

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.2 effective 3 August 2015)

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)

Giuseppe and Vanessa CALLIPARI

For companies, contact name

C/- Kristy Gilvear, Gilvear Planning Pty Ltd

Postal address

Po Box 228

Suburb Babinda

State Queensland

Postcode

4861

Country Australia

Contact phone number

0448 897 991

Mobile number (non-mandatory requirement)

0448 897 991

Fax number (non-mandatory requirement)

N/A

Email address (non-mandatory requirement)

Kristy

@ gilvearplanning.com.au

Applicant's reference number (non-mandatory requirement)

J000430:CAL:KLG

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.)
- Convert dwelling to Caretakers Residence
- 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)		112	Mijo Road, Miallo	4873	5	RP747657	Port Douglas
ii)							
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	Rural Settlement	Acid Sulfate Soils Natural Hazard Bushfire (Medium Risk)
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)10 800m²**4. Current use/s of the premises** (e.g. vacant land, house, apartment building, cane farm etc.)

Residence and Land utilised for agricultural production of taro and turf.

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	

Table G

Name of owner/s of the land	Giuseppe and Vanessa Callipari
<input checked="" 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 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)

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)

Description of attachment or title of attachment	Method of lodgement to assessment manager
Gilvear Planning Report (August 2016)	Online

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 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 5—Material change of use assessable against a planning scheme

(Sustainable Planning Act 2009 version 3.1 effective 3 August 2015)

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.

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)
Caretakers Residence	Caretakers Residence	1	7 Days	

2. Are there any current approvals associated with the proposed material change of use? (e.g. a preliminary approval.)

☒ 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	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
New building work on the premises	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
The reuse of existing operational work on the premises	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
New operational work on the premises	<input checked="" type="checkbox"/> No	<input type="checkbox"/> 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		
<p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which shows the following:</p> <ul style="list-style-type: none"> the location and site area of the land to which the application relates (<i>relevant land</i>) 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 site plan] 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 and 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 their height the location of any proposed landscaping on the relevant land the location of any stormwater detention on the relevant land. 	<input checked="" type="checkbox"/> Confirmed	Online
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.	<input checked="" type="checkbox"/> Confirmed	Online
A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.).	<input checked="" type="checkbox"/> Confirmed	Online
<p>Information that states:</p> <ul style="list-style-type: none"> 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) 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). 	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online
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.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online
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: <ul style="list-style-type: none"> 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. 	<input checked="" type="checkbox"/> Confirmed	Online
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)	<input checked="" type="checkbox"/> Confirmed	Online
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.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online
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.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online
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.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	Online

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.

Planning Report

Development Application for Material Change of Use – Convert to Caretakers



Prepared For:	Douglas Shire Council
Client:	G & V Callipari
Our Reference:	J000430
Site:	112 Mijo Road, Miallo
Date	August 2016




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Important Note

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of Gilvear Planning Pty Ltd ('Gilvear Planning').

This Report has been prepared for G & V Callipari for the sole purpose of making a Development Application for Material Change of Use for a Caretakers Residence at Mijo Road, Miallo. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilized for any other purpose, use, matter or application.

Gilvear Planning has made certain assumptions in the preparation of this report, including:

- a. That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;
- b. That information obtained as a result of a search of a government register or database is complete and accurate.

Gilvear Planning is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, Gilvear Planning does not accept any responsibility in relation to any financial or business decisions made by parties other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and / or content of this Report without consent of Gilvear Planning, Gilvear Planning disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified Gilvear Planning from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

Signed on behalf of

Gilvear Planning Pty Ltd

A handwritten signature in blue ink, appearing to read 'K. Gilvear', written over a light blue grid background.

Kristy Gilvear, Director

1.0 Introduction

Gilvear Planning Pty Ltd have been engaged by Giuseppe and Vanessa Callipari (the 'applicant') to prepare this report addressing planning considerations associated with the conversion of the existing dwelling to a Caretakers residence, on land located at 112 Mijo Road, Miallo more particularly described as Lot 5 on RP747657 ('the site'). This report will be submitted to Council with an application seeking approval for the Material Change of Use to facilitate the new proposed land use.

Specifically, the development proposed seeks to re-use the existing dwelling for a Caretakers Residence to be utilised in association with management of day to day rural land uses (currently turf farm), whilst also ensuring consistency for security on the site. A new main dwelling will be constructed on an existing cleared area of the property.

Annexure 1 includes the proposal plan for the project.

The proposal has been designed to comply with the outcomes sought for the area and accordingly, the application is respectfully commended for approval subject to the imposition of reasonable and relevant conditions.

2.0 Summary

Table 1: Application Summary

Key Characteristics	Identified Detail
Site Details	112 Mijo Road, Miallo (Lot 5 on RP747657)
Site Area	10.8ha
Owners	Giuseppe and Vanessa CALLIPARI – refer to Certificate of Title in Annexure 2
Easements & Encumbrances	NA
Proposal	Conversion of residence to Caretakers Residence
Approvals Sought	Development Permit
Level of Assessment	MCU – Code Assessable
Planning Scheme Zones & Precincts	Rural
Regional Plan Designation	Regional Landscape and Rural Production Area
State Planning Policy	<ul style="list-style-type: none"> Matters of State Environmental Significance (ALC Agricultural Land – Class A & B, MSES: Wildlife Habitat; Regulated Vegetation; Vegetation Intersecting a Watercourse) Coastal Environment (Coastal Zone) Water Quality (Climatic Regions – Stormwater Management Design Objectives); and Natural Hazards Risk & Resilience (Bushfire Hazard Area – Bushfire Prone Area).
State Development Assessment Provisions	<ul style="list-style-type: none"> Fish Habitat Areas (QLD Waterways Barrier Works); Coastal Protection (Coastal Zone) and; Native Vegetation Clearing (Category A & B Extract from The Regulated Vegetation Management).
Referral Triggers	N/A
Referral Fees	N/A

Table 2: Proposal Summary

Existing Use Vs. Current Approval Vs. Proposed Development

Proposed Use

Existing Use

Primary Industry, specifically the use of premises for:

- Growing of crops, trees, fruit, vegetables, flowers, turf or the like;
- Cultivation of seedlings, plants, flowers, shrubs or trees; or
- Breeding, keeping and rearing of any animal for commercial purposes.

The use includes:

- Storing of produce grown on the land or products required in the operation of the primary industry;
- Packing and processing of vegetables or plant produce grown on the land and the preparation of this produce for consignment to market or sale elsewhere, or for wholesale from the farm property.

Currently the site is utilised for agricultural purposes including the production of turf and taro root resources.

Proposed Use

Caretakers Residence:

‘the use of premises comprising one Dwelling Unit for the use by a caretaker or manager, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises’.

