

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application 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*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Crystalbrook Superyacht Marina, Port Douglas Pty Ltd
Contact name <i>(only applicable for companies)</i>	<b>Stuart Ricketts</b>
Postal address <i>(P.O. Box or street address)</i>	C/- Urban Sync Pty Ltd PO Box 2970
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUS
Contact number	(07) 4051 6946
Email address <i>(non-mandatory)</i>	stuart@urbansync.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	17-224

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input type="checkbox"/> No – proceed to 3)	



## PART 2 – LOCATION DETAILS

## 3) Location of the premises (complete 3.1) or 3.2, and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

## 3.1) Street address and lot on plan

- Street address **AND** lot on plan (all lots must be listed), **or**  
 Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Wharf Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	4	SP288958	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Wharf Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	96	SP134234	Douglas Shire

## 3.2) Coordinates of premises (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)

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

## 3.3) Additional premises

- Additional premises are relevant to this development application and their details have been attached in a schedule to this application  
 Not required

## 4) Identify any of the following that apply to the premises and provide any relevant details

In or adjacent to a water body or watercourse or in or above an aquifer  
 Name of water body, watercourse or aquifer: Dickson Inlet

On strategic port land under the *Transport Infrastructure Act 1994*  
 Lot on plan description of strategic port land:  
 Name of port authority for the lot:

In a tidal area  
 Name of local government for the tidal area (if applicable): Douglas Shire  
 Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*  
 Name of airport:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*  
 EMR site identification: 177290

Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

### 5) Are there any existing easements over the premises?

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).*

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

Material change of use       Reconfiguring a lot       Operational work       Building work

b) What is the approval type? *(tick only one box)*

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Mooring Facility, Amenities Building and Ancillary Works

e) Relevant plans

*Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).*

Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

Material change of use       Reconfiguring a lot       Operational work       Building work

b) What is the approval type? *(tick only one box)*

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Prescribed Tidal Works and Civil Works for Mooring Facility and Amenities Building

e) Relevant plans

*Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).*

Relevant plans of the proposed development are attached to the development application

#### 6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input checked="" type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

**Note:** This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Mooring Facility, Amenities Building and Ancillary Works	Marina	N/A	<15m <sup>2</sup>

8.2) Does the proposed use involve the use of existing buildings on the premises?		
<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

### Division 2 – Reconfiguring a lot

**Note:** This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment**  
**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

**13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement?**  
*(attach schedule if there are more than two easements)*

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? <i>(e.g. pedestrian access)</i>	Identify the land/lot(s) benefitted by the easement

**Division 3 – Operational work**

*Note: This division is only required to be completed if any part of the development application involves operational work.*

**14.1) What is the nature of the operational work?**

<input type="checkbox"/> Road work	<input checked="" type="checkbox"/> Stormwater	<input checked="" type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input checked="" type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input checked="" type="checkbox"/> Other – please specify: Tidal Works (Mooring Facility and Marina Berths)		

**14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)***

<input type="checkbox"/> Yes – specify number of new lots:	
<input checked="" type="checkbox"/> No	

**14.3) What is the monetary value of the proposed operational work? *(include GST, materials and labour)***

To be confirmed

**PART 4 – ASSESSMENT MANAGER DETAILS**

**15) Identify the assessment manager(s) who will be assessing this development application**

Douglas Shire Council

**16) Has the local government agreed to apply a superseded planning scheme for this development application?**

Yes – a copy of the decision notice is attached to this development application

Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

**PART 5 – REFERRAL DETAILS**

**17) Do any aspects of the proposed development require referral for any referral requirements?**

*Note: A development application will require referral if prescribed by the Planning Regulation 2017.*

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

Clearing native vegetation

Contaminated land *(unexploded ordnance)*

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input checked="" type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<b>Matters requiring referral to the chief executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input checked="" type="checkbox"/> Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).		

## PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input checked="" type="checkbox"/> I do not agree to accept an information request for this development application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <u>DA Forms Guide</u> .

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application	See Planning Report		
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application <input checked="" type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input type="checkbox"/> Not applicable		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

## 23) Further legislative requirements

**Environmentally relevant activities**

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
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Proposed ERA name:	
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Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

**Hazardous chemical facilities**

23.2) Is this development application for a **hazardous chemical facility**?

Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

No

**Note:** See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.

**Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

**Note:** See [www.qld.gov.au](http://www.qld.gov.au) for further information.

**Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

No

**Note:** The environmental offset section of the Queensland Government’s website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

**Koala conservation**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

Yes

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

Yes – the relevant template is completed and attached to this development application

No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to



commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application

No

**Note:** See guidance materials at [www.dews.qld.gov.au](http://www.dews.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district?**

Yes – the following is included with this development application:

Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

A certificate of title

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

Yes – details of the heritage place are provided in the table below

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

23.14) Does this development application involve a **material change of use for a brothel?**

Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

No

**Decision under section 62 of the *Transport Infrastructure Act 1994***

23.15) Does this development application involve new or changed access to a state-controlled road?

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
- No

**PART 8 – CHECKLIST AND APPLICANT DECLARATION****24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

 Yes**Note:** See the *Planning Regulation 2017* for referral requirementsIf building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application Yes Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see *DA Forms Guide: Planning Report Template*. Yes

Relevant plans of the development are attached to this development application

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see *DA Forms Guide: Relevant plans*. Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))

 Yes Not applicable**25) Applicant declaration** By making this development application, I declare that all information in this development application is true and correct Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001***Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
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 *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

30 November 2017

**Our Ref:** 17-224

**Chief Executive Officer**

Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

Attention: Simon Clarke

Dear Simon,

**RE: COMBINED DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (MARINA) AND OPERATIONAL WORKS (PRESCRIBED TIDAL WORK) OVER LAND AND TIDAL WATER AT WHARF STREET, PORT DOUGLAS**

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged to provide development advice and consulting services for Crystalbrook Superyacht Marina, Port Douglas Pty Ltd 'Crystalbrook' in association with the redevelopment of The Reef Marina for Douglas Shire Council's consideration. This application represents the first of several statutory development submissions which are triggered by the statutory planning frameworks and reflect continuing obligations placed on the 'new' owners under the various Deed of Agreement's (DOA) between Council and Port Douglas Commercial Fishers Association PDCFA.

In support of the application, we enclose the following documentation to assist with your assessment:

- DA Form 1, Landowners Consent, and common material as **Attachment 1**;
- Plans of Development prepared by International Marina Consultants Pty Ltd (IMC) as **Attachment 2**;
- Site Searches as **Attachment 3**;
- The relevant 'existing' Development Approvals over the site as **Attachment 4**;
- Civil Engineering Letter prepared by Flanagan Consulting Group Pty Ltd as **Attachment 5**;
- Review of the applicable State Development Assessment Provision Codes as **Attachment 6**; and
- Review of the applicable development codes under the *Douglas Shire Planning Scheme* as **Attachment 7**.

In accordance with Council's Schedule of Fees 2017/18, Council's application fee to the amount of **\$1,696.50 NO GST** (Marina (\$953.65), Prescribed Tidal Works (\$742.85)) has been paid to facilitate lodgement of the application.

We submit this application for Council's consideration and note that it may now be progressed for assessment and look forward to working closely with Council throughout the process. Should you require any further information or clarification on any matters regarding this application, please do not hesitate to contact me on the details provided below.

Yours Faithfully



Stuart Ricketts  
Director – Senior Planner  
E stuart@urbansync.com.au | M 0418 985 935





## PLANNING REPORT

COMBINED APPLICATION FOR A DEVELOPMENT  
PERMIT FOR A MATERIAL CHANGE OF USE AND  
OPERATIONAL WORKS AT WHARF STREET, PORT  
DOUGLAS

CRYSTALBROOK SUPERYACHT MARINA,  
PORT DOUGLAS PTY LTD

*November 2017*

# I EXECUTIVE SUMMARY

Crystalbrook Superyacht Marina, Port Douglas Pty Ltd (the 'Applicant') is requesting a Development Permit from Douglas Shire Council (Council) to support the establishment and construction of a commercial mooring facility, amenities building, wash bay and the associated civil works over part of Lot 4 on SP288958 and part of Lot 96 on SP134234 at Wharf Street, Port Douglas (the site).

In summary, the project seeks to obtain the statutory approvals from Council and State Authorities required to facilitate the relocation of the Port Douglas Commercial Fisherman, as required by the Deed of Agreement between entered between The Reef Marina Pty Ltd, Douglas Shire Council & Port Douglas Commercial Fisherman's Association Inc.

In a planning context, the site sits along the boundary dividing the (Port Douglas Waterfront – North) and (Port Douglas Waterfront – South) Planning Areas where the proposed development for a 'Marina' on Lot 96 SP134234 is considered to require an **Impact Assessable** Material Change of Use application subject to assessment against the provisions of the current *Douglas Shire Planning Scheme* (Planning Scheme).

We note that earlier approvals received for the construction of 24 additional marina berths were received from Douglas Shire Council 20 January 2015. These marina berths are reflected on the proposal plans and all establishment works are sought to be completed under a single construction package. We note that the construction activities are defined as 'Tidal Works' and consider that the landuse remains consistent with the ongoing and continuing use of The Reef Marina. Accordingly, this application seeks the following approvals from Council:

- **Development Permit for a Material Change of Use (Marina); and**
- **Development Permit for Operational Works (Prescribed Tidal Works);**

The project team has completed pre-lodgement discussions with Council, the Port Douglas Commercial Fisherman's Association Inc and the relevant State agencies over the past several weeks to co-ordinate the information required to accompany this application. The applicant now instructs Urban Sync Pty Ltd to submit the overall development application for the consideration of Council.

This report has been undertaken to:

- Briefly summarise the development history of the site relation to the 24 Marina Berths (MCU and OPW) approvals which remain in place and the Deed of Agreement which supports the establishment of 'Marina Facilities' over Lot 96;
- Present the physical characteristics of the subject site in respect of the project;
- Accurately describe the development 'concept' being proposed for a "Marina" (MCU and OPW) on Lot 96 including Abolitions Facilities and the Marina Facilities and 8 Berths over Lot 4 and look to communicate the 'key' development aspects of the project; and
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA) and the Planning Scheme

Finally, and most importantly, the report demonstrates that the proposed development complies with the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.



## 2 APPLICATION DETAILS

<b>Approval Sought:</b>	<p>Application for a 'combined' development approval on the subject site for:</p> <ul style="list-style-type: none"> <li>▪ <b>Material Change of Use (Marina) 8 Berths and Facilities; and</b></li> <li>▪ <b>Operational Works (Prescribed Tidal Works);</b></li> </ul> <p>Under the provisions of the <i>Planning Act 2016</i> and Council's Planning Scheme</p>
<b>Applicant:</b>	Crystalbrook Superyacht Marina, Port Douglas Pty Ltd
<b>Project Description Details:</b>	<p>The proposed development includes the following:</p> <p><b>Material Change of Use</b></p> <ol style="list-style-type: none"> <li>1. An eight (8) berth 'Mooring Facility';</li> <li>2. Amenities/Abolitions building;</li> <li>3. A 'wash down' bay;</li> <li>4. Informal car parking, manoeuvring and dory storage area;</li> <li>5. Landscaping; and</li> <li>6. Information relating to the civil works necessary to support the establishment of the above-described structures.</li> </ol> <p><b>Operational Works (Prescribed Tidal Works)</b></p> <ol style="list-style-type: none"> <li>1. Civil &amp; Construction works involved in establishing the Mooring Facility in accordance with the design works prepared and submitted by International Marina Consultants (IMC) included as <b>Attachment 2</b>.</li> </ol>
<b>ASSESSMENT DETAILS</b>	
<b>Assessment Manager:</b>	Douglas Shire Council
<b>Level of Assessment:</b>	Impact Assessment
<b>Public Notification:</b>	Yes - Requirement as per s53 of the <i>Planning Act 2016</i>
<b>PRE-LODGEMENT CONSULTATION</b>	
<b>Council:</b>	<p>Yes – Throughout the Preliminary and Pre-Lodgement Phase</p> <p>A pre-lodgement meeting was held between Urban Sync, Prime and Council Officers on 25 September. Follow up correspondence and meetings has also occurred between Council and Urban Sync on various matters relating to the Mooring Facility and the redevelopment of the marina in general.</p>
<b>DILGP:</b>	Yes - A pre-lodgement meeting was held between Urban Sync and the Department of Infrastructure, Local Government and Planning, as well as the relevant technical agencies on 19 October 2017.



<b>RELEVANT STATE PLANNING INSTRUMENTS</b>	
<b>Legislation:</b>	<i>Planning Act 2016</i>
<b>Planning Policy:</b>	Queensland State Planning Policy (July 2017)
<b>Planning Policy Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>▪ Biodiversity (MSES – Regulated Vegetation (Intersecting a Watercourse &amp; Category R);</li> <li>▪ Coastal Environment (Coastal Management District); and</li> <li>▪ Natural Hazards Risk and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay; Erosion Prone Area; and Medium and High Storm Tide Inundation).</li> </ul>
<b>Regional Plan:</b>	Far North Queensland Regional Plan 2009-2031
<b>Regional Plan Land Use:</b>	Urban Footprint
<b>Development Assessment Mapping:</b>	<ul style="list-style-type: none"> <li>▪ Coastal Protection (Coastal Management District; Erosion Prone Area; and Medium and High Storm Tide Inundation); and</li> <li>▪ Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works)</li> </ul>
<b>Concurrence Agency Referrals:</b>	<ol style="list-style-type: none"> <li>1. State Assessment Referral Agency – Schedule 10, Part 17, Division 3, Table 1 Assessable Development Under s28;</li> <li>2. State Assessment Referral Agency – Schedule 10, Part 17, Division 3, Table 2 Assessable Development Under s28 in Tidal Waters.</li> </ol>
<b>Advice Agency Referrals:</b>	<ol style="list-style-type: none"> <li>1. The Queensland Fire and Emergency Service - Schedule 10, Part 17, Division 3, Table 4 Assessable Development Under s28 involving a Marina.</li> </ol>
<b>RELEVANT LOCAL PLANNING INSTRUMENTS</b>	
<b>Planning Scheme:</b>	Douglas Shire Planning Scheme
<b>Planning Areas:</b>	Port Douglas Waterfront – North (Lot 4) Port Douglas Waterfront – South (Lot 96)
<b>Local Plan:</b>	Nil
<b>Precinct:</b>	Nil
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>▪ Acid Sulfate Soils (Land below 20m AHD);</li> <li>▪ Natural Hazards (Bushfire Hazard (Low));</li> <li>▪ Pedestrian &amp; Cycle Movement Overlay (Principle Pedestrian Route and Future Principle Pedestrian Route).</li> </ul>





## 2.1 SUPPORTING DOCUMENTATION

Document	Reference	Rev	Author	Reviewer	Date
Planning Report	Urban Sync Pty Ltd 17-224	A	MI	SR	November 2017
Technical Drawings	IMC Consultants	0	IMC	IMC	September 2017
Engineering Letter	Flanagan Consulting Group – 4985 (R-JM0101)	B	R-JM	PF	November 2017

## 2.2 PLANS OF DEVELOPMENT – MOORING FACILITY

Title	Reference	Rev	Author	Date
All Plans Prepared by International Marina Consultants (IMC) included for Reference as <b>Attachment 2</b>				
General Notes and Locality Plan	5307-100	A	IMC	14/09/2017
General Arrangement	5307-101	A	IMC	14/09/2017
Martina Setout	5307-102	A	IMC	14/09/2017
Elevation	5307-103	A	IMC	14/09/2017
Pile Layout and Profile	5307-104	A	IMC	14/09/2017
Services Layout	5307-105	A	IMC	14/09/2017
1.2m Clear Width x 20m Long Hinged Aluminium Gangway	5307-106	A	IMC	14/09/2017
Concrete Abutment Details	5307-107	A	IMC	14/09/2017
Typical Pile Bracket Details	5307-108	A	IMC	14/09/2017
Typical Bracket Details	5307-109	A	IMC	14/09/2017
Standard Pontoon Details	5307-110	A	IMC	14/09/2017



## 3 SITE DETAILS

### 3.1 SITE DESCRIPTION

<b>Registered Landowners:</b>	Lot 4 on SP288958 State of Queensland with GAG Port Douglas Property Company No.2 Pty Ltd as the Registered Lessee Lot 96 on SP134234 – Douglas Shire Council (Trustee)
<b>Site Location:</b>	Wharf Street, Port Douglas
<b>Lot and Description:</b>	Lot 4 on SP288958 and Lot 96 on SP134234
<b>Site Area:</b>	7.03ha
<b>Tenure:</b>	Lot 4 on SP288958 (Term Lease) and Lot 96 on SP134234 (Reserve)
<b>Easements/Encumbrances:</b>	Yes
<b>Local Government Authority:</b>	Douglas Shire Council

### 3.2 SITE ANALYSIS

The following section of the report examines the characteristics and values of the land.

<b>Existing Improvements:</b>	Lot 4 is improved with several marina berths and other, marine related improvements known locally as 'The Reef Marina'. Lot 96 is partly sealed with gravel, although other than that, is generally unimproved.
<b>Topography:</b>	Lot 96 is generally flat, while Lot 4 is under tidal water.
<b>Waterways:</b>	Both sites sit adjacent to Dickson Inlet.
<b>Vegetation:</b>	Lot 96 contains a small area of native vegetation along the southern boundary. Lot 4 is devoid of any remanent vegetation.
<b>Environmental Management &amp; Contaminated Land:</b>	Lot 4 is included on the Environmental Management Register due to previous allotments being Lot 126 on SR868 and Lot 146 on SR861, both of which were included on the EMR, being amalgamated into Lot 4 (see <b>Attachment 3</b> ).
<b>Heritage Places:</b>	The site is not an identified State or local 'Heritage Place', nor are any adjacent sites.

### 3.3 INFRASTRUCTURE AND SERVICES

<b>Road Frontage:</b>	The site has an approximate 400m frontage to Wharf Street while Lot 96 also has an approximate 20m frontage to Spinnaker Close.
<b>Infrastructure:</b>	The site is connected to all of Council's urban infrastructure (water, sewer and stormwater) – see <b>Figure 2</b> .
<b>Electricity &amp; Telecommunications:</b>	The site is connected to underground electricity and telecommunications services.





**Figure 1: Site Location (source: Queensland Globe, State of Queensland, 2017).**



**Figure 2: Infrastructure Locations (source: Douglas Shire Council, 2017).**



## 4 DEVELOPMENT BACKGROUND

### 4.1 PREVIOUS APPROVALS

There have been several approvals over the site and adjacent allotments which are relevant to this site assessment and to the construction of the works proposed by Crystalbrook Superyacht Marina, Poert Douglas Pty Ltd. These approvals were obtained by the previous owners which make up 'The Reef Marina', the most recent however, was in February 2017, as outlined below in **Table 1**.

**Table 1 Previous Approvals**

Reference	Approval Type	Aspect	Description	Date
449/2014	Development Permit (Approval in Part)	Material Change of Use (Marina) and Operational Works for Tidal Works	Extension of marina berths (Lot 146 SP861)	22 January 2015
1685/2016	Development Permit	Material Change of Use and Reconfiguration of a Lot	Redevelopment of The Reef Marina and 3 Lots into 5 Lots	17 February 2017

A copy of these approval is included in **Attachment 4**.

It was condition 4 of this approval that required a Deed of Agreement to be entered between The Reef Marina, Douglas Shire Council and the Port Douglas Fisherman's Association Inc. in order to relocate the Port Douglas Fisherman's Association Inc. existing facilities. This application seeks to obtain the statutory approval necessary to facilitate this relocation.

A copy of the formal Deed of Agreement has not been submitted as part of this application as it contains items that maybe considered 'commercial in confidence' though any queries maybe addressed as part of this assessment and subsequent review, as required

### 4.2 PRELODGE MENT MEETINGS

The Applicants are committed to this project and have been encouraged by the 'preliminary' pre-lodgement responses. As a result, they now seek the requisite approvals to progress with the proposed development.



## 5 DEVELOPMENT PROPOSAL

### 5.1 GENERAL DESCRIPTION

This application requests the necessary statutory development approvals from Douglas Shire Council to support the establishment of a mooring facility, amenities building, wash bay and the associated civil works over part of Lot 4 on SP288958 and part of Lot 96 on SP134234 at Wharf Street, Port Douglas. Accordingly, this application seeks the following approvals:

- **Development Permit for a Material Change of Use (Marina); and**
- **Development Permit for Operational Works (Prescribed Tidal Works);**

The applicant reiterates here that this application seeks to obtain the statutory approvals necessary to comply with the requirements of the Deed of Agreement (Relocation of Mooring Facility) entered between 'The Reef Marina Pty Ltd', Douglas Shire Council & Port Douglas Commercial Fisherman's Association Inc., to facilitate the relocation of the Port Douglas Commercial Fisherman.

It is proposed that all construction works would be completed as a single package in early/mid 2018 including the creation of 24 additional marina berths approved by Douglas Shire Council in 2015 under separate statutory approvals.

### 5.2 PROPOSAL DETAILS

#### 5.2.1 Marina (Mooring Facilities)

The 'Marina' aspect of the proposed development includes the following:

- An eight (8) berth 'Mooring Facility' including four (4) x 12 lineal metre berths and four (4) x 15 lineal metre berths. The mooring facility will be located no closer than 3m from the toe of the adjacent rock wall in Lot 96;
- A 1.2m x 20m long gangway connecting the Mooring Facility to Lot 4 and then a pathway extending onto Lot 96, as well as a security gate at its entrance;
- A minor amount of tidal works excavation (23.6m<sup>3</sup>) will be required in the south-eastern corner of Lot 4 to ensure the floats for the mooring facility do not ground at low tide. We note here that these works will be undertaken under the existing environmental authority for the maintenance dredging of the Marina. Environmental Authority (EPPR01883614) for these works exists in association with the continuing maintenance activities of 'The Reef Marina'. The preparation of the site and the commencement of these works will be completed under all existing conditions and management arrangements
- A two (2) metre wide landscape strip along the Wharf Street frontage of Lot 96;
- Amenities building which measures 4.8 metres by 2.4 metres including one (1) unisex toilet, one (1) shower and one (1) washbasin; and
- A concrete wash down bay will be provided adjacent to the amenities building.

#### 5.2.2 Civil Works (Services Connections and Construction)

The civil works associated with the development includes the following:

- Water and electrical connections for the Mooring Facility;
- Water, sewerage and electrical connections for the amenities building;
- Stormwater connections; and
- Site grading and any associated works for hardstand/parking and loading areas.



### 5.3 STAGING

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The proposed development will not be staged.

### 5.4 LANDSCAPING

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A two (2) metre landscape strip will be planted along the Wharf Street frontage of Lot 96.

### 5.5 ENGINEERING AND INFRASTRUCTURE PROVISION

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#### 5.5.1 Water Supply

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The proposed development will be serviced via extensions/connections to the reticulated water from the existing 150mm dia. water main in Wharf Street or the 100mm dia. main that is located within the site.

Please refer to the Civil Engineering Letter in **Attachment 5** for full details of the proposed water connections

#### 5.5.2 Sewerage

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The amenities building will be serviced via extensions/connections to the reticulated sewer from the existing 150mm dia. sewer main located within Lot 96. Please refer to the Civil Engineering Letter in **Attachment 5** for full details of the proposed sewerage connections/options.

#### 5.5.3 Electricity and Telecommunications

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The proposed development will be connected to electricity. There is no need to provide telecommunications.

#### 5.5.4 Stormwater (Quantity)

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All stormwater from the structures on Lot 96 will be directed to a lawful point of discharge.

Please refer to the Civil Engineering Letter in **Attachment 5** for full details of the proposed stormwater design.

#### 5.5.5 Stormwater (Quality)

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A grease trap or the like will be installed in association with the wash down bay to ensure stormwater is treated prior to its release into the Marina/Dickson Inlet. Given the scale of the proposed development, no other stormwater quality measures are proposed.

#### 5.5.6 Floor Levels & Bulk Earthworks

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The most appropriate finished floor levels for the amenities building will be determined in consultation with Council during the assessment of this application though it respectfully suggested that suitable immunity can be achieved without providing excessive filling on the site in these circumstances.

Please refer to the Civil Engineering Letter in **Attachment 5** for further details.

#### 5.5.7 Erosion and Sediment Control

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Suitable erosion and sediment control measures will be implemented on the site during construction activities and will likely be the subject of conditions and meeting the requirements pre-start of the construction works commencing on the site.



## **5.6 TRANSPORT AND ACCESSIBILITY**

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### **5.6.1 Vehicular Access**

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Physical access to pedestrians is afforded from all boundaries though vehicular access to the proposed development will be achieved from Lot 96 and via Spinnaker Close.

### **5.6.2 Car Parking for Users and Visitors**

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An approximate 600m<sup>2</sup> area allocated for gravel parking and unloading area will be provided on Lot 96 adjacent to the amenities building. It is intended that informal car parking will continue to be provided for in this area.

The parking of dories associated with the commercial fisher's association will also occur in the designated parking area.

## **5.7 INFRASTRUCTURE CHARGES**

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The site is in the Port Douglas Waterfront – North (Lot 4) and Port Douglas Waterfront – South (Lot 96) Planning Areas of the Planning Scheme, both of which are located within the Priority Infrastructure Area of the Douglas Shire Council Local Government Area.

In accordance with Council's 'Adopted Infrastructure Charges Resolution 2015 (AICR)', we understand that no Infrastructure Charges are applicable to the proposed development as a 'Marina' use is not listed in the AICR. Further, it is submitted that the development supports and benefits the community and Port Douglas Commercial Fishers Association and should be granted any exemptions that are suitable.



## 6 LEGISLATIVE REQUIREMENTS

This section of the Town Planning Report sets the assessment framework for consideration of this project and provides an overview of the legislative context of the development application and confirms that the application is being submitted under the relevant provision of the *Planning Act 2016*.

### 6.1 STATE PLANNING REQUIREMENTS

#### 6.1.1 Planning Act 2016

##### 6.1.1.1 Confirmation that the Development is not Prohibited

The proposed development is not prohibited. This has been established by considering all the relevant state and local instruments which can provide prohibitions under the PA, including Schedule 10, Parts 2-5, Parts 10-11 and Parts 16 and 20, of the *Planning Regulation 2016* (PR).

##### 6.1.1.2 Assessable Development

###### **Material Change of Use**

The proposed development represents a Material Change of Use in respect to *“the start of a new use of the premises”*. A Material Change of Use for a Marina in the Port Douglas Waterfront – North Planning Area is **Code Assessable** while a Marina Use in the Port Douglas Waterfront – South Planning Area is **Impact Assessable**. Hence, in this instance a Marina is deemed to be considered *“Assessable Development”* pursuant to Section 44(3) of the PA, which states that *“Assessable Development is development for which a development approval is required.”*

###### **Operational Works – Prescribed Tidal Works**

The construction of the ‘Mooring Facility’ is defined as ‘tidal works’, although as the site is located in a Local Government Area, these works are more accurately defined as ‘Prescribed Tidal Works’. Tidal Works are made Assessable Development under the PA.

##### 6.1.1.3 Assessment Manager

The Assessment Manager for this development application is Douglas Shire Council, as determined by Schedule 8 of the PR.

#### 6.1.2 Far North Queensland Regional Plan

The site is located within the **‘Urban Footprint’** Regional Land Use Category of the Far North Queensland Regional Plan (FNQRP) 2009-2031 (see **Attachment 3**). When the Far North Queensland Regional Plan 2009-2031 (FNQRP) SPRP’s were repealed on 26 October 2012, Local Governments become responsible for defining the extent of the Regional Land Use Categories. The site is located in the Port Douglas Waterfront – North and Port Douglas Waterfront – South Planning Areas which are consistent with the ‘Urban Footprint’ designation while in a broader sense, the proposed development is providing urban development in an urban area. Accordingly, it is considered that the proposed development is consistent with the policy intent of the FNQRP.

#### 6.1.3 State Planning Policy

The State Planning Policy (SPP) came into effect in July 2017. Part E of the SPP contains the State Interest Policies and Assessment Benchmarks which are applicable to the assessment of development applications, where the state interests have not already been appropriately reflected within the relevant planning scheme. A review of the SPP mapping indicates that the proposed development/site is subject to several State interests, as outlined below (see also **Attachment 3**):





- Biodiversity (MSES – Regulated Vegetation (Intersecting a Watercourse & Category R);
- Coastal Environment (Coastal Management District); and
- Natural Hazards Risk and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay; Erosion Prone Area; and Medium and High Storm Tide Inundation).

Due to the age of the Planning Scheme, none of the identified State interests have been appropriately reflected in the Planning Scheme. Hence, an assessment against the Assessment Benchmarks in Part E of the SPP is required and this has been provided below in **Table 2**. We note here that there are no Assessment Benchmarks in Part E of the SPP for 'Biodiversity' or 'Coastal Environment' and hence, no further assessment is provided.

**Table 2: SPP Assessment of Natural Areas, Risk and Resilience Performance Outcomes**

Assessment Benchmark	Comment
<p><i>"Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere and is:</i></p> <p><i>(a) coastal-dependent development;</i></p> <p><i>(b) temporary, readily relocatable or able to be abandoned development; or</i></p> <p><i>(c) essential community infrastructure; or</i></p> <p><i>(d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.</i></p>	<p>Whilst the Marina could feasibly be located elsewhere along the Port Douglas waterfront, it would always be in an erosion prone area within a Coastal Management District.</p> <p>With this in mind, and in the interests of relevant parties (The Reef Marina Pty Ltd, Douglas Shire Council &amp; Port Douglas Commercial Fisherman's Association Inc) the proposed location is the most suitable.</p>
<p><i>"Development permitted in</i></p> <p><i>(1) above, mitigates the risks to people and property to an acceptable or tolerable level".</i></p>	<p>As no persons will be residing on the proposed development during a flood event, we consider the protection of property to be the matter of note in this instance.</p>
<p><i>"Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level"</i></p>	<p>As above.</p>
<p><i>"Development supports and does not hinder disaster management response or recovery capacity and capabilities"</i></p>	<p>The proposed development will not hinder compliance with this benchmark.</p>
<p><i>"Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the</i></p>	<p>The proposed development involves structures with a footprint of less than 15m<sup>2</sup>. Such a small footprint is not considered significant enough to have any tangible, negative impacts on the severity of the natural hazard.</p>



<i>potential for damage on the site or to other properties"</i>	
<i>"Risks to public safety and the environment from the location of hazardous materials and the release of these materials because of a natural hazard are avoided"</i>	We confirm that NO hazardous materials are required to be stored within the proposed development.
<i>"The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced"</i>	The proposed development will not result in the removal or modification to any elements which may mitigate the flood/storm surge hazard on the site.

#### 6.1.4 Referrals & State Development Assessment Provision

A review of the DA mapping system indicates that the site is subject to the following matters of interests:

- Coastal Protection (Coastal Management District; Erosion Prone Area; and Medium and High Storm Tide Inundation); and
- Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works)

In consultation with the *Planning Regulation 2016* and the above identified state matters of interest, the development triggers the following concurrency agency referrals:

1. State Assessment Referral Agency – Schedule 10, Part 17, Division 3, Table 1 Assessable Development Under s28; and
2. State Assessment Referral Agency – Schedule 10, Part 17, Division 3, Table 2 Assessable Development Under s28 in Tidal Waters.

In consultation with the *Planning Regulation 2016* and the above identified state matters of interest, the proposed development also triggers the following Advice Agency referrals:

1. The Queensland Fire and Emergency Service - Schedule 10, Part 17, Division 3, Table 4 Assessable Development Under s28 involving a Marina.

As a result, the following modules of the State Development Assessment Provisions (version 2.1) are applicable:

- State Code 8: Coastal Development and Tidal Works.

A full assessment against these modules is provided in **Attachment 6**.

#### 6.1.5 Coastal Protection and Management Regulation 2017

As was established in section 6.1.1.3, Douglas Shire Council is the Assessment Manager for the 'Prescribed Tidal Works' aspect of the proposed development. Earlier assessment and approvals have been provided for the 24 Marina Berths locating internally to Lot 4.

In accordance with Part 4, section 13 of the *Coastal Protection and Management Regulation 2017* and Schedule 10, Part 17, Division 2, Table 1, Item 2 of the PR, the Assessment Benchmarks for this aspect of the proposed development are contained in the 'Code for Assessable Development that is Prescribed Tidal Works'. An assessment against this Code is included in **Attachment 6**.



## 6.2 LOCAL PLANNING REQUIREMENTS

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### 6.2.1 Douglas Shire Planning Scheme

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#### 6.2.1.1 Use Definition

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The proposed development is defined under the Planning Scheme as a '**Marina**,' as is outlined below:

**'Marina':**

*"Means premises used to moor or store marine vessels (including power driven, yachts and fishing vessels) on, or adjacent to the water. The use may include ancillary facilities for the refuelling, servicing, repair, land storage and sale of marine craft and for the sale of related boating gear and equipment.*

*The use includes:*

- slipway;
- marine infrastructure;
- offices and storerooms;
- laundry, toilet and shower facilities;
- general store not exceeding 250m<sup>2</sup>;
- marine retail, including dive stores;
- marine related tourism activities;
- ancillary marina facilities used in connection with the marina;
- sale of freshly caught seafood produce from marine vessels (specifically the vessel the seafood was caught from)".

#### 6.2.1.2 Categories of Assessment

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As was outlined in section 6.1.1.2 of this report, the proposed development is Assessable Development. Determination of the Category of Assessment is through sequential consideration of zoning, local plans (where applicable) and overlays (where applicable). The resulting highest Category of Assessment will apply.

In this instance, there are no local plans or overlays which override the level of assessment in the Port Douglas Waterfront – North and Port Douglas Waterfront – South Planning Areas. Accordingly, the Material Change of Use component of the proposed development is **Impact Assessable**, while the Operational Works aspects are **Code Assessable**, as is outlined in the relevant Tables of Assessment and the *Planning Act 2016* and *Planning Regulation 2016*.

#### 6.2.1.3 Statutory Considerations for Assessable Development

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When assessing the application, the relevant considerations of the Assessment Manager in making the decision are Sections 45, 59, 60, and 62 of the *Planning Act 2016*.

#### 6.2.1.4 Applicable Overlays

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The site is affected by the following Planning Scheme Overlays:

1. Acid Sulfate Soils (Land below 20m AHD);
2. Natural Hazards (Bushfire Hazard (Low); and
3. Pedestrian & Cycle Movement Overlay (Principle Pedestrian Route and Future Principle Pedestrian Route).



### 6.2.1.5 Applicable Development Codes

The proposed development is subject to assessment against the following relevant Planning Scheme Codes:

Scheme Component	Comment
<b>Locality Code</b>	
Port Douglas and Environs Locality Code	Refer to <b>Attachment 7</b> and section 6.2.2.2.
<b>Planning Area Code</b>	
<ul style="list-style-type: none"><li>Port Douglas Waterfront – North Code; and</li><li>Port Douglas Waterfront – South Code</li></ul>	Refer to <b>Attachment 7</b> and section 6.2.2.3 and 6.2.2.4.
<b>Overlay Codes</b>	
<ul style="list-style-type: none"><li>Acid Sulfate Soils Overlay Code; and</li><li>Natural Hazards Overlay Code</li></ul>	Refer to <b>Attachment 7</b> and section 6.2.2.5.
<b>Development Codes</b>	
<ul style="list-style-type: none"><li>Design and Siting of Advertising Devices Code;</li><li>Filling and Excavation Code;</li><li>Landscaping Code;</li><li>Natural Areas and Scenic Amenity Code;</li><li>Sustainable Development Code; and</li><li>Vehicle Parking and Access Code</li></ul>	Refer to <b>Attachment 7</b> and section 6.2.2.6.

### 6.2.2 Planning Scheme Assessment

Through assessment of the applicable statutory documents that regulate the development of the site, it is understood that the Planning Scheme encourages the use of the site for a “Marina” and associated marine related infrastructure, such as is being proposed.

In addition to this, the proposed development needs to be considered and assessed on its merits, in the context of the site, adjoining neighbours, the pattern of existing and approved urban development, and the design arrangements proposed. Based on this, Urban Sync undertook a full assessment of the proposed development against the applicable aspects of the Planning Scheme and this assessment is included in **Attachment 7**.

The outcomes of this assessment have established that the proposed development is entirely consistent and complies with, or can be conditioned to comply with the Planning Scheme. The following sections of this report, as well as the Code assessment included in **Attachment 7** demonstrate this compliance.

#### 6.2.2.1 Strategic Framework

The proposed development does not conflict with, nor comprise the achievement of any of the Shire wide, strategic outcomes.



### 6.2.2.2 Port Douglas and Environs Locality Code

---

The proposed development demonstrates effective compliance with the overall outcomes and the purpose of the Port Douglas and Environs Locality Code.

### 6.2.2.3 Port Douglas Waterfront – North Planning Areas Code

---

The proposed development demonstrates effective compliance with the overall outcomes and the purpose of the Port Douglas Waterfront – North Planning Area Code.

### 6.2.2.4 Port Douglas Waterfront – South Planning Area Code

---

The proposed development demonstrates effective compliance with the overall outcomes and the purpose of the Port Douglas Waterfront – South Planning Area Code.

### 6.2.2.5 Overlay Codes

---

#### ***Acid Sulfate Soils Overlay Code***

The proposed development does not seek to complete excavation that would give rise to sensational risk from acid Sulphate Soils being satanically less and 50m<sup>3</sup> and can be conditioned to comply with the Acid Sulfate Soils Overlay Code.

#### ***Natural Hazards Overlay Code***

It is intended that the berthing facilities improve existing safety for the users of the Port Douglas Commercial Fishers Association. There will not be permanent habitation within the building or facilities and the proposed development complies with the Natural Hazards Overlay Code.

### 6.2.2.6 Development Codes

---

#### ***Design and Siting of Advertising Devices Code***

The development demonstrates effective compliance with the overall outcomes and the purpose of the Design and Siting of Advertising Devices Code. There are currently NO advertising devices anticipated as part of development works and lighting of the amenities building will be to regular building requirements.

#### ***Filling and Excavation Code;***

The proposed development demonstrates effective compliance with the overall outcomes and the purpose of the Filling and Excavation Code. This project seeks to establish a building with suitable immunity for community purposes. We are requesting that Council supports a reasonable level of immunity in the order of 3.2 – 3.3 metres AHD

#### ***Landscaping Code***

The proposed development can be conditioned to comply with the Landscaping Code.

#### ***Natural Areas and Scenic Amenity Code***

The proposed development demonstrates effective compliance with the overall outcomes and the purpose of the Natural Areas and Scenic Amenity Code.



### ***Sustainable Development Code***

No code assessment against the Sustainable Development Code has been undertaken as we consider that majority of the code has been superseded by building requirements. We also do not consider the criteria of the code to be applicable to berthing facility and amenities building (15m<sup>2</sup>), namely due to its small scale and temporary nature. Should there be any specific aspects of the Code that Council wish to ensure compliance with, Council can condition these accordingly.

### ***Parking and Access Code***

The proposed development can be conditioned to comply with the Parking and Access Code.



## 7 CONCLUSION

This Town Planning Report describes the project, supporting technical material prepared on behalf of Crystalbrook Superyacht Marina, Port Douglas Pty Ltd requesting the requisite statutory development approvals from Douglas Shire Council to establish and commence construction of a mooring facility, amenities building, wash bay and the associated civil works over part of Lot 4 on SP288958 and part of Lot 96 on SP134234 at Wharf Street, Port Douglas.

Accordingly, this application has provided a description of the development and seeks the following approvals from Council:

- **Development Permit for a Material Change of Use (Marina);**
- **Development Permit for Operational Works (Prescribed Tidal Works); and**

This report has described the site and proposed development, identified the applicable statutory and legislative requirements of Douglas Shire Council under their Planning Scheme as well as at the State level under the *Planning Act 2016*. Under this framework, the establishment of a 'Marina' and associated marine related infrastructure, such as is being proposed as part of this application, is encouraged.

The design arrangements submitted to Council have ensured all the requirements from the Deed of Agreement have been met to the satisfaction of signatories and carefully contemplated the potential impacts of the proposed development. Given the nature of the proposed development, impacts are minimal, and this has been reinforced through Urban Sync's assessment which has affirmed that the land use is compliant with the Planning Scheme.

Accordingly, the proposed development maybe supported by Council for approval on the following grounds:

- It does not conflict with nor compromise any of the relevant State planning instruments;
- It does not conflict with the *Douglas Shire Planning Scheme* and will support the community use of these facilities;
- It is simply seeking the relocation of the Port Douglas Commercial Fisherman in accordance with the Deed of Agreement between the three parties onto a 'new' site which requires the statutory approvals to proceed to construction;
- It can be connected to all existing urban infrastructure and services;
- Will not result in any negative environmental impacts that have not previously been considered, addressed under existing Environmental Authority etc;
- It provides a built form that does not offend the characteristics or character of the locality;



**ATTACHMENT 1:  
LODGEMENT MATERIAL**





25 October 2017

Mr Stuart Ricketts  
Director – Senior Planner  
UrbanSync  
PO Box 2970  
CAIRNS QLD 4870

Dear Stuart

**RE: Lot 96 on SP134243  
Wharf Street, Port Douglas  
Owner's Consent**

Douglas Shire Council is trustee to Lot 96 SP134234. The purpose of the land is Parks and Recreation. The proposed toilet block sits within the Parks and Recreation definition the construction of the toilet block does not require DNRM approval. This is only required if the use of the land is outside the designated purpose, then this would trigger the development of a Land Management Plan that would require DNRM approval.

Laundry, toilet and shower facilities are also within the definition of Marina under the Douglas Shire Planning Scheme 2006. Council understands that the GA Group (Australia) Pty Ltd is lodging a Combined Development application over Lot 96 SP134234 for:

- Development Permit for a Material Change of Use (Marina)
- Development Permit for Operational Works (Prescribed Tidal Works)
- Development Permit for Operational Works (Civil Works) over part of Lot 20 on SP212664.

Douglas Shire Council hereby provides its consent to the making of a development application over land described as Lot 96 SP134234, for the GA Group (Australia) Pty Ltd.

Signed *30<sup>th</sup>* day of *November* 2017.



Linda Cardew  
Chief Executive Officer  
Douglas Shire Council



Department of  
**Natural Resources and Mines**

Author: Graeme Geisler  
File number: 2017/005731  
Directorate / Unit: State Land Asset Management  
Phone: (07) 4741 1657

29 November 2017

Attn: Stuart Ricketts  
Urban Sync Pty Ltd  
PO Box 2970  
Cairns QLD 4870

By email: [stuart@urbansync.com.au](mailto:stuart@urbansync.com.au)

Dear Stuart

Reference is made to the request for owners consent required to accompany the development application for material change of use and operational works including tidal on part of Lot 4 on Survey Plan 288958, Port Douglas Marina, off Wharf Street, Port Douglas for the purposes of development of a mooring facility and ancillary supporting infrastructure.

The department hereby gives owner's consent to the above development application for material change of use and operational works on part of Lot 4 on Survey Plan 288958, Port Douglas Marina, off Wharf Street, Port Douglas for the purposes of development of a mooring facility and ancillary supporting infrastructure.

Although owners consent for the development application has been provided, your client is always required to comply with the purpose, terms and conditions Term Lease 239913 over Lot 4 on Survey Plan 288958 and undertake works only if and when the development application has been approved by the assessment manager, and in accordance with the conditions of that approval.

A copy of this letter is to be attached to your DA Form 1 as the required evidence of owners consent.

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 *Planning Act 2016* e.g. a marine park permit if in a marine park.

Further, please note that the above consent will expire on 29 May 2018. Should the development application not be lodged with the assessment manager prior to this date, your client will be required again to lodge the DA 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 the *Planning Act 2016* 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 the *Planning Act 2016*.

Accordingly, the State may act at a later date as assessment manager or referral agency in the assessment of the development application - providing owners consent will not influence any role the State may have in this development 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](mailto: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 2017/005731 in any future correspondence.

Yours sincerely



Deanna Holder  
Senior Land Officer  
A duly authorised delegate of the Minister  
under the current Land Act (Ministerial) Delegation

**ATTACHMENT 2:  
PLANS OF DEVELOPMENT**



**GENERAL NOTES:**

- 1.0 ALL DIMENSIONS AND LEVELS ARE TO BE VERIFIED ON SITE.
- 2.0 WHEN IN DOUBT 'ASK' DO NOT SCALE.
- 3.0 ALL DIMENSIONS ARE SHOWN IN MILLIMETRES U.N.O.
- 4.0 ALL LEVELS ARE SHOWN IN METRES AND ARE REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT). (AHD IS +1.584 ABOVE LAT.)
- 5.0 PILES
  - TOLERANCE FOR DRIVING IN PLAN +/- 50 mm, MEASURED AS THE WORST COMBINATION OF PLAN DEVIATION AND OUT OF PLUMB OVER FULL TIDAL RANGE. VERTICAL = 1 IN 150 MAX OUT OF PLUMB.
  - CONTRACTOR TO ADVISE ENGINEER IF BED LEVEL DIFFERS FROM DESIGN LEVEL BY MORE THAN 300mm.
- 6.0 PONTOON DIMENSIONS ARE NOMINAL
  - DIMENSIONS ARE MEASURED TIMBER TO TIMBER
- 7.0 PONTOONS ARE TO BE CONNECTED TOGETHER WITH TIMBER WALERS.
- 8.0 ALL THRU-RODS ARE TO BE M20 NOMINAL FRP RODS U.N.O. SPACING TO VARY WITH LOCATION.
- 9.0 ALL TIMBER DESIGN AND CONSTRUCTION TO BE IN ACCORDANCE WITH AS 1720.1
  - WALER SIZES
    - 2/50 x 200 GRADE F17 HARDWOOD PLUS
    - 40 x 200 F8 SOFTWOOD COVERBOARD
  - ALL TIMBER TO BE SEASONED AND TREATED IN ACCORDANCE WITH AS 1604.
  - STRUCTURAL TIMBER MUST NOT BE CUT OR DRILLED FOR ANY REASON OTHER THAN SHOWN ON THESE DRAWINGS.
- 10.0 ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD OR 6mm FILLET WELD AS REQUIRED U.N.O.
- 11.0 ALL ALUMINIUM WORK TO BE IN ACCORDANCE WITH AS 1664.
  - ALL EXTRUSIONS TO BE TYPE 6061-T6 OR 6082-T5 U.N.O.
  - PLATES TO BE TYPE 5083 TEMPER H321.
  - ALL WELDS SHALL BE INERT GAS WELD USING PULSE M.I.G. OR T.I.G. FUSION WELDING PROCESS.
  - ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
  - ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD
- 12.0 ALL STEEL AND ALUMINIUM WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
- 13.0 PILE GUIDE BLOCKS ARE TO BE ADJUSTED AS REQUIRED TO SUIT PILE SIZE AND POSITION ON SITE.
  - CLEARANCE MUST BE PROVIDED BETWEEN PILE AND GUIDE TO PREVENT "HANGING" OF PONTOON UNDER FULL TIDAL RANGE.

- 14.0 CONCRETE
  - ALL CONCRETE WORKS SHALL BE IN ACCORDANCE WITH AS 3600
  - MINIMUM CONCRETE STRENGTH  $f'c = 50MPa$
  - ALL STEEL REINFORCEMENT TO BE HOT DIP GALVANIZED

15.0 WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586.

16.0 INSULATION

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

17.0 DESIGN PARAMETERS

- WIND
  - BASIC WIND SPEED  $V_u = 69.3m/s$
  - TERRAIN CATEGORY TC2
  - GUST DURATION = 30sec
- WAVE
  - WIND GENERATED WAVE
    - $H_s = 0.75m$   $T = 2.1/s$  (FOR OUTER ARM)
    - $H_s = 0.3m$   $T = 2.1/s$  (FOR INNER ARM)
  - BOAT WAKE
    - $H_{max} = 0.6m$

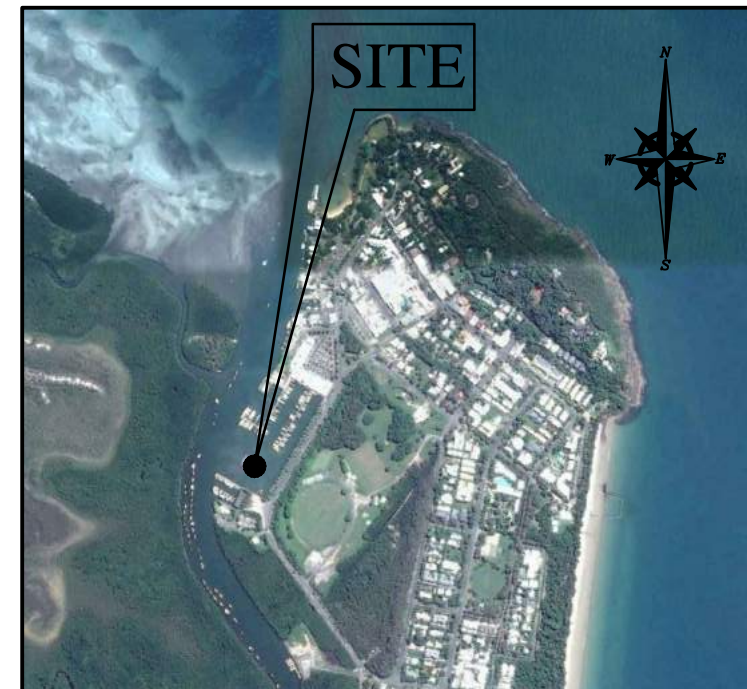
- BERTHING IMPACT
  - APPROACHING VELOCITY
    - $v = 0.3m/s$   $LOA \leq 25m$
    - $v = 0.2m/s$   $LOA > 25m$

- LIVE LOAD ON PONTOONS
  - MAX. UNIFORMLY DISTRIBUTED LOAD 3 kPa
  - FREEBOARD UNDER DEAD LOAD 400 ±25mm

DESIGN VESSELS (MAX.)

VESSEL LENGTH (m)	WIND PROFILE AREA (m <sup>2</sup> )		DISPLACEMENT (t)
	BEAM	HEAD	
12	29.0	11.0	8.6
15	45.0	18.0	13.5

- 18.0 THE PROPOSED PONTOON COMPLIES WITH THE GUIDELINES IN AS3962-2001 "GUIDELINES FOR DESIGN OF MARINAS".
- 19.0 THE WORKS WILL BE STRUCTURALLY ADEQUATE FOR ANTICIPATED USAGE.
- 20.0 THE WORKS COMPLY WITH ALL RELEVANT CODES - INCLUDING THE DEHP'S OPERATIONAL POLICY, BUILDING AND ENGINEERING STANDARDS FOR TIDAL WORKS.



**LOCALITY PLAN**  
SCALE : N.T.S.

LOT 146  
SR861  
IS221802  
PARISH : SALISBURY  
COUNTY : SOLANDER  
TOWN : PORT DOUGLAS  
LOCAL GOVERNMENT : DOUGLAS SHIRE COUNCIL

**FOR APPROVAL**

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

A 21/09/17 PROJECT TITLE REVISED

Revisions

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**International Marina Consultants**

Consultants to the Marina Industry.

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

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

CLIENT:

THE REEF MARINA PTY. LTD.

PROJECT:

THE REEF MARINA  
ARM B EXTENSION AND  
FISHERMANS FACILITIES

TITLE:

GENERAL NOTES &  
LOCALITY PLAN

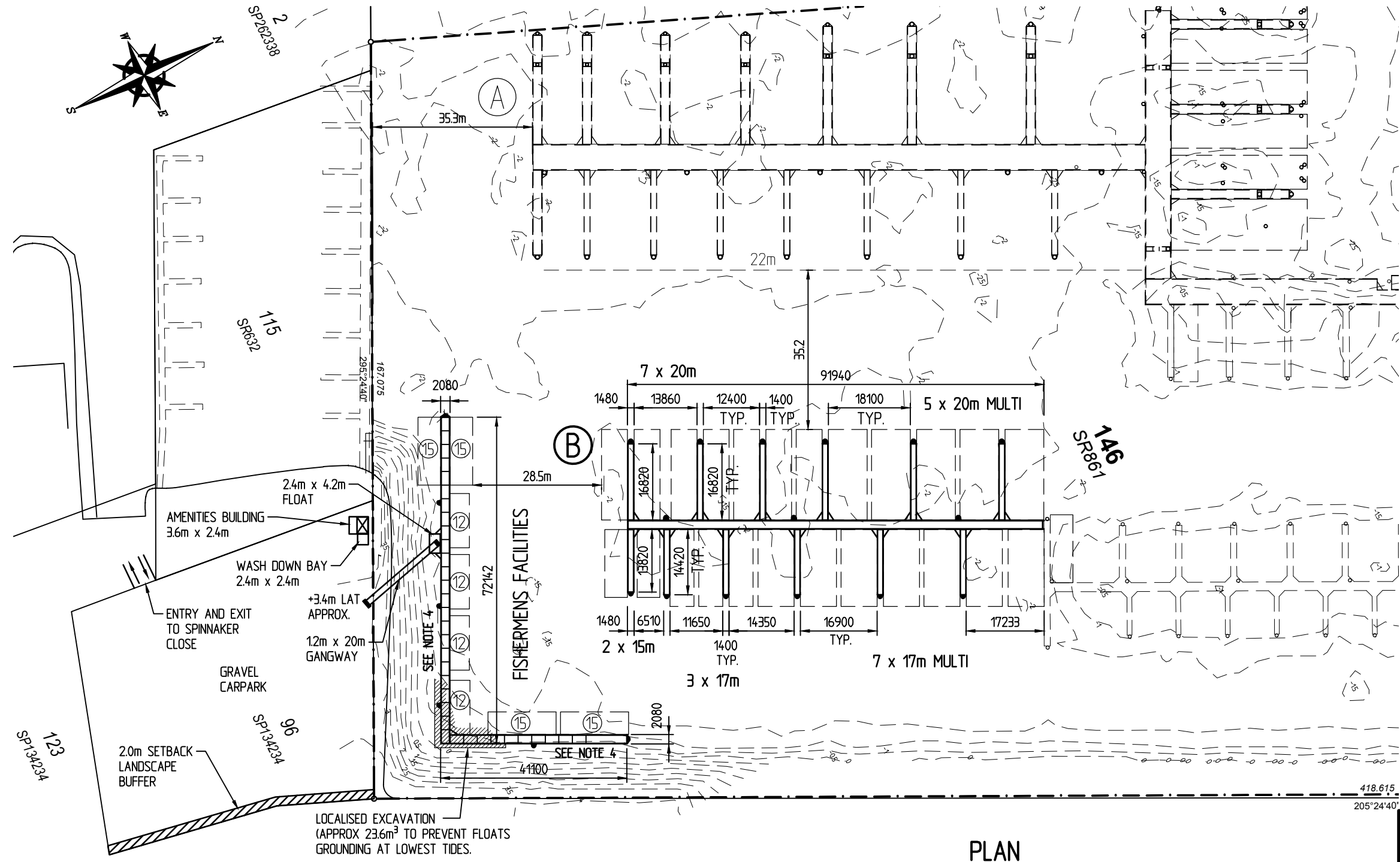
Date: 14/09/2017

Drawing No.: 5307-100/A

Scale: NIL

Drawn By: T.J.S. Designed By:

Approved By:



- NOTES:**
1. FOR GENERAL NOTES REFER TO DRAWING No. 5307-100.
  2. ON SHORE LAYOUT AND WATER LEASE BOUNDARY ARE BASED ON RPS DRAWING No. PR122724-1. DRAWING FILE : PR122724-1.DWG
  3. HYDROGRAPHIC INFORMATION IS BASED ON RPS HYDROGRAPHIC DRAWING No. PR137686-3. DRAWING FILE : PR137686-3.DWG
  4. PONTOON LOCATED AWAY FROM REVETMENT TO PROVIDE AT LEAST 3 METRES BETWEEN THE INSIDE FACE OF THE PONTOON AND THE TOE OF THE ROCK WALL AT LOW WATER MARK.

