

IDAS form 1—Application details

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

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

Mandatory requirements

Applicant details (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)	The Reef Marina Pty Ltd		
For companies, contact name	C/- Elizabeth Taylor, Town Planner		
Postal address	23 Vallely Street		
	Suburb	Freshwater	
	State	QLD	Postcode 4870
	Country	Australia	
Contact phone number	Liz - 40552548		
Mobile number (non-mandatory requirement)	Liz - 0407584966		
Fax number (non-mandatory requirement)	N/A		

Email address (non-mandatory requirement)

liz

@ elizabethtaylor.net.au

Applicant's reference number (non-mandatory requirement)

ET15-027

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.)
- 1) 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.)
- Redevelopment of The Reef Marina site at Port Douglas to provide for 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 [Shops/Restaurants/Offices/Tavern]; Stage 2c – Mixed Use Development – 26 x Multi-unit Housing/Holiday Accommodation and/or Holiday Accommodation - Dual Key and Commercial/Retail Space [Shops/Restaurants/Offices/Tavern]; Stage 2b – Public Plaza, temporary commercial/retail container shops, temporary industrial premises, temporary retention of Slipway, Stage 3a – 5 x Multi-Unit Housing/Holiday Accommodation and/or Holiday Accommodation - Dual Key.
- 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.)
- Reconfiguration of the site into 5 staged freehold lots.
- 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)			Wharf St, Port Douglas		146	SR861	Douglas Shire
ii)					126 (part)	SR868	Douglas Shire
iii)					Inlet Street	Road Reserve	Douglas Shire
					103	SR500	Douglas Shire

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)	Port Douglas Waterfront North Planning Area	Tourist Centre	
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)

Approximately 9 hectares.

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

Marina and associated marina activities, commercial development, marine industries, including slipway and ancillary car parking

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)
Preliminary Approval	18 May 2016	

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	State of Queensland
<input checked="" type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

Table H

Name of owner/s of the land	QLD State Government
<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
Dickson Inlet

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)
Douglas Shire	

8. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc)

No Yes—ensure the type, location and dimension of each easement is included in the plans submitted

9. Does the proposal include new building work or operational work on the premises? (Including any services)

No Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

10. Is the payment of a portable long service leave levy applicable to this application? (Refer to notes at the end of this form for more information.)

No—go to question 12 Yes

11. Has the portable long service leave levy been paid? (Refer to notes at the end of this form for more information.)

No
 Yes—complete Table L and submit with this application the yellow local government/private certifier’s copy of the receipted QLeave form

Table L		
Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the Sustainable Planning Act 2009?

No
 Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

13. List below all of the forms and supporting information that accompany this application (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application)

Description of attachment or title of attachment	Method of lodgement to assessment manager
LAND OWNERS CONSENT	By Email
IDAS FORMS 5, 7 and 23	By Email
SUPPORTING TOWN PLANNING REPORT AND APPENDICES	By Email

14. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

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

Question 11

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

Question 12

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

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

OFFICE USE ONLY

Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

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

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

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 Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.



Author: Graeme Gelsler
File number: 2016/006178
Directorate / Unit: State Land Asset Management

Department of
Natural Resources and Mines

25 November 2016

Liz Taylor
Elizabeth Taylor Town Planner
23 Valley St
FRESHWATER QLD 4870

By email: liz@elizabethtaylor.net.au

Dear Liz

Reference is made to the request for owners consent required to accompany the development application for Material Change of Use and proposed reconfiguration of a lot on land described as Lot 146 on Crown Plan SR861, part of Lot 126 on Crown Plan SR868, Lot 103 on Crown Plan SR500 and part of the road named Inlet St, Port Douglas, for the proposed staged development of The Reef Marina, Port Douglas.

It is noted by the delegate of the Department of Natural Resources and Mines (the department) the land described above is currently subject to conditional offers of freehold made to The Reef Marina. Further these offers, accepted by The Reef Marina include --

The department requires a plan to be prepared at your expense to satisfy the requirements of this and all related offers, and arrangements should be made with a Registered Consulting Surveyor to prepare the plan.

The plan must provide for the following:

- Lot 1 – the area above high water mark, being part of Lot 146 on Plan SR861 (to be Deed of Grant);
- Lot 2 – the area above high water mark, being part of Lot 103 on Plan SR500 (to be Deed of Grant);
- Lot 3 – the areas above high water mark that are part of Lot 126 on Plan SR868, currently described as Trustee Lease D, Trustee Lease E and Trustee Lease J and Inlet Street (one Deed to be granted over unallocated State Land upon excision of the Trustee Lease areas out of the Reserve and the permanent closure of the road);
- Lot 4 – the whole of the subject areas below high water mark (BHWM).

Your client will also need to comply with all other legislative and regulatory requirements which may also include approvals that are not part of the assessment of the development application under the *Sustainable Planning Act 2009* (SPA) e.g. a marine park permit if in a marine park.

Further, please note that the above consent will expire on 25 May 2017. Should the development application not be lodged with the assessment manager prior to this date, your client will be required again to lodge the IDAS Form 1 and any attachments with this Department with a further request for owners consent - any further request will need to be reconsidered by the Department.

It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.

Finally, owner's consent is required under SPA to enable the application to be considered properly made for lodging with the assessment manager and is a completely separate process to assessment of the application under SPA.

Accordingly, the State may act at a later date as assessment manager, concurrence/referral agency, or advice agency in the assessment of the development application - providing owners consent will not influence any statutory role the State may have in this assessment.

If you wish to discuss this matter please contact Graeme Geisler on 07 4741 1657.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2016/006178 in any future correspondence.

Yours sincerely



Rianha Rolland
Manager, Land Allocation and Sales
A duly authorised delegate of the Minister
under the current Land Act (Ministerial) Delegation

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

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

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

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form must also be used for material change of use on strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

Mandatory requirements

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

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)
Proposed staged redevelopment of The Reef Marina Site for: 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 [Shops/Restaurants/Offices/Tavern] and Public Plaza; Stage 2b – Public Plaza, Temporary Commercial/Retail Converted Containers, Temporary Marine Industries Converted Containers and Temporary Retention of Existing Slipway. Stage 2c – Mixed Use Development – 26 x Multi-unit Housing/Holiday Accommodation and/or Holiday	Refer supporting Town Planning Report	85 dwelling units and 1498m2 of commercial/retail space	24/7 residential	unknown

Accommodation - Dual Key and Commercial/Retail Space[Shops/Restaurants/Offices/Tavern]; Stage 3a – 5 x Multi-Unit Housing/Holiday Accommodation and/or Holiday Accommodation - Dual Key. AND Reconfiguration into 5 freehold lots.				
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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)
Preliminary Approval	14 May 2016	

3. Does the proposed use involve the following? (Tick all applicable boxes.)

- The reuse of existing buildings on the premises No Yes
- New building work on the premises No Yes
- The reuse of existing operational work on the premises No Yes
- New operational work on the premises No Yes

Mandatory supporting information

4. Confirm that the following mandatory supporting information accompanies this application

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
All applications		
A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which shows the following: <ul style="list-style-type: none"> • the location and site area of the land to which the application relates (<i>relevant land</i>) • the north point • the boundaries of the relevant land • any road frontages of the relevant land, including the name of the road • the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed site plan] may be appropriate) • any existing or proposed easements on the relevant land and their function • the location and use of buildings on land adjoining the relevant land • all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked • for any new building on the relevant land, the location of refuse storage • the location of any proposed retaining walls on the relevant land and their height 	<input checked="" type="checkbox"/> Confirmed	

<ul style="list-style-type: none"> the location of any proposed landscaping on the relevant land the location of any stormwater detention on the relevant land. 		
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	
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	
Information that states: <ul style="list-style-type: none"> the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused) the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses). 	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves the reuse of existing buildings		
Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves new building work (including extensions)		
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are recommended scales) which show the following: <ul style="list-style-type: none"> the north point the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only) the room layout (for residential development only) with all rooms clearly labelled the existing and the proposed built form (for extensions only) the gross floor area of each proposed floor area. 	<input checked="" type="checkbox"/> Confirmed	
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	<input checked="" type="checkbox"/> Confirmed	
Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves reuse of other existing work		
Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves new operational work		
Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.	<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

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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Date received

Reference numbers

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

IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.2 effective 3 August 2015)

This form must be used for development applications or requests for compliance assessment for reconfiguring a lot.