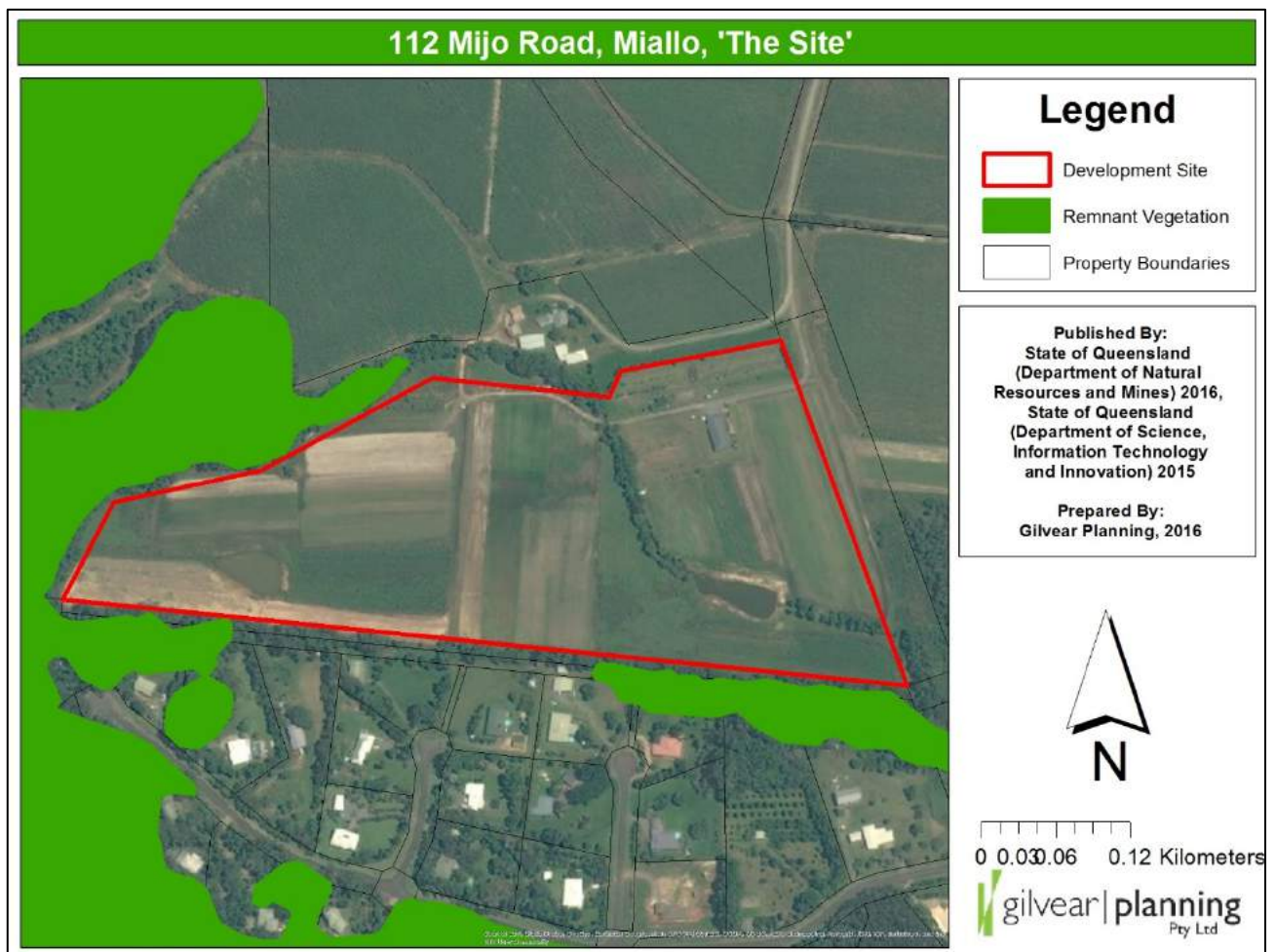
3.0 Site Description

The site is located at 112 Mijo Road, Miallo, and is described as Lot 5 on RP747657. With an estimated area of 10.8ha, the site is located on Mijo Road, and backs onto Poletti Road.

Imagery of the site suggests that the site is predominantly surrounded by agricultural land, natural rainforest landscapes as well as being in close proximity to small agricultural lifestyle properties, located to the south of the property. The site is generally clear of vegetation, except for vegetation along the northern boundary.

Use of land in the western portion of the site is facilitated by existing access from the north, and across a drainage path bisecting the property.

A historical title search of the property reveals a registered mortgage, and no easements are currently established on the site.



4.0 Development Proposal

4.1 Background

By email dated 26 May 2016, the applicant sought Council pre-lodgement advice regarding potential development on the land involving construction of a second dwelling.

In regards potential development for a Caretakers Residence, Council Officers advised that, by email dated 30 May 2016:

The Planning Scheme defines a Caretaker's Residence as the use of premises comprising one Dwelling Unit for the use by a caretaker or manager, including their Household, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises. Based on the information available to Council to date, a second dwelling on this site would be defined as Multi-Unit Housing, which under the Planning Scheme is Impact Assessable (Inconsistent) and is unlikely to be supported.

Since receipt of this advice, the applicants confirm that the existing house will be utilised as a Caretakers Residence in association with turf and tarro operations on site.

In addition, pre-lodgement advice was sought from the State in regards potential referrals for the project. The State advice confirmed no requirement for vegetation referral, as desktop review revealed no "remnant" vegetation within the property boundaries.

The State advised that any infrastructure across a waterway on site would require potential State approval.

The State advice is provided for reference at **Annexure 3** to this Report.

In regards waterway crossings on site, the applicant confirms they are existing crossings; no new crossings are required nor proposed, and existing crossings have been in place for some time. Direct discussion with the State in regards these crossings is being undertaken, and it is submitted those processes do not impact or affect the substance of this Application, seeking approval for a Caretakers Residence.

4.2 Proposed Development

The proposed development includes the conversion of the existing dwelling to Caretakers accommodation. The current dwelling is considered to be appropriate for use as a Caretakers Residence, in that:

- It is small scale, being approximately 170.45sq m in size;
- It is a smaller, low scale residential building with outbuildings utilised in association with rural activities on site; and
- It is sited on the site in a location that provides high visibility for security purposes.

The plans provided to highlight the intended site layout illustrates the intend setback of the new buildings, with the shortest being 30m from the northern boundary at the eastern corner of the property. Proposal plans showing the internal layout of the buildings are included for reference in **Annexure 4**, with a summary of the key features of the plans are included below:

Site Features:	
Area	10.8ha
Minimum Setbacks	6 metres from side and rear property boundaries, proposed minimum is 30m
Gross Floor Area	<p>Max. site coverage for all buildings on an allotment = 450sq m, proposed Caretakers Residence = 170.45sq m.</p> <p>Outbuilding used for ancillary purposes, not greater than 20% of total site coverage. The existing shed on the site is consistent with the ancillary purposes provisions.</p>
Height	6.5 metres and 2 Storeys

5.0 Statutory Planning Considerations

5.1 Sustainable Planning Act 2009 (SPA)

This section provides an overview of the legislative context of the application under the provisions of the *Sustainable Planning Act 2009*.

5.1.1 Prohibited Development

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under SPA including Schedule 1 of the *Sustainable Planning Act 2009*.

5.1.2 Assessable Development

The development constitutes a Material Change of Use, which is made assessable under the Douglas Shire Council Planning Scheme and the *Sustainable Planning Act 2009*.

5.1.3 Assessment Manager

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 6 of the *Sustainable Planning Act 2009*.

5.1.4 Level of Assessment

Following review of the provisions of the *Sustainable Planning Act 2009* and the Douglas Shire Planning Scheme, it is considered that the application is subject to code assessment.

5.1.5 Referral Triggers

As per the advice received from the Department of Infrastructure, Local Government and Planning, there are no current referrals applicable to this application.

5.1.6 State Resource

The proposal does not involve any State Resources.

5.1.7 State Planning Regulatory Provisions

There are no relevant or current Planning Regulatory Provisions applicable to the site.

5.1.8 Regional Plan

The site is not within a Regional Planning area.

5.1.9 State Planning Policy

On 2 December 2013, the Queensland Government introduced the Single State Planning Policy, effective on and from that date.

Relevantly, Part B of the Single SPP confirms that it applies to “assessment of a development application mentioned in Part E, to the extent the SPP has not been identified in the planning scheme as being appropriately integrated in the planning scheme”. Given the recent release of the Single SPP, it has not been integrated within the Douglas Shire Planning Scheme. It is therefore necessary to consider the application of the Single SPP to this proposal.

Part E in the Single SPP includes a range of “Interim Development Assessment Requirements”, which will “ensure that state interests are appropriately considered by local government when assessing development applications where the local government planning scheme has not yet appropriately integrated the state interests in the SPP.”

The application or effect of the Interim Development Assessment Requirements does not alter levels of assessment that would otherwise apply to the development in question (per Single SPP, Part E, p44).

The following table considers each Interim Development Assessment Requirement, and provides commentary on its application or otherwise.

