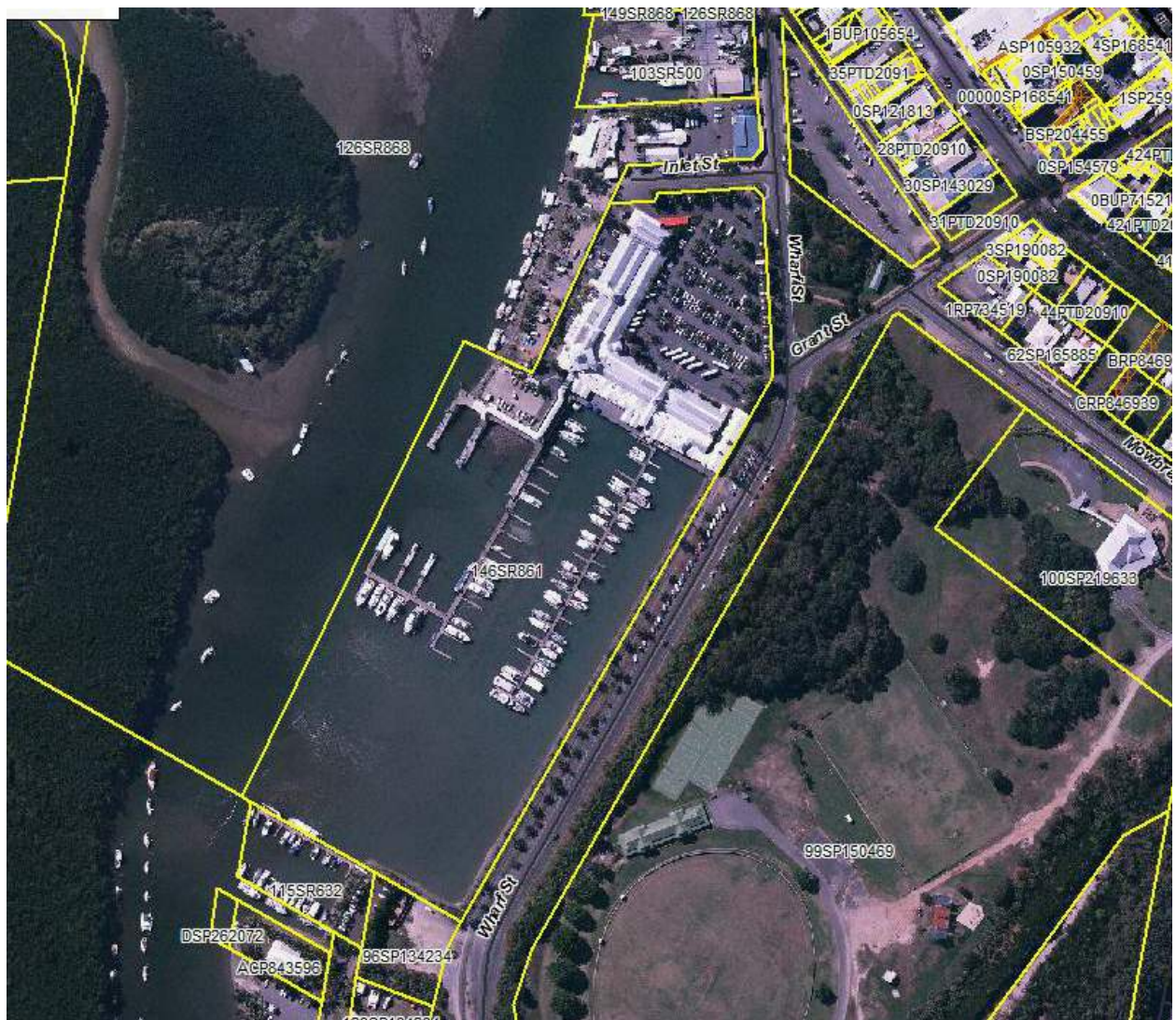


ORDINARY MEETING 20 JANUARY 2015	5.2
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MATERIAL CHANGE OF USE (CODE ASSESSMENT) & OPERATIONAL WORKS FOR PRESCRIBED TIDAL WORKS – REEF MARINA, WHARF STREET, PORT DOUGLAS

Neil Beck: MCUC 449/2014: (430779)

<u>PROPOSAL:</u>	MATERIAL CHANGE OF USE (CODE ASSESSMENT) – MARINA EXPANSION & OPERATIONAL WORKS (PRESCRIBED TIDAL WORKS)
<u>APPLICANT:</u>	REEF MARINA PTY LTD C/- RECS CONSULTING ENGINEERS & BUILDING DESIGN PO BOX 894 PORT DOUGLAS QLD 4873
<u>LOCATION OF SITE:</u>	WHARF STREET, PORT DOUGLAS
<u>PROPERTY:</u>	LOT 146 ON SP861
<u>LOCALITY:</u>	PORT DOUGLAS AND ENVIRONS
<u>PLANNING AREA:</u>	PORT DOUGLAS WATERFRONT – NORTH
<u>PLANNING SCHEME:</u>	DOUGLAS SHIRE PLANNING SCHEME 2008
<u>REFERRAL AGENCIES:</u>	DEPARTMENT OF ENVIRONMENT & HERITAGE PROTECTION DEPARTMENT OF TRANSPORT & MAIN ROADS DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE & PLANNING
<u>NUMBER OF SUBMITTERS:</u>	NOT APPLICABLE
<u>STATUTORY ASSESSMENT DEADLINE:</u>	12 JANUARY 2015
<u>APPLICATION DATE:</u>	30 SEPTEMBER 2014
<u>APPENDIX:</u>	<ol style="list-style-type: none"> 1. APPROVED PLAN(S) & DOCUMENT(S) 2. CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS 3. INFRASTRUCTURE CHARGES 4. CONDITIONS FORWARDED FOR REVIEW BY APPLICANT AND RESPONSE RECEIVED.

LOCALITY PLANRECOMMENDATION:

- A. That Council approves in part the Material Change of Use and Operational Work for Prescribed Tidal Work for the expansion of the existing Marina over land described as Lot 146 on SP861, located at Wharf Street, Port Douglas, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
General Notes & Locality Plan	4577-100B	29 July 2014
Demolition Plan	4577-101/A	25 July 2014
General Arrangement	4577-102/D	25 July 2014
Marina Setout	4577-103/C	28 July 2014
Pile Layout & Profile	4577-105/C	25 July 2014
Pile Schedule	4577-106/B	25 July 2014
Services Layout	4577-107/C	28 July 2014
Concrete Abutment Details	4577-109	29 July 2014
Typical Pile Bracket Details	4577-110	29 July 2014
Typical Bracket Details	4577-111	29 July 2014
Standard Pontoon Details	4577-112	29 July 2014

Note – The utility berths are not approved. All reference to the utility berths on the approved plans listed in the above table have no force or effect.

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Damage to Council Infrastructure

3. In the event that any part of Council's existing sewer / water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the applicant / owners cost, prior to the Commencement of Use.

Storage of Machinery and Plant

4. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties to the satisfaction of the Chief Executive Officer.

Demolish Structures

5. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.

Construction Access

6. All construction works and delivery of materials must take place using the existing access location into Lot 146 on SR861 or via Dickson Inlet. Wharf Street is not to be used for the set down of materials or to aid with the construction of the expansion without the express approval of the Chief Executive Officer.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference
Department of State Development Infrastructure & Planning	SDA-1014-015258	5 December 2014	435421

Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of 339 and 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeal in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Development and Environment Branch at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2008, the approved land use of Marina is defined as:

Premises used to moor or store marine vessels (including power driven, yachts and fishing vessels) on, or adjacent to the water.

The use may include ancillary facilities for the refuelling, servicing, repair, land storage and sale of marine craft and for the sale of related boating gear and equipment.

The use includes:

- *slipway;*
- *marine infrastructure;*
- *offices and storerooms;*
- *laundry, toilet and shower facilities;*
- *general store not exceeding 250m²*
- *marine retail, including dive stores;*
- *marine related tourism activities;*
- *ancillary marina facilities used in connection with the marina;*
- *sale of freshly caught seafood produce from marine vessels (specifically the vessel the seafood was caught from).*

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

- B. That Council refuses in part the Material Change of Use and Operational Work for Prescribed Tidal Work for the expansion of the existing Marina as it relates to the proposed 'utility berths' over land described as Lot 146 on SP861, located at Wharf Street, Port Douglas, having regard to the following:

1. The proposed utility berths and associated service demands generated by commercial and other vessels will take place within the road reserve of Wharf Street.
2. The reliance on Wharf Street to absorb all associated parking and servicing demands generated by the various commercial vessels being moored at this location is in conflict with the purpose statements and desired development outcomes of the Port Douglas Waterfront Planning Area in that:
 - a. The use of the Wharf Street road reserve in this manner does not contribute to a high quality public space;
 - b. Does not provide for or promote pedestrian connectivity which is safe and efficient.
 - c. Will have a detrimental impact on the streetscape in terms of aesthetics for both pedestrian and vehicle traffic.
 - d. Will have an adverse impact on the sense of arrival when entering Port Douglas through having a negative impact on the existing amenity and character of the precinct.
 - e. Places additional and unnecessary pedestrian and vehicle movements in this location which will create conflict with the Bally Hooley rail line.
3. The proposed utility berths conflict with the Performance Criterion 10 & 11 of the Port Douglas Waterfront Planning Area Code as it relates to Parking Access and Mobility in that:
 - a. Vehicle parking and service areas will dominate the streetscape in this location enhancing pedestrian and vehicle conflict.
 - b. Will detrimentally impact of the ability of Wharf Street being a planned connectivity route to convey pedestrians, cyclists, motorists and public transport into and through the Waterfront.

EXECUTIVE SUMMARY:

Development application has been made seeking approval for the expansion and construction of additional marina berths and associated services at The Reef Marina, Port Douglas.

The land and marina is contained within the Port Douglas Water Front North Planning Area and has a total area of 8.17 hectares.

Department of Transport and Main Roads (Maritime Safety Queensland) and Department of Environment and Heritage Protection were concurrence agencies for the application. Both agencies have approved the development subject to conditions.

The proposed 'utility berths' being accessible only via Wharf Street raises concerns with respect to the use of these berths and potential external impacts on Wharf Street. Refusal of this component of the proposed expansion is recommended.

The balance of the proposed development is consistent with the intent of the precinct and approval of the application is recommended subject to conditions.

TOWN PLANNING CONSIDERATIONS:

Background

The Port Douglas Marina is a significant tourist and employment generator for the Port Douglas economy and has been purchased by the new owners 'The Reef Marina Pty Ltd'.

The Reef Marina's plan for the redevelopment of the facility involves:

1. Improved safety of the marina and retail facilities for its customers and visitors;
2. Modernising the retail facilities to provide an improved visitor experience;
3. Deepening of the marina basin to provide improved navigation safety and amenity for private and commercial customers;
4. Installation of new and environmentally safe fuel infrastructure and replace the obsolete underground tanks and ageing reticulation system;
5. Commencement of a major new toilet, shower and laundry facility for marina visitors and tenants.
6. Commencement of a major project to replace the timber 'wale system that holds the marina structure in position.
7. Security of tenure by committing to long term leases with retail customers, allowing confidence to invest in their own businesses and premises.
8. Consideration of further development consistent with the intent of the Waterfront North Planning Area and Douglas Shire Planning Scheme.

Proposal

The development application seeks approval for a Material Change of Use for the expansion of the marina which will result in a net increase of 37 berths and an Operational Works approval (Prescribed Tidal Works) to undertake the construction of the additional berths. The proposed development will be able to offer better facilities for a wider range of vessels, eg super yachts, and better service the needs of customers.

A number of berths require removal in order to facilitate the expansion which includes rationalising the fuelling facilities. A copy of the plans detailing the proposed expansion including the demolition plan is attached at Appendix 1.

As detailed on Drawing No 4577-102/C 'General Arrangement' plan, the proposal involves the construction of what has been described on the plan as 'Utility Berths'. These berths are located in the south western corner of the marina with direct access to Wharf Street via a 1.2 metre wide by 20 metre long gangway. The plan nominates five (5) berths to locate in this area having a total length of 68.45 metres. The elevation of the berths is illustrated on Drawing No 4577-104/A.

Within the supporting material lodged with the application, the Applicant has advised that the *'utility berths will be used for a range of casual and permanent berthing purposes; for example, mooring of work vessels when undertaking work programs, houseboats, trawlers and visitor overflow. There will be no unloading of commercial produce at these berths. In addition, the utility berths could be subject to reasonable and relevant conditions.'*

This aspect of the proposal is discussed in further detail below.

Douglas Shire Planning Scheme Assessment

Douglas Shire Port Douglas and Environs Planning Locality		Code Applicability	Compliance
Locality	Port Douglas and Environs	✓	See discussion below
Planning Area	Port Douglas Waterfront - North	✓	See discussion below
Defined Use	Marina	✓	No land use code for Marina
Overlay Codes	Acid Sulfate Soils Code	✓	✓
	Cultural Heritage and Valuable Sites Code	✓	✓
	Natural Hazards Code	✓	✓
General Codes	Design and Siting of Advertising Devices Code	✗	N/A
	Filling and Excavation Code	✓	✓
	Landscaping Code	✗	N/A
	Natural Areas and Scenic Amenity Code	✓	✓
	Vehicle Parking and Access Code	✓	(see discussion below)
	Sustainable Development Code	✗	N/A

Discussion

Prior to lodgement of the development application, the owners of the facility met with Council Officers to discuss the proposal and sought advice on how to progress the planned expansion.

At the meeting, concern was raised with respect to the proposed 'Fishermen's Berths' (as they were notated on the plans at that time) adjacent the south western boundary due to the potential impacts that such a facility would have on Wharf Street with respect to the unloading and loading of goods.

Following the meeting, the applicant was provided with the following written advice in relation to this matter:

The proposed expansion of the Reef Marina is welcomed and represents a positive outcome for the facility and the wider region.

