

YOUR REF: ET15-027 September 2016
OUR REF: CA 1685/2016 (790618)

5 October 2016

The Reef Marina Pty Ltd
C/- Elizabeth Taylor, Town Planner
23 Valley Street
FRESHWATER QLD 4870

Attention: Elizabeth Taylor

**ACKNOWLEDGEMENT NOTICE
FOR COMBINED APPLICATION FOR MATERIAL CHANGE OF USE AND LOT
RECONFIGURATION AT WHARF STREET, PORT DOUGLAS**

Receipt of the above application for a Combined Application for Material Change of Use and Lot Reconfiguration is acknowledged.

Please find attached an Acknowledgement Notice prepared in accordance with sections 267 and 268 of the *Sustainable Planning Act 2009*. The Acknowledgement Notice contains information relevant to the processing and assessment of the application.

It is indicated on the Acknowledgement Notice that the application requires referral to a referral agency. Accordingly you are required to forward a copy of the application and the attached Acknowledgement Notice to the State Assessment and Referral Agency within 20 business days (section 272). You must then advise Council in writing of the date that the application was referred to each agency (section 275). Should you be required to provide further information by the State Assessment and Referral Agency, then a copy of any response to such request must also be lodged with Council as the Assessment Manager (section 278(2)). Council requires that you provide two (2) copies of the response to all such information requests.

Preliminary assessment of the application indicates that further information is required for Council to complete an assessment and determination of the application. This request will be sent under separate cover.

Should you require any further information or assistance, please contact Simon Clarke of Development Assessment and Coordination on telephone number 07 4099 9480.

Yours faithfully

Nick Wellwood | General Manager Operations
Douglas Shire Council

Att

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**ACKNOWLEDGEMENT NOTICE PURSUANT TO S 267 & S 268
SUSTAINABLE PLANNING ACT 2009 FOR A COMBINED APPLICATION AT
WHARF STREET, PORT DOUGLAS**

PROPOSAL: Combined Application for Material Change of Use (Redevelopment of part of The Reef Marina Site to provide for a staged development of:
Stage 1a – 5 x Multi-Unit Housing / Holiday Accommodation;
Stage 1b – 14 x Multi-Unit Housing / Holiday Accommodation;
Stage 2a – Mixed Use Development – 35 x Multi-Unit Housing / Holiday Accommodation and Commercial/ Retail Space [Shopping Facility / Restaurants / Business Facilities / Tavern];
Stage 2c – Mixed use Development – 26 x Multi-Unit Housing / Holiday Accommodation and/or Holiday Accommodation – Dual Key and Commercial / Retail / Space [Shopping Facility / Restaurants / Business Facilities / Tavern];
Stage 3a – 5 x Multi-Unit Housing / Holiday Accommodation and/or Holiday Accommodation - Dual Key;
and
Lot Reconfiguration - 4 staged freehold lots)

APPLICANT: The Reef Marina Pty Ltd
C/- Elizabeth Taylor, Town Planner
23 Valley Street
Freshwater QLD 4870

LOCATION OF SITE: Wharf Street, Port Douglas

REAL PROPERTY DESCRIPTION: Lot 146 SR861, Lot 126 SR868 (Part) and Inlet Street Road Reserve

TYPE OF DEVELOPMENT:

The application seeks development approval for

| | Sustainable Planning Regulation 2009, schedule 3 reference | Development Permit | Preliminary Approval |
|---|---|---------------------------|-----------------------------|
| Development of a material change of use made assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which the <i>Sustainable Planning Act 2009</i> section 242 applies | | ✓ | |
| Reconfiguring a lot | <i>Part 1, table 3, item 1</i> | ✓ | |

REFERRAL AGENCIES

Based on the information provided in the application, referral is required to the State Assessment and Referral Agency (SARA), administered by the Department of Infrastructure, Local Government and Planning (DILGP).

DILGP prefers that referrals are made online at www.dilgp.qld.gov.au/MyDAS.

Alternatively, referrals can be posted or emailed as follows:

State Assessment and Referral Agency
Department of Infrastructure, Local Government and Planning
Far North Queensland Regional Office
Postal: PO Box 2358, CAIRNS QLD 4870
Email: CairnsSARA@dilgp.qld.gov.au

The triggers for the referral are listed in the following table:

| For an application involving | Trigger (Schedule 7 Sustainable Planning Regulation 2009) | Referral agency | Referral jurisdiction |
|---|--|---------------------|-----------------------|
| Tidal works or development in a coastal management district | <p>Table 2, Item 14 Reconfiguring a Lot made assessable under schedule 3, part 1, table 3, item 1,if -</p> <p>(a) the land is situated completely or partly within a coastal management district</p> <p>Table 3, Item 5 Material Change of Use, if carrying out the change of use will involve-</p> <p>(a) operational work, carried out completely or partly in a coastal management district</p> | The Chief Executive | Concurrence |
| Marine plants – removal, destruction or damage | Table 3, Item 25, A material change of use if the material change of use involves operational work that is the removal, destruction or damage to marine plants, and there is no development permit in effect for the operational work | The Chief Executive | Concurrence |

This list is provided for your information only. It is the applicant's responsibility to identify any referral agencies for the application and give each referral agency a copy of:

- the application (including the application forms and supporting material)

- this acknowledgement notice, and
- any required application fee.

The above material must be given to all referral agencies within:

- 20 business days after the applicant receives this acknowledgement notice, or
- the further period agreed between the assessment manager and the applicant.

If you do not give the material mentioned above to all referral agencies within these timeframes, the application will lapse (see section 273 of the *Sustainable Planning Act 2009*).

ADDITIONAL

Council will refer the application to:

Department Natural Resources and Mines
PO Box 5318
TOWNSVILLE QLD 4810

for Third Party Advice.

CODE ASSESSMENT REQUIRED:

Code Assessment Required
Yes

Applicable Planning Area:

- Port Douglas Waterfront North Planning Area

Applicable Codes:

- Port Douglas and Environs Locality Code
- Port Douglas Waterfront North Planning Area Code
- Acid Sulfate Soils Code
- Cultural Heritage and Valuable Sites Code (Dickson Inlet)
- Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code
- Landscaping Code
- Natural Areas and Scenic Amenity Code
- Reconfiguring a Lot Code
- Vehicle Parking and Access Code
- Sustainable Development Code

IMPACT ASSESSMENT REQUIRED:

Impact Assessment
No

**ASSESSMENT MANAGER INTENDS
TO MAKE AN INFORMATION
REQUEST:**

Yes