State Priority	State Interest	Trigger For Assessment	Comment
Liveable Communities & Housing	Liveable Communities	NA	
	Housing Supply & Diversity	NA	
Economic Growth	Mining & Extractive Resources	NA	
Environment & Heritage	Biodiversity	MSES - Wildlife Habitat	The wildlife habitat is evident beyond the boundary on the eastern side of the property. However, a slight area of identified habitat is mapped within south-western corner of the property. This area of the site isn't impacted by any current or proposed future development, limiting impacts on the natural habitat. There is also a natural boundary provided mirroring the site boundary on the south-eastern corner of the property where there is no intention to further develop.
		MSES - Regulated Vegetation	The SPP mapping has illustrated that there is Regulated Vegetation, and a Watercourse within the lot. However, correspondence with DILGP has confirmed that whilst there is Category B vegetation mapped within the subject lot, the area
		MSES – Regulated Vegetation Intersecting a	

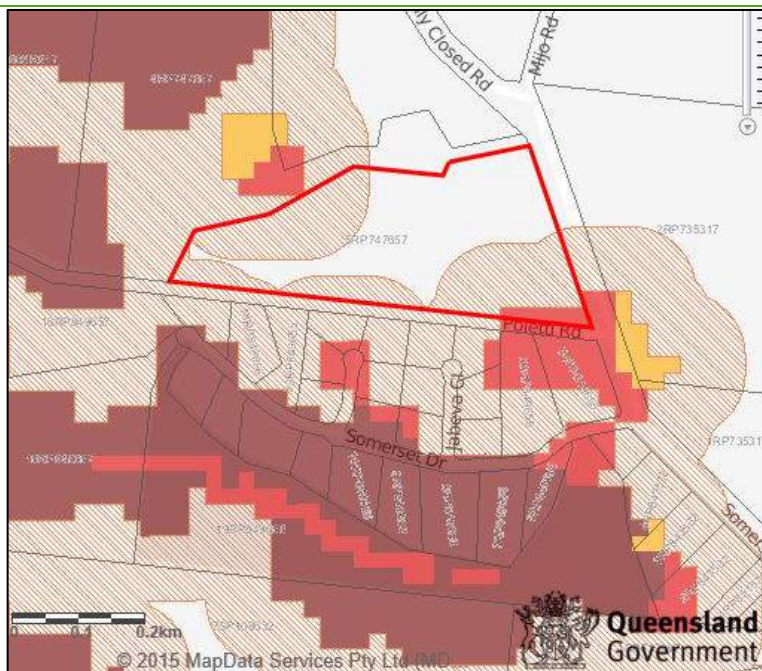
	Watercourse	does not contain regulated vegetation. The waterway mapped on site will not be impacted beyond use of existing crossings already in place.
	Coastal Environment	NA
	Water Quality	Climatic Regions – Stormwater Management Design Objectives
		The low scale nature of the proposed use, and existing site conditions, will permit this issue to be managed by implementation of ordinarily expected erosion and sediment control measures during construction of the new house.
Hazards & Safety	Emissions & Hazardous Activities	NA
	Natural Hazards Risk & Resilience	Bushfire Hazard Area - Bushfire Prone Area Given location of the existing Caretakers Residence building, and proposed dwelling, it is anticipated that bushfire issues may be appropriately managed.
Infrastructure	State Transport Infrastructure	NA
	Strategic Airports & Aviation Facilities	NA

Trigger Identified On Site

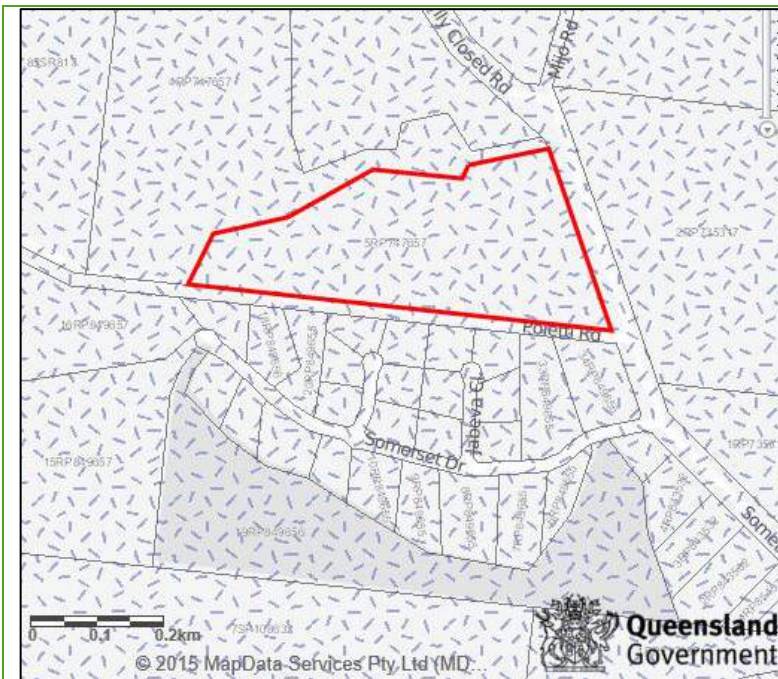
Impacting Trigger



Remnant Vegetation



Natural Hazard



Climatic Regions

5.1.10 State Development Assessment Provisions

Currently the application does not trigger assessment against State Development Assessment Provisions identified within the *Sustainable Planning Act 2009*, as referral to the State is not required.

6.0 Local Planning Considerations

6.1 Local Planning Scheme

The Planning Scheme applicable to area of the site is the Douglas Shire Planning Scheme (2012).

6.1.1 Land Use Definitions

Under the current Planning Scheme, the proposed development is defined as Caretakers Residence. The conversion of the existing building on site to Caretakers Residence will permit occupation by a family directly engaged in the rural land uses on site.

The definition specifically provides for:

“the use of premises comprising one Dwelling Unit for the use by a caretaker or manager, including their Household, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises.

The use does not include:

- *a manager’s unit located within Multi-Unit Housing; Holiday Accommodation; or Short Term Accommodation.”*

6.1.2 Planning Area & Codes

Pursuant to the relevant Table of Assessment, the proposed use is to be assessed against the following Codes:

- Rural Areas and Rural Settlements Locality Code;
- Rural Planning Area Code;
- Natural Hazards Overlay Code;
- Caretakers Residence Code;
- Filling and Excavation Code;
- Landscaping Code; and
- Vehicle Parking and Access Code.

Provisions within these Codes relevant to the proposed development are considered below.

6.1.2.1 Rural Areas & Rural Settlement Locality

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Areas & Rural Settlement Locality of the Shire:

- Retain rural areas for primary industry;
- Conserve the rural character and rural landscape elements as important and distinctive to the scenic value of the Shire;
- Protect rural areas from encroachment by incompatible urban development;

- Protect and conserve valuable riverine vegetation and systems in rural areas;
- Retain the rural lifestyle opportunities and amenity of rural settlement areas with no further compromise to surrounding productive rural areas;
- Ensure rural settlement areas remain unobtrusive and have no detrimental impact on the Scenic Amenity of surrounding rural areas; and
- Facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Area.

Comment

The proposed development seeks approval for a Caretakers Residence, to be utilised in association with primary production and rural land uses currently undertaken on site. The development is a complementary land use in a rural setting, unlikely to detrimentally impact or affect other land uses or users in the area, whilst providing an opportunity for appropriate and enhanced security and management of the existing land uses.

Assessment against code provisions is undertaken below.

Performance Criteria		Acceptable Solutions		Comment
P1	Buildings and structures complement the Height of surrounding development and/or are subservient to the surrounding environment and are in keeping with the character of the Locality.	A1.1	In all Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.	Complies, the proposed residence is a single storey dwelling.
P2	Development is connected to all urban services or to sustainable on Site infrastructure services.	A2.1	<p>Development is connected to available urban services by underground connections, wherever possible.</p> <p>AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p> <p>OR</p> <p>Water storage tank/s with a</p>	The development is to rely on the current infrastructure already developed on the Site.