- LEGEND:**
- RP BOUNDARY
  - ... EXISTING MARINA

**PLAN**  
 0 10 20 30 40 50m  
 SCALE 1 : 1000 (A3)

**FOR APPROVAL**

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

**International Marina Consultants**  
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 Phone (07)38925711  
 Fax (07)38925611  
 Email : imc@imc-marinas.com

Client:  
**THE REEF MARINA PTY. LTD.**

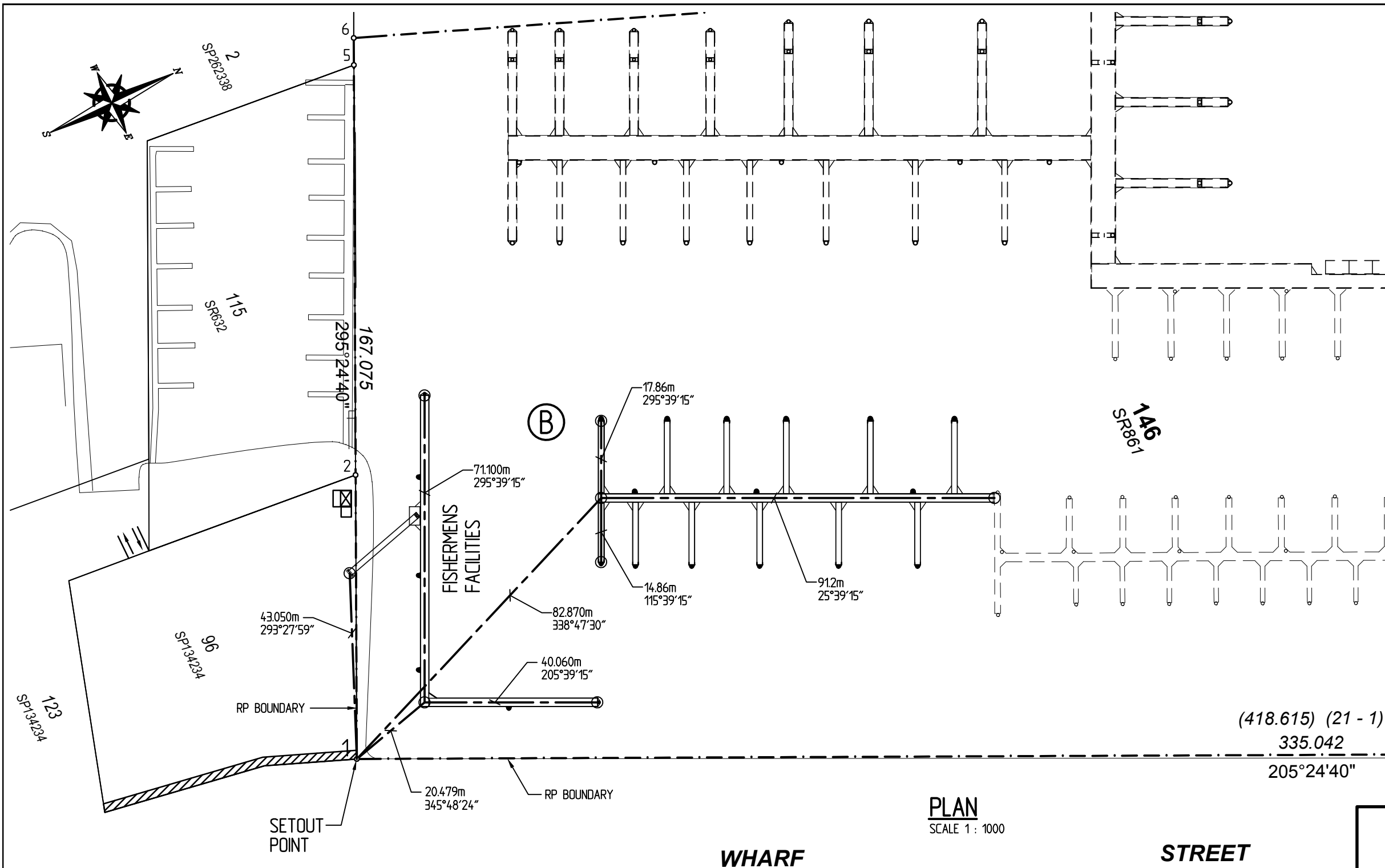
Project:  
**THE REEF MARINA  
 ARM B EXTENSION AND FISHERMANS FACILITIES**

Title:  
**GENERAL ARRANGEMENT**

Revision:  
 A 21/09/17 STAGE 2 MARINA ADDED

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Date: 14/09/2017  
 Drawing No.: 5307-101/A  
 Scale: AS SHOWN  
 Drawn By: T.J.S.  
 Designed By:  
 Approved By:



**NOTES:**

1. FOR GENERAL NOTES REFER TO DRAWING No. 5307-100.

**LEGEND:**

- RP BOUNDARY
- ..... EXISTING MARINA

(418.615) (21 - 1)  
335.042  
205°24'40"

**PLAN**  
SCALE 1 : 1000

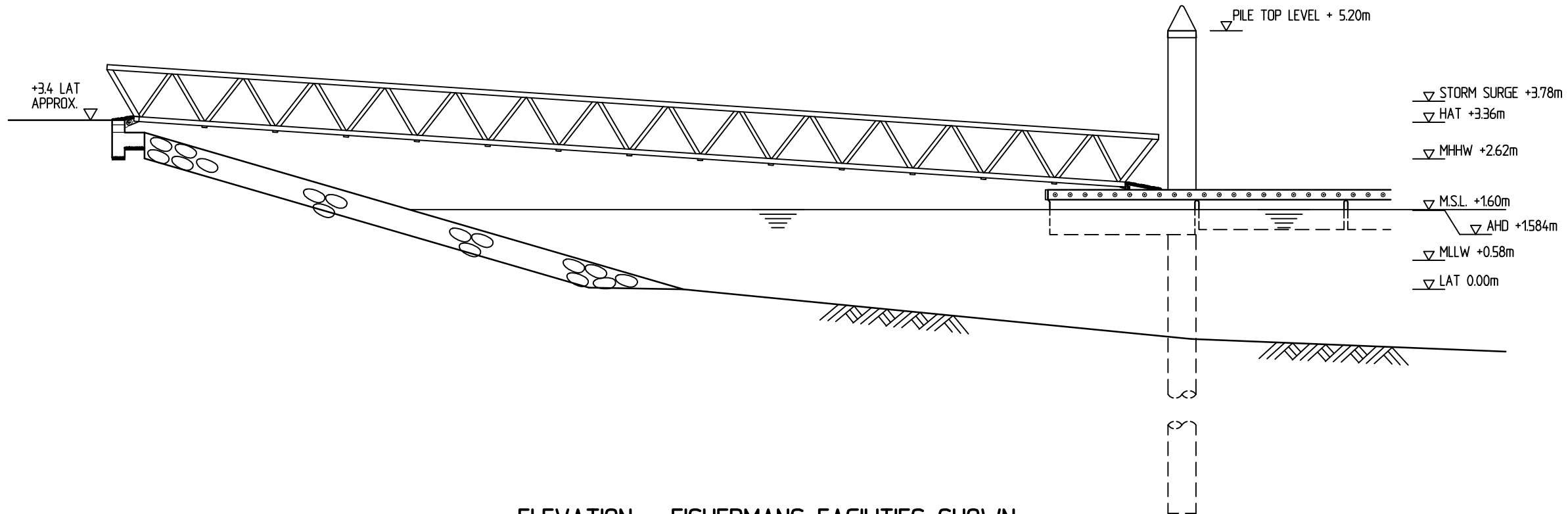
**FOR APPROVAL**

**J. M. LEMAN**  
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<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone (07)38925711 Fax (07)38925611 Email : imc@imc-marinas.com</p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>MARINA SETOUT</b></p>	<p>Revision: A 21/09/17 ARM B SETOUT ADDED</p>	<p>Date: 14/09/2017</p>
	<p>Project: <b>THE REEF MARINA ARM B EXTENSION AND FISHERMANS FACILITIES</b></p>			<p>Drawing No.: 53307-102/A</p>
				<p>Scale: AS SHOWN</p>
				<p>Drawn By: T.J.S.</p>
				<p>Designed By:</p>
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**NOTES:**

1. FOR GENERAL NOTES REFER TO DRAWING No. 5307-100.
2. ALL LEVELS ARE SHOWN IN METRES AND ARE REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT). (AHD IS +1584 ABOVE LAT.)



**ELEVATION - FISHERMANS FACILITIES SHOWN**

SCALE 1 : 100

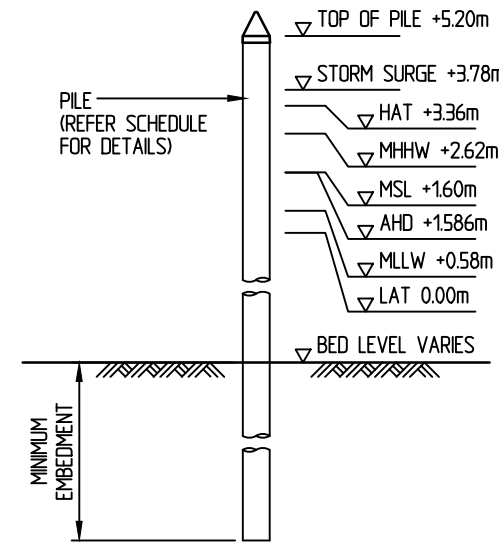
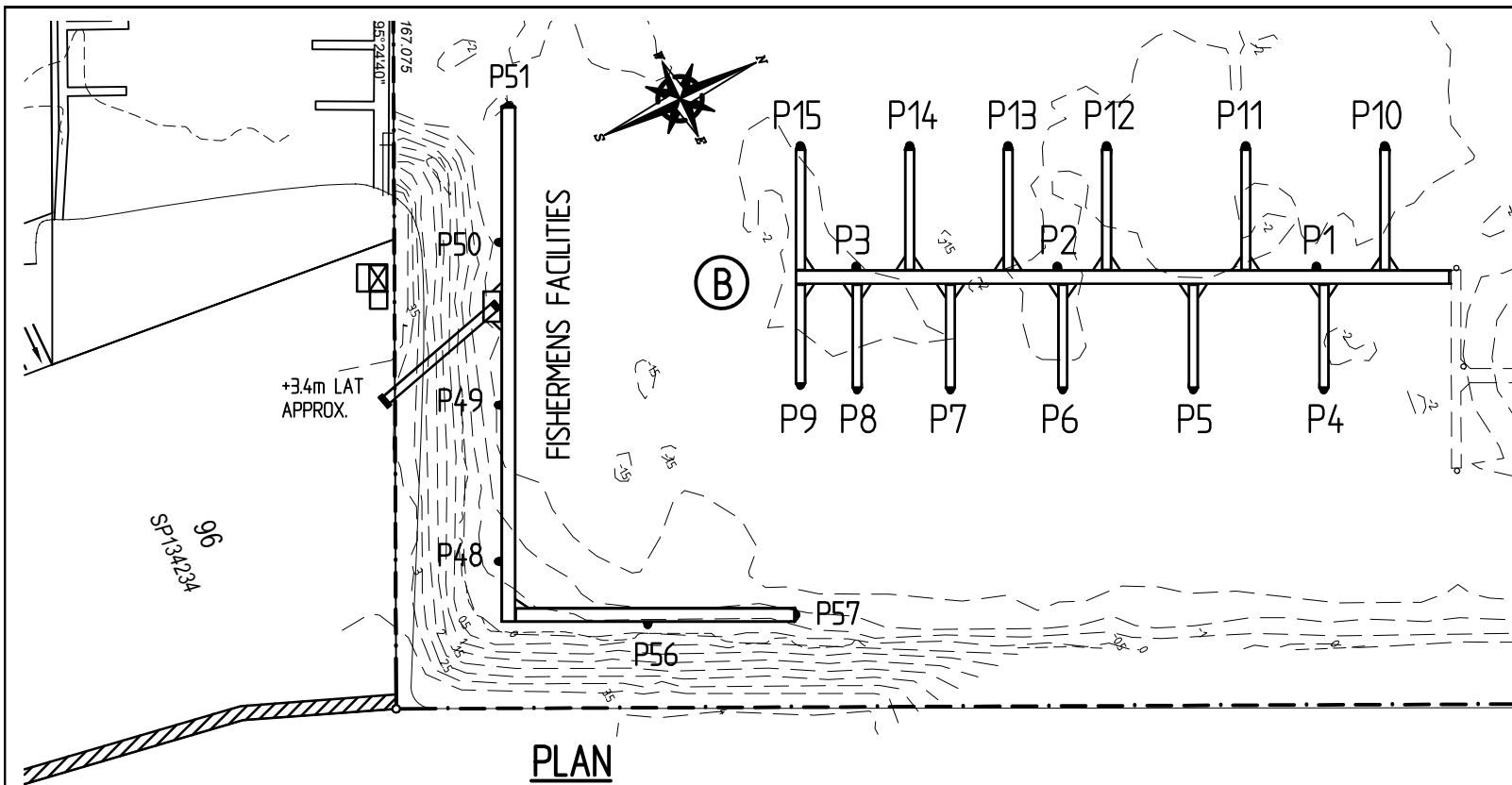
**FOR APPROVAL**

**J. M. LEMAN**

REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938

<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone (07)38925711 Fax (07)38925611 Email : imc@imc-marinas.com</p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>ELEVATION</b></p>	<p>Revision: A 21/09/17 PROJECT TITLE REVISED</p>	<p>Date: 14/09/2017</p>
	<p>Project: <b>THE REEF MARINA ARM B EXTENSION AND FISHERMANS FACILITIES</b></p>		<p>This plan is copyright and cannot be used or reproduced without the written permission of International Marina Consultants</p>	<p>Drawing No.: 5307-103/A</p>
				<p>Scale: AS SHOWN</p>
				<p>Drawn By: T.J.S.</p>
				<p>Designed By:</p>
				<p>Approved By:</p>





**NOTES:**

1. FOR GENERAL NOTES REFER TO DRAWING No. 5307-100.
2. ALL LEVELS ARE SHOWN IN METRES AND ARE REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT). (AHD IS +1584 ABOVE LAT.)
3. HYDROGRAPHIC INFORMATION IS BASED ON GPS & HYDROGRAPHIC SERVICES DRAWING REFERENCE 1196-05. DRAWING FILE : 1196-05 The Reef Marina Post Dredge Survey.DWG
4. PILES
  - TOLERANCE FOR DRIVING IN PLAN +/- 50 mm, MEASURED AS THE WORST COMBINATION OF PLAN DEVIATION AND OUT OF PLUMB OVER FULL TIDAL RANGE. VERTICAL = 1 IN 150 MAX OUT OF PLUMB.
  - CONTRACTOR TO ADVISE ENGINEER IF BED LEVEL DIFFERS FROM DESIGN LEVEL BY MORE THAN 300mm.
5. ALL STEEL PILES SHALL BE CORROSION PROTECTED WITH HDPE SLEEVES, THE SLEEVE TO BE APPLIED FROM TOP OF PILE TO 15m BELOW BED LEVEL AND SEALED AT THE TOP AFTER INSTALLATION.

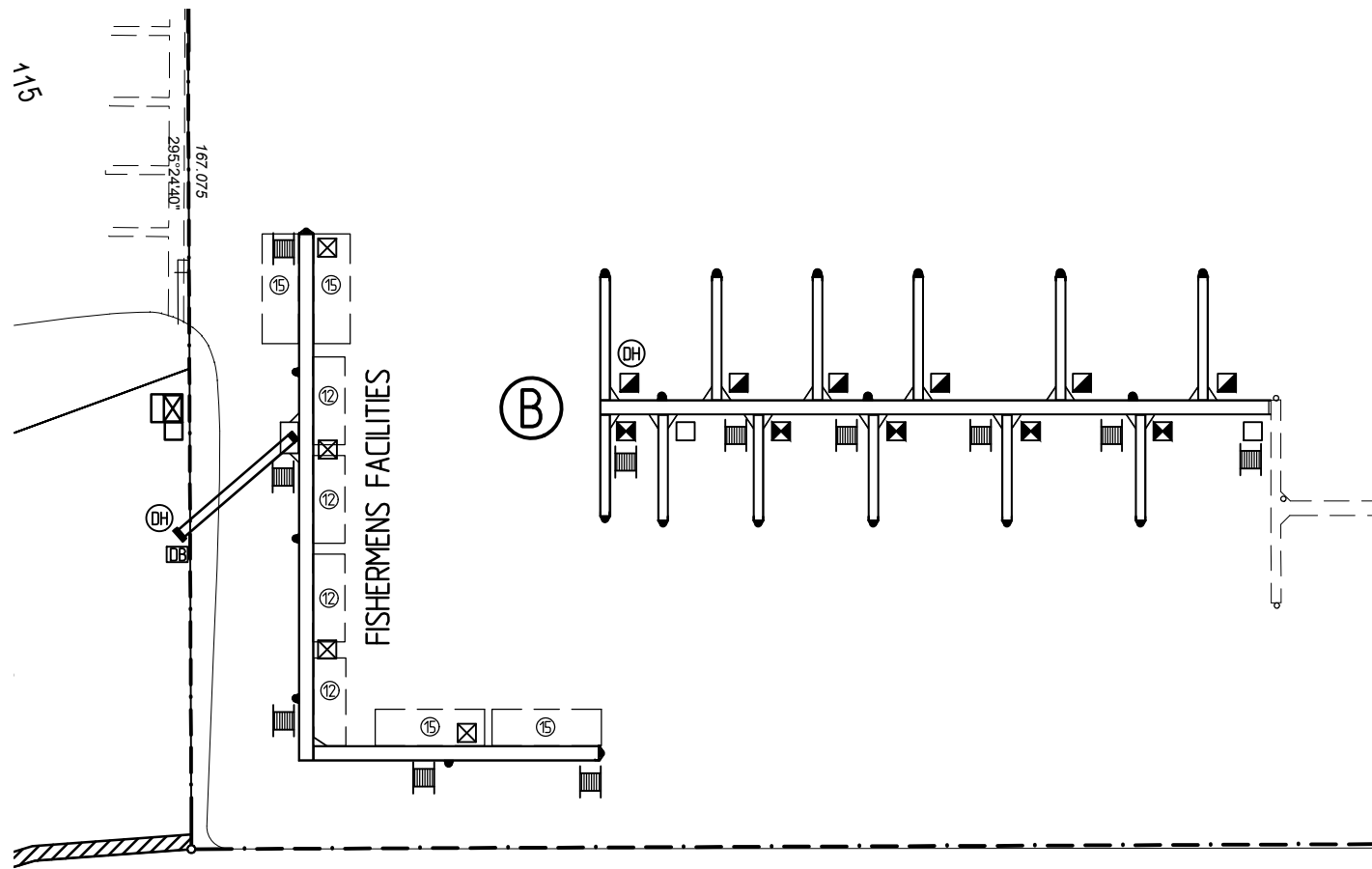
PILE SCHEDULE					
PILE No.	DESIGNED BED LEVEL (m LAT)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m LAT)	ESTIMATED PILE LENGTH (m)
P1	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	7.5	+5.2	15.0
P2	-2.3	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	7.5	+5.2	15.0
P3	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	7.5	+5.2	15.0
P4	-2.3	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	14.0
P5	-2.0	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	13.5
P6	-2.0	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	13.5
P7	-2.1	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	14.0
P8	-2.2	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	14.0
P9	-2.2	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.3	+5.2	14.0
P10	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.0
P11	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.0
P12	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.0
P13	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.0
P14	-2.2	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.0
P15	-2.3	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.6	+5.2	14.5

PILE SCHEDULE					
PILE No.	DESIGNED BED LEVEL (m LAT)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m LAT)	ESTIMATED PILE LENGTH (m)
P48	-2.0	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0
P49	-2.0	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0
P50	-2.1	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0
P51	-2.2	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0
P56	-2.0	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0
P57	-2.0	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	6.4	+5.2	14.0

**FOR APPROVAL**

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

<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone (07)38925711 Fax (07)38925611 Email : imc@imc-marinas.com</p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>PILE LAYOUT AND PROFILE</b></p>	<p>Revision: A 21/09/17 ARM B PILES ADDED</p>	<p>Date: 14/09/2017</p>
	<p>Project: <b>THE REEF MARINA ARM B EXTENSION AND FISHERMANS FACILITIES</b></p>	<p>Drawn By: T.J.S.</p>	<p>Approved By:</p>	<p>This plan is copyright and cannot be used or reproduced without the written permission of International Marina Consultants</p>



**PLAN**  
SCALE 1 : 1000

**NOTES:**

1. FOR GENERAL NOTES REFER TO DRAWING No. 5307-100.

**LEGEND:**

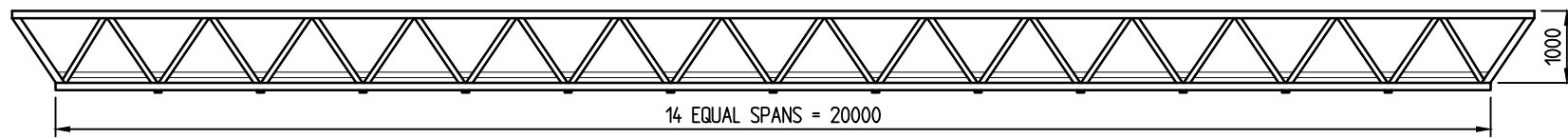
- ☒ SERVICE MODULE FITTED WITH:  
2 Nos. 15AMP (SINGLE PHASE) OUTLETS  
2 Nos. RCD/MCBs  
2 Nos. (kWh) POWER METERS  
2 Nos. 1/2" HOSE TAP (CHROME)  
1 No. FLURO LIGHT
- ☐ SERVICE MODULE FITTED WITH :  
2 Nos. 15AMP (SINGLE PHASE) OUTLETS  
2 Nos. RCD/MCBs  
1 No. (kWh) METER  
1 No. 1/2" HOSE TAP (CHROME)  
1 No. FLURO LIGHT
- ☒ SERVICE MODULE FITTED WITH :  
4 Nos. 15AMP (SINGLE PHASE) OUTLETS  
4 Nos. RCD/MCBs  
2 Nos. (kWh) METERS  
1 No. 1/2" HOSE TAP (CHROME)  
1 No. FLURO LIGHT
- ☒ SERVICE MODULE FITTED WITH :  
2 Nos. 32AMP (THREE PHASE) OUTLETS  
4 Nos. 15AMP (SINGLE PHASE) OUTLETS  
6 Nos. RCD/MCBs  
2 Nos. (kWh) METERS  
1 No. 1/2" HOSE TAP (CHROME)  
1 No. FLURO LIGHT
- 🔥 FIRE HOSE REEL WITH MANUAL CALL POINT AND 9kg DRY CHEMICAL EXTINGUISHER WITH MINIMUM RATING RATING OF 2A80BE
- DB DISTRIBUTION BOX
- DH TWIN HEAD FIRE HYDRANT

**FOR APPROVAL**

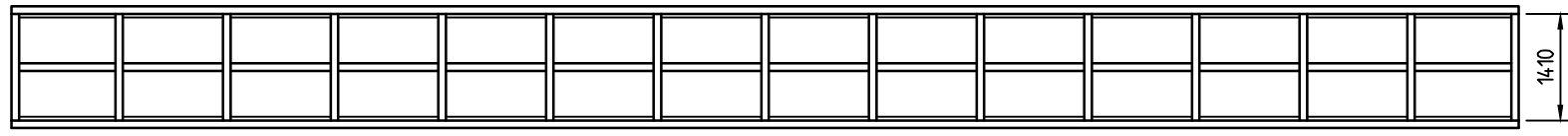
**J. M. LEMAN**  
REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938

<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone (07)38925711 Fax (07)38925611 Email : imc@imc-marinas.com</p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>SERVICES LAYOUT</b></p>	<p>Revision: A 21/09/17 ARM B SERVICES ADDED</p>	<p>Date: 14/09/2017</p>
	<p>Project: <b>THE REEF MARINA ARM B EXTENSION AND FISHERMANS FACILITIES</b></p>		<p>Drawn By: T.J.S.</p>	<p>Designed By:</p>

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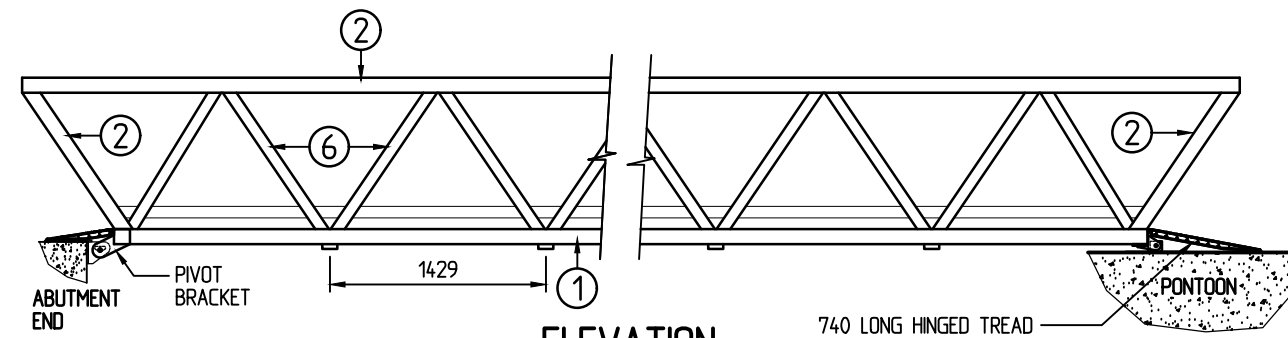
ELEVATION



PLAN

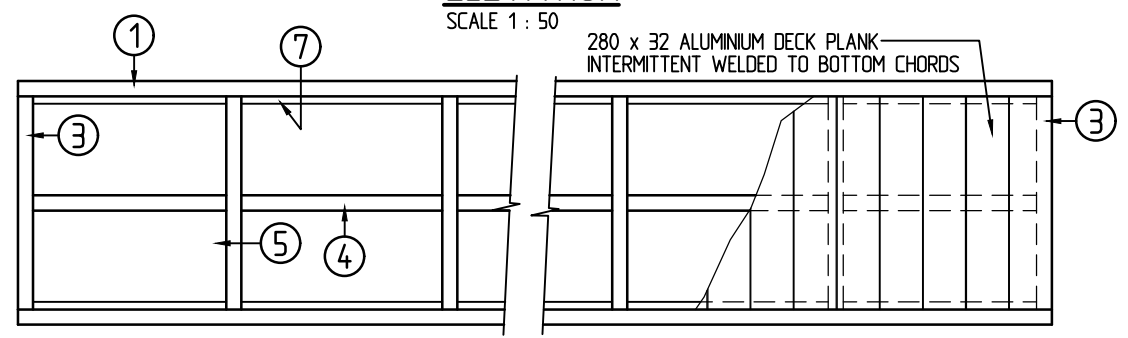
**GENERAL ARRANGEMENT**

SCALE 1 : 100



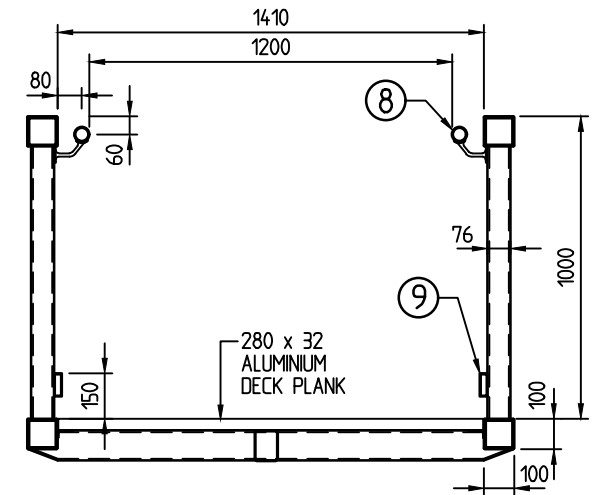
ELEVATION

SCALE 1 : 50



PLAN VIEW BOTTOM CHORD

SCALE 1 : 50



TYPICAL SECTION

SCALE 1 : 25

**NOTES:**

1. ALL DIMENSIONS ARE IN MILLIMETRES.
2. ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH AS1664.
3. ALUMINIUM STRUCTURAL EXTRUSIONS SHALL BE 6061-T6, 6082-T5 OR 6005A-T5 U.N.O. HANDRAILS, KICKRAILS AND DECK PLANK SUPPORTING ANGLES CAN BE GRADE 6060-T5.
4. ALUMINIUM PLATES SHALL BE TYPE 5083 TEMPER H321.
5. ALL WELDS SHALL BE INERT GAS WELD USING PULSE M.I.G. OR T.I.G. FUSION WELDING PROCESS.
6. ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
7. ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD.
8. DESIGN LIVE LOADS  
 UDL 4.0kPa  
 CONCENTRATED LOAD 4.5kN  
 HANDRAIL 0.75kN/m
9. SPLICE JOINT IN TOP CHORD TO BE LOCATED OUTSIDE THE CENTRAL 6m.
10. WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586.

ITEM	DESCRIPTION
1	SHS 100 x 100 x 6
2	SHS 100 x 100 x 6
3	SHS 100 x 100 x 6
4	RHS 101.6 x 76.2 x 2.35
5	SHS 100 x 100 x 6
6	SHS 76 x 76 x 6
7	ANGLE 50 x 25 x 3
8	CHS 50 x 3
9	RHS 76.2 x 25.4 x 2.36

A 21/09/17 PROJECT TITLE REVISED

Revisions

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**International Marina Consultants**

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Email : imc@imc-marinas.com

CLIENT:  
**THE REEF MARINA PTY. LTD.**

PROJECT:  
**THE REEF MARINA  
ARM B EXTENSION AND  
FISHERMANS FACILITIES**

TITLE:  
**1.2m CLEAR WIDTH x  
20m LONG HINGED ALUMINIUM  
GANGWAY**

Date: 14/09/2017

Drawing No.: 5307-106/A

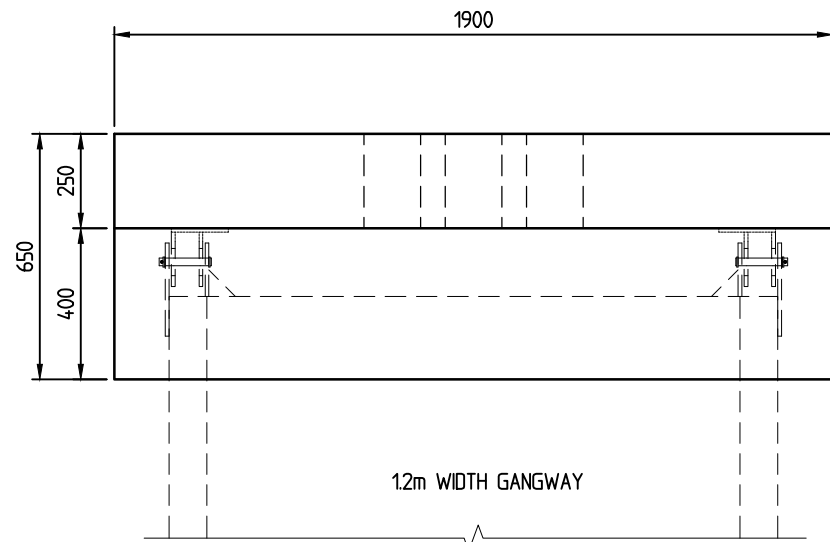
Scale: AS SHOWN

Drawn By: T.J.S. Designed By:

Approved By:

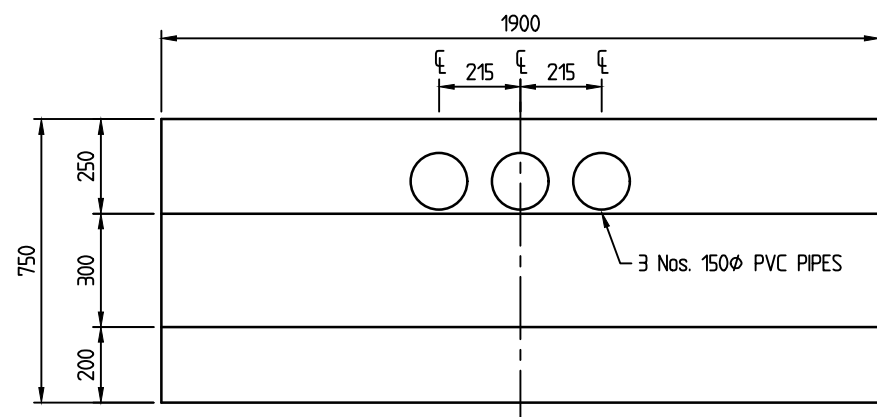
**FOR APPROVAL**

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



**PLAN**

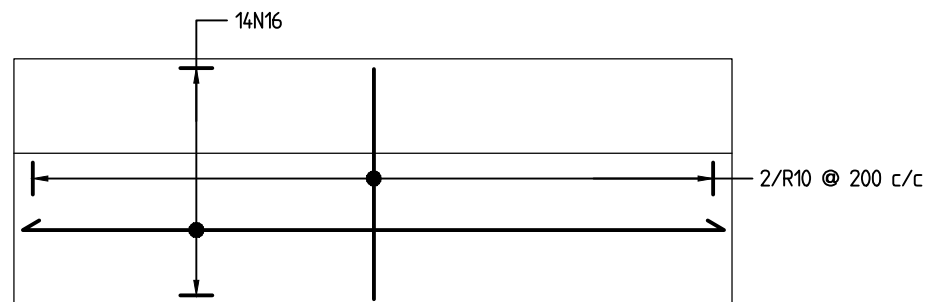
SCALE 1 : 20



(GANGWAY NOT SHOWN FOR CLARITY)

**ELEVATION**

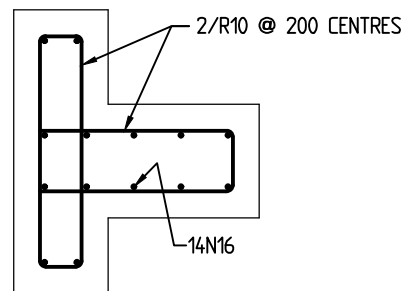
SCALE 1 : 20



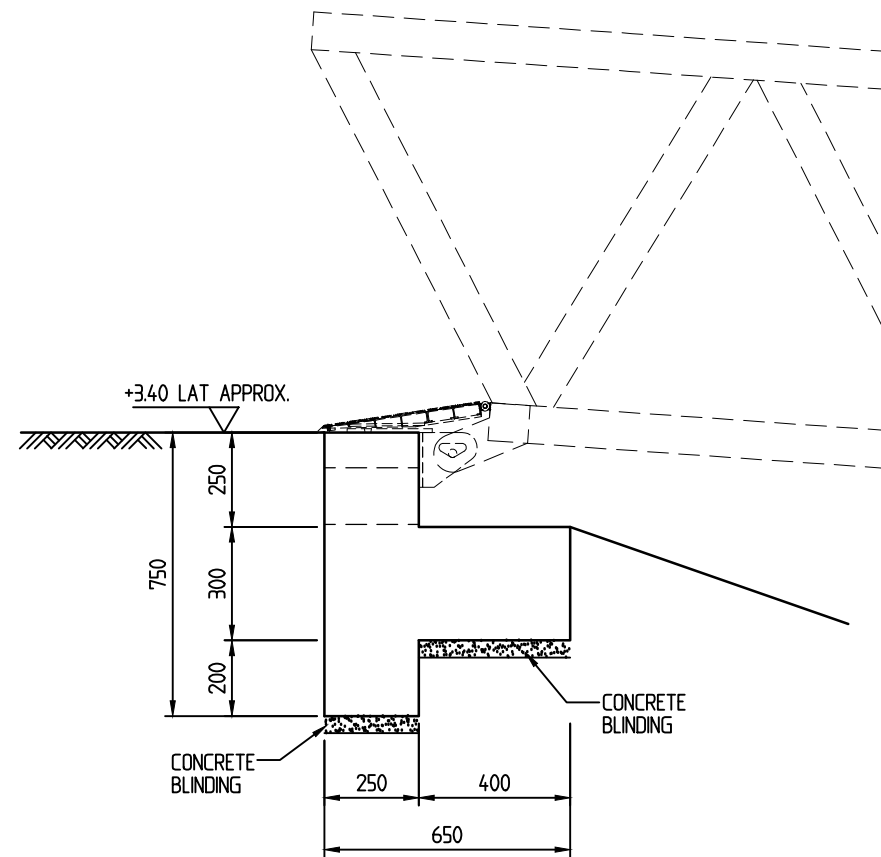
**PLAN**

**REINFORCEMENT DETAILS**

SCALE 1 : 20



**TYPICAL SECTION**



**ELEVATION**

SCALE 1 : 20

**NOTES:**

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

**J. M. LEMAN**

REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938

**FOR APPROVAL**

A 21/09/17 PROJECT TITLE REVISED

Revisions

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Email : imc@imc-marinas.com

CLIENT:

**THE REEF MARINA PTY. LTD.**

PROJECT:

**THE REEF MARINA  
ARM B EXTENSION AND  
FISHERMANS FACILITIES**

TITLE:

**CONCRETE ABUTMENT  
DETAILS**

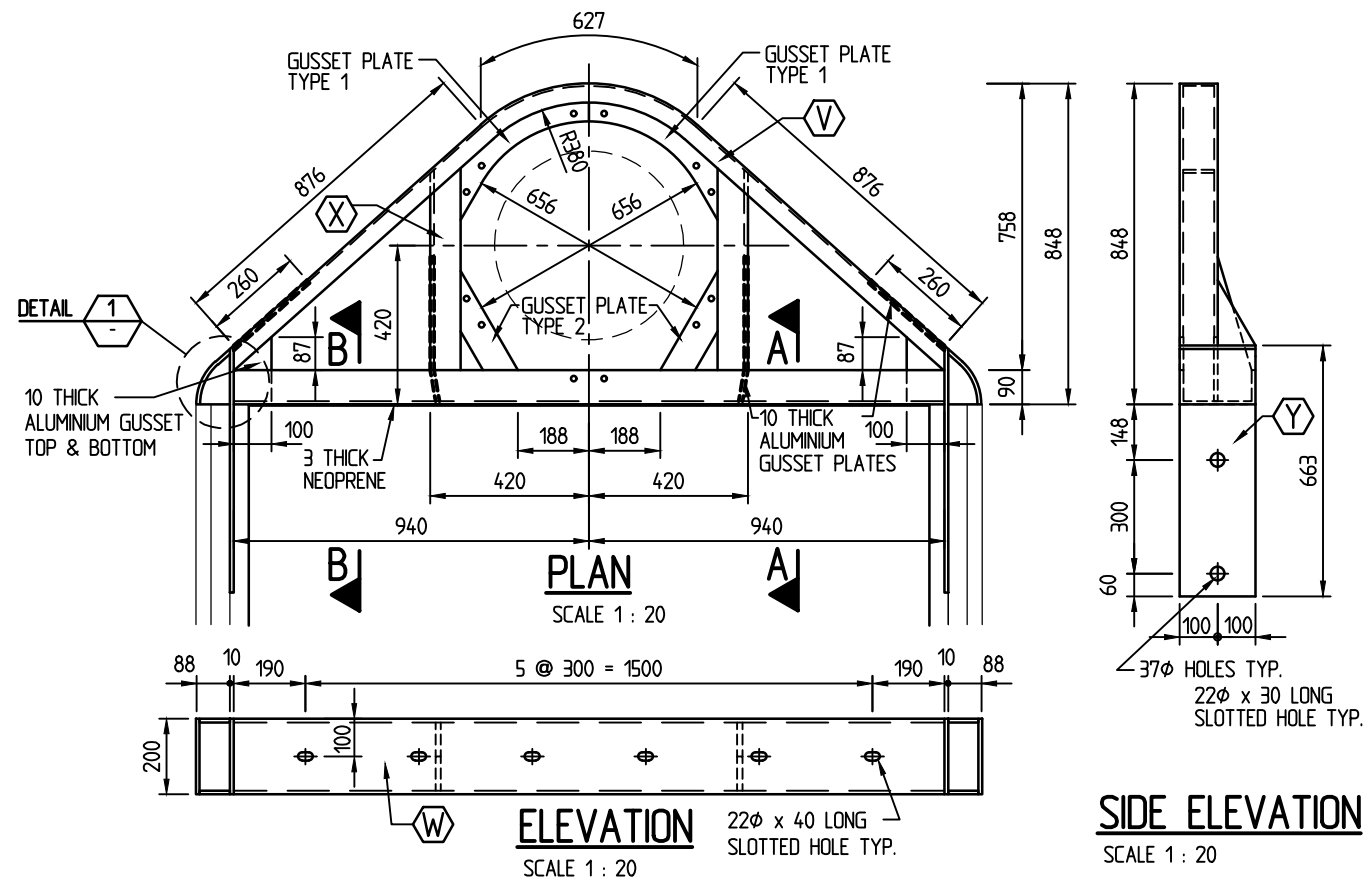
Date: 14/09/2017

Drawing No.: 5307-107/A

Scale: AS SHOWN

Drawn By: T.J.S. Designed By:

Approved By:



**NOTES:**

1. ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH AS1664 ALUMINIUM STRUCTURES, AS1665 WELDING OF ALUMINIUM STRUCTURES
2. ALL ALUMINIUM SECTIONS SHALL BE 6061-T6 OR 6082-T5 U.N.O.
3. ALUMINIUM PLATE SHALL BE TYPE 5083 TEMPER H321.
4. ALL WELDS SHALL BE INERT GAS WELD USING PULSE M.I.G. OR T.I.G. FUSION WELDING PROCESS.
5. ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
6. ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD.
7. ALL PEDESTRIAN SURFACES SHALL BE NON-SLIP FINISHED IN ACCORDANCE WITH AS 4586 (CLASS P4).

**LEGEND:**

- ⬡ 100 x 50 x 6 x 9 ALUMINIUM CHANNEL
- ⬢ 200 x 90 x 8 x 10 ALUMINIUM CHANNEL
- ⊗ 100 x 80 x 10 ALUMINIUM ANGLE
- ⬠ 200 x 10 ALUMINIUM FLAT
- ⬤ 10 THICK ALUMINIUM PLATE

A 21/09/17 PROJECT TITLE REVISED

Revisions

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Email : imc@imc-marinas.com

CLIENT:

THE REEF MARINA PTY. LTD.

PROJECT:

THE REEF MARINA  
ARM B EXTENSION AND  
FISHERMANS FACILITIES

TITLE:

TYPICAL PILE BRACKET  
DETAILS

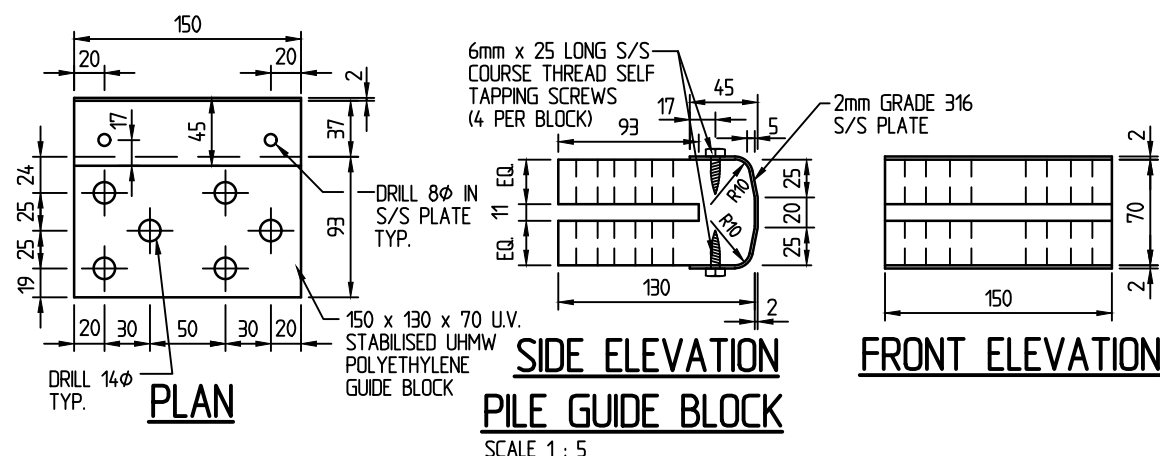
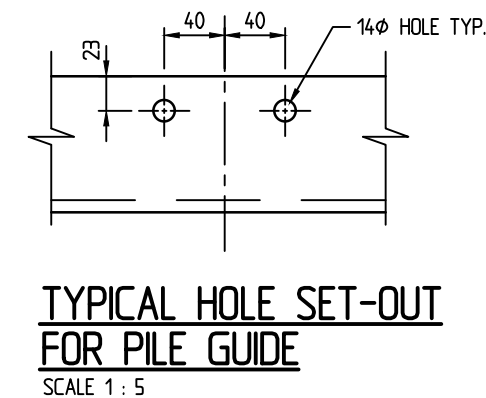
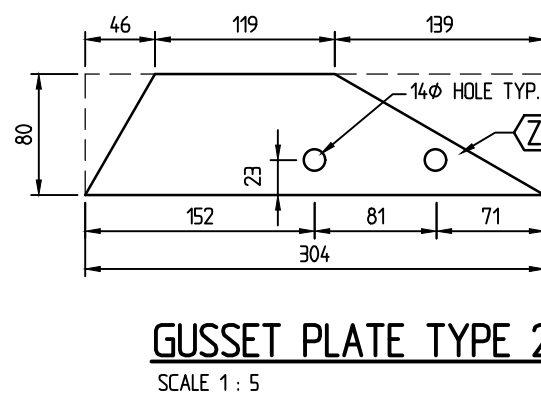
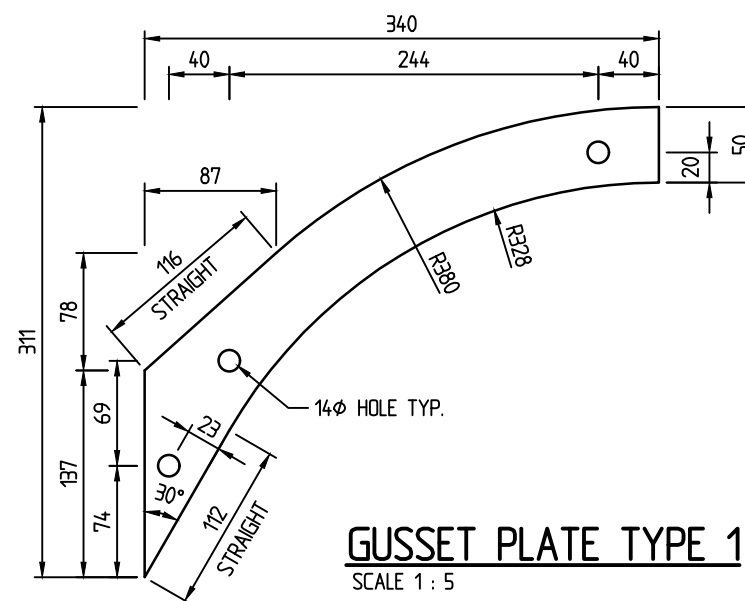
Date: 14/09/2017

Drawing No.: 5307-108/A

Scale: AS SHOWN

Drawn By: T.J.S. Designed By:

Approved By:

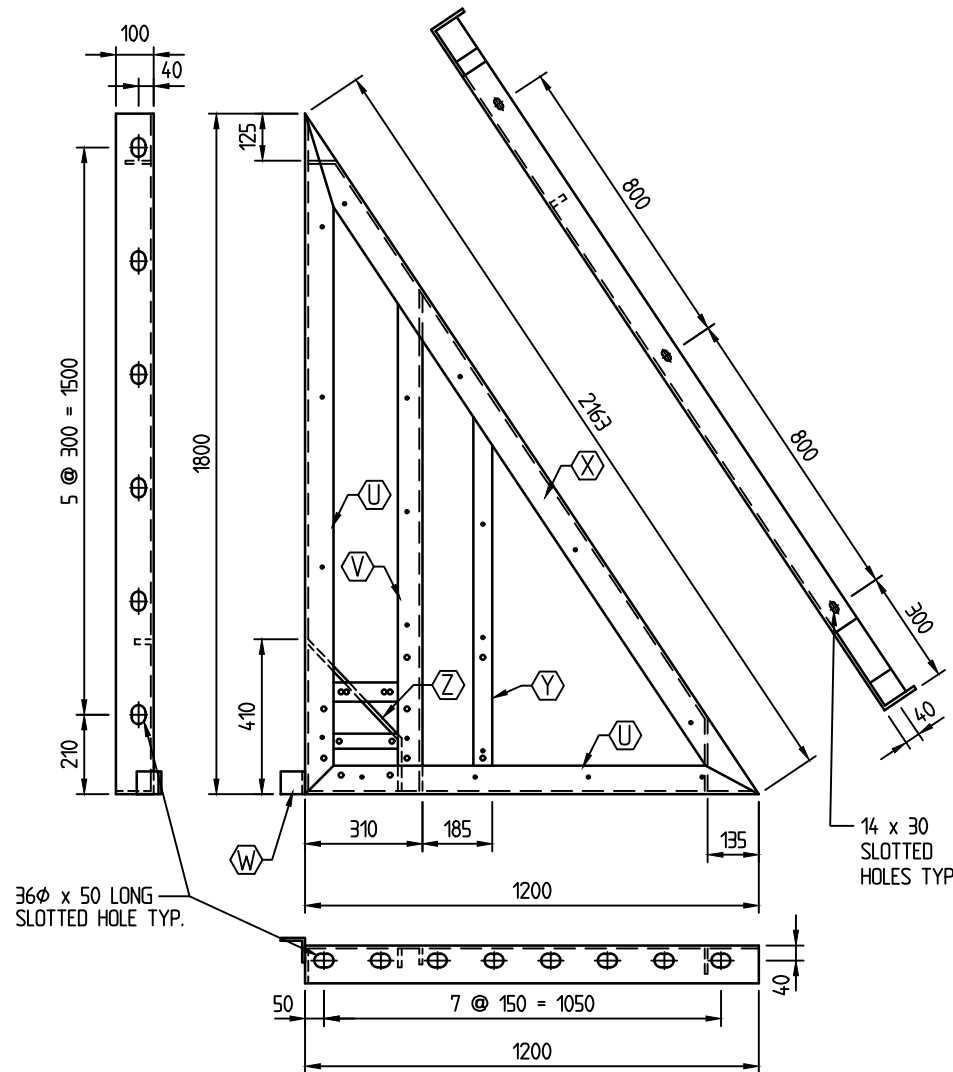


NOTES: FIX PILE GUIDE WITH 2 NUMBER M12 S/S BOLTS.

