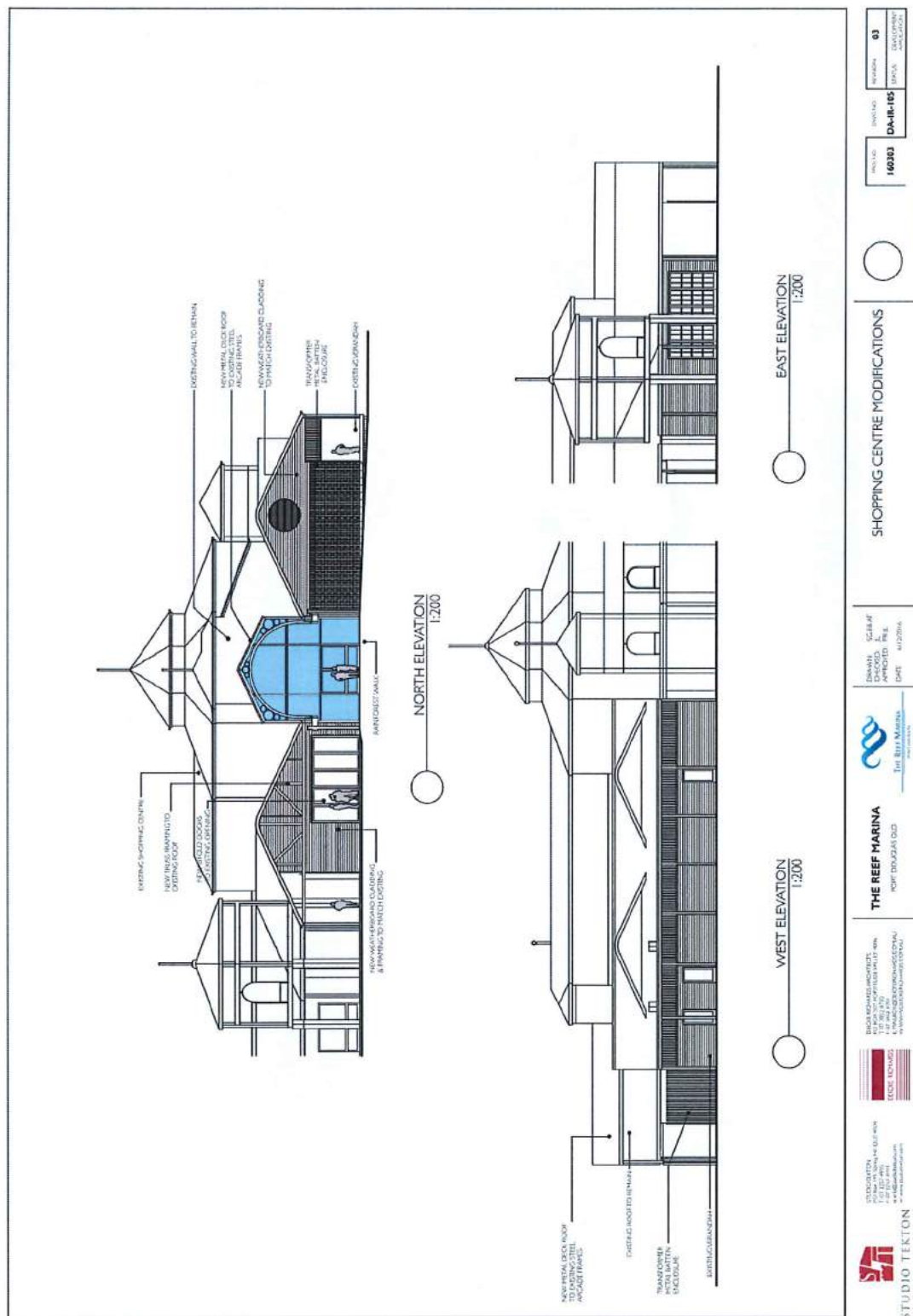