Performance Criteria	Acceptable Solutions	Comment
	<p>minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.</p> <p>AND</p> <p>An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p>AND</p> <p>On-site sewerage facilities are provided in accordance with the On-site Sewerage Code</p>	
<p>P3 Landscaping of development Sites complements the existing rural character of the Locality.</p>	<p>A3.1 Landscaping utilises predominantly native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.</p> <p>AND</p> <p>A minimum of 60% of the total proposed species are endemic or native species.</p>	<p>The site is considered to be agricultural in nature, and physically includes such species on the site already.</p>
<p>P4 Development Sites are provided with efficient and</p>	<p>A4.1 All Roads, driveways and manoeuvring areas on Site</p>	<p>Complies, the proposed residence is to utilise the</p>

Performance Criteria		Acceptable Solutions		Comment
	safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.		and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	already developed infrastructure which is consistent with FNQROC manuals.
P5	Industrial development in a rural area relies on or has a strong nexus with the primary rural activity undertaken on Site or in the surrounding area.	A5.1	Any industrial development is limited to rural industrial activities which, by necessity, are related to primary industries in the surrounding area and require a rural location and where an urban location is inappropriate.	Not applicable, as industrial development is not proposed.
P6	Any community facilities or service infrastructure located in a rural area or rural settlement areas are sited to protect the general amenity and the visual amenity of the surrounding rural area/rural settlement area.	A6.1	Community facilities are only sited in a rural area or a rural settlement area by necessity and where an urban location is inappropriate.	Not applicable, as community facilities are not proposed.
		A6.2	Community facilities are screened from adjacent Roads by landscape buffers of Dense Planting a minimum of 5 metres in width. AND All side and rear boundaries are provided with Dense Planting for a minimum width of 1.5 metres.	Not applicable, as community facilities are not proposed.
P7	Rural settlement areas are visually unobtrusive in the rural landscape to protect the integrity of the rural areas as a dominant landscape element of high quality ²¹ .	A7.1	The old Rocky Point School Site is developed for residential purposes in accordance with the following: <ul style="list-style-type: none"> reconfiguration is in accordance with the Rural Settlement Planning Area 	Not applicable, as development is not on the nominated site.

Performance Criteria		Acceptable Solutions	Comment
		<p>requirements specified in Table 1 of the Reconfiguring a Lot Code and all the relevant requirements of the Reconfiguring a Lot Code, taking account of the existing topography of the Site.</p> <p>AND</p> <p>The remnant vegetation on the western boundary of the Site is dedicated as public park.</p>	
P8	Areas at Rocky Point included in the Residential 1 Planning Area maintain the integrity of the dominant landscape qualities of the area and ensure safe Access onto Mossman-Daintree Road.	<p>A8.1 The minimum lot size in this area is 3500 m2.</p> <p>AND</p> <p>Any proposed reconfiguration of existing lots in this area only occurs utilising the Access driveway servicing the existing lot, by including reciprocal Access easements over the existing Access driveway for any additional lots.</p> <hr/> <p>A8.2 Any new lots are included in a Designated Development Area (DDA) identified on the proposal plan of reconfiguration and ultimately, on the registered survey plan.</p> <hr/> <p>A8.3 Development located within a Designated Development Area is sited where Clearing is limited to a maximum area of</p>	Not applicable, as development is not on the nominated site.

Performance Criteria		Acceptable Solutions	Comment
		<p>800 m2 of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m2 area of Clearing does not include an access driveway.)</p> <p>OR, ALTERNATIVELY</p> <p>If a greater part of the Site is to be cleared, that part of a Site not cleared is to be included in a Conservation Covenant to protect the integrity of the natural environment²².</p>	
		<p>A8.4 Clearing is limited to the DDA and the DDA is sited on that part of the lot which is least constrained by slope, vegetation or Access constraints, and does not require extensive cut and fill and/or complex geotechnical solutions.</p>	
		<p>A8.5 The DDA is sited so that the development of a House does not obstruct the views from any adjacent existing Houses.</p> <p>AND</p> <p>Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.</p>	
P9	Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban	<p>A9.1 Any future reconfiguration of Lot 32 on RP 850495 for Rural Settlement purposes only occurs in association with</p>	Not applicable, as development is not on the nominated site.

Performance Criteria	Acceptable Solutions	Comment
services.	connection to reticulated sewerage and water supply servicing Wonga Beach.	
<p>P10 The development of part of Lots 10 and 11 on SP 132055 for residential purposes is undertaken to protect the environmental values of the site and the scenic amenity of the local area.</p>	<p>A10. Residential development occurs on the more gently sloping part of the site, elevated above the steep bank adjacent to Mossman-Daintree Road.</p> <p>AND</p> <p>The area appropriate for residential development is determined on the basis of contour and vegetation surveys of the site.</p> <p>AND</p> <p>Only one access point from the site to the State-Controlled Road is permitted.</p> <p>AND</p> <p>At reconfiguration stage a broad vegetation screen is provided along the elevated frontage of the site to the Mossman-Daintree Road so that the residential development is screened from the road.</p> <p>AND</p> <p>The balance of the site is protected from clearing to maintain the forested mountain landscape and no further reconfiguration of the balance area occurs.</p>	<p>Not applicable, as development is not on the nominated site.</p>

Performance Criteria		Acceptable Solutions		Comment
P11	Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality ²³ .	A11. 1	No Acceptable Solution	The proposed Material Change of Use will not impact the areas of sensitive natural vegetation, foreshore, Watercourses or areas of tidal inundation. The proposed land use is complementary to and generally consistent with the rural scenic amenity in the subject locality.
P12	The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.	A12. 1	Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.	Not applicable, as there are no known ILUA provisions applicable to this site.

6.1.2.2 Rural Planning Area Code

The purpose of the Code is to facilitate achievement of the following outcomes for the Rural Planning Area:

- Conserve areas for use for primary production, particularly areas of GQAL;
- Facilitate the establishment of a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses;
- Facilitate the establishment of Farm Forestry in suitable locations;
- Facilitate the establishment of Extractive industry operations, provided that the significant environmental impacts of such operations are contained within the Site;
- Ensure existing Extractive Industry operations are protected from incompatible land uses establishing in close proximity;
- Ensure that rural activities are protected from the intrusion of incompatible uses.

Comment

The proposed land use is unlikely to detrimentally impact or affect the achievement of the Code's purpose, as:

- a. A Caretakers Residence directly linked with agricultural land uses on site is proposed;
- b. No clearing or extensive earthworks are required to develop the residence for purposes proposed;
- c. The use is complementary to and directly supportive of continued agricultural activities on site.

An assessment of the project with reference code provisions is undertaken below.

Performance Criteria		Acceptable Solutions		Comment
P1	The establishment of uses is consistent with the outcomes sought for the Rural Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Planning Area.	
P2	GQAL is only used for agricultural uses and primary production purposes.	A2.1	Agricultural land is used for agricultural uses in accordance with the classifications of the Agricultural Land Classes identified in the Shire and the requirements of State Planning Policy 1/92 – development and the Conservation of Agricultural Land.	

Performance Criteria		Acceptable Solutions		Comment
P3	A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.	A3.1	A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).	
P4	Buildings/structures are Setback to: <ul style="list-style-type: none"> • maintain the rural character of the area; and • achieve separation from neighbouring Buildings and from Road Frontages. 	A4.1	Buildings/structures are Setback not less than: <ul style="list-style-type: none"> • 40 metres from the property boundary adjoining a State-Controlled Road; or • 25 metres from the property boundary adjoining the Cape Tribulation Road; or • 20 metres from the property boundary fronting any other Road; and • 6 metres from the side and rear property boundaries of the Site. 	
P5	Rural activities north of the Daintree River are screened to protect the Scenic Amenity of the area.	A5.1	A 10 metre Setback on rural land adjacent to any Road Frontage north of the Daintree River including Dense Planting of the setback area.	
P6	Buildings/structures are designed to maintain the rural character of the area.	A6.1	White and shining metallic finishes are avoided on external surfaces of	

Performance Criteria		Acceptable Solutions	Comment
		Buildings located in prominent view.	
P7	Native vegetation existing along watercourses and in or adjacent to areas of environmental value or areas of remnant vegetation of value is protected.	A7.1	<p>No Acceptable Solution</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy</p> <p>No 10 – Report and Information the Council May Request, for code and impact assessable development).</p>
P8	Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	A8.1	<p>Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p>OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p>OR</p>

Performance Criteria	Acceptable Solutions	Comment
	<p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes signoff that the Site can be stabilised.</p> <p>AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>	
<p>P9 The building style and construction methods used</p>	<p>A9.1 A split level building form is utilised.</p>	

Performance Criteria	Acceptable Solutions	Comment
for development on sloping Sites are responsive to the Site constraints.		
	A9.2	A single plane concrete slab is not utilised.
	A9.3	Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.
P10 Development on sloping sites minimizes any impact on the landscape character of the surrounding area.	A10.1	Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.