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.

For requests for compliance assessment, you must:

- complete IDAS form 32—Compliance assessment
- Provide any mandatory supporting information identified on the forms as being required to accompany your request

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.

Mandatory requirements

1. What is the total number of existing lots making up the premises? **3 and road reserve**

2. What is the nature of the lot reconfiguration? (Tick all applicable boxes.)

- subdivision—complete questions 3–6 and 11
- boundary realignment—complete questions 8, 9 and 11
- creating an easement giving access to a lot from a constructed road—complete questions 10 and 11
- dividing land into parts by agreement—please provide details below and complete questions 7 and 11

3. Within the subdivision, what is the number of additional lots being created and their intended final use?

Intended final use of new lots	Residential	Commercial	Industrial	Other—specify
Number of additional lots created	2			Mixed use -3

4. What type of approval is being sought for the subdivision?

- Development permit
- Preliminary approval
- Compliance permit

5. Are there any current approvals associated with this subdivision application or request?
(E.g. material change of use.)

No Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)
Preliminary Approval	14 May 2016	

6. Does the proposal involve multiple stages?

No—complete Table A Yes—complete Table B

Table A

a) What is the total length of any new road to be constructed? (metres) 0

b) What is the total area of land to be contributed for community purposes? (square metres) The Boardwalk and The Rainforest

c) Does the proposal involve the construction of a canal or artificial waterway?
 No Yes

d) Does the proposal involve operational work for the building of a retaining wall?
 No Yes

Table B—complete a new Table B for every stage if the application involves more than one stage

a) What is the proposed estate name? (if known and if applicable)

b) What stage in the development does this table refer to? Proposed lot 1 – Stage 1a, Stage 1b , Stage 2a

c) If a development permit is being sought for this stage, will the development permit result in additional residential lots?
 No Yes—specify the total number 9970m2

d) What is the total area of land for this stage? (square metres) none

e) What is the total length of any new road to be constructed at this stage? (metres) The Boardwalk, The Rainforest

f) What is the total area of land to be contributed for community purposes at this stage? (square metres) AS Above

g) Does the proposal involve the construction of a canal or artificial waterway?
 No Yes

h) Does the proposal involve operational work for the building of a retaining wall?
 No Yes

Table B—complete a new Table B for every stage if the application involves more than one stage

a) What is the proposed estate name? (if known and if applicable)	
b) What stage in the development does this table refer to?	Proposed lot 2 Stage 2c
c) If a development permit is being sought for this stage, will the development permit result in additional residential lots? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes—specify the total number	3615m2
d) What is the total area of land for this stage? (square metres)	none
e) What is the total length of any new road to be constructed at this stage? (metres)	none
f) What is the total area of land to be contributed for community purposes at this stage? (square metres)	AS Above
g) Does the proposal involve the construction of a canal or artificial waterway? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
h) Does the proposal involve operational work for the building of a retaining wall? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

Table B—complete a new Table B for every stage if the application involves more than one stage

a) What is the proposed estate name? (if known and if applicable)	
b) What stage in the development does this table refer to?	Proposed lot 3 Stage 3a
c) If a development permit is being sought for this stage, will the development permit result in additional residential lots? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes—specify the total number	1000m2
d) What is the total area of land for this stage? (square metres)	none
e) What is the total length of any new road to be constructed at this stage? (metres)	none
f) What is the total area of land to be contributed for community purposes at this stage? (square metres)	AS Above
g) Does the proposal involve the construction of a canal or artificial waterway? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
h) Does the proposal involve operational work for the building of a retaining wall? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

Table B—complete a new Table B for every stage if the application involves more than one stage

a) What is the proposed estate name? (if known and if applicable)	
b) What stage in the development does this table refer to?	Proposed lot 4 Balance Stage 3
c) If a development permit is being sought for this stage, will the development permit result in additional residential lots?	

<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes—specify the total number	Balance
d) What is the total area of land for this stage? (square metres)	none
e) What is the total length of any new road to be constructed at this stage? (metres)	none
f) What is the total area of land to be contributed for community purposes at this stage? (square metres)	AS Above
g) Does the proposal involve the construction of a canal or artificial waterway? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
h) Does the proposal involve operational work for the building of a retaining wall? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

Table B—complete a new Table B for every stage if the application involves more than one stage

a) What is the proposed estate name? (if known and if applicable)	
b) What stage in the development does this table refer to?	Proposed lot 5 Stage 2a
c) If a development permit is being sought for this stage, will the development permit result in additional residential lots? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes—specify the total number	3593m2
d) What is the total area of land for this stage? (square metres)	none
e) What is the total length of any new road to be constructed at this stage? (metres)	none
f) What is the total area of land to be contributed for community purposes at this stage? (square metres)	AS Above
g) Does the proposal involve the construction of a canal or artificial waterway? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
h) Does the proposal involve operational work for the building of a retaining wall? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

7. Lease/agreement details—how many parts are being created and what is their intended final use?				
Intended final use of new parts	Residential	Commercial	Industrial	Other—specify
Number of additional parts created				

8. What are the current and proposed dimensions following the boundary realignment for each lot forming the premises?					
Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage

9. What is the reason for the boundary realignment?

--

10. What are the dimensions and nature of the proposed easement? (If there are more than two easements proposed please list in a separate table on an extra page and attach to this form.)

Width (m)	Length (m)	Purpose of the easement (e.g. pedestrian access)?	What land is benefitted by the easement?
		Access and Services	Surrounding new lots

Mandatory supporting information

11. Confirm that the following mandatory supporting information accompanies this application or request

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
All applications and requests for reconfiguring a lot		
<p>Site plans drawn to an appropriate scale (1:100, 1:200 or 1:500 are the recommended scales) which show the following:</p> <ul style="list-style-type: none"> • the location and site area of the land to which the application or request relates (relevant land) • the north point • the boundaries of the relevant land • any road frontages of the relevant land, including the name of the road • the contours and natural ground levels of the relevant land • the location of any existing buildings or structures on the relevant land • the allotment layout showing existing lots, any proposed lots (including the dimensions of those lots), existing or proposed road reserves, building envelopes and existing or proposed open space (note: numbering is required for all lots) • any drainage features over the relevant land, including any watercourse, creek, dam, waterhole or spring and any land subject to a flood with an annual exceedance probability of 1% • any existing or proposed easements on the relevant land and their function • all existing and proposed roads and access points on the relevant land • any existing or proposed car parking areas on the relevant land • the location of any proposed retaining walls on the relevant land and their height • the location of any stormwater detention on the relevant land • the location and dimension of any land dedicated for community purposes • the final intended use of any new lots. 	<input checked="" type="checkbox"/> Confirmed	
<p>For a development application – A statement about how the proposed development addresses the local government’s planning scheme and any other planning documents relevant to the application.</p> <p>For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed.</p>	<input checked="" type="checkbox"/> Confirmed	
<p>A statement addressing the relevant part(s) of the State Development</p>	<input checked="" type="checkbox"/> Confirmed	

Assessment Provisions (SDAP).	<input type="checkbox"/> Not applicable	
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Notes for completing this form

- For supporting information requirements for requests for compliance assessment, please refer to the relevant matters for which compliance assessment will be carried out against. To avoid an action notice, it is recommended that you provide as much of the mandatory information listed in this form as possible.

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

OFFICE USE ONLY

Date received Reference numbers

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

IDAS form 23—Tidal works and development within the coastal management district

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

This form must be used for development applications for:

- operational work that is tidal works (including prescribed tidal works) or operational work within the coastal management district (mentioned in the Sustainable Planning Regulation 2009, schedule 7, table 2, item 13)
- material change of use that requires referral under the Sustainable Planning Regulation 2009, schedule 7, table 3, item 5 because it involves:
 - operational work carried out completely or partly in the coastal management district; or
 - building work carried out completely or partly in the coastal management district that is the construction of a new premises with a gross floor area (GFA) of at least 1000m² or the enlargement of the GFA of an existing premises by more than 1000m²
- reconfiguring a lot that requires referral under the Sustainable Planning Regulation 2009, schedule 7, table 2, item 14 because the land is situated completely or partly in the coastal management district or the reconfiguration is in connection with the construction of a canal
- building work that requires referral under the Sustainable Planning Regulation 2009, schedule 7, table 1, item 11 because it is on land completely or partly seaward of a coastal building line.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

Notes for completing 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 *Coastal Management and Protection Act 1995*, the *Coastal Protection and Management Regulation 2003*, the *Sustainable Planning Act 2009* (SPA) or the *Sustainable Planning Regulation 2009*.

