

Our Ref: 34073-001-02
Your Ref: MCUI 2454/2017

Principals
s.r. motti | p.j. murphy | r.j. melick | g.l. allwood

10 April 2018

The Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attention: Mr Simon Clarke

Dear Simon

**INFORMATION REQUEST RESPONSE
APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR
EXTENSION TO EXISTING INDOOR SPORT AND ENTERTAINMENT (THE PORT DOUGLAS DISTRICT
COMBINED CLUBS INC) TO PROVIDE RESTAURANT EXTENSION
7 ASHFORD AVENUE, PORT DOUGLAS - LEASE F ON SR697 IN LOT 5 ON SP288958**

We act on behalf of Paynter Dixon Qld Pty Ltd in relation to the abovementioned Development Application which is currently before Douglas Shire Council for assessment.

Reference is made to the Information Request issued by Council, dated 16 January 2018 and received by mail on the 18 January 2018.

In accordance with section 13 of the *Development Assessment Rules*, we provide this written response to Council's Information Request. This correspondence constitutes a complete response to Council's Information Request.

With respect to the matters raised in the Information Request, we advise as follows:

Item 1

Drawing No PDCC0103 02-01 Rev A refers to the 'Existing Deck to be Rebuilt to Support Upper Deck'. Confirm that these works do not trigger an application for Prescribed Tidal Work and/or any further approvals to State Agencies.

Response

The Applicant has advised that the previous extension to The Port Douglas and District Combined Clubs Inc premises to create the First Floor area did not require approval for Operational Works for Prescribed Tidal Works. The Applicant has also advised that while there are some works required to the lower deck to support the proposed deck on first floor, it is not intended to alter the existing pylon system, or adjacent bank structure.

Final advice from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) is being sought to confirm if the proposed works associated with the construction of the new deck on the first floor and the associated works on the lower deck will trigger a requirement to seek approval for Operational Works for Prescribed Tidal Works. If the advice from DSDMIP is that an approval for Operational Works for Prescribed Tidal Works is required, this will be submitted at a later date.

Item 2

Drawing No PDCC0103 02-02 Rev A includes the following dimensions for the first floor extension:

Enclosed Area = 172m²
Unenclosed Area = 259m²
Total = 431m²

The Planning Report accompanying the application refers to the increase in area 'provided for the provision of meals and light refreshments on the first floor being 148m².'

Please reconcile this discrepancy providing Council with floor areas based on a Net Lettable Area as defined in the 2006 Douglas Shire Planning Scheme. It is noted that the proposed floor area is now more than double the size of the floor area presented to Council as a formal pre-lodgement enquiry in October 2017.

Response

Please see enclosed (Attachment A) an amended plan (PDCC0103 Drawing No. 02-02 Revision B) confirming that the proposed additional floor area is 399m² NLA. There was an error in the planning report, which incorrectly identified that proposed additional floor area.

It is noted that since the pre-lodgement meeting in February 2017 and the pre-lodgement enquiry in October 2017, the Club decided to increase the extent of the unenclosed deck area on the first floor, hence the increase in proposed additional area.

Item 3

Provide an evidence based traffic study prepared by an appropriately qualified traffic consultant to fully justify any proposed car parking arrangements for the additional floor space. Little, if anything, contained in the planning report justified the extent of car parking relaxation. Not, patrons utilising the bar whilst waiting for a table reservation and then once dining has finished use the lounge or gaming lounge' is not a valid example of cross-utilisation.

Response

Please see enclosed (Attachment B) correspondence prepared by MRCagney providing a response to item 3 of the Information Request.

It is noted that as identified in the response to item 2, the proposed additional floor area is 399m² NLA. Under the Douglas Shire Planning Scheme 2006 the car parking rate for a Restaurant is one (1) space per 25m² of Net Lettable Area. Accordingly, based on a proposed floor area of 399m² NLA a total of 16 car parking spaces are required.