6.1.2.3 Acid Sulfate Soils Overlay Code

Whilst the site is mapped as containing an area potentially affected by Acid Sulfate Soils or Potential Acid Sulfate Soils, the proposed development does not involve extensive excavation or filling. Rather, this application seeks approval to convert an existing dwelling to caretakers accommodation.

Any relevant code requirements may be complied with via imposition of reasonable conditions on any approval granted.

6.1.2.4 Natural Hazards Overlay Code

Whilst the site is mapped as impacted by Bushfire Hazards (Medium Risk), it is noted the site is generally fully cleared. The proposed caretakers residence is already constructed, and appropriately placed in terms of access and services.

The primary dwelling proposed is also located in an existing and extensively cleared area.

It is submitted that any relevant code requirements may be complied with via imposition of conditions on any approval granted.

6.1.2.5 Caretakers Residence Code

The purpose of the Code is to:

- Facilitate the establishment of a Caretaker's Residence which is used for genuine caretaking or property management purposes;
- To ensure that an acceptable level of amenity is provided for the occupants.

Comment:

The proposed development seeks to convert the existing residence to a Caretakers Residence, to be occupied and utilised for primary purposes of management and security of the existing (and potentially future) rural land uses.

It is submitted that this existing dwelling will provide an appropriate level of amenity for occupants.

An assessment of relevant code provisions is provided below.

Performance Criteria		Acceptable Solutions		Comment
P1	Only one Caretaker's Residence is established on one Site and in association with a legitimate caretaking or property management purpose operating on the Site.	A1.1	Only one Caretaker's Residence is established on one allotment identified on a Standard Format Plan. AND The Caretaker's Residence is located on the same lot as the primary use. EXCEPT THAT A Caretaker's Residence associated with primary production is located on the holding.	Complies, as only one caretakers residence is proposed on the same site as the primary production land uses undertaken. Occupancy will only be provided for a caretaker, manager or occupant directly involved in the primary production on the site.
		A1.2	The Caretaker's Residence is occupied only by the proprietor, manager or caretaker of the primary use established on the Site, together with any immediate family of that person.	
P2	A Caretaker's Residence is provided with an appropriate	A2.1	The Gross Floor Area of the Caretaker's Residence is not	Alternative compliance:

Performance Criteria	Acceptable Solutions	Comment
level of recreation and service facilities and is domestic in Height and scale.	greater than 120 m ² .	
	A2.2 The Caretaker's Residence is provided with a Landscaping and Recreation Area at the rate of 30 m ² for the first bedroom plus 15 m ² for each additional bedroom, and <ul style="list-style-type: none"> at least 35 m² is provided as private Recreation Area which is directly accessible from the residence and which has a minimum dimension of 3 metres. 	The existing dwelling has a floor area of approximately 170sq m, which is larger than the 120sq m provided. However, it is noted that the dwelling is not expansive, and is suitable for use by a caretaker as required, particularly given its location for visibility and security, and also proximity to existing farm sheds on site.
	A2.3 The private Recreation Area is fenced or screened to facilitate the private enjoyment of the space by the occupants of the Caretaker's Residence.	Appropriate amenities and outdoor areas are provided, and the caretakers residence will be appropriately screened and managed in compliance with reasonable and relevant council requirements.
	A2.4 The Caretaker's Residence is provided with: <ul style="list-style-type: none"> an outdoor service court with a minimum area of 5 m² to facilitate clothes drying facilities; an area for general storage; an area for the storage of a garbage receptacle; and a designated covered car parking space. 	

6.1.2.7 Filling and Excavation Code

Filling or excavation is not required to facilitate land uses proposed.

Compliance with reasonable and relevant requirements in this regard may be confirmed by imposition of conditions on any approval granted.

6.1.2.8 *Landscaping Code*

The proposal, involving conversion of an existing residence to caretakers residence, already incorporates existing landscaping / gardens around the residence.

However, compliance with reasonable and relevant requirements in this regard may be confirmed by imposition of conditions on any approval granted.

6.1.2.9 *Vehicle Parking and Access Code*

The proposed development also provides appropriate levels of parking for residents and visitors, with access available at appropriate standards in the context of the rural locality.

However, compliance with reasonable and relevant requirements in this regard may be confirmed by imposition of conditions on any approval granted.

6.1.4 *Infrastructure Contributions (Headworks Charges)*

As the proposed MCU is to utilise the current infrastructure, no contributions are expected to be inclusive in the project.

7.0 Summary and Conclusions

Gilvear Planning Pty Ltd have been engaged by Giuseppe and Vanessa Callipari (the 'applicant') to prepare this report addressing planning considerations associated with the conversion of the existing dwelling to a Caretakers residence, on land located at 112 Mijo Road, Miallo more particularly described as Lot 5 on RP747657 ('the site'). This report will be submitted to Council with an application seeking approval for the Material Change of Use to facilitate the new proposed land use.

Specifically, the development proposed seeks to re-use the existing dwelling for a Caretakers Residence to be utilised in association with management of day to day rural land uses (currently turf farm), whilst also ensuring consistency for security on the site. A new main dwelling will be constructed on an existing cleared area of the property.

Annexure 1 includes the proposal plan for the project.

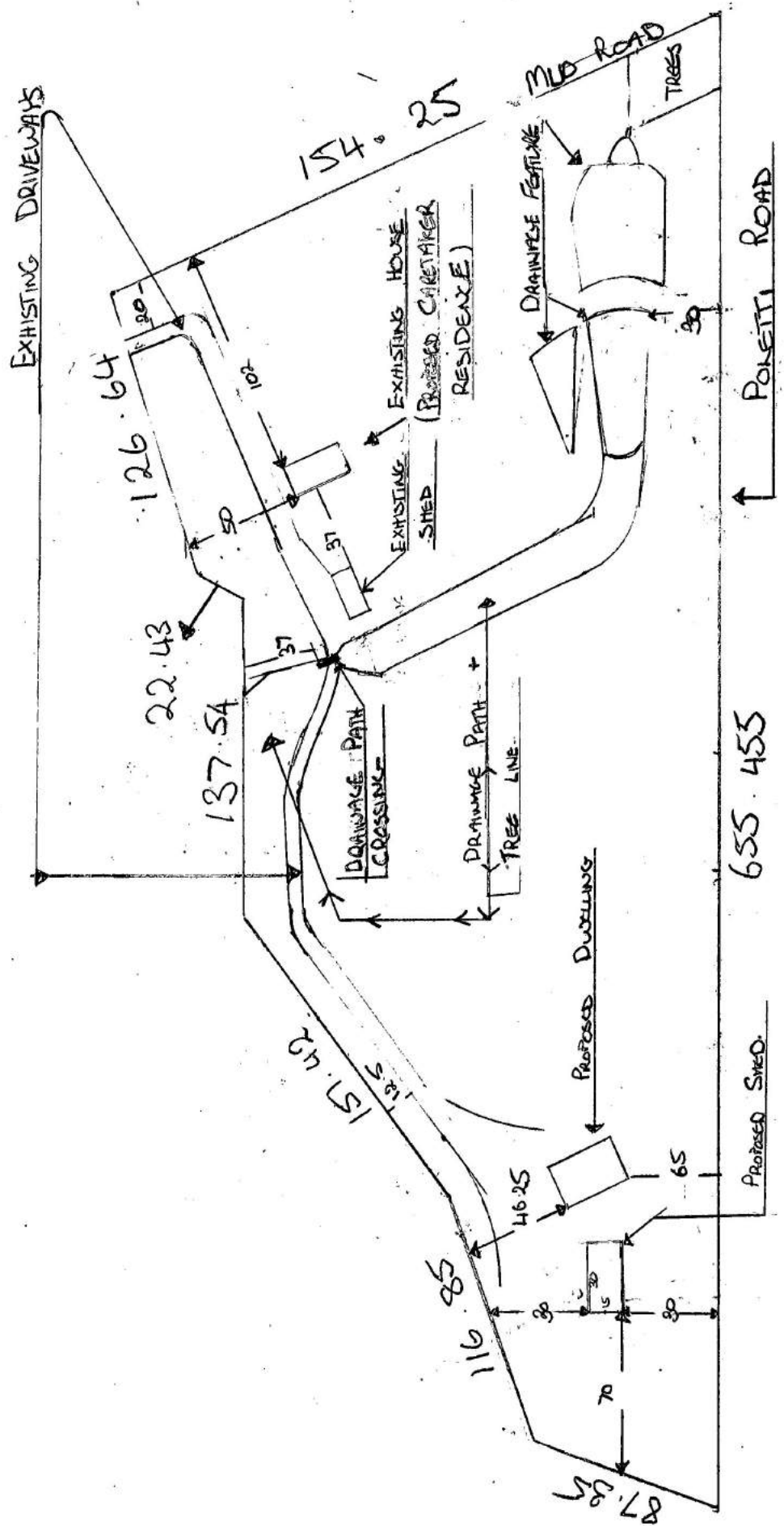
The proposal has been designed to comply with the outcomes sought for the area and accordingly, the application is respectfully commended for approval subject to the imposition of reasonable and relevant conditions.