Mandatory requirements

1. Confirm the following mandatory requirements accompany this application	Confirmation of lodgement	Method of lodgement
Written description of the proposal, including a report that addresses any relevant policies.	<input checked="" type="checkbox"/> Confirmed	

2. What is the nature of the work or development proposed by the application? (Tick all applicable boxes.)

- Operational work—complete table A
 Material Change of Use—complete table B
- Reconfiguring a Lot—complete table C
 Building Work—complete table D

Table A—Operational Work

Does the operational work involve the following? (Tick all applicable boxes.)

- a) Tidal works as defined under the *Coastal Protection and Management Act 1995* (e.g. basins, breakwater, bridges, boat ramps, decks and boardwalks, docks, dockyards, groynes, jetties, marinas, pipelines, pontoons, powerlines, seawalls, slips, training walls, wharves and the reclamation of land under tidal water)?

No Yes

If yes, what is the purpose?

Private purpose (e.g. private pontoon)

Another purpose (e.g. commercial marina)

Does the tidal works also require resource allocation under the *Coastal Protection and Management Act 1995*?

No Yes

If applicable what is the estimated value of the proposed works?

- b) Interfering with quarry material as defined under the *Coastal Protection and Management Act 1995* (e.g. excavating or moving sand, gravel or any other earth material on state coastal land such as roads, esplanades, parks or unallocated state land) on state coastal land above high-water mark.

No Yes

If yes, which of the following?

Works for coastal management purpose involving beach nourishment, dune fencing, revegetation of dunal areas with endemic native plants, or stinger net enclosures.

For purposes directly related to the provision of lifesaving or rescue services by a volunteer community organisation.

For other purposes (please state below).

If applicable what is the estimated value of the proposed works?

- c) Disposing of dredge spoil or other solid waste material in tidal water?

No Yes

If applicable what is the estimated value of the proposed works?

- d) Constructing an artificial waterway?

No Yes

If applicable what is the length of the waterway?

- e) Removing or interfering with coastal dunes on land, other than state coastal land, that is in an erosion prone area as defined in the *Coastal Protection and Management Act 1995* and above high water mark (e.g. lowering dune vegetation on freehold and leasehold land)?

No Yes

If applicable what is the estimated value of the proposed works?

Table B—Material change of use
a) Does the material change of use involve the following? (Tick all applicable boxes.)
<input checked="" type="checkbox"/> Operational work carried out completely or partly in the coastal management district
b) Does the material change of use involve building work carried out completely or partly in the coastal management district that is:
<input checked="" type="checkbox"/> the construction of new premises with a gross floor area of at least 1000 m ²
<input checked="" type="checkbox"/> the enlargement of the gross floor area of existing premises by more than 1000 m ²

Table C—Reconfiguring a lot
a) Does the reconfiguring a lot involve the following? (Tick all applicable boxes.)
<input checked="" type="checkbox"/> Land situated completely or partly in the coastal management district
<input type="checkbox"/> The construction of a canal
b) How many lots will be created?
<input style="width: 100px; height: 20px;" type="text"/>

Table D—Building work
a) Is the building work on land completely or partly seaward of the coastal building line under the <i>Coastal Protection and Management Act 1995</i> ?
<input type="checkbox"/> No <input type="checkbox"/> Yes

3. Is the tidal works located within a local government tidal area? (Tick all applicable boxes)
<input type="checkbox"/> No <input type="checkbox"/> Yes—provide details below

Local government:	<input style="width: 100%; height: 20px;" type="text"/>
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Mandatory supporting information

4. Please provide the following information	Confirmation of lodgement	Method of lodgement
For all applications		
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
For applications involving operational work that is tidal works		
A copy of the certificate of title for the land (including tidal land) that would abut or adjoin the proposed works.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
Plans showing: <ul style="list-style-type: none"> the real property description and boundaries of the land (including tidal land) that would abut or adjoin the proposed works the proposed works (including existing works to be removed) in relation to relevant tidal planes (e.g. mean high water springs) the slope angles of the beds and banks of the tidal area and the finished levels of the proposed works. 	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
For tidal work that will occupy a navigable waterway provide a water allocation area plan providing evidence that the proposed work will not prejudice the access rights of adjoining property owners.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

Details of the largest vessel, if any, to be moored at the structure.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
For prescribed tidal works, details of how the proposed work addresses the IDAS code for prescribed tidal work in the Coastal Protection and Management Regulation 2003, schedule 4A.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
If applicable, certification that the design of tidal works is suitable for intended use, signed by a Registered Professional Engineer of Queensland (or equivalent).	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
For applications involving material change of use		
Plans certified by a registered professional engineer of Queensland (RPEQ) or a registered surveyor showing: <ul style="list-style-type: none"> the real property description and boundaries of the land the proposed works in relation to the location of the coastal management district and coastal hazards. 	<input checked="" type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
For applications involving reconfiguring a lot		
Plans certified by a registered surveyor showing: <ul style="list-style-type: none"> the real property description and boundaries of the land The location of the coastal management district and coastal hazards in relation to the land being reconfigured Any land being surrendered as a separate lot on the plan of subdivision. 	<input checked="" type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
For applications involving building works seaward of a coastal building line		
Plans certified by a registered professional engineer of Queensland (RPEQ): <ul style="list-style-type: none"> the real property description and boundaries of the land the proposed works in relation to the location of the coastal building line. 	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

Notes for completing this form

- Please ensure all applicable fees are paid, noting that referral agency fees are to be paid to the Department of Environment and Heritage Protection.
- For an application requiring referral to the Department of Transport and Main Roads (DTMR), it is recommended that the applicant contact DTMR to ensure that required information for assessment of the application is provided.

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

OFFICE USE ONLY

Date received

Reference numbers

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

ADDENDUM TOWN PLANNING REPORT

**COMBINED APPLICATION FOR MATERIAL CHANGE OF USE
AND RECONFIGURATION OF A LOT – STAGED DEVELOPMENT,
DEVELOPMENT PERMITS
ON LAND DESCRIBED AS
LOT 146 SR861, PART OF LOT 126 SR686, LOT 103 SR500 and
INLET STREET ROAD RESERVE
LOCATED AT
WHARF STREET, PORT DOUGLAS**

PREPARED FOR

THE REEF MARINA PTY LTD

PREPARED BY

**ELIZABETH TAYLOR
TOWN PLANNER**

NOVEMBER, 2016

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1.0 INTRODUCTION

A Combined Application for Material Change of Use (MCU) and Reconfiguration of a Lot (ROL) relates to land at Port Douglas, known as The Reef Marina (TRM) site. This Addendum Town Planning Report (ATPR) includes Lot 103 SR500 into the development site and should be read in conjunction with the previously submitted Town Planning Report.

The ATPR includes new Appendices:

- Appendix 15: Amended Part Site Plan
- Appendix 16: Amended Master Site Plan.
- Appendix 17: Amended Proposal Plan of Reconfiguration

For ease of reference, all sections of the original Report not relevant to Lot 103 have been deleted from this report and where inclusions in relation to Lot 103 have been added, they are highlighted in yellow.

This report addresses the relevant provisions of the Sustainable Planning Act 2009 (SPA) and the Sustainable Planning Regulation 2009 (SPR), FNQ Regional Plan 2010–2031(FNQRP) Port Douglas Waterfront Master Plan (PDWMP) and the Douglas Shire Planning Scheme (DSPS).

The Application triggers referral under the SPR, through the State Assessment Referral Agency (SARA) based on the following triggers:

- Schedule 7, Table 2, Item 14 - reconfiguring a lot made assessable in the Schedule 3, Part 1, Table 3, item 1 if –
 - (a) the land is situated completely or partly within a coastal management district; or
 - (b) the reconfiguration is in connection with the construction of the canal.