As discussed at the meeting, potential issues exist with the proposed location of the Fishermen's Berths having regard to the following:

- The location of the berths does not provide any ability for onsite loading or unloading of goods or produce. The proposed location of the berths would require this activity to take place within the road reserve of Wharf Street;*
- The presence of the Bally Hooley rail line within the road reserve which forms an additional constraint; and*
- The alignment of Wharf Street in this location of the proposed access is not conducive for the unloading and loading of goods associated with marine operations.*

It is requested that should the expansion seek to provide facilities for fishing vessels, then such facilities are to be sited and operated in such a manner which are contained to the site and will not detrimentally impact on external roads or the rail line.

The above comments were highlighting the provisions of the Port Douglas Waterfront North Planning Area with respect to not compromising the functionality of the Bally Hooley rail line, avoiding the domination of the streetscape by vehicle parking and service areas and hence pedestrian and vehicle conflict in addition to ensuring unencumbered pedestrian and cycle movement along Wharf Street. This was in addition to the overarching planning principle that the development be contained within the boundaries of the site and impacts mitigated.

As a consequence of the above advice, the proposal was modified to nominate the berths as 'utility berths'. However, as detailed in the applicant's report, approval is sought to use these berths for not only utility purposes but also for permanent berthing of trawlers, houseboats and visitor overflow.

It is considered that some form of utility berths for dredging and maintenance work in its true sense is justified and warranted to aid with the logistics of undertaking certain work programmes and tasks. However, it appears that the applicant is simply seeking additional capacity of the marina to accommodate additional vessels irrespective of purpose despite referring to the berths as 'utility berths'. The development as proposed would have an adverse impact on Wharf Street which the initial planning advice was seeking to avoid. For example, fishing trawlers parked at the utility berths will require repairs and maintenance, stores for extended trips and potential sale of product. With the inability to accommodate such activity on site, a large majority of the activity and associated impacts would take place on the Wharf Street road reserve.

The same concerns that were raised at the meeting with the applicant are still present with the proposed layout and the intended use of the utility berths.

In an attempt to mitigate the external impacts on Wharf Street and to allow some form of utility berthing opportunity, draft conditions were formulated and forwarded to the Applicant in December 2014. The draft conditions sought to reduce the length of the utility berths to 30 metres and provide for the short term berthing of other recreational vessels. The conditions forwarded and the applicant's response to the draft conditions is attached at Appendix 4.

As detailed in the supporting material and the applicant's response to the draft conditions, it is clear the intended use of the 'utility berths' is to accommodate fishing trawlers and other commercial vessels despite the previous advice provided in relation to these matters and concerns voiced over the external impacts such a layout would have on Wharf Street. Since receiving the applicant's response, further consideration has also been given regarding the draft conditions which sought to substantially amend the nature of the proposal as submitted to Council and whether such amendments essentially constitute a refusal of this aspect of the proposed development in any event. Having regard to these two matters and the impacts on Wharf Street that the 'utility berths' would promote, refusal of this component of the proposal is recommended.

The balance of the proposed expansion is consistent with the use of the area as a marina and the redevelopment of the facility is welcomed and represents a positive outcome for Port Douglas and the wider region.

The recommendation to refuse the proposed utility berths is based upon the above concerns and the fact that the proposal does not achieve, promote or contribute to the following specific purpose statements and desired development outcomes of the Port Douglas Waterfront North Planning Area.

- *Development contributes to a high quality public realm;*
- *Pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas Waterfront;*
- *A sense of place is created through aesthetic streetscapes and innovative public and private open space;*
- *Character is enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;*
- *A high level of pedestrian and streetscape amenity is facilitated along the waterfront and road network through the use of landscaping, public art and streetscape elements;*
- *The functionality of the Bally Hooley tourist rail is retained;*

The utility berths and the associated impacts on Wharf Street are also considered to conflict with the following Performance Criterion 10 & 11 of the Port Douglas Waterfront North Planning Area Code which state:

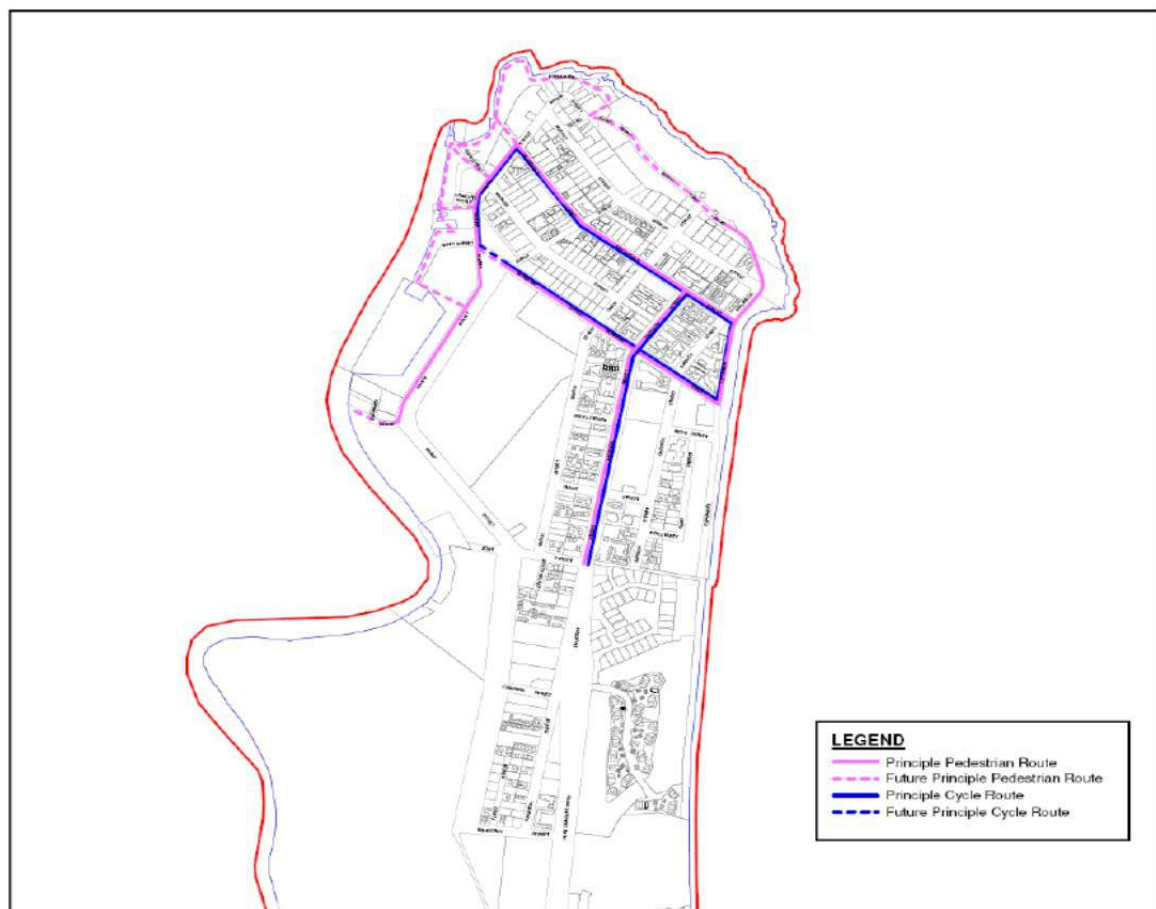
Parking, Access and Mobility

P10 Vehicle access, parking and service areas:

- a. do not undermine the relationship between buildings and street or dominate the streetscape; and*
- b. are designed to minimise pedestrian vehicle conflict.*

P11 Pedestrians, cyclists, motorists and public transport users can easily move into and through the Waterfront along planned connectivity routes.

As illustrated below, the entire length of the Wharf Street frontage to the marina basin is identified as a Principle Pedestrian Route on the Port Douglas Pedestrian and Cycle Movement Overlay.



With no other access available to the utility berths, the proposed layout and intended use of the utility berths has total reliance upon Wharf Street to absorb all associated parking and servicing demands generated by the various commercial vessels being moored at this location. This in turn will have an adverse impact on the amenity and sense of arrival into the precinct as well as the ability for Wharf Street to facilitate the movement of all traffic (pedestrians, cyclists, vehicular) through the precinct without conflict.

Referral Agencies

The application was referred to the Department of Transport and Main Roads (Maritime Safety Queensland) and Department of Environment and Heritage Protection as the lead agencies for navigational channels and for undertaking works in a Coastal Management District.

Both agencies were concurrence agencies for the application and the responses containing the conditions of both agencies is attached at Appendix 2.

State Planning Policy

Under the State Planning Policy July 2014, Council as the Assessment Manager must consider, to the extent relevant, the transitional development assessment provisions relating to a number of State Interests contained within the document.

The proposed development does not compromise or conflict with any of the State Interests relating to Biodiversity, Coastal Environment and Natural Hazards, Risk and Resilience to the extent relevant to the proposal. The proposed development seeks to expand an existing and well-established marina development.

Public Notification / Submissions

The development application was code assessable and therefore there was no requirement for the applicant to undertake public notification.

ADOPTED INFRASTRUCTURE CHARGES

The proposed development triggers Adopted Infrastructure Charges. Refer to Appendix 3 to view calculations.

The applicant was made aware of the levied charges at the time of forwarding draft conditions. As contained in the applicant's response attached at Appendix 4, the applicant is of the view that the marina expansion does not require any additional trunk infrastructure and that the proposed charges are unwarranted.

The applicant has also requested that given the considerable economic benefits to Port Douglas, the applicant has requested that Council waive the charges so as to encourage sensible economic development in the region.

The proposed expansion of the marina does place additional demand on Council's reticulated water supply and sewer network. As detailed on Drawing No 4577-107/C, the expansion incorporates various service modules for the additional berths with each containing water supply. The expansion will also generate additional demand on the existing sewage pump-out facility also identified on Drawing No 4577-107/C. As a consequence, charges have been levied and the details attached at Appendix 3.

Should Council consider its request to waive or reduce the contributions reasonable, then this is a matter for Council to determine.

COUNCIL'S ROLE

Under the *Sustainable Planning Act 2009* and the *Sustainable Planning Regulation 2009*, Council is the Assessment Manager for the application.

APPENDIX 1: APPROVED PLAN(S) & DOCUMENT(S)

GENERAL NOTES :

- 10 ALL DIMENSIONS AND LEVELS ARE TO BE VERIFIED ON SITE.
- 20 WHEN IN DOUBT 'ASK' DO NOT SCALE
- 30 ALL DIMENSIONS ARE SHOWN IN MILLIMETRES UNLESS
- 40 ALL LEVELS ARE SHOWN IN METRES AND ARE REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT) (AND IS +1584 ABOVE LAT)
- 50 PILES
 - TOLERANCE FOR DRIVING IN PILE +/- 50 mm.
 - MEASURED AS THE WORST DEVIATION OF PLAN DEVIATION AND OUT OF PLUMB OVER FULL TOTAL RANGE.
 - VERTICAL = 1 IN 150 MAX OUT OF PLUMB
 - CONTRACTOR TO ADVISE ENGINEER IF BED LEVEL DIFFERS FROM DESIGN LEVEL BY MORE THAN 300mm.
- 60 PONTON DIMENSIONS ARE NOMINAL
 - DIMENSIONS ARE MEASURED TIMBER TO TIMBER
- 70 PONTONS ARE TO BE CONNECTED TOGETHER WITH TIMBER WALERS
- 80 ALL THRU-RODS ARE TO BE M20 NOMINAL ROLL THREADED ROD (GALV) EX 185mm DIA. SPACING TO VARY WITH LOCATION
- 90 ALL TIMBER DESIGN AND CONSTRUCTION IS TO BE IN ACCORDANCE WITH AS 1720.1
 - WALKER SIZES
 - ARM A
 - WALKWAY
 - 2/75 x 300 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
 - FINGERS FOR 25m TO 30m BOAT
 - 2/75 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
 - FINGERS FOR 22m BOAT
 - 2/50 x 200 GRADE F17 HARDWOOD
 - ARM B
 - WALKWAY
 - 2/50 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
 - FINGERS
 - 2/50 x 200 GRADE F17 HARDWOOD
 - UTILITY BERTHS
 - 2/50 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
- ALL TIMBER TO BE SEASONED AND TREATED IN ACCORDANCE WITH AS 1664
- STRUCTURAL TIMBER MUST NOT BE CUT OR DRILLED FOR ANY REASON OTHER THAN SHOWN ON THESE DRAWINGS
- 100 ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD OR 6mm FILLET WELD AS REQUIRED UNLESS
- 110 ALL ALUMINIUM WORK TO BE IN ACCORDANCE WITH AS 1664
 - ALL EXTRUSIONS TO BE TYPE 6061-T6 OR 6062-T5 UNLESS
 - PLATES TO BE TYPE 5083 TEMPOR H321
 - ALL WELDS SHAPED TO BE TIGHT WELD USING PULSE MIG OR TIG FUSION WELDING PROCESS
 - ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH
 - ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD
- 120 ALL STEEL AND ALUMINIUM WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH
- 130 PILE GUIDE BLOCKS ARE TO BE ADJUSTED AS REQUIRED TO SUIT PILE SIZE AND POSITION ON SITE
 - CLEARANCE MUST BE PROVIDED BETWEEN PILE AND GUIDE TO PREVENT "HANGING" OF PONTON UNDER FULL TOTAL RANGE

- 14.0 CONCRETE
- ALL CONCRETE WORKS SHALL BE IN ACCORDANCE WITH AS 3600
 - MINIMUM CONCRETE STRENGTH $f_c = 50\text{MPa}$
 - ALL STEEL REINFORCEMENT TO BE HOT DIP GALVANIZED

15.0 WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586

15.0 INSULATION

BOLTED MATERIAL	INSULATING MATERIAL
ALUMINIUM / GALV STEEL	DURALAC ANTI CORROSION COMPOUND OR NYLON SEPARATION WASHERS
ALUMINIUM / CONCRETE	3mm NEOPRENE
STEEL / CONCRETE	3mm NEOPRENE