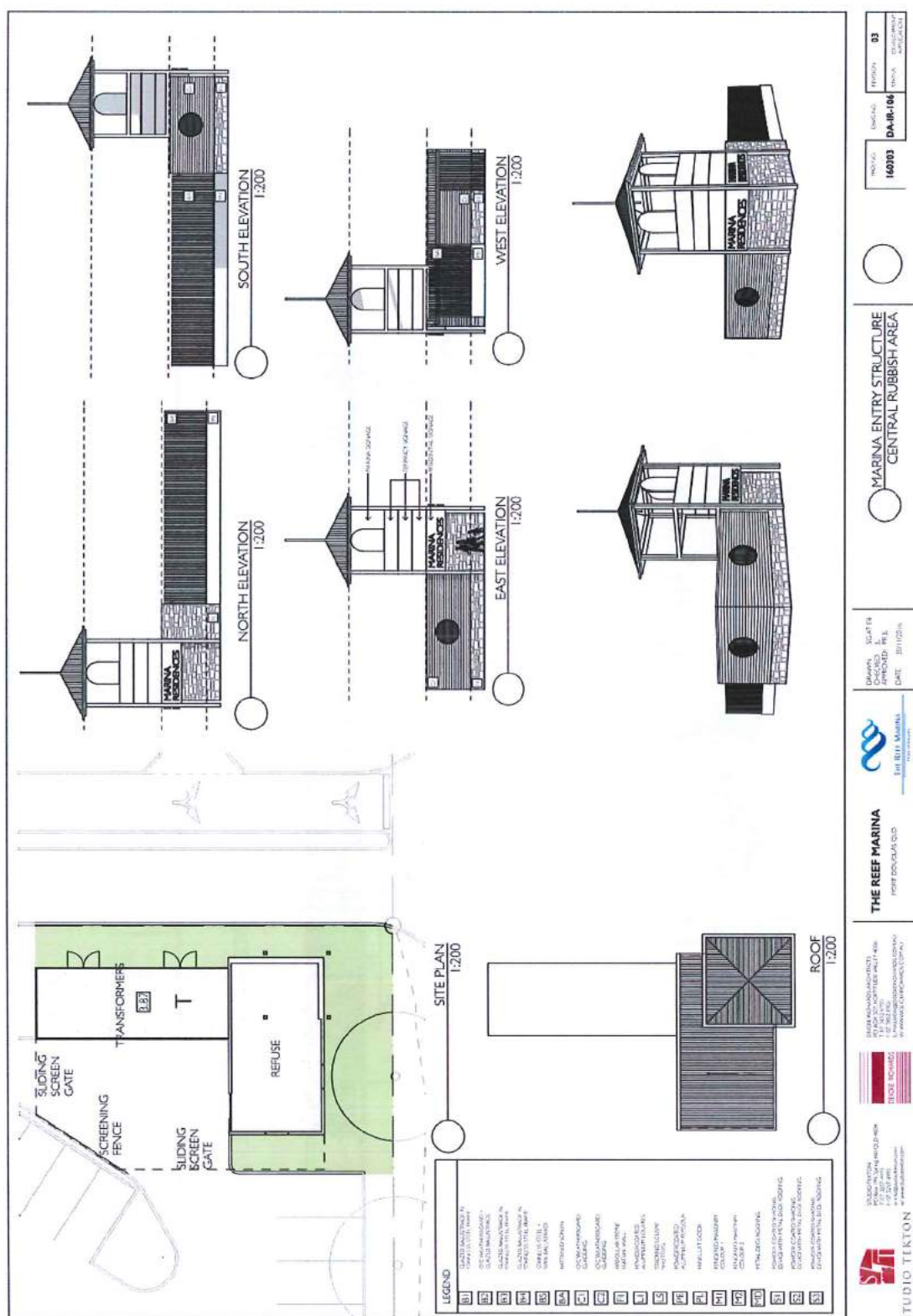