It is also noted that under the current, Douglas Shire Planning Scheme 2018, Table 9.4.1.3.B – Access, Parking and Servicing requirements of the Access, Parking and Servicing Code car parking for a Food and Drink Outlet, if within Precinct 1: Port Douglas precinct in the Port Douglas / Craiglie Local Plan, is to be provided at a rate of one (1) space per 50m² of Gross Floor Area and outdoor dining area. Accordingly, based on the proposed floor area of 399m², a total of eight (8) car parking spaces are required.

As detailed in the planning report, The Port Douglas and District Combined Clubs Inc premises is contained within Lease F on SR697 on part of Lot 5 on SP288958. The lease area only covers that part of the site where the building is located and does not include any additional land area. Accordingly, the constraints set by the parameters of the site makes it difficult, if not impossible, to provide any additional car parking on site.

As submitted in the MRCagney correspondence, due to the physical constraints of the site not allowing for the provision of car parking spaces on site, it is suggested that a reasonable solution would be to discuss options with Council the regarding the possibility of providing funds for the upgrade of existing on-street / public car parking or undertake the upgrade works.

Located within the immediate surrounding area exists a significant number of on street and public parking areas. While it is acknowledged that this parking is public and cannot be relied on, given the nature of the

locality it is reasonable to expect that this public parking can be utilised by patrons of The Port Douglas and District Combined Clubs Inc if required.

It is considered that the upgrade of the existing on-street / public car parking will not only benefit the Club, but also increase the number of car parking spaces available in the locality.

Furthermore, it is submitted that as the premises is located within an area of Port Douglas which is characterised by tourist, shopping, dining and entertainment land uses, it is anticipated that a large portion of the patrons to the Club will also be visiting these surrounding centres or staying in nearby accommodation. Therefore, it is expected that the actual parking demand generated by the proposed extension to The Port Douglas and District Combined Clubs Inc will be minimal – due to these high number of anticipated cross purpose trips.

In addition, there is an expectation that a large majority of the patrons, whether they are members, local residents, guests or visitors will arrive in a group (i.e. more than one person in a car), be dropped off or arrive by public transport (i.e. taxi, Port Douglas shuttle etc.). It is also considered that as the premises is located within a vibrant tourist locality, where there is a large volume of accommodation within close proximity that many patrons will arrive by foot.

It is also noted that it is anticipated that a majority of other tourist, shopping, dining and entertainment land uses in the surrounding area do not provide sufficient car parking to meet the demand generated or meet the requirements for car parking under the Planning Scheme. This is not an uncommon element for this style of commercial area. Accordingly, the suggested solution of increasing the number of on-street / public car parking will ultimately improve the availability of car parking in this precinct.

Overall, the proposed extension of the The Port Douglas and District Combined Clubs Inc premises will add to the vibrancy of the Port Douglas tourism and business area and provide continued opportunities for the Club to support the community.

Accordingly, it is considered that allowing a relaxation of the provision of on-site car parking in this case is reasonable. As previously mentioned there are practical solutions which the Applicant is willing to discuss with Council.

We trust the enclosed information provided is to your satisfaction and look forward to your continued attention to this matter. In the meantime, should you have any further queries in relation to the information response please do not hesitate to contact the undersigned.

Yours sincerely,



ERIN BERTHELSEN

Senior Planner

Brazier Mott Pty Ltd

Attachment A



TRUE NORTH

SITE CALCULATION:

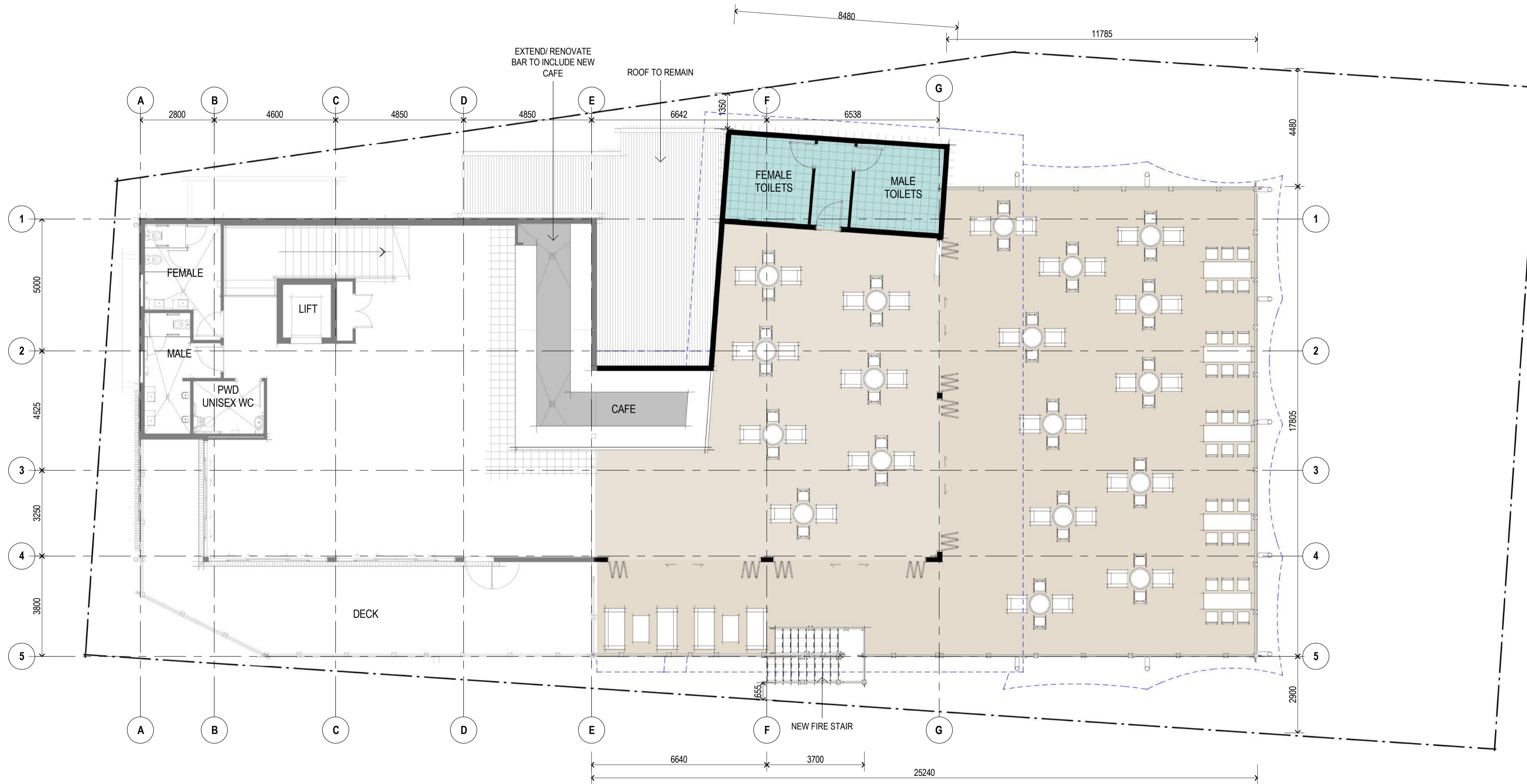