AND

- Schedule 7, Table 3, Item 5 - material change of use, if carrying out the change of use will involve –
 - (a) operational work, other than excluded work, carried out completely or partly in a coastal management district; or
 - (b) building work, carried out completely or partly in a coastal management district, that is –
 - (i) construction of new premises with a GFA of at least 1000 m²; or
 - (ii) the enlargement of the GFA of existing premises by more than 1000 m².

AND

- Schedule 7, Table 3, referral for an aspect of development identified in Schedule 9 – Development impacting on State transport infrastructure and thresholds of the SPR.

(Schedule 9, Item 1 (MCU) and Item 27 (ROL) specify a trigger threshold of 50 schedule 9 dwellings for LGA population 2).

2.0 THE SITE AND LOCALITY

2.1 The Site

The development site, known as The Reef Marina (TRM) site, is located within the southern end of the Port Douglas Tourist Centre. The development site is bounded by Dickson Inlet to the west, Wharf Street to the east, Reserve land to the north and Closehaven Marina and vacant Reserve land to the south.

Lot 146 SR861 has an area of 8.173 hectares and is improved by the Marina development, which has undergone significant refurbishment and expansion and a large commercial/retail complex, which has also been refurbished, in part, with the western wing currently unused and targeted for demolition, in association with the redevelopment of the site.

The Reef Marina Pty Ltd also has a Lease over part of Lot 126 SR686, which is a Reserve for Local Government (Port and Harbour) Purposes, with Council as Trustee.

Lot 103 SR500 has an area 3,593m² and contains the slipway and other marine activities.

Inlet Street road reserve, which is also part of the redevelopment site, is proposed to be closed and incorporated into the site.

Lot 146, part of Lot 126, Lot 103 SR500 and Inlet Street are currently in the process of being converted to freehold through an Application to Convert SL 9/50240 made by TRM to the State Government.

2.2 The Locality

The locality is dominated by waterfront/tourist/community activities along Dickson Inlet, community and sporting facilities to the east and the Tourist Centre of Port Douglas to the immediate north.



3.0 THE PROPOSED **AMENDED** DEVELOPMENT

The proposed amended development is comprised of six (6) development Stages on five (5) new freehold lots.

The proposed five (5) lots, being the Reconfiguration of a Lot component of the Combined Application, are:

- Proposed Lot 1, area 9970m², to contain Stages 1a, 1b and 2a, the Rainforest Walk, and the Boardwalk of the redevelopment;
- Proposed Lot 2, area 3615m², to contain Stage 2c of the redevelopment;
- Proposed Lot 3, area 1,000m², to contain Stage 3a of the redevelopment;
- Proposed Lot 4, area approximately 15,314m² to contain the existing marina car park; and
- Proposed Lot 5, area 3,593m², to contain Stage 2b, the existing slipway and ancillary marine industries/activities in temporary converted and upgraded containers and the Public Plaza and associated retail sales in temporary converted and upgraded containers and temporary landscaping, fencing and screening.

The new Material Change of Use component of the Combined Application relates to Stage 2b- Lot 103 SR500, which:

Due to the retention of the slipway operations in the short to medium term all development activity undertaken in Stage 2b will be temporary. Stage 2b will include temporary commercial/retail pop up shops/cafes in the form of converted containers, landscaped peninsula, existing slipway and existing marine activities temporarily located in converted shipping containers. Refer to Appendices 15 and 16 - Site Plans and accompanying photographs of high quality container conversions for temporary use associated with commercial activities facing the Public Plaza and marine activities facing into the slipway area of the site.

The peninsula of land, between the Duck Pond and the slipway entry ramp will be temporarily landscaped until Stage 2b is developed for tourism and accommodation purposes, down the track, following closure of the slipway.

The Duck Pond will be refurbished including a new mooring pontoon. Existing commercial fishing lessees will be provided with berthing options in either the Duck Pond or Marina with conditions that are mutually acceptable and do not diminish marine operations. This may only be temporary as a comprehensive Waterfront South Master Plan study should include all commercial marine operations and not just a slipway.

To facilitate the construction of the Public Plaza, which is located on Lot 103, in association with Stage 2a, it is necessary to demolish a large shed associated with the operation of the slipway. However, the slipway will continue to operate and the proposed layout will allow the existing two (2) cradles to function and retain most of the existing operation as is, with minimal change, thereby maintaining the viability of local marine industries. Security fencing will be provided around the slipway, which will be shielded from public view by screening and landscape buffering. Three (3) car parking spaces for use by slipway/allied marine industry operators will be provided within the slipway area of the site. Vehicles will access the site from Wharf Street, just to the north of the main area of the Public Plaza. Traffic volumes associated with the slipway operation are expected to be low, to and from Wharf Street.

4.0 PLANNING OVERVIEW – SPA, FNQ REGIONAL PLAN AND THE PORT DOUGLAS WATERFRONT MASTERPLAN

An assessment against SDAP Module 10.1 is attached at **Appendix 1** refer to the previous **Town Planning Report**.

The site is included in the Urban Footprint designation of the FNQRP. The proposed development is appropriate development within the Urban Footprint.

The PDWMP is a non- statutory strategic plan that acts as a guiding tool for physical improvements and projects for future capital works and funding programs within the Port Douglas waterfront area. Upon its adoption by the (then) Cairns Regional Council in November 2009, amendments were made to the current Planning Scheme to incorporate relevant planning provisions and design guidelines to reflect the outcomes of the master planning process.

There are six (6) Objectives of the PDWMP that seeks..... *to integrate the existing values and features of the waterfront with a range of new initiatives in order to cement the western shoreline of the Peninsula as one of the world's great waterfronts.*

The two (2) Objectives in the PDWMP, relevant to Lot 103 are as follows:

- *To return access to the waterfront of the town to residents and visitors; and*
- *To retain key aspects of the working and heritage character of the waterfront by integrating existing marine maritime activity with new open space and tourism uses.*

Schedule of Projects

It is acknowledged that the ultimate sequencing of investment for and development of the schedule of projects is dependent upon, yet to be determined, funding streams, approval processes and market forces. The list of Schedule of Projects represents an ideal sequence that is subject to ongoing review and re-prioritisation.

Relevant to Lot 103, in particular, of TRM site are the following projects:

Marine industry reorganisation:

- 1. Relocation of existing abrasive marine industries - relocating the more abrasive/hazardous industries in the waterfront to ensure that conflicting land uses with public access and use of the waterfront do not arise- leases containing abrasive marine industries are not renewed for their current purpose - indicative timeframe: **Short – Medium-Term;***
- 2. Slipway removal/relocation - the slipway is removed from adjacent the public use areas after the establishment of a more suitable location where the slipway will best service the marine industry without causing conflict with public use access and use of the waterfront – depends upon the existence of an alternative functional slipway - indicative timeframe: **Medium – Long Term.***

(My Emphasis)

The project time frame for the redevelopment of TRM site is out of sequence with the marine industry reorganisation project schedules in the PDWMP, outlined above. The reasons for this are that to date:

- There has been no Business Plan or Cost/Benefit Analysis or Economic Studies undertaken by anyone to determine if it is even feasible to relocate these marine industrial activities elsewhere on the Port Douglas waterfront; and
- There is currently nowhere for these marine industries to relocate to, along the waterfront, even if proven economically viable to do so.

As a consequence, the proposed development of Lot 103 can, at best, provide a temporary hiatus to marine industry reorganisation and isolate and provide for the continued operation of the slipway while undertaking temporary development over part of Lot 103 to create, primarily, a public realm in the form of the Public Plaza that links with the balance of TRM site, in line with the Preliminary Approval (PA).

The strategic location of the slipway on Lot 103, effectively creates a barrier between the Macrossan Street Tourist Centre and the majority of TRM development. It effectively quarantines Lot 103 from future permanent development (other than the Public Plaza) that is compatible with the other stages of TRM redevelopment for at least the short to medium term.

In good faith, the proposed development of Lot 103, described above in Section 3.0 of this Report, seeks to achieve compliance with the two (2) PDWMP Objectives outlined above and the PA issued by Council in May 2016.