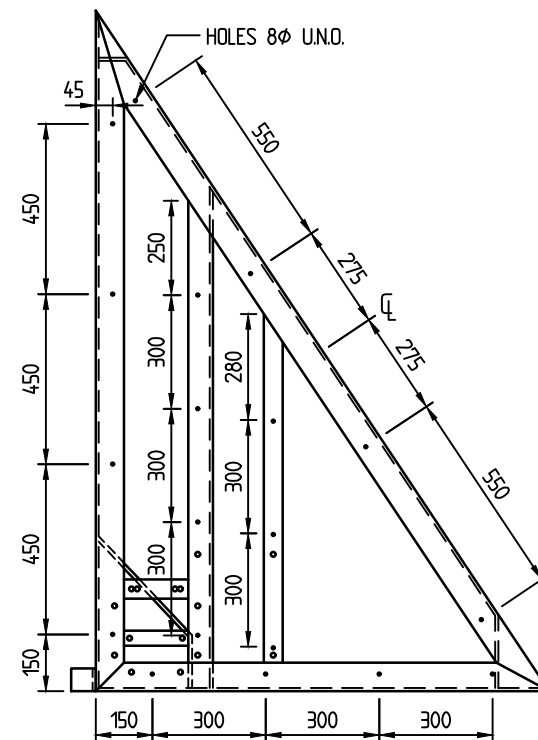
**FOR APPROVAL**

J. M. LEMAN

REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938



**1800 x 1200 (RH) KNEE BRACKET (UG1.8T1)**  
 (LH SIMILAR BUT HANDED) (UG1.8T1A)  
 SCALE 1 : 20



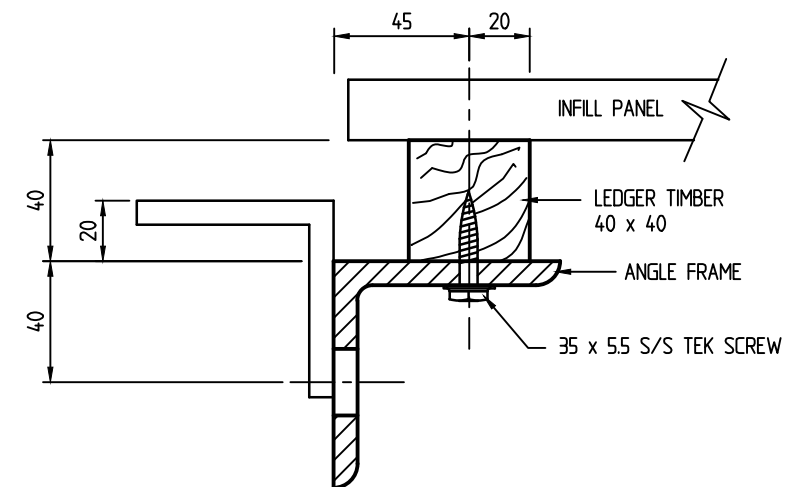
**1800 x 1200 (RH) KNEE BRACKET**  
**GENERAL ARRANGEMENT (UG1.8T1)**  
 (LH SIMILAR BUT HANDED) (UG1.8T1A)  
 SCALE 1 : 20

**NOTES:**

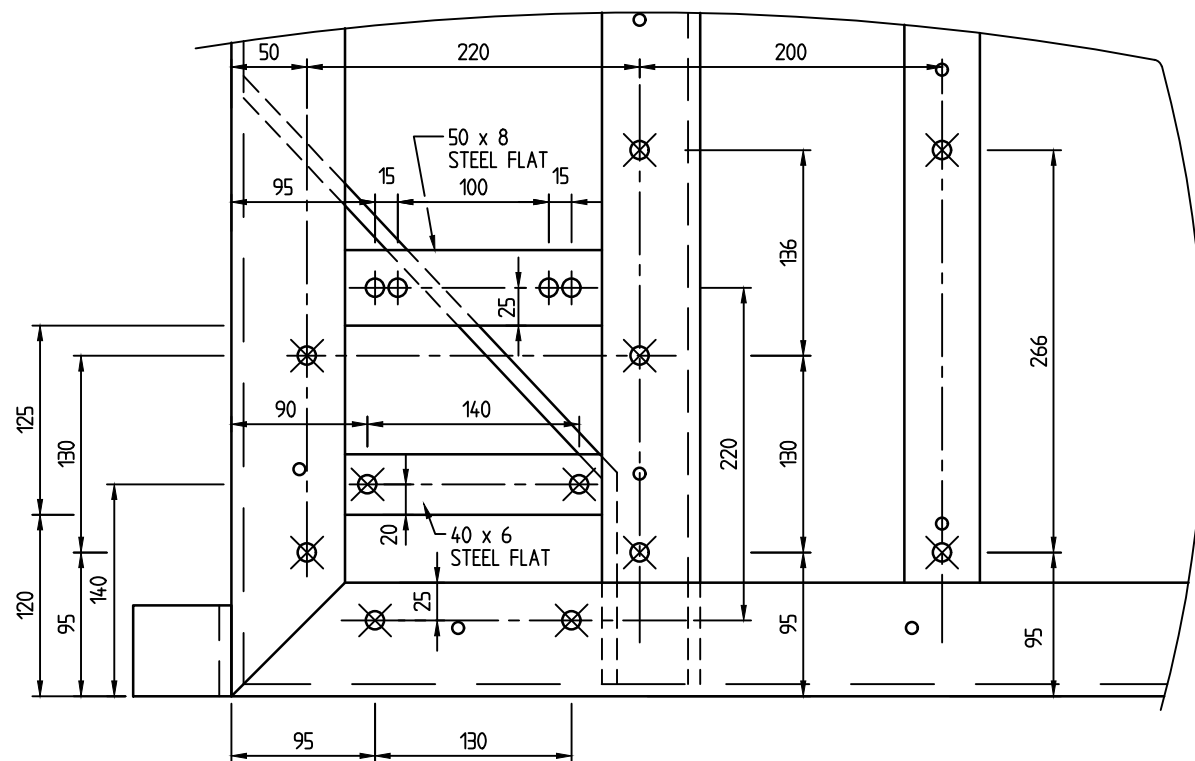
- ALL MATERIALS TO BE HOT DIP GALVANIZED IN ACCORDANCE WITH AS 4680.
- PROTECTIVE COATINGS TO STEEL COMPONENTS:
  - ACID DIP AND HOT DIP GALVANIZE IN ACCORDANCE WITH AS4680.
  - AVERAGE COATING 750g/m<sup>2</sup>  
EQUIVALENT THICKNESS 100 MICRONS.
- ALL WELDS TO BE FULL PENETRATION BUTT WELDS OR 6mm FILLET WELD AS REQUIRED.
- ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.

**LEGEND:**

- 65 x 50 x 8 STEEL ANGLE
- 65 x 65 x 8 STEEL ANGLE
- 75 x 75 x 8 STEEL ANGLE
- 50 x 8 STEEL FLAT
- 50 x 10 STEEL FLAT
- 8φ HOLE
- 12φ HOLE



**INFILL SUPPORT SECTION**  
 SCALE 1 : 25



**PEDESTAL MOUNTING PROVISIONS**  
 SCALE 1 : 5

**FOR APPROVAL**

**J. M. LEMAN**

REGISTERED PROFESSIONAL ENGINEER  
 OF QUEENSLAND NUMBER : 2938

A 21/09/17 PROJECT TITLE REVISED

Revisions

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CLIENT:

**THE REEF MARINA PTY. LTD.**

PROJECT:

**THE REEF MARINA  
 ARM B EXTENSION AND  
 FISHERMANS FACILITIES**

TITLE:

**TYPICAL BRACKET DETAILS**

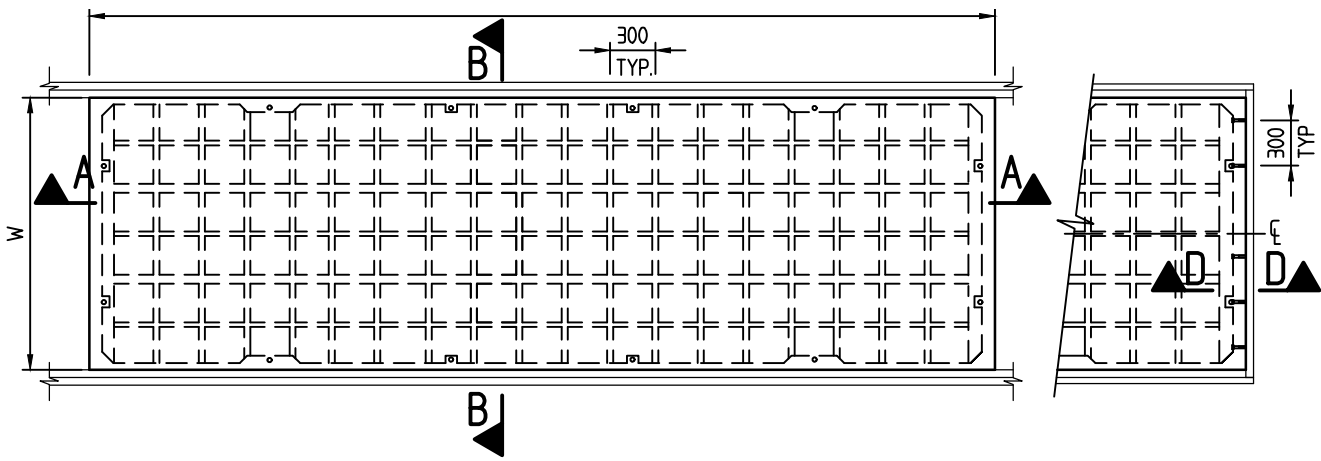
Date: 14/09/2017

Drawing No.: 5307-109/A

Scale: AS SHOWN

Drawn By: T.J.S. Designed By:

Approved By:



**PLAN - TYPICAL WALKWAY PONTOON  
(1800 WIDE SHOWN)**

SCALE 1 : 50

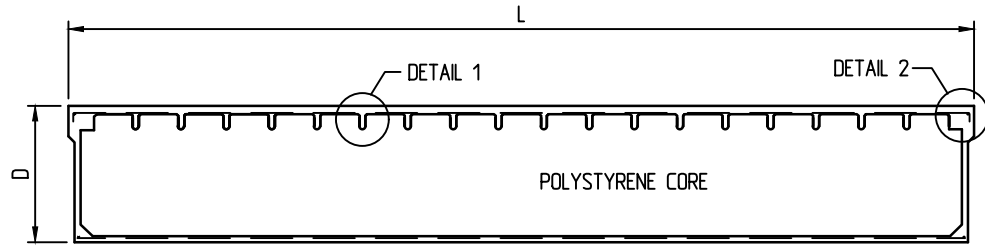
**PART PLAN SHOWING  
INSERT AT ONE END**

SCALE 1 : 50

**NOTES:**

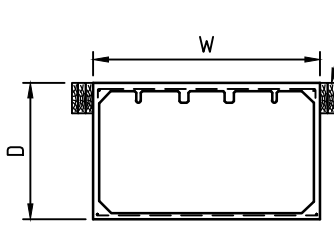
1. ALL DIMENSIONS ARE IN MILLIMETRES UNO.
2. PROVIDE STAINLESS STEEL INSERTS AS REQUIRED TO END OF LAST PONTOON ONLY TO WALKWAYS AND FINGERS.
3. CONCRETE STRENGTH  $f_c' = 50\text{MPa}$ .
4. ALL REINFORCEMENT TO BE HOT DIP GALVANIZED.
5. MATERIAL SIZES MAY BE VARIED BY THE MANUFACTURER WITHOUT NOTICE TO COMPLY WITH SPECIFIC APPLICATIONS.
6. DIMENSION 'D' VARIES TO SUIT FREEBOARD REQUIREMENTS.

DIMENSIONS SCHEDULE		
TYPE	L	W
12/4.5	4490	1200
12/6.0	5990	1200
18/4.8	4790	1800
18/5.1	5090	1800
18/6.0	5990	1800
24/4.2	4190	2400



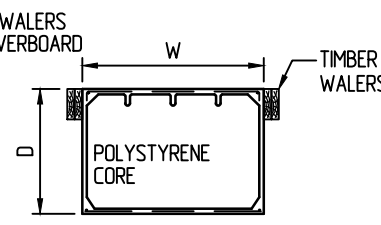
**SECTION A - A**

SCALE 1 : 50



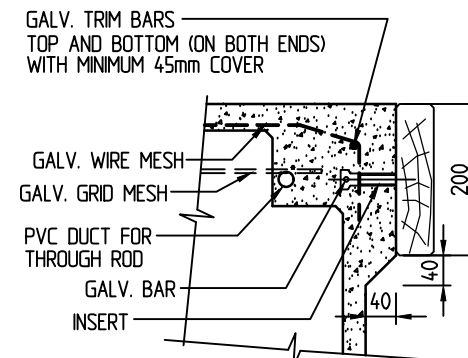
**SECTION B - B**

SCALE 1 : 50



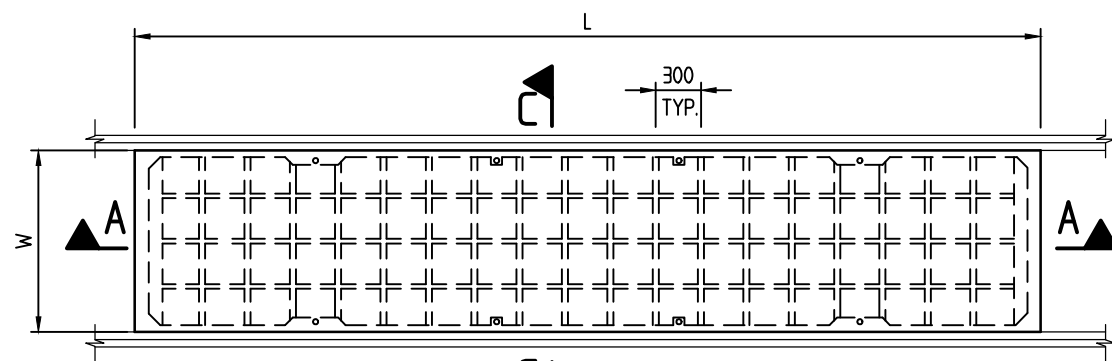
**SECTION C - C**

SCALE 1 : 50



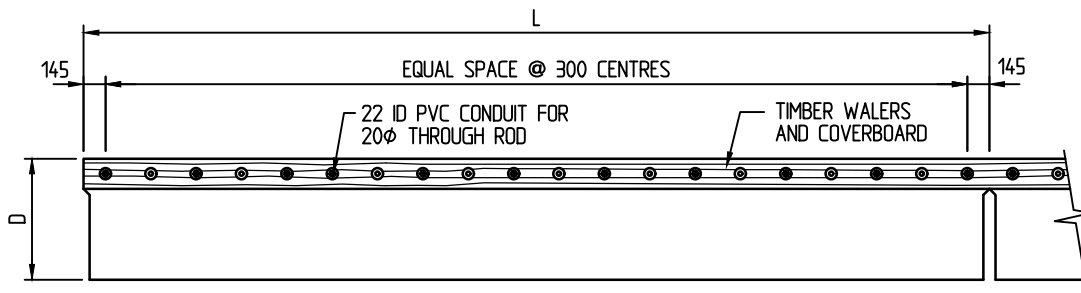
**SECTION D - D**

SCALE 1 : 10



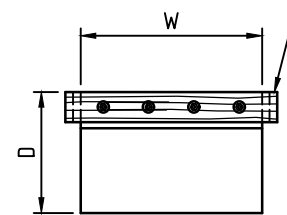
**PLAN - TYPICAL FINGER PONTOON  
(1200 WIDE SHOWN)**

SCALE 1 : 50



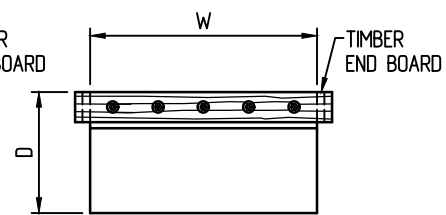
**ELEVATION**

SCALE 1 : 50



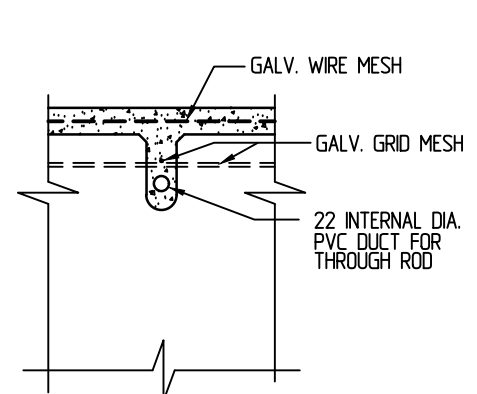
**END ELEVATION**

SCALE 1 : 50



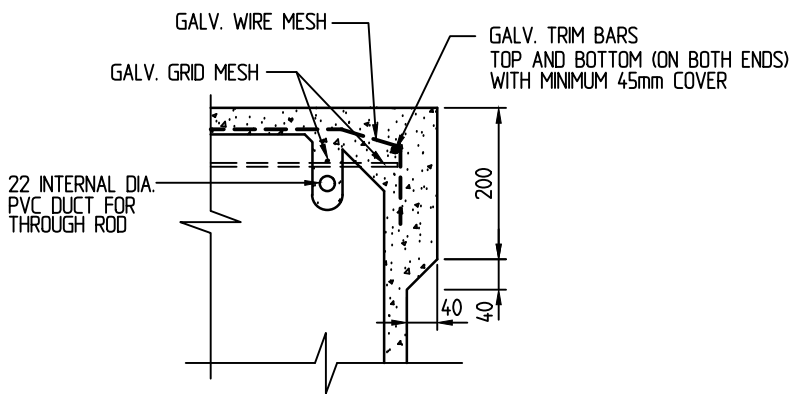
**END ELEVATION**

SCALE 1 : 50



**DETAIL 1**

SCALE 1 : 10



**DETAIL 2**

SCALE 1 : 10

**FOR APPROVAL**

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

A 21/09/17 FLOATS TYPE ADDED

Revisions

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Australia  
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Email : imc@imc-marinas.com

CLIENT:

**THE REEF MARINA PTY. LTD.**

PROJECT:

**THE REEF MARINA  
ARM B EXTENSION AND  
FISHERMANS FACILITIES**

TITLE:

**STANDARD PONTOON  
DETAILS**

Date: 14/09/2017

Drawing No.: 5307-110/A

Scale: AS SHOWN

Drawn By: T.J.S. Designed By:

Approved By:

# Toilet Building Proposal

For

**PRIME CONSTRUCTIONS**

Fisherman Mooring Pontoon, Port Douglas





## Table of Contents

About Modus Australia.....	3
Scope of Works.....	4
Building Configuration.....	6
Building Colours.....	7
Investment Value.....	8
Conditions of Quotation.....	9

### *Sample of the Modus Public Amenity range .....*



*..... Many more options available. Speak to a consultant for further details.*

## Why Modus Australia Toilet Buildings?

✓ **Cost Effective**

*Less expensive than standard brick and tile*

✓ **Easy to Erect**

*Minimal trade skills required*

✓ **Low Maintenance**

*All coated steel – timber free*

✓ **Vandal Resistant**

*Materials selected for strength and durability*

✓ **Robust**

*Suitable for cyclonic areas*



### Experience

MODUS AUSTRALIA has been manufacturing and supplying Restrooms and Toilet Buildings for over a decade, and has a valuable client base covering a wide range of entities including Local Governments, Roads Authorities, Communities, Project Developers, National Parks and Mining Companies.

### Compliance

MODUS AUSTRALIA has dealt extensively with government bodies and regulatory authorities, and can provide all the relevant documentation and technical support to meet the statutory requirements relating to the supply and installation of its products.

MODUS AUSTRALIA provides a range of products that comply with the relevant Australian Standards applicable to their categories.

### Durability

MODUS AUSTRALIA is committed to providing durable, vandal resistant Toilet Buildings that minimize ongoing maintenance and withstand the wear and tear of public use.

### Accessibility

MODUS AUSTRALIA offers a range of Toilet Buildings that are compliant with Access & Mobility Australian Standard No. 1428-2009.

Monday, 18 September 2017

**Prime Constructions**  
**Attention: Glenn Marshall**

MODUS AUSTRALIA  
32 Turbot Street  
Brisbane QLD 4000  
ABN: 53 147 987 095  
ACN: 147 987 095  
info@modusaustralia.com.au  
www.modusaustralia.com.au

Dear Glenn,

Thank you for your valued enquiry regarding our Toilet Buildings. Please see the below proposal for your consideration. We trust it meets with your satisfaction.

## Scope of Supply

### YARRA Custom Toilet & Shower Building, Universal Access

The Yarra® Toilet Building distinguishes itself from a standard toilet building with a distinctive skillion style roof line, designed to integrate seamlessly into any environment whilst adding an architectural compliment to its surroundings. Available in a variety of configurations; installed, or in a simply-erected, modular kit form system.



Yarra-2 Toilet Building

## Wall Panel System

Proprietary walling system comprises of highly corrosion resistant hot dip galvanized metal frames @ 1200mm wide. Panels are clad externally with Colorbond Custom Orb sheeting to mid height and powdercoated aluminium fascia planking above. Horizontal slats are located above door height at front, for ventilation of the building. Walls are lined internally with durable Miniorb sheeting in Zinalume finish for superior strength and serviceability. All Colorbond material to be in the 'Ultra' finish.

## Roof

The skillion building roof is sheeted in Colorbond Custom Orb material and includes a portion light sheet over each cubicle to allow ingress of natural light. Please Note: Roof beams & verandah columns to be in 2 Pack Epoxy finish.

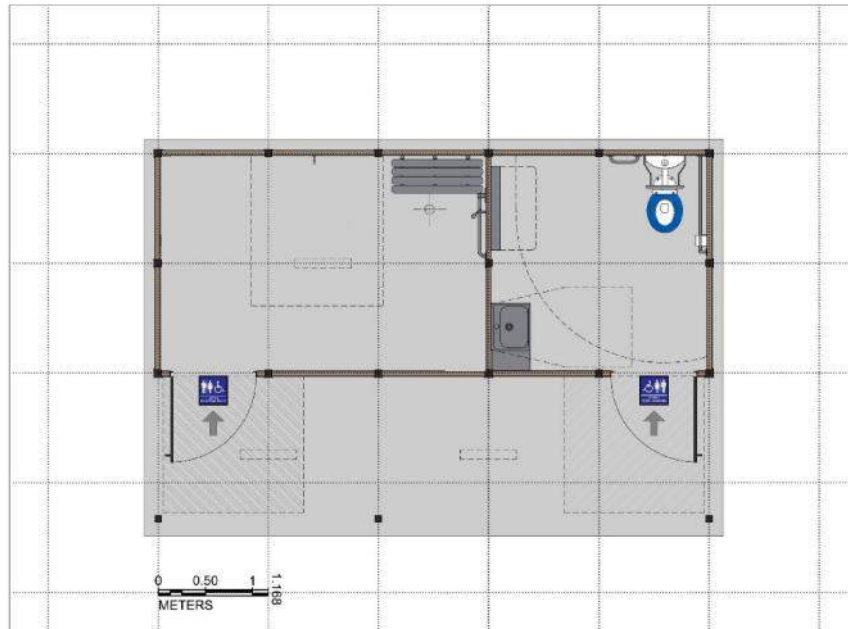
## Easy Installation

Each wall panel has preset nutserts in each side of the steel frames, which are fitted to the vertical joining channels provided. These are bolted to the ground as per the setout instructions which are included with the building kit. The doors are supplied complete with hinges, locks, handles and signage. Purlins are bolted to the top of the building frame, and roof sheeting and trims are then fitted to complete the building.

\*All fixings to be Stainless Steel



## Building Configuration



### Internal Fixtures Include:

- 1 x Porcelain Toilet Pan & Cistern
- 1 x Large Stainless Steel Wash Hand Basin with Knee Operated Time Flow Tap
- 2 x Sets of Stainless Steel Grab Rails
- 1 x Single Toilet Roll Dispenser
- 1 x Universal Shower Unit
- 1 x Wall Mounted Fold Down Bench for Universal Shower
- 1 x Baby Change Station

### Additional Fixtures Include:

- 1 x Distribution Enclosure with Main Switch and MCB/RCD
- 5 x 600mm Batten Lights
- 1 x Gas Hot Water System

(Please Note: Only items in the above list are included in the building price. Pipes, conduits, cables, switches etc. are not included).

## Building Colours

### LEGEND

① Also available in COLORBOND® Ultra steel for coastal and industrial environments. All other colours are available in COLORBOND® Ultra steel on request, please speak with your supplier.

② Also available in COLORBOND® Stainless steel for severe coastal and industrial environments. Please speak to your supplier for more information regarding availability.

For further details on the legend, please refer to the back page.

### CLASSIC colour range<sup>1</sup>



**CLASSIC CREAM™**  
SA = 0.32. BCA = L



**PAPERBARK®**  
SA = 0.42. BCA = M



**PALE EUCALYPT®**  
SA = 0.60. BCA = M



**WOODLAND GREY® ②**  
SA = 0.71. BCA = D



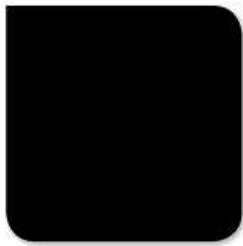
**DEEP OCEAN® ②**  
SA = 0.75. BCA = D



**COTTAGE GREEN®**  
SA = 0.75. BCA = D



**MANOR RED®**  
SA = 0.69. BCA = D



**NIGHT SKY®**  
SA = 0.96. BCA = D

### CONTEMPORARY colour range<sup>1</sup>



**SURFMIST® ②③**  
SA = 0.32. BCA = L



**EVENING HAZE®**  
SA = 0.43. BCA = M



**SHALE GREY™**  
SA = 0.43. BCA = M



**DUNE® ②③**  
SA = 0.47. BCA = M



**COVE™**  
SA = 0.54. BCA = M



**WINDSPRAY® ②③**  
SA = 0.58. BCA = M



**GULLY™**  
SA = 0.63. BCA = D



**MANGROVE™**  
SA = 0.64. BCA = D



**WALLABY™ ②**  
SA = 0.64. BCA = D



**JASPER®**  
SA = 0.68. BCA = D



**BASALT™**  
SA = 0.69. BCA = D



**IRONSTONE®**  
SA = 0.74. BCA = D



**TERRAIN®**  
SA = 0.69. BCA = D



**MONUMENT® ②**  
SA = 0.73. BCA = D

[View Online](#)

#### PLEASE NOTE

- Pricing allows for the above colours from the standard range only.
- Ultra colours subject to availability at time of order.

## Investment Value

### Technical Information supplied with building:

- ✓ Plumbing pre-lay plan
- ✓ Concrete Pad Specifications
- ✓ Building Assembly Instructions
- ✓ Engineering Drawings

Building Supplied in Kit Form	\$ 43, 785.00 + GST
Delivery to Port Douglas	\$ 1, 845.00 + GST
<b>Total Sum of Building Supply</b>	<b>\$ 45, 630.00 + GST</b>

Please note, the above price is for supply only & does not include a building application submission and signing off by a licensed building contractor.

If you have any queries regarding this proposal, please do not hesitate to contact me to discuss.

We look forward to assisting you with your requirements in the near future.

Best Regards,



Geoff Cook  
Sales Consultant

## Conditions of Quotation

The following conditions of quotation are deemed to be a part of any subcontract or orders issued to Landmark Engineering & Design Pty Ltd trading as Modus Australia, hereafter referred to as 'Modus'. Acceptance of this proposal will deem acceptance of these conditions by the customer. Any party who acts as an agent for another party such as the developer, builder or owner, must take all responsibility to accept the conditions of contract and payment of goods, and accept that they have full authority to liaise or negotiate with Modus regarding this agreement.

### TITLE

Ownership of the goods shall not pass to the customer until the customer has paid all monies owing for the particular goods. If goods have been supplied, Modus reserves the right to retake possession of such goods. Risk passes to the customer when Modus delivers the goods, either to the customer's store or to specified carrier's depot.

### PRICES

GST of 10% is applicable to all quoted prices. All quotations are valid for 30 days from the quotation date, after which price confirmation should be obtained. Where a contract extends beyond six (6) months from the date of acceptance, Modus reserves the right to renegotiate prices after (6) months. Due to the variable nature of raw material prices and in line with industry practice, Modus reserves the right to remove the availability of price holding on current projects. Any breakdown pricing provided will not constitute the basis for a variation extra or reduction due to establishment cost which remains unchanged in spite of quantity changes.

### PAYMENT TERMS

Payment terms will be 20% deposit on acceptance of quotation, and remaining 80% upon delivery. Custom products may require up to 50% deposit at the discretion of Modus, and larger projects may require monthly progress claims. Final invoices are raised upon despatch of goods and require payment within 14 days. Ownership of goods will not transfer to the customer until all outstanding monies relating to such goods are paid.

### INCLUSIONS

Proposals are based on supplying scope strictly as per the information and do not include for any additional items or scope. All proposals are based on providing standard proprietary Modus products (unless stated otherwise in the quotation). Quotations allow for standard available finishes in non-warranty option unless stated in the quotation. All quotations includes for delivery in metropolitan area where delivery is included in the quote. For any delivery outside metropolitan area an additional fee will apply.

### EXCLUSIONS

Project specific engineering calculations and signoff are excluded from our pricing except if clearly stated in our quotation. However, these can be arranged if requested. Submission of a building application and sign off by a registered builder is excluded from our quotation. All Modus quotations are subject to availability of materials at time of order placement, and delivery times will be subject to negotiation at time of order. Quotations do not allow for Cyclonic treatment, corrosion resistant coastal treatment, state specific approvals, forms and certifications; these are all excluded unless clearly stated.

### VARIATIONS

Variations to the contract will only be carried when an official variation order is received by Modus. Any delays by the Customer which result in increased cost to Modus will be charged to the customer including any increases in materials, labour and other charges.

### WITHHOLDING OF DELIVERIES

Modus reserves the right to withhold any delivery if the customer is subject to any insolvency proceedings or if Modus forms the opinion

that the customer's credit worthiness or credit standing has deteriorated significantly.

### DELAYS IN DELIVERY

All proposals are subject to availability of materials at time of order placement, and delivery times will be subject to negotiation at time of order. Modus will strive to ensure deliveries are made on time, however any times quoted for delivery are to be treated as estimates only and involving no contractual obligations. Modus shall not be liable for any loss or damage occasioned by reason of any delay in delivery of goods.

### DELIVERY

All quotations include for delivery in metropolitan area where delivery is included in the quote. For any delivery outside metropolitan area an additional fee will apply. All freight will be delivered on pallets; the customer is to provide forklift truck and driver for off-loading.

### DESIGNS

Where the customer asks Modus to follow any design or instructions, the customer hereby indemnifies Modus against all damages, penalties, costs and expenses arising from any infringement of a patent, trademark, registered design, copyright or common law right. The customer warrants that any design or instructions given to Modus will not cause Modus to infringe any patent, registered design, trademark, copyright or common law right.

### MODUS INTELLECTUAL PROPERTY

The customer acknowledges that Modus is the owner and holds all rights, title and interest in the Modus' various patents, inventions, designs, copyright, trademarks, trade names, business names, corporate names, logos, get up, circuit layouts, know-how, trade secrets and confidential information held by Modus ("Modus IP"). The customer will not attempt to seek or claim any interest in Modus IP or assist any other party to assert any interest in Modus IP. The customer acknowledges that any improvement or enhancement of Modus' IP which may result from work performed by the customer shall remain the exclusive property of Modus and the customer irrevocably assigns to Modus all right, title and interest the customer may have in any improvements or enhancements to Modus IP. The customer will not hinder Modus in any application or other measure taken by Modus to protect or exploit improvements to Modus IP.

### DAMAGE IN TRANSPORT

Modus must be advised within 48 hours of delivery, of any damage to goods in transport. This must be supported with photos clearly showing the damaged areas and providing evidence for all claims.

### WARRANTY CLAIMS

Modus provides its standard 12-month warranty in relation to the type of goods supplied. The Modus warranty will provide a guarantee for faulty workmanship or product failure in the course of its intended use. There will be no coverage for damage caused by acts of vandalism or usage of the product outside of its intended use. Other than Modus standard warranty in relation to the goods supplied, and except to the extent that conditions and warranties implied by law cannot be excluded, all representations, warranties, terms and conditions in relation to the goods (whether implied or otherwise) are hereby excluded to the maximum extent permitted by law. The customer shall satisfy itself that the goods and materials if supplied in accordance with this agreement will be suitable for the purpose for which they are intended to be used and no warranty to



that effect is given by Modus. The customer agrees that if it is aware (or should be aware) that the goods, the subject of any order, are for any particular purpose (including, but not limited to, use as a component part of another product) or are required to possess special or uniform characteristics, the customer will clearly identify that purpose or those characteristics in any order for the goods. To the maximum extent permitted by law, Modus' liability to the customer (and any party claiming through the customer against Modus for any claim for loss or damage (including legal expenses) made in connection with this agreement for breach of contract, tort (including negligence), under statute, in equity, at common law or otherwise shall be limited at Modus' discretion to the following:

- a. Replacement of the goods or supply of equivalent goods, or
- b. Repair the goods, or
- c. Crediting the customer for the price of the goods as at the date of delivery, or
- d. To paying the customer the cost of repairing the goods (with prior approval by Modus).

Modus' liability on equipment not wholly manufactured by Modus is limited to the benefit of any guarantees and warranties given by Modus' suppliers and Modus undertakes to use its reasonable endeavours to make such guarantees and warranties available to the customer. Where Modus has supplied services, Modus' liability is limited to the provision of the services again or payment of the cost of having the relevant services provided again at Modus' option. Modus will not be liable for any loss or damage caused by the negligence of the customer or any third party acting on behalf of the customer. This includes any loss or damage caused by the supply by the customer or third party acting on behalf of the customer of incorrect manufacturing instructions, drawings or material specifications, and faulty installation or misuse of the product by the customer or a third party. Modus will not be liable for any consequential loss or damage, which may be sustained by the customer. In the event that the Customer makes a claim against Modus, then the liability to the Customer shall be limited to the amount recoverable by Modus from its insurances. Any excess will be borne by the claimant.

#### **DEFAULT**

The customer will be in default if any of the following occurs:

- a. customer breaches these terms and conditions; and/or
- b. payment for the goods has not been received by Modus by the due date of payment; and/or
- c. the customer is subject to any insolvency proceedings.

If the customer defaults, Modus may:

- a. treat the whole of this agreement and any other agreement with the customer as repudiated and sue for breach of contract; and/or
- b. claim the return of any goods in the customer's possession where title has not passed to the customer, and/or
- c. refuse to supply any goods to the customer; and/or
- d. without notice to the customer withdraw or vary any credit Modus has provided to the customer; and/or
- e. without notice to the customer make all monies owing by the customer to Modus on any account immediately due and payable.

#### **INTERGRATION**

Modus recommends that the concrete pad to be level at wall locations, and the construction of building to be strictly as per instructions provided. Modus takes no responsibility where works are carried out in contrary to these recommendations.

#### **COMPLIANCY**

The customer is responsible to ensure that the building location and type are fully compliant with government regulations for its intended use.

#### **NO RELIANCE**

The customer acknowledges and agrees that it has not relied on any prior representation or promises made by Modus except as set forth herein.

#### **FORCE MAJEURE**

Modus shall not be responsible for any delay or failure of performance occasioned or caused by strikes, riots, fire, insurrection, embargoes, failure of carriers, inability to obtain materials or transportation facilities, acts of God or of the public enemy, governmental tariffs and quotas, compliance with any law, regulation or other governmental or court order whether or not valid, or other causes beyond the control of Modus, irrespective of whether the cause could be alleviated by the payment of money, or the performance is prevented or delayed because of the failure of Modus' machinery, or failure of a supplier to Modus. An extension of time will be required where these occurrences take place.

#### **NO WAIVER**

No failure or delay by Modus in exercising any right, power or privilege to which it is entitled shall operate as a waiver nor shall any single or partial exercise of any such right, power or privilege preclude any other or further exercise. The terms of this agreement and obligations and acknowledgements hereunder may only be waived or modified by Modus by an agreement in writing between the parties hereto.

#### **SEVERANCE**

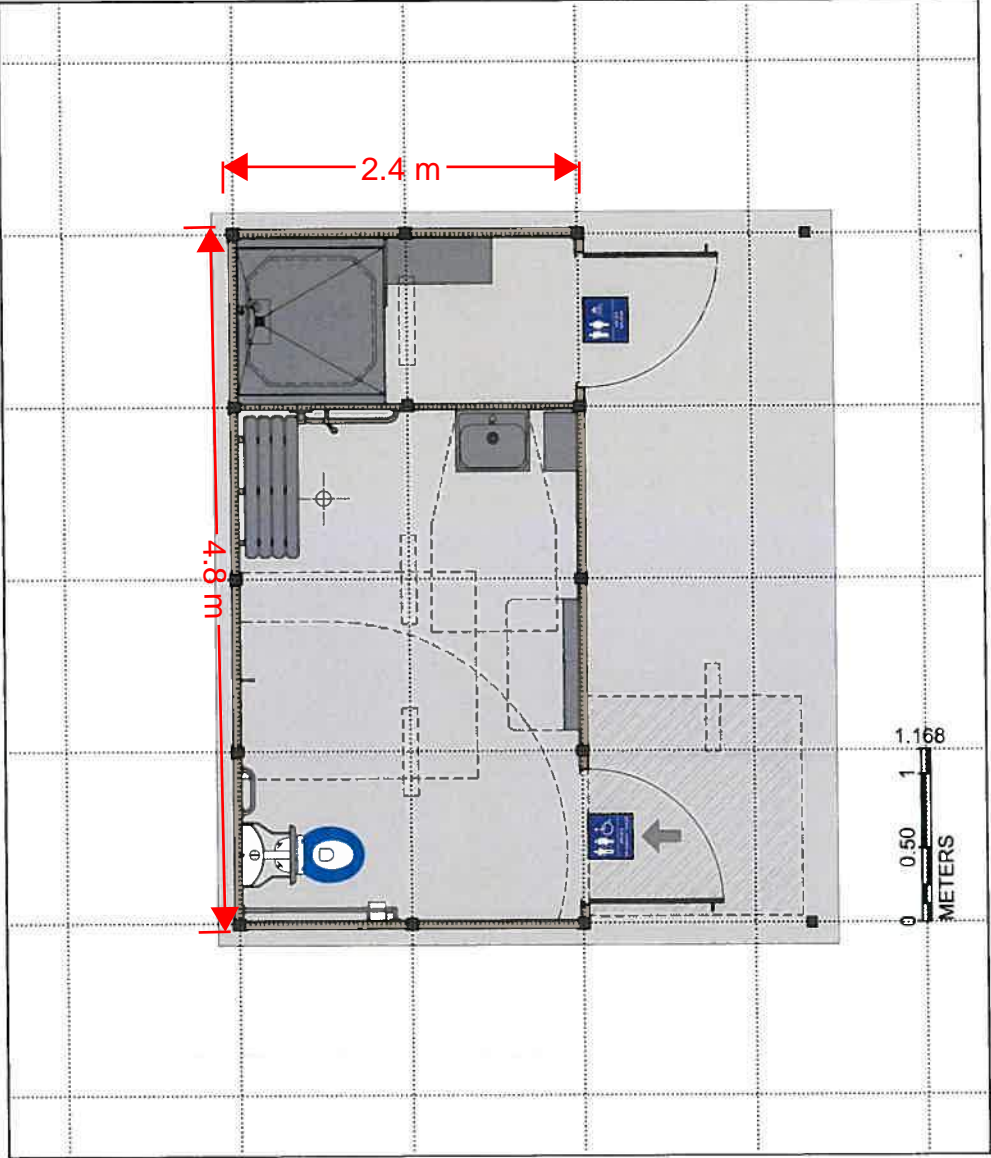
In the event of any part of this agreement becoming void or unenforceable, then that part shall be severed from this agreement and the remaining terms and provisions hereof shall remain in full force and effect.

#### **APPLICABLE LAW**

This agreement shall be governed by and construed in accordance with the laws of the State of Western Australia. The parties hereby agree to submit to the non-exclusive jurisdiction of the Courts of Western Australia and the Federal Court of Australia.

#### **SURVIVAL**

The clauses in this agreement headed DESIGNS, MODUS INTELLECTUAL PROPERTY, WARRANTY CLAIMS, NO RELIANCE, and FORCE MAJEURE shall survive the termination or expiration of this agreement.



**ATTACHMENT 3:  
SITE SEARCHES**





Department of Environment and Heritage Protection (EHP)  
ABN 46 640 294 485  
400 George St Brisbane, Queensland 4000  
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA  
www.ehp.qld.gov.au

**SEARCH RESPONSE**  
**ENVIRONMENTAL MANAGEMENT REGISTER (EMR)**  
**CONTAMINATED LAND REGISTER (CLR)**

Transaction ID: 50409905                      EMR Site Id: 177290                      05 October  
2017

This response relates to a search request received for the site:

Lot: 4                      Plan: SP288958

**SEARCH RESULT**

The site you have searched is a lot resulting from the amalgamation of the following sites, which are included on the Environmental Management Register (EMR) or the Contaminated Land Register (CLR), as indicated below. Further details for these sites are available by contacting this Agency via email: [emr.clr.registry@ehp.qld.gov.au](mailto:emr.clr.registry@ehp.qld.gov.au)

Lot	Plan	
126	SR868	EMR
146	SR861	EMR

**ADDITIONAL ADVICE**

All search responses include particulars of land listed in the EMR/CLR when the search was generated. The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

**Administering Authority**



Department of Environment and Heritage Protection (EHP)  
ABN 46 640 294 485  
400 George St Brisbane, Queensland 4000  
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA  
www.ehp.qld.gov.au

**SEARCH RESPONSE**  
**ENVIRONMENTAL MANAGEMENT REGISTER (EMR)**  
**CONTAMINATED LAND REGISTER (CLR)**

Transaction ID: 50409904  
2017

EMR Site Id: 112324

05 October

This response relates to a search request received for the site:

Lot: 96 Plan: SP134234

**EMR RESULT**

The above site is NOT included on the Environmental Management Register.

**CLR RESULT**

The above site is NOT included on the Contaminated Land Register.

**ADDITIONAL ADVICE**

All search responses include particulars of land listed in the EMR/CLR when the search was generated.

The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

**Administering Authority**

# CURRENT STATE TENURE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27338096

Search Date: 15/11/2017 09:34

Title Reference: 40073929

Date Created: 16/08/2017

## DESCRIPTION OF LAND

Tenure Reference: TL 0/239913

Lease Type: TERM

LOT 4 SURVEY PLAN 288958  
Local Government: DOUGLAS

Area: 6.661000 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:  
COMMERCIAL/BUSINESS

## TERM OF LEASE

Term and day of beginning of lease

Term: 50 years commencing on 30/06/2017

Expiring on 29/06/2067

## REGISTERED LESSEE

Dealing No: 718299108 27/09/2017

GAG PORT DOUGLAS PROPERTY COMPANY NO 2 PTY LTD  
A.C.N. 619 937 754

## CONDITIONS

# CURRENT STATE TENURE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

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## CONDITIONS

A131 SPECIFIED CONDITIONS FOR: Lease for a Term of Years  
PURPOSE: Marine facility and Commercial/business

-----  
STATUTORY CONDITIONS:  
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Statutory conditions are the general mandatory conditions of a lease and binds the lessee in accordance with Part 2 Division 1 of the Land Act.

1. Permitted Use: The lessee must use the land only for the purpose for which the tenure was issued under the Land Act 1994.
2. Duty of Care: The lessee has the responsibility for a duty of care, for the land under the Land Act 1994.
3. Rent/Instalment: The lessee must pay the annual rent/instalment in accordance with the Land Act 1994 and the Land Regulation 2009.  
For further information on how annual rent is determined, refer to the department's website at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au).
4. Noxious plants: The lessee must keep noxious plants on the land under control. If the lessee does not comply with this condition, the Minister may bring the noxious plants under control, the cost of which will be recovered from the lessee.
5. Information to Minister: The lessee must give the Minister administering the Land Act 1994, information the Minister asks for about the tenure.
6. Monies for Improvements: No money for improvements is payable by the State on the forfeiture, cancellation, surrender or expiry of this lease but money may be payable if the State receives payment from an incoming lessee or buyer for the improvements on the land. However, the previous lessee may apply to the Minister to remove the improvements that belong to the lessee, within a period of 3 months from the date of the forfeiture, surrender, or expiry of this lease. The lessee may only undertake the removal of the improvements in the presence of an authorised representative of the department, if required by the Minister. The lessee may only remove those improvements if all monies due from the lessee to the department under this lease have been paid.

REGULATORY-CONDITIONS:-----  
-----

A regulatory condition relates to a lease, in accordance with the Land Regulation.

1. Indemnity: The lessee indemnifies and agrees to keep indemnified the Minister, and the State of Queensland and its Representatives, (the "Indemnified parties") against all liability, costs, loss and expenses including claims in negligence (including any claims, proceedings or demands brought by any third party, and any legal fees, costs and disbursements on a solicitor and client basis) ("Claim") arising from or incurred in connection with:

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## CONDITIONS

- a. the granting of this lease to the lessee;
- b. the lessee 's use and occupation of the land; or
- c. personal injury (including sickness and death) or property damage or loss in connection with the performance (or attempted purported performance or non-performance) of the lease or a breach of the lease by the lessee .

The lessee hereby releases and discharges to the full extent permitted by law, the Indemnified parties from all actions, claims, proceedings or demands and in respect of any loss, death, injury, illness or damage (whether personal or property and whether special, direct, indirect or consequential financial loss) arising out of the use and occupation of the lease.

To the full extent permitted by law, the Minister, the State of Queensland and their Representatives will not be liable to the lessee for any special, indirect or consequential damages, including consequential financial loss arising out of the use and occupation of the lease.

2. Public Liability: The lessee must effect a public liability insurance policy with an insurer authorised under the Insurance Act 1973 (Commonwealth) or, if not so authorised then only with the Minister's approval, which can be given or withheld in the Minister's sole discretion, naming the lessee as the insured covering legal liability for any loss of, or damage to any property and for the injury (including death) to any person arising out of anything done or omitted on or about the land or any improvements thereon and against all claims, demands, proceedings, costs, charges, and expenses whatsoever (including claims in negligence) Such policy must:
  - a. be for an amount of not less than twenty (20) million dollars and have no per event sublimit or such higher amounts as the Minister may reasonably require.
  - b. be effected on a "claims occurring" basis; and
  - c. be maintained at all times during the currency of the lease, and upon receipt of any notice of cancellation, the lessee must immediately effect another public insurance policy in accordance with the terms of the lease .

The lessee must, as soon as practicable, inform the Minister, in writing, of the occurrence of any event that the lessee considers is likely to give rise to a claim under the policy of insurance effected and must ensure that the Minister is kept fully informed of subsequent actions and developments concerning the claim.

The lessee must renew such policy, at the lessee's expense, each year during the currency of this lease.

The condition will be satisfied if the lessee is the State of Queensland or a statutory authority eligible for cover under the Queensland Government Insurance Fund and is insured and continues to be insured by the Queensland Government Insurance Fund.

This condition will be satisfied if the lessee is the Commonwealth of Australia or a statutory authority eligible for



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## CONDITIONS

cover under the Comcover Insurance Fund and is insured and continues to be insured by Comcover.

3. Access: The provision of access, further access or services to the land will not be the responsibility of the State.
4. Survey Costs: If the land needs to be surveyed or re-surveyed the lessee must do this at their own cost under the Survey and Mapping Infrastructure Act 2003. This survey plan must be lodged in the land registry within the specified time.
5. Jurisdiction: The lessee is subject to the Land Act 1994 and all other relevant Queensland and Commonwealth legislation.
6. Compliance with Laws: The lessee must comply with all lawful requirements of the:
  - a. Local Government; and
  - b. any department within the Queensland or Commonwealth governments (including the department administering the Land Act 1994), local authority or statutory instrumentality having jurisdiction over the land, or the development, use and occupation of the land, in regard to its use, occupation and development of the land.

SPECIAL-CONDITIONS:-----  
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These conditions relate to this lease.

Cancellation/Forfeiture

1. The lease may be forfeited/cancelled if not used for the purpose for which it was issued or any subsequent additional purpose, defaults payment of the annual rent or by breach of a condition of the tenure.

Improvements or development on or to the land

1. The lessee must during the whole of the term of the lease, to the satisfaction of the relevant authorities, maintain all improvements on the land in a good and substantial state of repair.
2. The lessee must, during the whole of the term of the lease protect the leased land from erosion and effect such works as are considered necessary .
3. The lessee must ensure that the development and use of the land meets with the Planning Scheme, Local Laws and requirements of the Douglas Shire Council, binding the lessee.

Maintenance of landscape and beautification program

1. If, as a result of carrying out works or any other cause attributable to the lessee any bank or revetment wall within the lease area is damaged or displaced , the lessee must, at the lessees' expense, restore the bank or revetment wall to its former condition and take such other action as is necessary to ensure the stability of the bank or revetment wall to the satisfaction of the the relevant authorities.
2. All works constructed in, on, over, through or across and below high water mark within the leased land must be maintained.

Care, sustainability and protection of the land

# CURRENT STATE TENURE SEARCH

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## CONDITIONS

1. The lessee must not keep, store or permit to be kept or stored on the land any materials of a dangerous, flammable or explosive nature unless all statutes, local laws and regulations applicable to the keeping and storage of such materials have been complied with in every respect.
2. The lessee must ensure that each and every activity undertaken on the land which has the potential to pollute and/or contaminate Dickson Inlet is carried out in such a manner as to prevent this from occurring.
3. The lessee must, at the lessee s' expense, maintain a depth of water within the land sufficient to allow such waters to be freely navigated at the developed depths at all stages of the tide by the classes of the vessels using the facilities situated therein and should any dredging be required to maintain such depth of water, then the lessee must, at the lessees' expense, be responsible for obtaining the relevant statutory approvals required to permit the carrying out of such dredging and disposal of dredge spoil .

### Conversion or renewal of the lease

1. The lessee of this lease is not allowed to make an application for conversion of this lease in terms of the Land Act 1994.

### Tidal requirements

1. The lessee must not in any way interfere with any navigation mark or light erected on the land.
2. All works constructed in, on, over, through or across and below high water mark within the land must be maintained in a good and substantial state of repair.
3. The lessee must at all times take the necessary precautions to ensure that all lights on or above the land are shielded to prevent glare or reflection which may interfere with safe navigation of surrounding waterways or with reasonable enjoyment of neighbouring properties .
4. The lessee must, take all reasonable action to ensure that all vessels attached to moorings within the boundaries of the land must be moored wholly within such boundaries and that such vessels or any part/s thereof must not encroach beyond the boundaries of the land.

### Quarry Material and Forest Products

1. The lessee must allow any person authorised under the Forestry Act 1959 access to the land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the land.  
The lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements of a permit, licence,

# CURRENT STATE TENURE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27338096

Search Date: 15/11/2017 09:34

Title Reference: 40073929

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## CONDITIONS

agreement or contract granted or made under the Forestry Act 1959.

Other conditions the Minister considers appropriate

1. The lessee must not carry out or allow to be carried out, any offensive, noxious or noisy occupation or business, upon the land, in accordance with Douglas Shire Council requirements and any other relevant legislative Authority as required.

## ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Lease No. 40073929
2. SUB LEASE No 602819460 (K567434M) 05/03/1991  
MOSSMAN CENTRAL MILL COMPANY LIMITED  
OVER LOT B ON PLAN SR904  
TERM: 4/9/1988 TO 3/8/2033
3. AMENDMENT No 707440277 03/02/2004 at 14:37  
SUB LEASE: 602819460 (K567434M)
4. TRANSFER No 707444995 04/02/2004 at 14:42  
SUB LEASE: 602819460 (K567434M)  
PORT DOUGLAS STEAM TRAIN COMPANY PTY LTD A.C.N. 001 370 798
5. SUB LEASE No 711086127 12/10/2007 at 16:18  
SUB LEASE: 602819460 (K567434M)  
DAVID ALAN THOM TENANT IN COMMON 1/3  
RICKLIND PTY LTD A.C.N. 094 355 423 TENANT IN COMMON 1/3  
MIESHA PTY LTD A.C.N. 051 478 687 TENANT IN COMMON 1/3  
LEASE C ON PLAN IS146230  
TERM: 14/08/2007 TO 31/12/2020 OPTION NIL
6. TRANSFER No 711244884 05/12/2007 at 14:48  
SUB LEASE: 711086127  
JOHN ALAN REVELL TENANT IN COMMON 1/3  
KYLIE DANIELLE REVELL TENANT IN COMMON 1/3  
CHERYL MAREE REVELL TENANT IN COMMON 1/3
7. SUB LEASE No 712963586 24/12/2009 at 14:44  
J.J.R.J. PTY LTD A.C.N. 005 062 215  
OF LEASE DB ON SP230812  
TERM: 24/12/2009 TO 23/12/2029 OPTION NIL

# CURRENT STATE TENURE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27338096

Search Date: 15/11/2017 09:34

Title Reference: 40073929

Date Created: 16/08/2017

## ENCUMBRANCES AND INTERESTS

8. SUB LEASE No 713199555 27/04/2010 at 14:41  
STARGATE MARINE SERVICES PTY LTD A.C.N. 007 150 290  
OF LEASE DE ON SP230812  
TERM: 14/04/2010 TO 13/04/2020 OPTION NIL
9. SUB LEASE No 713202205 28/04/2010 at 15:03  
WAVELENGTH MARINE CHARTERS PTY LTD A.C.N. 126 970 429  
OF LEASE CG ON SP230812 (BERTH C7)  
TERM: 14/04/2010 TO 13/04/2030 OPTION NIL
10. TRANSFER No 716213053 18/12/2014 at 09:49  
SUB LEASE: 713202205  
WAVELENGTH PORT DOUGLAS PTY LTD A.C.N. 168 338 663
11. SUB LEASE No 714572386 17/07/2012 at 11:23  
POSEIDON OUTER REEF CRUISES PTY LTD A.C.N. 077 142 557  
OF LEASE DA ON SP230812  
TERM: 16/07/2012 TO 15/07/2032 OPTION NIL
12. TRANSFER No 715813387 04/06/2014 at 15:12  
SUB LEASE: 714572386  
QUICKSILVER CONNECTIONS LIMITED A.C.N. 010 434 269
13. SUB LEASE No 714616739 10/08/2012 at 11:47  
ARISTOS PORT DOUGLAS PTY LTD A.C.N. 103 374 698  
OF LEASES CKC & CLC ON SP254668  
TERM: 16/07/2012 TO 15/07/2032 OPTION NIL
14. SUB LEASE No 716293332 03/02/2015 at 11:46  
FORTANED PTY LTD A.C.N. 006 511 495 TRUSTEE  
UNDER INSTRUMENT 716293332  
OF PART OF THE GROUND FLOOR (LEASES 16 AND 16A)  
TERM: 18/07/2014 TO 17/07/2017 OPTION 3 YEARS
15. SUB LEASE No 717205741 21/04/2016 at 15:39  
LADY DOUGLAS PTY LTD A.C.N. 169 963 026  
OF LEASE CMC ON SP285532  
TERM: 01/03/2016 TO 28/02/2031 OPTION NIL
16. SUB LEASE No 717419488 01/08/2016 at 15:27  
HEMINGWAY'S BREWERY FNQ PTY LTD A.C.N. 603 792 418  
OF PART OF THE GROUND FLOOR (LEASE 66) AND PART OF LEVEL B  
(LEASE 67)  
TERM: 24/06/2016 TO 23/06/2021 OPTION 5 YEARS

# CURRENT RESERVE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 24116875  
Search Date: 25/08/2016 10:22

**Title Reference: 49003815**  
Date GAZETTED: 16/02/1996  
PAGE: 711

Opening Ref: B 9547CNS  
Purpose: PARK AND RECREATION  
Sub-Purpose:  
Local Name:  
Address: PO BOX 357 MOSSMAN Q 4873  
County (R) No: R1274  
File Ref: RES 29781

## TRUSTEES

DOUGLAS SHIRE COUNCIL GAZETTED ON 16/02/1996 PAGE  
711,712

## LAND DESCRIPTION

LOT 96 SURVEY PLAN 134234 Gazetted on 15/12/2000 Page 1409  
Local Government: DOUGLAS

Area: 0.372710 Ha. (SURVEYED)

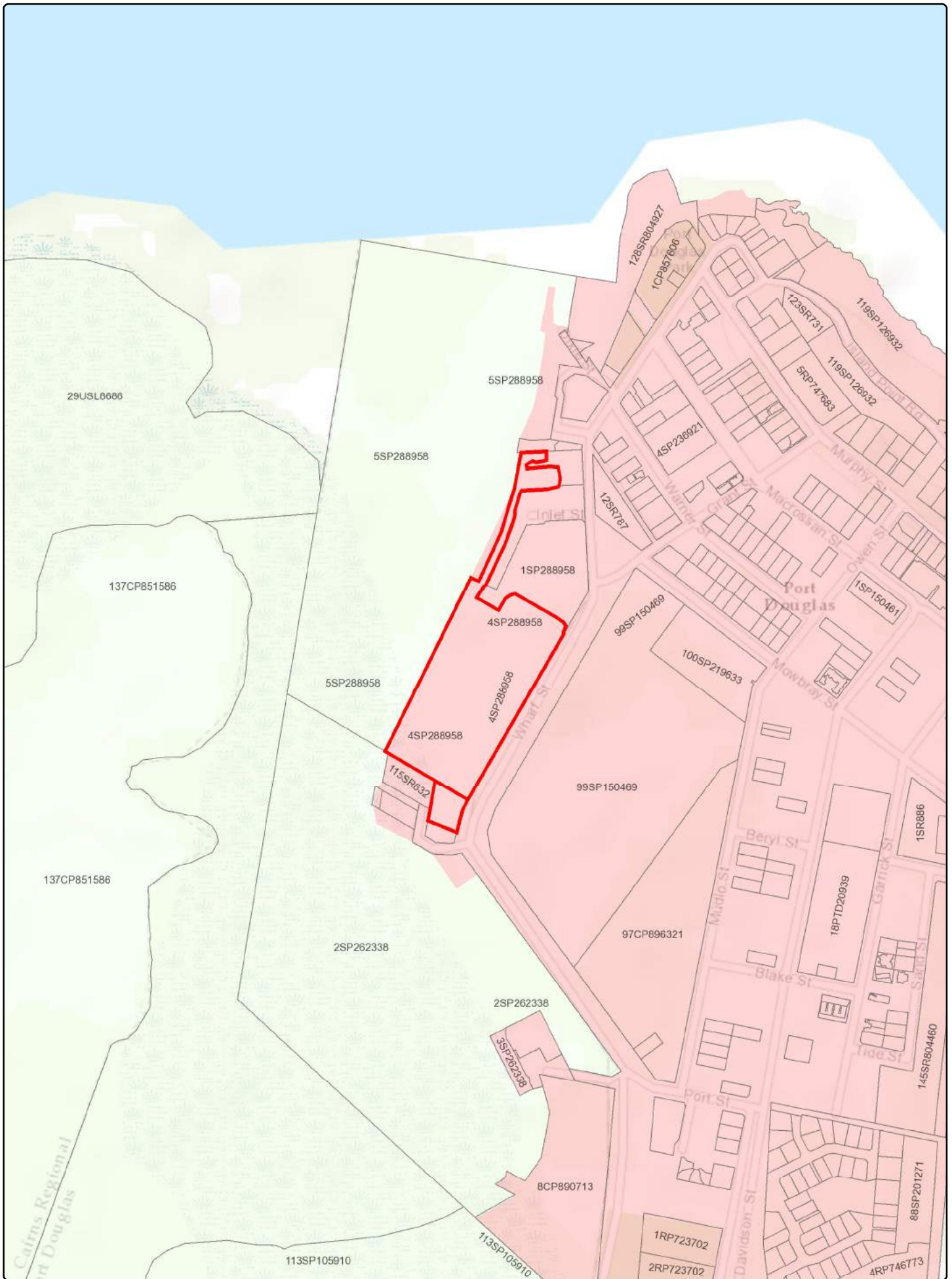
## EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

\*\* End of Current Reserve Search \*\*

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Requested By: D-ENQ CITEC CONFIRM



### DA Mapping System – Print Screen

Date: 05/10/2017

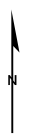
0 140 280 420 560

Metres



Department of  
Infrastructure, Local  
Government and Planning

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**Disclaimer:**  
This map has been generated from the information supplied to the Department of Infrastructure, Local Government and Planning for the purposes of the Development Assessment Mapping System. Note that this is a print screen only. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.

