please only tick	one box.)					
	ry approval X Development permit 41 and s242					
	ncluding use definition and number of buildings or structures where efined as a <i>multi-unit dwelling</i> , 30 lot residential subdivision etc.)					
Home Based Business, Bed & Breakfast u	ise.					
1	om of my existing home on a short-term basis as a bed & breakfast ey, 3 bedroom dwelling. There will be no new structural building work. existing bathroom will be required.					
d) What is the level of assessment? (Please only	y tick one box.)					
☐ Impact assessment	essment					
Table B —Aspect 2 of the application (If there are Additional aspects of the application.)	additional aspects to the application please list in Table C—					
a) What is the nature of development? (Please	only tick one box.)					
☐ Material change of use ☐ Reconfigu	uring a lot					
b) What is the approval type? (Please only tick	one box.)					
, <u> </u>	ry approval Development 41 and s242 permit					
	ncluding use definition and number of buildings or structures where efined as a <i>multi-unit dwelling</i> , 30 lot residential subdivision etc.)					
d) What is the level of assessment?						
☐ Impact assessment ☐ Code ass	essment					
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 an	d attach to this form.)
Refer attached schedule	X Not required

2.	2. Location of the premises (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)										
adjace	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.)										
X	Stre	eet address	and lo	ot on plan (Al	l lots r	nust be listed	.)				
										Appropriate for must be listed.)	
Street	Street address Lot on plan description Local government area (e.g. Logan, Cairns)						area				
Lot	Unit no.	Street no.		eet name and ourb/ locality na		Post- code	Lot no.		type plan		
i)		17	Lim	npet Avenue		4877	35 RP 726590	837	963	Douglas Shire	
ii)											
iii)											
				he premises i e. Non-manda		es multiple zo	nes, clearly id	entify	the rele	vant zone/s for each	lot in a
Lot	Applic	cable zone / p	recinc	t	Appli	cable local pla	n / precinct		Applical	ole overlay/s	
i)	Port Loca	Douglas and lity	d Envi	rons	Resi	dential 1 Plar	nning Area				
ii)											
iii)											
adjoin		adjacent to la								f a lot or in water not nedule if there is insu	
	linates place		coordi	inates in a se	parate	e row)	Zone reference	Dat	tum	Local governi area (if applic	
Eastin	g	Northing		Latitude	L	ongitude					
				-16.524935	1	45.472990] GDA9)4	
									WGS	34	
									other		
3. Total area of the premises on which the development is proposed (indicate square metres)											
166 m	166 m ²										
4. Cur	4. Current use/s of the premises (e.g. vacant land, house, apartment building, cane farm etc.)										
House	;										

5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)						
X No Yes—provide de	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 a	pplication? (Refer to notes at the en	d of this form for more information.)			
☐ No						
X Yes—complete either Table F,	Table G o	r Table H as applicable				
Table F						
Name of owner/s of the land	Perry H	arrison & Cheryl Harrison				
I/We, the above-mentioned owner/s of	of the land	, consent to the making of this applic	ation.			
Signature of owner/s of the land						
Date: 13/05/15	1 11/1					
Table G						
Name of owner/s of the land						
The owner's written consent is a	ttached or	will be provided separately to the ass	sessment manager.			
Table H						
Name of owner/s of the land						
By making this application, I, the app	olicant, dec	clare that the owner has given written con	sent to the making of the application.			
7. Identify if any of the followin	g apply t	o the premises (Tick applicable box/	es.)			
Adjacent to a water body, wate	rcourse o	r aquifer (e.g. creek, river, lake, canal)—complete Table I			
On strategic port land under the	On strategic port land under the <i>Transport Infrastructure Act 1994</i> —complete Table J					
☐ In a tidal water area—complete Table K						
On Brisbane core port land under the <i>Transport Infrastructure Act 1994</i> (No table requires completion.)						
On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i> (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 author	Port authority for the lot		
Table K		*			
Name of local government for the tidal area (if applicable)	Port author	rity for the tidal area (if applicable)		
Traine of local government for the tidal area (п аррисавіс)	1 Ort addition	inty for the tidal area (ii applicable)		
8. Are there any existing easements or water etc)	n the premises? (e.g. for vehice	ular access, electricity, overland flow,		
No X Yes—ensure the type, loca	ation and dimensio	n of each eas	ement is included in the plans submitted		
Does the proposal include new build services)	ding work or ope	rational work	on the premises? (Including any		
X No Yes—ensure the nature, lo	cation and dimens	sion of propos	ed works are included in plans submitted		
10. Is the payment of a portable long se end of this form for more information.)	rvice leave levy a	applicable to	this application? (Refer to notes at the		
▼ No—go to question 12 Yes					
11. Has the portable long service leave information.)	levy been paid? (Refer to note	s at the end of this form for more		
X No					
Yes—complete Table L and submit with receipted QLeave form	n this application th	ne yellow loca	I government/private certifier's copy of the		
Table L					
Amount paid		Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)		
		<u> </u>			
12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the Sustainable Planning Act 2009?					
X No					
Yes—please provide details below					
Name of local government	Date of written n by local governm (dd/mm/yy)		Reference number of written notice given by local government (if applicable)		