17.0 DESIGN PARAMETERS

WIND

- BASIC WIND SPEED
 $V_u = 69.3 \text{ m/s}$
- TERRAIN CATEGORY TC2
- GUST DURATION = 30sec

WAVE

- WIND GENERATED WAVE
 $H_s = 0.75\text{m}$ $T = 2.1/\text{s}$ (FOR OUTER ARMS)
 $H_s = 0.3\text{m}$ $T = 2.1/\text{s}$ (FOR INNER ARMS)
- BOAT WAKE
 $H_{\text{MAX}} = 0.6\text{m}$

BERTING IMPACT

- APPROACHING VELOCITY
- | | |
|---------------------|------------------------------|
| $v = 0.3\text{m/s}$ | $\text{LOA} \leq 25\text{m}$ |
| $v = 0.2\text{m/s}$ | $\text{LOA} > 25\text{m}$ |

LIVE LOAD ON PONTONS

- MAX. UNIFORMLY DISTRIBUTED LOAD 3 kPa
- FREEBOARD UNDER DEAD LOAD
 - NEW ARM A 600 ±25mm
 - NEW ARM B & FISHERMEN BERTHS 400 ±25mm

DESIGN VESSELS (MAX)

VESSEL LENGTH (m)	WIND PROFILE AREA (m ²)		DISPLACEMENT (t)
	BEAM	HEAD	
17	57.7	20.7	19.5
20	76.0	24.0	30.0
22	83.6	26.4	48.0
25	95.0	30.0	55.0
26	100.0	33.0	60.0
27	105.0	36.0	65.0
28	110.0	39.0	70.0
29	115.0	42.0	75.0
30	120.0	45.0	80.0
60	326.0	100.0	600.0

- 18.0 THE PROPOSED PONTOON COMPLIES WITH THE GUIDELINES
IN AS3662-2001 "GUIDELINES FOR DESIGN OF MARINAS"
- 19.0 THE WORKS WILL BE STRUCTURALLY ADEQUATE FOR ANTICIPATED USAGE
- 20.0 THE WORKS COMPLY WITH ALL RELEVANT CODES - INCLUDING THE DEMP'S
OPERATIONAL POLICY, BUILDING AND ENGINEERING STANDARDS FOR TIAL WORKS



LOCALITY PLAN
SCALE : N.T.S.

LOT 146
SR861
IS221802

PARISH : SALISBURY
COUNTY : SOLANDER
TOWN : PORT DOUGLAS
LOCAL GOVERNMENT : CAIRNS REGIONAL

FOR APPROVAL

J. M. LEMAN

REGISTERED PROFESSIONAL ENGINEER
OF QUEENSLAND NUMBER : 2938

B 9/09/14 DESIGN VESSEL TABLE UPDATED
A 12/08/14 NOTE Nos. 9 & 17 UPDATED

Revisions

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**International
Marina
Consultants**
Consultants to the Marina Industry.

**International Marina
Consultants Pty. Ltd.**
A.C.N. 079 905 481

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Australia
Phone 0713892 5711 Fax 0713892 561
Email mc@intc-marinas.com

CLIENT:
THE REEF MARINA PTY. LTD.

PROJECT:
THE REEF MARINA

TITLE:
GENERAL NOTES &
LOCALITY PLAN

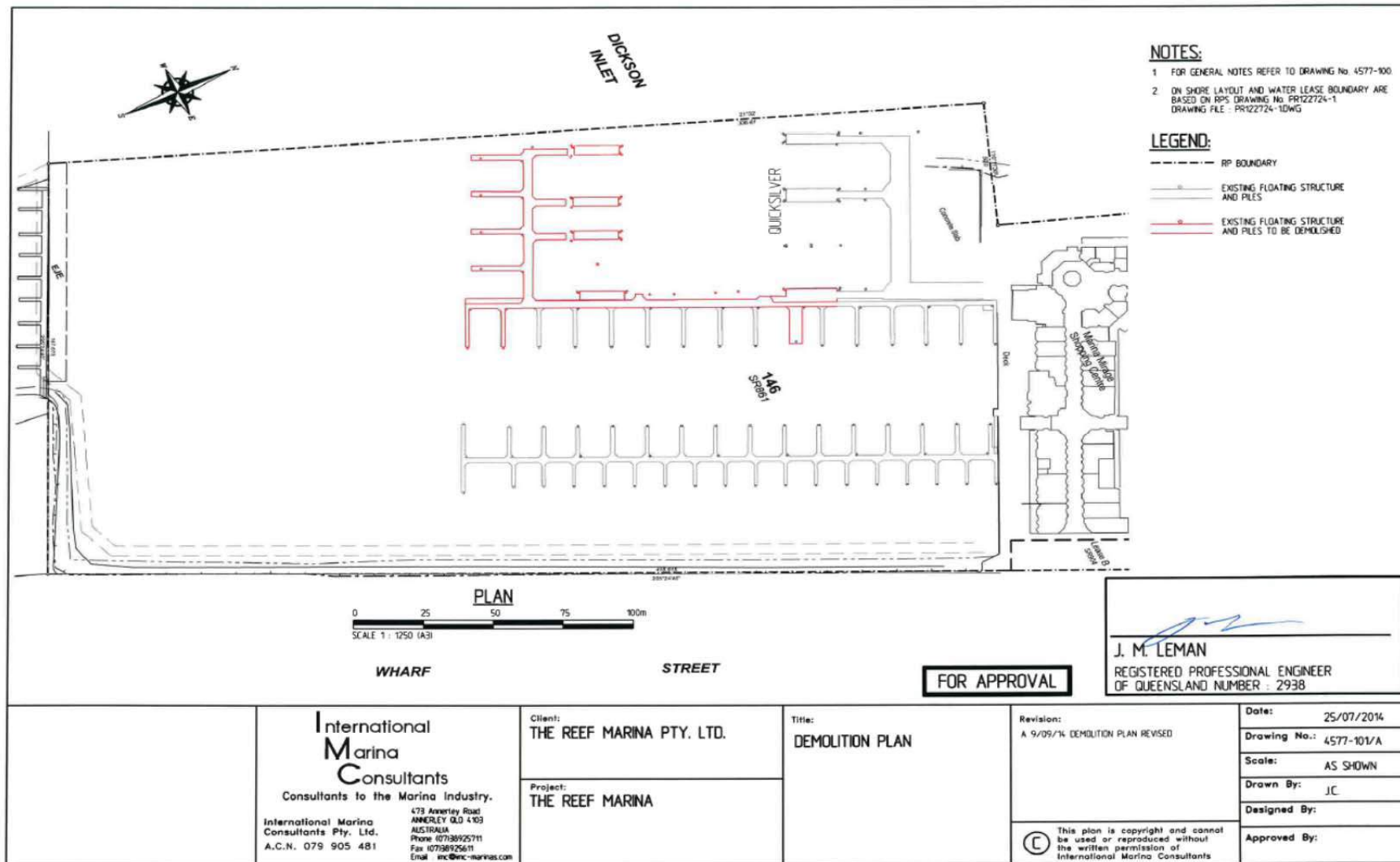
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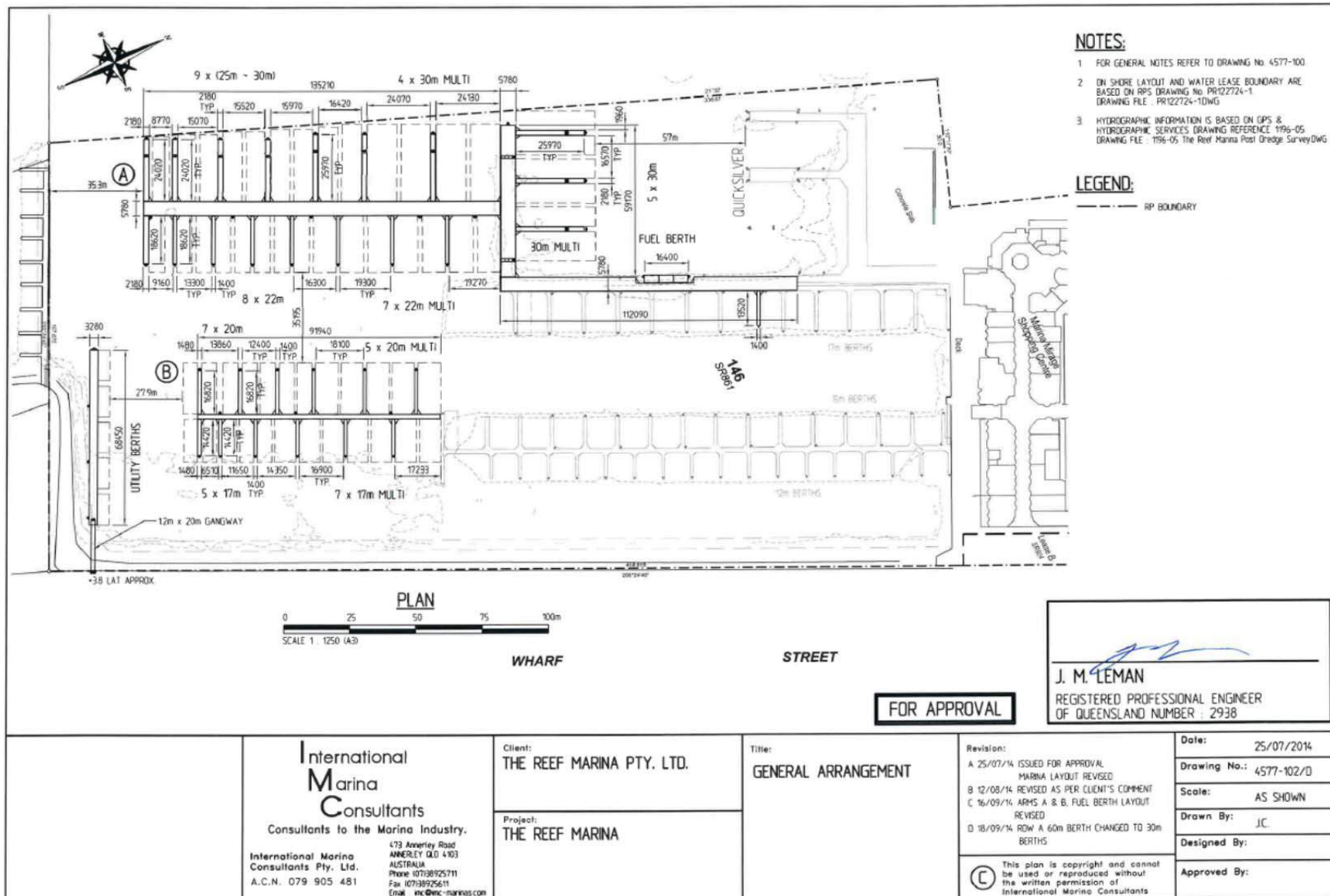
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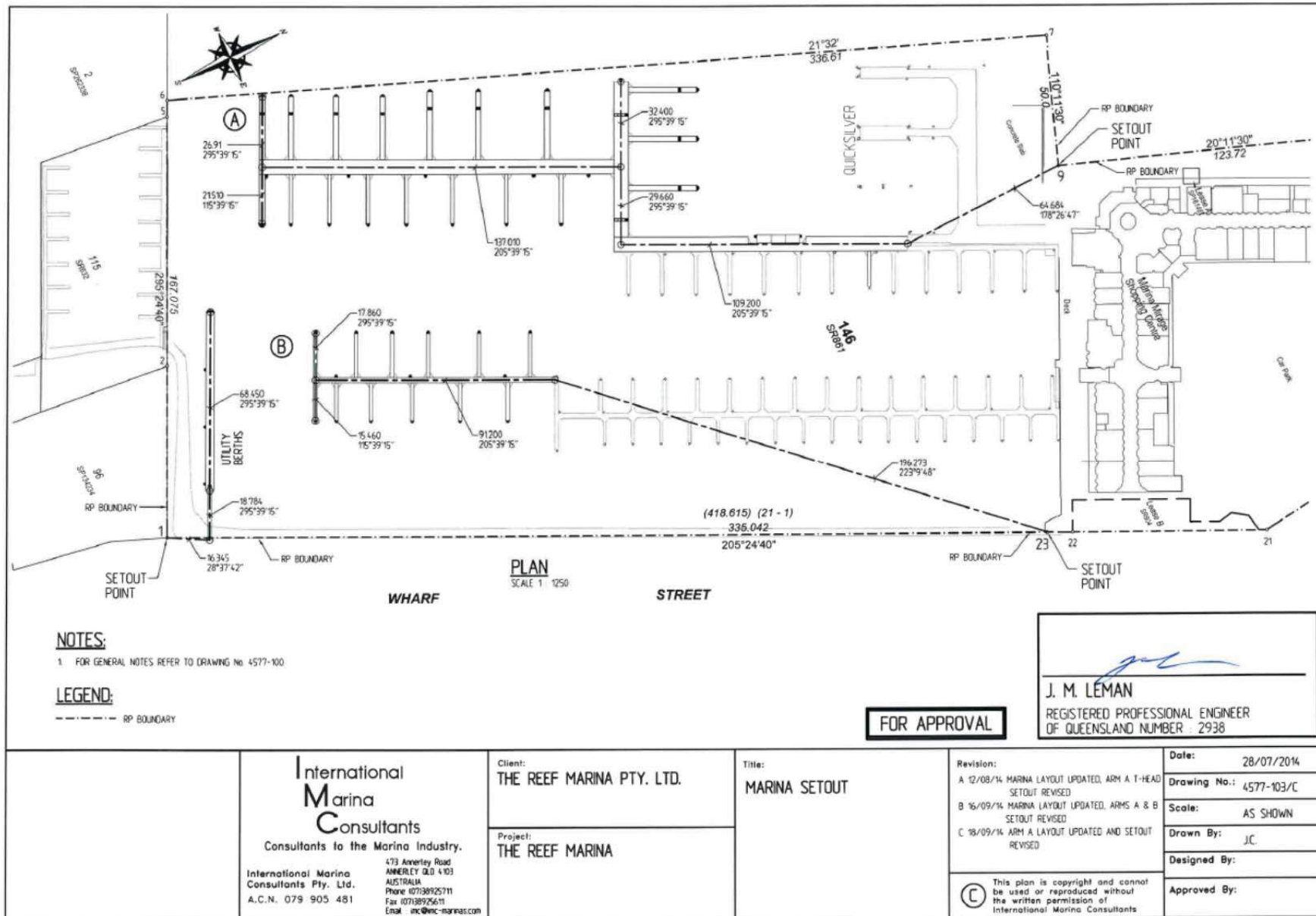
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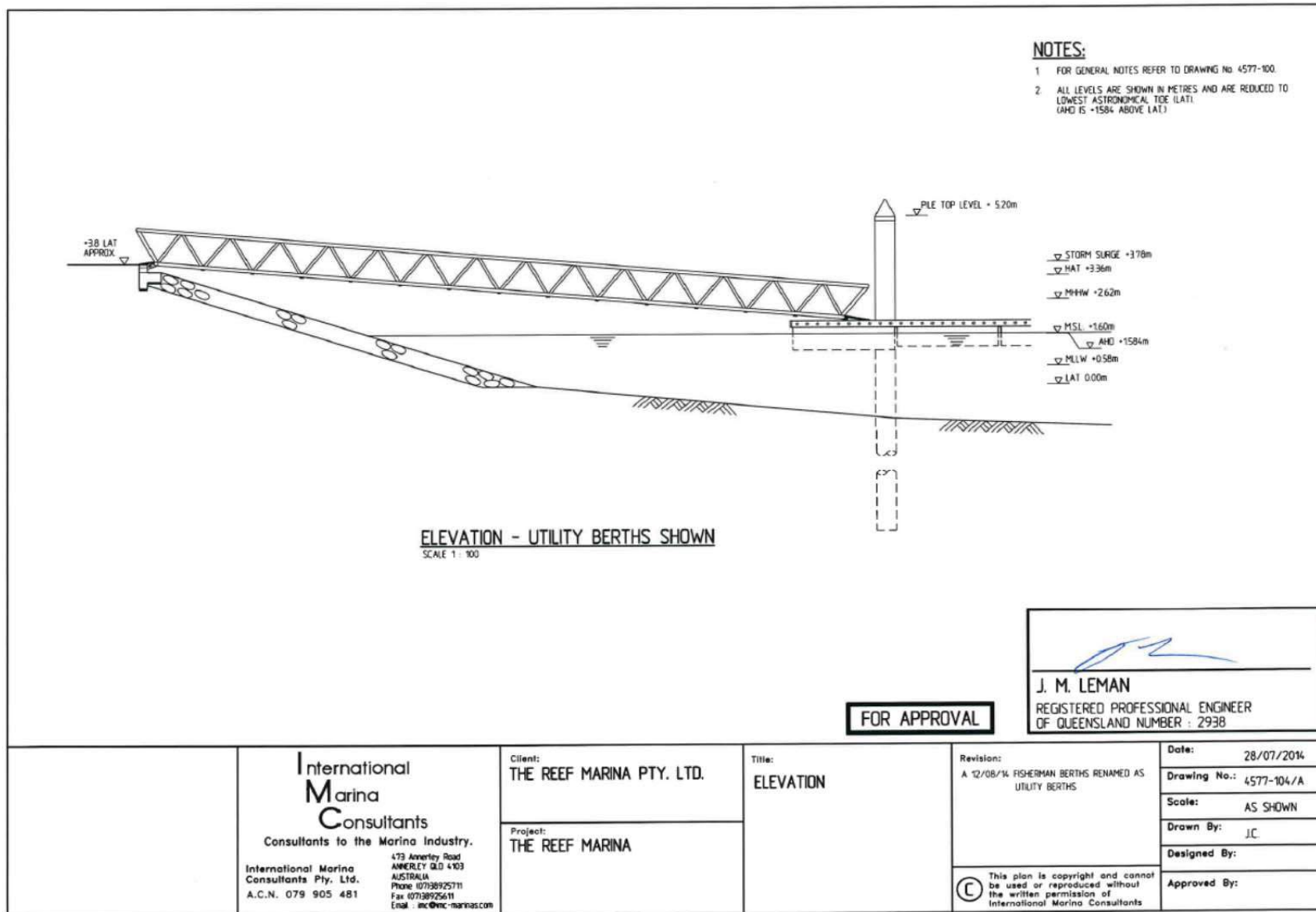
Drawn By: JC	Designed By:
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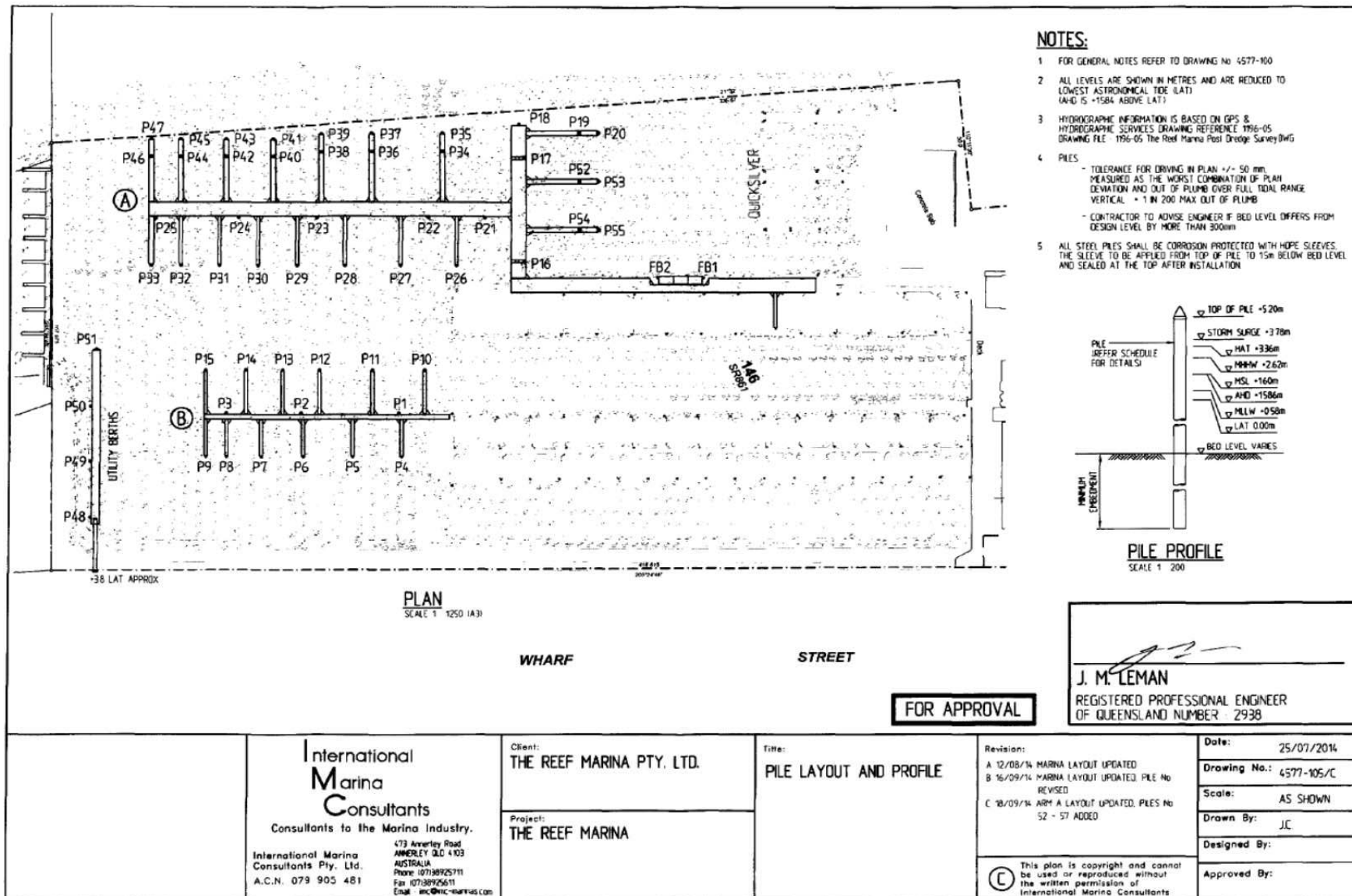
Approved By:












PILE SCHEDULE					
PILE NO.	DESIGNED BED LEVEL (m LAT)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m LAT)	ESTIMATED PILE LENGTH (m)
P1	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+52	150
P2	-23	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+52	150
P3	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+52	150
P4	-23	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	140
P5	-20	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	135
P6	-20	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	135
P7	-21	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	140
P8	-22	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	140
P9	-22	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	140
P10	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	140
P11	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	140
P12	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	140
P13	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	140
P14	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	140
P15	-23	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+52	145
P16	-22	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P17	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P18	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P19	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P20	-27	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	155
P21	-25	6100 x 160 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+52	160
P22	-26	6100 x 160 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+52	160
P23	-25	6100 x 160 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+52	160
P24	-25	6100 x 160 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+52	160
P25	-25	6100 x 160 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+52	160
P26	-27	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P27	-27	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P28	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P29	-27	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P30	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P31	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P32	-27	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P33	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+52	150
P34	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	145


PILE SCHEDULE					
PILE NO.	DESIGNED BED LEVEL (m EOI)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m EOI)	ESTIMATED PILE LENGTH (m)
P35	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	145
P36	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	145
P37	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	145
P38	-26	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	145
P39	-26	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	145
P40	-27	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	145
P41	-27	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+52	145
P42	-25	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	62	+52	140
P43	-26	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	62	+52	140
P44	-27	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+52	140
P45	-26	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+52	140
P46	-26	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+52	140
P47	-25	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+52	140
P48	-20	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	140
P49	-20	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	140
P50	-21	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	140
P51	-22	5080 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+52	140
P52	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P53	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P54	-25	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
P55	-26	6100 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+52	150
FB1	-25	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	58	+52	135
FB2	-25	4570 x 127 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	58	+52	135

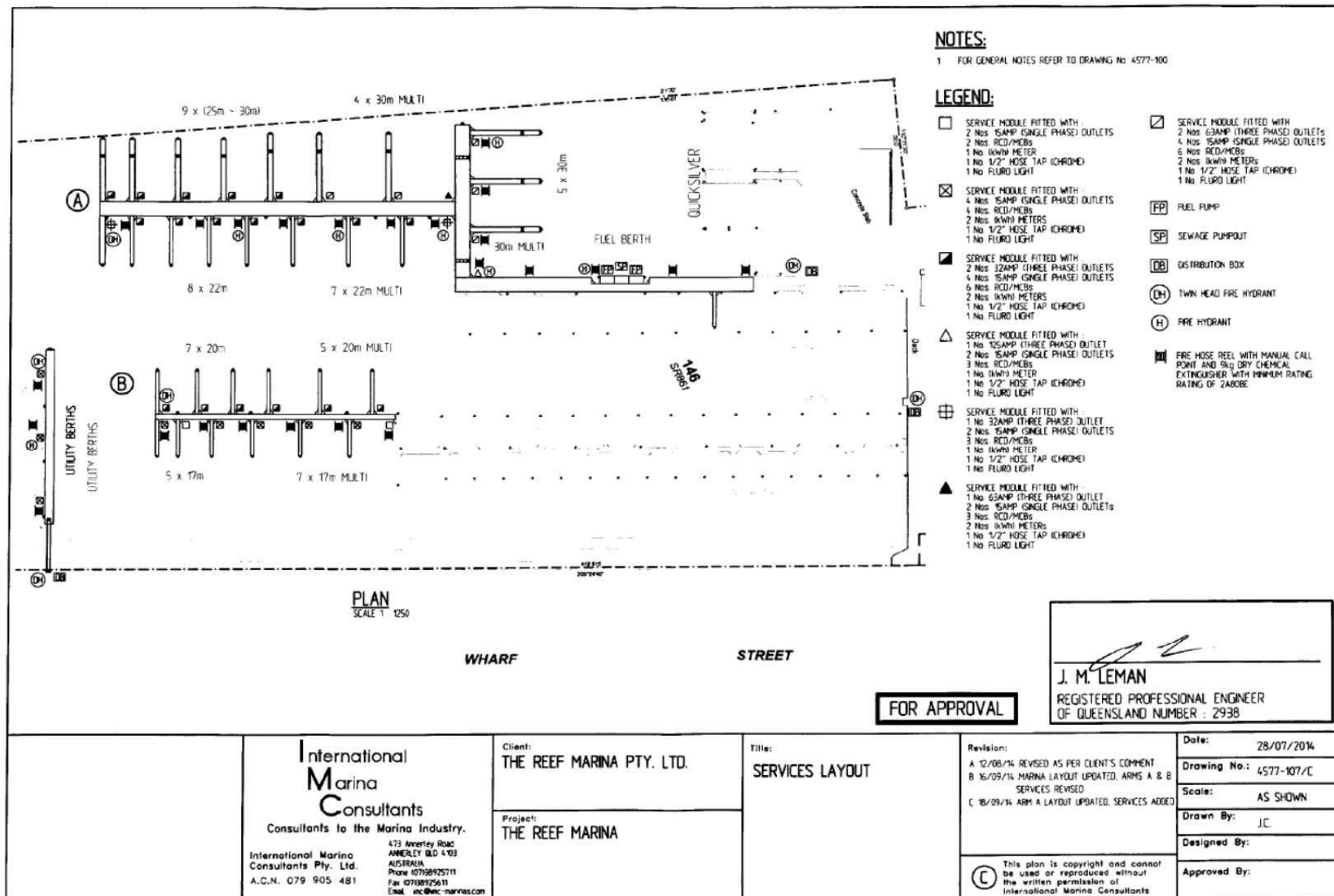
FOR APPROVAL

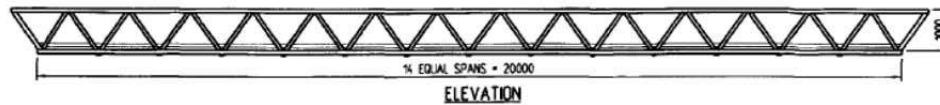

J. M. LEMAN
 REGISTERED PROFESSIONAL ENGINEER
 OF QUEENSLAND NUMBER - 2938

International Marina Consultants Consultants to the Marina Industry. International Marina Consultants Pty. Ltd. A.C.N. 079 905 481 473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone 0738925711 Fax 0738925611 Email info@imc-marina.com	Client: THE REEF MARINA PTY. LTD.	Title: PILE SCHEDULE	Revision: A 16/09/14 PILE SCHEDULE UPDATED B 18/09/14 PILES P52 - P57 ADDED	Date: 25/07/2014
				Drawing No.: 4577-106/B
				Scale: NL
				Drawn By: J.C.
				Designed By:
			Approved By:	