# Legend

## Drawn Polygon Layer

Override 1

## Cadastre (10k)


 Cadastre (10k)

## SEQRP 2009-2031 development area (superseded)


 Local Development Area

 Regional Development Area


## SEQ regional biodiversity corridor

 SEQ regional biodiversity corridor


## SEQ regional biodiversity value

 SEQ regional biodiversity value


## SEQ regional greenspace network


 SEQ regional greenspace network


## SEQ regionally significant scenic amenity

 SEQ regionally significant scenic amenity

## Regional land use categories (SEQ, WBB, MIW, FNQ)

 Urban Footprint

 Rural Living Area

 Regional Landscape and Rural Production Area

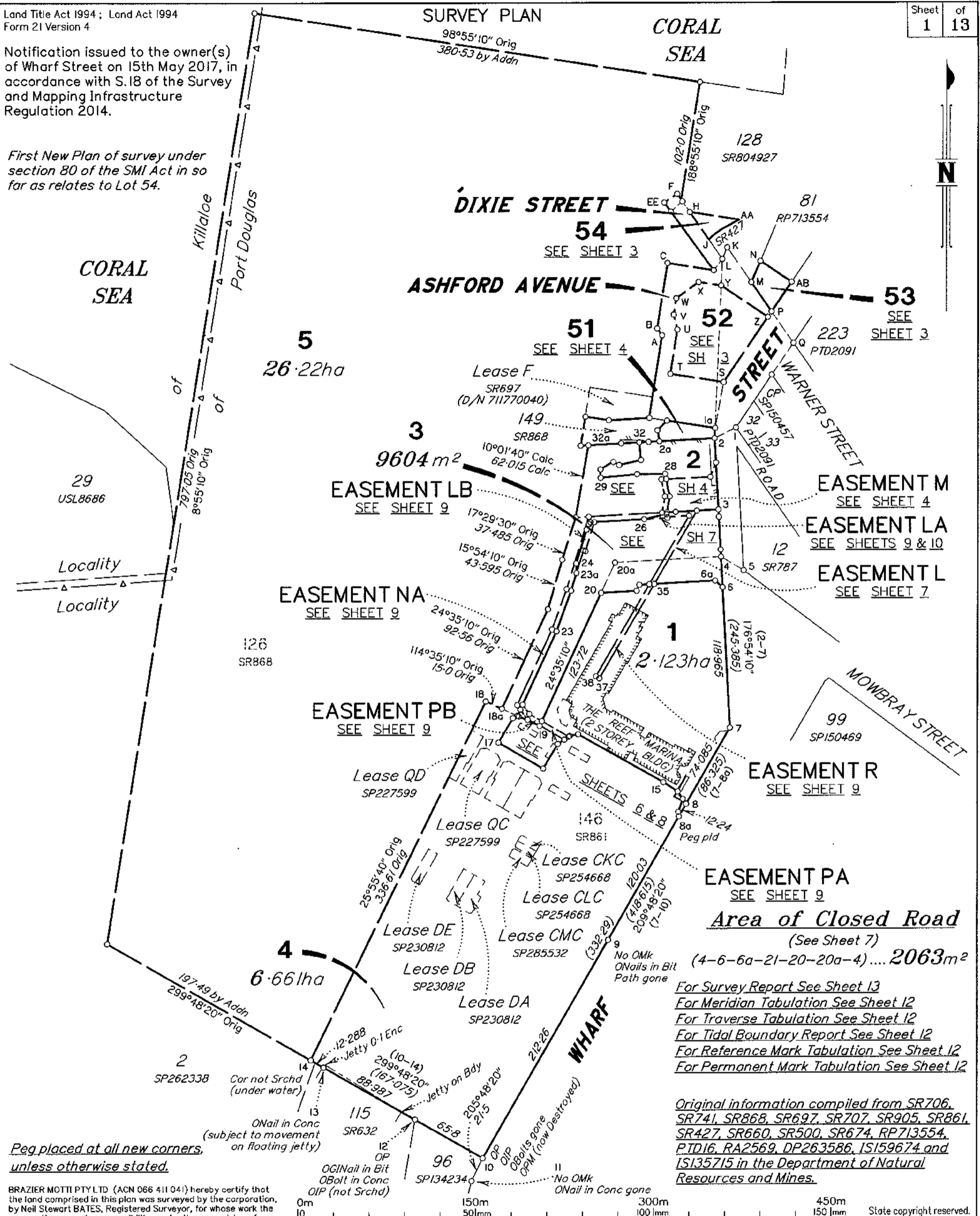
## DA Mapping System – Print Screen

Date: 05/10/2017

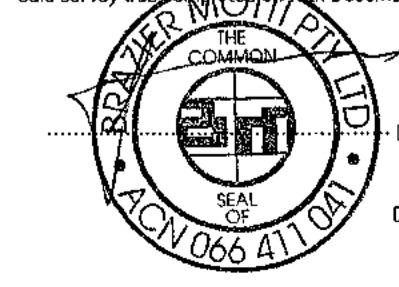
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Notification issued to the owner(s) of Wharf Street on 15th May 2017, in accordance with S.18 of the Survey and Mapping Infrastructure Regulation 2014.

First New Plan of survey under section 80 of the SMI Act in so far as relates to Lot 54.



BRAZIER MOTIPTY LTD (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Neil Stewart BATES, Registered Surveyor, for whose work the corporation accepts responsibility, under the supervision of John Max DYER, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 16th December 2016.



Date 28th June 2017.

**Plan of Lots 1 - 5 & 51 - 54 & Proposed Emt R & Proposed Emt PA in Lot 1, Proposed Emt M in Lot 2, Proposed Emt L, Proposed Emt LA, Proposed Emt LB & Proposed Emt PB in Lot 3 & Proposed Emt NA in Lot 4**

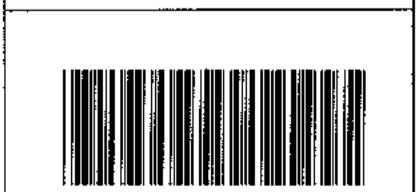
Cancelling Lot 126 on SR868, Lot 103 on SR500, Lot 146 on SR861 and part USL (being Closed Road) (Inlet Road).

LOCAL GOVERNMENT: COUNCIL DOUGLAS SHIRE LOCALITY: PORT DOUGLAS

Meridian: MGA (Zone 55) vide Meridian Table Survey Records: No

Scale: 1:3000

Format: STANDARD



SP288958

For Survey Report See Sheet 13  
For Meridian Tabulation See Sheet 12  
For Traverse Tabulation See Sheet 12  
For Tidal Boundary Report See Sheet 12  
For Reference Mark Tabulation See Sheet 12  
For Permanent Mark Tabulation See Sheet 12

Original information compiled from SR706, SR741, SR868, SR697, SR707, SR905, SR861, SR427, SR660, SR500, SR674, RP713554, PTD16, RA2569, DP263586, ISI59674 and ISI35715 in the Department of Natural Resources and Mines.

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**WARNING : Folded or Mutilated Plans will not be accepted.**  
**Plans may be rolled.**  
**Information may not be placed in the outer margins.**

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

**1. Certificate of Registered Owners or Lessees.**

I/We .....

(Names in full)

\*as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\*as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

\* Rule out whichever is inapplicable

**2. Planning Body Approval.**

hereby approves this plan in accordance with the :  
%

Dated this ..... day of .....

..... #

..... #

\* Insert the name of the Planning Body.

% Insert applicable approving legislation.

# Insert designation of signatory or delegation

**3. Plans with Community Management Statement :**

CMS Number :

Name :

**4. References :**

Dept File : 2012/004359

Local Govt :

Surveyor : 31758/3-2 MLC  
31758\_002C 06/2017

6. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
49023081	Lot 126 on SR868	3-5 & 51-54	-	Emt L, Emt LA, Emt LB, Emt NA & Emt PB
17557040	Lot 103 on SR500	2 & 4	-	Emt M & Emt NA
17557180	Lot 146 on SR861	1 & 4	-	Emt R & Emt PA

**MORTGAGE ALLOCATIONS**

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
716574284	2	4
716574282	1	4

**EXISTING LEASE ALLOCATIONS**

Lease	Lots to be Encumbered
711770040 (Lease F on SR697)	5
714627209	51
602819460 (Lot B on SR904)	1 & 4
711086127 (Lease C on ISI46230)	1 & 4
712963586 (Lease DB on SP230812)	4
713199555 (Lease DE on SP230812)	4
713202205 (Lease CG on SP230812)	4
714572386 (Lease DA on SP230812)	4
714616739 (Leases CKC & CLC on SP254668)	4
716293332 (Lease I6A)	1
716293332 (Lease I6)	1 & 4
717074512 (Lease 45)	1
717205741 (Lease CMC on SP285532)	4
717223122 (Lease XC on SP273338)	1
717419488 (Leases 66 & 67)	1 & 4
717427615 (Lease 65 & Lease XD on SP277164)	1
717703242 (Leases 40 & 42)	1
717839331 (Lease 43)	1
717839359 (Lease 53)	1
717879978 (Shops I3 & I4)	1
717888913 (Shop I2)	1
717948727 (Lease CAC on SP288965)	4
717842202 (Leases QA, QB, QC & QD on SP227599)	4

**EXISTING ADMINISTRATIVE ADVICE ALLOCATIONS**

Administrative Advice	Lots to be Encumbered
713803904	3-5 & 51-54
713803911	3-5 & 51-54
717639291	3-5 & 51-54

Trustee Leases 715487882 (Lease D), 715487893 (Lease E) & 715487898 (Lease J) are to be surrendered prior to registration of this plan. Mortgage 716574277 should also therefore be surrendered.

**9. Building Format Plans only.**

I certify that :  
\* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;  
\* Part of the building shown on this plan encroaches onto adjoining \* lots and road

Cadastral Surveyor/Director\* Date  
\*delete words not required

**10. Lodgement Fees :**

Survey Deposit	\$ .....
Lodgement	\$ .....
.....New Titles	\$ .....
Photocopy	\$ .....
Postage	\$ .....
TOTAL	\$ .....

**7. Orig Grant Allocation :**

**8. Passed & Endorsed :**

By: BRAZIER MOTTI PTY LTD

Date: 28-6-17

Signed: *[Signature]*

Designation: Liaison Officer

11. Insert Plan Number

**SP288958**

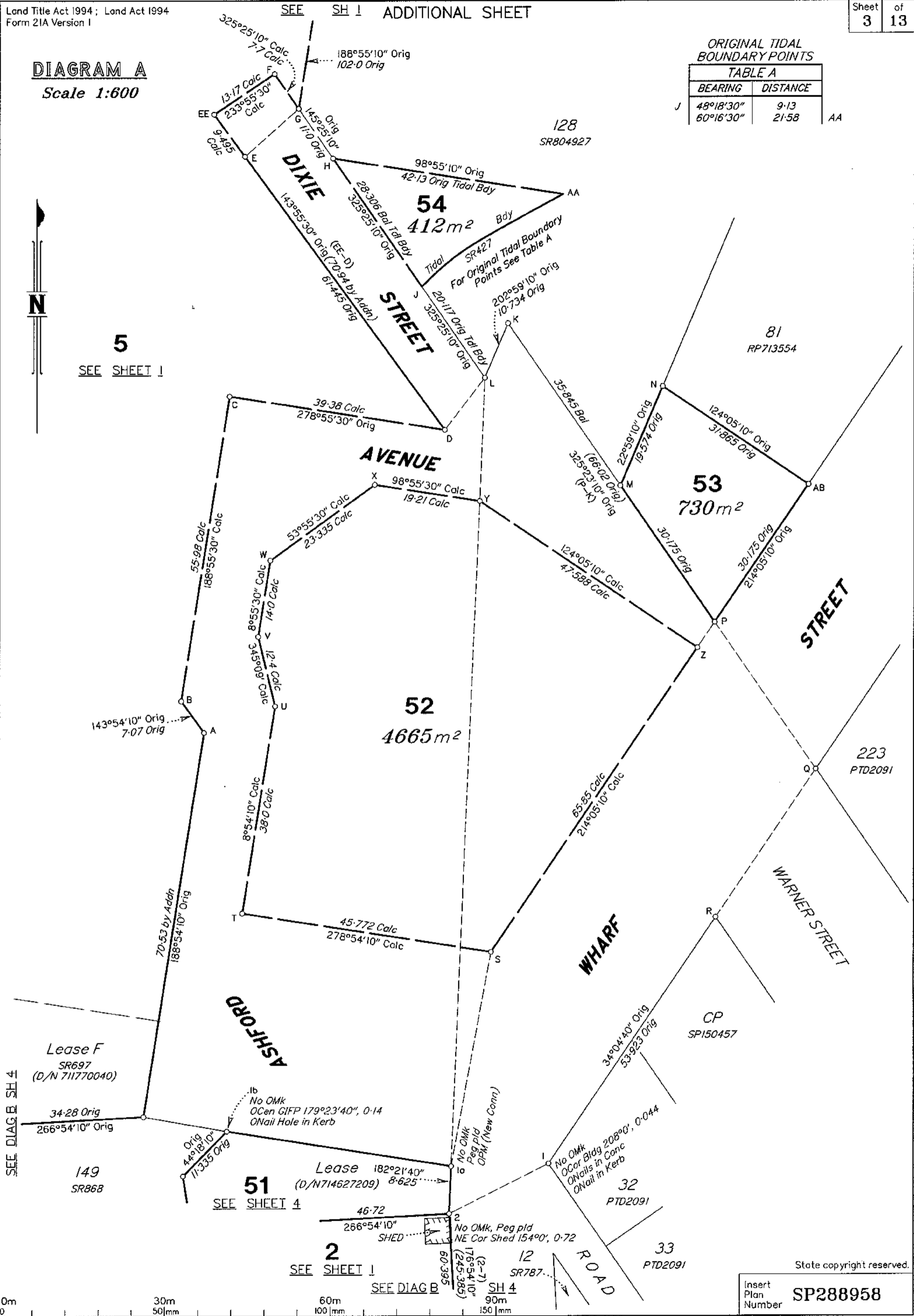
**DIAGRAM A**  
Scale 1:600

ORIGINAL TIDAL  
BOUNDARY POINTS

TABLE A	
BEARING	DISTANCE
48°18'30"	9.13
60°16'30"	21.58

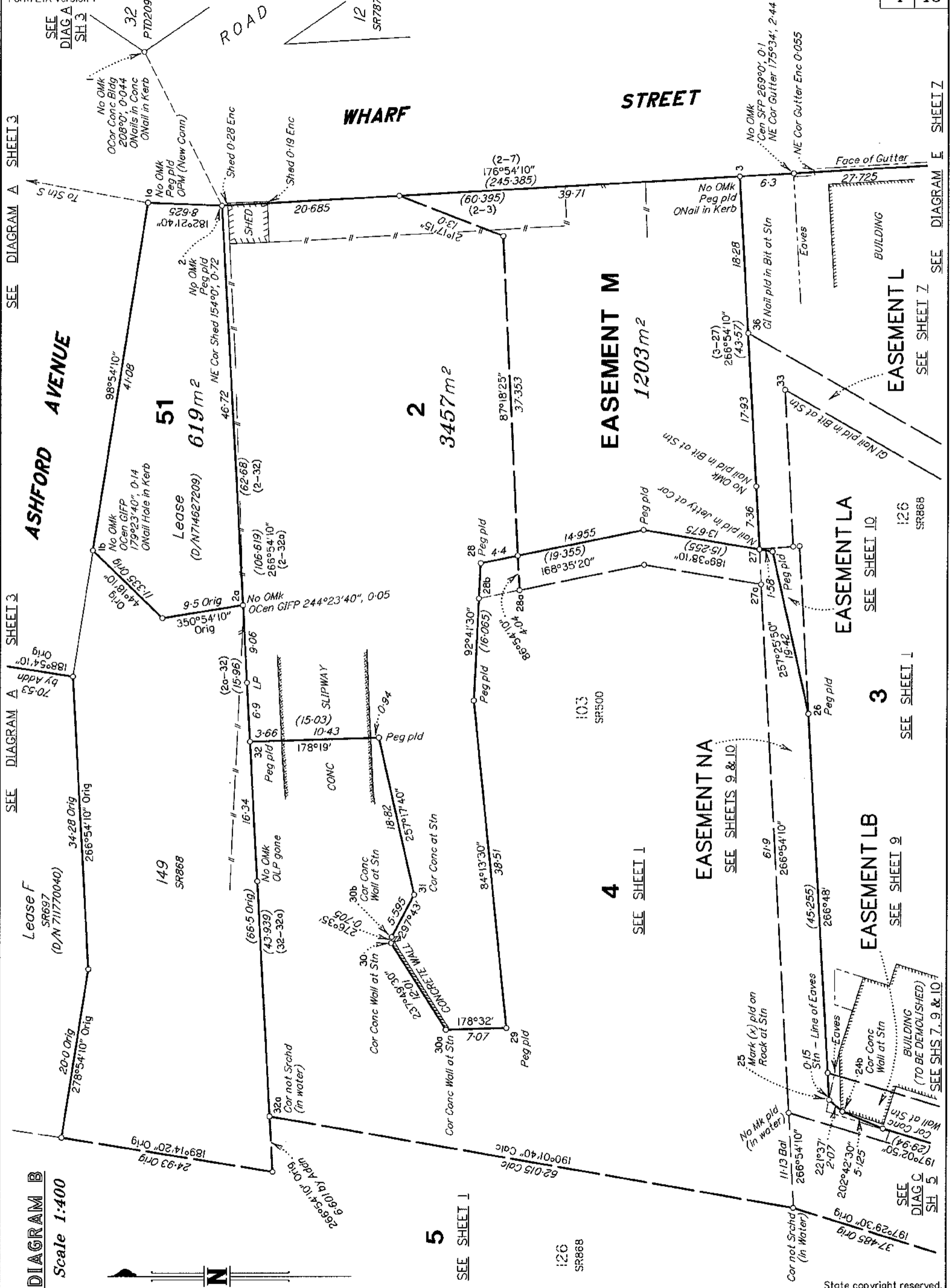


5  
SEE SHEET 1

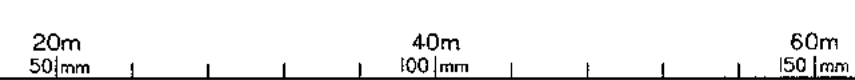


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Insert Plan Number **SP288958**



**DIAGRAM B**  
Scale 1:400



**5**  
SEE SHEET 1

**4**  
SEE SHEET 1

**3**  
SEE SHEET 9  
SEE SHEET 10

**26**  
SR868

**126**  
SR868

**36**  
SR868

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Insert Plan Number **SP288958**

SEE DIAGRAM E SHEET 7

SEE SHEET 10

SEE SHEET 1

SEE SHEET 9

SEE SHS 7, 9 & 10

SEE DIAG C SH 5

SEE SHEET 7

SEE DIAGRAM A SHEET 3

SEE DIAGRAM A SHEET 3

SEE DIAGRAM A SHEET 3

SEE DIAG A SH 3

**ASHFORD AVENUE**

**WHARF**

**STREET**

**51**  
619m<sup>2</sup>

**2**  
3457m<sup>2</sup>

**EASEMENT M**  
1203m<sup>2</sup>

**EASEMENT LA**

**EASEMENT LB**

**EASEMENT NA**

**EASEMENT L**

**LEASE F**  
SR867  
(D/N 711770040)

**149**  
SR868

**LEASE**  
(D/N 714627209)

**BUILDING (TO BE DEMOLISHED)**

**BUILDING**

DIAGRAM C

Scale 1:500 - Lengths are in Metres.

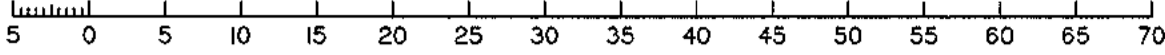


DIAGRAM CA

Scale 1:250

EASEMENT NA

SEE SHEET 9

EMT LB

EMT LB

SEE SHEET 9

4

SEE SHEET 1

3

SEE SHEET 1

5

SEE SHEET 1

3

SEE SHEET 1

4

SEE SHEET 1

1

SEE SHEET 1

EMT NA

SEE SHEET 9

EMT PB

SEE SHEET 9

EMT PA

SEE SHEET 9

EASEMENT R

(NORTHERN SECTION OF BUILDING TO BE DEMOLISHED)

Lease XD  
SP27164

THE REEF MARINA  
(2 STOREY BUILDING)

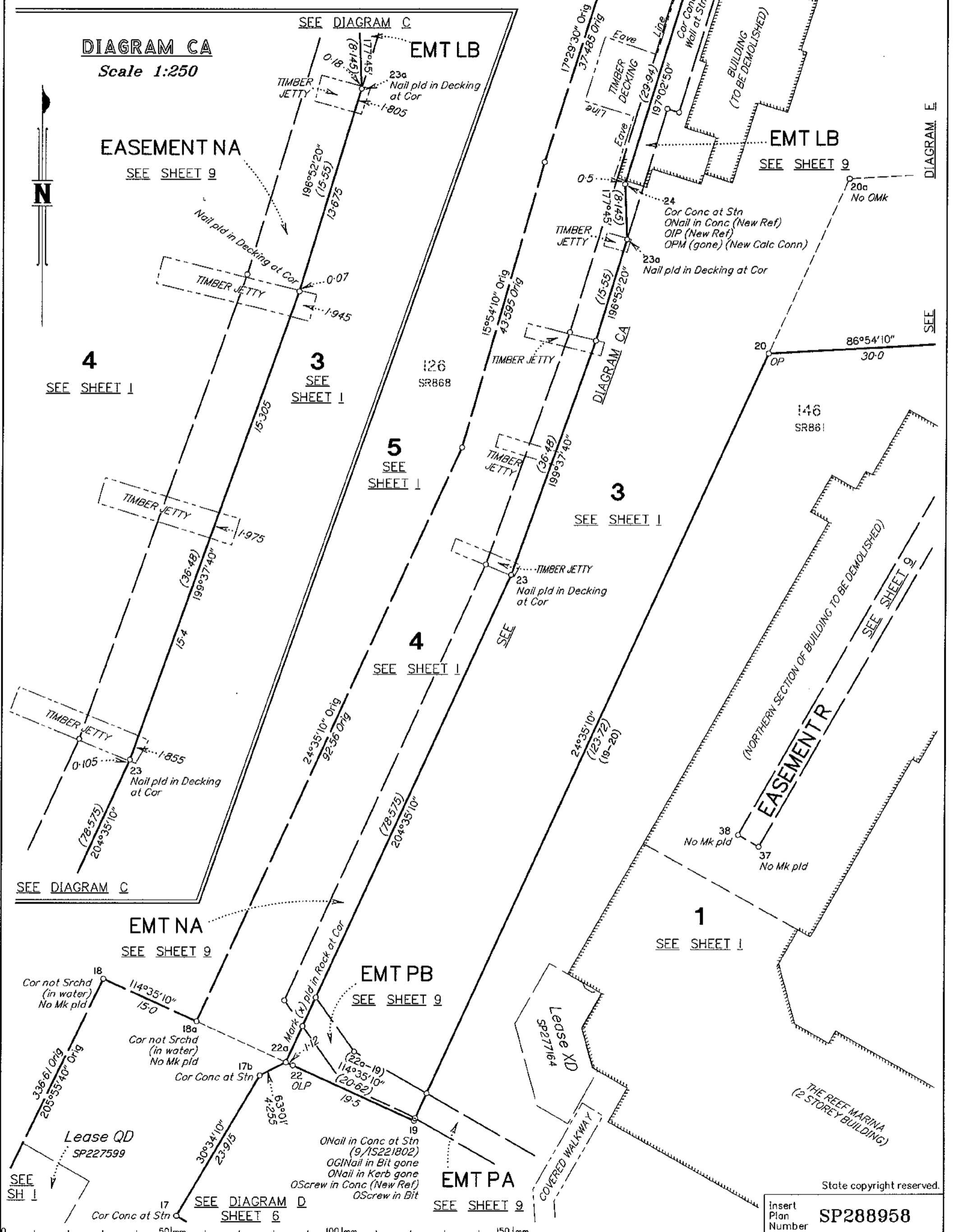
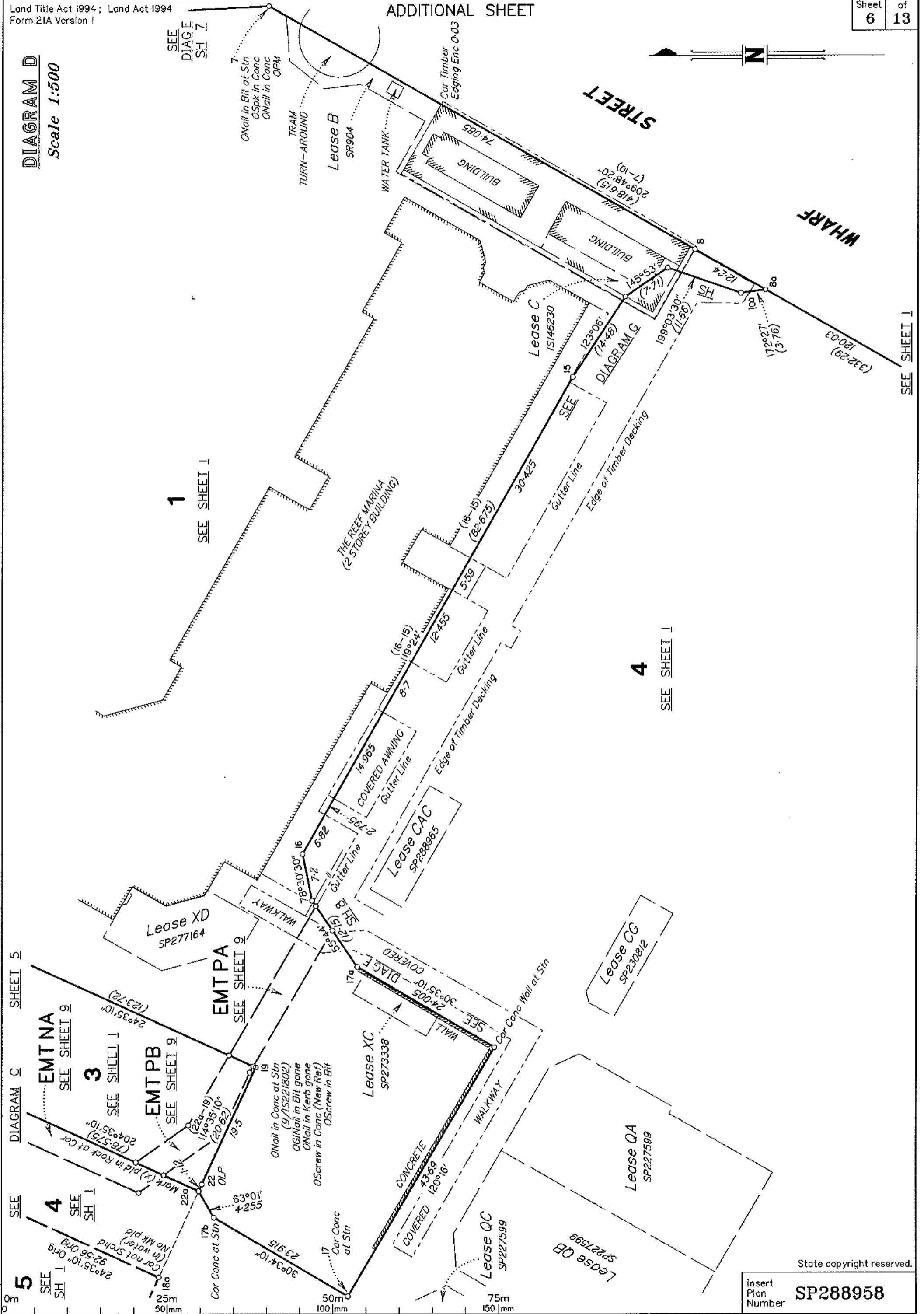
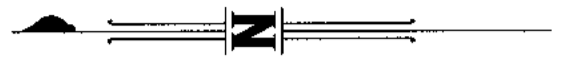


DIAGRAM D  
Scale 1:500



1  
SEE SHEET I

4  
SEE SHEET I

SEE SHEET I

DIAGRAM C  
SHEET 5

5  
SEE SHEET I

EMTNA  
SEE SHEET 9

3  
SEE SHEET I

EMTPB  
SEE SHEET 9

EMTPA  
SEE SHEET 9

Lease XC  
SP273338

Lease CG  
SP230812

Lease QA  
SP227599

Lease QC  
SP227599

Lease QB  
SP227599

Lease XD  
SP277164

Lease CAC  
SP288958

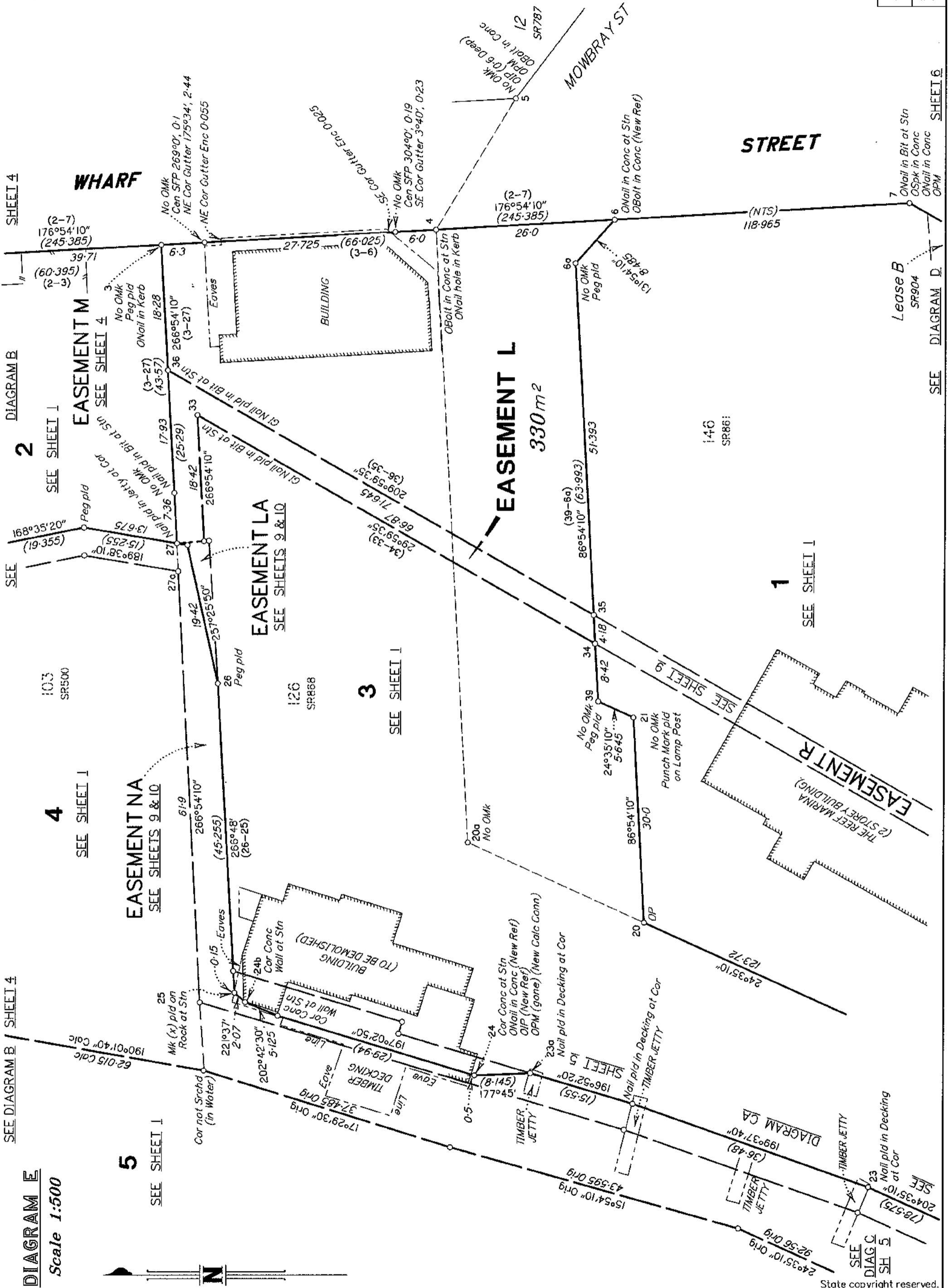
Lease C  
SP146230

THE REEF MARINA  
(2 STOREY BUILDING)

Lease A  
SP288958

Lease B  
SP904

Lease G  
SP146230



**DIAGRAM E**  
Scale 1:500



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Insert Plan Number **SP288958**



**DIAGRAM H**  
Scale 1:600

SEE DIAGRAM B  
SHEET 4

**EMT NA**  
969m<sup>2</sup>

SEE DIAG J & K  
SHS 10 & 11

SEE SHEET 1

103  
SR500

SEE SHEET 1  
**EMT M**  
SEE SHEET 4

(3-27)  
266°54'10"  
(43-57)

**EMT LB**  
149m<sup>2</sup>

SEE SHEET 1

126  
SR868

**EMT LA**  
32m<sup>2</sup>

SEE DIAGRAM J  
SHEET 10

24  
Cor Conc at Stn  
ONail in Conc (New Ref)  
OIP (New Ref)  
OPM (gone) (New Calc Conn)

**5**

SEE SHEET 1

126  
SR868

**EASEMENT R**  
319m<sup>2</sup>

**1**

SEE SHEET 1

**EMT PB**  
94m<sup>2</sup>

SEE DIAG K  
SHEET 11

**EMT PA**  
100m<sup>2</sup>

SEE DIAG K  
SHEET 11

Lease XC  
SP273338

Lease XD  
SP27164

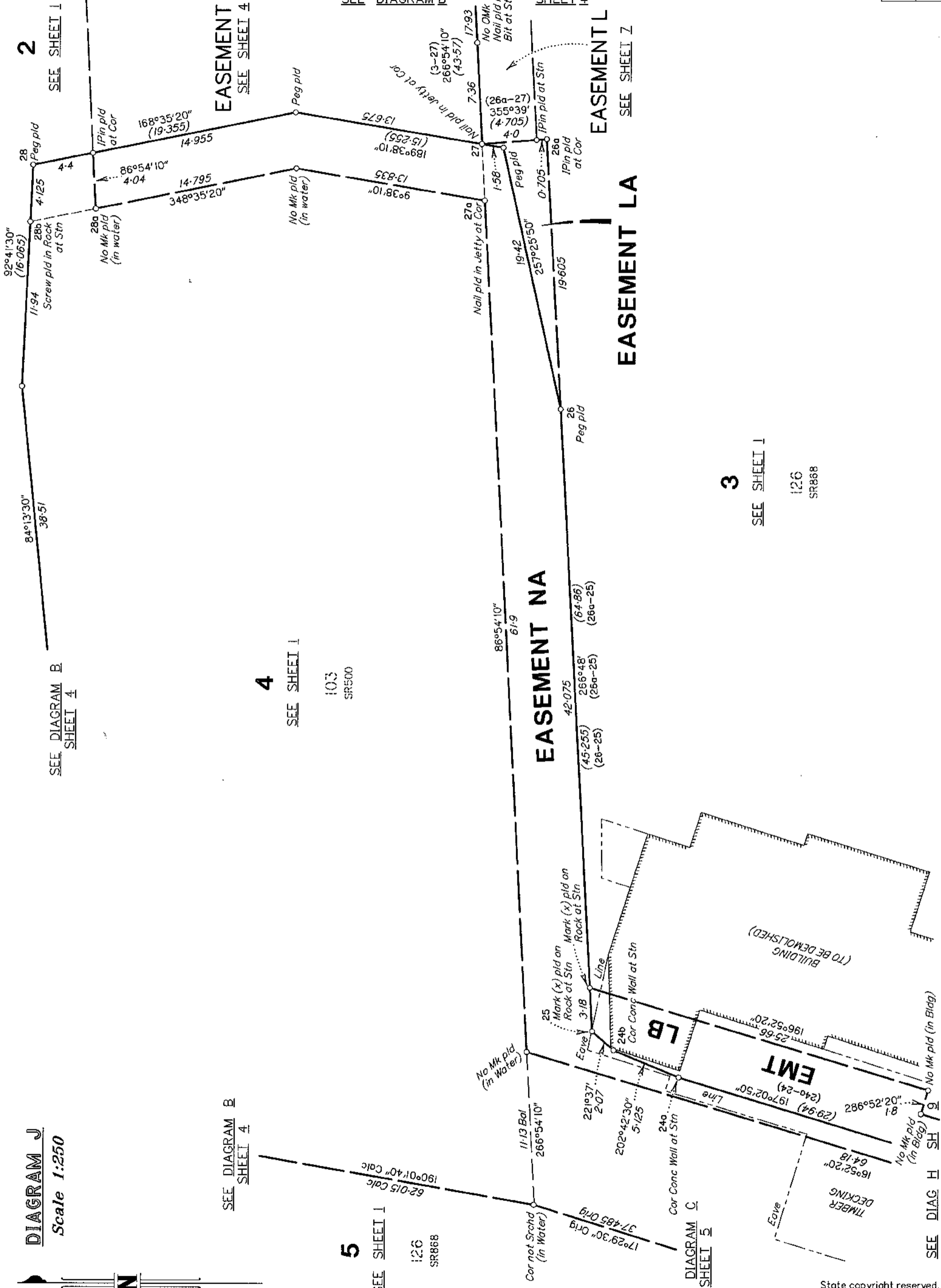
THE REEF MARINA  
(2 STOREY BUILDING)

(NORTHERN SECTION OF BUILDING TO BE DEMOLISHED)  
THE REEF MARINA  
(2 STOREY BUILDING)





ADDITIONAL SHEET



**DIAGRAM J**  
Scale 1:250

SEE DIAGRAM B  
SHEET 4

4  
SEE SHEET 1

103  
SR500

5  
SEE SHEET 1

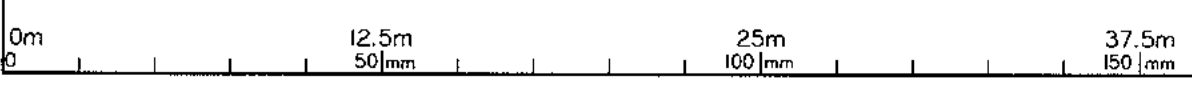
126  
SR888

3  
SEE SHEET 1

126  
SR888

SEE DIAGRAM C  
SHEET 5

SEE DIAG H SH



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Insert Plan Number **SP288958**



THE REEF MARINA  
(2 STOREY BUILDING)

Lease XD  
SP277164

EASEMENT PA

EASEMENT PB

EASEMENT NA

Lease XC  
SP273338

1  
SEE SHEET I

3  
SEE SHEET I

4  
SEE SHEET I

5  
SEE SHEET I

4  
SEE SHEET I

1  
SEE SHEET I

SEE DIAGRAM H  
SHEET 9

DIAGRAM H  
SHEET 9

SEE

SEE DIAG D

SEE DIAGRAM D  
SHEET 6

SH 6

SEE SHEET I

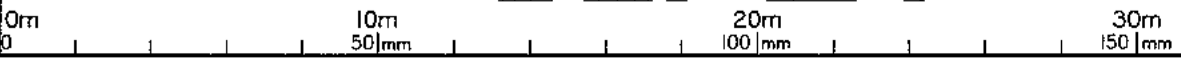
SEE SHEET 6

SEE

DIAGRAM K  
Scale 1:200

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Insert Plan Number  
SP288958



REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	ONail in Conc	5/1S159674	307°08'40"	0-995
1	ONail in Conc	10/SP121813	268°23'50"	3-52
1	ONail in Kerb	5/1S159674	306°45'40"	3-61
1a	Nail in Kerb		116°49'	3-555
1a	Iron Pin		1°47'	3-675
1b	ONail hole in Kerb	8/1S159674	21°19'20"	7-39
2	Nail in Conc		26°41'	7-85
3	Bolt in Conc		7°17'	1-025
3	Nail in Kerb		96°30'	3-73
3	ONail in Kerb	3/1S128125	91°08'10"	14-982
4	ONail hole in Kerb	2/1S159674	152°06'40"	3-85
5	OIP (0-6 Deep)	3/1S159674	307°53'40"	1-0
5	OBolt in Conc	5/DP263586	220°19'10"	4-686
6	OBolt in Conc	7/DP263586	356°54'10"	9-45
7	OSpk in Conc	1/1S159674	165°56'40"	7-387
7	ONail in Conc	1/SR904	158°08'50"	10-276
8	ORam Nail in Conc	2/SP219626	144°49'10"	4-856
8	ORam Nail in Conc	2/SP219626	152°29'40"	5-52
8a	Iron Pin		168°13'	1-645
8a	Nail in Conc Fd		195°52'30"	10-425
9	ONail in Bit Path gone	3/SP219626	119°48'20"	3-296
9	Nail in Kerb		119°07'	10-925
9	ONail in Bit Path gone	3/SP219626	36°06'55"	33-059
10	OIP	13/SR861	186°38'40"	3-88
10	OBolt in Conc (gone)	9/DP263586	123°56'10"	4-813
10	OBolt in Conc (gone)	9/DP263586	177°10'40"	13-868
11	ONail in Conc gone	3/SP134234	109°13'40"	0-865
11	Nail in Conc		51°06'	1-405
12	OIP (not Srchd)	11/DP263586	337°47'10"	1-613
12	OGNail in Bit	2/1S221802	291°03'	3-794
12	OBolt in Conc	11/DP263586	299°44'10"	5-962
17	Screw in Conc		244°56'	10-09
17a	OScrew in Conc	4/SP273338	216°46'	1-505
19	OScrew in Conc	7/SP258919	193°59'45"	6-114
19	OScrew in Bit	6/SP273338	108°51'30"	6-259
19	OGNail in Bit gone	8/SP258919	35°53'25"	8-829
19	ONail in Kerb gone	6/SP273338	50°18'45"	16-398
20	Nail in Bit		34°30'20"	10-195
21	Bolt in Post		329°03'	0-095
22	Nail in Conc		157°32'	3-735
24	ONail in Conc	1S221802	110°36'	1-475
24	OIP	12/1S221802	109°51'	6-8
28	Nail in Conc		61°37'	4-135
31	Nail in Conc		134°28'	1-38
32	Nail in Conc		107°25'	11-15
35	Nail in Conc		42°07'	23-445
37	Nail in Conc		142°25'	37-21
38	Nail in Kerb		276°14'30"	26-67

M.G.A. COORDINATES GDA-94

STATION	EASTING	NORTHING	ZONE	P.U.	LINEAGE	METHOD	REMARKS
OPM500028	335 870-893	8 177 302-731	55	0.009	Datum		
OPM92839	335 776-715	8 176 978-808	55	0.025	Derived	Traverse	
OPM99597	335 769-171	8 176 834-478	55	0.011	Datum		
OPM117982	335 557-267	8 176 416-376	55	0.011	Datum		now Destroyed

MERIDIAN TABLE

LINE	PLAN BEARING	MGA ZONE 54 BEARING
PM117982 to PM500028	19°29'10"	19°29'09" vide SCDB QLD ANJ 16-09
PM99597 to PM500028	12°15'22"	12°15'23" vide SCDB QLD ANJ 16-09

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE	
1a-OPM		30°07'10"	234-205	500028	DDM	(New Conn)
5-OPM	5/SR787	221°48'40"	1-246	92839	Brass Plaque	
7-OPM	1/SR904	166°32'20"	12-403	99597	Brass Plaque	
10-OPM (now Destroyed)	4/SP219626	180°49'25"	66-956	117982	Mini Bolt	
24-OPM (gone)	5/SR707	91°32'	12-54	52136	Brass Plaque	(New Calc'd Conn)

TRAVERSES ETC

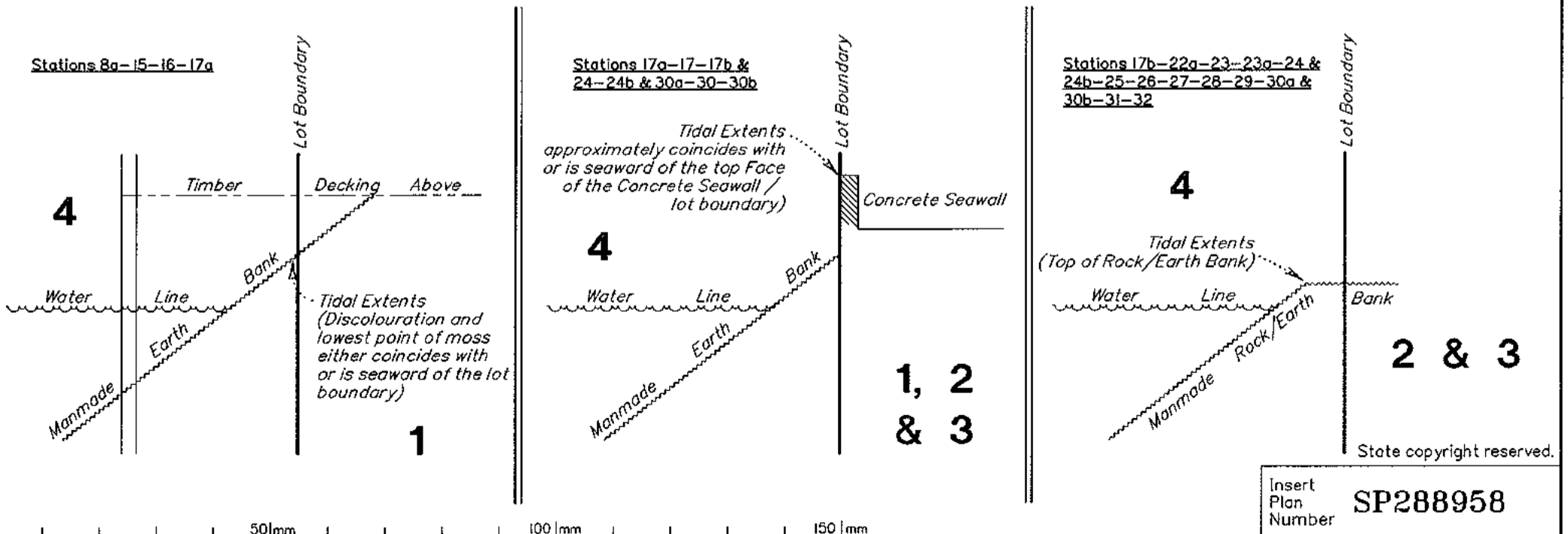
LINE	BEARING	DISTANCE
1-2	243°15'40"	20-117
1a-5	10°46'	40-02
4-5	121°09'10"	22-32
18a-22a	114°35'10"	14-38
20-20a	24°35'10"	28-23
20a-4	86°54'10"	89-5
27-27a	266°54'10"	4-101
28a-28b	348°35'20"	4-82
D-L	35°21'10"	12-048 Orig
E-G	46°02'10"	13-094 Orig
L-Y	182°21'40"	22-545 Calc
P-Z	214°05'10"	5-728 Calc
Q-P	325°25'10"	32-398 Orig
R-Q	34°05'10"	32-388 Orig

TIDAL BOUNDARY REPORT

- This plan is prepared under Part 7 of the SMI Act 2003, Section 80 applies in so far as relates to Lot 54 herein.
- The tidal boundary of Lot 54 between Stations J and AA has been compiled from SR427. That plan records the last known location of the tidal boundary. This was surveyed in October 1965. This tidal boundary now no longer exists.
- Survey plans on the South-West side of Dixie Street around 1987/1988, specifically SR905, depict, and therefore indicate the tidal boundary has moved significantly over approximately 22 years.
- This sudden change would indicate that the tidal boundary has not moved slowly, gradually, and imperceptibly. Severe flooding and regular cyclonic activity may have contributed to this sudden change. As well, there have been manmade changes with the construction of a rock wall, wharf abutment, and road formation within and around Dixie Street.
- The tidal boundary has therefore been depicted in its original position as surveyed by SR427. This has been compiled from the field notes of SR427.

**SURVEY REPORT:**

1. The purpose of the survey is to convert Lots 1, 2 and 3 to freehold. These lots are above the tidal extents. Lot 4 will be a term lease. Lots 5, 51, 52, 53 and 54 will be reserves.
2. The meridian of the survey is MGA Zone 55 vide EDM traverse through datum coordinated PSM's (see meridian table). A general correction of +4° 23' 40" has been applied to underlying plans not on MGA Zone 55.
3. Stations 1, 1a, 1b and 2 have been fixed by original references off SR787 and IS159674 and original angles and distances from SR500 and IS159674.
4. Line 2-7 has then been fixed by original references and traverse connections off Stations 3, 4, 5, 6, and 7. Utilising plans DP263568, IS128125, IS159674, and SR904. An excess of 0.045m has been observed between Stations 2 and 3 (60.395m) compared to the original dimension of 60.350m on SR500. However IS128125 measured Stations 2-3 as 60.39m.
5. Line 7-11 was fixed by original references off Stations 8, 9, and 10. Utilising plans SP219626, SR904 and SR861. Distances agreed with original.
6. Line 10-14 was fixed by original marks and reference marks off Station 12 (IS221802 and DP263586). The balance of that line was fixed by original distances as shown calculated on DP263586.
7. Lines 6-6a-21-20-19-22-18 were fixed by original angles and distances, closing on original references and corner marks at Stations 19 and 22 (SR861, SP258919, SP273338 and IS221802). The balance of line 19-18 was fixed by original distances.
8. Line 14-18 is original angle and distance, as per SR861.
9. Line 2-32a was fixed by original angle and distances off Wharf Street (SR812, SR500 and SR868), which agreed with occupation at Station 2a (IS159674).
10. Line 3-27 was fixed by original angle off Wharf Street. No original marks on that alignment were found.
11. Calculated original angles and distances were used to fix the four lines between Stations 18a and 32a. Plans utilised SR707, SR741, and SR500. Note that the original LWM adopted on SR500 has been fixed as a calculated right-line boundary, based on the excess between Stations 2 and 3.
12. Original angles and distances have been adopted to fix the lines from Station 32a, clockwise around Lot 149 on SR868, through to station B. Plans used, IS159674, SR697, and SR674.
13. DP263586 was utilised to fix stations 1-R-Q-P-K-L-G-E-D by adopting original traverse and deed angles and distances off that plan.
14. The four lines between Stations 14 and G, clockwise around Lot 5, were fixed by the calculated original angles and distances off DP263586.
15. Lot 53 was compiled from PTD20916.
16. Lot 54 was compiled from calculated original dimensions off DP263586, and original deed angles and distances off SR427, including the original Tidal Boundary (off SR427).
17. Station C was fixed by perpendicular intersection between Stations B and D, utilising the original angle (45°) at Station D (SR706). Plans SR905, DP263586, IS76068, and IS135715 have also observed this angle.
18. Station Z was fixed by distance along Wharf Street from Station P (5.728m), being the distance calculated from a right-angle intersection onto the Wharf Street alignment from the south western corner of Lot 85 as depicted on SR297. (see also RA2569)
19. Line S-T is 40m offset and parallel with line 1a-1b. Station S is at the intersection of this line and the extension of line AB-P, through Z.
20. Station Y was fixed by adopting the connection 1a-L (SR660 and RA2569) and an intersection from Station Z, perpendicular with line S-Z. Distances L-Y and Y-Z calculated accordingly.
21. The width of Ashford Avenue was calculated by parallel offset of line C-D onto Station Y (11.608m).
22. Station T was calculated by the width of Ashford Avenue (11.608m) and a line off station S (parallel to line 1a-1b).
23. Scaled distances from SR868 and the DCDB was used to calculate the truncation (16.5m) of Ashford Avenue to enable calculation of Stations W and X.
24. Distances scaled from SR868 and the DCDB together with parallel offsets of the Ashford Avenue width were used to calculate Stations U and V off Stations T and W respectively (38m and 14m respectively). Line U-V is calculated.
25. SR868, DP263568 and the DCDB were used to dimension line F-G (7.7m) extended along line L-G to calculate Station F. A perpendicular line was intersected from Station F onto the alignment D-E to calculate Station EE.
26. The right-line boundaries from Station 8a-15-16-17a-17-22a-23-23a-24-25-26-27-28-29-30-31-32 have been surveyed landward of the tidal extents.
27. The three cross sections below depict the location of the tidal extents in relation to the lot boundaries. Generally the tidal extents have been defined by either; the discolouration on man-made earth embankments, the top of rock walls, or the face/edge of concrete sea-walls.
28. It was noted that many encroachments exist where structures and secondary parcels are severed by the determination of the tidal extents.