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

Description of attachment or title of attachment	Method of lodgement to assessment manager		
A sketch plan of the proposed bed and breakfast rooms within the house and the associated car parking on the land. The plan identifies the existing mains sewerage easement and the proposed installation of an extra toilet and shower.	EMAIL		
A report that assesses the development against the Planning Scheme Codes.	EMAIL		
A statement of intensity and scale of the proposed use.	EMAIL		

14. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

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

Question 11

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

Question 12

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

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

OFFICE USE	ONLY							
Date received			Reference nu	Reference numbers				
NOTIFICATION	ON OF EN	GAGE	MENT OF A PRIVAT	E CERTIFIER				
То					Council. I have been engaged as the private certifier for the building work referred to in this application			
Date of engagement Name		е	BSA Certifica number		icatio		Building classification/s	
QLEAVE NO applicable.)	TIFICATIO	N ANI	D PAYMENT (For co	mpletion by as	sessment r	mana	ager or private c	ertifier if
Description of the work		QLeave project number	Amount paid (\$)	Date pa	aid	Date receipted form sighted by assessment manager	Name of officer who sighted the form	
							<u> </u>	

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

IDAS form 5—Material change of use assessable against a planning scheme

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

This form must be used for development applications for a material change of use assessable against a planning scheme.

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.

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 must also be used for material change of use on 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* that requires assessment against the land use plan for that land. 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.

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

1. **Describe the proposed use.** (Note: this is to provide additional detail to the information provided in question 1 of *IDAS form 1—Application details*. Attach a separate schedule if there is insufficient space in this table.)

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)
To allow Lot 35 / 17 Limpet Ave. to use a single room for Bed and Breakfast use.	Home Based Business	1 Dwelling, 166 m ²	24/7	0

		I.			1
2.	Are there any current appr (e.g. a preliminary approval.)		roposed material chan	ge of use?	
X	No Yes—provide	details below			

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



3. Does the proposed use involve the following? (Tick all applicable boxes.)			
The reuse of existing buildings on the premises No	Yes		
New building work on the premises X No	Yes		
The reuse of existing operational work on the premises X No	Yes		
New operational work on the premises \(\overline{\chi} \) No	Yes		
Mandatory supporting information			
4. Confirm that the following mandatory supporting information accompanies this application			
Mandatory supporting information	Confirmation of lodgement	Method of lodgement	
All applications			
A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which shows the following:	Confirmed	EMAIL	
 the location and site area of the land to which the application 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 location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed siplan] may be appropriate) any existing or proposed easements on the relevant land and their function the location and use of buildings on land adjoining the relevant land all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities an any service vehicle access and parking should be clearly marked for any new building on the relevant land, the location of refuse storage the location of any proposed retaining walls on the relevant land and the height the location of any proposed landscaping on the relevant land the location of any stormwater detention on the relevant land. 	site s and		
A statement about how the proposed development addresses the local government's planning scheme and any other planning instruments or documents relevant to the application.	X Confirmed	EMAIL	
A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.).	r X Confirmed	EMAIL	
Information that states:	X Confirmed	EMAIL	
 the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused) 	Not applicable		
the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses).			

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	Confirmed		
William the complication involves the manage of eviction by its in-	X Not applicable		
When the application involves the reuse of existing buildings			
Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.	X Confirmed☐ Not applicable	EMAIL	
When the application involves new building work (including extensions)			
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are recommended scales) which show the following:			
 the north point the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only) the room layout (for residential development only) with all rooms clearly labelled the existing and the proposed built form (for extensions only) the gross floor area of each proposed floor area. 			
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	Confirmed		
Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.	Confirmed Not applicable		
When the application involves reuse of other existing work			
Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.		EMAIL	
When the application involves new operational work			
Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.	☐ Confirmed ☐ Not applicable	EMAIL	
Privacy —Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.			
OFFICE USE ONLY			
Date received Reference numbers			

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