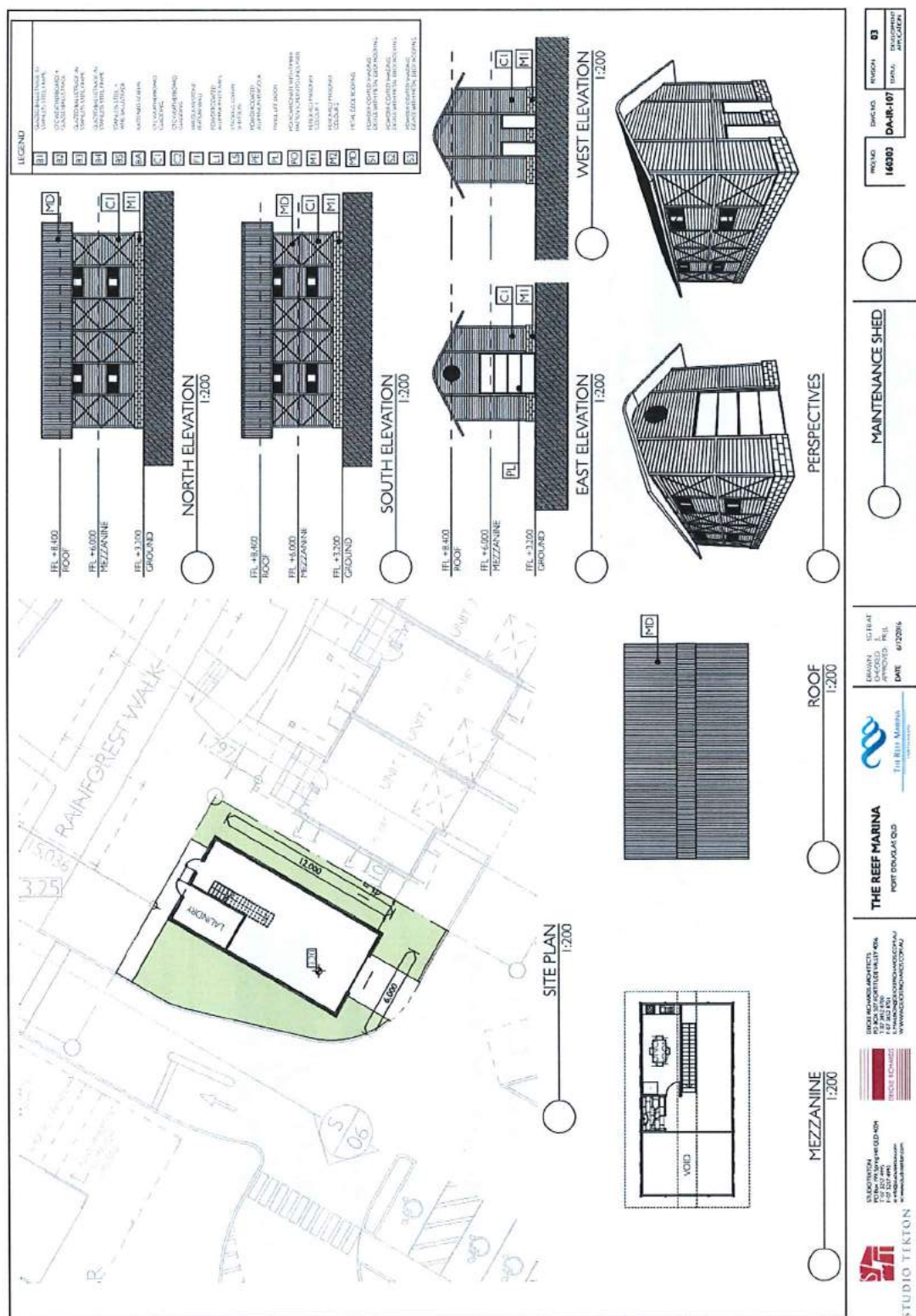
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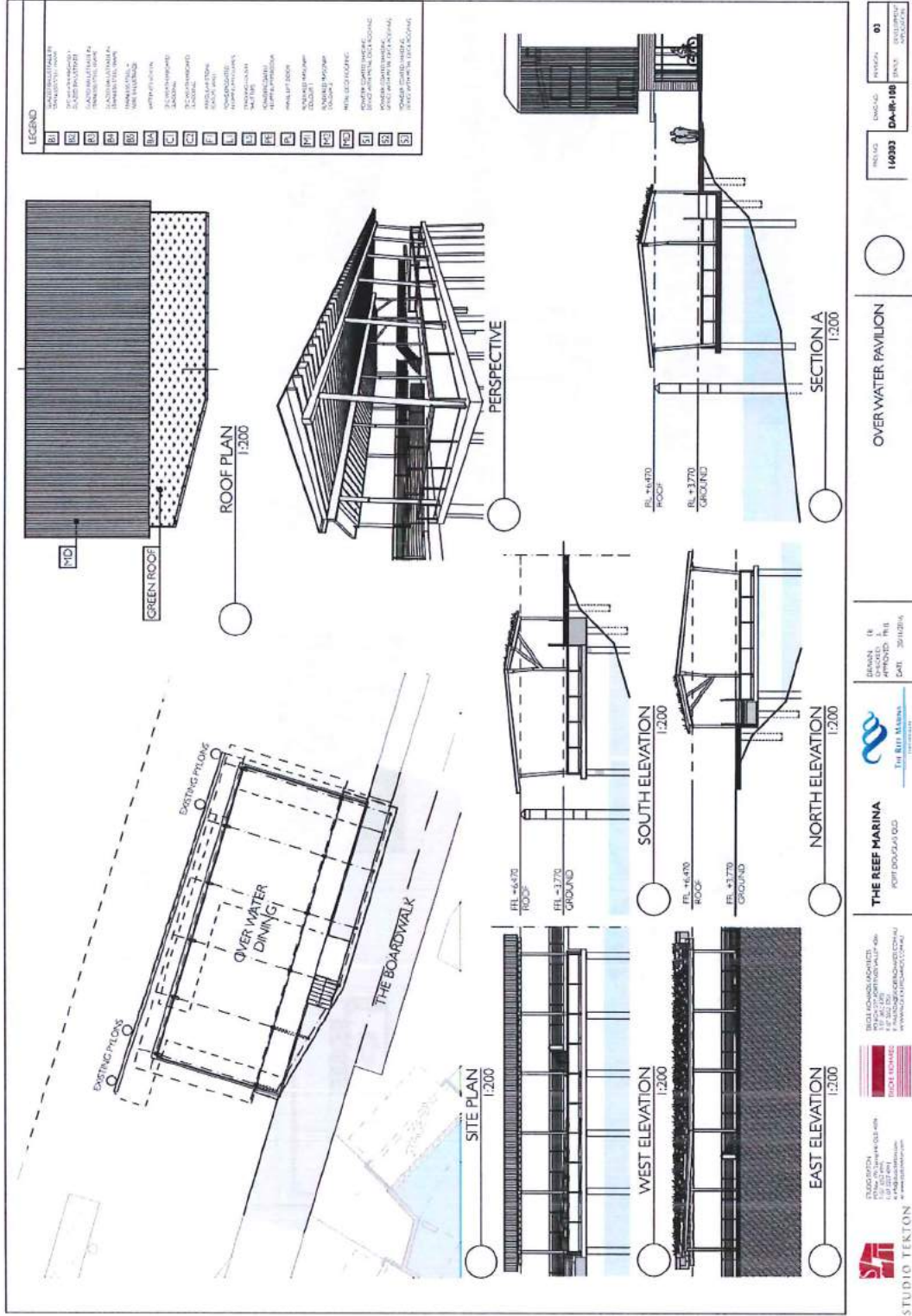
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APPENDIX 2: REFERRAL AGENCY REQUIREMENTS