5.0 TOWN PLANNING ASSESSMENT

Under the DSPS the site, including Lot 103, has the following classifications and designations:

- Port Douglas and Environs Locality;
- Waterfront North Planning Area (zone).

The DSPS includes the following land use definitions for the various commercial/retail land uses (shops, restaurants and offices) proposed to establish on part of Lot 103.

Restaurant- means the use of licensed or unlicensed premises for the provision of meals or light refreshments to members of the public for consumption on or off the premises.

The use includes facilities commonly described as:

- *bistro;*
- *bar and grill;*
- *café;*
- *milk bar;*
- *snack bar;*
- *coffee shop;*
- *tearoom;*
- *takeaway;*
- *drive through food outlet; and*
- *fast food outlet.*

Shopping Facility- means the use of premises for the display and retail sale of goods and for personal services such as betting (in the form of TAB agency or similar facility), hair and beauty care, laundromat, dry cleaning agent and other customer services.

The use includes:

- *the hiring out of small domestic items such as appliances, entertainment, sporting*
- *and health equipment;*
- *the exchange of domestic items and clothing; and*
- *a small scale bakery, dressmaking establishment, jewellery manufacturing*
- *establishment, etc. where the use includes a shopfront retail component.*

The use also includes facilities commonly described as shop, supermarket, department store, retail chain outlets and the like.

The use does not include facilities herein defined as Display Facilities.

Under the DSPS, the proposed development, including Lot 103, requires assessment against the following Codes:

- Port Douglas and Environs Locality Code;
- Waterfront North Planning Area Code;
- Acid Sulfate Soils Overlay Code;
- Advertising Devices Code,
- Landscaping Code;
- Natural Areas and Scenic Amenity Code;
- Reconfiguring a Lot Code;
- Sustainable Development Code; and
- Vehicle Parking and Access Code.

An assessment against the relevant provisions of the DSPS in relation to Lot 103 only, is outlined below.

5.1 Locality Code

Port Douglas and Environs Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes, relevant to Lot 103:

- *consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre of the Shire;*
- *ensure that all forms of development complement the tropical image of the town by incorporating attractive design and architectural features;*
- *protect primary functions of the port (marine and fishing activities) from incompatible land uses and acknowledge the industrial and commercial land uses*

associated with the maritime industry, while also providing secondary opportunities for recreational use by residents and tourists.

General Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMMENT
Port Douglas Waterfront		
P23 The Port Douglas Waterfront is protected from any new incompatible land uses and activities or intensification of existing incompatible uses, to allow for the future planned spatial arrangements of the waterfront.	A23.1 Development in the Port Douglas Waterfront North Planning Area and the Port Douglas Waterfront South Planning Area complies with the respective Codes for each Planning Area.	Lot 103- Stage 2b complies, as it is currently proposed to be redeveloped in a two-step process to take account of maintaining the viability of marine industries/activities and providing pedestrian linkages in association with the Public Plaza.

5.2 Zone Code

Waterfront North Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for Lot 103 particularly, of the Port Douglas Waterfront North Planning Area:

- *The Port Douglas Waterfront North Planning Area evolves as revitalised open space and waterside development precinct;*
- *Development contributes to a high quality public realm;*
- *Built form provides an attractive point of arrival from both land and sea;*
- *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 importance of marine-based industries to the area is recognised;
- Marine-based industries are protected from incompatible uses;
- Marine infrastructure is established to service the tourism, fishing and private boating community;

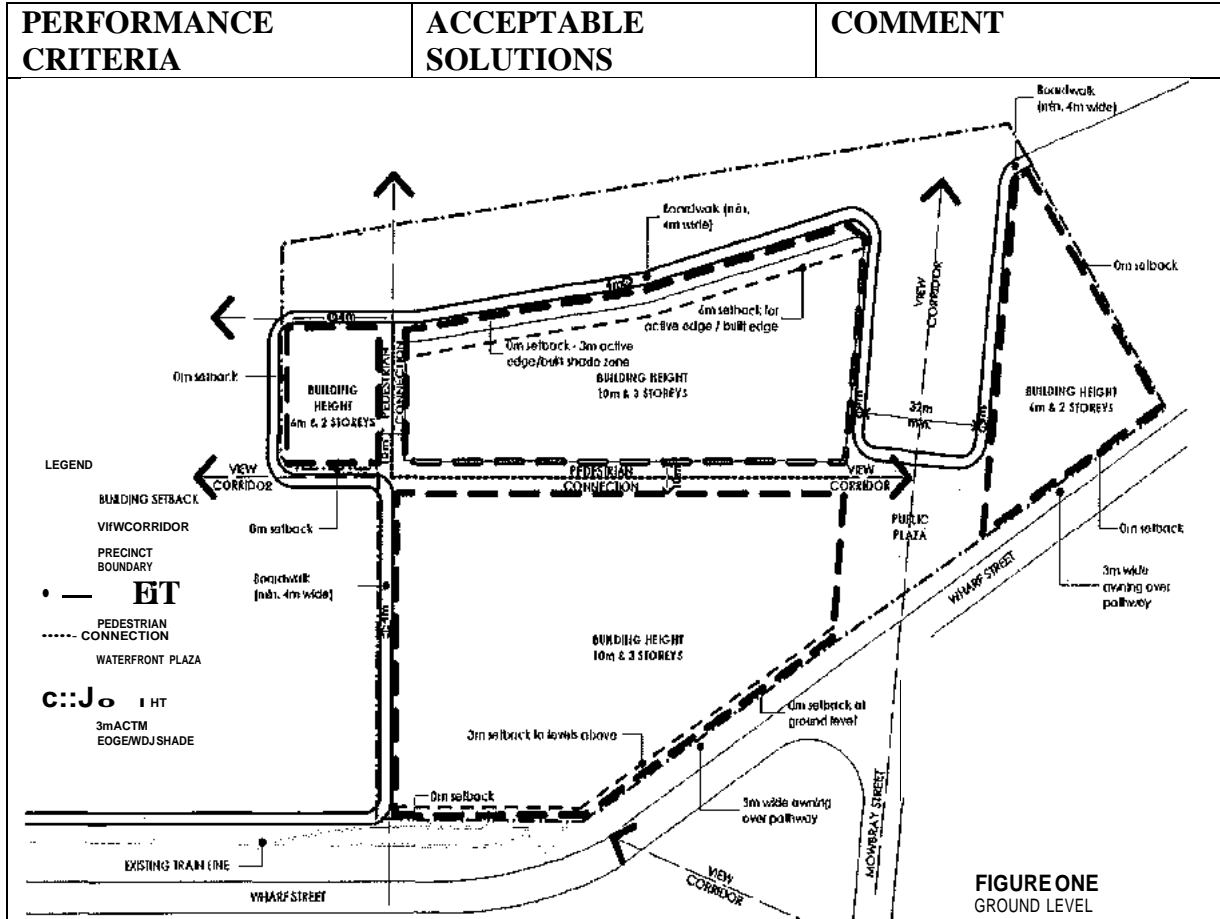


Figure 1: Development Control Guideline (above)

<p>P4.1 Buildings are designed and oriented to address and provide activity in the public realm, particularly the public plaza and Wharf Street.</p>	<p>A4.1 Land uses, such as shops, restaurants, bars and commercial services, activate Wharf Street and the pedestrian plaza; and</p> <p>A4.2 Where a building is adjacent to a public place, the building's main entrance addresses the public place; and</p> <p>A4.3 Through use of design features, development enables:</p> <p>a. activities in public areas, such outdoor dining;</p>	<p>Lot 103 complies</p> <p>Lot 103 complies</p> <p>Lot 103 complies</p>
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	<p>and</p> <p>b. passive recreation (such as places for meeting or busking); and</p> <p>c. informal seating around edges such as garden beds.</p>	
<p>PI1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the waterfront along planned connectivity routes.</p>	<p>A11.1 An integrated pedestrian and cycle movement network is provided as depicted on the Port Douglas Pedestrian and Cycle Movement Overlay.</p>	Lot 103 complies
	<p>A11.2 Vehicular access from Wharf Street, is provided for the:</p> <p>a. Accommodation parking and drop off area, this may include a port cochere and entry feature; and</p> <p>b. Non-residential parking; and</p>	Lot 103 complies
	<p>A11.3 To avoid any confusion, vehicular access may be via separate access points from Wharf Street which must be designed to maintain the pedestrian integrity of the area through safe sightlines for both pedestrians and vehicles.</p>	Lot 103 complies
<p>View Corridors, Gateways, Landscaping and Open Space</p>		
<p>PI2 A combination of pedestrian linkages and open space areas in the private and public realms are provided:</p> <p>a. as a key feature of the Port Douglas Waterfront; and</p> <p>b. through the creation of a continuous waterfront promenade/boardwalk along</p>	<p>A12.1 Development establishes an integrated open space and pedestrian movement network is provided as generally depicted on the Port Douglas Pedestrian and Cycle Movement Overlay.</p>	Lot 103 complies