## ATTACHMENT 4: RELEVANT APPROVALS



**YOUR REF:** 45-2014/DSC/MCU 29092014  
**OUR REF:** MCUC 449/2014 (438235)

22 January 2015

Reef Marina Pty Ltd  
C/- RECS Consulting Engineers & Building Design  
PO Box 894  
**PORT DOUGLAS QLD 4877**

Attention: Mr Peter Dutailis

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR WHARF STREET, PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 20 January 2015, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

This notice also includes an Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009*.

Your attention is drawn to the Advice statements in respect to compliance with other legislation and in particular compliance with the requirement for any disability access under the Premises Standards.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Donna Graham  
Manager Development & Environment

Att

43.2014.449  
1/38

**APPLICANT DETAILS**

Reef Marina Pty Ltd  
C/- RECS Consulting Engineers & Building Design  
PO Box 894  
PORT DOUGLAS QLD 4873

**ADDRESS**

Wharf Street, Port Douglas

**REAL PROPERTY DESCRIPTION**

Lot 146 on SR861

**PROPOSAL**

Marina

**DECISION**

Approved in part subject to conditions (refer to approval package below) and Refused in part.

**DECISION DATE**

20 January 2015

**TYPE**

Material Change of Use (Development Permit)

**REFERRAL AGENCIES**

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Tidal works or development in a coastal management district	Department of State Development, Infrastructure and Planning	Advice or Concurrence	Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT**

None

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)**

Not in conflict

**A. CONDITIONS FOR APPROVAL IN PART FOR A MATERIAL CHANGE OF USE AND OPERATIONAL WORK FOR PRESCRIBED TIDAL WORK FOR THE EXPANSION OF THE EXISTING MARINA OVER LAND DESCRIBED AS LOT 146 ON SR861, LOCATED AT WHARF STREET, PORT DOUGLAS:**

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

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

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

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

**ASSESSMENT MANAGER CONDITIONS**

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

Except where modified by these conditions of approval

**Timing of Effect**

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



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**Damage to Council Infrastructure**

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

**Storage of Machinery and Plant**

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

**Demolish Structures**

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

**Construction Access**

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

**CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS**

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

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

**ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of 339 and 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.

3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

#### **Infrastructure Charges Notice**

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

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

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

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

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

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

#### **LAND USE DEFINITIONS\***

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

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

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

*The use includes:*

- *slipway;*
- *marine infrastructure;*
- *offices and storerooms;*
- *laundry, toilet and shower facilities;*
- *general store not exceeding 250m<sup>2</sup>*
- *marine retail, including dive stores;*
- *marine related tourism activities;*

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

- *ancillary marina facilities used in connection with the marina;*
- *sale of freshly caught seafood produce from marine vessels (specifically the vessel the seafood was caught from).*

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

**B. PLANNING GROUNDS FOR REFUSAL IN PART OF THE MATERIAL CHANGE OF USE AND OPERATIONAL WORK FOR PRESCRIBED TIDAL WORK FOR THE EXPANSION OF THE EXISTING MARINA AS IT RELATES TO THE PROPOSED 'UTILITY BERTHS' OVER LAND DESCRIBED AS LOT 146 ON SR861, LOCATED AT WHARF STREET, PORT DOUGLAS:**

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

**RIGHTS OF APPEAL**  
Attached

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**End of Decision Notice**

# APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)

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

## GENERAL NOTES :

- 10 ALL DIMENSIONS AND LEVELS ARE TO BE VERIFIED ON SITE.
- 20 WHEN IN DOUBT ASK DO NOT SCALE
- 30 ALL DIMENSIONS ARE SHOWN IN MILLIMETRES UNO
- 40 ALL LEVELS ARE SHOWN IN METRES AND ARE REDUCED TO LOWEST ASTRONOMICAL TIDE (LATI). (AHD IS +1584 ABOVE LATI).
- 50 PILES
  - TOLERANCE FOR DRIVING IN PLAN +/- 50 mm MEASURED AS THE WORST COMBINATION OF PLAN DEVIATION AND OUT OF PLUMB OVER FULL TIDAL RANGE VERTICAL = 1 IN 150 MAX OUT OF PLUMB
  - CONTRACTOR TO ADVISE ENGINEER IF BED LEVEL DIFFERS FROM DESIGN LEVEL BY MORE THAN 300mm.
- 60 PONTOON DIMENSIONS ARE NOMINAL
  - DIMENSIONS ARE MEASURED TIMBER TO TIMBER
- 70 PONTOONS ARE TO BE CONNECTED TOGETHER WITH TIMBER WALERS
- 80 ALL THRU-RODS ARE TO BE M20 NOMINAL ROLL THREADED ROD (GALV) EX 165mm DIA. SPACING TO VARY WITH LOCATION
- 90 ALL TIMBER DESIGN AND CONSTRUCTION TO BE IN ACCORDANCE WITH AS 1720-1
  - WALKER SIZES
    - ARM A
      - WALKWAY
        - 2/75 x 300 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
      - FINGERS FOR 25m TO 30m BOAT
        - 2/75 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
      - FINGERS FOR 22m BOAT
        - 2/50 x 200 GRADE F17 HARDWOOD
    - ARM B
      - WALKWAY
        - 2/50 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
      - FINGERS
        - 2/50 x 200 GRADE F17 HARDWOOD
    - UTILITY BERTHS
      - 2/50 x 200 GRADE F17 HARDWOOD PLUS 40 x 300 FB SOFTWOOD COVERBOARD
  - ALL TIMBER TO BE SEASONED AND TREATED IN ACCORDANCE WITH AS 1604.
  - STRUCTURAL TIMBER MUST NOT BE CUT OR DRILLED FOR ANY REASON OTHER THAN SHOWN ON THESE DRAWINGS
- 100 ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD OR 6mm FILLET WELD AS REQUIRED UNO
- 110 ALL ALUMINIUM WORK TO BE IN ACCORDANCE WITH AS 1664
  - ALL EXTRUSIONS TO BE TYPE 6061-T6 OR 6082-T5 UNO
  - PLATES TO BE TYPE 5083 TEMPER H221
  - ALL WELDS SHALL BE INERT GAS WELD USING PULSE MIG OR TIG FUSION WELDING PROCESS
  - ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH
  - ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD
- 120 ALL STEEL AND ALUMINIUM WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH
- 130 PILE GUIDE BLOCKS ARE TO BE ADJUSTED AS REQUIRED TO SUIT PILE SIZE AND POSITION ON SITE
  - CLEARANCE MUST BE PROVIDED BETWEEN PILE AND GUIDE TO PREVENT "HANGING" OF PONTOON UNDER FULL TIDAL RANGE

- 14.0 CONCRETE
  - ALL CONCRETE WORKS SHALL BE IN ACCORDANCE WITH AS 3600
  - MINIMUM CONCRETE STRENGTH f<sub>c</sub> = 50MPa
  - ALL STEEL REINFORCEMENT TO BE HOT DIP GALVANIZED
- 15.0 WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586
- 16.0 INSULATION

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

- 17.0 DESIGN PARAMETERS
  - WIND
    - BASIC WIND SPEED V<sub>b</sub> = 67.3m/s
    - TERRAIN CATEGORY TC2
    - GUST DURATION = 30sec
  - WAVE
    - WIND GENERATED WAVE
      - H<sub>s</sub> = 0.75m T = 2.1/s (FOR OUTER ARM)
      - H<sub>s</sub> = 0.3m T = 2.1/s (FOR INNER ARM)
    - BOAT WAKE
      - H<sub>max</sub> = 0.6m

- BERTHING IMPACT
  - APPROACHING VELOCITY
    - v = 0.3m/s LOA ≤ 25m
    - v = 0.2m/s LOA > 25m

- LIVE LOAD ON PONTOONS
  - MAX UNIFORMLY DISTRIBUTED LOAD 3 kPa
  - FREEBOARD UNDER DEAD LOAD
    - NEW ARM A : 600 +25mm
    - NEW ARM B & FISHERMEN BERTHS : 400 +25mm

DESIGN VESSELS (MAX)

VESSEL LENGTH (m)	WIND PROFILE AREA (m <sup>2</sup> )		DISPLACEMENT (t)
	BEAM	HEAD	
17	57.7	20.7	19.5
20	76.0	24.0	30.0
22	83.6	26.4	40.0
25	95.0	30.0	55.0
26	100.0	33.0	60.0
27	105.0	36.0	65.0
28	110.0	39.0	70.0
29	115.0	42.0	75.0
30	120.0	45.0	80.0
60	326.0	100.0	600.0

- 18.0 THE PROPOSED PONTOON COMPLIES WITH THE GUIDELINES IN AS3962-2001 "GUIDELINES FOR DESIGN OF MARINAS"
- 19.0 THE WORKS WILL BE STRUCTURALLY ADEQUATE FOR ANTICIPATED USAGE
- 20.0 THE WORKS COMPLY WITH ALL RELEVANT CODES - INCLUDING THE DEHP'S OPERATIONAL POLICY, BUILDING AND ENGINEERING STANDARDS FOR TIDAL WORKS



LOCALITY PLAN  
SCALE: NTS

LOT 146  
SR861  
IS221802  
PARISH : SALISBURY  
COUNTY : SOLANDER  
TOWN : PORT DOUGLAS  
LOCAL GOVERNMENT : CAIRNS REGIONAL

*J. M. Eeman*  
J. M. EEMAN  
REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938

FOR APPROVAL

Revisions:

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

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**International Marina Consultants**  
Consultants to the Marina Industry.  
International Marina Consultants Pty. Ltd.  
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Phone (07)3892 5711 Fax (07)3892 5611  
Email - [mc@imc-marinas.com](mailto:mc@imc-marinas.com)

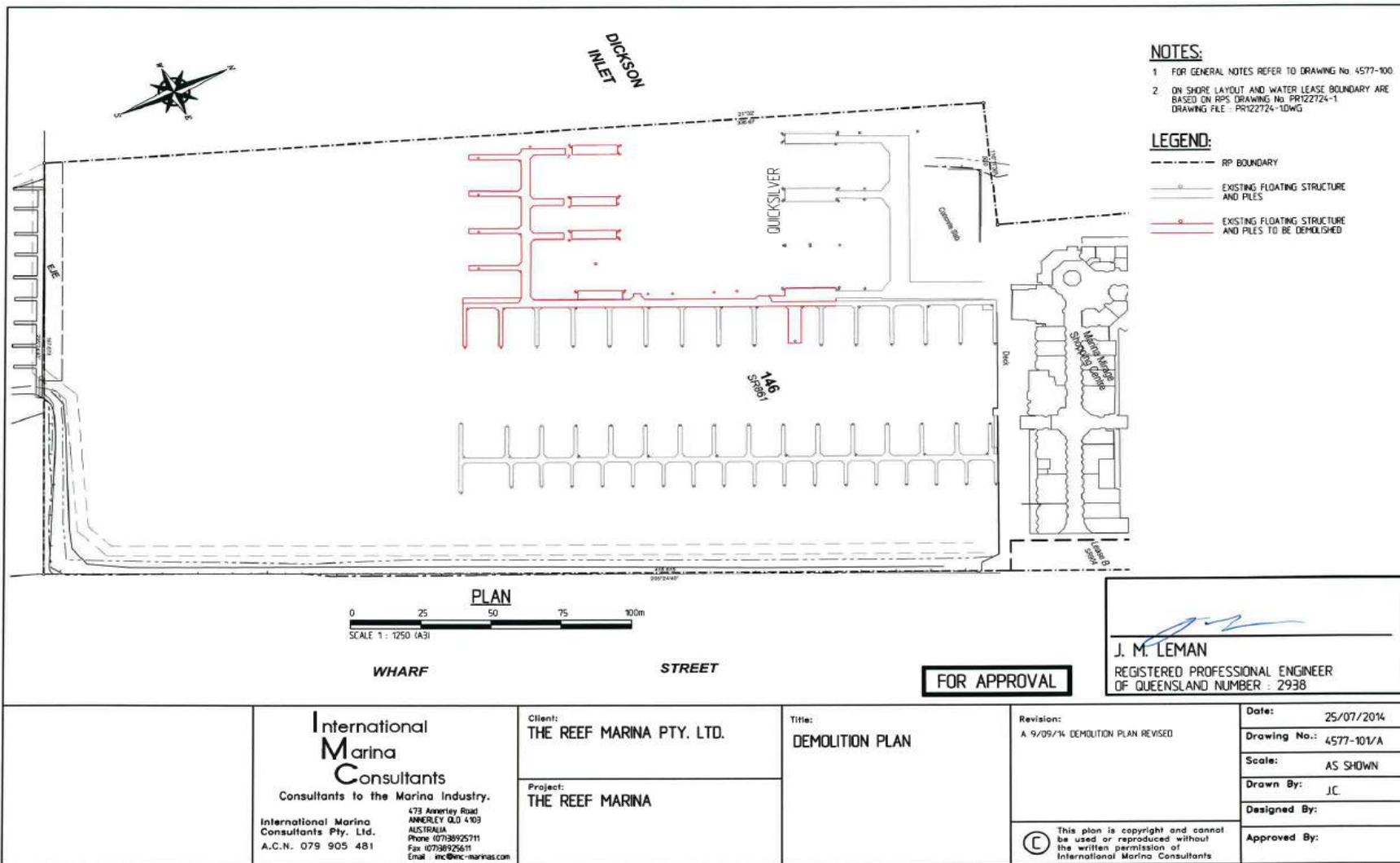
CLIENT:  
**THE REEF MARINA PTY. LTD.**

PROJECT:  
**THE REEF MARINA**

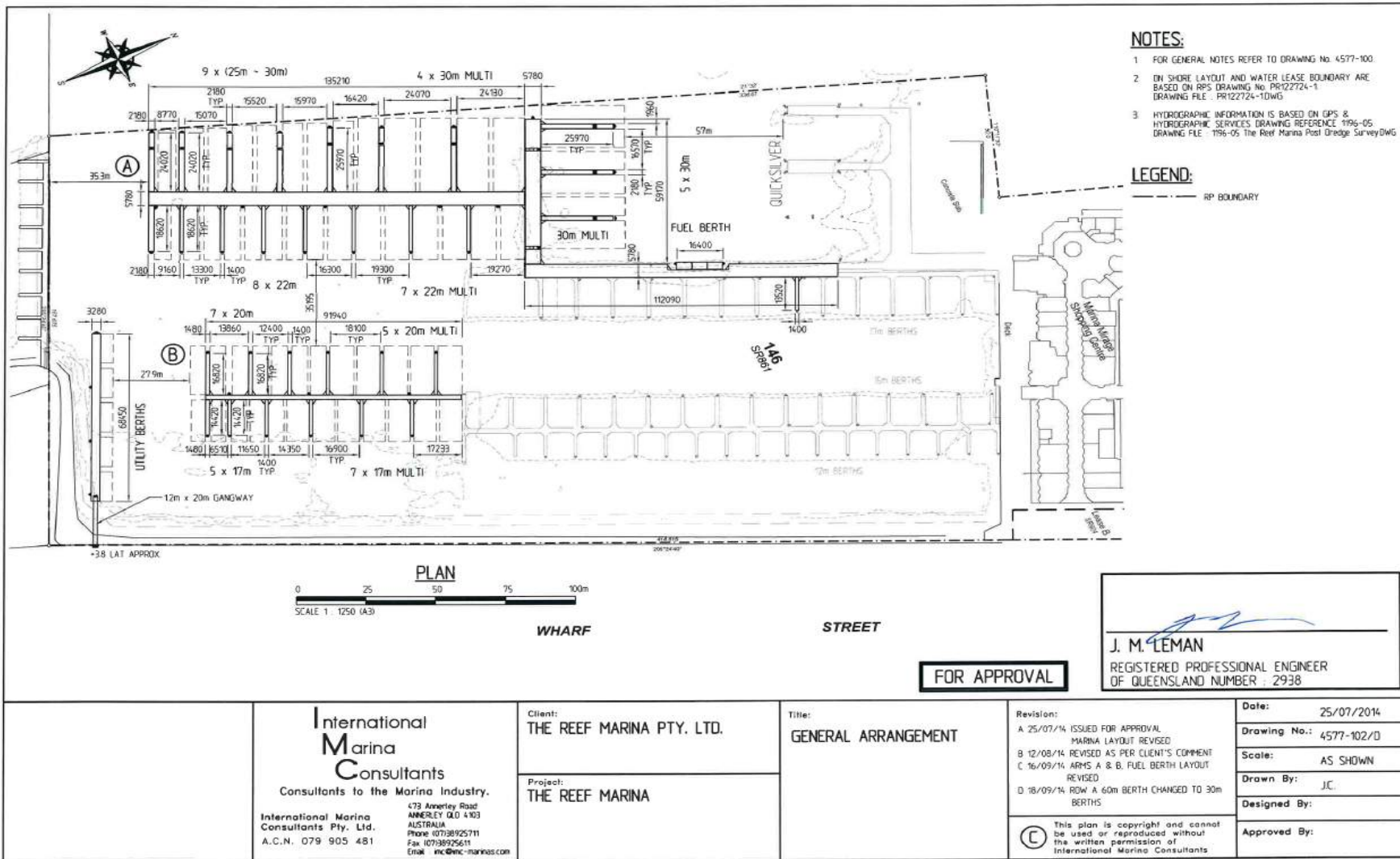
TITLE:  
**GENERAL NOTES & LOCALITY PLAN**

Date: 29/07/2014  
Drawing No.: 4577-100/B  
Scale: NIL  
Drawn By: JC Designed By:  
Approved By:

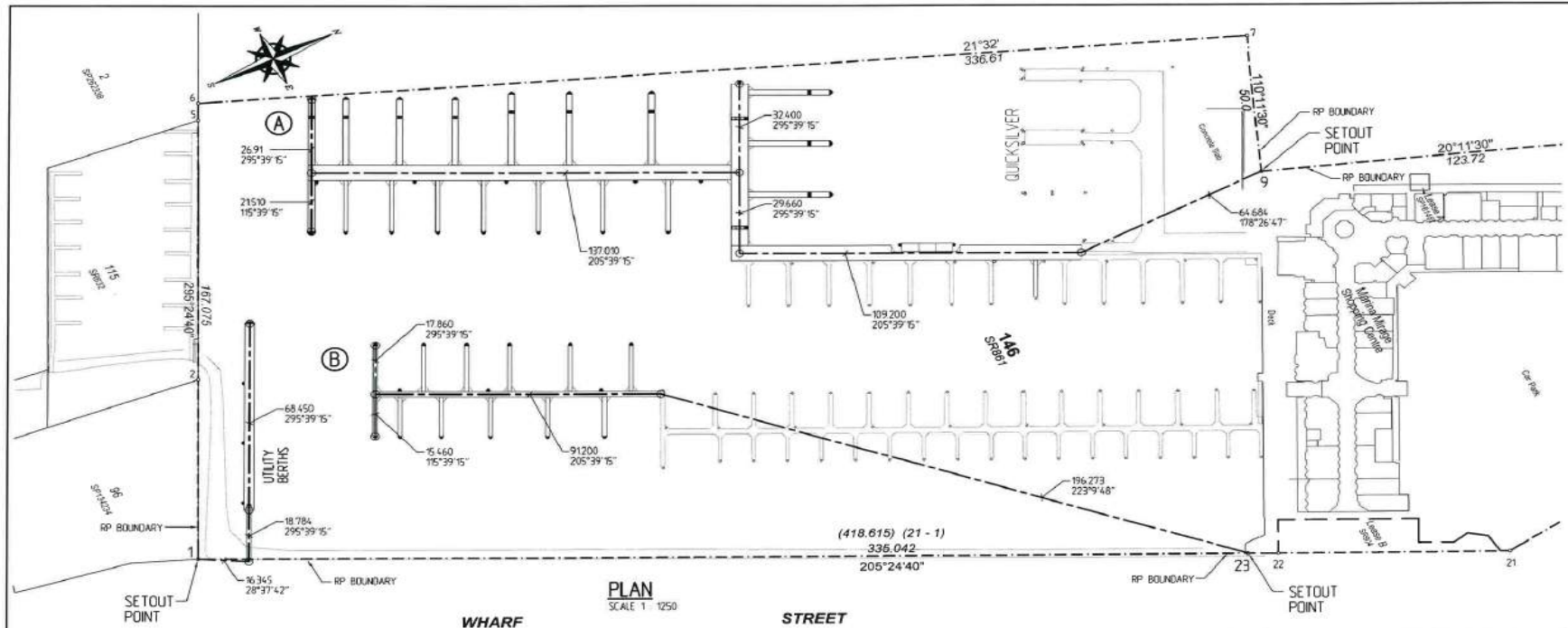
**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**NOTES:**

1 FOR GENERAL NOTES REFER TO DRAWING No 4577-100

**LEGEND:**

--- RP BOUNDARY

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

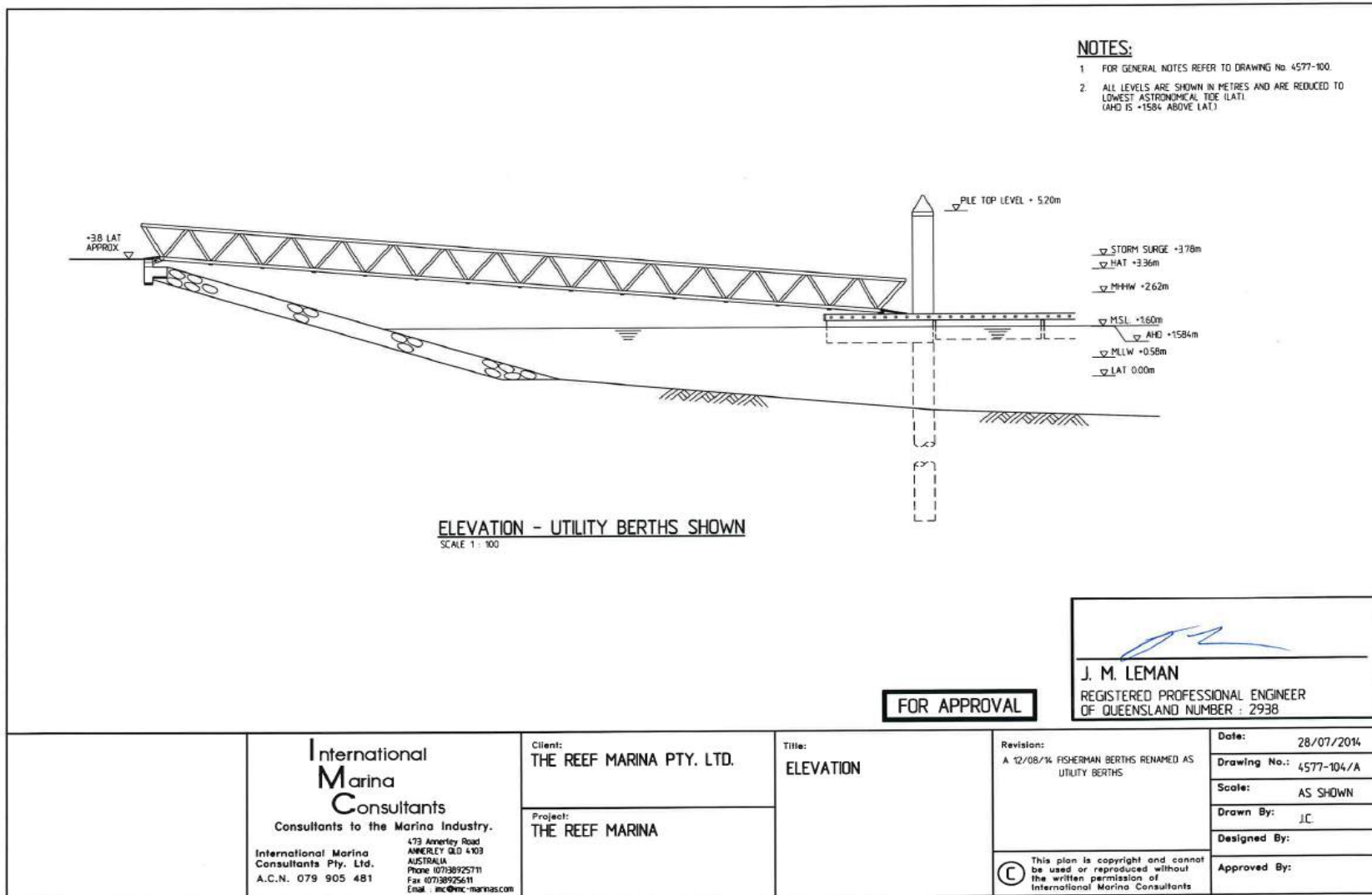
**FOR APPROVAL**

<p align="center"><b>International Marina Consultants</b> Consultants to the Marina Industry. 473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone 07138925711 Fax 07138925671 Email <a href="mailto:imc@imc-marinas.com">imc@imc-marinas.com</a></p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>MARINA SETOUT</b></p>	<p>Revision: A 12/08/14 MARINA LAYOUT UPDATED, ARM A T-HEAD SETOUT REVISED B 16/09/14 MARINA LAYOUT UPDATED, ARMS A &amp; B SETOUT REVISED C 18/09/14 ARM A LAYOUT UPDATED AND SETOUT REVISED</p>	<p>Date: 28/07/2014 Drawing No.: 4577-103/C Scale: AS SHOWN Drawn By: J.C. Designed By:</p>
	<p>Project: <b>THE REEF MARINA</b></p>		<p>Approved By:</p>	

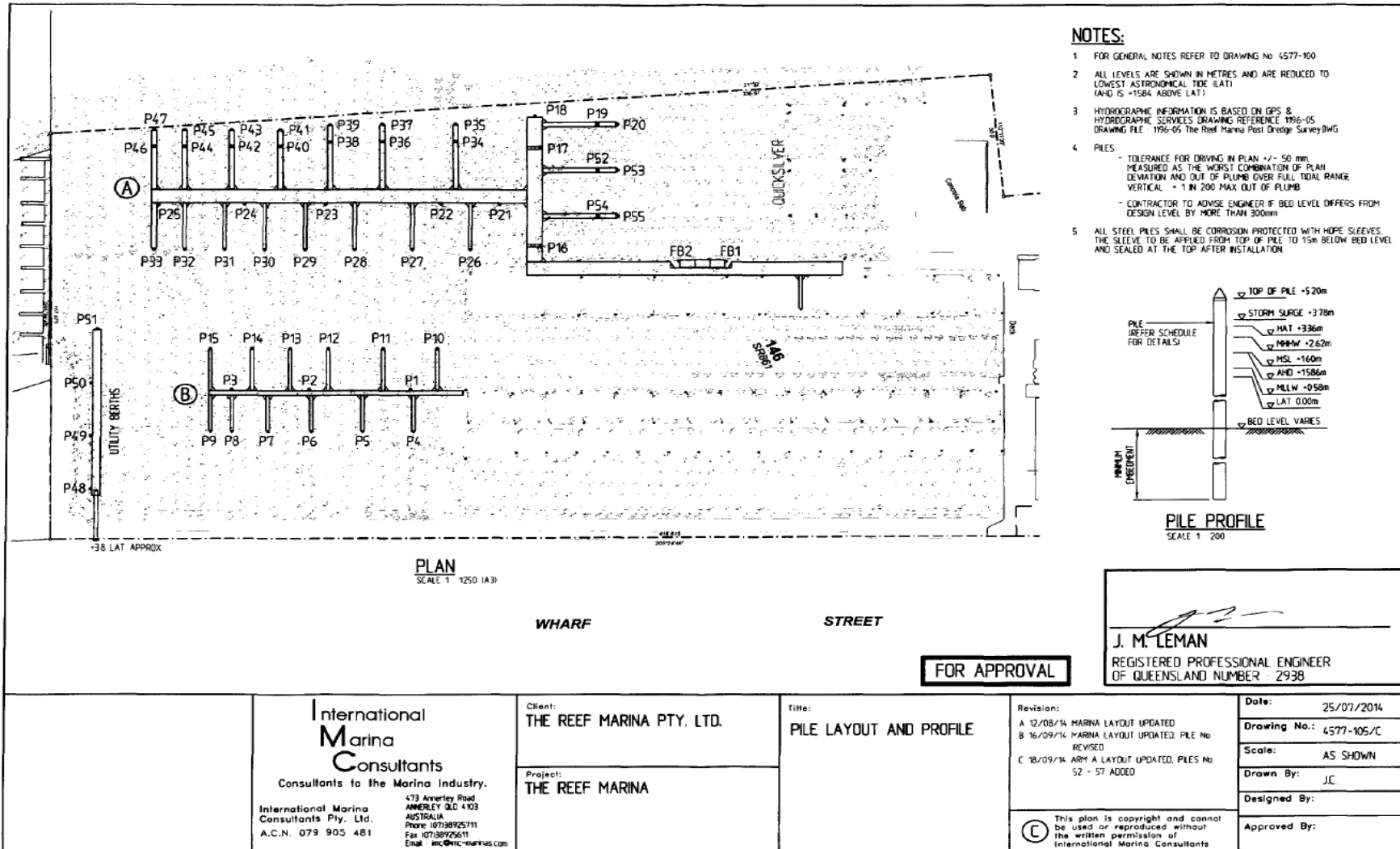
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**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



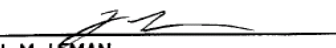
# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**

PILE SCHEDULE						PILE SCHEDULE					
PILE No.	DESIGNED BED LEVEL (m LAT)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m LAT)	ESTIMATED PILE LENGTH (m)	PILE No.	DESIGNED BED LEVEL (m CD)	PILE SIZE	MINIMUM EMBEDMENT (m)	PILE TOP LEVEL (m CD)	ESTIMATED PILE LENGTH (m)
P1	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+5.2	15.0	P35	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.5
P2	-23	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+5.2	15.0	P36	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.5
P3	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	75	+5.2	15.0	P37	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.5
P4	-23	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.0	P38	-26	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.5
P5	-20	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	13.5	P39	-26	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.5
P6	-20	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	13.5	P40	-27	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.5
P7	-21	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.0	P41	-27	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.5
P8	-22	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.0	P42	-25	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	62	+5.2	14.0
P9	-22	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	63	+5.2	14.0	P43	-26	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	62	+5.2	14.0
P10	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.0	P44	-27	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+5.2	14.0
P11	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.0	P45	-26	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+5.2	14.0
P12	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.0	P46	-26	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+5.2	14.0
P13	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.0	P47	-25	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	60	+5.2	14.0
P14	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.0	P48	-20	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.0
P15	-23	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	66	+5.2	14.5	P49	-20	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.0
P16	-22	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0	P50	-21	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.0
P17	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0	P51	-22	508φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.0
P18	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0	P52	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0
P19	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0	P53	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0
P20	-27	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.5	P54	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0
P21	-25	610φ x 16.0 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+5.2	16.0	P55	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	72	+5.2	15.0
P22	-26	610φ x 16.0 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+5.2	16.0	FB1	-25	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	58	+5.2	13.5
P23	-25	610φ x 16.0 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+5.2	16.0	FB2	-25	457φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	58	+5.2	13.5
P24	-25	610φ x 16.0 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+5.2	16.0						
P25	-25	610φ x 16.0 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	82	+5.2	16.0						
P26	-27	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P27	-27	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P28	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P29	-27	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P30	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P31	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P32	-27	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P33	-25	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	70	+5.2	15.0						
P34	-26	610φ x 12.7 WALL GRADE 350 CORROSION PROTECTED STEEL PILE	64	+5.2	14.5						

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

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**Client:**  
THE REEF MARINA PTY. LTD.

**Project:**  
THE REEF MARINA

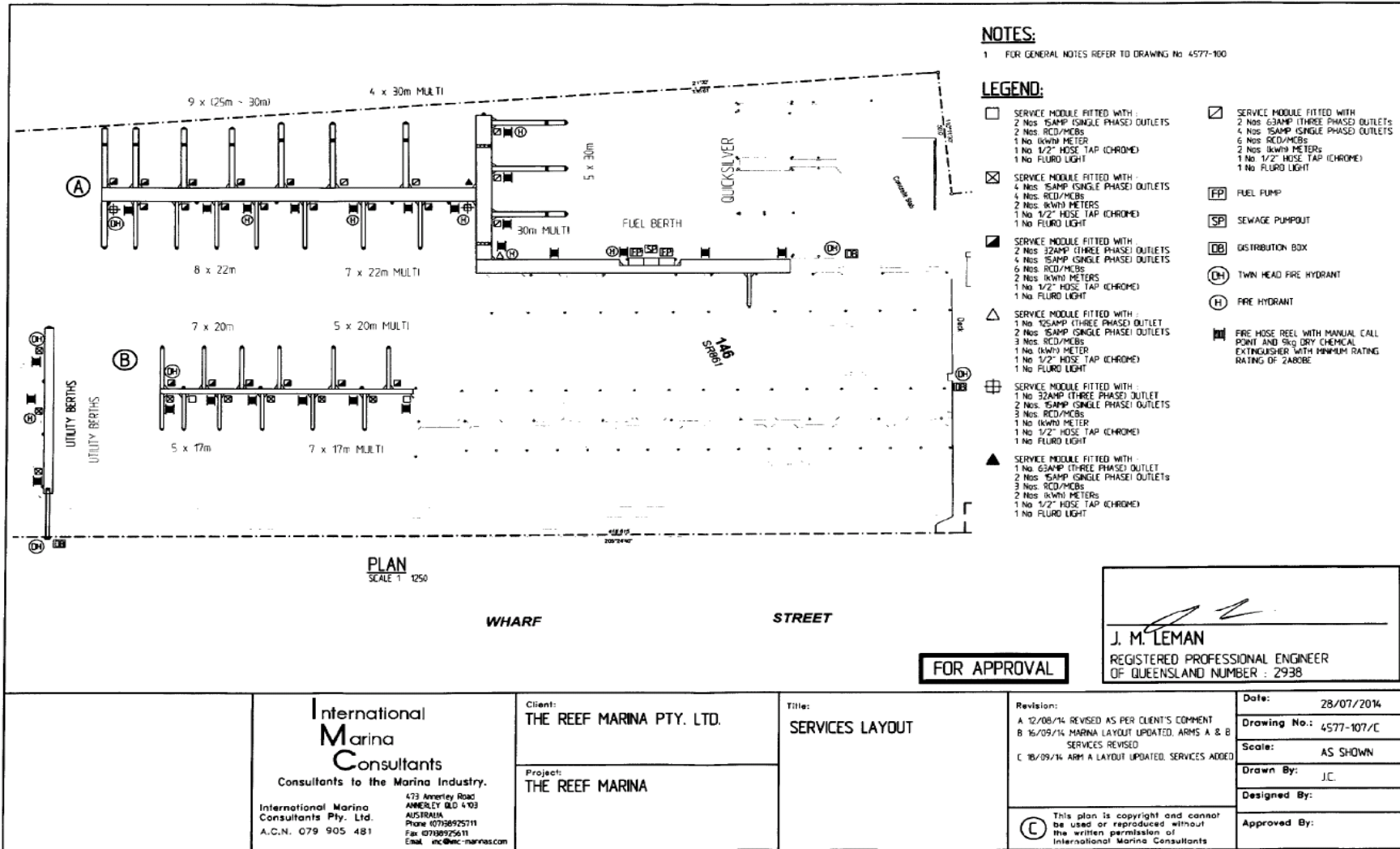
**Title:**  
PILE SCHEDULE

**Revision:**  
A 16/09/14 PILE SCHEDULE UPDATED  
B 18/09/14 PILES P52 - P57 ADDED

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**Date:** 25/07/2014  
**Drawing No.:** 4577-106/B  
**Scale:** NL  
**Drawn By:** J.C.  
**Designed By:**  
**Approved By:**

# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009

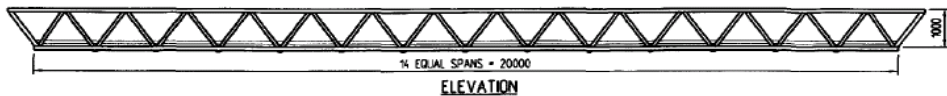


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REGISTERED PROFESSIONAL ENGINEER  
OF QUEENSLAND NUMBER : 2938

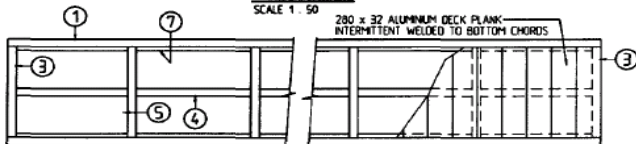
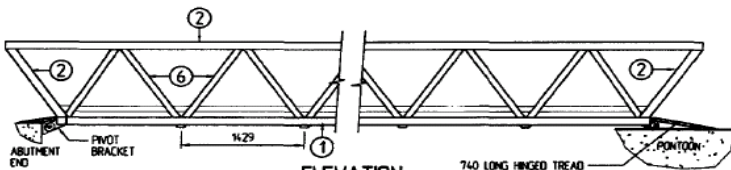
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<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>473 Ammerley Road AMMERLEY QLD 4303 AUSTRALIA Phone 0779892511 Fax 0779892511 Email inc@imc-marinas.com</p>	<p><b>Client:</b> THE REEF MARINA PTY. LTD.</p>	<p><b>Title:</b> SERVICES LAYOUT</p>	<p><b>Date:</b> 28/07/2014</p>
	<p><b>Project:</b> THE REEF MARINA</p>	<p><b>Revision:</b> A 12/08/14 REVISED AS PER CLIENT'S COMMENT B 16/09/14 MARINA LAYOUT UPDATED, ARMS A &amp; B SERVICES REVISED C 18/09/14 ARM A LAYOUT UPDATED, SERVICES ADDED</p>	<p><b>Drawing No.:</b> 4577-107/C</p> <p><b>Scale:</b> AS SHOWN</p> <p><b>Drawn By:</b> J.C.</p> <p><b>Designed By:</b></p> <p><b>Approved By:</b></p>

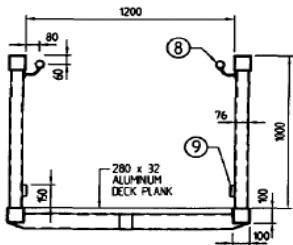
**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**GENERAL ARRANGEMENT**  
SCALE 1: 100



SCALE 1: 50



SCALE 1: 25

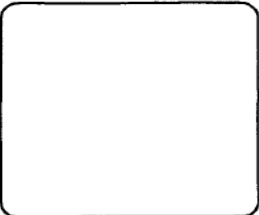
**NOTES:**

- 1 ALL DIMENSIONS ARE IN MILLIMETRES.
- 2 ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH AS1664.
- 3 ALUMINUM STRUCTURAL EXTRUSIONS SHALL BE 6061-T6, 6062-T5 OR 6005A-T5 UNO. HANDRAILS, KECKRAILS AND DECK PLANK SUPPORTING ANGLES CAN BE GRADE 6060-T5.
- 4 ALUMINUM PLATES SHALL BE TYPE 5083 TEMPER H321.
- 5 ALL WELDS SHALL BE INERT GAS WELD USING PULSE MIG OR TIG FUSION WELDING PROCESS.
- 6 ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.
- 7 ALL WELDS TO BE COMPLETE PENETRATION BUTT WELD.
- 8 DESIGN LIVE LOADS  
 UDL 4.0kPa  
 CONCENTRATED LOAD 4.5kN  
 HANDRAIL 0.75kN/m
- 9 SPLICE JOINT IN TOP CHORD TO BE LOCATED OUTSIDE THE CENTRAL 6m.
- 10 WALKING SURFACES SHALL BE FINISHED IN ACCORDANCE WITH AS4586.

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

**FOR APPROVAL**

**J. M. LEMAN**  
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 OF QUEENSLAND NUMBER : 2938



Revisions

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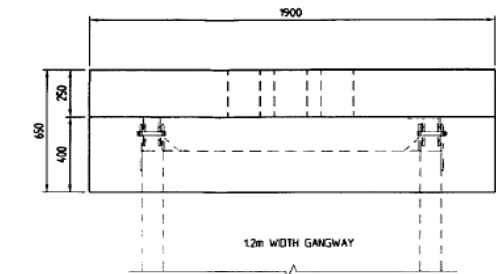
**CLIENT:**  
THE REEF MARINA PTY. LTD.

**PROJECT:**  
THE REEF MARINA

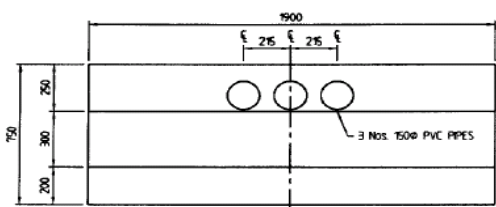
**TITLE:**  
12m WIDE x 20m LONG GANGWAY

Date: 29/07/2014  
 Drawing No.: 4577-108  
 Scale: AS SHOWN  
 Drawn By: J.C. Designed By:  
 Approved By:

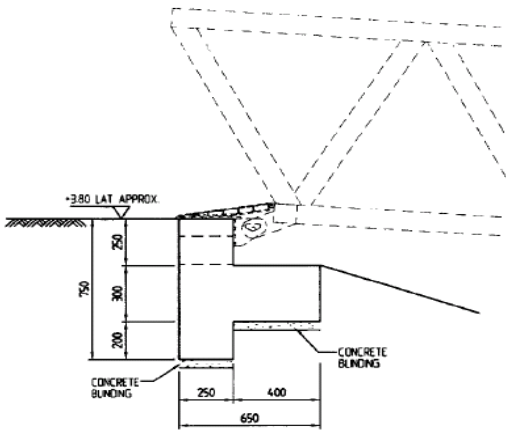
**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**PLAN**  
SCALE 1 : 20

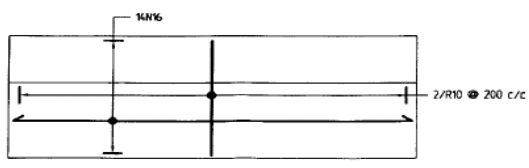


(GANGWAY NOT SHOWN FOR CLARITY)  
**ELEVATION**  
SCALE 1 : 20

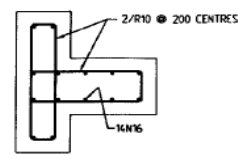


**ELEVATION**  
SCALE 1 : 20

- NOTES:**
- 1 ALL DIMENSIONS ARE IN MILLIMETRES UNO
  - 2 ALL LEVELS ARE SHOWN IN METRES AND REDUCED TO LOWEST ASTRONOMICAL TIDE (LAT) (AHD IS +1584 ABOVE LAT)
  - 3 CONCRETE  
- ALL CONCRETE WORKS SHALL COMPLY WITH AS 3600  
- MINIMUM CONCRETE STRENGTH (f<sub>c</sub>) = 40MPa  
- MINIMUM COVER TO REINFORCEMENT = 70mm
  - 4 THE ABUTMENT FOUNDATION BEARING CAPACITY AND SLOPE STABILITY OF REVENMENT TO BE CHECKED AND CONFIRMED BY A GEOTECHNICAL ENGINEER.



**PLAN**



**TYPICAL SECTION**

**REINFORCEMENT DETAILS**  
SCALE 1 : 20

**FOR APPROVAL**

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

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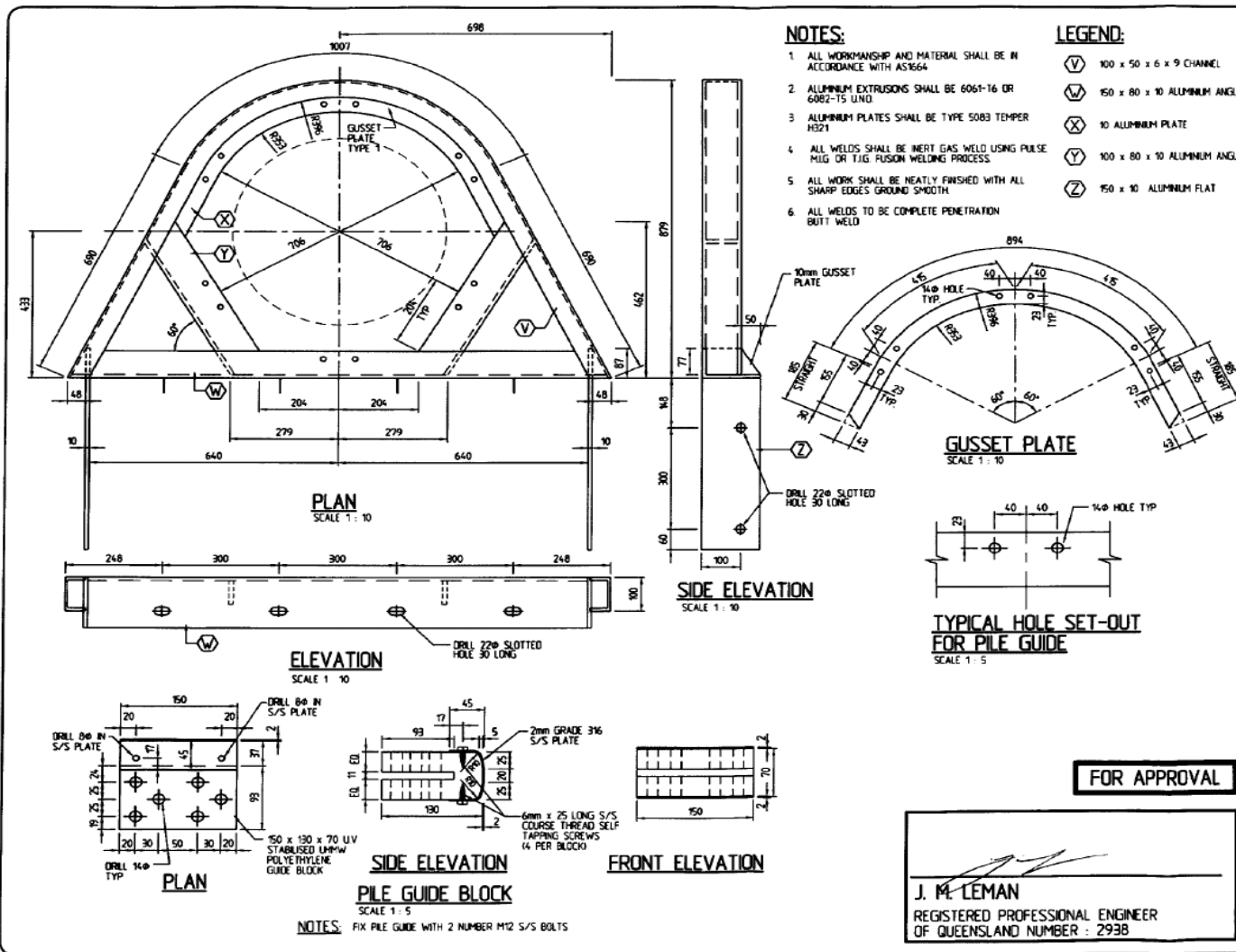
CLIENT:  
**THE REEF MARINA PTY. LTD.**

PROJECT:  
**THE REEF MARINA**

TITLE:  
**CONCRETE ABUTMENT  
DETAILS**

Date: 29/07/2014  
 Drawing No.: 4577-109  
 Scale: AS SHOWN  
 Drawn By: J.C. Designed By:  
 Approved By:

**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



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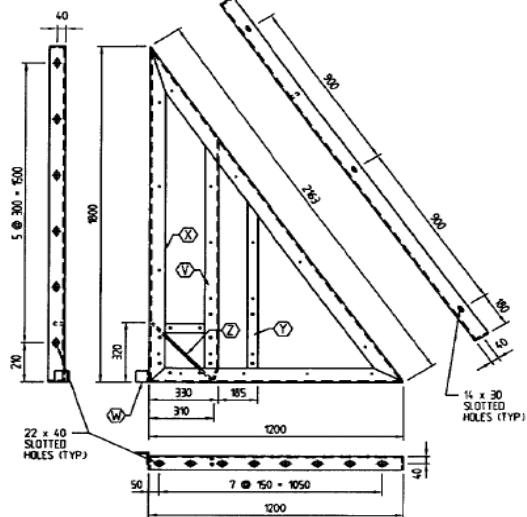
**CLIENT:**  
 THE REEF MARINA PTY. LTD.

**PROJECT:**  
 THE REEF MARINA

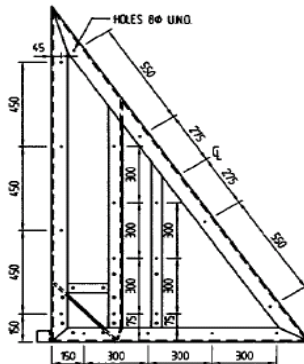
**TITLE:**  
 TYPICAL PILE BRACKET DETAILS

**Date:** 29/07/2014  
**Drawing No.:** 4577-110  
**Scale:** AS SHOWN  
**Drawn By:** JC **Designed By:**  
**Approved By:**

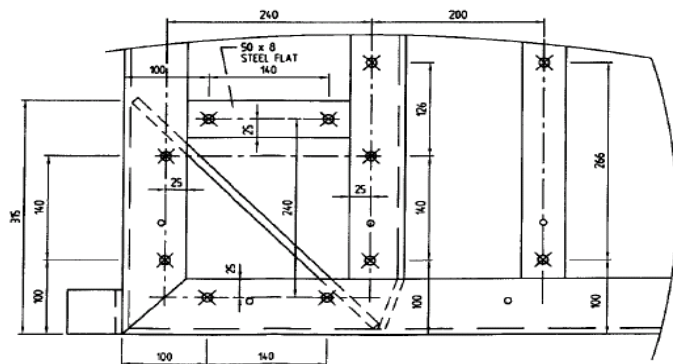
**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



**FRAME**  
SCALE 1 : 20



**GENERAL ARRANGEMENT**  
SCALE 1 : 20



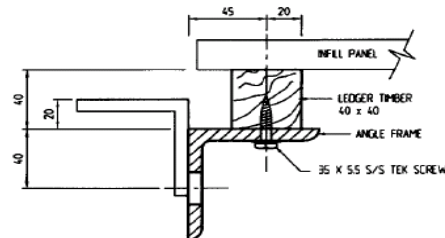
**PEDESTAL MOUNTING PROVISIONS**  
SCALE 1 : 5

**NOTES:**

- 1 ALL MATERIALS TO BE HOT DIP GALVANIZED IN ACCORDANCE WITH AS 4680.
- 2 PROTECTIVE COATINGS TO STEEL COMPONENTS
  - a - HOT DIP AND HOT DIP GALVANIZE IN ACCORDANCE WITH AS4680.
  - b - AVERAGE COATING 750g/m<sup>2</sup>
  - EQUIVALENT THICKNESS 100 MICRONS.
- 3 ALL WELDS TO BE FULL PENETRATION BUTT WELDS OR 6mm FILLET WELD AS REQUIRED.
- 4 ALL WORK SHALL BE NEATLY FINISHED WITH ALL SHARP EDGES GROUND SMOOTH.

**LEGEND:**

- V 65 x 50 x 8 STEEL ANGLE
- W 65 x 65 x 8 STEEL ANGLE
- X 75 x 75 x 8 STEEL ANGLE
- Y 50 x 8 STEEL FLAT
- Z 50 x 10 STEEL FLAT
- O ØØ HOLE
- ØØ 12Ø HOLE



**INFILL SUPPORT SECTION**  
SCALE 1 : 25

**FOR APPROVAL**

**J. M. LEMAN**  
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OF QUEENSLAND NUMBER : 2938

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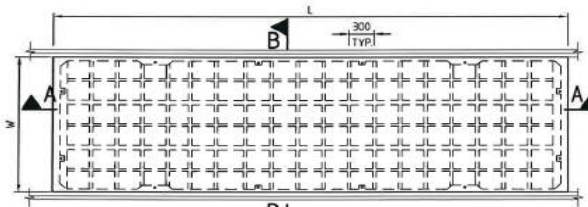
PROJECT:  
**THE REEF MARINA**

TITLE:  
**TYPICAL BRACKET DETAILS**

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

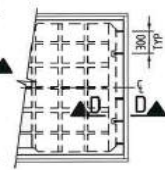


# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



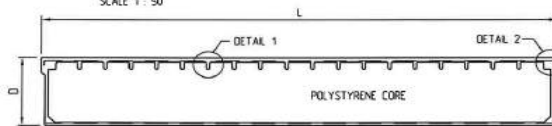
**PLAN - TYPICAL WALKWAY PONTOON**  
(1800 WIDE SHOWN)

SCALE 1 : 50



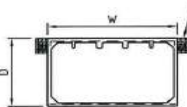
**PART PLAN SHOWING  
INSERT AT ONE END**

SCALE 1 : 50



**SECTION A - A**

SCALE 1 : 50



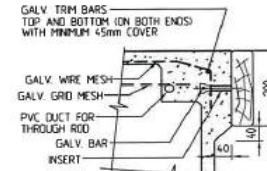
**SECTION B - B**

SCALE 1 : 50



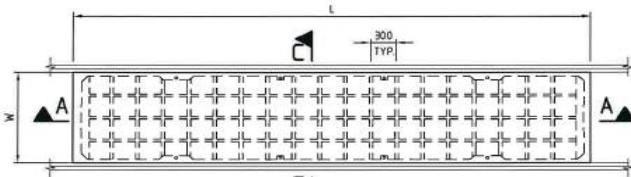
**SECTION C - C**

SCALE 1 : 50



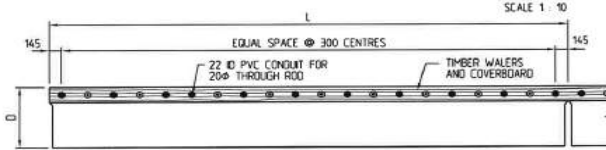
**SECTION D - D**

SCALE 1 : 10



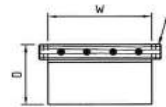
**PLAN - TYPICAL FINGER PONTOON**  
(1200 WIDE SHOWN)

SCALE 1 : 50



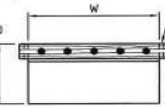
**ELEVATION**

SCALE 1 : 50



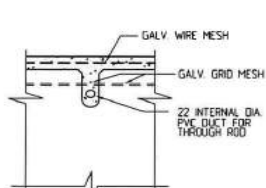
**END ELEVATION**

SCALE 1 : 50



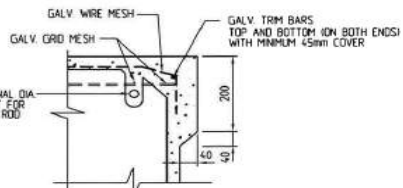
**END ELEVATION**

SCALE 1 : 50



**DETAIL 1**

SCALE 1 : 10



**DETAIL 2**

SCALE 1 : 10

**NOTES:**

1. ALL DIMENSIONS ARE IN MILLIMETRES UNDO.
2. PROVIDE STAINLESS STEEL INSERTS AS REQUIRED TO END OF LAST PONTOON ONLY TO WALKWAYS AND FINGERS.
3. CONCRETE STRENGTH  $f_c = 50MPa$
4. ALL REINFORCEMENT TO BE HOT DP GALVANIZED.
5. MATERIAL SIZES MAY BE VARIED BY THE MANUFACTURER WITHOUT NOTICE TO COMPLY WITH SPECIFIC APPLICATIONS.
6. DIMENSION 'D' VARIES TO SUIT FREEBOARD REQUIREMENTS.