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-1116-035437
Your reference: CA1685/2016

06 February 2017

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4870

Attn: Simon Clarke

Dear Sir / Madam

Concurrence agency response—with conditions

Application for material change of use and reconfiguring a lot on land situated at Inlet Street, Wharf Street and Ashford Avenue Port Douglas, described as Lot 146 on SR861, part Lot 126 on SR868, lot 103 on SR500 and Inlet Street road reserve and known as The Reef Marina
(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 Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 30 November 2016.

Applicant details

Applicant name:	The Reef Marina Pty Ltd
Applicant contact details:	Elizabeth Taylor, Town Planner 23 Vallely Street Freshwater QLD 4870 liz@elizabethtaylor.net.au

Site details

Street address:	Wharf Street Port Douglas 7 Ashford Avenue Port Douglas 38-42 Wharf Street Port Douglas Inlet Street (road reserve)
Lot on plan:	Lot 146 on SR861 ;

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Part Lot 126 on SR868;;
Lot 103 on SR500
Inlet Street road reserve

Local government area: Douglas Shire Council

Application details

Proposed development: Development permit for combined application for material change of use and reconfiguring a lot as detailed below.

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	Redevelopment of The Reef Marina site at Port Douglas to provide for staged development of: Stage 1a – 5 x Multi-Unit Housing/Holiday Accommodation; Stage 1b – 14 x Multi-Unit Housing/Holiday Accommodation; Stage 2a - Mixed Use Development – 35 x Multi-Unit Housing/Holiday Accommodation and Commercial/Retail Space (Shops/Restaurants/Offices/Tavern); Stage 2b – Public Plaza, temporary commercial/retail container shops, temporary industrial premises, temporary retention of Slipway; Stage 2c – Mixed Use Development – 26 x Multi-unit Housing/Holiday Accommodation and/or Holiday Accommodation - Dual Key and Commercial/Retail Space (Shops/Restaurants/Offices/Tavern); Stage 3a – 5 x Multi-Unit Housing/Holiday Accommodation and/or Holiday Accommodation - Dual Key.	Code Assessment
Reconfiguring a Lot	Development permit	3 lots into 5 lots (staged)	Code Assessment

Referral triggers

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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 14—Coastal management district
Schedule 7, Table 3, Item 5— Coastal management district
Schedule 7, Table 3, Item 2—State transport infrastructure

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.

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: material change of use and reconfiguring a lot				
Master site plan	Studio Tekton and Deike Richards Architects (as amended in red)	29/11/2016	DA-S-104	03

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

For further information, please contact Michele Creecy, Senior Planning Officer, SARA Far North QLD on 4037 3206, or email michele.creecy@dlgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: The Reef Marina Pty Ltd, liz@elizabethtaylor.net.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Approved Plans and Specifications

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Our reference: SDA-1116-035437
Your reference: CA1685/2016

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Aspect of development – material change of use and reconfiguring a lot		
Schedule 7, Table 2, Item 14 and Schedule 7, Table 3, Item 5 —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 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 conditions:		
1.	Building siting for Stages 1A, 1B and 2A must be generally in accordance with Master Site Plan prepared by Studio Tekton and Deicke Richards dated 29/11/2016, reference DA-S-104, revision 3, as amended in red.	At all times
2.	A revetment wall must be incorporated into the boardwalk design as shown on Master Site Plan prepared by Studio Tekton and Deicke Richards dated 29/11/2016, reference DA-S-104, revision 3, as amended in red.	Prior to commencement of use.
3.	Habitable rooms and commercial tenancies are to be located at a minimum ground floor level of 3.87AHD.	At all times
4.	No basement car parking is to be included within the development.	At all times
5.	<p>a) Develop an 'Extreme Weather Contingency Plan' which includes at a minimum:</p> <ul style="list-style-type: none"> Safe refuge areas from storm tide inundation at a minimum of 7.87AHD to accommodate for all non-residents and 5% of ground floor residents; and Mechanism for notifying residents, non-residents, tenants and operators of the extreme weather contingencies. <p>b) Submit a copy of the 'Extreme Weather Contingency Plan' to PALM@ehp.qld.gov.au.</p>	Prior to commencement of use
6.	Erosion and sediment control measures are to be installed and maintained to prevent the release of sediment to tidal waters.	For the duration of the works the subject of this approval
Aspect of development: Development impacting on State Transport Infrastructure		
Schedule 7, Table 3, Item 2 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads 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:		
7.	Provide a parking bay suitable for accommodating a taxi parallel to the kerb and adjacent to each of the building entries of Stage 2A and Stage 2C as shown on Master Site Plan prepared by Studio Tekton and Deicke Richards dated 29/11/2016, reference DA-S-104, revision 3, as amended in red.	Prior to commencement of use

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No.	Conditions	Condition timing
	<p>The parking bays accommodating a taxi must be designed suitable for use by people with disabilities, in particular in accordance with:</p> <ul style="list-style-type: none">o AS1428.1–2009 Design for access and mobility – general requirements for access – new building worko AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilitieso Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i>	

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Our reference: SDA-1116-035437
Your reference: CA1685/2016

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
- To ensure public safety is not impacted during a coastal hazard event.
- To ensure the needs of people with disabilities are incorporated into the design and construction of the development.

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Attachment 3—Approved plans and specifications