the quay line.		
P13 A public plaza and pedestrian access is established to create an arrival node to the Port Douglas Waterfront.	A13.1 Development establishes the public plaza as shown in Figure 1.	Lot 103 complies
P14 The public plaza shown in Figure 1 is designed and constructed to: a. reflect the character of the Port Douglas Waterfront; b. meet the needs of its users; and c. provide opportunities for social interaction.	A14.1 The public plaza is designed to be adaptable to community based events and are serviced accordingly; and A14.1 Paths, meeting spaces and seat locations are designed to encourage incidental social interaction; and A14.3 Shaded seats and shaded standing areas are provided along with drinking taps.	Lot 103 complies
P15 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public, particularly the public plaza and foreshore access.	A15.1 No Acceptable Solutions Specified.	Can be conditioned to comply
P16 Buildings, civic spaces, roads and pedestrian links: a. are enhanced by appropriate landscape design and planting; and b. themed planting defines entry points, and create strong 'entry corridors' into the waterfront; and c. lighting and well-considered signage complements the building and landscape design; and d. public artwork and other similar features are provided that reflect the heritage and character of the Port Douglas Waterfront.	A16.1 No Acceptable Solutions Specified.	Lot 103 complies

Marine-Based Industry and Marine Infrastructure		
<p>P18 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.</p>	<p>A18.1 The Slipway is retained until such time as the capacity of the existing slipway is established in the Port Douglas Waterfront South Planning Area, or as otherwise approved by Council; and</p> <p>A18.2 Buildings are designed to minimise conflict between tourist and pedestrian areas and continued marine-based industrial activities.</p>	<p>Lot 103 complies</p> <p>Lot 103 complies</p>
<p>P19 Marine infrastructure is established to service the tourism, fishing and private boating community.</p>	<p>A19.1 No Acceptable Solutions Specified.</p>	<p>The Duck Pond will accommodate, temporarily or longer term the commercial fishermen who currently tie-up adjacent to the site in the Inlet. It is intended that fresh sales of seafood will occur direct from the trawlers in the Duck Pond to tourists and the public.</p> <p>A new cruise ship tender transfer pontoon will be constructed with an adjacent covered open air pavilion/bandstand type structure for waiting passengers and general use for local entertainers, if required.</p> <p>New berths will be constructed along Dickson Inlet</p>
<p>P20 Changes to the Port Douglas Waterfront quay line does not cause adverse impacts to the environmentally sensitive Dickson.</p>	<p>A20.1 Development that results in changes to the Port Douglas quay line are only established where an Ecological Assessment Report provides support to</p>	<p>Can comply or be conditioned to comply at the time the Operational Works/Tidal Works Permit is sought for the Boardwalk.</p>

	the changes.	
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5.3 Overlay Code

Acid Sulfate Soils Code - Refer original Town Planning report -previously addressed

Purpose

The purpose of this Code is to ensure that development which occurs on a Site containing or potentially containing Acid Sulfate Soils is undertaken so that the potential risks associated with disturbing Acid Sulfate Soils are addressed and minimised.

The proposed development can be conditioned to comply with this Code.

5.4 General Codes

Design and Siting of Advertising Devices Code - Refer original Town Planning report -previously addressed

Landscaping Code- Refer original Town Planning report -previously addressed

Natural Areas and Scenic Amenity Code- Refer original Town Planning report -previously addressed

Reconfiguring a Lot Code

Purpose

The purpose of this Code is to ensure that:

- *lots are suitable for their intended purpose;*
- *the environmental and scenic values of the Shire are protected;*
- *lot reconfiguration in the Rural Planning Area and Rural Settlement Planning Area does not result in the fragmentation or alienation of GQAL;*
- *lot reconfiguration of land achieves good urban design outcomes; and*
- *lot reconfiguration in the urban areas of the Shire facilitates:*
 - *the efficient use of land;*
 - *safe, convenient and attractive neighbourhoods and functional industrial or commercial areas;*
 - *the efficient provision of infrastructure;*
 - *the efficient provision of transport services;*

- *the provision of public open space, Landscaping and Recreational Areas for outdoor recreation and community activities; and*
- *opportunities for walking and cycling for recreation and as alternative methods of travel.*

The Code does not specify a minimum area or minimum dimensions for land, including Lot 103 SR500, in the Port Douglas Waterfront North Planning Area (zone).

The reconfiguration of the site to facilitate five (5) freehold lots, including Lot 103, is proposed, as follows:

- Proposed Lot 1 has an area of 9,970m² and a frontage to Dickson Inlet of approximately 150 metres. It is generally regular in shape and is provided with services and vehicular access by an Easement over Proposed Lot 4, which connects to Wharf Street. Proposed Lot 1 also includes an Easement for Access and Services benefitting that part of Proposed Lot 4 included in Precinct 5.

Proposed Lot 1 will contain Stage 1a- The Marina Villas, Stages 1b and 2a – The Marina Residences and potentially, part of the public Boardwalk structure along Dickson Inlet and a large part of the centrally located Rainforest Walk, public walkway.

- Proposed Lot 2 has an area of 3,615m² and a frontage to Wharf Street of approximately 80 metres. It is generally regular in shape and also includes an Access and Services Easement benefitting Proposed Lots 1, 3 and 4.

Proposed Lot 2 will contain Stage 2c – The Marina Suites and a small section of Rainforest Walk – public walkway.

- Proposed Lot 3 has an area of 1,000m² and a frontage to Rainforest Walk-public walkway of approximately 46 metres. It is rectangular in shape and is provided with Access and Service Easements in Proposed Lot 2 and Proposed Lot 4. Proposed Lot 3 also includes an Access Easement in favour of proposed Lot 1 and Lot 4.

Proposed Lot 3 will contain Stage 3a – The Rainforest Villas and a small section of Rainforest Walk – public walkway.

- Proposed Lot 4 has an area of approximately 15,314m² and is the balance area of the TRM site.

Proposed Lot 4 will include Access and Service Easements benefitting Proposed Lot 1 and Proposed Lot 3.

Proposed Lot 4 will contain the existing commercial building and marina facilities, central waste collection area, maintenance building, The Green, an adjacent open roof pavilion/stand and the large existing car/bus parking and circulation area that will service the entire development for marina and commercial/retail car parking and a new entry statement.

- Proposed lot 5 has an area of area 3,593m² and is currently described as Lot 103 SR500. It will contain the slipway and the Public Plaza, with various converted containers used for commercial and industrial marine activities and with landscaping and screening used to visual and physically separates the conflicting land uses, until such time as it is totally redeveloped, following closure of the slipway.

It is considered that the proposed reconfiguration of the TRM site provides for the creation of large, functional and practical freehold lots that generally comply with the relevant provisions of the Preliminary Approval and the DSPS and facilitates the efficient staged redevelopment of the site.

In the creation of the freehold lots it is anticipated that the Department of Natural Resources and Mines (DNRM) will convert the leasehold land and close Inlet Street simultaneously to create the freehold titles so that the project can progress expeditiously.

A copy of an Amended Proposal Plan of Reconfiguration is attached at Appendix 17.

Sustainable Development Code – Refer original Town Planning report -previously addressed.

Vehicle Parking and Access Code

Purpose

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.

It is proposed to provide three (3) car parking spaces on the slipway site for industrial marine activities. Vehicular access is proposed to and from Wharf Street, just north of the Public Plaza. No additional car parking is proposed for the retail/commercial pop-up containers, which are small in size and temporary in nature and there is no logical location for any additional car parking, which would only compromise the pedestrianisation of the Public Plaza. There will also be public car parking available nearby in the existing public car park. This temporary car parking and access arrangement is considered acceptable until such time as the entire Stage 2b site is redeveloped.