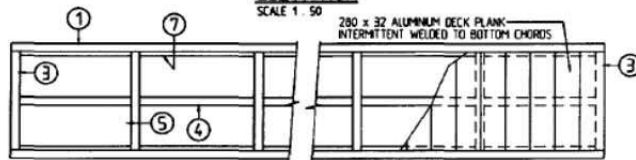
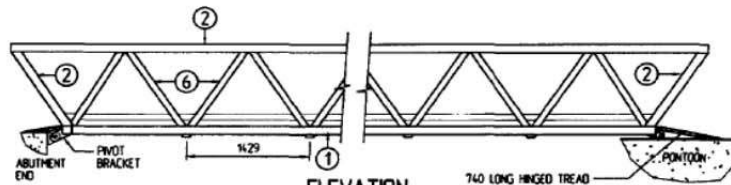
FOR APPROVAL


J. M. LEMAN
 REGISTERED PROFESSIONAL ENGINEER
 OF QUEENSLAND NUMBER - 2938

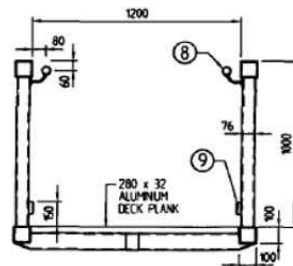




GENERAL ARRANGEMENT
SCALE 1: 100



SCALE 1: 50



SCALE 1: 25

NOTES:

1. ALL DIMENSIONS ARE IN MILLIMETRES.
2. ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH AS1664.
3. ALUMINUM STRUCTURAL EXTRUSIONS SHALL BE 6061-T6 6062-T5 OR 6063-T5 UNO. HANDRAILS, KICKRAILS AND DECK PLANK SUPPORTING ANGLES CAN BE GRADE 6060-T5.
4. ALUMINUM PLATES SHALL BE TYPE 5083 TEMPER H321.
5. ALL WELDS SHALL BE INERT GAS WELD USING PULSE MIG OR TIG FUSION WELDING PROCESS.
6. ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
7. ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD.
8. DESIGN LIVE LOADS:
LOD 4.0kPa
CONCENTRATED LOAD 4.5kN
HANDRAIL 0.75kN/m
9. SPLICE JOINT IN TOP CHORD TO BE LOCATED OUTSIDE THE CENTRAL 6m.
10. WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586.

ITEM	DESCRIPTION
1	SHS 100 x 100 x 6
2	SHS 100 x 100 x 6
3	SHS 100 x 100 x 6
4	RHS 1016 x 76.2 x 2.35
5	SHS 100 x 100 x 6
6	SHS 76 x 76 x 6
7	ANGLE 50 x 25 x 3
8	CHS 50 x 3
9	RHS 76.2 x 25.4 x 2.36

J. M. LEMAN

REGISTERED PROFESSIONAL ENGINEER
OF QUEENSLAND NUMBER : 2938

FOR APPROVAL

Revisions

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International Marina Consultants

Consultants to the Marina Industry.

International Marina Consultants Pty. Ltd.
A.C.N. 079 905 481

473 Annerley Road
Annerley QLD 4103
Australia
Phone: 073892 5711 Fax: 073892 5611
Email: imc@imc-marinas.com

CLIENT:

THE REEF MARINA PTY. LTD.

PROJECT:

THE REEF MARINA

TITLE:

12m WIDE x 20m LONG GANGWAY

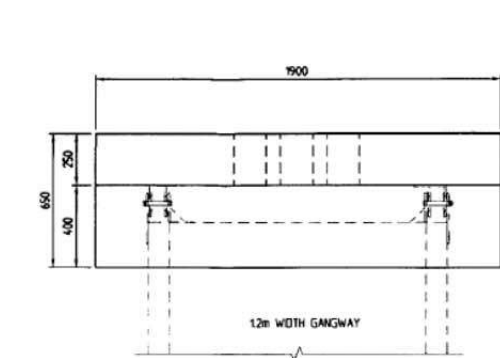
Date: 29/07/2014

Drawing No.: 4577-108

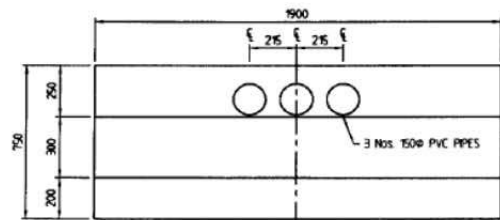
Scale: AS SHOWN

Drawn By: J.C. Designed By:

Approved By:

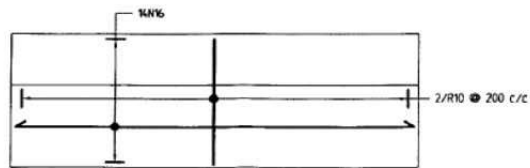


PLAN
SCALE 1 : 20



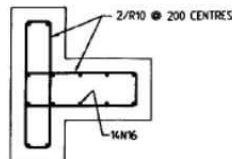
(GANGWAY NOT SHOWN FOR CLARITY)

ELEVATION
SCALE 1 : 20

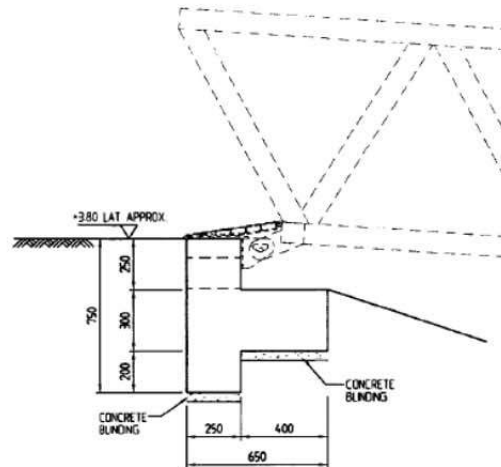


PLAN

REINFORCEMENT DETAILS
SCALE 1 : 20



TYPICAL SECTION



ELEVATION
SCALE 1 : 20

NOTES:

1. ALL DIMENSIONS ARE IN MILLIMETRES UNO
2. ALL LEVELS ARE SHOWN IN METRES AND REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT) (AHD IS +1584 ABOVE LAT)
3. CONCRETE
 - ALL CONCRETE WORKS SHALL COMPLY WITH AS 3600
 - MINIMUM CONCRETE STRENGTH $f_c = 40\text{MPa}$
 - MINIMUM COVER TO REINFORCEMENT = 70mm
4. THE ABUTMENT FOUNDATION BEARING CAPACITY AND SLOPE STABILITY OF REVELMENT TO BE CHECKED AND CONFIRMED BY A GEOTECHNICAL ENGINEER

J. M. LEMAN

REGISTERED PROFESSIONAL ENGINEER
OF QUEENSLAND NUMBER : 2938

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Revisions

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**International
Marina
Consultants**

Consultants to the Marina Industry.

International Marina
Consultants Pty. Ltd.
A.C.N. 079 905 481

473 Annerley Road
Annerley QLD 4103
Australia
Phone: 0713892 5711 Fax: 0713892 5611
Email: imc@imc-marinas.com

CLIENT:

THE REEF MARINA PTY. LTD.

PROJECT:

THE REEF MARINA

TITLE:

**CONCRETE ABUTMENT
DETAILS**

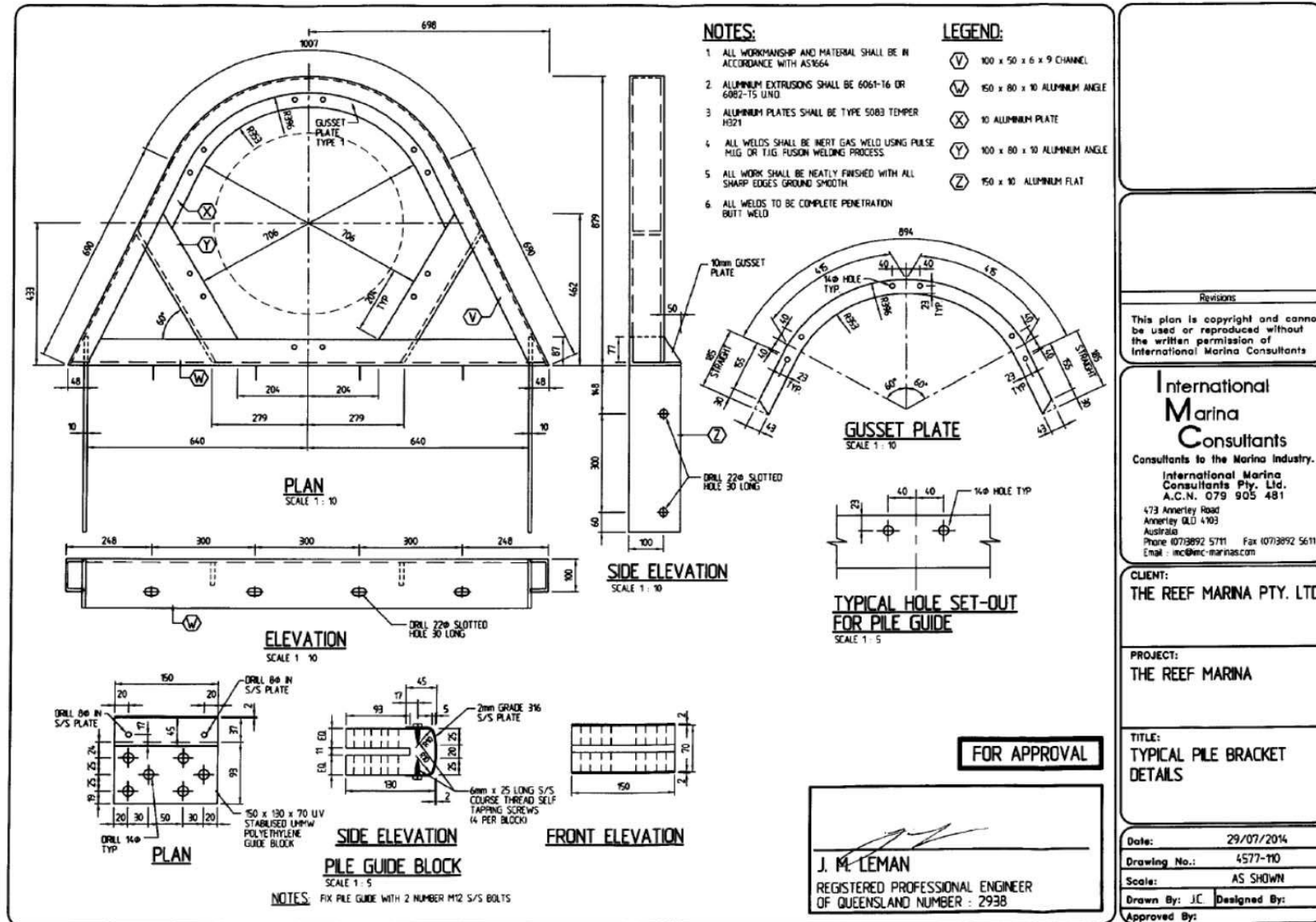
Date: 29/07/2014

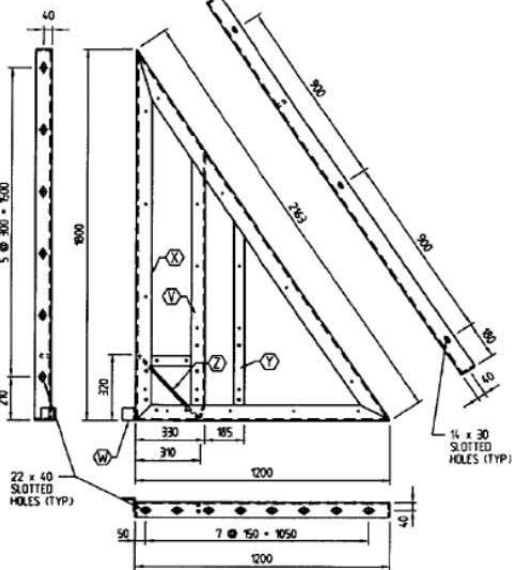
Drawing No.: 4577-109

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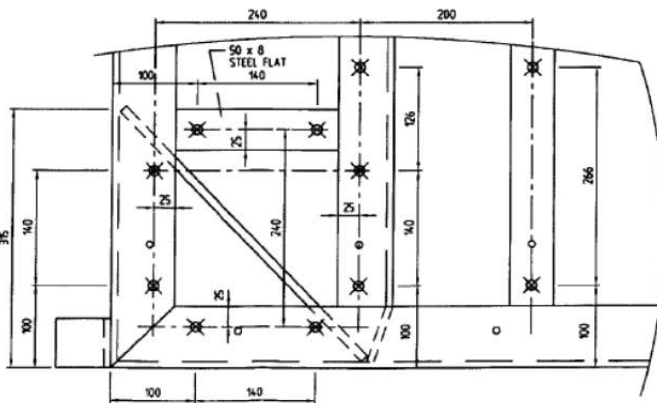
Drawn By: J.C. Designed By:

Approved By:

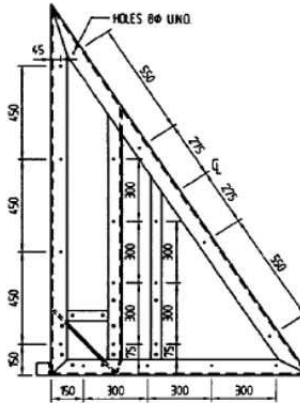




FRAME
SCALE 1 : 20



PEDESTAL MOUNTING PROVISIONS



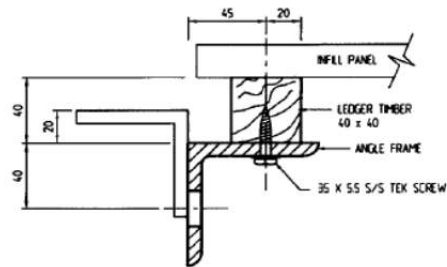
GENERAL ARRANGEMENT

NOTES:

1. ALL MATERIALS TO BE HOT DIP GALVANIZED IN ACCORDANCE WITH AS 4680.
2. PROTECTIVE COATINGS TO STEEL COMPONENTS:
 - a. ACID DIP AND HOT DIP GALVANIZE IN ACCORDANCE WITH AS 4680
 - b. - AVERAGE COATING 750g/m²
 - c. - EQUIVALENT THICKNESS 100 MICRONS.
3. ALL WELDS TO BE FULL PENETRATION BUTT WELDS OR 6mm FILLET WELD AS REQUIRED.
4. ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUNDED SMOOTH.