ANNEXURE 1 – Proposal Plan (Site Plan)

112 MUO RD. SITE PLAN:-

SCALE 25mm = 1 meter.

DRAWN BY: GIUSEPPE CANIPARI 28/07/2016



ANNEXURE 2 – Historical Title Search

HISTORICAL TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 24019363

Search Date: 12/08/2016 11:54

Title Reference: 21430186

Date Created: 06/02/1990

Previous Title: 20796115

REGISTERED OWNER

Dealing No: 717380584 12/07/2016

GIUSEPPE CALLIPARI

VANESSA CALLIPARI

JOINT TENANTS

TRANSFER No 717380584

GIUSEPPE CALLIPARI

VANESSA CALLIPARI JOINT TENANTS

Lodged at 13:47 on 12/07/2016

TRANSFER No 709158610

MARK ANTHONY LOMAS

LEANNE FAY LOMAS JOINT TENANTS

Lodged at 11:35 on 23/11/2005

ESTATE AND LAND

Estate in Fee Simple

LOT 5

REGISTERED PLAN 747657

Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. MORTGAGE No 717380585
BENDIGO AND ADELAIDE BANK LIMITED A.B.N. 11 068 049 178
Lodged at 13:47 on 12/07/2016
2. RELEASE No 717380582
MORTGAGE: 709656585
Lodged at 13:46 on 12/07/2016
3. MORTGAGE No 709656585 CANCELLED BY 717380582
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522
Lodged at 09:33 on 06/06/2006
4. RELEASE No 709656584
MORTGAGE: 709158628
Lodged at 09:33 on 06/06/2006
5. MORTGAGE No 709158628 CANCELLED BY 709656584
LIBERTY FUNDING PTY LTD A.C.N. 081 982 872
Lodged at 11:35 on 23/11/2005

HISTORICAL TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 24019363

Search Date: 12/08/2016 11:54

Title Reference: 21430186

Date Created: 06/02/1990

EASEMENTS, ENCUMBRANCES AND INTERESTS

6. APPLICATION FOR TITLE No 706751914
A Certificate of Title has been issued
Lodged at 12:49 on 30/06/2003
7. RELEASE No 706703795
MORTGAGE: 601443149 (N615803)
Lodged at 16:46 on 16/06/2003
8. CANCELLATION No 701341560
of
LOCAL GOVERNMENT AGREEMENT: 601443151 (T435714W)
Lodged at 09:33 on 03/06/1996
9. LOCAL GOVERNMENT AGREEMENT
No 601443151 (T435714W) CANCELLED BY 701341560
OVER LOTS 2, 3 AND 5 ON RP747657
UNDER SECTION 34 OF THE LOCAL GOVERNMENT ACT
Lodged at 00:00 on 11/08/1989
10. MORTGAGE No 601443149 (N615803) CANCELLED BY 706703795
TO THE NATIONAL BANK OF AUSTRALASIA LIMITED
Lodged at 00:00 on 18/12/1969
11. Rights and interests reserved to the Crown by
Deed of Grant No. 20138164 (POR 96V)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
709891989	OWNER BUILDR	29/08/2006 15:40	NOT CURRENT
	QUEENSLAND BUILDING SERVICES AUTHORITY ACT 1991		
717346672	SETTLMNT NTC	28/06/2016 09:18	NOT CURRENT

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Historical Title Search **

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Requested By: D-ENQ CITEC CONFIRM

ANNEXURE 3 – State Pre-Lodgement Advice

Our reference: SPL-0716-031730

18 July 2016

Mr and Mrs Callipari
Gilvear Planning Pty Ltd
PO Box 228
Babinda QLD 4861

Attn: Kristy Gilvear

Dear Sir/Madam

Pre-lodgement advice

Proposed Caretaker's Residence and Dwelling House on land situated at 112 Mijo Road, Miallo, described as Lot 5 on RP747657

Thank you for your correspondence received on 4 July 2016 in which you sought pre-lodgement advice from the Department of Infrastructure, Local Government and Planning (the department) regarding the proposed development described above.

The department has undertaken a preliminary assessment of the proposal and its impact. Based on your written correspondence, the following advice is provided:

Site details

Street address:	112 Mijo Road, Miallo
Real property description:	Lot 5 on RP747657
Local government area:	Douglas Shire Council
Existing use:	Agricultural
Relevant site history:	A dwelling and farm buildings are constructed in the north-east portion of the property. Agricultural uses include taro and turf cultivation.

Proposed development details

Development type:	Material change of use
Development description:	Proposal seeks to convert the existing residence to a Caretakers Residence to enable more consistent management and security on site for the taro and turf

agricultural land uses being undertaken (with future agricultural land uses possibly including fruit trees or similar, depending upon demand and financial considerations). A new main dwelling would be constructed within an existing cleared area of the property.

Supporting information

Plan / Report title	Author	Reference no.	Date
Email to CairnsSARA	Kristy Gilvear	Subject line of email - 'Callipari: Caretakers Residence, 112 Mijo Road, Miallo - Request for Pre-Lodgement Advice'	4/7/2016

The following advice outlines the matters of interest to the department and matters that should be addressed if you proceed with your proposal to application stage.