**DIMENSIONS SCHEDULE**

TYPE	L	W
12/4.5	4490	1200
12/6.0	5990	1200
18/4.8	4790	1800
18/5.1	5090	1800
18/6.0	5990	1800
30/3.0	2990	3000
30/2.4	2390	3000
54/3.0	2990	5400

Revisions

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**International Marina Consultants**  
Consultants to the Marina Industry.  
International Marina Consultants Pty. Ltd.  
A.C.N. 079 905 481  
473 Annerley Road  
Annerley QLD 4103  
Australia  
Phone 10713892 5711 Fax 10713892 5611  
Email inc@imc-marinas.com

CLIENT:  
**THE REEF MARINA PTY. LTD.**

PROJECT:  
**THE REEF MARINA**

TITLE:  
**STANDARD PONTOON DETAILS**

Date: 29/07/2014  
Drawing No.: 4577-112  
Scale: AS SHOWN  
Drawn By: J.C. Designed By:  
Approved By:

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

**FOR APPROVAL**

## APPENDIX 2: REFERRAL AGENCY REQUIREMENTS



Department of  
**State Development,  
Infrastructure and Planning**

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

5 December 2014

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

*Att: Neil Beck*

Dear Ms Cardew

### **Concurrence agency response—with conditions**

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

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

### **Applicant details**

---

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

### **Site details**

---

Street address: Wharf Street, Port Douglas

Page 1

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-1014-015258

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

**Application details**

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

**Aspects of development and type of approval being sought**

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

**Referral triggers**

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

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

**Conditions**

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

**Reasons for decision to impose conditions**

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

**Further advice**

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

**Approved plans and specifications**

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

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**


SDA-1014-015258

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

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

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

Yours sincerely



Robin Clark  
Manager (Planning)

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-1014-015258

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

**Attachment 1—Conditions to be imposed**

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-1014-015258

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-1014-015258

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-1014-015258

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

**Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

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



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

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

**Attachment 3—Further advice**

---

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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

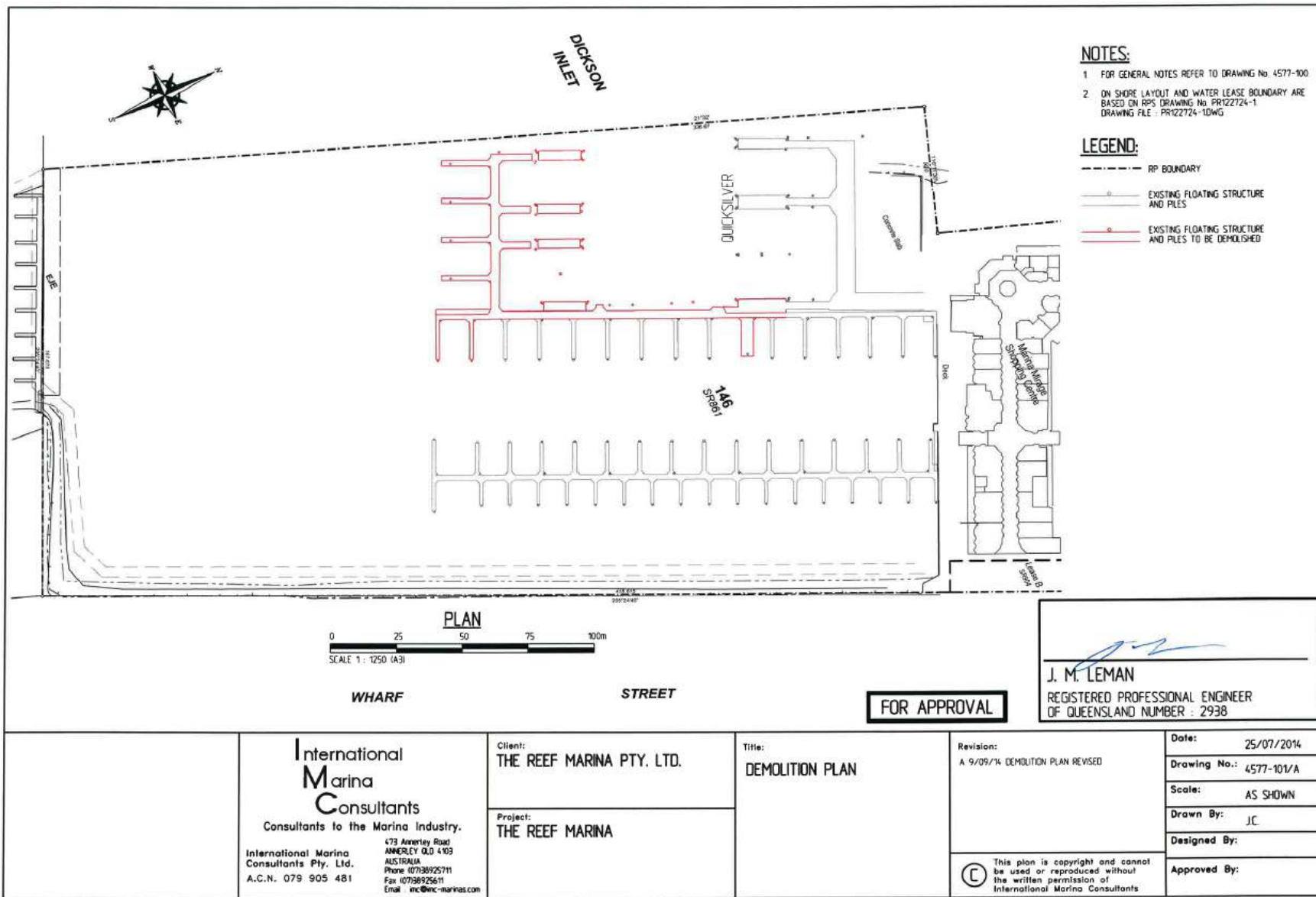
SDA-1014-015258

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

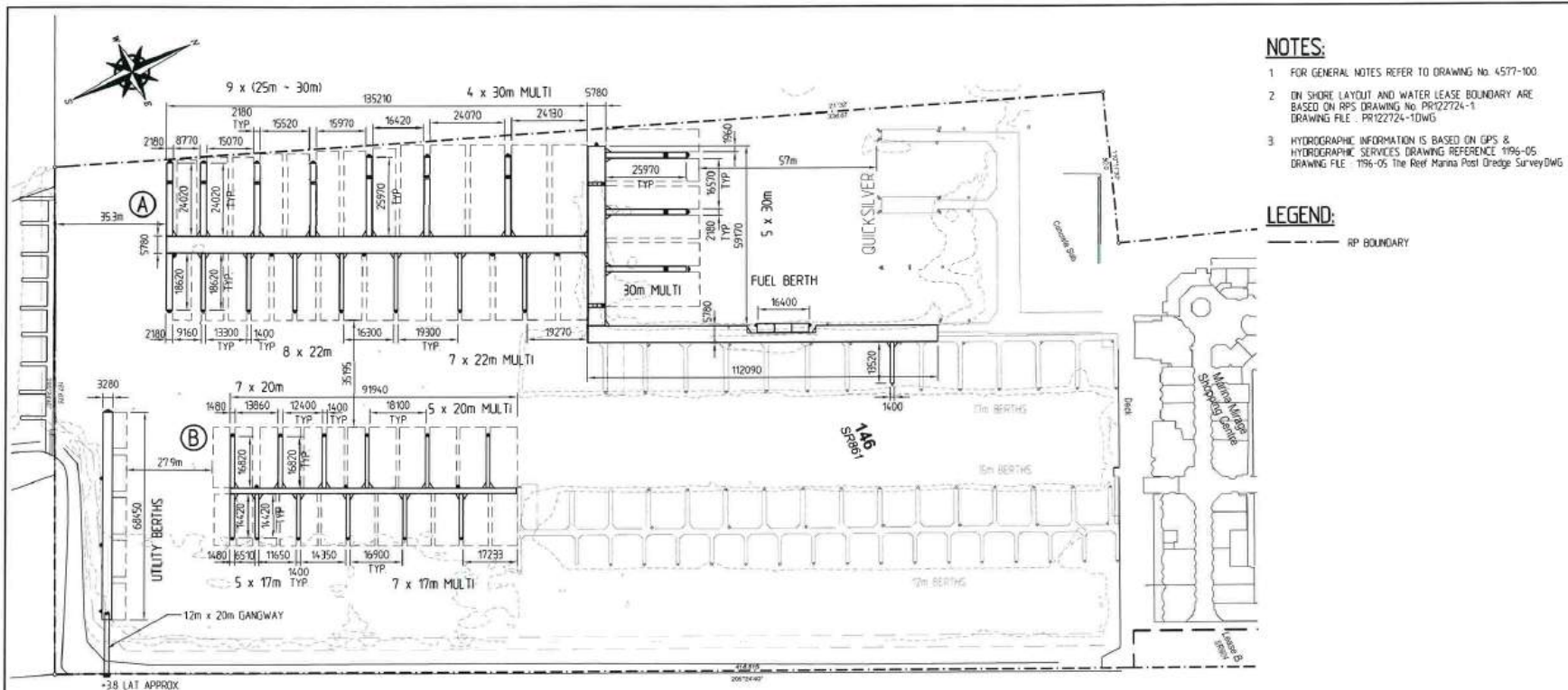
**Attachment 4—Approved plans and specifications**

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**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



**NOTES:**

- 1 FOR GENERAL NOTES REFER TO DRAWING No. 4577-100.
- 2 ON SHORE LAYOUT AND WATER LEASE BOUNDARY ARE BASED ON RPS DRAWING No. PR122724-1 DRAWING FILE : PR122724-1DWG
- 3 HYDROGRAPHIC INFORMATION IS BASED ON GPS & HYDROGRAPHIC SERVICES DRAWING REFERENCE 1196-05 DRAWING FILE : 1196-05 The Reef Marina Post Dredge SurveyDWG

**LEGEND:**

--- RP BOUNDARY



WHARF

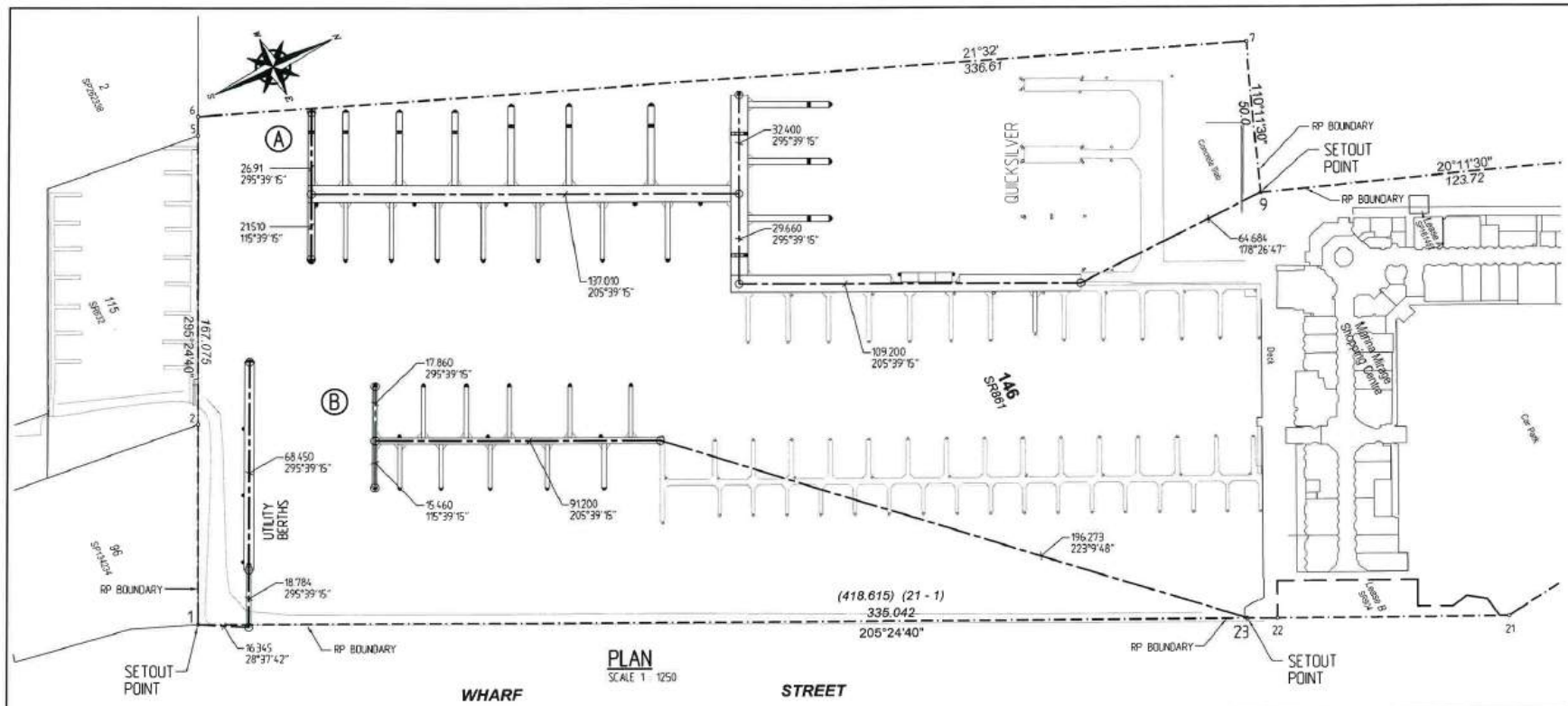
STREET

FOR APPROVAL

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

<p><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>479 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone (07)38925711 Fax 107938925611 Email inc@imc-marinas.com</p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>GENERAL ARRANGEMENT</b></p>	<p>Revision: A 25/07/14 ISSUED FOR APPROVAL MARINA LAYOUT REVISED B 12/08/14 REVISED AS PER CLIENT'S COMMENT C 16/09/14 ARMS A &amp; B. FUEL BERTH LAYOUT REVISED D 18/09/14 ROW A 60m BERTH CHANGED TO 30m BERTHS</p>	<p>Date: 25/07/2014</p> <p>Drawing No.: 4577-102/D</p> <p>Scale: AS SHOWN</p> <p>Drawn By: JC.</p> <p>Designed By:</p> <p>Approved By:</p>
	<p>Project: <b>THE REEF MARINA</b></p>	<p>© This plan is copyright and cannot be used or reproduced without the written permission of International Marina Consultants</p>		

**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**NOTES:**

1. FOR GENERAL NOTES REFER TO DRAWING NO. 4577-100

**LEGEND:**

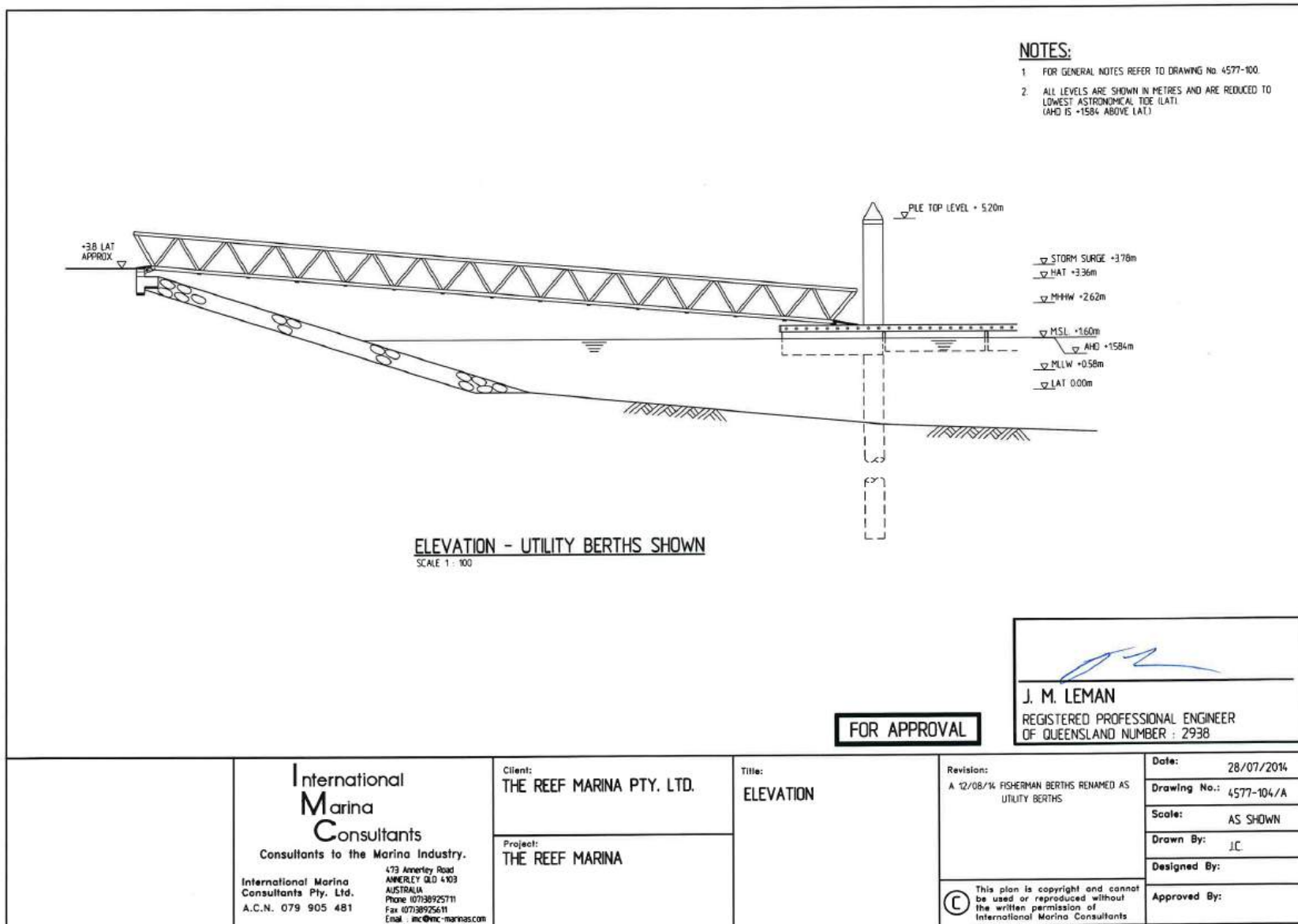
--- RP BOUNDARY

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

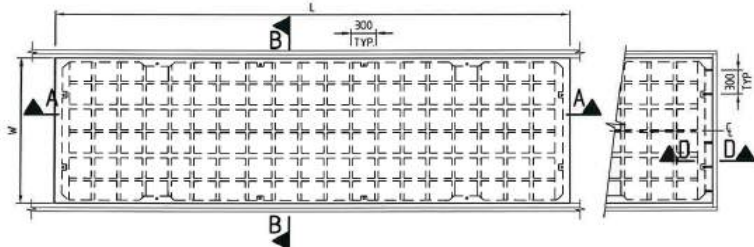
**FOR APPROVAL**

<p align="center"><b>International Marina Consultants</b> Consultants to the Marina Industry.</p> <p>International Marina Consultants Pty. Ltd. A.C.N. 079 905 481</p> <p>473 Annerley Road ANNERLEY QLD 4103 AUSTRALIA Phone 07138925711 Fax 07138925611 Email <a href="mailto:imc@imc-marinas.com">imc@imc-marinas.com</a></p>	<p>Client: <b>THE REEF MARINA PTY. LTD.</b></p>	<p>Title: <b>MARINA SETOUT</b></p>	<p>Revision:</p> <p>A 12/08/14 MARINA LAYOUT UPDATED, ARM A T-HEAD SETOUT REVISED</p> <p>B 16/09/14 MARINA LAYOUT UPDATED, ARMS A &amp; B SETOUT REVISED</p> <p>C 18/09/14 ARM A LAYOUT UPDATED AND SETOUT REVISED</p>	<p>Date: 28/07/2014</p> <p>Drawing No.: 4577-103/C</p> <p>Scale: AS SHOWN</p> <p>Drawn By: J.C.</p> <p>Designed By:</p> <p>Approved By:</p>
	<p>Project: <b>THE REEF MARINA</b></p>	<p>© This plan is copyright and cannot be used or reproduced without the written permission of International Marina Consultants</p>		

**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



**PLAN - TYPICAL WALKWAY PONTOON  
(1800 WIDE SHOWN)**  
SCALE 1 : 50

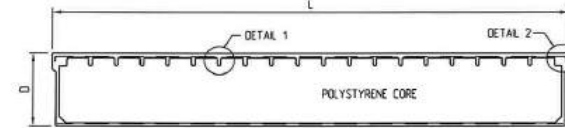
**PART PLAN SHOWING  
INSERT AT ONE END**  
SCALE 1 : 50

**NOTES:**

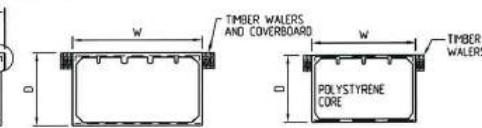
1. ALL DIMENSIONS ARE IN MILLIMETRES UNDO.
2. PROVIDE STAINLESS STEEL INSERTS AS REQUIRED TO END OF LAST PONTOON ONLY TO WALKWAYS AND FINGERS.
3. CONCRETE STRENGTH  $f_c = 50MPa$
4. ALL REINFORCEMENT TO BE HOT DIP GALVANIZED.
5. MATERIAL SIZES MAY BE VARIED BY THE MANUFACTURER WITHOUT NOTICE TO COMPLY WITH SPECIFIC APPLICATIONS.
6. DIMENSION 'D' VARIES TO SUIT FREEBOARD REQUIREMENTS.

**DIMENSIONS SCHEDULE**

TYPE	L	W
12/4.5	4490	1200
12/6.0	5990	1200
18/4.8	4790	1800
18/5.1	5090	1800
18/6.0	5990	1800
30/3.0	2990	3000
30/2.4	2390	3000
54/3.0	2990	5400

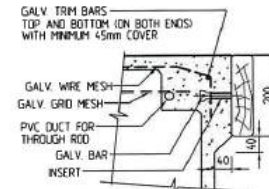


**SECTION A - A**  
SCALE 1 : 50

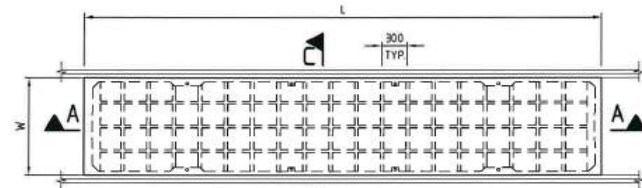


**SECTION B - B**  
SCALE 1 : 50

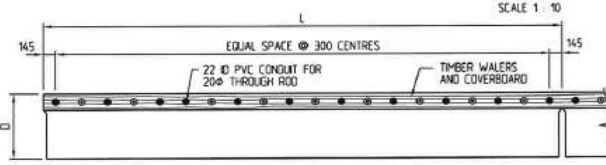
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SCALE 1 : 50



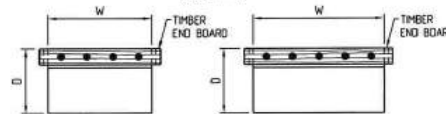
**SECTION D - D**  
SCALE 1 : 10



**PLAN - TYPICAL FINGER PONTOON  
(1200 WIDE SHOWN)**  
SCALE 1 : 50

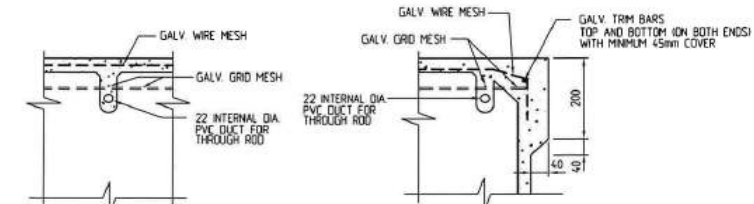


**ELEVATION**  
SCALE 1 : 50



**END ELEVATION**  
SCALE 1 : 50

**END ELEVATION**  
SCALE 1 : 50



**DETAIL 1**  
SCALE 1 : 10

**DETAIL 2**  
SCALE 1 : 10

**FOR APPROVAL**

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

Revisions		

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Consultants**  
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Email inc@imc-marinas.com


**CLIENT:**  
THE REEF MARINA PTY. LTD.

**PROJECT:**  
THE REEF MARINA

**TITLE:**  
STANDARD PONTOON  
DETAILS

<b>Date:</b>	29/07/2014
<b>Drawing No.:</b>	4577-112
<b>Scale:</b>	AS SHOWN
<b>Drawn By:</b>	JC
<b>Designed By:</b>	
<b>Approved By:</b>	

# APPENDIX 3: INFRASTRUCTURE CHARGES NOTICE

		<b>2006 &amp; 2008 Douglas Shire Planning Schemes Applications</b>																																																																																																									
<b>INFRASTRUCTURE CHARGES NOTICE</b>																																																																																																											
<b>The Reef Marina Pty Ltd</b>		<b>N/A</b>																																																																																																									
<b>DEVELOPERS NAME</b>		<b>ESTATE NAME</b>																																																																																																									
<b>0</b>		<b>Port Douglas</b>																																																																																																									
<b>STREET No. &amp; NAME</b>		<b>LOT &amp; RP No.s</b>																																																																																																									
<b>MCU</b>		<b>30-Sep-14</b>																																																																																																									
<b>DEVELOPMENT TYPE</b>		<b>PARCEL No.</b>																																																																																																									
<b>435525</b>		<b>4</b>																																																																																																									
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<b>1</b>		<b>This logsheet is indexed appropriately only for payments made within the quarter noted above.</b>																																																																																																									
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**Note:**

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

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

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

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



**YOUR REF:** 45-2014/DSC/MCU 29092014  
**OUR REF:** MCUC 449/2014 (438235)

22 January 2015

Reef Marina Pty Ltd  
C/- RECS Consulting Engineers & Building Design  
PO Box 894  
**PORT DOUGLAS QLD 4877**

Dear Sir/Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR  
WHARF STREET, PORT DOUGLAS**

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009* (the Act).

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

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

These charges are payable prior to the change of use occurring in accordance with section 648H of the Act.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Should you have any enquiries in relation to this Adopted Infrastructure Charges Notice, please contact Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Donna Graham  
Manager Development & Environment

Att

# INFRASTRUCTURE CHARGES NOTICE

DOUGLAS SHIRE COUNCIL		2006 & 2008 Douglas Shire Planning Schemes Applications					
INFRASTRUCTURE CHARGES NOTICE							
The Reef Marina Pty Ltd		N/A	0				
DEVELOPERS NAME		ESTATE NAME	STAGE				
0	Port Douglas	Lot 146 SR861	2614				
STREET No. & NAME		SUBURB	LOT & RP No.s				
MCU		MCUC 449/2014	30-Sep-14				
DEVELOPMENT TYPE		COUNCIL FILE NO.	R&B INDEX QUARTER ENDING				
435525		1	This logsheet is indexed appropriately only for payments made within the quarter noted above.				
DSC Reference Doc. No.		VERSION No.					
	DIST	\$ / EDC	NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code & GL Code
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<b>TOTAL</b>					<b>\$85,063.82</b>		
Prepared by	Neil Beek		on		Amount Paid		
Checked by			on		Date Paid		
Date Payable							
Amendments			Date		Cashier		

**Note:**

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**ATTACHMENT 5:  
CIVIL ENGINEERING LETTER**

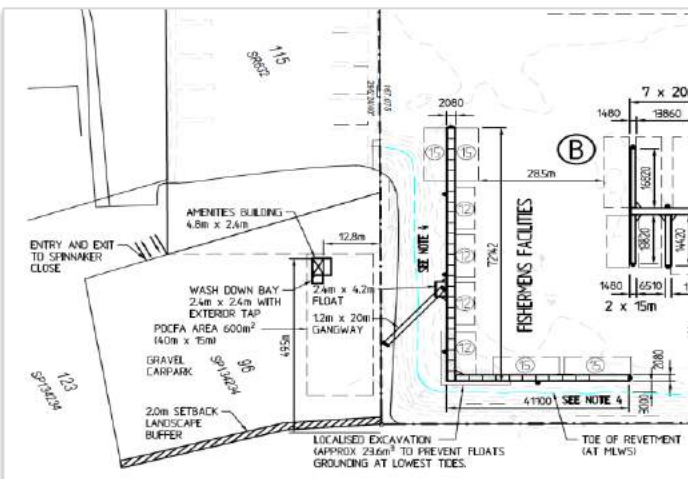


# ENGINEERING ASSESSMENT REPORT

## Lot 96/SP134234 Wharf Street, Port Douglas

For Urban Sync Pty Ltd on Behalf of GAG Port Douglas Property Company No 2 Pty Ltd

Combined Development Application for Material Change of Use / Operational Works



**Project No.** 4985  
**Reference No.** R-JM0101  
**Date:** November 2017

# Table of Contents

<b>1.0</b>	<b>INTRODUCTION AND BACKGROUND .....</b>	<b>3</b>
<b>2.0</b>	<b>PROJECT DESCRIPTION.....</b>	<b>5</b>
<b>3.0</b>	<b>CIVIL ENGINEERING ASSESSMENT .....</b>	<b>6</b>
3.1	Clearing, Earthworks and Erosion and Sediment Control .....	6
3.2	Stormwater Drainage .....	6
3.2.1	Existing Situation .....	6
3.2.2	Concept Drainage Regime .....	6
3.2.3	Flooding and Storm Tide.....	7
3.2.4	Water Quality .....	7
3.3	Sewerage Reticulation .....	8
3.4	Water Reticulation.....	8
3.5	Traffic and Access .....	9
<b>4.0</b>	<b>ENGINEERING CODE ASSESSMENT.....</b>	<b>10</b>
4.1	Filling and Excavation Code.....	10
4.2	Acid Sulfate Soils Overlay Code.....	11
<b>5.0</b>	<b>PROPOSED DOUGLAS SHIRE PLANNING SCHEME.....</b>	<b>12</b>
5.1	Flood and Storm Tide Hazard Overlay Code.....	12
<b>6.0</b>	<b>CONCLUSION.....</b>	<b>14</b>

**APPENDIX A – The Reef Marina – Arm B Extension and Fishermans Facilities - General Arrangement – 5307-101/C**

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**DARWIN** +61 8 8911 0046 | darwin@flanaganconsulting.com.au | Level 5, 7 Kitchener Drive GPO Box 4299 DARWIN NT 0800

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**TOWNSVILLE** +61 7 4724 5737 | townsville@flanaganconsulting.com.au | 370 Flinders Street PO Box 891 TOWNSVILLE QLD 4810

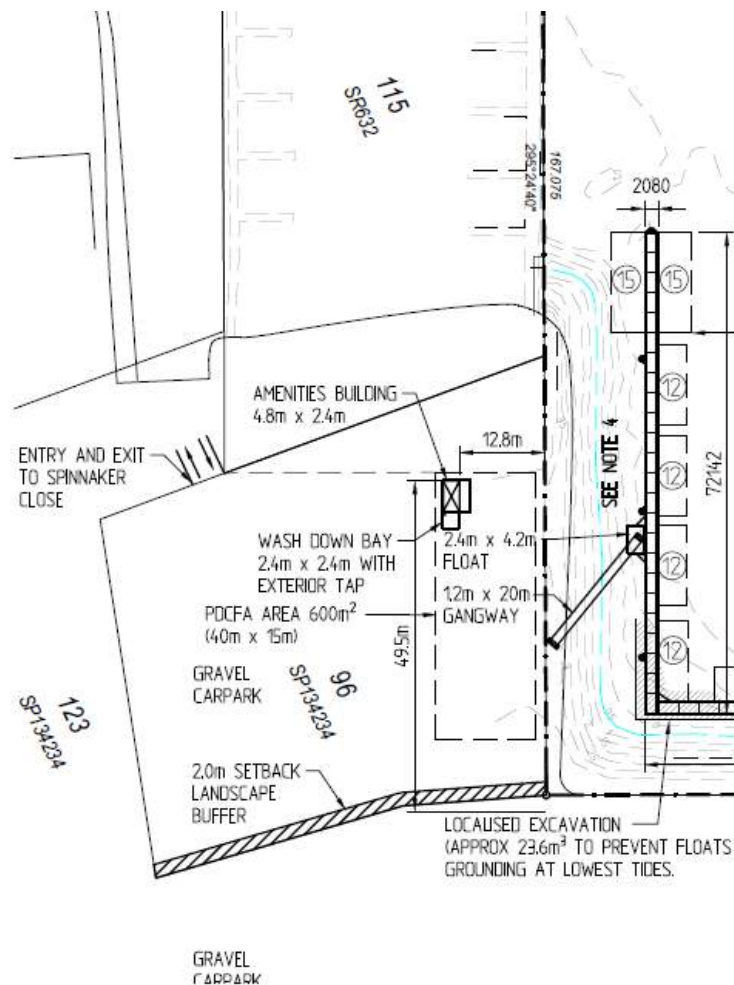
*Flanagan Consulting Group is a registered business name of South Pacificsands Pty Ltd A.C.N. 052 933 687*

## 1.0 INTRODUCTION AND BACKGROUND

This Engineering Assessment Report has been prepared in support of a Development Application by Urban Sync Pty Ltd on Behalf of GAG Port Douglas Property Company No 2 Pty Ltd for a Material Change of Use (MCU) and Operational Works of a property located at Lot 96 SP134234 off Spinnaker Close, Port Douglas.

The Developer seeks to use the property for the land-based infrastructure used by the Port Douglas Commercial Fishers Association (PDCFA) as part of the relocation and construction of Mooring Facilities at Wharf Street, Port Douglas.

This report describes the outcome of the processes undertaken to identify suitable civil engineering solutions for the required PDCFA facilities located on the site, including carparking, ablutions and wash-down facilities, as shown in **Figure 1**.



**Figure 1: Proposed PDCFA Land-based Facilities (Source: International Marina Consultants Drg. 5307-101/C)**

The report further examines whether the development is code compliant in terms of civil engineering requirements under the Douglas Shire Planning Scheme 2008, including:

- Filling and Excavation Code; and
- Acid Sulfate Soils Code.

As shown in **Figure 2**, the existing site is situated with approximately 60 metres of frontage to Wharf Street, with Spinnaker Close providing vehicular site access on the western boundary. The site is largely vacant with a minor portion currently forming part of a carparking facility to the west, a vegetated drain within the site along the southern boundary and the remainder primarily an unformalised gravel carpark. We understand that Council is in the process of refining the lot boundaries on the North Western boundary to reflect the position of parking arrangements.



**Figure 2: Site Locality**



## 2.0 PROJECT DESCRIPTION

The proposed 'land based' works will primarily consist of the following located on L96 SP134234 :

- 4.8m x 2.4m Ablutions building;
- 2.4m x 2.4m Wash-down Bay; and
- 40m x 15 m parcel of land within the lot for exclusive use by the PDCFA.

The works will comprise solely of minor clearing, earthworks, provision of services and construction of the abluion block and wash down pad within the existing site.

The proposed development General Arrangement plan is provided in **Appendix A**.

## 3.0 CIVIL ENGINEERING ASSESSMENT

### 3.1 Clearing, Earthworks and Erosion and Sediment Control

No vegetation clearing is required for the ablutions block or wash down pad as the proposed locations for these works are within the existing gravel carpark on the site.

Existing site levels range between 1.52m and 2.61m AHD and DSC immunity requirements for an uninhabitable floor level within the Port Douglas 1 % AEP Storm Tide Hazard Zone is; 1% AEP Storm Tide Level + Sea Level Rise (SLR of 800mm) + 150mm freeboard. Within the site this level is 4.00m AHD.

We recommend DSC to relax the minimum floor level requirement so to avoid an approx. 2.35m high earthworks pad. If the minimum floor level is not relaxed then this will result in an ablutions block being placed on a local mound and PWD access will also need to be provided by a compliant ramp access in a zig zag type setup. Aesthetically, this arrangement will look very out of place.

The remainder of the gravel carparking area is gently sloped from east to west and requires minor localised grading to ensure it is free-draining.

Due to the gentle sloping nature of the site, the erosion and sediment control during construction can easily be managed by the appropriate use of sediment fences around the site and the proposed abluion pad and diversion drains connecting to 2 small sediment ponds. One located in the south-west corner of the site beside the existing drainage swale and one located on the north-western side between the existing bitumen carpark and the proposed abluion block. An appropriate erosion and sediment control strategy will be prepared during the detailed design.

### 3.2 Stormwater Drainage

#### 3.2.1 Existing Situation

The site currently slopes in a westerly direction from approx. RL 2.0m AHD along the eastern boundary towards the western boundary to a low point approx. 15m from the western boundary. There is a bund along running north-south along the sealed carpark to the west that drains to the same low point. The low point drains north and south from a high point approx. 13m from the Northern Boundary.

The site currently has a single minor external catchment from the centreline of the Wharf Street across the Bally Hooley Tramway which discharges to the west.

#### 3.2.2 Concept Drainage Regime

The key features of the stormwater drainage concept design are:

- The primary discharge point for the site is through the existing drainage swale along the southern boundary which discharges under Spinnaker Close to Dickson Inlet;
- Minor flows ( $Q_2$ ) and major flows ( $Q_{100}$ ) will be conveyed via swale drains to the outlet drain;

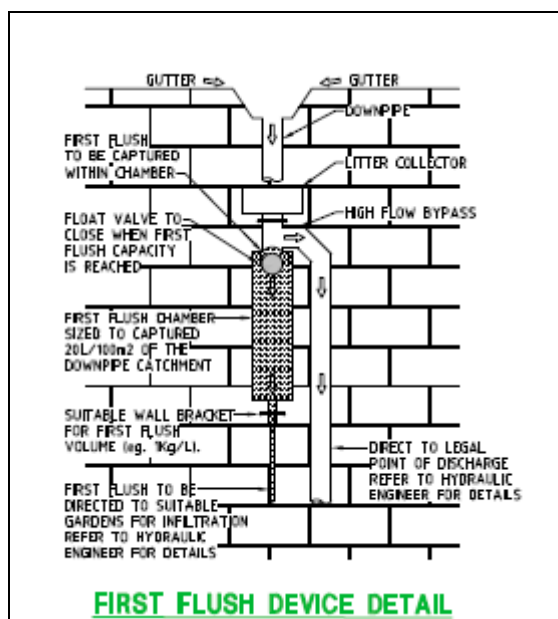
- The site will be graded to flow the low point swale; and
- The external catchment to the east is proposed to be captured in a swale drain along the eastern boundary of the site and diverted to the southern drainage swale.

### 3.2.3 Flooding and Storm Tide

The controlling inundation level for the proposed abluion block is the Port Douglas 1 % AEP Storm Tide of 3.85m AHD (incl. SLR). In accordance with the Port Douglas Waterfront North Planning Area Code, the abluion block requires a floor level flood immunity equal to the 1 % AEP Storm Tide + 150 mm or 4.0m AHD. All other facilities within the site will be inundated in this event. The carparking within the site requires a 5% AEP immunity however it is not anticipated that the 5% regional storm tide or the regional flood will impact the site. It is anticipated that these events will be contained below the Dickson Inlet/Marina embankment.

### 3.2.4 Water Quality

Given the small nature of the proposed works, best practice stormwater quality measures, consisting of first flush devices to the abluion block roof water downpipes, will be utilised. An example of this is shown below:



### 3.3 Sewerage Reticulation

DSC data shows the site can connect to the existing sewerage trunk network via a DN150 uPVC main that traverses through the property on an east-west alignment from a second DN150 uPVC main that traverses along the eastern boundary between the Bally Hoole Tramline and Wharf St as seen below in **Figure 3**.



**Figure 3: DSC Sewer Main Reticulation**

Based on the elevation required to ensure the ablation block has 1% AEP immunity the sewer will meet minimum FNQROC grade requirements. Due to the minimal contribution from the single toilet/shower layout of the proposed ablation block it is also considered that the mains network will have sufficient capacity to facilitate the connection.

### 3.4 Water Reticulation

Currently the site is serviced by an existing 150mm diameter PVC water mains in Wharf Street and a 100mm diameter uPVC water main that traverse north from the southern boundary approx. 19m before turning 90 degrees to the east and traversing approx. 15m to a meter point on the western boundary, refer **Figure 3**.

The ablation lot and wash down bay will be serviced by a single connection from the 100mm main.

Water demands for the development are negligible and will have no detrimental effect to the existing network.

### 3.5 Traffic and Access

The subject lot has an existing access point from Spinnaker Close and is proposed to maintain this Access for the proposed development. The proposed road layout takes into consideration the current lay of the land and the conveyance of stormwater overland flows as described in **Section 4**.

## 4.0 ENGINEERING CODE ASSESSMENT

The following General Codes apply to the development:

- Filling and Excavation Code.

The following Overlay Codes apply to the development:

- Acid Sulfate Soils overlay Code

### 4.1 Filling and Excavation Code

To comply with the purpose of the Filling and Excavation Code, the development is required to comply with the Performance Criteria of this Code. The proposal's compliance with the relevant provisions of the Code is detailed in the following **Table 1**.

**Table 1: Filling and Excavation Code**

Performance Criteria	Development Compliance
<b>Filling and Excavation - General</b>	
<b>P1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or surrounding area.	The earthworks are minimal within the site other than the pad required for the ablution block. If required a pad will be designed to DSC standards and will not pose any impacts. The site is also proposed to be buffered by a 2m landscape zone to Wharf Street further improving the visual amenity.  <b>Able to Comply</b>
<b>Visual Impact and Site Stability</b>	
<b>P2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	The site is surrounded by landscape buffers and will not impact on the visual amenity, privacy of the adjoining properties. The Site is generally flat and all earthworks will be done in accordance with DSC standards with no opportunity to cause issue with adjoining properties.  <b>Able to Comply</b>
<b>Flooding and Drainage</b>	
<b>P3</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact upon the Shire or nearby land or adjacent road reserves.	Proposed filling will not impact the existing run-off characteristics of the site and all cut is solely for the purpose of formalising existing drainage paths.  <b>Complies.</b>
<b>Water Quality</b>	
<b>P4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	Only minimal earthworks for drainage swales are proposed. These will be establish upon completion with no effects to water quality.  <b>Able to Comply</b>

The proposed development is considered to comply with the Performance Criteria of the Filling and Excavation Code, having regard to the Acceptable Solutions. It is therefore considered that the development meets the purpose of the Code.

## 4.2 Acid Sulfate Soils Overlay Code

To comply with the purpose of the Acid Sulfate Soils Overlay Code, the development is required to comply with the Performance Criteria of this Code. The proposal's compliance with the relevant provisions of the Code is detailed in the following **Table 2**.

**Table 2: Acid Sulfate Soils Overlay Code**

Performance Criteria	Development Compliance
<b>Disturbance of Acid Sulfate Soils</b>	
<p><b>P1</b> The release of acid and associated metal contaminants into the environment are avoided either by:</p> <ul style="list-style-type: none"> <li>a) not disturbing acid sulfate soils; or by</li> <li>b) preventing the potential impacts of any disturbance through appropriate site planning, treatment and ongoing management.</li> </ul>	<p>Site already appears to have an existing engineered material covering the majority and the level of cut expected on site is limited to minor cutting to formalise swale drains to achieve a free draining site. It is therefore expected that the chance of finding ASS/PASS on site is highly unlikely.</p> <p>If discovered a management plan will be developed and incorporated into the OPW documentation. Normal practice is to treat disturbed material at a predetermined liming rate.</p> <p><b>Able to comply</b></p>
<b>Identification and Management of Acid Sulfate Soils</b>	
<p><b>P2</b> The location and extent of acid sulfate soils are identified on the development site and appropriately managed to as to avoid release of acid and associated metal contaminants into the environment.</p>	<p>No soil testing has been conducted at this stage, however, prior to OPW design appropriate testing will be undertaken by a geotechnical consultant to determine if ASS or PASS is present. If discovered a management plan will be developed and incorporated into the OPW documentation. Normal practice is to treat disturbed material at a predetermined liming rate.</p> <p><b>Able to comply</b></p>

The proposed development is considered to comply with the Performance Criteria of the Acid Sulfate Soils Overlay Code having regard to the Acceptable Measures. It is therefore considered that the development meets the purpose of the Code.

## 5.0 PROPOSED DOUGLAS SHIRE PLANNING SCHEME

The Douglas Shire Council is currently preparing the proposed new Planning Scheme. Certain aspects of the proposed new Planning Scheme are taken into consideration by Council when assessing and deciding development application. The following Overlay Code from the proposed new Planning Scheme is considered relevant to the development proposal.

### 5.1 Flood and Storm Tide Hazard Overlay Code

To comply with the purpose of the Flood and storm tide hazard overlay code, the development is required to comply with the Performance Outcomes of this Code. The proposal's compliance with the relevant provisions of the Code is detailed in the following **Table 3**.

**Table 3: Flood and storm tide hazard overlay code**

Performance Outcomes	Development Compliance
<b>For assessable and self assessable development</b>	
<b>PO1</b> Development is located and designed to; <ul style="list-style-type: none"> <li>a) ensure the safety of all persons;</li> <li>b) minimise damage to the development and contents of buildings;</li> <li>c) provide suitable amenity;</li> <li>d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</li> </ul>	We recommend constructing the ablution block at the current site levels given the minor nature of the building. Inundation during extreme events can be tolerated.  <b>Complies.</b>
<b>For assessable development</b>	
<b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.	<b>Complies.</b>
<b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety.	We recommend constructing the ablution block at the current site levels given the minor nature of the building. Inundation during extreme events can be tolerated.  The ablution block has been positioned 12.8m from the marina embankment and emergency egress to Spinnaker Close is maintained.  <b>Complies.</b>
<b>PO4</b> Development is resilient to flood events by ensuring design and built form account for the potential risk of flooding.	We recommend constructing the ablution block at the current site levels given the minor nature of the building. Inundation during extreme events can be tolerated.  <b>Complies.</b>
<b>PO5</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other premises.	The built form of the site and level of runoff is unchanged between the pre- and post-development site  The minimal earthworks proposed on site will not impact flood levels on neighbouring properties.  <b>Complies.</b>
<b>PO6</b> Development avoids the release of hazardous material into flood waters.	There are no hazardous materials associated with the development.  <b>Complies.</b>



<p><b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>Complies.</b></p>
<p><b>PO8</b> Development involving community infrastructure:</p> <ul style="list-style-type: none"> <li>a) remains functional to serve community need during and immediately after a flood event;</li> <li>b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts on infrastructure, facilities or access and egress routes;</li> <li>c) retains essential site access during a flood event;</li> <li>d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</li> </ul>	<p>There is no community infrastructure within the development.</p> <p><b>Complies.</b></p>

The proposed development is considered to comply with the Performance Outcomes of the Flood and storm tide hazard overlay code having regard to the Acceptable Outcomes. It is therefore considered that the development meets the purpose of the Code.

## 6.0 CONCLUSION

The development is minor in nature, generally complies with the Council codes addressed herein and the preliminary plans attached are of sufficient detail to provide surety to Council in terms of the future servicing of the change of use.

Approval of the ablution block near existing ground levels (to better blend with the existing surrounding facilities and to avoid a 2.4m high earth mound with a complicated zig zagging disable access ramp) is recommended.

**ATTACHMENT 6:  
STATE CODE ASSESSMENT**



# State code 8: Coastal development and tidal works

**Table 8.2.1: All development**

Performance outcomes	Acceptable outcomes	Response
Development in the erosion prone area		
<p><b>PO1</b> Development does not occur in the erosion prone area unless the development:</p> <ol style="list-style-type: none"> <li>1. is one of the following types of development:               <ol style="list-style-type: none"> <li>a. coastal-dependent development; or</li> <li>b. temporary, readily relocatable or able to be abandoned; or</li> <li>c. essential community infrastructure; or</li> <li>d. redevelopment of an existing permanent building or structure that cannot be relocated or abandoned; and</li> </ol> </li> <li>2. cannot feasibly be located elsewhere.</li> </ol>	No acceptable outcome is prescribed.	<p><b>Yes:</b> The proposed development is considered to comply with both points (a) and (b) in that it is coastal dependent development and development that is temporary/relocatable/able to be abandoned.</p>
<p><b>PO2</b> Development other than coastal protection work:</p> <ol style="list-style-type: none"> <li>1. avoids impacting on coastal processes; and</li> <li>2. ensures that the protective function of landforms and vegetation is maintained.</li> </ol> <p>Note: In considering reconfiguring a lot applications, the state may require land in the erosion prone area to be surrendered to the State for coastal management purposes under the <i>Coastal Protection and Management Act 1995</i>.</p> <p>Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the <i>Coastal Protection and Management Act 1995</i>, this must be considered in</p>	No acceptable outcome is prescribed.	<p><b>Yes:</b> Compliance can be conditioned.</p>

Performance outcomes	Acceptable outcomes	Response
assessing the application.		
<p><b>PO3</b> Development is located, designed and constructed to minimise the impacts from coastal erosion by:</p> <ol style="list-style-type: none"> <li>1. locating the development as far landward as practicable; or</li> <li>2. where it is demonstrated that 1 is not feasible, mitigate or otherwise accommodate the risks posed by coastal erosion.</li> </ol>	No acceptable outcome is prescribed.	<b>Yes:</b> Compliance can be conditioned.
<p><b>PO4</b> Development does not significantly increase the risk or impacts to people and property from coastal erosion.</p>	No acceptable outcome is prescribed.	<b>Yes:</b> This application seeks the necessary statutory approval to facilitate the relocation of the Port Douglas Commercial Fisherman (PDCF). As the PDCF current location is in a similar location to that of the site, the proposed development does not involve any new/additional risks, over and above that which exist at present.
<p><b>PO5</b> Development other than coastal protection work avoids directly or indirectly increasing the severity of coastal erosion either on or off the site.</p>	No acceptable outcome is prescribed.	<b>Yes:</b> Compliance can be conditioned.
<p><b>PO6</b> In areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development.</p>	No acceptable outcome is prescribed.	<b>N/A:</b> There is no coastal building line in effect on the site.
Artificial waterways		
<p><b>PO7</b> Development of artificial waterways, canals and dry-land marinas minimises impacts on coastal resources by:</p> <ol style="list-style-type: none"> <li>1. maintaining the tidal prism volume of the natural waterway to which it is connected</li> </ol>	No acceptable outcome is prescribed.	<b>N/A:</b> The proposed development does not involve any of the listed uses.

Performance outcomes	Acceptable outcomes	Response
2. demonstrating a whole-of-life strategy for the disposal of dredged material.		
Coastal protection work		
<p><b>PO8</b> Works for beach nourishment minimise adverse impacts on coastal processes and avoid any increase in the severity of erosion on adjacent land by:</p> <ol style="list-style-type: none"> <li>1. sourcing sand from an area that does not adversely impact on the active beach system</li> <li>2. ensuring imported sand is compatible with natural beach sediments and coastal processes of the receiving beach.</li> </ol>	No acceptable outcome is prescribed.	<b>N/A:</b> The proposed development does not involve any of the listed works.
<p><b>PO9</b> Erosion control structures are only constructed where there is an imminent threat to buildings or infrastructure of value, and there is no feasible option for either:</p> <ol style="list-style-type: none"> <li>1. beach nourishment; or</li> <li>2. relocation or abandonment of structures.</li> </ol> <p>Note: The monetary value of buildings or infrastructure should be more than the cost of associated erosion control structures.</p>	No acceptable outcome is prescribed.	<b>N/A:</b> As above.
<p><b>PO10</b> Erosion control structures minimise interference with coastal processes, or any increase to the severity of erosion on adjacent land by:</p> <ol style="list-style-type: none"> <li>1. locating the erosion control structure as far landward as practicable and directly adjacent to the structure it is intended to protect</li> <li>2. where required and feasible, importing sand to the site to mitigate any increase in the severity of erosion</li> <li>3. the design of the structure.</li> </ol>	No acceptable outcome is prescribed.	<b>N/A:</b> As above.