LEGEND:

- | | |
|----------------------------------|-------------------------|
| <input checked="" type="radio"/> | 65 x 50 x 8 STEEL ANGLE |
| <input checked="" type="radio"/> | 65 x 65 x 8 STEEL ANGLE |
| <input checked="" type="radio"/> | 75 x 75 x 8 STEEL ANGLE |
| <input checked="" type="radio"/> | 50 x 8 STEEL FLAT |
| <input checked="" type="radio"/> | 50 x 10 STEEL FLAT |
| <input type="radio"/> | 8Ø HOLE |
| <input checked="" type="radio"/> | 12Ø HOLE |



INFILL SUPPORT SECTION
SCALE 1:25

J. M. LEMAN
REGISTERED PROFESSIONAL ENGINEER
OF QUEENSLAND NUMBER : 2938

FOR APPROVAL

Revisions

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**International Marina
Consultants Pty. Ltd.**
A.C.N. 079 905 481

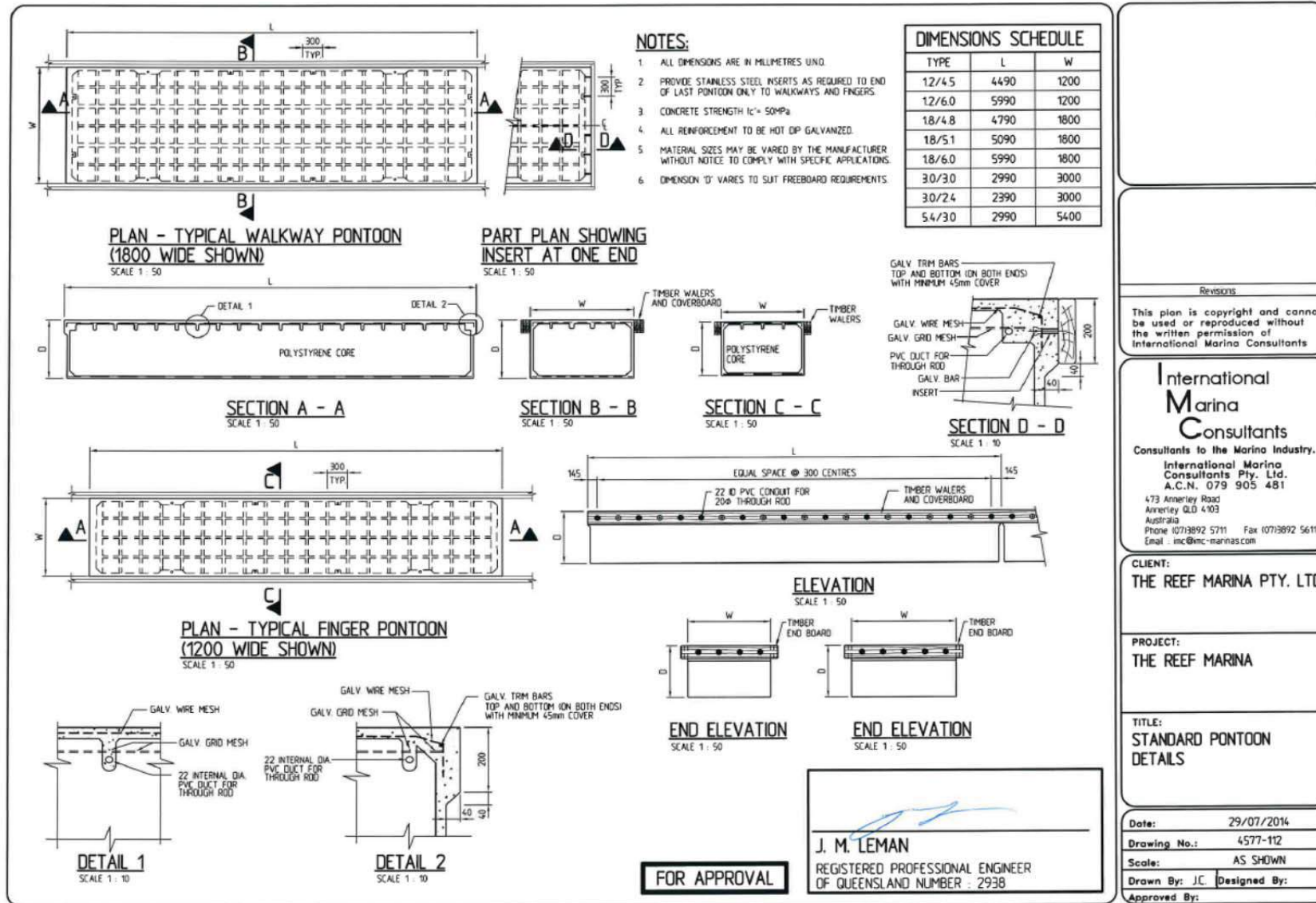
473 Annerley Road
Annerley QLD 4103
Australia
Phone (07)3892 5711 Fax (07)3892 5611
Email: info@imc-marinas.com

CLIENT:
THE REEF MARINA PTY. LTD.

PROJECT:
THE REEF MARINA

TITLE:
TYPICAL BRACKET DETAILS

Date:	29/07/2014
Drawing No.:	4577-111
Scale:	AS SHOWN
Drawn By: J.C.	Designed By:
Approved By:	



APPENDIX 2: CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS



Department of
State Development,
Infrastructure and Planning

Our reference: SDA-1014-015258
Your reference: MCU449/2014

5 December 2014

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

Att: Neil Beck

Dear Ms Cardew

Concurrence agency response—with conditions

Material change of use (Marina) involving operational works (prescribed tidal works) at Wharf Street, Port Douglas and more particularly described as Lot 146 on SR861 in the Douglas Shire
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 22 October 2014.

Applicant details

Applicant name:	Reef Marina Pty Ltd
Applicant contact details:	C/- RECS Consulting Engineers
	PO Box 894
	Port Douglas QLD 4877
	peter@recs.net.au

Site details

Street address:	Wharf Street, Port Douglas
-----------------	----------------------------

Page 1	Far North Queensland Regional Office Ground Floor, Cairns Port Authority PO Box 2358 Cairns QLD 4870
--------	---

Lot on plan: Lot 146 on SR861
 Local government area: Douglas Shire

Application details

Proposed development: Development permit for material change of use (Marina) involving operational works (prescribed tidal works)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Construction of additional fully serviced marine berths from 115 to approximately 145	Code Assessment
Operational Work	Development permit	Tidal works	Code Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 2, Item 13 – Tidal works, or development in a coastal management district
 Schedule 7, Table 2, Item 15 – Tidal works, or development in a coastal management district

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material change of use involving operational works				
Demolition Plan	International Marina Consultant	25 June 2014	REPQ 2938, drawing number 4577-	A

			101-A,	
General Arrangement	International Marina Consultant	18 September 2014	RPEQ 2938, drawing number 4577-102/D	D
Marina Setout	International Marina Consultant	18 September 2014	RPEQ 2938, drawing number 4577-103/C	C
Elevation	International Marina Consultant	12 August 2014	RPEQ 2938, drawing number 4577-104/A	A
Standard Pontoon Details	International Marina Consultant	29 July 2014	RPEQ 2938, drawing number 4577-112	NA

A copy of this response has been sent to the applicant for their information.

For further information, please contact Joanne Manson, Senior Planning Officer, SARA Far North QLD on 4037 3228, or email joanne.manson@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Robin Clark
Manager (Planning)

cc: Reef Marina Pty Ltd, c/- RECS Consulting Engineers, email: peter@recs.net.au
 enc: Attachment 1—Conditions to be imposed
 Attachment 2—Reasons for decision to impose conditions
 Attachment 3—Further advice
 Attachment 4—Approved Plans and Specifications

Our reference: SDA-1014-015258
 Your reference: 42-2014/DSC/MCU 29082014

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for a material change of use (marina) involving operational works (prescribed tidal works)		
Schedule 7, Table 2, Item 13 and Schedule 7, Table 2, Item 15: Tidal works, or development in a coastal management district —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Environment and Heritage Protection and Director-General of Department of Transport and Main Roads (Maritime Safety Queensland) to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> a) Demolition Plan – prepared by International Marina Consultants, REPQ 2938, drawing number 4577-101-A, dated 25 June 2014, Revision A. b) General Arrangement - prepared by International Marina Consultants, RPEQ 2938, drawing number 4577-102/D, dated 18 September 2014, Revision D c) Marina Setout - prepared by International Marina Consultants, RPEQ 2938, drawing number 4577-103/C, dated 18 September 2014, Revision C. d) Elevation - prepared by International Marina Consultants, RPEQ 2938, drawing number 4577-104/A, dated 12 August 2014, Revision A. e) Standard Pontoon Details - prepared by International Marina Consultants, RPEQ 2938, drawing number 4577-112, dated 29 July 2014. 	At all times
2.	<p>Provide written notice to:</p> <ul style="list-style-type: none"> • Regional Harbour Master (Cairns) PO Box 1787 Cairns QLD 4870; and • Department of Environment and Heritage Protection, Permit and Licence Management, Implementation and Support Unit, GPO Box 2464, Brisbane QLD 4001 <p>when the development authorised under this approval has:</p> <ul style="list-style-type: none"> (a) commenced; and (b) when it has been completed. <p>These notices must state this permit number, the location and name of registered place and the condition number under which the notice is being given.</p>	<p>(a) At least two weeks prior to the commencement of the works</p> <p>(b) Within two weeks after the completion of works</p>
Development Permit for a material change of use (marina) involving operational works (prescribed tidal works)		
Schedule 7, Table 2, Item 13: Tidal works, or development in a coastal management district —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering		

No.	Conditions	Condition timing
the Act nominates the Director-General of Department of Environment and Heritage Protection to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
3.	<p>During the construction phase of the works:</p> <p>(a) install and maintain all measures, plant and equipment necessary to ensure compliance with these conditions;</p> <p>(b) only use materials which are:</p> <ol style="list-style-type: none"> clean and free of silt; free from pests, chemicals and other contaminants as defined under section 11 of the Environmental Protection Act 1994; and suitable for the purpose; and <p>(c) promptly remove any material or debris which has been deposited within the coastal management district or tidal waters, other than in accordance with this approval.</p>	For the duration of the works subject of this approval
4.	Erosion and sediment control measures are to be installed and maintained to prevent the release of sediment to tidal waters.	Prior to commencement of the works and maintained until their completion
5.	Any disturbed or oxidised acid sulphate soil must be treated and managed in accordance with the current Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines, prepared by the Department of Natural Resources and Mines.	For the duration of the works the subject of this approval
Development Permit for a material change of use (marina) involving operational works (prescribed tidal works)		
<p>Schedule 7, Table 2, Item 15: Tidal works, or development in a coastal management district—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of Department of Transport and Main Roads (Maritime Safety Queensland) to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
Maintenance of safe navigation		
6.	"As Constructed" drawings must be provided to the Regional Harbour Master (Cairns) PO Box 1787, Cairns, QLD 4870	Within two weeks of the completion of the works
Protection of navigable waterways		
7.	The construction, operation or maintenance of the structure, and any ship moored at this structure, must not impede the safe navigation of other ships or restrict safe access to or from neighbouring structures.	At all times
8.	<p>Any ship, dry berth or device (including Air Lifting Pontoons) berthed, moored or attached to the pontoon/structure must not exceed the following sizes:</p> <ul style="list-style-type: none"> Maximum size as detailed on drawing General arrangement, prepared by International Marina Consultants, dated 18/09/14, drawing number 4577-102/D, Revision D 	At all times

No.	Conditions	Condition timing
9.	The pontoons must be constructed totally within the approved quayline.	At all times
Aids to navigation		
10.	Any navigational aid that is damaged due to the construction, operation or maintenance of the approved development must be promptly repaired or replaced at the applicant's cost. In the event that any damage is caused to any aid to navigation, the Harbour Master must be immediately contacted on telephone 4052 7412.	At all times
Lighting		
11.	<p>All structures associated with the development must be lit/marked in accordance with the following specifications, such that they are clearly visible to approaching ships and does not cause a risk to the safe navigation of other ships:</p> <ul style="list-style-type: none"> freestanding piles must have retro-reflective tape fitted. lighting must be provided in accordance with section 3 of AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' 	At all times

Our reference: SDA-1014-015258
Your reference: 42-2014/DSC/MCU 29092014

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the proposed development is carried out generally in accordance with the plans of development submitted with the development application
- to facilitate the monitoring of the development works for compliance purposes
- to ensure the development avoids or minimises adverse impacts on coastal resources and their values
- to ensure the treatment of acid sulphate soils is undertaken in accordance with the relevant guidelines
- to ensure the development does not encroach on the navigable waterway in a way that impedes the safe passage of vessels
- to ensure that the development does not interfere with any existing aids to navigation
- to ensure that at all times, all lights on or above the development site do not interfere with safe navigation in surrounding waterways