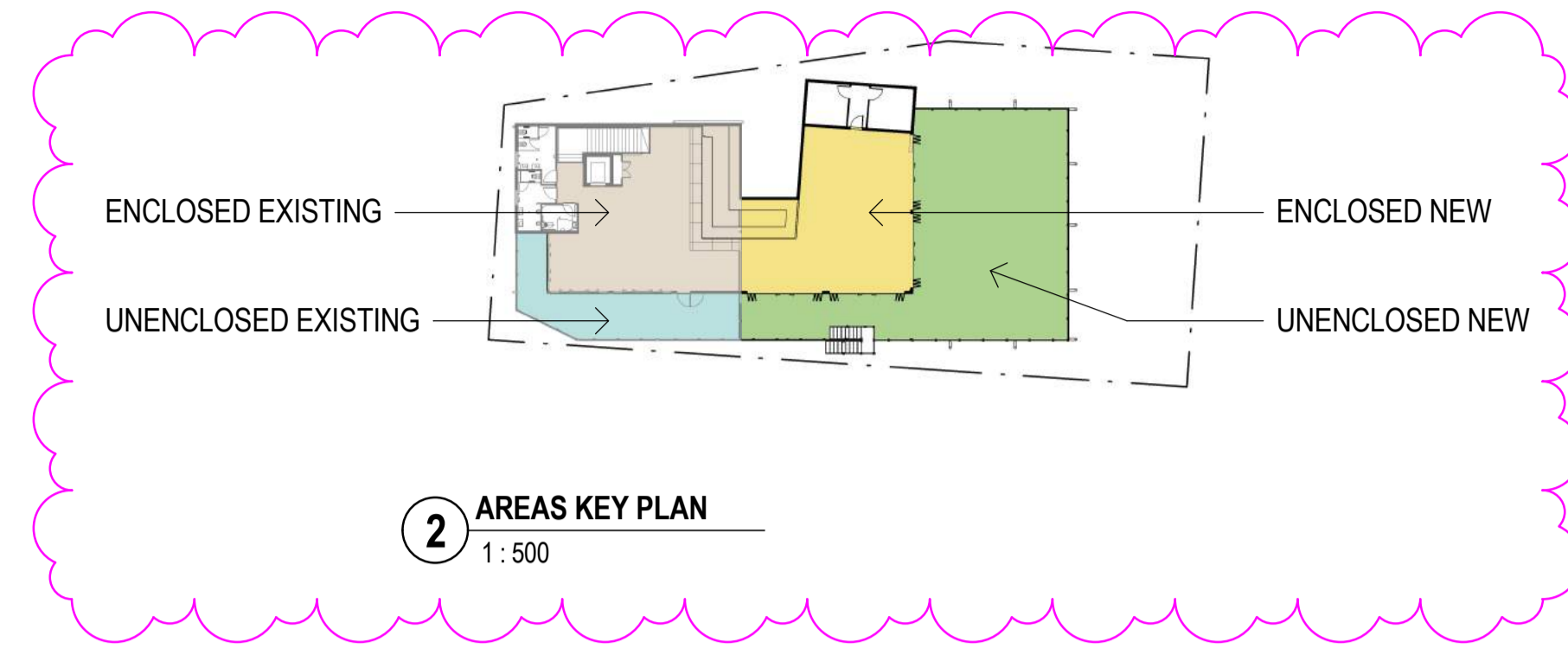
SITE AREA = 1225.6m²