6.0 OTHER ISSUES

Given the time required for construction of TRM redevelopment in accordance with the staging plan, TRM expects that redevelopment/removal of the slipway will not occur for at least three (3) years following approval of the Combined Application; and that the slipway will remain operational during this time, subject to extraneous events such as severe weather or actions by regulatory authorities.

TRM requires the following written agreements or advices from Council, in order to satisfy conditions placed by the Department of Natural Resources and Mines (DTMR) on the freeholding of the site:

1. Provide evidence that a development approval is in place for all the areas subject to the freeholding applications;
2. Provide written confirmation from Council that the approved development does not diminish the viability of marine based industrial activities that directly serve the Port Douglas tourist and fishing operators and private boat owners, in line with one of the overarching principles of the PDWMP;
3. Provide written advice from Council that formalized public and pedestrian paths/areas are made accessible to the public within the waterfront areas via easements or through Council confirming that public access areas are provided for and evidenced in any development approval; and
4. Provide written evidence from Council that the future use/relocation/removal of Council assets/improvements located in Inlet Street has been resolved to Council's satisfaction.

Item 1:- It is anticipated that the approval of the Combined Application (amended to include Lot 103) will satisfy this Condition. Council is requested to confirm, by separate resolution, at the time the Combined Application is tabled for the consideration of the Council that this DNRM Condition has been satisfied.

Item 2:- It is anticipated that the proposed development, the subject of the Combined Application, (amended to include Lot 103) will satisfy this Condition. Council is requested to confirm, by separate resolution, at the time the Combined Application is tabled for the consideration of the Council that this DNRM Condition has been satisfied.

Item 3:- It is anticipated that a Condition on any approval will require the necessary Easements to satisfy this DNRM Condition. Council is requested to confirm, by separate resolution, at the time the Combined Application is tabled for the consideration of the Council that this DNRM Condition has been satisfied.

Item 4:- Council is requested to provide advice with regard to the assets/infrastructure located in Inlet Street and what is required to satisfy this Condition on the part of TRM, in order for all DNRM Conditions to be satisfied concurrently in approving the Combined Application.

Should there be any concerns on the part of Council with regard to achieving the concurrent approval of the Combined Application and the DNRM Conditions, it is requested that advice be provided to TRM in the short term to enable all the DNRM Conditions to progress to a satisfactory resolution.

Council is also requested to confirm that the levying of rates associated with the new freehold lots and the future development of TRM site will be reasonable and non-discriminatory.

7.0 CONCLUSION

The staged development and reconfiguration of TRM site complies with the relevant provisions of the DSPS and the PDWMP. Council support for the project, which will bring significant economic benefit to the local community, is warranted and the Combined Application, including Lot 103 SR 500, is recommended to Council subject to reasonable and relevant conditions.



E A TAYLOR
November, 2016

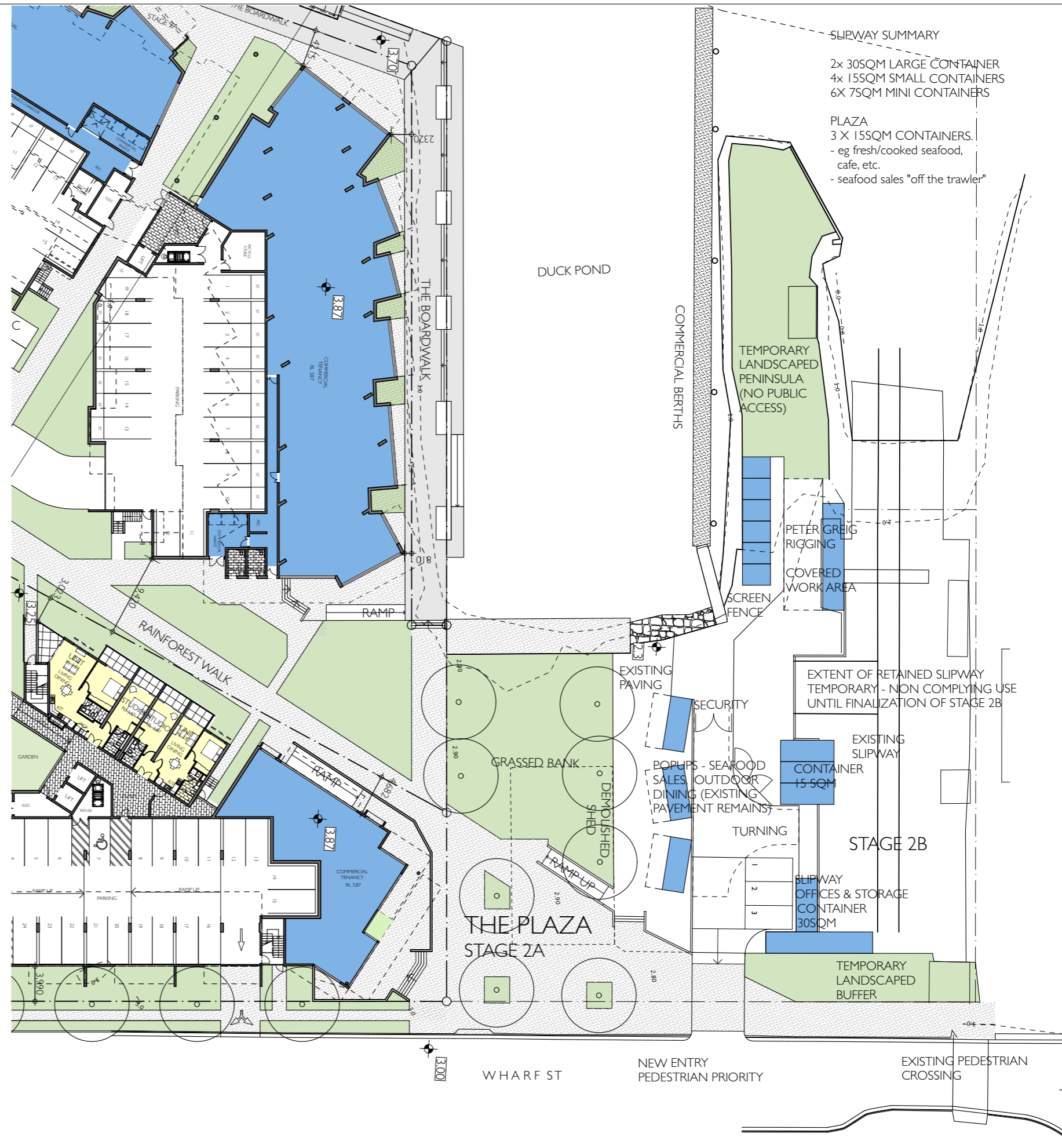
APPENDIX: 15



Marina Industries



Plaza - Popup Activation
(Until Stage 2b Finalization)