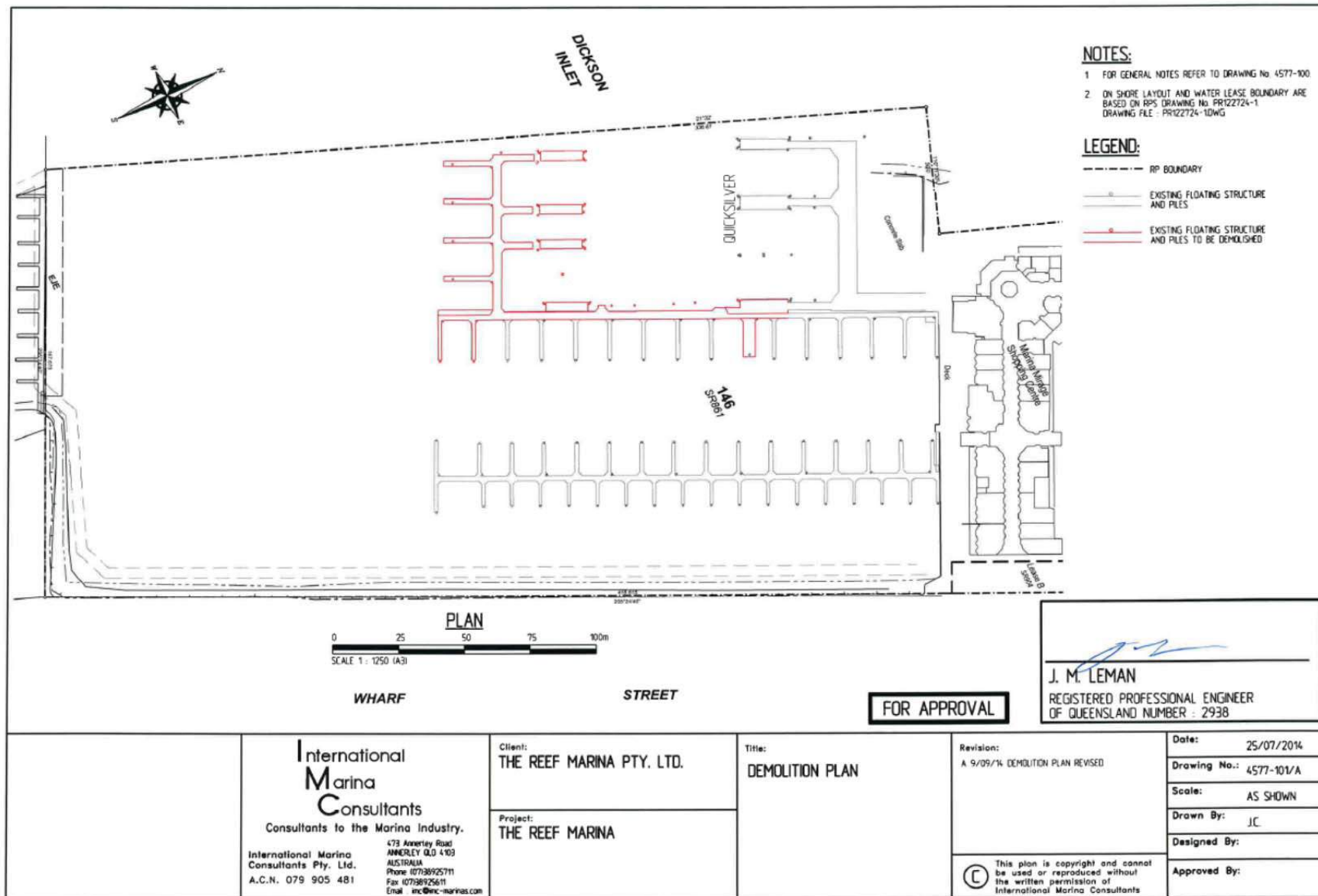
Our reference: SDA-1014-015258
Your reference: MCU449/2014

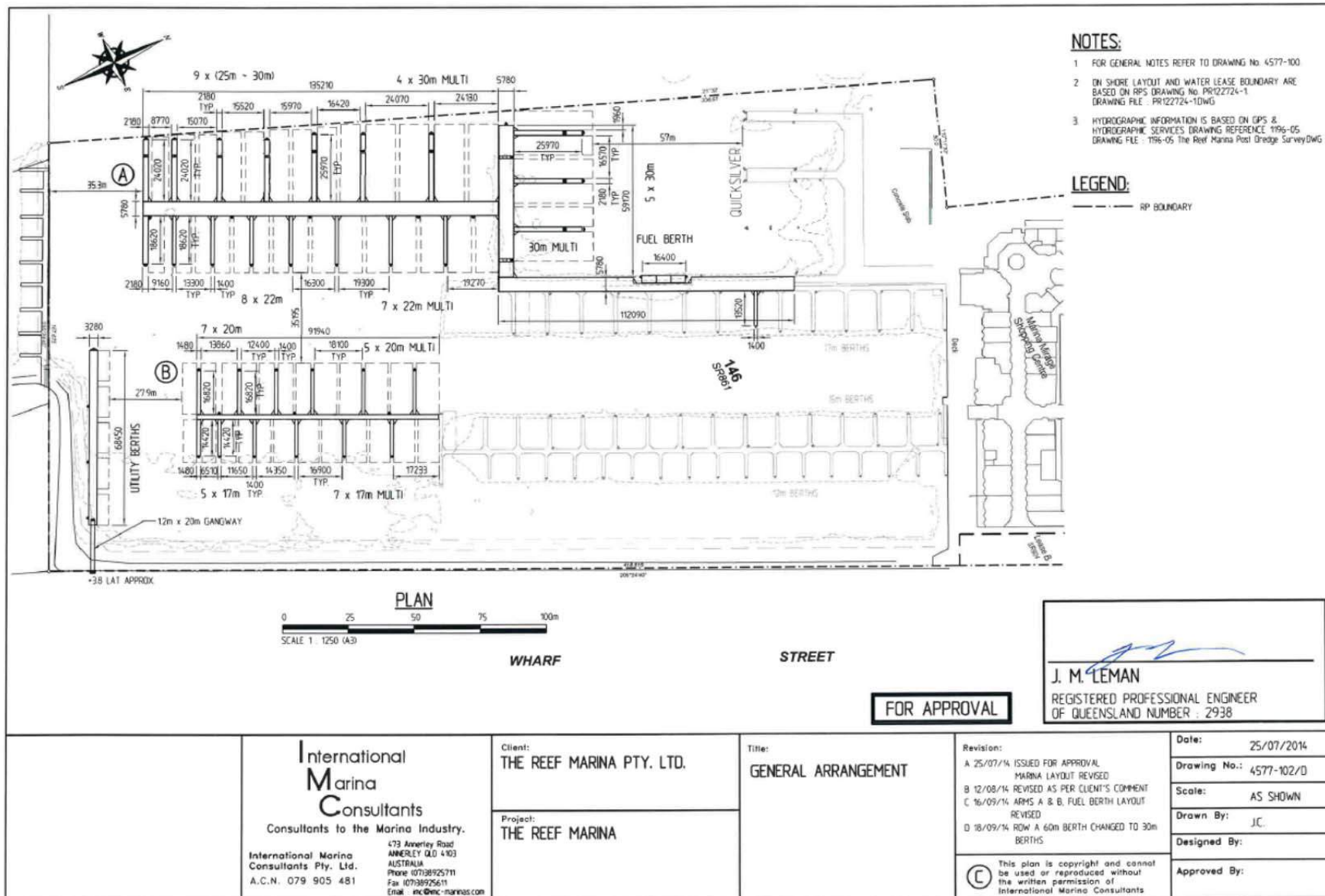
Attachment 3—Further advice

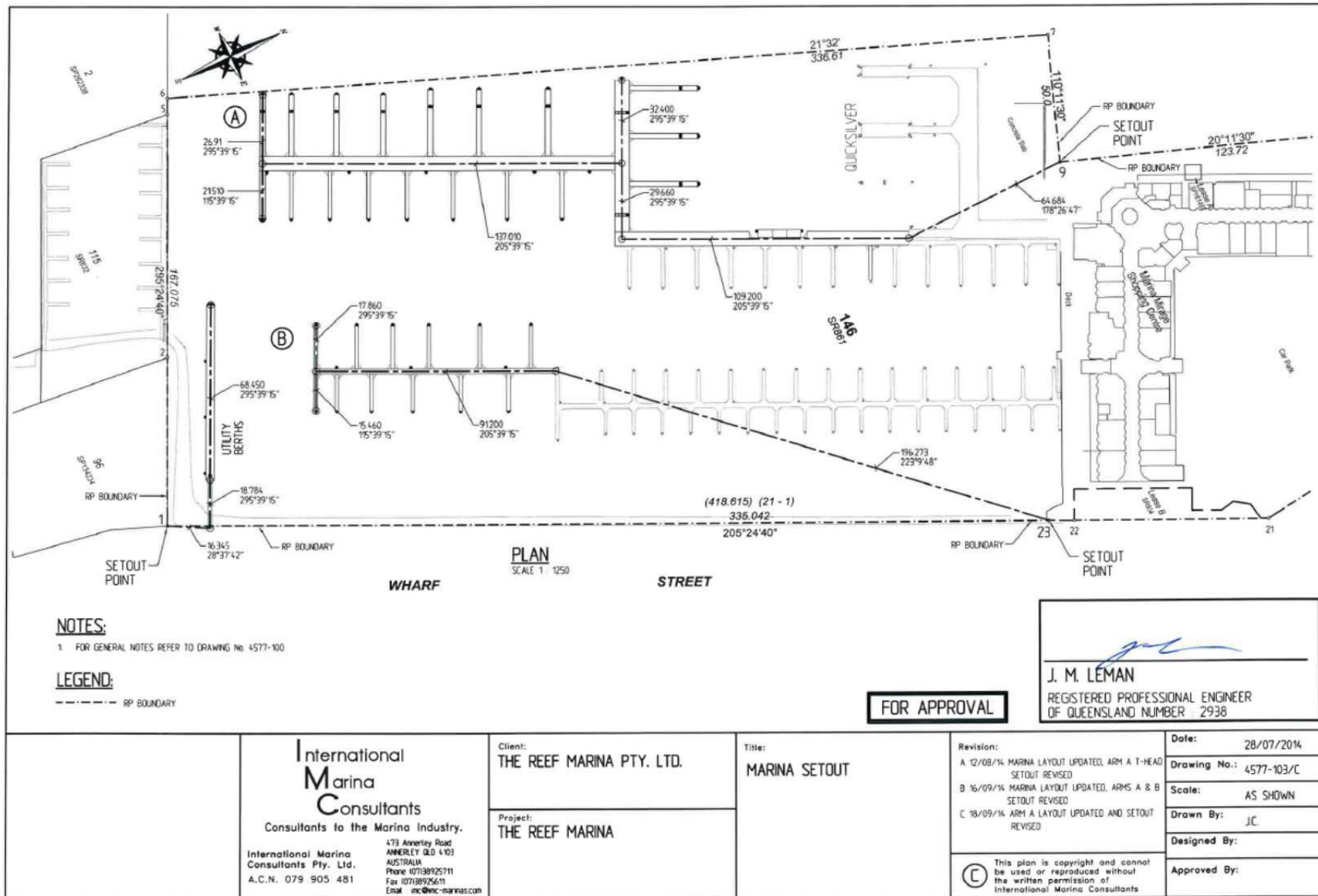
General advice	
State Planning Policy 2014 interim development assessment provisions	
1.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the interim development assessment provisions, such as Biodiversity, Coastal environment and Natural hazards, risk and resilience, and to the extent it is relevant to the proposed development.

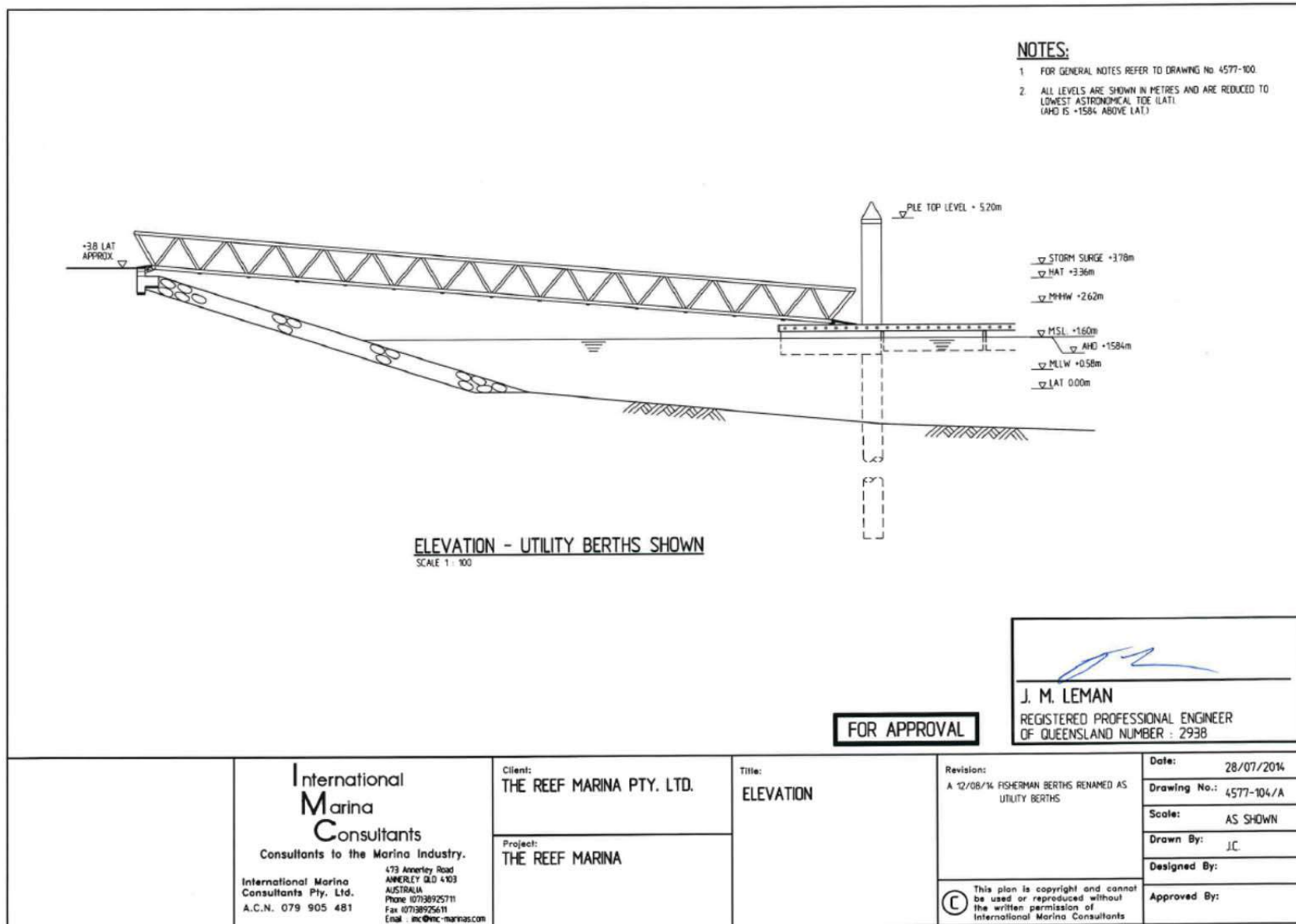
Our reference: SDA-1014-015258
Your reference: 42-2014/DSC/MCU 29082014