GROUND FLOOR:
ENCLOSED AREA = 495m²
UNENCLOSED AREA = 264m²

FIRST FLOOR EXISTING:
ENCLOSED AREA = 159m²
UNENCLOSED AREA = 68m²

FIRST FLOOR NEW:
ENCLOSED AREA = 143m²
UNENCLOSED AREA = 256m²

SITE COVERAGE (EXISTING & PROPOSED) = 759m²



REV	DESCRIPTION	BY	DATE
A	DA ISSUE	GT	19/12/17
B	GFA CALCULATIONS REVIEWED	GT	25/01/18
C	ADDITIONAL DIMENSIONS	GT	08/03/18

ORIGINAL SHEET SIZE: A1 (594mm x 841mm)

DRAWING STATUS

DA ISSUE

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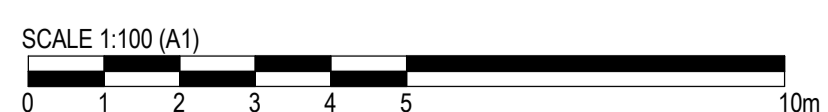
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PROJECT
PORT DOUGLAS AND DISTRICT COMBINED CLUBS INC.
DECK EXTENSION TO FIRST FLOOR - OPTION 3

TITLE
PDCC0103
FIRST FLOOR PLAN

DATE	19/12/17	DRAWN	GT
SCALE (A1)	As indicated	CHECKED	RW
CLIENT REF		APPROVED	GW
PDCC REF NO.	PDCC0103	DRAWING NO.	02-02
		REVISION	C



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Attachment B

Job Number: 6425

27 March 2018

Design Manager
Paynter Dixon Qld
PO Box 1206
Milton Qld 4064

Attention: Greg Wheeldon

Dear Greg,

Re: Information Request – Port Douglas & District Combined Club

We refer to the Douglas Shire Council Information Request dated 16th January 2018 in relation to the development application for the proposed extension of the Port Douglas and District Combined Club.

We have reviewed the information request in relation to the traffic engineering item (Item 3) and provide the following response:

Item 3:

Provide an evidence based traffic study prepared by an appropriately qualified traffic consultant to fully justify any proposed car parking arrangements for the additional floor space. Little, if anything, contained in the planning reporting justifies the extent of car parking relaxation. Noted, 'patrons utilising the bar, whilst waiting for a table reservation and then once dining has finished use the lounge or gaming lounge' is not a valid example of cross-utilisation.

Response:

The Port Douglas and District Combined Club is proposing an extension to the existing clubhouse which will result in *additional* floor space of the first floor of the club of 399m² Net Lettable Area (NLA). Details of the proposed extension of the first floor are illustrated on the attached plan prepared by Paynter Dixon (Dwg 02-02 Rev B).

It is understood that the proposed extension is to provide additional dining space and as such the intended 'use' of the proposed extension falls within the definition of '*Restaurant*' within the Douglas Shire Planning Scheme adopted in 2006.

It is also understood that the adoption of the definition of '*Restaurant*' for the *additional* floor space is acceptable to Council's town planners though (as stated in the Development Application) it is inconsistent

with the nature of the overall club which operates as a community and recreational club facility (i.e. indoor sports and entertainment) that also provides a social and dining experience for members, residents, guest and visitors.

Regardless, as specified in the Council's Vehicle Parking and Access Code of the Council's 2006 planning scheme, parking for a 'Restaurant' is required to be provided at a rate of 1 car space per 25m² NLA. Noting, as stated in Item 3 of the Information Request, the parking provision for the extension only relates to the *additional* floor space, a total of an additional **16 car park spaces** is required to be provided with the proposed extension.

There are currently 21 car park spaces immediately in front of the club. There appears to be no time limit on the utilisation of the car park spaces and no signage limiting use of the car park spaces to club patrons only; though the layout of the car park does provide the visual indication that the parking area is for club patrons. Further, the existing 21 space car park is close to existing development and community activities within the surrounding precinct (e.g. shops, cafés, weekend markets). It is therefore reasonable to infer that people using the existing 21 space car park are able to freely patronise not only the club but also existing development and community activities within the surrounding precinct. The existing 21 space car park is also connected to the adjacent Council carpark. It is therefore also reasonable to acknowledge that patrons of the club and adjoining facilities (e.g. boat ramp) are utilising the adjoining Council car park. Conversely, there appears no signage to prohibit people, who do not intend to patronise the club, parking in the existing 21 space car park. As such the existing 21 car park spaces can be considered as part of the aggregate supply of off-street car park spaces provided across the Port Douglas business precinct.

In this context, given there are physical constraints which do not enable the opportunity to provide additional car park spaces immediately fronting the club, it is recommended the applicant be required to construct the shortfall of spaces (i.e. 16 spaces) in close proximity to the existing club (i.e. within 100/200m of the club). It is understood that the off-street parking area adjacent the club (bordered by Wharf Street and Grant Street) is a Council owned off-street car park which is available to the public when frequenting the Port Douglas business precinct.

