

Ref: ET15-001

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

29 January, 2015

**Attention: Mr Neil Beck**

Dear Sir,

**RE: APPLICATION FOR MATERIAL CHANGE OF USE  
TO ALLOW LOT 22 SP144717- A MULTIPLE  
DWELLING (TOURIST) UNIT TO ALSO BE USED  
FOR MULTI-UNIT HOUSING -- PERMANENT  
OCCUPATION**

**LOT 22 SP144717 – BODY CORPORATE: THE LINKS,  
AT 70 NAUTILUS STREET, PORT DOUGLAS.**

This Application, for a Material Change of Use to allow Lot 22 SP144717- a Multiple dwelling (tourist) unit to also be used for Multi-Unit Housing-permanent occupation, on land described as Lot 22 SP144717, situated within the Paradise Links Resort at 70 Nautilus Street, Port Douglas, is submitted on behalf of Mr and Mrs Geoffrey Ellis.

The application is comprised of:

- IDAS Forms 1 and 5; and
- Town Planning Submission.

The Application fee of \$860.95 will be paid by Mr Ellis, over the counter at the Council Chambers in Mossman, early in the week commencing Monday 2 February 2015, following email lodgement of the MCU Application.

### **The Site and Locality**

The site the subject of the application is Unit 22, a Villa Unit, being one (1) of 38 Villa Units in the Paradise Links Resort, which contains 66 lots, with the remaining 28 lots being Dual Key Holiday Units. Paradise Links Resort is located at 70 Nautilus Street, Port Douglas.

The Paradise Links Resort has a gated entry/exit and a second exit and a porte cochere for bus set-down at the reception area fronting Nautilus Street. The 38 Villas in the Resort have direct golf course frontage. The Resort also includes 28 Dual Key Units and resort facilities, including several swimming pools, BBQ facilities and a tennis court. Guests also have access to the adjacent Golf Clubhouse, Verandahs restaurant and bar and Four Mile Beach is within an easy 500 metre stroll.

58 car parking spaces are provided in designated garages adjacent to each Villa Unit (20 Villa Units have 2 designated car spaces and 18 Villa Units have 1 designated car space).

Car parking for the 28 Dual Key Units is provided in five (5) car parking areas located along the internal driveway in proximity to the Dual Key Units – providing a total of 20 car spaces. In addition, there are fourteen (14) visitor car parking spaces provided along the internal driveway.

Total car parking in the Resort is 92 car spaces, which is more than adequate for a development comprising a total of 66 Units, being - 38 Villa Units and 28 Dual Key Units. A copy of a Resort Site Plan, showing the location of all car parking within the Resort is attached at Attachment 1.

#### LOCALITY PLAN - SHOWING THE LOCATION OF LOT 22- PARADISE LINKS



## The Proposed Development

The development application seeks to allow Lot 22, which is currently only approved for short term holiday occupancy- Multiple dwelling (tourist) under the former Planning Scheme, to also be used for permanent occupation- Multi-Unit Housing under the current Planning Scheme.

Under the former Planning Scheme, there are two land use definitions for residential dwelling units.

Short term holiday accommodation was defined as Multiple dwelling (tourist):

*“Multiple dwelling (tourist)” – Any premises comprising two or more dwelling units, where not dwelling-houses nor dwelling house/attached flat, and any of the following:-*

- (a) a reception area;*
- (b) an administration office; and/or*
- (c) any signage visible from the road adjoining the subject premises indicating the presence of a reception area or administration office, whether in the subject premises or elsewhere, or in any other way indicating that the premises are available for holiday accommodation;*

*The term does not include a retirement community as defined herein.*

Dwelling units used for permanent occupation were defined as Multiple dwelling (residential):

*“Multiple dwelling (residential)” – Any premises comprising two or more dwelling units, where not dwelling houses, dwelling house/attached flat, integrated housing, multiple dwellings (tourist) nor retirement community as defined herein.*

*The term includes duplexes, town houses and home units.*

As the 38 Villa Units in the original Paradise Links Resort were approved as Multiple dwelling (tourist) they cannot lawfully be used for permanent occupation.

The proposal is to seek approval for Lot 22 to be able to be used for both short term holiday let – Multiple dwelling (tourist) being defined as Holiday Accommodation under the current Planning Scheme and permanent residential occupancy – Multi-Unit Housing, as defined in the current Planning Scheme.