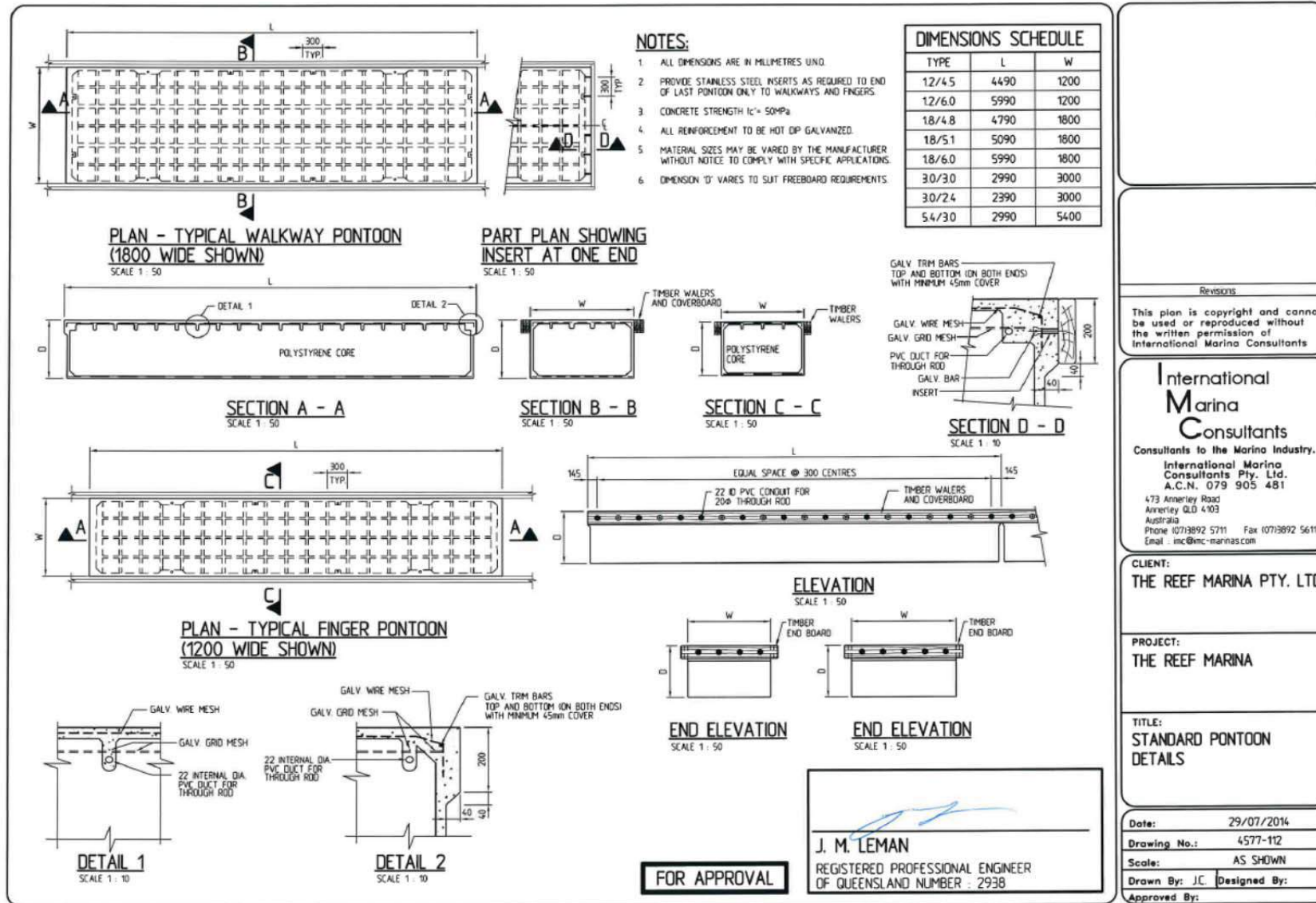
Attachment 4—Approved plans and specifications











APPENDIX 3: INFRASTRUCTURE CHARGES NOTICE

DOUGLAS SHIRE COUNCIL		2006 & 2008 Douglas Shire Planning Schemes Applications				
INFRASTRUCTURE CHARGES NOTICE						
The Reef Marina Pty Ltd		N/A	0			
DEVELOPERS NAME		ESTATE NAME	STAGE			
0		Port Douglas	Lot 146 SR861			
STREET No. & NAME		SUBURB	LOT & RP No.s			
MCU		MCUC 449/2014	30-Sep-14			
DEVELOPMENT TYPE		COUNCIL FILE NO.	R&B INDEX QUARTER ENDING			
435525		1	VALIDITY PERIOD			
DSC Reference Doc. No.		VERSION No.				
		This logsheet is indexed appropriately only for payments made within the quarter noted above.				
DIST	\$ / EDC	NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code & GL Code
WATER						
Existing	11	6,704.00	X	7.40	0.00	\$49,609.60
Proposed	11	663.04	X	7.40	0.00	\$4,906.51
Port Douglas Water sub - total						\$54,516.11
SEWERAGE						
Existing	2	3,590.59	X	7.40	0.00	\$26,570.39
Proposed	2	537.47	X	7.40	0.00	\$3,977.31
Pt D Town Area Sewerage sub - total						\$30,547.70
OPEN SPACE						
DSC Area						\$0.00
Off-Site Car Parking						\$0.00
TOTAL						\$85,063.82
Prepared by	Neil Beek		on		Amount Paid	
Checked by			on		Date Paid	
Date Payable						
Amendments			Date			
					Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the Sustainable Planning Act 2009 (SPA).

Charge rates are subject to index adjustments (QLD Road & Bridge Index, ABS data as per SPA). The total charge amount indicated on this notice is current at the date of issue. The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

APPENDIX 4: DRAFT CONDITIONS FORWARDED FOR REVIEW BY APPLICANT AND RESPONSE RECEIVED

RECOMMENDATION:

That Council approves the Material Change of Use and Operational Work for Prescribed Tidal Work for the expansion of the existing Marina over land described as Lot 146 on SP861, located at Wharf Street, Port Douglas, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
General Notes & Locality Plan	4577-100B	29 July 2014
Demolition Plan	4577-101/A	25 July 2014
General Arrangement	4577-102/D	25 July 2014
Marina Setout	4577-103/C	28 July 2014
Elevation	4577-104/A	28 July 2014
Pile Layout & Profile	4577-105/C	25 July 2014
Pile Schedule	4577-106/B	25 July 2014
Services Layout	4577-107/C	28 July 2014
1.2m Wide x 20m Long Gangway	4577-108	29 July 2014
Concrete Abutment Details	4577-109	29 July 2014
Typical Pile Bracket Details	4577-110	29 July 2014
Typical Bracket Details	4577-111	29 July 2014
Standard Pontoon Details	4577-112	29 July 2014

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Amendment to Design

3. The proposed development must be amended to accommodate the following changes:
 - a. Reduce the 'Utility Berth' from 68.45 metres to 30 metres in length to provide for two berths;
 - b. Signpost the berths and upon entry onto the gangway from Wharf Street advising of temporary use only. The wording used must achieve the intent of Condition 4 below.
 - c. Provide detail if a gate is to be placed on the gangway fronting Wharf Street to restrict general public access.
 - d. Provide further detail for the proposed works inclusive of landscaping treatments for the area on the landward side of the utility berths as illustrated on the Marina Setout Plan.

Details of the above amendments must be endorsed by the Chief Executive Officer prior to the commencement of works.

Limitation of Use

4. The Utility Berths must be used primarily for the accommodation of dredge vessels or other related vessels associated with the repair and maintenance of the marina or other similar or related activity. The Utility Berth may be used for the short term / temporary parking and use by recreational vessels for a time period not exceeding 24 hours per vessel.

At no time is the Utility Berth to be occupied by vessels which requires and promotes the unloading and loading of goods either on Wharf Street or Lot 96 on SP134234. The gangway fronting Wharf Street must not be used for loading and unloading purposes.

Damage to Council Infrastructure

5. In the event that any part of Council's existing sewer / water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the applicant / owners cost, prior to the Commencement of Use.

Storage of Machinery and Plant

6. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Demolish Structures

7. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference
Department of State Development Infrastructure & Planning	SDA-1014-015258	5 December 2014	#435421

Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeal in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for a review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2008, the approved land use of Marina is defined as:

Means premises used to moor or store marine vessels (including power driven, yachts and fishing vessels) on, or adjacent to the water.

The use may include ancillary facilities for the refuelling, servicing, repair, land storage and sale of marine craft and for the sale of related boating gear and equipment.

The use includes:

- *slipway;*
- *marine infrastructure;*
- *offices and storerooms;*
- *laundry, toilet and shower facilities;*
- *general store not exceeding 250m²*
- *marine retail, including dive stores;*
- *marine related tourism activities;*
- *ancillary marina facilities used in connection with the marina;*
- *sale of freshly caught seafood produce from marine vessels (specifically the vessel the seafood was caught from).*

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.



The Reef Marina Pty Ltd
ABN 22 165 492 606
Wharf Street, Port Douglas, QLD 4877

Tel 07 4099 5775
Email info@thereefmarina.com.au

RECS Consulting Engineers & Building Designers
PO Box 894
Port Douglas QLD 4877

Attn: Mr Peter Dutailis, Director
By email: peter@recs.net.au

Dear Peter

THE REEF MARINA PROPOSED EXPANSION

We refer to The Reef Marina's application for Material Change of Use and Operational Work for Prescribed Tidal Work for the expansion of the existing Marina over land described as Lot 146 on SP861, located at Wharf Street, Port Douglas and specifically the draft conditions of approval received on 9 December 2014.

We are delighted with the recommendation that Douglas Shire Council approve our application. However, we are very concerned with certain conditions that are proposed to be placed upon the approval and in particular the following:

AMENDMENT OF DESIGN

Clause 3a states that:

"The proposed development must be amended to accommodate the following changes:

- (a) Reduce the Utility Berth from 68.45 meters [accommodating five vessels] to 30 meters in length to provide for two berths"

We note that the Utility Berths were designed by a qualified marine engineer who specializes in marina design. The Utility Berths optimize berthing area and access, are located entirely within The Reef Marina's lease area and are compliant with all relevant marina design codes.

We contend that the proposed condition imposes unreasonable, onerous and irrelevant restrictions upon the development and operational efficiency of The Reef Marina's Utility Berths.

As we do not understand the rationale or merit of the proposed condition, we kindly request that you seek clarification regarding Douglas Shire Council's authority to impose such condition and the planning codes and policy supporting the condition.

www.thereefmarina.com.au



LIMITATION OF USE

Clause 4 states that:

"The Utility Berths must be used primarily for the mooring of dredge vessels or other related vessels associated with the repair and maintenance of the marina or other similar or related activity. The Utility Berth may be used for the short term / temporary mooring and use by recreational vessels for a time period not exceeding 24 hours per vessel"

The proposed condition:

- seeks to allow recreational and certain types of commercial vessel to use the Utility Berths, while prohibiting other types of commercial vessel; and
- places a 24 hour limit upon berthing.

These restrictions are arbitrary, unreasonable, onerous, irrelevant, unworkable and to our knowledge, unprecedented within an Australian *private* marina facility. They unreasonably restrict the development and operations of The Reef Marina's Utility Berths.

Our proposal is to encourage working trawlers (amongst other vessels) to use the Utility Berths. **This proposal will give trawlers cost-efficient and long term berthing security and has been received warmly by the majority of individual trawler operators currently berthed at The Reef Marina.** It is not in the fishing industry's interest to have its berthing options restricted. Furthermore, the storage of fishing vessels is specifically approved within the Marina's existing land use permissions.

The 24 hour time limit is also unreasonable, onerous and irrelevant. There are many circumstances where both recreational and commercial vessels will need to be berthed for extended periods, and it would be highly unusual for a council to impose such time limit within a private marine facility.

Again, as we do not understand the rationale or merit of these proposed conditions, we kindly request that you seek clarification regarding Douglas Shire Council's authority to impose such conditions and the planning codes and policy supporting the conditions.

INFRASTRUCTURE CHARGES

We understand that Douglas Shire Council seeks substantial infrastructure charges "levied for the supply of trunk infrastructure". We contend that the proposed Marina expansion does not require any additional trunk infrastructure and that the proposed charges are unwarranted.

Further, in light of the considerable economic benefits to Port Douglas (including increased collection of revenues by taxing authorities), we kindly request you to seek a waiver from Douglas Shire Council regarding the levying of such infrastructure charges so as to encourage sensible economic development in the region.

www.thereefmarina.com.au



We look forward to the Council's prompt approval of our application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Hooper-Nguyen', with a stylized, flowing script.

Andrew Hooper-Nguyen
Director