THE REEF MARINA
PORT DOUGLAS QLD



DRAWN: SG AT EB
CHECKED: JL
APPROVED: PR JL
DATE 29/11/2016

STAGE 2B SITE PLAN
1:500

PROJ NO. 160303	DWG NO. DA-2B-101	REVISION: 03	STATUS: DEVELOPMENT APPLICATION
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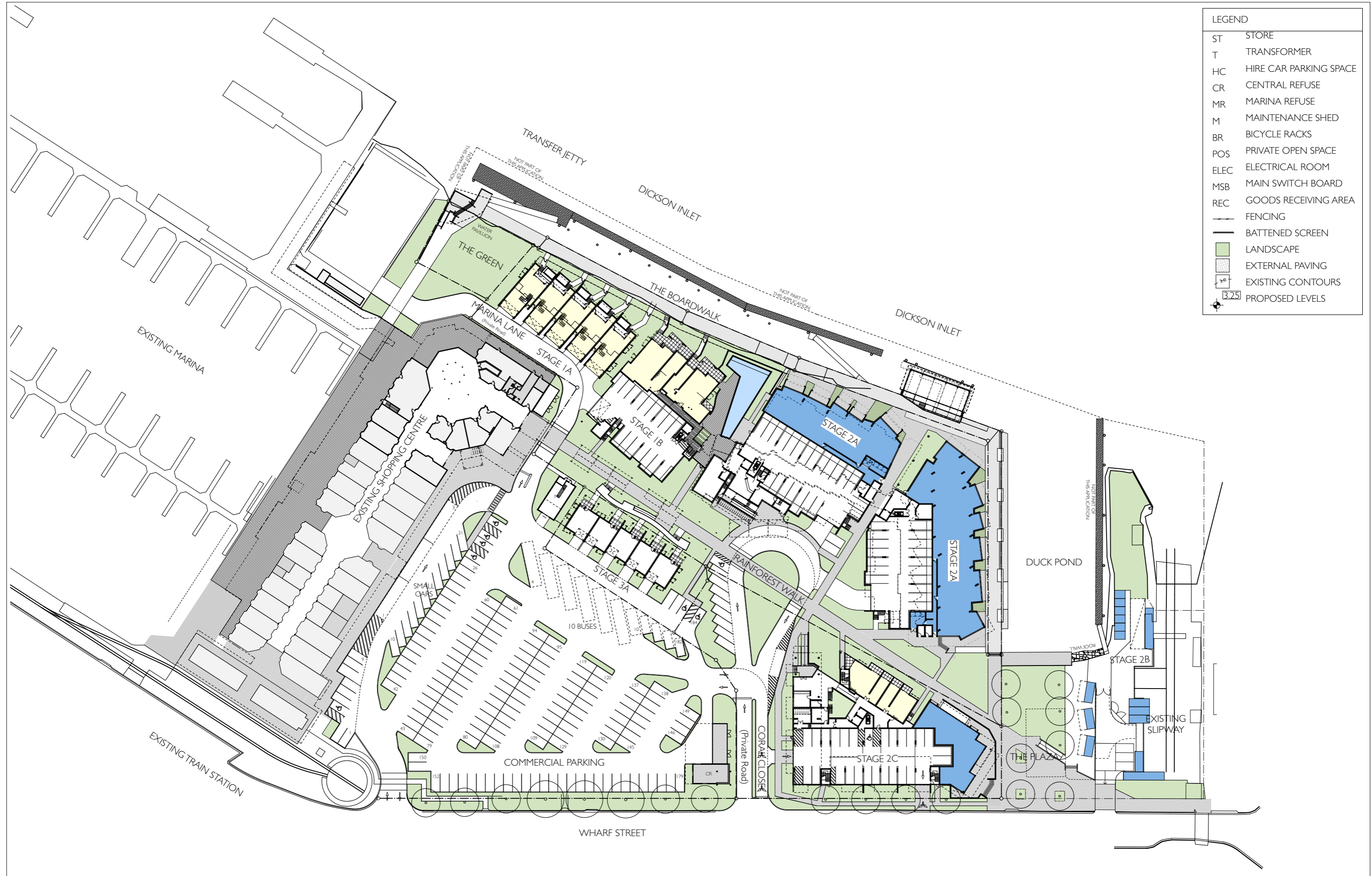
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APPENDIX: 16

LEGEND	
ST	STORE
T	TRANSFORMER
HC	HIRE CAR PARKING SPACE
CR	CENTRAL REFUSE
MR	MARINA REFUSE
M	MAINTENANCE SHED
BR	BICYCLE RACKS
POS	PRIVATE OPEN SPACE
ELEC	ELECTRICAL ROOM
MSB	MAIN SWITCH BOARD
REC	GOODS RECEIVING AREA
—	FENCING
—	BATTENED SCREEN
■	LANDSCAPE
■	EXTERNAL PAVING
□	EXISTING CONTOURS
□	PROPOSED LEVELS



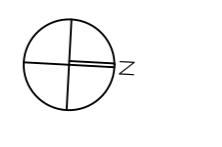
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THE REEF MARINA
 PORT DOUGLAS QLD

DRAWN: SG AT EB
 CHECKED: JL
 APPROVED: PR JL
 DATE: 29/11/2016

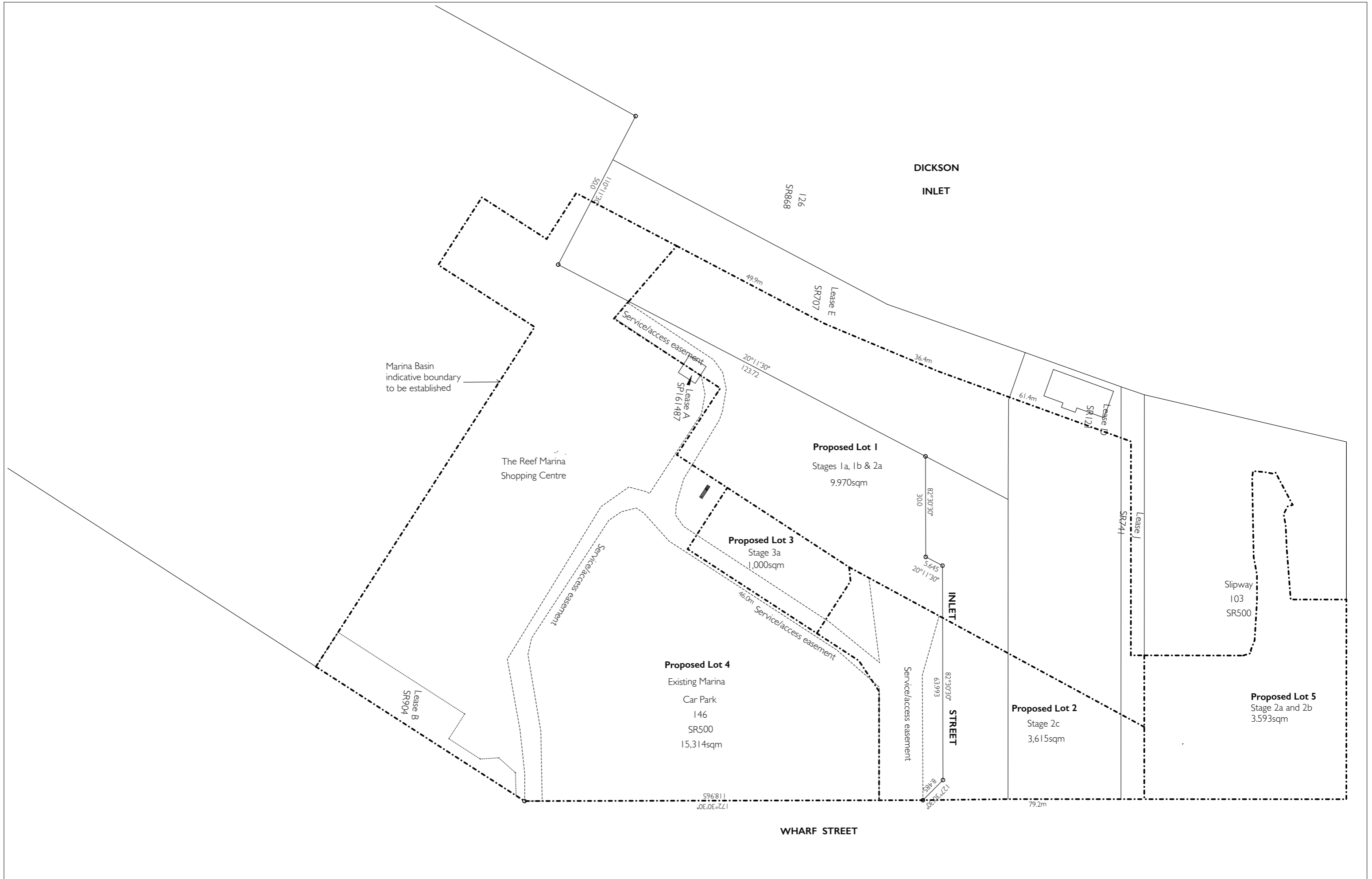
MASTER SITE PLAN
 1:1000



PROJ NO. 160303	DWG NO. DA-S-104	REVISION: 03
STATUS: DEVELOPMENT APPLICATION		

Volumes\YODA\Project Files\2016\160303 The Reef Marina\3.0 Design\3.1 Design (Arch)\3.1.2 Sketch Design\160303 Reef Marina Site.ppt

APPENDIX: 17



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