*Multi-Unit Housing means the use of premises comprising two or more dwelling units on one lot for residential purposes.*

*The use includes accommodation commonly described as:*

- duplexes,*
- flats,*
- home units;*
- apartments;*

- townhouses;
- villa houses; or
- a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished if a freestanding replica or converts to its intended use within the complex.

No building work or operational work is proposed as part of the proposed development.

Lot 22 is part of a group of four (4) Villa Units, being Lots 21, 22, 23 and 24. Two double garages are part of Lots 21 and 24 and two single garages are part of Lots 22 and 23.

A copy of a Smart Map identifying Lots 21, 22, 23 and 24 is attached at **Attachment 2**.

Lot 22 Villa Unit has an area of approximately 208m<sup>2</sup> and is comprised of:

#### Ground Level

- Lock up garage including secure storage area;
- Private entry;
- Spacious Lounge/kitchen and dining;
- Laundry;
- Separate toilet; and
- Outdoor patio.

#### Level One

- Two (2) bedrooms, master with walk in robe;
- Two (2) bathrooms; and
- Two (2) balconies.

The Villa Unit has more than adequate space and contains all necessary conveniences for both holiday and permanent occupation. The Resort is generally quiet and well managed due to the older age of, primarily, golfing guests and an on-site manager.

The Villa Unit is located fairly centrally within the Resort complex with direct frontage to the adjacent golf course. It is in close proximity to the Resort central facilities and enjoys a high level of residential amenity, suitable for either holiday or permanent occupation.

Copies of internal and external photographs of Unit 22 are attached at **Attachment 3**.

## **The Sustainable Planning Act 2009**

The adopted Douglas Shire Planning Scheme is considered to be an Existing Planning Scheme as provided by Section 778 (1) of the *Sustainable Planning Act 2009*.

The site is included in the Urban Footprint Designation of the FNQ2009-2031 Regional Plan. The proposed development meets the intent of the Urban Footprint Designation and the requirements of the Regional Plan.

There are no Referral Agencies for the Application.

## **Douglas Shire Planning Scheme**

Under the current Planning Scheme, the site has the following designations/classifications:-

Locality - Port Douglas and Environs; and

Planning Area - Residential 2.

The Level of Assessment for Multi-Unit Housing development in the Residential 2 Planning Area is Code Assessment.

### Locality

The site is located in the Port Douglas and Environs Locality. This Locality contains the major tourist and residential accommodation areas in the Shire. While there is planning intent to protect the amenity of permanent residential housing areas from the intrusion of tourist activity, there is no impediment to allowing permanent residents to live within or in close proximity to tourist accommodation as a residential choice and to provide unit owners in Resort complexes with the flexibility to permanently reside on site or to holiday let.

The proposed use is not in conflict with the purpose statement for the Locality.

### Residential 2 Planning Area

The Paradise Links Resort is located in the Residential 2 Planning Area (zone). This is somewhat unusual given its tourist resort function. The more appropriate Planning Area (zone) would be the Tourist and Residential Planning Area.

The Residential 2 Planning Area is intended to provide for a range of residential development types providing permanent residential accommodation for local residents. Therefore, the proposal to allow Lot 22 to also be used for permanent occupancy is supported by the zoning of the land.

## Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

*The purpose of this Code is to:*

- *ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities are compatible and complementary with surrounding development, with regard to scale, bulk, appearance and streetscape;*
- 
- *ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities do not adversely impact on the natural environment;*
- 
- *ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities are located in appropriate locations and separated from incompatible noise and hazards; and*
- 
- *ensure that the design of Multi-Unit Housing/Holiday Accommodation/Retirement Facilities creates a pleasant living environment and is appropriate for the tropical climate of Far North Queensland.*

The Paradise Links Resort already exists and is fully developed. It is not considered necessary to assess the proposed development against this Code.

However, it can be noted that the Resort is compatible with and complements surrounding development with regard to scale, bulk, appearance and streetscape and does not adversely impact on the natural environment.

The Resort is appropriately located and separated from incompatible noise and hazards and the design of the Villa Units creates a pleasant living environment, appropriate to the tropical climate.

## Vehicle Parking and Access Code

*The purpose of this Code is to ensure that:*

- *sufficient vehicle parking is provided on-site to cater for all types of vehicular traffic accessing and parking on the Site, including staff, guests, patrons, residents and short term delivery vehicles;*
- *sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff;*
- *on-Site parking is provided so as to be accessible and convenient, particularly for any short term use;*
- *the provision of on-Site parking, loading/unloading facilities and the provision of Access to the Site, do not impact on the efficient function of the street network or on the area in which the development is located; and*

- *new vehicle Access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.*

The required car parking for both short term and permanent occupancy under the current Planning Scheme is outlined in the Table below and shows that the car parking requirement, whether short term or permanent occupancy of dwelling units is the same.