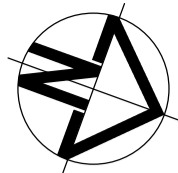
By providing the additional off-street car park spaces, the aggregated supply of car park spaces within the Port Douglas business precinct is increased to take into account the need to provide additional parking for the proposed *additional* floor space of the first floor of the club. The net result being no change to the aggregated off-street car parking supply within the Port Douglas business precinct.

I trust this information is of assistance.

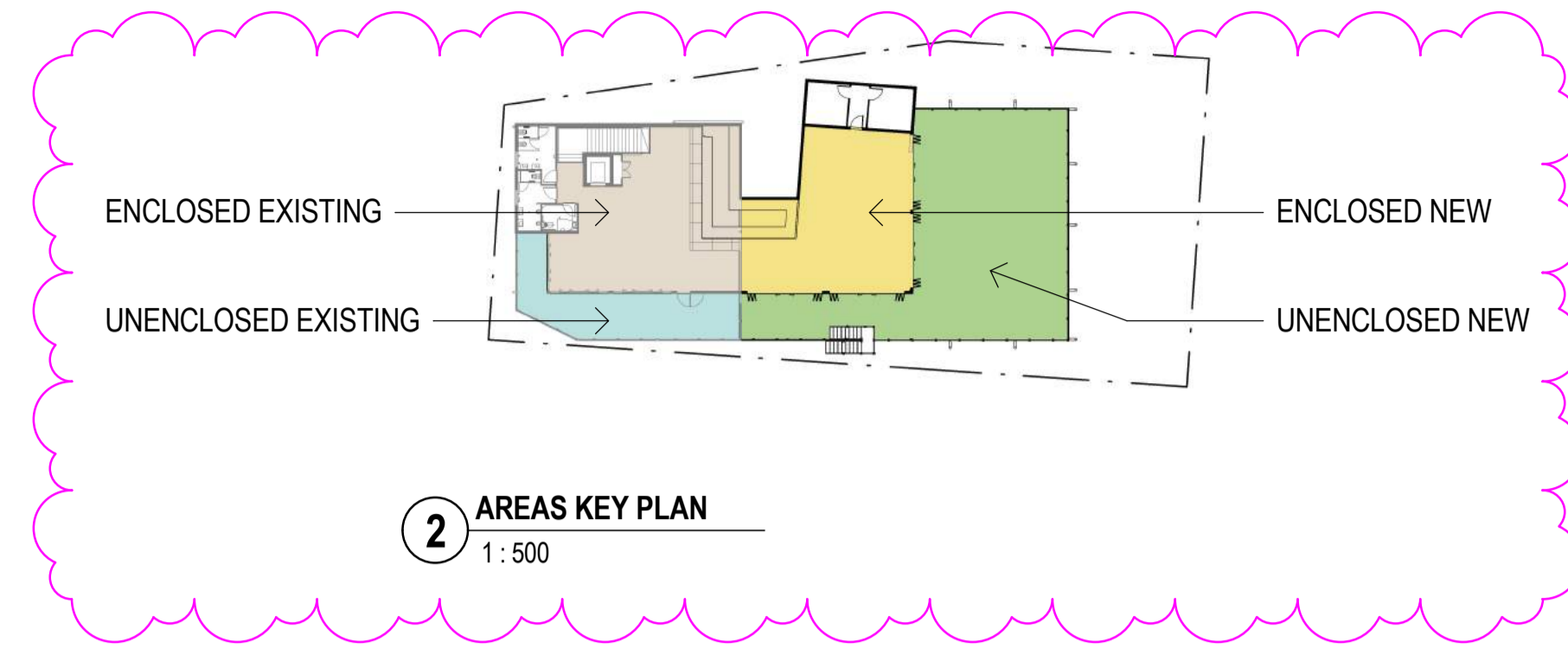
Yours sincerely,



Gerard Reardon
(RPEQ #17765)
Director
MRCagney Pty Ltd



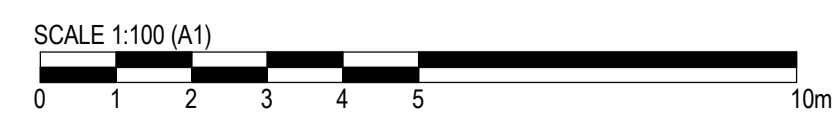
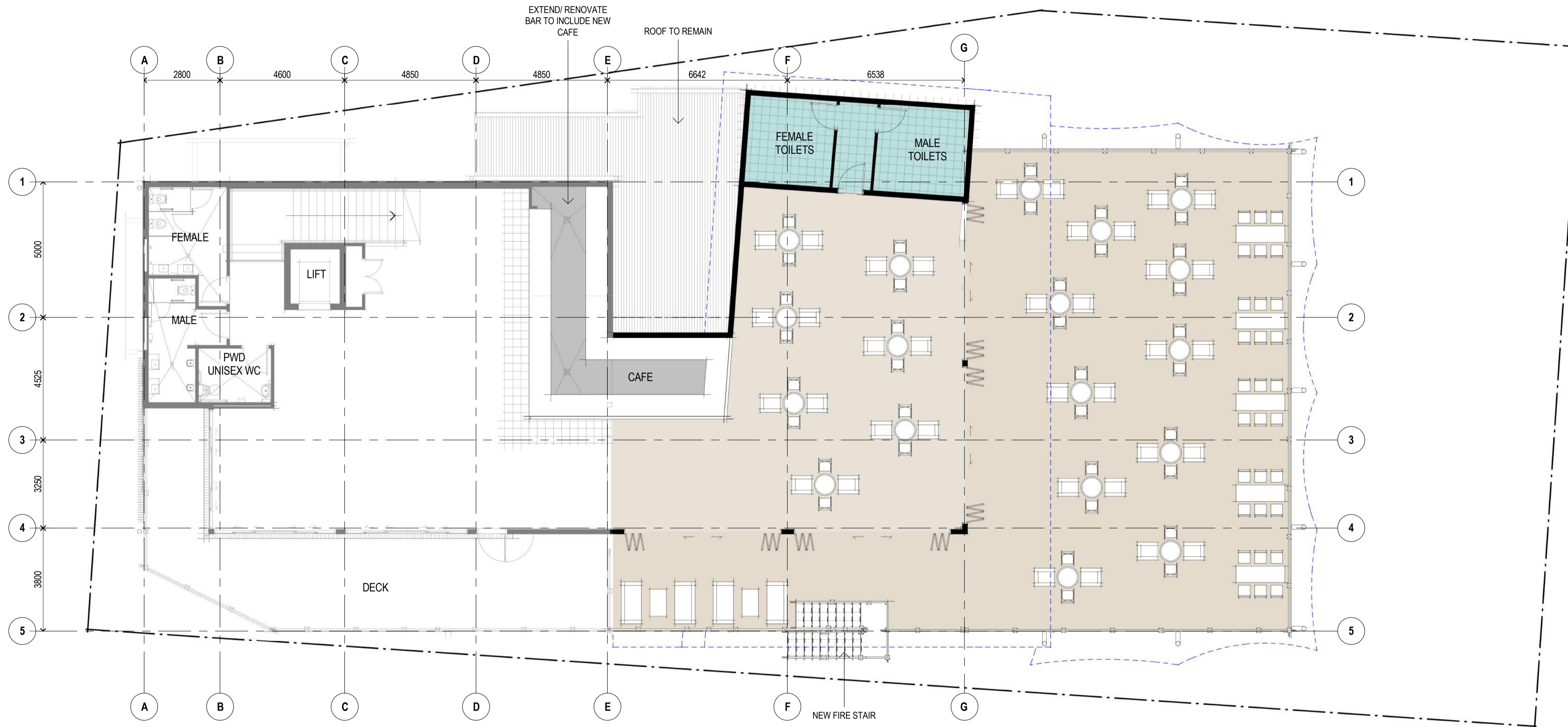
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		REVISION	B

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