Performance outcomes	Acceptable outcomes	Response
Water quality		
<p><b>PO11</b> Development:</p> <ol style="list-style-type: none"> <li>1. maintains or enhances environmental values of receiving waters</li> <li>2. achieves the water quality objectives of Queensland waters</li> <li>3. avoids the release of prescribed water contaminants to tidal waters.</li> </ol> <p>Note: See Environmental Protection (Water) Policy 2009 for the relevant water quality objectives.</p>	No acceptable outcome is prescribed.	<p><b>Yes:</b> A grease trap or the like will be installed in association with the wash down bay to ensure stormwater is treated prior to its release into the Marina/Dickson Inlet.</p> <p>Given the scale of the proposed development, no other stormwater quality measures are considered necessary.</p>
Category C and R areas of vegetation		
<p><b>PO12</b> Development:</p> <ol style="list-style-type: none"> <li>1. avoids impacts on category C areas of vegetation and category R areas of vegetation; or</li> <li>2. minimises and mitigates impacts on category C areas of vegetation and category R areas of vegetation after demonstrating avoidance is not reasonably possible.</li> </ol>	No acceptable outcome is prescribed.	<p><b>Yes:</b> The proposed development will not result in the removal of any vegetation.</p>
Public use of and access to state coastal land		
<p><b>PO13</b> Development maintains or enhances public use of and access to and along state coastal land (except where this is contrary to the protection of coastal resources or public safety).</p>	No acceptable outcome is prescribed.	<p><b>Yes:</b> The proposed development does not hinder achievement of the Performance Outcome.</p>
<p><b>PO14</b> Private marine development ensures that works:</p> <ol style="list-style-type: none"> <li>1. are used for marine access purposes only</li> <li>2. minimise the use of state coastal land</li> <li>3. do not interfere with access between navigable waterways and adjacent properties.</li> </ol>	No acceptable outcome is prescribed.	<p><b>Yes:</b> As above.</p>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO15</b> Development ensures erosion control structures are located within the premises they are intended to protect unless there is no feasible alternative.</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>N/A:</b> The proposed development does not involve any of the listed works.</p>
<p>Matters of state environmental significance</p>		
<p><b>PO16</b> Development:</p> <ol style="list-style-type: none"> <li>1. avoids impacts on matters of state environmental significance; or</li> <li>2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and</li> <li>3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance.</li> </ol> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see <a href="http://www.portbris.com.au">www.portbris.com.au</a>.</p> <p>Note: Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Yes:</b> The proposed development will not result in the removal of any vegetation and hence, will not have any unacceptable impacts on MSES.</p>



Performance outcomes	Acceptable outcomes	Response
considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2004</i> .		

**Table 8.2.2: All operational work**

Performance outcomes	Acceptable outcomes	Response
Private marine development		
<b>PO17</b> Private marine development does not require the construction of coastal protection work, shoreline or riverbank hardening or dredging for marine access purposes.	No acceptable outcome is prescribed.	<b>Yes:</b> The proposed development does not require any coastal protection work or shoreline/riverbank hardening. A minor amount of dredging will be undertaken, although these works will be undertaken under the existing environmental authority for the maintenance of the Marina.
Disposal of solid waste or dredged material from artificial waterways		
<b>PO18</b> Solid waste from land and dredged material from artificial waterways is not disposed of in tidal water unless it is for beneficial reuse.	No acceptable outcome is prescribed.	<b>Yes:</b> As above, any dredged material will be disposed of in accordance with the requirements outlined in the environmental authority for the maintenance of the Marina.
Disposal of dredged material other than from artificial waterways		
<b>PO19</b> Dredged material is returned to tidal water where this is needed to maintain coastal processes and sediment volume.	No acceptable outcome is prescribed.	<b>Yes:</b> As above.
<b>PO20</b> Where it is not needed to maintain coastal processes and sediment volume, the quantity of dredged material disposed to tidal water is minimised through beneficial reuse or disposal on land.	No acceptable outcome is prescribed.	<b>Yes:</b> As above.

Performance outcomes	Acceptable outcomes	Response
All dredging and any disposal of dredged material in tidal water		
<p><b>PO21</b> All dredging and any disposal of dredged material in tidal water is:</p> <ol style="list-style-type: none"> <li>1. demonstrated to be safe with regard to protection of the marine environment and by meeting the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version; and</li> <li>2. supported by a monitoring and management plan that protects the marine environment and that complies with the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version.</li> </ol>	No acceptable outcome is prescribed.	<b>Yes:</b> As above.
Reclamation		
<p><b>PO22</b> Development does not involve reclamation of land below tidal water, other than for the purposes of:</p> <ol style="list-style-type: none"> <li>1. coastal-dependent development, public marine development or community infrastructure; or</li> <li>2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan, where there is a demonstrated net benefit for the state or region and no feasible alternative exists; or</li> <li>3. coastal protection work or work necessary to protect coastal resources or coastal processes.</li> </ol>	No acceptable outcome is prescribed.	<b>N/A:</b> The proposed development does not involve any reclamation.

**Table 8.2.3: Operational work which is not assessed by local government**

Performance outcomes	Acceptable outcomes	Response
<p><b>PO23</b> Works are located and designed such that they continue to operate safely during and following a defined storm tide event.</p>	<p><b>AO23.1</b> Tidal work is designed and located in accordance with the Guideline: Building and engineering standards for tidal works, Department of Environment and Heritage Protection, 2017.</p>	<p><b>Yes:</b> Compliance can be conditioned.</p>

**ATTACHMENT 7:  
COUNCIL CODE ASSESSMENT**



## APPLICABILITY

This Code applies to self-assessable and assessable development in the Port Douglas and Environs Locality for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Commercial Planning Area and the Port Douglas Waterfront North Planning Area
- Primary Industry in the Rural Planning Area
- Restaurant – using an existing Building in the Commercial Planning Area and the Port Douglas Waterfront North Planning Area
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1.

Self assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.

## ELEMENTS OF THIS CODE

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>General Requirements</b>			
<p><b>P1</b> Buildings and structures complement the Height of surrounding development,</p> <p><b>AND</b></p> <p>The height of buildings in the Port Douglas Waterfront transitions from single storey in the Community and Recreation Facilities Planning Area</p>	<p><b>A1.1</b> In the Planning Areas (and parts thereof) contained in the Port Douglas Waterfront listed below, the maximum Height of Buildings/structures is 3.0 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Community and Recreation Facilities</li> </ul>	<b>YES</b>	<p>The structures associated with the proposed development will not be of a bulk, height or scale that is inconsistent with the existing locality.</p>

<p>through to three storeys in the Port Douglas Waterfront North Planning Area.</p> <p><b>AND</b></p> <p>Buildings are limited to two Storeys outside the Port Douglas Waterfront, except; in the High Scale locations depicted on the Locality Plan, where development of three Storeys is appropriate.</p>	<p><b>AND</b></p> <p>In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Residential 1;</li> <li>• Industry;</li> <li>• Conservation;</li> <li>• Community and Recreational Facilities (except in the Port Douglas Waterfront);</li> <li>• Residential 2;</li> <li>• Tourist and Residential (Medium Scale);</li> <li>• Commercial – (Medium Scale, outside the Tourist Centre);</li> <li>• Commercial – (High Scale, outside the Tourist Centre);</li> </ul>		
<p><b>P2</b> Development is connected to available urban services.</p>	<p><b>A2.1</b> Development is connected to available urban services by underground connections, wherever possible.</p> <p><b>AND/OR</b></p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p>	<p><b>YES</b></p>	<p>The proposed development will be connected to all urban services.</p>
<p><b>P3</b> Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape.</p>	<p><b>A3.1</b> Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>
<p><b>P4</b> Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p><b>A4.1</b> All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned. However, given the temporary nature of the proposed development, the most suitable type of construction materials for aspects of the proposed development such as the driveway/car</p>

			parking area can be determined in association with Council during the assessment phase.
<b>Tourist Centre</b>			
<b>P5</b> Development in the Tourist Centre enhances the distinct tropical resort town character and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the entire footpath for the length of the building	<b>A5.1</b> Development is built up to the street Frontage/s at Ground Level and incorporates a light frame awning a minimum of 3 metres wide for the length of the street Frontage/s.  <b>OR</b>  If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum Setback of 6 metres and the required awning is still maintained along the length of the street Frontage/s.	<b>N/A</b>	The site is not located in the Tourist Centre.
<b>P6</b> Development in the Tourist Centre is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level Frontage.	<b>A6.1</b> Commercial development establishes at Ground Level and a maximum of one level above ground with any residential tourist development establishing on levels above ground or on Ground Level but not on the street Frontage, in any mixed use development.	<b>N/A</b>	As above.

<p><b>P7</b> Development in the Tourist Centre is of a height and scale which complements the village character of the town and remains subservient to the natural environment and the backdrop of Flagstaff Hill, in particular.</p>	<p><b>A7.1</b> The achievement of the maximum Building/structure Height specified above in A1.1, relies on compliance with Acceptable Solutions A7.2, A7.3, A7.4 and A8.1 below.</p> <p><b>A7.2</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street Frontage/s of 40 metres.</p> <p><b>A7.3</b> Any break in the building facade varies the alignment by a 1 metre minimum deviation.</p> <p><b>A7.4</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> <li>• a change in roof profile;</li> <li>• a change in parapet coping;</li> <li>• a change in awning design;</li> <li>• a horizontal or vertical change in the wall plane; or</li> <li>• a change in the exterior finishes and exterior colours of the development.</li> </ul> <p>Planning Scheme Policy No 2 – Building Design and Architectural Elements should be referred to for demonstrating compliance with elements listed above.</p> <p>A7.5 Any Building which does not comply with A7.2, A7.3 and A7.4 above, is limited to 1 storey and/or 4.5 metres in height.</p>	<p><b>N/A</b></p>	<p>As above.</p>
<p><b>P8</b> Development in the Tourist Centre is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 1:1.</p> <p><b>AND</b></p>	<p><b>A8.1</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <p>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</p> <p>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</p>	<p><b>N/A</b></p>	<p>As above.</p>



<p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</p> <p>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</p> <p>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</p> <p>f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</p> <p>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</p> <p>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</p> <p>i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</p>		
<p><b>P9</b> Car parking generated by:</p> <p>a) the commercial component of development is fully or partly accommodated on the Site of the development, depending on the availability of alternative public car parking nearby with any balance to be paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No 3 – Car Parking Contributions; and</p>	<p><b>A9.1</b> In respect to P9 (a), a minimum of 30% of the car parking requirements for the commercial component of development is provided on the Site of a development fronting Grant, Macrossan, Owen or Wharf Street, with 100% on-site provision applying for a commercial component along other streets in the Tourist Centre.</p> <p>AND</p> <p>Any balance is paid in lieu of providing on-site car parking for commercial development in accordance with</p>	<p><b>N/A</b></p>	<p>As above.</p>

b) the residential component of any mixed use development is provided on the Site for the full allocation for units and visitor parking and is held in a common pool for common use.	Planning Scheme Policy No. 3 – Car Parking Contributions.		
<b>P10</b> The use of on Site public car parking in the Tourist Centre is maximised	<p><b>A10.1</b> On Site car parking available for public use in the Tourist Centre is clearly sign-posted at the Site Frontage.</p> <p><b>A10.2</b> Signage for car parking for public use is to be of a standard blue and white sign with a directional arrow unless otherwise specified.</p> <p><b>A10.3</b> Boom gates, pay machines or other regulatory devices to control Access to public car parking areas are not constructed/erected.</p>	<b>N/A</b>	As above.
<p><b>P11</b> Car parking and access in the Tourist Centre:</p> <p>a) does not dominate street Frontages, especially along streets with high pedestrian traffic and pedestrian-oriented development; and</p> <p>b) facilitates pedestrian connectivity; and</p> <p>c) is safe and convenient.</p>	<b>A11.1</b> In respect to P11 (a), along Grant, Macrossan, Owen and Wharf Streets, on-site car parking and Access is minimised, and where possible, shared access driveways and Access easements are to be provided to limit the number of vehicles crossings.	<b>N/A</b>	As above.
<b>P12</b> Residents in residential accommodation located within the Tourist Centre are protected from noise intrusion associated with night time activities, such as outdoor dining, bars and nightclubs.	<p><b>A12.2</b> No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<b>N/A</b>	As above.
<b>P13</b> Safe and convenient pedestrian linkages are promoted in the Tourist Centre.	<b>A13.1</b> One centrally located pedestrian Access is provided via a sheltered walkway/arcade from Macrossan Street to Warner Street between Grant Street and Owen Street.	<b>N/A</b>	As above.
<b>Local Centres</b>			
<b>P14</b> Local Centres outside the Tourist Centre service the surrounding residential area and do not	<b>A14.1</b> The Net Lettable Area of each of the existing Local Centres does not exceed 300 m2 and is apportioned	<b>N/A</b>	The site is not located in a local centre.

<p>adversely impact on the viability of the Tourist Centre</p>	<p>equally between the total number of lots which comprise the Local Centre.</p> <p><b>A14.2</b> Any proposed new Local Centre with a maximum Net Lettable Area of 500 m<sup>2</sup>, only establishes when an identifiable population of 1000 persons is located more than 2 km from any existing Local Centre or the Tourist Centre.</p> <p><b>A14.3</b> Any new Local Centre is located at a “gateway” location to a residential area, which best serves the surrounding residential area.</p>		
<b>Residential Development Outside a Tourist Centre</b>			
<p><b>P15</b> Existing residential housing estates are protected from incursion by higher density residential uses.</p>	<p><b>A15.1</b> Multi-Unit Housing does not establish in the residential estate of Solander and the areas in Reef Park estate included in the Residential 1 Planning Area.</p>	<b>N/A</b>	<p>The proposed development does not involve residential development.</p>
<p><b>P16</b> Residential development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map/s (that is):</p> <ul style="list-style-type: none"> <li>• land designated High Scale has a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.8:1;</li> <li>• land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.45:1;</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.35:1.</li> </ul>	<p><b>A16.7</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <p>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</p> <p>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</p> <p>c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</p> <p>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</p> <p>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</p>	<b>N/A</b>	<p>As above.</p>

<p><b>AND</b></p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.2 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</p> <p>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</p> <p>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</p> <p>i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</p>		
<p><b>P17</b> The Site Coverage of any residential or tourist development does not result in a built form that is bulky or visually obtrusive.</p>	<p><b>A17.1</b> The Site Coverage of any residential or tourist development, other than a House, is limited to:</p> <ul style="list-style-type: none"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level; and</li> <li>• 35% at second floor level, if applicable.</li> </ul>	<b>N/A</b>	As above.
<p><b>P18</b> Tourist development provides a range of services and facilities for the recreational convenience of in-house guests</p>	<p><b>A18.1</b> Tourist development provides a range of recreational facilities and small scale commercial services such as Restaurant/bars, shop/boutique, and tour booking office, for the enjoyment and convenience of in-house guests</p>	<b>N/A</b>	As above.
<b>Other Development</b>			
<p><b>P19</b> Industrial development is limited to Service Industry and is located in existing or identified Industrial areas and is of a scale and intensity of development which is acceptable in the Locality.</p>	<p><b>A19.1</b> Service Industry development is located in the identified Industrial areas of:</p> <ul style="list-style-type: none"> <li>• Special Management Area 3 - Service Industry Precincts (Craiglie); and</li> <li>• Special Management Area 4 - Service Industry Precincts (Mahogany Street)</li> </ul>	<b>N/A</b>	The proposed development does not involve any 'Service Industry' development.

<b>Community Facilities</b>			
<p><b>P20</b> Community facilities are provided to service the local community and visitors in convenient and accessible locations.</p>	<p><b>A20.1</b> Community facilities are conveniently located within or near the Tourist Centre and in close proximity to existing community facilities to service the needs of local residents and visitors.</p> <p><b>A20.2</b> Public car parking areas are provided within or in close proximity to the Tourist Centre, existing community facilities, sporting/recreation grounds and Four Mile Beach.</p>	<p><b>N/A</b></p>	<p>The proposed development does not involve any 'Community Facilities' development.</p>
<b>Protection of Scenic Amenity and Natural Values</b>			
<p><b>P21</b> The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.</p>	<p><b>A21.1</b> Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the Main Street Frontage and the Buildings are Setback 6 metres from the Main Street Frontage.</p>	<p><b>N/A</b></p>	<p>The site is not located on Macrossan Street.</p>
<p><b>P22</b> Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the locality.</p>	<p><b>A22.1</b> No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p><b>N/A</b></p>	<p>The proposed development will not, or can be conditioned to ensure it does not have any negative impacts on any of the said environmental areas.</p>
<b>Port Douglas Waterfront</b>			
<p><b>P23</b> 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.</p>	<p><b>A23.1</b> 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; and</p> <p><b>A23.2</b> Development in the Commercial Planning Area on premises that has road frontages on both Warner Street and the unnamed laneway at the rear, use Warner Street as the Primary Road frontage for pedestrian access and business frontage ensuring centralised parking on Lot 12 on SR787 for the Port Douglas Waterfront and Tourist Centre is unimpeded.</p>	<p><b>YES</b></p>	<p>The proposed development complies with both zone codes (refer to the detailed assessment in <b>Attachment 8</b>).</p> <p>The site does not front Warner Street.</p>

#### Applicability

- (1) This code applies to self-assessable and assessable development in the Port Douglas Waterfront North Planning Area for:
- (a) Material Change of Use:
    - Except for:
      - Shopping Facilities, Business Facilities or Restaurant – using an existing Building
  - (b) Reconfiguring a Lot;
  - (c) Operational Work Associated with Reconfiguring a Lot;
  - (d) Operational Work – Filling or Excavation not associated with a Material Change of Use;
  - (e) Operational Work – Engineering Works not associated with a Material Change of Use;
  - (f) Operational Work – Placing and Advertising Device on Premises not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A 1.1 and A2.1.

Self-assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.

#### Criteria for assessment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>CONSISTENT AND INCONSISTENT USES</b>			
<b>P1</b> The establishment of uses is consistent with the outcomes sought for the Port Douglas Waterfront South Planning Area.	<b>A1.1</b> Uses identified as inconsistent uses in the Assessment Table are not established in the Waterfront South Planning Area.	<b>YES</b>	A Marina use is not an 'inconsistent' use in either of the Waterfront Planning Areas.
<b>DESIGN, LAYOUT AND BUILT FORM</b>			
<b>P2</b> The bulk and scale of buildings is consistent with surrounding development and steps down to compliment the	<b>A2.2</b> Development is designed in accordance with the control guidelines shown in <i>Figure 1</i> . Setbacks and building	<b>N/A</b>	The development site is not located in any of the areas delineated within <b>Figure 1</b> .

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
open space areas in the northern parts of the Port Douglas Waterfront..	envelopes will be generally in accordance with those specified in this figure.		

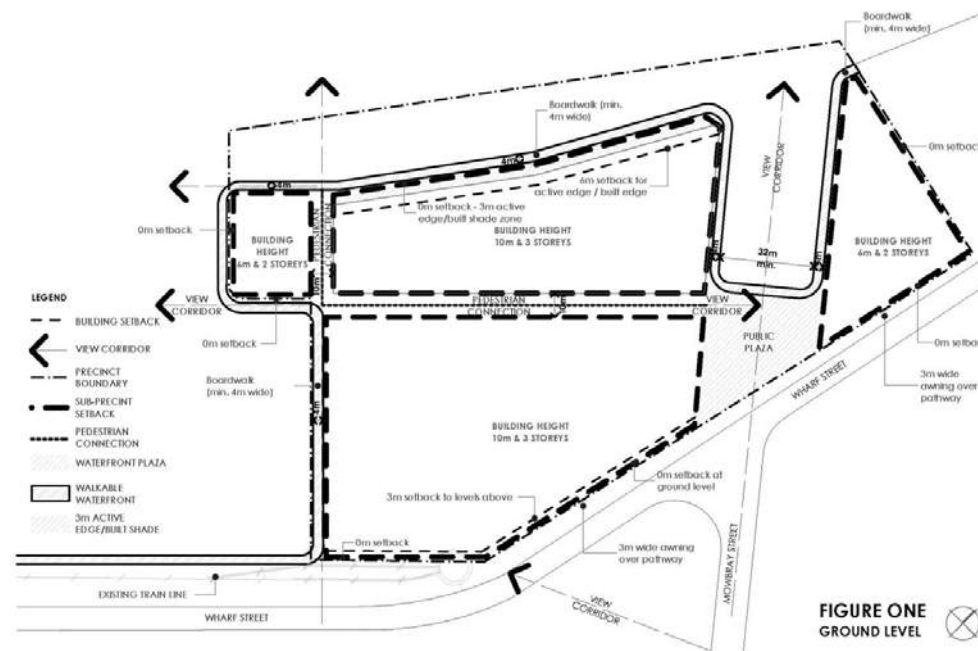


Figure 1: Development Control Guideline

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>P3</b> Building design is distinctive and reflects the tropical character of Port Douglas and reinforces the amenity of the waterfront and surrounding areas as a major component of the tourism experience.	<b>A3.1</b> Building design incorporates lightweight cladding and extensive sun-shading and shadowing devices to improve aesthetics and energy efficiency; and	<b>YES</b>	If considered necessary, Council can condition specific building elements be provided to ensure compliance.
	<b>A3.2</b> Buildings are designed in accordance with the requirements of the Planning Scheme Policy No 2 – Building Design and Architectural Elements.	<b>YES</b>	As above.
<b>P4</b> Buildings are designed and oriented to address and provide activity in the public realm, particularly the public plaza and Wharf Street.	<b>A4.1</b> Land uses, such as shops, restaurants, bars and commercial services, activate Wharf Street and the pedestrian plaza; and	<b>N/A</b>	The proposed development does not include any of the listed uses. The proposed development is also not a use which is considered suitable to try and 'activate' Wharf Street.
	<b>A4.2</b> Where a building is adjacent to a public place, the building's main entrance addresses the public place; and	<b>N/A</b>	As above.
	<b>A4.3</b> Through use of design features, development enables: <ul style="list-style-type: none"> <li>a. activities in public areas, such as outdoor dining; and</li> <li>b. passive recreation (such as places for meeting or busking); and</li> <li>c. informal seating around edges such as garden beds.</li> </ul>	<b>N/A</b>	As above.
<b>P5</b> The design of buildings ensures that: <ul style="list-style-type: none"> <li>a. the streetscape is cohesive; and</li> <li>b. pedestrians are afforded protection from the sun and from rain; and</li> </ul>	<b>A5.1</b> A non-transparent cantilevered awning is provided for the full length of the road frontage/s of buildings with a zero metre setback, as generally depicted in <i>Figure 1</i> . Posts may be included in the awnings design however these are to be non load bearing; and	<b>N/A</b>	The proposed development does not include any buildings that a built to the road frontage.



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
c. development allows for on-site landscaping and street trees for an attractive and tropical streetscape.	<b>A5.2</b> The underside of the awning is a minimum of 3 metres and a maximum of 4 metres above the finished level of the footpath; and	<b>N/A</b>	As above.
	<b>A5.3</b> The design of the awning allows for street tree plantings; and	<b>N/A</b>	As above.
	<b>A5.4</b> Dense landscaping is provided adjacent to the road frontage where buildings are not built to the front boundary.	<b>N/A</b>	As above.
<b>RETENTION OF BALLEY HOOLEY RAIL LINE</b>			
<b>P6</b> The Bally Hooley rail line and turn-table is retained and incorporated in development to maintain its functionality.	<b>A6.1</b> No Acceptable Solutions Specified.	<b>N/A</b>	The proposed development will not result in the removal of any parts of the Bally Hooley rail line.
<b>MITIGATING ADVERSE IMPACTS</b>			
<b>P7</b> Development mitigates the adverse impacts of flood, storm tide inundation and sea level rise.	<b>A7.1</b> Floors that provide tourist or permanent accommodation are located above the Storm Tide Inundation Area and consider rising sea levels; and	<b>N/A</b>	The proposed development does not include any accommodation activities.
	<b>A7.2</b> Floors for new commercial and retail uses are located 150mm above the 1 in 100 year ARI flood event; or	<b>N/A</b>	The proposed development does not include any commercial or retail activities.
	<b>A7.3</b> Additions to existing buildings may use existing floor levels only where it is necessary to retain functionality of the building's use.	<b>N/A</b>	The proposed development does not include any additions to any existing buildings.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<p><b>P8</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Port Douglas Waterfront Planning Area, and includes measures to mitigate the impact of:</p> <ul style="list-style-type: none"> <li>a. noise; and</li> <li>b. odour; and</li> <li>c. hazardous materials; and</li> <li>d. aesthetics.</li> </ul>	<p><b>A8.1</b> Development incorporates buildings, structures and landscaped areas that can serve as a buffer between residential and non-residential use areas; and</p>	<b>N/A</b>	The site is not located adjacent to any residential uses.
	<p><b>A8.2</b> Service and rubbish collection points:</p> <ul style="list-style-type: none"> <li>a. are positioned to minimise conflict with residential accommodation; and</li> <li>b. include measures to mitigate adverse noises and smells; and</li> <li>c. minimise the need for trucks to use their reversing horns.</li> </ul>	<b>YES</b>	Compliance can be conditioned.
	<p><b>A8.3</b> Service structures and mechanical plant is not visible from:</p> <ul style="list-style-type: none"> <li>a. the street; and</li> <li>b. adjoining properties; and</li> <li>c. Public open space; and</li> </ul>	<b>YES</b>	As above.
	<p><b>A8.4</b> Service structures and mechanical plant is located away from:</p> <ul style="list-style-type: none"> <li>a. balconies or adjacent to other liveable areas; and</li> <li>b. multiple reflective surfaces such as walls and eaves; and</li> </ul>	<b>N/A</b>	The site is not located adjacent to any residential uses.
	<p><b>A8.5</b> Potential noise impacts are mitigated through the use of:</p> <ul style="list-style-type: none"> <li>a. sound insulation; and</li> <li>b. sensitive internal planning; and</li> <li>c. acoustic barriers between residential and non-residential uses; and</li> </ul>	<b>YES</b>	Compliance can be conditioned.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<b>A8.6</b> Hazardous Materials are stored in an enclosed, bunded area, away from residential uses.	<b>N/A</b>	The site is not located adjacent to any residential uses.
<b>SUSTAINABLE BUILDING DESIGN</b>			
<b>P9</b> New buildings promote exemplary environmentally sustainable building design outcomes.	<b>A9.1</b> No Acceptable Solutions Specified.	<b>N/A</b>	Compliance with the Performance Criteria is not considered reasonable for the structures being proposed.
<b>PARKING, ACCESS AND MOBILITY</b>			
<b>P10</b> Vehicle access, parking and service areas: a. do not undermine the relationship between buildings and street or dominate the streetscape; and b. are designed to minimise pedestrian vehicle conflict.	<b>A10.1</b> For all buildings parking is: a. to the side of buildings and recessed behind the main building line; or b. behind buildings; or c. wrapped by the building façade, and not visible from the street; and	<b>YES</b>	Should formalised car parking spaces be required by Council, their preferred location on Lot 96 can be determined in association with Council during the assessment phase.
	<b>A10.2</b> Ground level parking incorporates clearly defined pedestrian routes; and	<b>YES</b>	Compliance can be conditioned if considered relevant.
	<b>A10.3</b> Any porte cocheres, disabled and pedestrian access are accommodated within the boundary of new or refurbished development.	<b>YES</b>	Compliance can be conditioned.
	<b>A10.4</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not attract a vehicle parking rate under this Code, or Schedule 1 of the Parking and Access Code.	<b>N/A</b>	The proposed development does not provide any floor area for the Bally Hooley rail station.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><b>A10.5</b> Where the development is an integrated mixed-use development incorporating holiday accommodation or multiple dwellings and either restaurant or tavern or shopping facilities or business facilities, on-site parking spaces are provided as per the number prescribed in Schedule 1 – Car Parking Requirements of the Vehicle Parking and Access Code with a relaxation of 30% of the non-residential use.</p>	<p><b>N/A</b></p>	<p>The proposed development is not for any of the listed uses.</p>
<p><b>P11</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the Waterfront along planned connectivity routes.</p>	<p><b>A11.1</b> An integrated pedestrian and cycle movement network is provided as depicted on the Port Douglas Pedestrian and Cycle Movement Overlay.</p>	<p><b>N/A</b></p>	<p>All pedestrian and cycle infrastructure is in place adjacent to the development site.</p>
	<p><b>A11.2</b> Vehicular access from Wharf Street, is provided for the:</p> <ul style="list-style-type: none"> <li>a. Accommodation parking and drop off area, this may include a port cochere and entry feature; and</li> <li>b. Non-residential parking; and</li> </ul>	<p><b>N/A</b></p>	<p>The proposed development does not involve any vehicular access from Wharf Street.</p>
	<p><b>A11.3</b> 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>	<p><b>N/A</b></p>	<p>As above.</p>
<p><b>VIEW CORRIDORS, GATEWAYS, LANDSCAPING AND OPEN SPACE</b></p>			
<p><b>P12</b> A combination of pedestrian linkages and open space areas in the private and public realms are provided:</p> <ul style="list-style-type: none"> <li>a. as a key feature of the Port Douglas Waterfront; and</li> </ul>	<p><b>A12.1</b> 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>	<p><b>N/A</b></p>	<p>These requirements are not considered to be relevant to the proposed development.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
b. through the creation of a continuous waterfront promenade/boardwalk along the quayline.			
<b>P13</b> A public plaza and pedestrian access is established to create an arrival node to the Port Douglas Waterfront.	<b>A13.1</b> Development establishes the public plaza as shown in Figure 1.	<b>N/A</b>	The development site is not located in any of the areas delineated within <b>Figure 1</b> .
<b>P14</b> The public plaza shown in Figure 1 is designed and constructed to: <ul style="list-style-type: none"> <li>a. reflect the character of the Port Douglas Waterfront;</li> <li>b. meet the needs of its users; and</li> <li>c. provide opportunities for social interaction.</li> </ul>	<b>A14.1</b> The public plaza is designed to be adaptable to community based events and are serviced accordingly; and	<b>N/A</b>	As above.
	<b>A14.1</b> Paths, meeting spaces and seat locations are designed to encourage incidental social interaction; and	<b>N/A</b>	As above.
	<b>A14.3</b> Shaded seats and shaded standing areas are provided along with drinking taps.	<b>N/A</b>	As above.
<b>P15</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public, particularly the public plaza and foreshore access.	<b>A15.1</b> No Acceptable Solutions Specified.	<b>N/A</b>	The proposed development is not located on freehold land.
<b>P16</b> Buildings, civic spaces, roads and pedestrian links: <ul style="list-style-type: none"> <li>a. are enhanced by appropriate landscape design and planting; and</li> <li>b. themed planting defines entry points, and create strong 'entry corridors' into the waterfront; and</li> <li>c. lighting and well-considered signage complements the building and landscape design; and</li> </ul>	<b>A16.1</b> No Acceptable Solutions Specified.	<b>N/A</b>	Compliance can be conditioned for any aspects of the Performance Criteria Council deem relevant.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
d. public artwork and other similar features are provided that reflect the heritage and character of the Port Douglas Waterfront.			
<b>P17</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable location.	<b>A17.1</b> Development is in accordance with the control guidelines shown in Figure 1.	<b>N/A</b>	The development site is not located in any of the areas delineated within <b>Figure 1</b> .
<b>MARINE-BASED INDUSTRY AND MARINE INFRASTRUCTURE</b>			
<b>P18</b> 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.	<b>A18.1</b> 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	<b>N/A</b>	The proposed development does not involve the removal of the slipway.
	<b>A18.2</b> Buildings are designed to minimise conflict between tourist and pedestrian areas and continued marine-based industrial activities.	<b>YES</b>	Compliance can be conditioned if considered relevant by Council.
<b>P19</b> Marine infrastructure is established to service the tourism, fishing and private boating community.	<b>A19.1</b> No Acceptable Solutions Specified.	<b>YES</b>	The proposed development is providing marine infrastructure to facilitate the relocation of the Port Douglas Commercial Fisherman’s Association Inc and hence, considered to comply with the Performance Criteria.
<b>P20</b> Changes to the Port Douglas Waterfront quayline does not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>A20.1</b> Development that results in changes to the Port Douglas Waterfront quayline are only established where an Ecological Assessment Report provides support to the changes.	<b>N/A</b>	The proposed development does not involve any changes to the quayline.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><i>Note: Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, with particular reference to the requirements of an Ecological Assessment Report.</i></p>		

**Applicability**

- (1) This code applies to assessable development in the Port Douglas Waterfront South Planning Area for:
  - (a) Material Change of Use;
  - (b) Reconfiguring a Lot;
  - (c) Operational Work Associated with Reconfiguring a Lot;
  - (d) Operational Work – Filling or Excavation not associated with a Material Change of Use;
  - (e) Operational Work – Engineering Works not associated with a Material Change of Use;
  - (f) Operational Work – Placing and Advertising Device on Premises not associated with a Material Change of Use; and
  - (g) Building Work other than Minor Building Work not associated with Material Change of Use.

**Criteria for assessment**

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>CONSISTENT AND INCONSISTENT USES</b>			
<b>P1</b> The establishment of uses is consistent with the outcomes sought for the Port Douglas Waterfront South Planning Area.	<b>A1.1</b> Uses identified as inconsistent uses in the Assessment Table are not established in the Waterfront South Planning Area.	<b>YES</b>	A Marina use is not an 'inconsistent' use in either of the Waterfront Planning Areas.
<b>ENVIRONMENTAL VALUES</b>			
<b>P2</b> Development does not adversely impact on the natural environment, natural vegetation or Watercourses and uses existing infrastructure to service development.	<b>A2.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  <i>Note: Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, with particular</i>	<b>YES</b>	The proposed development is not considered to be of a scale, nor a type of use, in which its impacts cannot be conditioned to ensure no negative impacts occur to the environmental areas adjacent to the site. Hence, we do not consider the preparation of an Environmental Management Plan to be reasonable in this instance.



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><i>reference to the requirements of an Ecological Assessment Report and Environmental Management Plan.</i></p>		
<b>DESIGN AND LAYOUT</b>			
<p><b>P3</b> Development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, with capacity to service the Port Douglas marine and tourism industry.</p>	<p><b>A3.1</b> Development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, with capacity to service the Port Douglas marine and tourism industry; or</p>	<b>N/A</b>	The development site is not located at the end of Port Street.
	<p><b>A3.2</b> If development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, the development demonstrates and provides sufficient area on-site for a facility to provide the capacity of the existing Slipway located adjacent to Wharf Street; and</p>	<b>N/A</b>	As above.
	<p><b>A3.3</b> A master plan for the development of the whole land shown in Figure 1 is provided to demonstrate the integration of the slipway, or alternatively functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.</p>	<b>N/A</b>	As above.
<p><b>P4</b> Buildings and structures are set back from side boundaries and other sensitive areas such that the scenic amenity and environmental qualities of the adjacent area are not adversely affected.</p>	<p><b>A4.1</b> No Acceptable Solutions Specified.</p>	<b>YES</b>	Given the temporary nature, combined with the type of structures being proposed as part of the proposed development, we are of the view that the setbacks being proposed are sufficient to ensure there are no negative environmental impacts.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>SITE COVERAGE</b>			
<p><b>P5</b> The site coverage of all Buildings ensures development:</p> <ul style="list-style-type: none"> <li>a. is sited in an existing cleared area or in an area approved for clearing; and</li> <li>b. has sufficient area for the provision of services; and</li> <li>c. development does not have an adverse effect on the environmental, habitat, conservation or scenic values of the sensitive, adjacent areas.</li> </ul>	<p><b>A5.1</b> No Acceptable Solutions Specified.</p>	<p><b>YES</b></p>	<p>The site coverage of the proposed development is less than 1% and the structures associated with the proposed development are located in a cleared area. It is our view that this ensures compliance with the Performance Criteria.</p>
<b>LOADING/UNLOADING FACILITIES</b>			
<p><b>P6</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <ul style="list-style-type: none"> <li>a. be accommodated on-site;</li> <li>b. maximise safety and efficiency of loading;</li> <li>c. protect the visual and acoustic amenity of the premises and adjoining premises; and</li> <li>d. minimise adverse impacts on natural characteristics of adjacent areas.</li> </ul>	<p><b>A6.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to ingress and egress the site in a forward gear; and</p>	<p><b>YES</b></p>	<p>The site is of a sufficient size to ensure compliance with the Acceptable Solutions can be achieved.</p>
	<p><b>A6.2</b> Development is designed to ensure all service vehicles are contained wholly within the site when being loaded/unloaded; and</p>	<p><b>YES</b></p>	<p>As above.</p>
	<p><b>A6.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <ul style="list-style-type: none"> <li>a. minimise erosion from storm water runoff; and</li> <li>b. retain all existing vegetation.</li> </ul>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>ROAD NETWORK</b>			
<b>P7</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>A7.1</b> No Acceptable Solutions Specified.	<b>YES</b>	As above.
<b>LANDSCAPING AND AMENITY</b>			
<b>P8</b> Entry to the site is landscaped to enhance the amenity of industrial areas and provide a pleasant working environment.	<b>A8.1</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: <ul style="list-style-type: none"> <li>a. by a combination of Landscaping and screen fencing; and</li> <li>b. dense planting along any Road Frontage is a minimum width of 3 metres.</li> </ul>	<b>YES</b>	As above.
<b>P9</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>P9.1</b> For any development landscaping must be in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.	<b>YES</b>	As above.
<b>P10</b> The Port Douglas Waterfront South Planning Area is not characterised by a proliferation of advertising signs and/or the use of large advertising signs.	<b>P10.1</b> Signage complies with the Design and Siting of Advertising Devices Code.	<b>YES</b>	As above.

## Applicability

- (1) This code applies to assessable development for:
- (a) Material Change of Use;
  - (b) Reconfiguring a Lot;
  - (c) Operational Work Associated with Reconfiguring a Lot;
  - (d) Operational Work – Filling or Excavation not associated with a Material Change of Use;
  - (e) Operational Work – Engineering Works not associated with a Material Change of Use;
  - (f) Operational Work – Placing and Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
  - (g) Building Work other than Minor Building Work not associated with Material Change of Use in the World Heritage and Environs Locality.

Where the Designated Development Area (DDA) is within, or partially within, an area of \*Remnant Vegetation, OR

The boundary of the DDA is within 50 metres of an area of \*Remnant Vegetation, or

The boundary of the DDA is within 50 metres of a \*Watercourse included in:

- Category 1 – Major Perennial Watercourse;
- Category 2 – Perennial Watercourse; or
- Category 3 – Minor Perennial Watercourse;

*\* as defined in the Administrative Definitions of this Planning Scheme*

SEE DIAGRAMS BELOW:

<p>Remnant Vegetation</p>	<p>Remnant Vegetation</p>
<p><b>DOES NOT TRIGGER CODE</b></p>	<p><b>TRIGGERS CODE</b></p>
<p>Remnant Vegetation</p>	<p>Remnant Vegetation</p>
<p><b>TRIGGERS CODE</b></p>	<p><b>TRIGGERS CODE</b></p>

**NOTE:**

The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site is to be ground-truthed by Council prior to an application being made to Council.

The accurate location of a DDA will be determined on a site specific basis to identify the boundary of existing vegetation and the location of any watercourse on the development site.

Criteria for assessment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>Development in Areas of Natural and Scenic Amenity Value</b>			
<p><b>P1</b> Where a development within a DDA triggers this Code, the natural and environmental values of the areas of Remnant Vegetation and/or Watercourse/s are protected from inappropriate development.</p>	<p><b>A1.1</b> Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities constructed within the DDA identified on a Site Plan drawn to scale.</p> <p><b>A1.2</b> Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<b>YES</b>	<p>All the structures associated with the proposed development are shown on the plans included within <b>Attachment 2</b>.</p>
<p><b>P2</b> Development does not adversely impact on the natural and environmental values and Scenic Amenity of areas identified as Remnant Vegetation and/or Watercourse/s.</p>	<p><b>A2.1</b> Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:</p> <ul style="list-style-type: none"> <li>• adjacent to existing development;</li> <li>• within an existing cleared area;</li> <li>• within a disturbed area with little potential for rehabilitation;</li> <li>• within an area close to an Access Road;</li> <li>• removed from an identified area of important habitat.</li> </ul>	<b>YES</b>	<p>The proposed development is located both next to an existing development with the same land use and is located in an existing, cleared area which contains no area of important habitat. Accordingly, we are of the view it complies with A2.1.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><b>A2.2</b> Development within the DDA is sited to minimise visual intrusion on the Site and the surrounding landscape.</p>	<p><b>YES</b></p>	<p>The proposed development includes only a small amenities building and wash down bay as well as a small mooring facility, none of which are considered to be of a bulk or scale which would be considered to cause visual intrusion.</p>
	<p><b>A2.3</b> No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site Plan drawn to scale.</p>	<p><b>YES</b></p>	<p>Compliance in relation to fencing can be conditioned.</p>
	<p><b>A2.4</b> Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground, wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>
	<p><b>A2.5</b> Internal Roads associated with the development are designed and constructed to achieve a low speed environment.</p>	<p><b>N/A</b></p>	<p>The proposed development does not involve any internal roads.</p>
	<p><b>A2.6</b> Roads and infrastructure services do not cross the Setback area/riparian corridor; or if this is not possible, the number of crossings is minimised.</p>	<p><b>N/A</b></p>	<p>No roads or infrastructure is required to cross a riparian area or the nominated setback area.</p>
	<p><b>A2.7</b> Setback areas/riparian corridors are provided in accordance with A4.1, A4.2, A4.3 and A4.4 below;  AND  The lowest intensity of development occurs adjacent to any Setback area/riparian corridor, and in the case of reconfiguration, larger lots are located adjacent to any Setback area/riparian corridor.</p>	<p><b>YES</b></p>	<p>The proposed development is not located within the nominated setback area (see below).</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><b>A2.8</b> There is no fragmentation or alienation of any Remnant Vegetation.</p>	<p><b>YES</b></p>	<p>There is no remnant vegetation within the DDA.</p>
<p><b>P3</b> Any development involving filling and excavation minimises detrimental impacts on any aquatic environment.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p><b>YES</b></p>	<p>It is not expected that any significant amounts of excavation or fill will be required for the proposed development. However, at this point in time, due to the uncertainty surrounding levels, it is uncertain how much, if any excavation or fill will be required to be placed on the site to increase ground levels/achieve suitable finished floor levels. This will depend on the levels Council requires the infrastructure on Lot 96 to be located at. Hence, we seek that Council condition compliance with this Code should it be determined that excavation or fill is required. We reiterate here that the minor amounts of dredging necessary will be undertaken under the existing environmental authority for the maintenance of the Marina.</p>
<p><b>Setback Areas/Riparian Corridors</b></p>			
<p><b>P4</b> Setback areas/riparian corridors adjacent to Watercourses are provided/maintained or re-established and revegetated with species endemic to the local area.</p>	<p><b>A4.1</b> For residential reconfiguration (Residential 1, Residential 2 or Rural Settlement Planning Area), Aquaculture, Tourist Activities, Industrial Activities and other large scale developments or development likely to have an impact on water quality of adjacent Watercourse/s any degraded sections of the Setback area/riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.</p>	<p><b>N/A</b></p>	<p>We would not consider the proposed development to be a 'large scale' development.</p>



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p><b>A4.2</b> Revegetation occurs in accordance with a Landscape Plan prepared by a suitably qualified professional in compliance with the requirements of Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity, Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p><b>A4.3</b> The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where a riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 30 metres</li> <li>• Category 2 – Perennial Watercourse – 20 metres</li> <li>• Category 3 – Minor Perennial – 10 metres,</li> </ul> <p>AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks outlined above.</p> <p>OR</p> <p>The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where no riparian corridor of vegetation already exists is:</p>	<p><b>YES</b></p> <p><b>YES</b></p>	<p>Revegetation can be conditioned if Council deems this reasonable and relevant.</p> <p>The proposed development is located within and adjacent to the existing Marina and hence, setback more than 30m from the closest portion of the high bank of Dicksons Inlet, being the Category 1 Major Perennial Watercourse.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 10 metres</li> <li>• Category 2 – Perennial Watercourse – 5 metres</li> <li>• Category 3 – Minor Perennial – 2.5 metres,</li> </ul> <p>AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks above.</p> <p><b>A4.4</b> Native vegetation within the Setback area/riparian corridor, other than identified noxious and environmental weeds, is retained.</p>	<p><b>YES</b></p>	<p>The proposed development does not involve the clearing of any native vegetation.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>Use of Setback Areas/Riparian Corridors</b>			
<p><b>P5</b> Any use of a Setback area/riparian corridor does not adversely affect the integrity of the Setback area/riparian corridor.</p>	<p><b>A5.1</b> Only low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks, are located within the Setback area/riparian corridor.</p> <p><b>A5.2</b> The location of low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks within the Setback area/riparian corridor, does not affect the connectivity function and landscape/environmental or Scenic Amenity values of the Setback area/riparian corridor.</p>	<b>N/A</b>	The proposed development does not propose any structures within the setback area.
<b>Retaining and Protecting Highly Visible Areas</b>			
<p><b>P6</b> Any development sited wholly or partially on land with a slope greater than 15% protects the Scenic Amenity values of the land from inappropriate and visually prominent development.</p>	<p><b>A6.1</b> Land with a slope greater than 15% and including Remnant Vegetation remains undeveloped and in its natural state.</p> <p><b>A6.2</b> Any development remains unobtrusive and sited below the tree line and ridge line.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<b>N/A</b>	The site does not include any land with a slope that is greater than 15%.

## Applicability

- (1) This code applies to assessable development for:
- (a) Material Change of Use;
  - (b) Reconfiguring a Lot;
  - (c) Operational Work Associated with Reconfiguring a Lot;
  - (d) Operational Work – Filling or Excavation not associated with a Material Change of Use;
  - (e) Operational Work – Engineering Works not associated with a Material Change of Use;
  - (f) Operational Work – Placing and Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
  - (g) Building Work other than Minor Building Work not associated with Material Change of Use in the World Heritage and Environs Locality.

On a Site identified as containing:

- Medium Risk Hazard;
- High Risk Hazard

As depicted on the Natural Hazards Overlay on the Locality Maps.

Criteria for assessment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<b>BUSHFIRE</b>			
<p><b>P1</b> Development does not compromise the safety of people or property from bushfire.</p>	<p><b>A1.1</b> Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.</p> <p>AND</p> <p>Development complies with a Bushfire Management Plan prepared for the site.</p>	<b>N/A</b>	The site is not located in an area of ‘High’ risk hazard.
<p><b>P2</b> Development maintains the safety of people and property by:</p> <ul style="list-style-type: none"> <li>• avoiding areas of High or Medium Risk Hazard; or</li> <li>• mitigating the risk through:               <ul style="list-style-type: none"> <li>- lot design and the siting of Buildings; and</li> <li>- including firebreaks that provide adequate:                   <ul style="list-style-type: none"> <li>▪ Setbacks between Building/structures and hazardous vegetation, and</li> <li>▪ Access for fire fighting/other emergency vehicles;</li> </ul> </li> <li>- providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and</li> </ul> </li> </ul>	<p>A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.</p> <p>OR</p> <p>For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m2:</p> <ul style="list-style-type: none"> <li>• are sited in locations of lowest hazard within the lot; and</li> <li>• achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and</li> <li>• 10 metres from any retained vegetation strips or small areas of vegetation; and</li> </ul>	<b>YES</b>	The site is located in an area of ‘Low’ risk hazard.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
<ul style="list-style-type: none"> <li>- providing an adequate and accessible water supply for fire-fighting purposes</li> </ul>	<ul style="list-style-type: none"> <li>are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</li> </ul> <p>Building and structures on lots less than or equal to 2500 m<sup>2</sup>, maximise Setbacks from hazardous vegetation.</p> <p>AND</p> <p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m<sup>2</sup> each lot has:</p> <ul style="list-style-type: none"> <li>a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or</li> <li>an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool).</li> </ul> <p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> <li>efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and</li> <li>Setbacks and Building siting in accordance with 2.1 (a) above.</li> </ul>		

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p>Firebreaks are provided by:</p> <ul style="list-style-type: none"> <li>• a perimeter Road that separates lots from areas of bushfire hazard and that Road has:               <ul style="list-style-type: none"> <li>- a minimum cleared width of 20 metres; and</li> <li>- a constructed Road width and all-weather standard complying with Council standards.</li> </ul> </li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:               <ul style="list-style-type: none"> <li>- have a minimum cleared width of 6 metres; and</li> <li>- have a formed width and gradient, and erosion control devices to Council standards; and</li> <li>- have vehicular Access at each end; and</li> <li>- provide passing bays and turning areas for fire fighting applicants; and</li> <li>- are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS).</li> </ul> </li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• sufficient cleared breaks of 6 metres minimum width in retained bushland within the development</li> </ul>		

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMPLIES	COMMENT
	<p>(eg. creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response.</p> <p>AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> <li>• have a maximum gradient of 12.5%; and</li> <li>• exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads.</li> </ul>		
<p><b>P3</b> Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p><b>A3.1</b> Development complies with a Bushfire Management Plan prepared for the site.</p>	<p><b>N/A</b></p>	<p>The site is not located in an area of 'High' risk hazard and hence, the preparation of a Bushfire Management Plan is not considered reasonable.</p>



**APPLICABILITY**

This Code applies to development that is:

- Assessable Development ;
- On premises:
  - With a natural ground level of below 20 metres AHD; and
  - Where activity affects subsoil below 5 metres AHD (see figure 1); and
- Identified in the table below.

**APPLICABLE DEVELOPMENT**

- Material Change of Use** except for a House, Home Activity, Home Based Business, Illuminated Tennis Court, Caretaker’s Residence, Dual Occupancy, Shopping Facilities (0-500m2 gfa), Restricted Premises, Detached Bottle Shop, Business Facilities, Tavern, Restaurant, Child Care Centre, Veterinary Facilities, Primary Industry, Aquaculture Minor, Intensive Animal Husbandry, Industry Class A, B & C, Business and Technology Park, Park, Place of Assembly, Telecommunication Facility, Railway Activities, Institution, Indoor Sport and Entertainment, or Outdoor Sport and Entertainment.
- Reconfiguring a Lot** resulting in one or more additional lots.
- Operational Work** associated with Reconfiguring a Lot.
- Operational Work** involving excavation or filling of more than 50m3 of material not associated with a Material Change of Use.

**ELEMENTS OF THIS CODE**

**PART A – FOR SELF ASSESSABLE & ASSESSABLE DEVELOPMENT**

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
None	None		

**PART B – FOR ASSESSABLE DEVELOPMENT ONLY**

PERFORMANCE CRITERIA		ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>Identification and Management of Acid Sulfate Soils</b>				
<b>P1</b>	The extent and location of acid sulfate soils or potential acid sulfate soils must be identified.	<p><b>A1.1</b> No acceptable measures are specified.</p> <p>Note: The Planning Scheme Policy, Reports and Information Council may request, provides a guide to the information which should be provided to demonstrate that the performance criteria are achieved.</p>	<b>YES</b>	No soil testing has been undertaken to date and it is not expected that any significant amounts of excavation or fill will be required. However, at this point in time, due to the uncertainty surrounding levels, it is uncertain how much, if any excavation or fill will be required to be placed on the site to increase ground levels/achieve suitable finished floor levels. This will depend on the levels Council requires the infrastructure on Lot 96 to be located at. Hence, we seek that Council condition that should any significant amounts of excavation or fill be required, that testing for actual or potential Acid Sulfate Soils (PASS & ASS) be undertaken by a suitably qualified professional to determine the extent and location of AASS or PASS. We suggest that this testing be required prior to the issuing of a Building Permit, with appropriate reporting, inclusive of mitigation requirements, if necessary, to accompany this testing. This will ensure compliance with Performance Criteria PO1.
<b>Disturbance of Acid Sulfate Soils</b>				
<b>P2</b>	No environmental harm resulting from acid sulfate soils or potential acid sulfate soils exposure is caused.	<b>A2.1</b> No acceptable measures are specified.	<b>YES</b>	Compliance with the Performance Outcome can be conditioned.
<b>P3</b>	The disturbance of acid sulfate soils or potential acid sulfate soils is avoided or minimised.	<p><b>A3.1</b> The disturbance of acid sulfate soils or potential acid sulfate soils must be avoided by:</p> <ul style="list-style-type: none"> <li>a) Not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils; and</li> <li>b) Not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; and</li> <li>c) Not undertaking filling that results in:</li> </ul>	<b>YES</b>	As outlined above in response to A1.1.

		<ul style="list-style-type: none"> <li>i. Actual acid sulfate soils being moved below the water table; and</li> <li>ii. Previously saturated acid sulfate soils being aerated.</li> </ul>		
<p><b>P4</b> The release of acid and associated metal contaminants into the environment is avoided or minimised.</p>	<p><b>A4.1</b> The disturbance of acid sulfate soils or potential acid sulfate soils avoids the release of acid and metal contaminants by:</p> <ul style="list-style-type: none"> <li>a) Neutralising existing acidity and preventing the generation of acid and metal contaminants; and</li> <li>b) Preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment.</li> </ul>		<b>YES</b>	Compliance can be conditioned.
	<p><b>A4.2</b> Acid sulphate soils must undergo appropriate treatment before disposal whether or not that disposal occurs offsite.</p>		<b>YES</b>	As above.

## APPLICABILITY

This Code applies to assessable development for:

- Material Change of Use: Except for the following uses in all localities:
  - Caretaker’s Residence
  - Educational Establishment
  - Home Industry
  - House
  - Outstation/Seasonal Camp
  - Primary Industry
  - Private Forestry
  - Public Utilities and Facilities
  - Special Residential Use
  
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

## ELEMENTS OF THIS CODE

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>Signage Type</b>			
<b>P1</b> Advertising Devices are subservient in scale to the primary use of the Site and relate to the use/s carried out on the Site.	<p><b>A1.1</b> Where a Balloon, Blimp, Kite, Bunting, Flag, Banner or similar:</p> <ul style="list-style-type: none"> <li>• safely tethered to the ground, Building or structure;</li> <li>• maximum one per business;</li> <li>• displayed for one calendar month;</li> <li>• not located over or attached to the ground of a Council controlled Road or a State-Controlled Road (SCR).</li> </ul> <p><b>A1.2</b> Where a Below Awning Sign:</p> <ul style="list-style-type: none"> <li>• maximum one per business, or one per Frontage;</li> </ul>	<b>YES</b>	Specific signage requirements for the proposed development are at this stage, unknown, although compliance can be conditioned and if any proposed signage does not comply, further applications to Council will be required.