<b><i>LAND USE</i></b>	<b><i>CAR PARKING REQUIREMENT</i></b>
<b><i>MULTI-UNIT HOUSING</i></b>	<p><i>Within the Port Douglas Tourist Centre- 1 car space per Dwelling Unit</i></p> <p><b><u><i>Outside the Port Douglas Tourist Centre and elsewhere in the Shire- 1.5 car spaces per Dwelling Unit</i></u></b></p> <p><i>In all cases, 60% of the car parking area is to be covered. Plus 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.</i></p>
<b><i>HOLIDAY ACCOMMODATION</i></b>	<p><i>Non-Self Contained Rooms (motel or hotel): 1 car space per room for the first ten rooms plus 1 car space for every 3 rooms for the remainder of rooms.</i></p> <p><i>Self-Contained: Within the Port Douglas Tourist Centre 1 car space per Dwelling Unit</i></p> <p><b><u><i>Outside the Port Douglas Tourist Centre and elsewhere in the Shire 1.5 car spaces per Dwelling Unit</i></u></b></p> <p><i>Dual Key: 1 car space for the self-contained element of the Dual Key Units; and 30% of a car space for the non-Self Contained element of the Dual Key apartment.</i></p> <p><i>A parking bay for the loading and unloading of buses where thirty rooms/Dwelling Units or more.</i></p> <p><i>In all cases, 60% of car spaces are to be covered Plus 1 bicycle space per 10 rooms.</i></p>

(My Emphasis)

Paradise Links was approved under the former Douglas Shire Planning Scheme. Under that Planning Scheme the following car parking provisions applied:

- **MULTIPLE DWELLING (RESIDENTIAL)**  
1 covered space per unit, plus 1 space for each 2 units as visitor parking.
- **MULTIPLE DWELLING (TOURIST)**  
1 covered space per unit plus 1 space for each 4 units as visitor parking.

In summary, under the former Planning Scheme dwelling units used for permanent accommodation and dwelling units used for short term (holiday) accommodation both generated a car parking requirement of one (1) car parking space per unit. The only difference was that car parking required to be provided for visitor parking was an additional space for every 2 units for permanent residential developments and an additional space for every 4 units for short term residential developments.

Under the current Planning Scheme both forms of accommodation (permanent and short term) are required to provide 1.5 car spaces for each unit, with the 1.5 spaces required providing car parking for owners/tenants and visitors.

Paradise Links is comprised of 66 residential lots of which 38 lots are developed with self-contained Villa Units. The remaining 28 lots are developed as Dual Key Units.

Based on 38 self-contained Villa Units, car parking requirements under the former and current Planning Schemes are outlined in the Table below:

<b>FORMER PLANNING SCHEME</b>	<b>CURRENT PLANNING SCHEME</b>
38 Units Permanent Occupation = 57 spaces	38 Units Permanent Occupation = 57 spaces
38 Units Short Term Occupation = 48 spaces	38 Units Short Term Occupation = 57 spaces

The 38 self-contained Villa Units at Paradise Links incorporate garages and a total of 58 cars can be accommodated, as follows:

- Lots 1, 2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 20, 21, 24, 25, 26, 27, 32, 33 and 38 - being 20 self-contained Villa Units, each having a double car garage and a total of 40 car parking spaces; and
- Lots 6, 7, 12, 13, 16, 17, 18, 19, 22, 23, 28, 29, 30, 31, 34, 35, 36, and 37, being a total of 18 self-contained Villa Units, each having a single car garage and a total of 18 car parking spaces.

Under the provisions of both the former and the current Planning Scheme the existing car parking provided for the 38 Villa Units complies and, in fact, exceeds the car parking requirements of the approved use Multiple dwelling (tourist) under the former Planning Scheme by 10 spaces.



In relation to Lot 22, in particular, this Villa Unit has one designated (1) car parking space in a garage.

Based on the required car parking under the former Planning Scheme, under which the original approval was granted, the Villa Unit has adequate car parking for the Unit and it is assumed that the visitor car parking component was provided elsewhere on site. There is also in excess of 10 car parking spaces within the Villa Unit section of the development.