Pre-lodgement advice

Item	Advice
Department of Natural Resources and Mines – Regulated vegetation	
1.	<p><u>Vegetation advice</u></p> <p>The subject lot contains the following vegetation types and features:</p> <ul style="list-style-type: none"> • Category B (least concern and endangered regional ecosystems) • Category R (reef-regrowth watercourse vegetation) • Category X • Watercourses as shown on the vegetation management watercourse and drainage feature map; and, • Essential habitat (southern cassowary) as shown on the essential habitat map. <p>The mapped regional ecosystems on the subject lot are:</p> <ul style="list-style-type: none"> • 7.11.1a; and, • 7.3.7b. <p>Based on a desktop analysis, the Department of Natural Resources and Mines has determined that, although there are mapped Category B areas on the subject lot, the area does not contain regulated vegetation.</p> <p>As no clearing of regulated vegetation will occur as a result of the proposed development or from clearing exemptions created by the proposed development, the application will not require referral to the Department of Infrastructure, Local Government and Planning for the clearing of native vegetation.</p>

Further advice

Item	Advice
Department of Natural Resources and Mines (DNRM) – Water	
1.	<p>DNRM has advised a number of impoundments have been constructed on the subject lot which may be constructed across a watercourse. Interfering with and/or taking of water from these impoundments may be regulated under the <i>Water Act 2000</i>.</p> <p>A development permit may also be required under the Sustainable Planning Act 2009 for:</p>

Item	Advice
	<ul style="list-style-type: none"> the construction of an impoundment taking of and/or interfering with water from a watercourse. <p>DNRM will be providing separate correspondence in relation to this matter.</p> <p>Please contact DNRM's Mareeba office on 4048 4850 to discuss potential water requirements.</p>
Department of Infrastructure, Local Government and Planning - Waterway barrier works	
	<p>The SARA Development Assessment Mapping System identifies Lot 5 on RP747657 as containing a waterway categorised as a Low-risk Qld waterway for waterway barrier works (Low risk).</p> <p>Should the proposed development include or result in operational work that is the constructing or raising of waterway barrier works affecting the mapped waterway described above, it is recommended that further advice be sought from SARA in relation to potential triggers or requirements under the Sustainable Planning Regulation 2009.</p> <p>Note that waterway barrier works is defined (in the <i>Fisheries Act 1994</i>) as follows:</p> <p>waterway barrier works means a dam, weir or other barrier across a waterway if the barrier limits fish stock access and movement along a waterway.</p>

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal if a formal application is lodged.

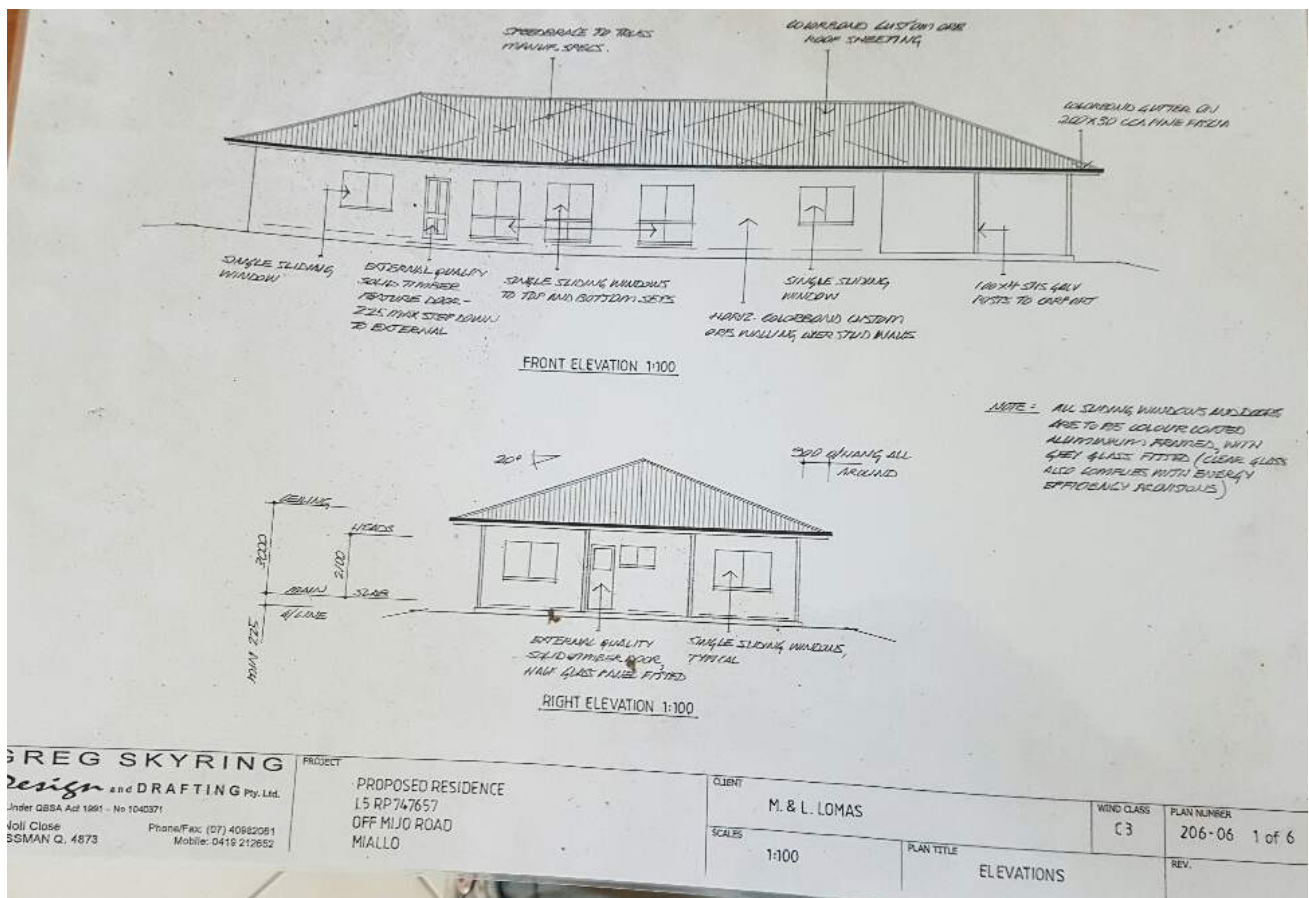
If you require any further information, please contact Jenny Sapuppo, Senior Planning Officer, SARA Far North Queensland on 4037 3233, or via email jenny.sapuppo@dilgp.qld.gov.au who will be pleased to assist.