	<ul style="list-style-type: none"> <li>• maximum Height of 0.6 metres</li> <li>• ground clearance not less than 2.6 metres</li> <li>• maximum width of 0.3 metres;</li> <li>• maximum length of 2.5 metres and does not project beyond the awning.</li> </ul> <p><b>A1.3</b> Where a Chalk Board or A Frame Sign:</p> <ul style="list-style-type: none"> <li>• maximum of one Chalk Board or A Frame Sign per business, or Frontage;</li> <li>• maximum Height of 1 metre;</li> <li>• maximum width of 0.6 metre;</li> <li>• able to be readily relocatable on a daily basis, if located within a Road reserve;</li> <li>• do not rotate or spin in the wind;</li> <li>• only allowable within a State-controlled Road reserve where the speed limit is 60 km/hr or less;</li> <li>• if located within the Road reserve, located a minimum of 1 metre from the kerb;</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• where no kerb, a minimum of 10 metres from the edge of the Road carriageway.</li> </ul> <p><b>A1.4</b> Where a Directional Sign:</p> <ul style="list-style-type: none"> <li>• if attached to a street sign, has the same dimensions as the street sign, unilluminated and advertising the name and distance/direction to the business;</li> <li>• maximum of one directional sign per business attached to any street sign;</li> <li>• if attached to a property boundary fence or gate, maximum area of 0.3 m<sup>2</sup>, unilluminated and advertising only the name and distance/direction to the business which is carried out on the property;</li> </ul>		
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	<ul style="list-style-type: none"> <li>• maximum of one directional sign to any property boundary fence or gate for each Road Frontage.</li> </ul> <p><b>A1.5</b> Where a Fascia Sign located on the fascia of an awning:</p> <ul style="list-style-type: none"> <li>• maximum of one fascia sign per business or one per Frontage;</li> <li>• maximum Height above Ground Level of 2.5 metres;</li> <li>• does not project above or below the fascia of the Building;</li> <li>• does not project within 0.45 metre Setback from the face of the kerb or where no kerb exists, 0.30 metre from the fascia.</li> </ul> <p><b>A1.6</b> Where a Home Activity or Home Based Business Sign:</p> <ul style="list-style-type: none"> <li>• maximum of one sign per business;</li> <li>• maximum area of 0.3 m<sup>2</sup>;</li> <li>• located on the same premises as the Home Activity/ Home Based Business;</li> <li>• not illuminated;</li> <li>• advertises only the name and occupation of the operator of the business.</li> </ul> <p><b>A1.7</b> Where a Projecting Wall Sign:</p> <ul style="list-style-type: none"> <li>• maximum of one projecting wall sign on any building facade or boundary wall;</li> <li>• does not project further than 0.75 metres from the building line;</li> <li>• minimum vertical clearance of 2.6 metres from the ground;</li> <li>• not located above any awning and located at ground floor level;</li> <li>• maximum surface area of 1 m<sup>2</sup>;</li> <li>• maximum depth of 0.3 metres;</li> </ul>		
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	<ul style="list-style-type: none"> <li>• does not project above the roof, parapet, or Building or wall line.</li> </ul> <p><b>A1.8</b> Where a Symbol, being any ornamental design or device not otherwise described, whether or not a message is included in the design or device:</p> <ul style="list-style-type: none"> <li>• maximum area of 1 m<sup>2</sup>.</li> </ul> <p><b>A1.9</b> Where a Tenancy Sign:</p> <ul style="list-style-type: none"> <li>• maximum of one tenancy sign per Site or development;</li> <li>• maximum Height of 5 metres;</li> <li>• maximum width of 1.5 metres;</li> <li>• maximum depth of 0.3 metres;</li> <li>• limited to one double sided sign with one advertising panel on each side of the sign, each advertising panel with a maximum area of 4 m<sup>2</sup>;</li> <li>• located on the boundary of a Site or fixed to a wall on the boundary of a Site to a Road Frontage.</li> </ul> <p><b>A1.10</b> Where a Wall Sign:</p> <ul style="list-style-type: none"> <li>• maximum of one wall sign on any building facade or boundary wall;</li> <li>• maximum area of 4 m<sup>2</sup>;</li> <li>• maximum length of 3 metres;</li> <li>• maximum Height of 2 metres and sited at ground floor level of a Building or boundary wall;</li> <li>• does not project further than 0.10 metres from the face of the wall.</li> </ul> <p><b>A1.11</b> Where a Window Sign:</p> <ul style="list-style-type: none"> <li>• limited to windows on ground floor level only of any Building, or ground floor level and one level above if the Building is of a commercial nature;</li> <li>• maximum area of 1.2 m<sup>2</sup>;</li> <li>• maximum Height of 1 metre;</li> </ul>		
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	<ul style="list-style-type: none"><li>• maximum length of 2.4 metres.</li></ul> <p><b>A1.12</b> Where an Indirectly Illuminated Sign:</p> <ul style="list-style-type: none"><li>• artificial light limited to illuminating the face of the sign;</li><li>• does not cause light spillage from the source of external illumination;</li><li>• complies with other relevant requirements for the particular type of Advertising Device, which are specified in this Code;</li><li>• not located within a State-Controlled Road or on a Council Road.</li></ul>		
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## APPLICABILITY

This Code applies to assessable development for:

- Material Change of Use: Except for:
  - Business Facilities – using and existing Building
  - Home Activity
  - Off Premises Advertising Device
  - Primary Industry
  - Private Forestry
  - Restaurant – using and existing Building
  - Shopping Facility – using an existing Building
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use; and
- Operational Work – Engineering Works not associated with a Material Change of Use.

## ELEMENTS OF THIS CODE

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>Filling &amp; Excavation - General</b>			
<b>P1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the Site or the surrounding area.	<p><b>A1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p>AND</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p><b>A1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p>	<b>YES</b>	It is not expected that any significant amounts of excavation or fill will be required for the proposed development. However, at this point in time, due to the uncertainty surrounding levels, it is uncertain how much, if any excavation or fill will be required to be placed on the site to increase ground levels/achieve suitable finished floor levels. This will depend on the levels Council requires the infrastructure on Lot 96 to be located at. Hence, we seek that Council condition compliance with this Code should it be determined that excavation or fill is required. We reiterate here that the minor amounts of dredging necessary will be

	<p><b>A1.3</b> Cuts are screened from view by the siting of the Building/structure, wherever possible.</p> <p><b>A1.4</b> Topsoil from the Site is retained from cuttings and reused on benches/terraces.</p> <p><b>A1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure, is located closer than 600 mm to any boundary of the property, unless the prior written approval of the adjoining landowner and the Council, has been obtained.</p> <p><b>A1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, Landscaping or other protective/aesthetic measures.</p>		<p>undertaken under the existing environmental authority for the maintenance of the Marina.</p>
<p><b>Visual Impact and Site Stability</b></p>			
<p><b>P2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p><b>A2.1</b> The extent of filling or excavation does not exceed 40% of the Site area or 500 m2 whichever is the lesser.</p> <p>EXCEPT THAT</p> <p>A2.1 does not apply to reconfiguration of 5 lots or more.</p> <p><b>A2.2</b> Filling and excavation does not occur within 2 metres of the Site boundary.</p>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>Flooding &amp; Drainage</b></p>			
<p><b>P3</b> Filling and excavation does not result in a change to the run off characteristics of a Site which then have a detrimental impact upon the Site or nearby land or adjacent Road reserves.</p>	<p><b>A3.1</b> Filling and excavation does not result in the ponding of water on a Site or adjacent land or Road reserves.</p> <p><b>A3.2</b> Filling and excavation does not result in an increase in the flow of water across a Site or any other land or Road reserves.</p>	<p><b>YES</b></p>	<p>As above.</p>

	<p><b>A3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths.</p> <p><b>A3.4</b> Filling and excavation complies with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>		
<b>Water Quality</b>			
<p><b>P4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.</p>	<p><b>A4.1</b> Water quality is maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual</p>	<p><b>YES</b></p>	<p>As above.</p>

**APPLICABILITY**

This Code applies to assessable development for:

- Material Change of Use: Except for the following Use:
  - House (other than a House which is Code Assessable and then the Code Applies)
- Operational Work Associated with Reconfiguring a Lot;

**ELEMENTS OF THIS CODE**

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>Landscape Design</b>			
<b>P1</b> Landscape design satisfies the purpose and the detailed requirements of this Code.	<p><b>A1.1</b> Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>	<b>YES</b>	Compliance can be conditioned.
<b>Landscape-Character and Planting</b>			
<b>P2</b> Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.	<p><b>A2.1</b> A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.</p> <p><b>A2.2</b> The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code.</p> <p>OR</p>	<b>YES</b>	As above.

	<p>Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.</p> <p><b>A2.3</b> Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.</p>		
<p><b>P3</b> Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping<sup>47</sup></p>	<p><b>A3.1</b> Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.</p> <p><b>A3.2</b> Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.</p> <p><b>A3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.</p> <p><b>A3.4</b> Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>	<p><b>YES</b></p>	<p>The proposed development does not involve the removal of any vegetation, while compliance with A3.3 and A3.4 can be conditioned.</p>
<p><b>P4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p><b>A4.1</b> Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>
<p><b>P5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.</p>	<p><b>A5.1</b> Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.</p> <p><b>A5.2</b> A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.</p> <p><b>A5.3</b> Landscape beds and trees are protected by garden edging, bollards or wheel stops.</p>	<p><b>N/A</b></p>	<p>Given the temporary nature of the car parking area, we do not consider the planting of shade trees within this area as reasonable in this instance.</p>

	<b>A5.4</b> Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.		
<b>Screening</b>			
<b>P6</b> Fences along street Frontages are articulated with appropriate Landscaping.	<p><b>A6.1</b> Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.</p> <p><b>A6.2</b> Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.</p>	<b>N/A</b>	No perimeter fencing is proposed.
<b>P7</b> Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	<p><b>A7.1</b> One shade tree is provided for each private open space or private Recreation Area.</p> <p><b>A7.2</b> Tree species provide 30% shade over the area within 5 years.</p> <p><b>A7.3</b> A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.</p> <p><b>A7.4</b> Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.</p>	<b>N/A</b>	The proposed development does not involve any residential uses.
<b>P8</b> Undesirable features are screened with Landscaping.	<b>A8.1</b> Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.	<b>YES</b>	If planted with appropriate species, we would consider the proposed two (2) metre wide landscape strip along the frontage of Lot 96 to be sufficient to ensure that any 'undesirable' features associated with the proposed development can be screened.
<b>P9</b> The environmental values of the Site and adjacent land are enhanced.	<b>A9.1</b> Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value	<b>YES</b>	Compliance can be conditioned.
<b>Streetscape and Site Amenity</b>			
<b>P10</b> Landscaping for residential development enhances the streetscape and the visual appearance of the development.	<p><b>A10.1</b> Dense Planting along the front of the Site incorporates:</p> <ul style="list-style-type: none"> <li>shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting;</li> </ul>	<b>N/A</b>	The proposed development does not involve any residential development.

	<ul style="list-style-type: none"> <li>• landscape screening of blank walls;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p><b>A10.2</b> Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m2, growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p><b>A10.3</b> Dense Planting to the side boundaries incorporates:</p> <ul style="list-style-type: none"> <li>• trees planted for an average of every 10 metres where adjacent to a Building;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>		
<p><b>P11</b> Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</p>	<p><b>A11.1</b> Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> <li>• shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate;</li> <li>• landscape screening of blank walls;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p><b>A11.2</b> Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m2 growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>	<p><b>YES</b></p>	<p>Compliance can be conditioned for the proposed landscape strip along the frontage of Lot 96.</p> <p>It is considered that sufficient 'landscaping' exists along the southern and western boundaries of Lot 96 that no further plantings in these areas are required.</p>

	<p><b>A11.3</b> Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none"> <li>• trees planted for an average of every 10 metres where adjacent to a Building;</li> <li>• screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p><b>A11.4</b> A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.</p>		
<b>Maintenance &amp; Drainage</b>			
<p><b>P12</b> Landscaped areas are designed in order to be maintained in an efficient manner</p>	<p><b>A12.1</b> A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.</p> <p><b>A12.2</b> A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.</p> <p><b>A12.3</b> Turf areas are accessible by standard lawn maintenance equipment.</p> <p><b>A12.4</b> Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.</p> <p><b>A12.5</b> Mulching is provided to all garden beds to reduce weed growth and to retain water, and is to be replenished every year in the ongoing maintenance program.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>



<p><b>P13</b> Stormwater runoff is minimised and re-used in Landscaping through water infiltration, where appropriate</p>	<p><b>A13.1</b> Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.</p> <p><b>A13.2</b> Overland flow paths are not to be restricted by Landscaping works.</p> <p><b>A13.3</b> Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by minimising impervious surfaces on the Site.</p>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>Safety</b></p>			
<p><b>P14</b> Tree species and their location accommodate vehicle and pedestrian sight lines.</p>	<p><b>A14.1</b> Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>
<p><b>P15</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.</p>	<p><b>A15.1</b> Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.</p> <p><b>A15.2</b> Hard surfaces are stable, non-slippery and useable in all weathers.</p> <p><b>A15.3</b> Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).</p> <p><b>A15.4</b> Lighting for bicycle paths is provided in accordance with the relevant Australian Standards</p>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>Utilities &amp; Services</b></p>			
<p><b>P16</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.</p>	<p><b>A16.1</b> Plant species are selected and sited with consideration to the location of overhead and underground services.</p> <p><b>A16.2</b> All underground services are to be located under pathways and below the eaves of the Building.</p>	<p><b>YES</b></p>	<p>As above.</p>

	<p><b>A16.3</b> Irrigation control devices are located in the common Landscaping and Recreation Area.</p> <p><b>A16.4</b> Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.</p> <p><b>A16.5</b> Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.</p> <p><b>A16.6</b> Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none"> <li>• in an electric line shadow; or</li> <li>• within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary.</li> </ul> <p><b>A16.7</b> Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p> <p><b>A16.8</b> On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>		
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**APPLICABILITY**

This Code applies to self-assessable or assessable development for:

- Material Change of Use.

Except for the following Uses in all Localities:

- Home Industry
- Off Premises Advertising Device

For self-assessable development assessed against this Code, the applicable Acceptable Solutions is A1.1.

Self-assessable development which does not comply with Acceptable Solution A1.1, will require Code Assessment.

**ELEMENTS OF THIS CODE**

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>Vehicle Parking Numbers</b>			
<p><b>P1</b> Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to be generated by the use or uses of the Site, having particular regard to:</p> <ul style="list-style-type: none"> <li>• the desired character of the area in which the Site is located;</li> <li>• the nature of the particular use and its specific characteristics and scale;</li> <li>• the number of employees and the likely number of visitors to the Site;</li> <li>• the level of local accessibility;</li> <li>• the nature and frequency of any public transport serving the area;</li> <li>• whether or not the use involves the retention of an existing Building and the</li> </ul>	<p><b>A1.1</b> The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the Schedule is not a whole number, the number of spaces provided is the next highest whole number</p>	<p><b>YES</b></p>	<p>Schedule 1 does not specify a specific car parking requirement for a 'Marina' use. Accordingly, a sufficient number of spaces to satisfy the expected demand to be generated by the proposed development must be provided. We would argue that the informal car parking and loading area of which will be approximately 600m<sup>2</sup> contains more than a sufficient amount of space to accommodate all of the car parking needs generated by the proposed development. However, should Council deem a specific number of spaces be formalised on Lot 96, this can be discussed during the assessment phase.</p>

<p>previous requirements for car parking for the Building;</p> <ul style="list-style-type: none"> <li>• whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and</li> <li>• whether or not the use involves the retention of significant vegetation.</li> </ul>			
<p><b>Parking for People with Disabilities</b></p>			
<p><b>P2</b> Parking spaces are provided to meet the needs of vehicle occupants with disabilities.</p>	<p><b>A2.1</b> For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> <li>• Medical, higher education, entertainment facilities and shopping centres – 2 spaces;</li> <li>• All other uses – 1 space.</li> </ul> <p><b>A2.2</b> For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> <li>• Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required;</li> <li>• All other uses – 2% (to the closest whole number) of the total number of spaces required.</li> </ul>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>
<p><b>Motor Cycles</b></p>			
<p><b>P3</b> In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motor cycles is selected so that:</p> <ul style="list-style-type: none"> <li>• ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and,</li> </ul>	<p><b>A3.1</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking.</p> <p>AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned if considered relevant.</p>

<ul style="list-style-type: none"> <li>it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and,</li> <li>it is not a reflection of the lower cost of providing motorcycle</li> </ul>			
<p><b>Compact Vehicles</b></p>			
<p><b>P4</b> A proportion of the parking spaces provided may be for compact vehicles. The proportion of total parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> <li>compact vehicles spaces are not available to non-compact vehicles; and,</li> <li>it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and,</li> <li>compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and,</li> <li>the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces.</li> </ul>	<p><b>A4.1</b> For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> <li>compact vehicle parking does not exceed 10% of total vehicle parking required; and,</li> <li>the parking location is proximate to the entry locations for parking users; and,</li> <li>the parking provided complies with other elements of this Code</li> </ul>	<p><b>N/A</b></p>	<p>The proposed development does not have more than 50 car parking spaces.</p>
<p><b>Bicycle Parking</b></p>			
<p><b>P5</b> Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.</p>	<p><b>A5.1</b> The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses</p>	<p><b>YES</b></p>	<p>Schedule 1 does not specify a specific car parking requirement for a 'Marina' use. Accordingly, a sufficient number of spaces to satisfy the expected demand to be generated by the proposed development must be provided. We would argue given the nature of the proposed development, that it does not generate the need for any bicycle spaces. However, should Council deem a specific number of spaces be formalised on Lot 96, this can be discussed during the assessment phase.</p>

<b>Vehicular Access to the Site</b>			
<p><b>P6</b> The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account:</p> <ul style="list-style-type: none"> <li>the amount and type of vehicular traffic;</li> <li>the type of use (eg long-stay, short-stay, regular, casual);</li> <li>Frontage Road traffic conditions;</li> <li>the nature and extent of future street or intersection improvements;</li> <li>current and future on-street parking arrangements;</li> <li>the capacity of the adjacent street system; and</li> <li>the available sight distance</li> </ul>	<p><b>A6.1</b> The location of the Access points is in accordance with the provisions of the relevant Australian Standards.</p> <p>AND</p> <p>Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p> <p><b>A6.2</b> All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p> <p><b>A6.3</b> Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p>	<p><b>YES</b></p>	<p>Access to Lot 96 will be via Spinnaker Close which is the lower order street. Compliance with the remainder of the points in the Acceptable Measure can be conditioned.</p>
<b>Accessibility and Amenity for Users</b>			
<p><b>P7</b> On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.</p>	<p><b>A7.1</b> Short term visitor parking is provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p>AND</p> <p>In mixed use premises that include residential or accommodation uses (excluding, Port Douglas – Tourist Centre), at least 50% of the required number of parking spaces for the non-residential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.</p>	<p><b>YES</b></p>	<p>Should formalised car parking spaces be required by Council, their preferred location on Lot 96 can be determined in association with Council during the assessment phase.</p>
<p><b>P8</b> The layout of parking areas provides a high degree of amenity and accessibility for different users.</p>	<p><b>A8.1</b> The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> <li>People with Disabilities</li> <li>Cyclists</li> </ul>	<p><b>YES</b></p>	<p>As above (compliance can also be conditioned as required).</p>

	<ul style="list-style-type: none"> <li>• Motorcyclists</li> <li>• Compact Vehicles</li> <li>• Ordinary Vehicles</li> <li>• Service Delivery Vehicles.</li> </ul> <p><b>A8.2</b> Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.</p>		
<b>Access Driveways</b>			
<b>P9</b> The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.	<b>A9.1</b> Access driveways are designed in accordance with the provisions of the relevant Australian Standards	<b>YES</b>	Given the temporary nature of the proposed development, the most suitable access driveway configuration and construction materials can be determined in association with Council during the assessment phase.
<b>P10</b> The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.	<b>A10.1</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	<b>YES</b>	As above.
<b>Access for People with Disabilities</b>			
<b>P11</b> Access for people with disabilities is provided to the Building from the parking area and from the street	<b>A11.1</b> Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.	<b>YES</b>	Compliance can be conditioned.
<b>Access for Pedestrians</b>			
<b>P12</b> Access for pedestrians is provided to the Building from the parking area and from the street.	<b>A12.1</b> Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.	<b>YES</b>	As above (if considered necessary in this instance).
<b>Access for Cyclists</b>			
<b>P13</b> Access for cyclists is provided to the Building or to bicycle parking area from the street.	<b>A13.1</b> Access pathways for cyclists are provided in accordance with the relevant provisions of the Australian Standards.	<b>YES</b>	As above (again, if considered necessary in this instance).

	<p>AND</p> <p>Where Access for cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.</p>		
<p><b>Dimensions of Parking Spaces</b></p>			
<p><b>P14</b> Parking spaces have adequate areas and dimensions to meet user requirements.</p>	<p><b>A14.1</b> Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards.</p> <p>AND</p> <p>Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.</p> <p>AND</p> <p>Parking spaces for standard sized buses have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• width: 4 metres</li> <li>• length: 20 metres</li> <li>• clear Height: 4 metres.</li> </ul> <p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and,</li> <li>• 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle.</li> </ul> <p>AND</p>	<p><b>YES</b></p>	<p>Should formalised car parking spaces be required by Council, their compliance with the relevant Australian Standards can be conditioned.</p>



	<p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p> <p>A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.</p>		
<b>On-site Driveways, Manoeuvring Areas and Parking/Standing Areas</b>			
<p><b>P15</b> On-Site driveways, manoeuvring areas and vehicle parking/standing areas are designed, constructed and maintained such that they:</p> <p>are at gradients suitable for intended vehicle use;</p> <ul style="list-style-type: none"> <li>consider the shared movements of pedestrians and cyclists;</li> <li>are effectively drained and surfaced; and</li> <li>are available at all times they are required.</li> </ul>	<p><b>A15.1</b> On-Site driveways, vehicle manoeuvring and loading/unloading areas:</p> <ul style="list-style-type: none"> <li>are sealed in urban areas:</li> </ul> <p>AND</p> <p>upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code;</p> <ul style="list-style-type: none"> <li>have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and</li> <li>drain adequately and in such a way that adjoining and downstream land is not adversely affected.</li> </ul> <p><b>A15.2</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.</p>	<b>YES</b>	<p>Given the temporary nature of the proposed development, the most suitable type of seal can be determined in association with Council during the assessment phase.</p> <p>Should formalised car parking spaces be required by Council, compliance with A15.2 can be conditioned.</p>
<b>Vehicle Circulation, Queuing and Set Down Areas</b>			
<p><b>P16</b> Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.</p>	<p><b>A16.1</b> Circulation and turning areas comply with the provisions of the relevant Australian Standards.</p>	<b>YES</b>	<p>Compliance can be conditioned as required.</p>

<p><b>P17</b> An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.</p>	<p><b>A17.1</b> Circulation driveways comply with the provisions of the relevant Australian Standards.</p>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>P18</b> Where vehicle queuing, set down or special vehicle parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement</p>	<p><b>A18.1</b> Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.</p>	<p><b>N/A</b></p>	<p>The proposed development does not involve any queuing or set down areas.</p>

Application

Criteria for assessment

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>CHARACTER AND AMENITY (GENERALLY) – PRESCRIBED TIDAL WORKS IN A CANAL</b>			
<p><b>1.1</b> Prescribed tidal works in a canal are compatible with their location, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) the character and amenity of the works’ immediate surroundings and the locality within which the works are located;</li> <li>(b) if the relevant planning scheme states the desired character or amenity for the works’ immediate surroundings or the locality within which the works are located—the stated desired character or amenity.</li> </ul>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), prescribed tidal works do not extend past the side boundary or extended side boundary of the lot connected to the works;</li> <li>(b) subject to paragraph (c)—               <ul style="list-style-type: none"> <li>(i) for prescribed tidal works for a private purpose—the works are not roofed; or</li> <li>(ii) for prescribed tidal works for a non-private purpose—the works are not roofed unless they are the main access to land;</li> </ul> </li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b);</li> <li>(d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (c).</li> </ul>	<p><b>N/A</b></p>	<p>The prescribed tidal works aspect of the proposed development does not involve any works within a canal.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>CHARACTER AND AMENITY (GENERALLY) – PRESCRIBED TIDAL WORKS NOT IN A CANAL</b>			
<p><b>2.1</b> Prescribed tidal works not in a canal are compatible with their location, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) the character and amenity of the works' immediate surroundings and the locality within which the works are located;</li> <li>(b) if the relevant planning scheme states the desired character or amenity for the works' immediate surroundings or the locality within which the works are located—the stated desired character or amenity.</li> </ul>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (d), prescribed tidal works do not extend past the side boundary or extended side boundary of the lot connected to the works;</li> <li>(b) subject to paragraph (d), prescribed tidal works are the only works of their type along the edge of the tidal water fronting the lot connected to the works;</li> <li>(c) subject to paragraph (d)—               <ul style="list-style-type: none"> <li>(i) for prescribed tidal works for a private purpose—the works are not roofed; or</li> <li>(ii) for prescribed tidal works for a non-private purpose—the works are not roofed unless they are the main access to land;</li> </ul> </li> <li>(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c);</li> <li>(e) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (d).</li> </ul>	<p><b>YES</b></p>	<p>The prescribed tidal works being proposed comply with/can be conditioned to comply with (a), (b) and (c) of the Acceptable Measure.</p> <p>Compliance with the applicable aspects of the Planning Scheme to ensure compliance with (d) and (e) of the Acceptable Measure can be conditioned.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>CHARACTER AND AMENITY (HEIGHT, SCALE AND SIZE)</b>			
<p><b>3.1</b> Prescribed tidal works are of a height, scale and size to ensure the works are compatible with the character and amenity of their location, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) the height, scale and size of the natural features of the works’ immediate surroundings and the locality within which the works are located;</li> <li>(b) the height, scale and size of the existing buildings or other structures in the works’ immediate surroundings and the locality within which the works are located;</li> <li>(c) if the relevant planning scheme states the desired height, scale or size of buildings or other structures in the works’ immediate surroundings or the locality within which the works are located—the stated desired height, scale or size.</li> </ul>	<p>The height, scale and size of the prescribed tidal works is consistent with each relevant planning scheme standard.</p>	<p><b>YES</b></p>	<p>The prescribed tidal works being proposed are consistent with the bulk and scale elements of the Planning Scheme (see the code assessment against the Planning Scheme in <b>Attachment 8</b>).</p>
<b>CHARACTER AND AMENITY (MATERIALS AND COLOURS)</b>			
<p><b>4.1</b> The materials used for, and the colours of, prescribed tidal works are compatible with the character and amenity of the works’ location, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) the natural features of the works’ immediate surroundings and the locality within which the works are located;</li> </ul>	<p>The materials used for, and colours of, the prescribed tidal works are consistent with each relevant planning scheme standard.</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(b) the existing buildings or other structures in the works' immediate surroundings and the locality within which the works are located;</p> <p>(c) if the relevant planning scheme states the desired materials to be used for, or desired colours of, buildings or other structures in the works' immediate surroundings or the locality within which the works are located—the stated desired materials or colours.</p>			
<b>LIGHTING</b>			
<p><b>5.1</b> Lighting, other than an aid to navigation, for prescribed tidal works is installed in a way to ensure the security and safe use of the works without causing significant adverse effects on the amenity of the locality within which the works are located.</p>	<p>The lighting for the prescribed tidal works, other than an aid to navigation, is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), lighting for prescribed tidal works is hooded and directed downwards;</li> <li>(b) subject to paragraph (c), each lighting standard, to the extent relevant;</li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent the standard is more stringent than the standard mentioned in paragraph (a) or (b);</li> <li>(d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a), (b) and (c).</li> </ul>	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>SIGNAGE</b>			
<p><b>6.1</b> A sign erected or otherwise placed in position for prescribed tidal works, other than a sign erected or placed for safety reasons or under an Act—</p> <p>(a) is compatible with the character and amenity of the works’ immediate surroundings and the locality within which the works are located; and</p> <p>(b) is not a dominant feature of the works, unless the dominance is for safety reasons.</p>	<p>A sign erected or otherwise placed in position for prescribed tidal works, other than a sign erected or placed for safety reasons or under an Act, is consistent with the following standards—</p> <p>(a) subject to paragraph (c), a sign erected or placed in position for identifying prescribed tidal works, or the owner of the works, is the only sign erected or placed in position for identifying the works or owner;</p> <p>(b) subject to paragraph (c), a sign erected or otherwise placed in position for prescribed tidal works is integrated into the design and construction of the works;</p> <p>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b);</p> <p>(d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a), (b) and (c).</p>	<p><b>YES</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>EARTHWORK, VEGETATION AND REHABILITATION</b>			
<p><b>7.1</b> Excavation and filling for prescribed tidal works—</p> <ul style="list-style-type: none"> <li>(a) is carried out only to the extent reasonably necessary for the works; and</li> <li>(b) does not have a significant adverse effect on—               <ul style="list-style-type: none"> <li>(i) the natural features, including the banks, of the tidal water in the works’ immediate surroundings; or</li> <li>(ii) the level of the surface of the land under the tidal water in the works’ immediate surroundings or any foreshore near the works.</li> </ul> </li> </ul>	<p>The earthwork and filling for the prescribed tidal works is consistent with each relevant planning scheme standard.</p>	<b>YES</b>	<p>It is not expected that any significant amounts of excavation or fill will be required for the proposed development. However, at this point in time, due to the uncertainty surrounding levels, it is uncertain how much, if any excavation or fill will be required to be placed on the site to increase ground levels/achieve suitable finished floor levels. This will depend on the levels Council requires the infrastructure on Lot 96 to be located at. Hence, we seek that Council condition compliance should it be determined that excavation or fill is required. We reiterate here that the minor amounts of dredging necessary will be undertaken under the existing environmental authority for the maintenance of the Marina.</p>
<p><b>7.2</b> The location and construction of prescribed tidal works ensures vegetation is cleared or disturbed only to the extent reasonably necessary for the works.</p>	<p>Vegetation on land affected by the prescribed tidal works is dealt with in a way consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), the clearing or disturbance of vegetation for a purpose associated with the construction of prescribed tidal works, including, for example, parking for construction or workers’ vehicles or stockpiling of construction materials—               <ul style="list-style-type: none"> <li>(i) is avoided; or</li> <li>(ii) if the clearing or disturbance of vegetation for a purpose associated with the construction of the works cannot be avoided—the clearing or disturbance is</li> </ul> </li> </ul>	<b>YES</b>	<p>The prescribed tidal works being proposed does not involve the removal of any vegetation.</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>limited to the smallest area of land reasonably necessary for the purpose;</p> <p>(b) any other relevant planning scheme standard that is not inconsistent with the standard mentioned in paragraph (a).</p>		
<p><b>7.3</b> After the construction of prescribed tidal works, any land damaged or destabilised by, and any vegetation damaged, destroyed or removed by, the construction of the works is rehabilitated.</p>	<p>Land or vegetation affected by the prescribed tidal works is dealt with in a way consistent with the following standards—</p> <p>(a) subject to paragraph (b)—</p> <p>(i) land surfaces damaged or destabilised by the prescribed tidal works are restored and stabilised; and</p> <p>(ii) vegetation damaged, destroyed or removed by prescribed tidal works is replaced with native vegetation for the locality within which the works are located, to the extent it is reasonably practicable to replace the vegetation with native vegetation;</p> <p>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a);</p> <p>(c) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) and (b).</p>	<p><b>YES</b></p>	<p>Compliance can be conditioned.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PUBLIC ACCESS - AVAILABILITY</b>			
<p><b>8.1</b> Prescribed tidal works do not have a significant adverse effect on the availability of public access to, along or across State coastal land.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), prescribed tidal works do not involve the erection or placement of any physical barrier preventing existing public access to, along or across State coastal land near the works;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a);</li> <li>(c) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) and (b).</li> </ul>	<p><b>YES</b></p>	<p>The prescribed tidal works being proposed does not involve any restrictions on public access to the3 coast.</p>
<b>PUBLIC ACCESS - SAFETY</b>			
<p><b>9.1</b> The location and design of prescribed tidal works does not adversely affect the safety of members of the public accessing State coastal land.</p>	<p>Public access to State coastal land near the prescribed tidal works is consistent with each relevant planning scheme standard.</p>	<p><b>YES</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>NAVIGABLE ACCESS TO, OR EGRESS FROM, LOTS THAT ADJOIN, OR ARE IN THE IMMEDIATE SURROUNDINGS OF, A LOT CONNECTED TO PRESCRIBED TIDAL WORKS</b>			
<p><b>10.1</b> Prescribed tidal works that are for a private purpose do not adversely affect navigable access to, or navigable egress from, any lot that adjoins, or is in the immediate surroundings of, a lot connected to prescribed tidal works.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), prescribed tidal works—               <ul style="list-style-type: none"> <li>(i) for a lot connected to the works for which there is a water allocation area —are not constructed outside the water allocation area; and</li> <li>(ii) for a lot connected to works for which there is no water allocation area —are no closer than 1.5m to that lot’s side boundary or extended side boundary;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>YES</b>	<p>The prescribed tidal works being proposed will be setback three (3) metres from the adjacent allotment boundaries.</p>
<b>INFRASTRUCTURE, INCLUDING, ACCESS, PARKING, SEWERAGE AND WATER SERVICES</b>			
<p><b>11.1</b> Prescribed tidal works have appropriate infrastructure, including, in particular, road access, parking facilities, sewerage services and water services, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) the nature and scale of the works;</li> <li>(b) the number of people that may be on or at the works at any given time;</li> </ul>	<p>The infrastructure for prescribed tidal works is consistent with each relevant planning scheme standard.</p>	<b>YES</b>	<p>Compliance can be conditioned.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<ul style="list-style-type: none"> <li>(c) the number of vehicles that may be on or moored at the works at any given time;</li> <li>(d) the protection of any foreshores near the works and the vegetation and marine plants on the foreshores.</li> </ul>			
<b>DESIGN, CONSTRUCTION AND SAFETY – ALL PRESCRIBED TIDAL WORKS</b>			
<p><b>12.1</b> Prescribed tidal works are designed and constructed in a way to ensure they are structurally sound, having regard to the following—</p> <ul style="list-style-type: none"> <li>(a) relevant engineering standards;</li> <li>(b) the location of the works;</li> <li>(c) the purpose for which the works are to be used;</li> <li>(d) the impact of flooding, storm tide, overtopping by waves, projected sea level rise, tidal influences and hydrodynamic forces;</li> <li>(e) the design life of the works;</li> <li>(f) the dead load of the works and the intended live load for the works;</li> <li>(g) the impact of hydrostatic pressures on the works;</li> <li>(h) the stability of individual components of the works, including, for example, boulders, concrete blocks or sandbags.</li> </ul>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), each Australian Standard relevant to the design or construction of structures, to the extent requirements stated in the Standard apply to the design or construction of prescribed tidal works;</li> <li>(b) subject to paragraph (c), the projected sea level rise is factored into the design and construction of the prescribed tidal works;</li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</li> </ul>	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>12.2</b> Prescribed tidal works do not adversely affect the structural integrity of any existing revetment or seawall or another existing structure.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), prescribed tidal works, including any abutment, piling or other structure connected with the works—               <ul style="list-style-type: none"> <li>(i) do not place an additional load on any existing revetment or seawall or another existing structure; or</li> <li>(ii) can be structurally supported by an existing revetment or seawall or another existing structure;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>12.3</b> Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the stability of the bed and banks of tidal water.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), prescribed tidal works do not cause, by changing the flow of water, the removal of, or disturbance to, the sediment on the bed and banks of tidal water;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<p><b>YES</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>12.4</b> Prescribed tidal works are designed and constructed using materials suitable for marine environments, having regard to their ability to resist the following—</p> <ul style="list-style-type: none"> <li>(a) attack by marine organisms;</li> <li>(b) corrosion;</li> <li>(c) deterioration or breakage resulting from exposure to environmental conditions including, for example, the following— <ul style="list-style-type: none"> <li>(i) abrasion;</li> <li>(ii) immersion in seawater;</li> <li>(iii) wave action.</li> </ul> </li> </ul>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each Australian Standard relevant to the materials that should be used, or the measures that should be taken to treat materials used, for structures, to the extent the requirements stated in the Standard apply to structures located in a marine environment;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>YES</b>	As above.
<p><b>12.5</b> Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the operation or maintenance of any existing stormwater outlet.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), vessels moored at prescribed tidal works do not impede the discharge of stormwater;</li> <li>(b) subject to paragraph (c), prescribed tidal works do not restrict access to any stormwater outlet;</li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</li> </ul>	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>12.6</b> Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the water quality of tidal water, including, in particular, as a result of—</p> <ul style="list-style-type: none"> <li>(a) release, into the tidal water, of materials used in the construction of the works; or</li> <li>(b) disturbance to the sediment on the bed and banks of the tidal water; or</li> <li>(c) exposure to acid sulphate soils.</li> </ul>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each Australian Standard relevant to the design or construction of structures under, within or over tidal water, to the extent the requirements stated in the Standard are directed at maintaining the water quality of tidal water;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>12.7</b> Prescribed tidal works are designed and constructed in a way to ensure they are safe for persons using the works.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (d), each Australian Standard relevant to the design or construction of structures, the materials that should be used, or the measures that should be taken to treat materials used, for structures, to the extent the requirements stated in the Standard are directed at ensuring any surface of prescribed tidal works on which a person may stand or walk is— <ul style="list-style-type: none"> <li>(i) not slippery; and</li> <li>(ii) does not have any feature that may cause the person to trip or fall;</li> </ul> </li> <li>(b) subject to paragraph (d), any part of prescribed tidal works that is unsafe for persons using the</li> </ul>	<p><b>YES</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>works is surrounded by adequate barriers to deter persons from entering the part;</p> <p>(c) subject to paragraph (d), each Australian Standard relevant to the design or construction of structures, to the extent the requirements stated in the Standard are directed at ensuring prescribed tidal works provide safety ladders or other design features for the safety of a person who falls off the works into water;</p> <p>(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).</p>		
<p><b>12.8</b> Appropriate measures are taken for prescribed tidal works for a non-private purpose to ensure an unsupportable live load is not applied to the works by persons or vehicles.</p>	<p>The design and construction of the prescribed tidal works is consistent with the following standards—</p> <p>(a) subject to paragraph (b), prescribed tidal works have erected or placed in position on or near the works, a sign that—</p> <p>(i) is visible at all times; and</p> <p>(ii) states the maximum live load that may be applied to the works, in terms of the maximum number of persons that may be on the works at any given time or the maximum number of vehicles of a particular type that may be on or moored at the works at any given time;</p>	<p><b>N/A</b></p>	<p>The prescribed tidal works aspect of the proposed development involves prescribed tidal works for a private purpose (Port Douglas Commercial Fisherman Mooring Facility).</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</p>		
<p><b>12.9</b> Prescribed tidal works, other than a prescribed deck for a private purpose, are designed and constructed in a way to ensure the use of tidal water in a canal for a non-maritime purpose is minimised.</p>	<p>The design and construction of the prescribed tidal works is consistent with each relevant planning scheme standard.</p>	<p><b>YES</b></p>	<p>As above.</p>
<p><b>12.10</b> Prescribed tidal works that are a prescribed deck and for a private purpose, are designed and constructed in a way to ensure the use of tidal water in a canal for a non-maritime purpose is minimised.</p>	<p>The design and construction of the prescribed deck is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), a prescribed deck does not extend more than 3m from the waterfront boundary of the lot connected to the deck;</li> <li>(b) subject to paragraph (c), a prescribed deck is at least 3m inside of the side boundary or extended side boundary of the lot connected to the deck;</li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</li> </ul>	<p><b>N/A</b></p>	<p>The prescribed tidal works aspect of the proposed development does not involve a deck.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>DESIGN, CONSTRUCTION AND SAFETY – BOAT RAMPS AND SLIPWAYS FOR PRIVATE PURPOSE</b>			
<p><b>13.1</b> Prescribed tidal works that are a boat ramp or slipway for a private purpose are designed and constructed in a way to ensure they are structurally sound while also ensuring the safe movement of vehicles or persons between the boat ramp or slipway and the surface of the land on which the boat ramp or slipway is located.</p>	<p>The design and construction of the boat ramp or slipway is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), the walls at the edge of the boat ramp or slipway penetrate into the earth at least 600mm below the surface of the land on which the boat ramp or slipway is located;</li> <li>(b) subject to paragraph (c), the surface of the boat ramp or slipway is no more than 200mm above the surface of the land on which it is located;</li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</li> </ul>	<b>N/A</b>	<p>The prescribed tidal works aspect of the proposed development does not involve a boat ramp or a slipway.</p>
<p><b>13.2</b> Prescribed tidal works that are a boat ramp or slipway for a private purpose are designed and constructed in a way to ensure the safe movement of vehicles or persons over the boat ramp or slipway.</p>	<p>The design and construction of the boat ramp or slipway is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (d), the upper surface of a boat ramp or slipway has a width of— <ul style="list-style-type: none"> <li>(i) for a boat ramp or slipway with vehicle access—no less than 3.6m; or</li> <li>(ii) for a boat ramp or slipway without vehicle access—no less than 3.0m;</li> </ul> </li> <li>(b) subject to paragraph (d), the whole upper surface of a boat ramp or slipway is treated to prevent it</li> </ul>	<b>N/A</b>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>from becoming slippery by using any of the following methods—</p> <ul style="list-style-type: none"> <li>(i) forming grooves over the surface, as close as possible to 40mm wide, 20mm deep and 150mm apart, and at an angle as close as possible to 70° to the centre-line of the boat ramp or slipway;</li> <li>(ii) covering the surface with a substance ordinarily used on slippery surfaces to prevent skidding;</li> <li>(iii) making, through a physical act, the surface coarse before it sets, including, for example, by raking the surface;</li> </ul> <p>(c) subject to paragraph (d), the upper surface of a boat ramp or slipway for which a winch is not used to hoist or haul vessels onto the boat ramp or slipway is at a gradient of not steeper than—</p> <ul style="list-style-type: none"> <li>(i) if the surface is treated by using a method mentioned in paragraph (b)(i) or (ii)—1:7; or</li> <li>(ii) otherwise—1:10;</li> </ul> <p>(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).</p>		

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>DESIGN, CONSTRUCTION AND SAFETY - BRIDGES</b>			
<p><b>14.1</b> Prescribed tidal works that are a bridge do not adversely affect existing public use of tidal water, including, for example, use of the tidal water for canoeing, swimming or other recreational activities.</p>	<p>The design and construction of the bridge is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), the clearance levels under a bridge are high enough to allow continued public use of tidal water over which it is constructed;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>N/A</b>	<p>The prescribed tidal works aspect of the proposed development does not involve a bridge.</p>
<p><b>14.2</b> Prescribed tidal works that are a bridge do not adversely affect the flow of tidal water under the bridge.</p>	<p>The design and construction of the bridge is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) if a bridge can be adequately supported without erecting or placing a foundation support in tidal water—no foundation support to support the bridge is erected or placed in the tidal water; or</li> <li>(ii) otherwise—only the minimum number of foundation supports required to support the bridge is used;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>N/A</b>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>DESIGN, CONSTRUCTION AND SAFETY – PRESCRIBED DECKS</b>			
<p><b>15.1</b> Prescribed tidal works that are a prescribed deck and for a private purpose are designed and constructed in a way to ensure the deck is able to support its intended loads, having regard to its relevant loading matters.</p>	<p>The design and construction of the prescribed deck is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the prescribed deck—               <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 4997;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>N/A</b>	<p>The prescribed tidal works aspect of the proposed development does not involve a prescribed deck.</p>
<p><b>15.2</b> Prescribed tidal works that are a prescribed deck and for a non-private purpose are designed and constructed in a way to ensure the deck is able to support its intended loads, having regard to its relevant loading matters.</p>	<p>The design or construction of the prescribed deck is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of a prescribed deck—               <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> </ul> </li> </ul>	<b>N/A</b>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 4997;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>		
<p><b>15.3</b> Prescribed tidal works that are a prescribed deck do not prevent or hinder remedial work being undertaken on any bank of tidal water or for any existing revetment or seawall or another existing structure.</p>	<p>The design and construction of the prescribed deck is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), a prescribed deck either—               <ul style="list-style-type: none"> <li>(i) can be easily dismantled and reassembled; or</li> <li>(ii) does not restrict the movement of machinery ordinarily used for remedial work to any bank of tidal water or any existing revetment or seawall or other existing structure;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>DESIGN, CONSTRUCTION AND SAFETY – JETTIES AND PIERS</b>			
<p><b>16.1</b> Prescribed tidal works that are a jetty or pier are designed and constructed in a way to ensure the jetty or pier is able to support its intended loads, having regard to its relevant loading matters.</p>	<p>The design and construction of the jetty or pier is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the jetty or pier—               <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 4997;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>YES</b>	Compliance can be conditioned.
<p><b>16.2</b> Prescribed tidal works that are a jetty or a pier are designed and constructed in a way to ensure the jetty or pier remains above the water at highest astronomical tide.</p>	<p>The design and construction of the jetty or pier is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), either—               <ul style="list-style-type: none"> <li>(i) the level of the deck of the jetty or pier is at least 300mm above the water at highest astronomical tide; or</li> </ul> </li> </ul>	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>(ii) piles or other markers indicate the presence of the jetty or pier when the jetty or pier is less than 300mm above the water at highest astronomical tide;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>		
<p><b>16.3</b> Prescribed tidal works that are a jetty or pier and for a private purpose and are on State tidal land are designed and constructed in a way to ensure the jetty or pier is of a size suitable for the use of a vessel while still minimising the amount of tidal water occupied by the jetty or pier.</p>	<p>The design and construction of the jetty or pier is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) all parts of the deck of the jetty or pier have a width of at least 900mm and not more than 3m; and</li> <li>(ii) all parts of the jetty or pier are within a water allocation area for the lot connected to the jetty or pier;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<p><b>YES</b></p>	<p>As above.</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>DESIGN, CONSTRUCTION AND SAFETY – PIPELINES AND OTHER UNDERGROUND SERVICES</b>			
<p><b>17.1</b> The design and construction of prescribed tidal works that are a pipeline or another underground service ensures vessels anchoring near the works cannot interfere with, or damage, the works.</p>	<p>The design and construction of the pipeline or underground service is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) for a pipeline that is gas or liquid petroleum pipeline—AS/NZS 2885 to the extent requirements stated in the Standard apply to the design or construction of the pipeline; or</li> <li>(ii) for another pipeline or other underground service—the pipeline or service is installed at least 1.2m below the surface of land, after it is installed;</li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>N/A</b>	<p>The prescribed tidal works aspect of the proposed development does not involve any pipelines or underground services.</p>
<b>DESIGN, CONSTRUCTION AND SAFETY - PONTOONS</b>			
<p><b>18.1</b> Prescribed tidal works that are a pontoon and not used only for rowing, are designed and constructed in a way to ensure the pontoon is able to support its intended loads, having regard to its relevant loading matters.</p>	<p>(s 5(2) outcome)</p> <p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon—</li> </ul>	<b>N/A</b>	<p>The prescribed tidal works aspect of the proposed development does not involve any pontoons.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 3962;</li> <li>(vi) AS 4997;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>		
<p><b>18.2</b> Prescribed tidal works that are a pontoon and used only for rowing are designed and constructed in a way to ensure—</p> <ul style="list-style-type: none"> <li>(a) the pontoon is able to support its intended loads, having regard to its relevant loading matters; and</li> <li>(b) the pontoon is safe for persons using the pontoon to launch and retrieve rowing vessels.</li> </ul>	<p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) for a pontoon constructed within a marina— AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon; or</li> <li>(ii) for a pontoon not constructed within a marina—                   <ul style="list-style-type: none"> <li>(A) the access walkway of a pontoon used only for rowing is able to support at least a live load of 3.0kPa; and</li> </ul> </li> </ul> </li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>(B) the flotation unit of a pontoon used only for rowing is able to support at least a live load of 1.5kPa; and</li> <li>(C) at least 75mm of the height of the pontoon's flotation unit will remain above the surface of the water over which it is constructed if a distributed live load is applied to half of the surface of the pontoon's flotation unit and all of the surface of the pontoon's access walkway;</li> </ul> <p>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</p>		
<p><b>18.3</b> Prescribed tidal works that are a pontoon are designed and constructed in a way to ensure any load applied to the pontoon by a person or thing on the pontoon does not cause the pontoon to tip over or tilt to a degree causing the person or thing to fall off the pontoon.</p>	<p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) for a pontoon constructed within a marina— AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon; or</li> <li>(ii) for a pontoon not constructed within a marina—</li> </ul> </li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>(A) the pontoon's access walkway extends at least 500mm onto the pontoon's flotation unit; and</p> <p>(B) for a pontoon used only for rowing—at least 75mm of the height of the pontoon's flotation unit remains above the water over which it is constructed if a distributed live load is applied to half of the surface of the pontoon's flotation unit and all of the surface of the pontoon's access walkways; and</p> <p>(C) for a pontoon other than a pontoon mentioned in sub-subparagraph (B)—the top surface of the pontoon's flotation unit remains above the water over which it is constructed if a distributed live load of 1.5kPa is applied to half of the surface of the pontoon's flotation unit and all of the surface of the pontoon's access walkways; and</p> <p>(D) the whole base of the pontoon's flotation unit remains in contact with the water over which it is constructed at all times and tilts no more than 15° at any time;</p> <p>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme</p>		

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</p>		
<p><b>18.4</b> Prescribed tidal works that are a pontoon are designed and constructed in a way to ensure the pontoon's flotation unit will—</p> <ul style="list-style-type: none"> <li>(a) rise and fall to allow for a change in tidal water levels, including a change caused by a flood or storm tide; and</li> <li>(b) not be separated from the lot to which the pontoon is connected because of— <ul style="list-style-type: none"> <li>(i) a change in tidal water levels mentioned in paragraph (a); or</li> <li>(ii) the flow of tidal water around the pontoon, including tidal water affected by a flood or storm tide.</li> </ul> </li> </ul>	<p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), the pontoon's flotation unit is— <ul style="list-style-type: none"> <li>(i) attached, through the pontoon's system for mooring the unit, to concrete anchors in the bank landward of the pontoon; or</li> <li>(ii) moored by piles;</li> </ul> </li> <li>(b) subject to paragraph (c), if a tidal water level change resulting from a flood or storm tide with an AEP of 1% would cause a pontoon's flotation unit to detach from the system for mooring the unit— <ul style="list-style-type: none"> <li>(i) the standard applying under paragraph (a); and</li> <li>(ii) the pontoon's flotation unit is restrained with a tethering system so that it can withstand the effects of the event;</li> </ul> </li> <li>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>18.5</b> Prescribed tidal works that are a pontoon identifies the lot to which the pontoon is connected.</p>	<p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) a label that identifies the lot to which the pontoon is connected is written or stamped on, or fixed to, the outside of the pontoon’s flotation unit;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</li> </ul>	<b>N/A</b>	As above.
<p><b>18.6</b> Prescribed tidal works that are a pontoon permanently used for the fuelling of, or the storage of fuel for, vessels are designed and constructed in a way to ensure—</p> <ul style="list-style-type: none"> <li>(a) the pontoon is able to support its intended loads, having regard to its relevant loading matters; and</li> <li>(b) the pontoon is safe for persons using the pontoon.</li> </ul>	<p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon— <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 4997;</li> </ul> </li> <li>(b) Subject to paragraph (c), AS 3962 to the extent requirements stated in the Standard apply to a pontoon permanently used for the fuelling of, or the storage of fuel;</li> </ul>	<b>N/A</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</p>		
<p><b>DESIGN, CONSTRUCTION AND SAFETY – REVETMENTS AND SEAWALLS</b></p>			
<p><b>19.1</b> Prescribed tidal works that are a revetment or seawall, are designed and constructed in a way to ensure the revetment or seawall is able to support its intended loads, having regard to its relevant loading matters and its intended design life.</p>	<p>The design and construction of the revetment or seawall is consistent with the following standards—</p> <p>(a) subject to paragraph (c), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the revetment or seawall—</p> <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 4997;</li> </ul> <p>(b) subject to paragraph (c), AS 4678 to the extent requirements stated in the Standard apply to earth-retaining structures;</p> <p>(c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).</p>	<p><b>N/A</b></p>	<p>The prescribed tidal works aspect of the proposed development does not involve any revetment walls or seawalls.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>19.2</b> Prescribed tidal works that are a revetment or seawall, are designed and constructed in a way to ensure the revetment or seawall can withstand—</p> <ul style="list-style-type: none"> <li>(a) any tendency of overturning or sliding; and</li> <li>(b) any other effects of waves or changes in water levels on the revetment or seawall.</li> </ul>	<p>The design and construction of the revetment or seawall is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (d), a revetment or seawall is able to withstand the effect of waves, or a combination of waves and water levels, resulting from a storm event with an AEP of 2%, factoring in projected sea level rise;</li> <li>(b) subject to paragraph (d), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the revetment or seawall—               <ul style="list-style-type: none"> <li>(i) AS/NZS 1170.0;</li> <li>(ii) AS/NZS 1170.1;</li> <li>(iii) AS/NZS 1170.2;</li> <li>(iv) AS 1170.4;</li> <li>(v) AS 4997;</li> </ul> </li> <li>(c) subject to paragraph (d), AS 4678 to the extent requirements stated in the Standard apply to earth-retaining structures;</li> <li>(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).</li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>19.3</b> Prescribed tidal works that are a revetment or seawall are designed and constructed to protect the revetment or seawall from erosion at the base of the revetment or seawall.</p>	<p>The design and construction of the revetment or seawall is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (d), a revetment or seawall provides for a sub-layer or enough filter material to prevent erosion of the land under the revetment or seawall;</li> <li>(b) subject to paragraph (d), the bottom edge of the base of a revetment or seawall will withstand undermining by scour;</li> <li>(c) subject to paragraph (d), AS 2758 to the extent requirements stated in the Standard apply to the sizing and grading of filter layers and armour materials;</li> <li>(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).</li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>
<p><b>19.4</b> Prescribed tidal works that are a revetment or seawall are not adversely affected by hydrostatic pressure.</p>	<p>The design and construction of the revetment or seawall is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b), AS 4678 to the extent requirements stated in the Standard apply to hydrostatic pressure for earth-retaining structures;</li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme</li> </ul>	<p><b>N/A</b></p>	<p>As above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>standard, to the extent it is more stringent than the standard mentioned in paragraph (a).</p>		
<b>DESIGN, CONSTRUCTION AND SAFETY - WHARVES</b>			
<p><b>20.1</b> Prescribed tidal works that are a wharf are designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.</p>	<p>The design and construction of the wharf is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (b)—               <ul style="list-style-type: none"> <li>(i) for a wharf constructed within a marina—AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the wharf; or</li> <li>(ii) for a wharf not constructed within a marina—each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the wharf—                   <ul style="list-style-type: none"> <li>(A) AS/NZS 1170.0;</li> <li>(B) AS/NZS 1170.1;</li> <li>(C) AS/NZS 1170.2;</li> <li>(D) AS 1170.4;</li> <li>(E) AS 4997;</li> </ul> </li> </ul> </li> <li>(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme</li> </ul>	<p><b>N/A</b></p>	<p>The prescribed tidal works aspect of the proposed development does not involve a wharf.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	standard, to the extent it is more stringent than the standard mentioned in paragraph (a).		