The proposal to allow the Villa Unit located on Lot 22 to be used for both short term occupancy (Multiple dwelling – (tourist) or Holiday Accommodation) and permanent occupancy (Multi - Unit Housing) results in a theoretical shortfall in car parking of only 0.5 spaces under the current Planning Scheme. This is not considered to be significant for the reasons mentioned above and also on the basis of the facts outlined below.

To understand the potential car parking requirements for the Villa Units a review was undertaken based on whether the Villa Units are owned locally or are owned by interstate or overseas investors, as this is relevant to how the Villa Units are occupied and the demand for car parking.

The Table below lists each lot and the location of the owners.

<b>LOT NUMBER</b>	<b>OWNERS LOCATION</b>
LOT 1	QLD- (Kangaroo Point)
LOT 2	VICTORIA
LOT 3	HONG KONG
LOT 4	SOUTH AUSTRALIA
LOT 5	VICTORIA
LOT 6	NEW SOUTH WALES
LOT 7	QLD – (Port Douglas)
LOT 8	QLD – (Port Douglas)
LOT 9	VICTORIA
LOT 10	HONG KONG
LOT 11	VICTORIA
LOT 12	VICTORIA
LOT 13	VICTORIA
LOT 14	QLD – (Mossman)
LOT 15	SOUTH AUSTRALIA
LOT 16	SOUTH AUSTRALIA
LOT 17	NOT FOUND
LOT 18	TASMANIA
LOT 19	VICTORIA
LOT 20	VICTORIA
LOT 21	NOT FOUND
LOT 22	HONG KONG
LOT 23	VICTORIA

LOT 24	VICTORIA
LOT 25	QLD – (Port Douglas)
LOT 26	VICTORIA
LOT 27	VICTORIA
LOT 28	JAPAN
LOT 29	VICTORIA
LOT 30	QLD – (Port Douglas)
LOT 31	NEW SOUTH WALES
LOT 32	VICTORIA
LOT 33	VICTORIA
LOT 34	VICTORIA
LOT 35	NEW SOUTH WALES
LOT 36	KOREA
LOT 37	NEW ZEALAND
LOT 38	VICTORIA

In summary:

- 25 Villa Unit owners (66%) are from around Australia ( QLD, NSW, SA, VIC AND TAS) but are not resident in the local area;
- 6 Villa Unit owners (16%) are from overseas;
- 5 Villa Unit owners (13%) are from the local area (Port Douglas or Mossman); and
- the location of 2 Villa Unit owners- Lots 17 and 21-(5%) could not be identified.

Based on the Table above, over 80% of lot owners of the Villa Units live either interstate or overseas and operate their Unit as an investment, in the short term holiday let pool managed by Paradise Links.

It has long been acknowledged that the majority of tourists and visitors to Port Douglas travel by coach or hire car. It is considered that the majority of visitors/tourists who come to stay and play golf at Paradise Links in the Villa Units will either have no car or if they do have a hire car it is more likely to be one vehicle only.

In addition, the level of occupancy at the Resort is typical of the industry average at Port Douglas, which is just over 50% per annum, reflecting the seasonality of tourism in Far North Queensland.

My clients have visited the Resort many times and they have never seen the unallocated visitor car parks full or, for that matter, even half full. There are always a significant number of empty unallocated car parks throughout the Resort.

Lot 22 is located within a Resort complex where adequate visitor car parking is provided. On that basis, the existing car parking provided for the 38 Villa Units is more than adequate to service the entire development.

Lot 22 will continue to operate in a similar manner to the Villa Unit accommodation in the Resort, except that the owners may reside there permanently or may holiday let.

Lot 22 has only two (2) bedrooms and is intended to be occupied on a regular basis at some time in the future by the new owners, a retired couple, who will not generate significant vehicle numbers or traffic movements.

The proposal to allow both short term/holiday let and permanent occupation of Lot 22 will not compromise the existing car parking situation at Paradise Links, given the above facts.

Also, given that the shortfall in the provision of car parking to allow permanent occupation of Lot 22 amounts to only 0.5 visitor spaces, there is no justification, based on the above facts, to require any additional car parking to be provided.

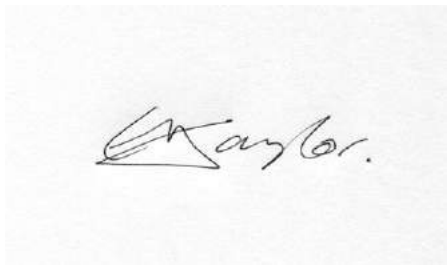
### Conclusion

The proposal to allow Villa Unit - Lot 22, in the Paradise Links Resort to be used for both short term/holiday let – Multiple dwelling (tourist)/Holiday Accommodation and permanent occupation- Multi-Unit Housing, can satisfy the relevant provisions of the current Planning Scheme. The Villa Unit is self-contained and spacious and requires no upgrading to provide a pleasant living environment for either tourists or permanent residents.