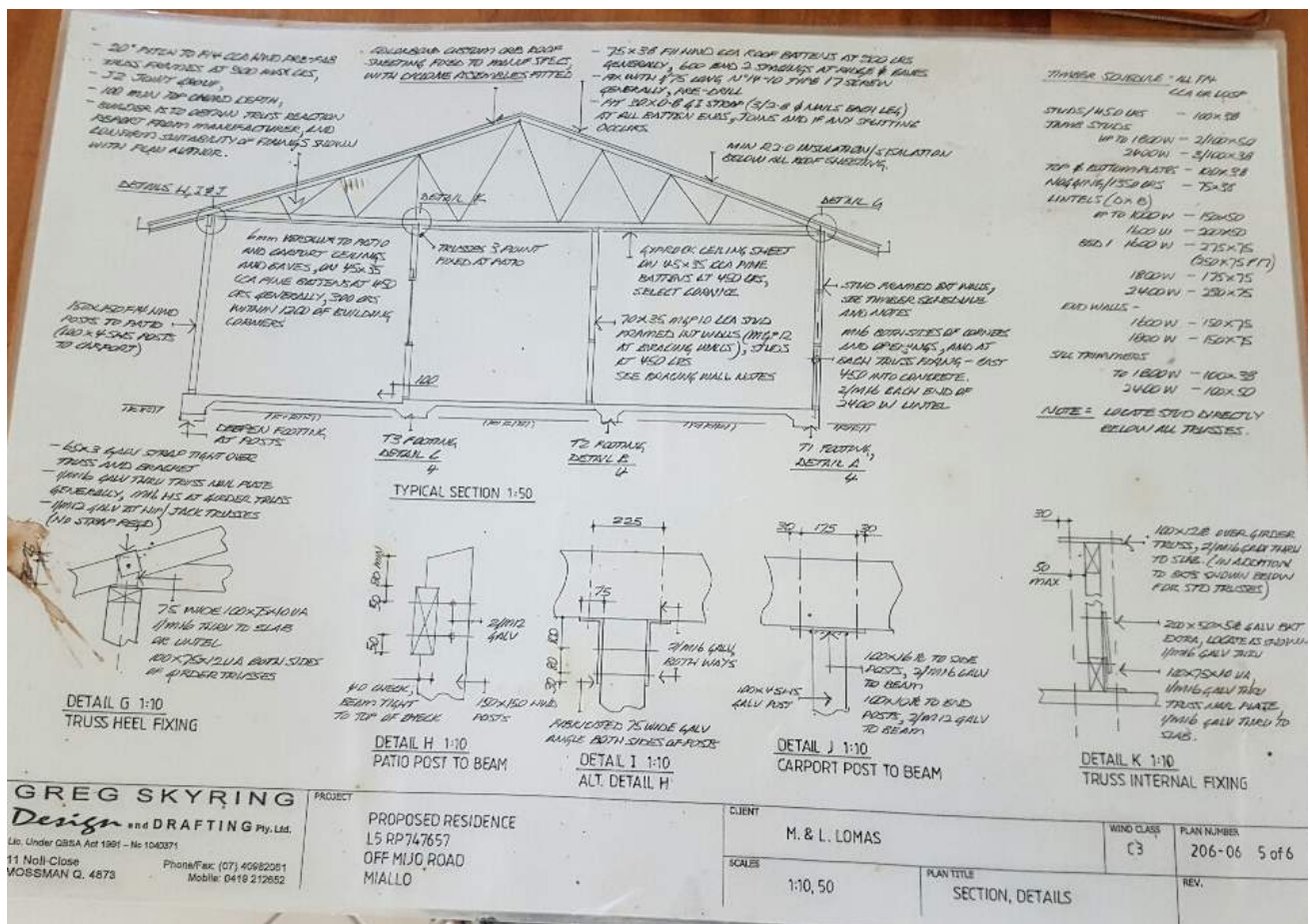
Yours sincerely

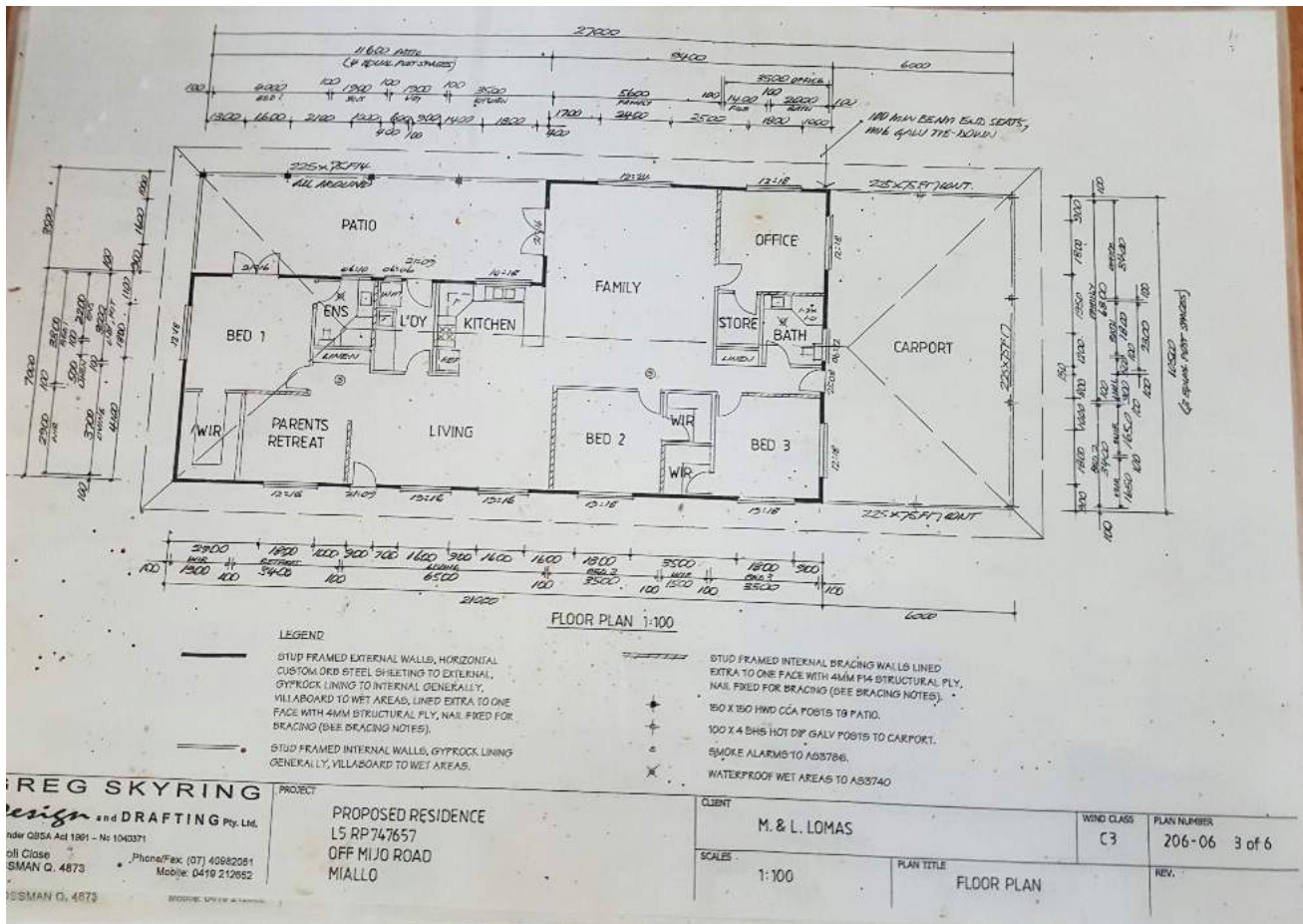


Brett Nancarrow
Manager (Planning)

ANNEXURE 4 – Existing Residence Building Plans







Our Ref: J000430:CAL:KLG
Date: 23 August 2016

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873

Dear Sir / Madam,

RE: Development Application for Material Change of Use for 'Caretakers Residence' on land at Mijo Road, Miallo, more particularly described as Lot 5 on RP747657

I refer to the above-described matter, and confirm that Gilvear Planning Pty Ltd has been engaged by Mr and Mrs Callipari to lodge the following Development Application seeking a Development Permit for Material Change of Use for 'Caretakers Residence' ('the Application').

The Application relates to land located on Mijo Road, Miallo, more particularly described as Lot 5 on RP747657 ('the site').

Please find **enclosed** the following:

- a. IDAS Form 1;
- b. IDAS Form 5;
- c. Planning Report including Annexures; and
- d. The fee of \$917.85 has been tendered online on the Applicant's behalf.

We look forward to receiving confirmation of receipt of this Application. Should any additional information be required, please do not hesitate to contact the undersigned.

Kind regards,



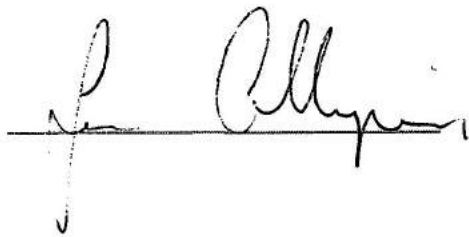
**Kristy Gilvear
Director
Gilvear Planning Pty Ltd**

Far North Queensland Office

t: 0448 897 991
e: kristy@gilvearplanning.com.au
p: PO Box 228, BABINDA, QLD, 4861

**Individual owner's consent to the making of a
development application under the *Sustainable Planning Act 2009***

Giuseppe CALLIPARI and Vanessa CALLIPARI as owners of premises identified as **Lot 5 on RP747657** and located at **112 Mijo Road, Miallo** consent to the making of a development application under the *Sustainable Planning Act 2009* on the premises described above for the purposes of **CARETAKERS RESIDENCE**

A handwritten signature in dark ink, appearing to read 'Giuseppe Callipari', written over a horizontal line.

GIUSEPPE CALLIPARI

A handwritten signature in dark ink, appearing to read 'Vanessa Callipari', written over a horizontal line.

VANESSA CALLIPARI

signed on the 23RD day of AUGUST, 2016

Smart eDA ID: 1471909431634

State assessments

112 MIJO RD, MIALLO

3 matters requiring further investigation.

State Assessment and Referral Agency

State Assessment and Referral Agency**Environment and Heritage**[Category A and B extract from the regulated vegetation management map](#)

Yes

[Coastal zone](#)

Yes

[Qld waterways for waterway barrier works](#)

Yes