Planning justification to dispense with the required additional 0.5 vehicle parking space has been included in this Submission and is considered reasonable in the circumstance, for the reasons and facts outlined above.

The proposed development is recommended to Council, subject to minimal reasonable and relevant conditions, given that the MCU Application is only required to overcome a land use technicality, to allow flexibility for the residential occupancy of the premises and no building, plumbing or drainage works or operational works are required to facilitate the change in use.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'E Taylor', is written on a white rectangular background.

**Elizabeth Taylor**  
**Town Planner**

**ATTACHMENT 1 – SITE PLAN**



# PARADISE LINKS RESORT PORT DOUGLAS

[www.paradiselinks.com.au](http://www.paradiselinks.com.au)

70 Nautilus Street  
Port Douglas, Qld. 4877.  
Ph: 07 40991511

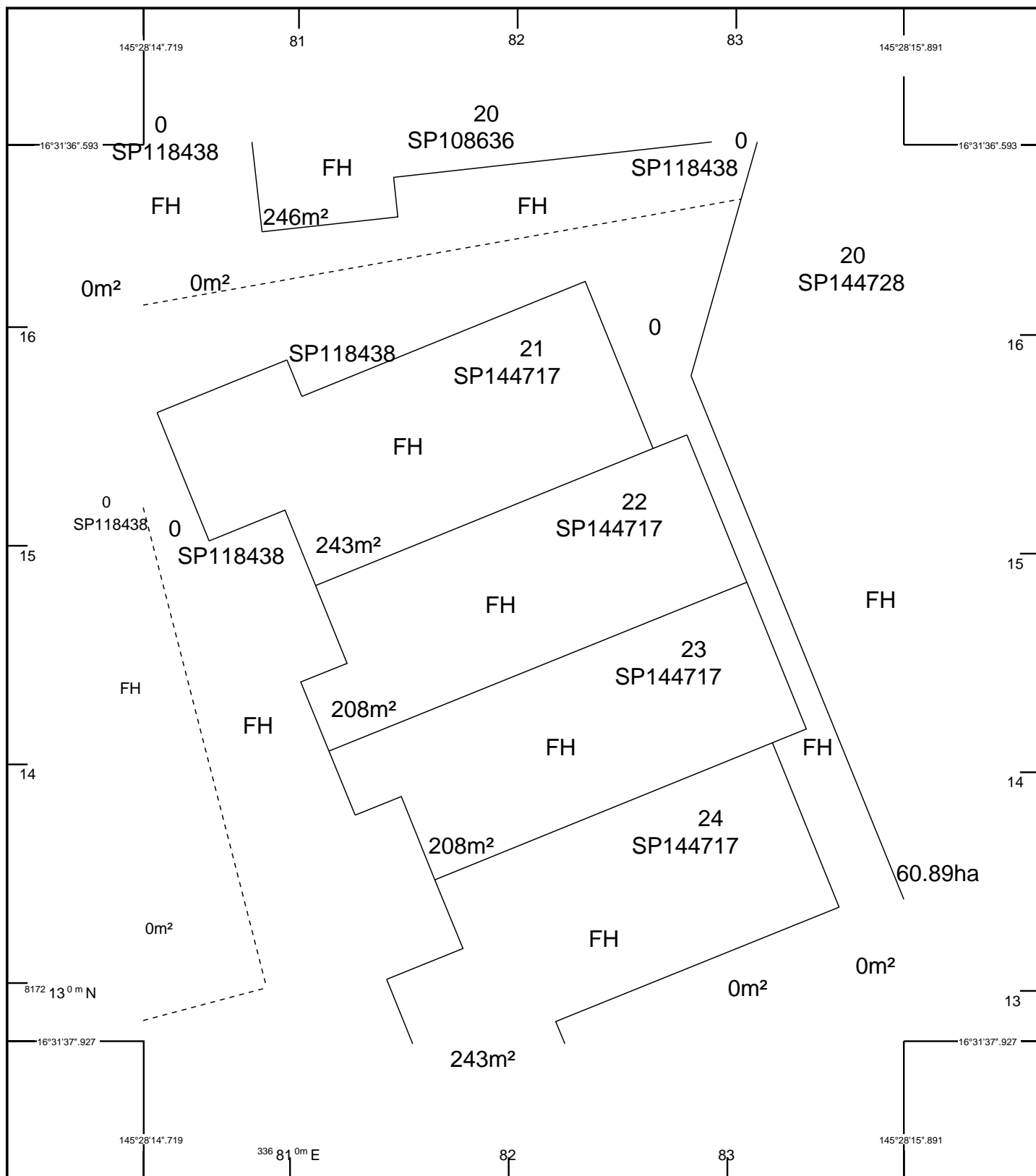


## SITE PLAN

Please note Rooms 39 to 66 are dual key apartments. For example Room 391, proceed to Room 39 first then to door 1.

## **ATTACHMENT 2 – SMARTMAP**





STANDARD MAP NUMBER  
7964-11113

MAP WINDOW POSITION &  
NEAREST LOCATION

145°28'15\"/>

+



#### SUBJECT PARCEL DESCRIPTION

DCDB	22/SP144717
Lot/Plan	208m²
Tenure	FREEHOLD
Local Government	DOUGLAS SHIRE
Locality	CRAIGLIE
Parish	SALISBURY
County	SOLANDER
Segment/Parcel	8949/742

#### CLIENT SERVICE STANDARDS

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DCDB 05/01/2015

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**ATTACHMENT 3 - INTERNAL AND EXTERNAL PHOTOGRAPHS OF LOT 22**





**GARAGE AND FRONT FACADE**



**PRIVATE ENTRANCE**



**LOUNGE/KITCHEN/DINING**



**LOUNGE/KITCHEN/DINING**



**OUTDOOR PATIO**



**LAUNDRY**





**BEDROOM AND PATIO**



**BATHROOM**



**UPSTAIRS PATIO**



**BEDROOM**



**BATHROOM**

# 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](http://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 and Mrs G Ellis

For companies, contact name

Postal address

C/- Elizabeth Taylor, Town Planner

4/9 Kamerunga Road

Suburb	Stratford
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State	QLD	Postcode	4870
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Country	Australia
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Contact phone number

Liz - 40551551

Mobile number (non-mandatory requirement)

Liz - 0407584966

Fax number (non-mandatory requirement)

N/A

Email address (non-mandatory requirement)

liz

@elizabeththaylor.net.au

Applicant's reference number (non-mandatory requirement)

ET15-001

**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.)

Allow Lot 22 at Paradise Links to be used for both short term occupancy -Multiple Dwelling (Tourist) approved under the former Planning Scheme and also permanent occupation- (Multi-Unit Housing) under the current Planning Scheme.

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)		70	Nautilus St Port Douglas	4877	22	SP144717	Douglas Shire
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)	Residential 2 Planning Area	Medium Scale	
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)

208m2

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

Holiday Unit



**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)
Paradise Links Original Approval	Not Known	N/A

**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	<b>Beaconsfield Asia Limited</b>
<input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

**Table H**

Name of owner/s of the land	
<input checked="" 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. 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
IDAS Form 5	EMAIL
Supporting Town Planning Correspondence	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](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481 or visit [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au).

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

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## NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

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

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

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

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form

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](http://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 22 at Paradise Links to be used for both short term (holiday) letting and permanent occupation	Multiple Dwelling (tourist) – existing use Multi-Unit Housing – additional use	1	24/7	N/A

- 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)
Paradise Links Original Approval	Approximately 2000	N/A

**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 type="checkbox"/> No	<input checked="" 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
<b>All applications</b>		
<p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which shows the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the 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)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>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</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land.</li> </ul>	<input checked="" type="checkbox"/> Confirmed	EMAIL
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	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.).	<input checked="" type="checkbox"/> Confirmed	EMAIL
<p>Information that states:</p> <ul style="list-style-type: none"> <li>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)</li> <li>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).</li> </ul>	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
<b>When the application involves the reuse of existing buildings</b>		
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 type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
<b>When the application involves new building work (including extensions)</b>		
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are <b>recommended</b> scales) which show the following: <ul style="list-style-type: none"> <li>the north point</li> <li>the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>the room layout (for residential development only) with all rooms clearly labelled</li> <li>the existing and the proposed built form (for extensions only)</li> <li>the gross floor area of each proposed floor area.</li> </ul>	<input type="checkbox"/> Confirmed	
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	<input type="checkbox"/> 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.	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
<b>When the application involves reuse of other existing work</b>		
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	
<b>When the application involves new operational work</b>		
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 type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	

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

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