



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 15 DECEMBER 2020, COMMENCING AT 10.00 AM**

	Page
1 Apologies	
2 Confirmation of Minutes	
B1 Ordinary Meeting of Council - 24/11/20	
3 Executive Services	
D1 Petition - Request for Bus Stop on Bargara Road to facilitate Grace Family Practice patients	3
4 Strategic Projects & Economic Development	
E1 Bundaberg AgTech Hub Consortium Arrangement with CQUniversity	4
E2 Memorandum of Understanding with Queensland Department of Education	7
5 Finance	
F1 Financial Summary as at 1 December 2020	9
F2 Debt Policy	17
6 Governance	
G1 Delegations Register Review	21
G2 Sale of Lots 13, 35 & 36 on SP205671 - Kinkuna Waters Estate	24
7 Infrastructure	
H1 Specialised Supplier - MetroCount ATLYST platform	26

8	Development Assessment	
L1	86, 87 and 88 Esplanade, Woodgate - Material Change of Use for Tourist Park (Extension)	29
L2	67 Harbour Esplanade, Burnett Heads - Preliminary Approval for a Material Change of Use (Mixed Use Development - Burnett Harbour Marina Village) - Resort Complex (including: ancillary shop, restaurant, bar, recreation and conference facilities), Short Term Accommodation and Multiple Dwellings incorporating a (s.61) component to vary the effect of the Bundaberg Regional Council Planning Scheme 2015	67
9	Community & Cultural Services	
O1	Lease - Lot 218 on SP170700 - Bargara Lions	368
O2	Renewal of Lease - Community Lifestyle Support Ltd - Lot 218 on SP170700	370
O3	Renewal of Lease - Telstra Corporation Limited - Lot 4 on SP298190	372
10	Tourism & Regional Growth	
S1	Sole Supplier Arrangement with Qantas Airways Ltd	374
S2	Partnership & Sponsorship Grant Application - YMCA of Bundaberg Ltd (Bundaberg Disability Resource Centre incorporating the Toy Library)	376
11	Confidential	
T1	Request to write off sewerage and waste charges - Lot 131 on CK1374	
12	Meeting Close	



Item

15 December 2020

Item Number:	File Number:	Part:
D1	A5431023	EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Petition - Request for Bus Stop on Bargara Road to facilitate Grace Family Practice patients

Report Author:

Wendy Saunders, Executive Services Coordinator

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Community - 1.2 Safe, active, vibrant and inclusive community - 1.2.2 Manage our road landscapes, urban areas and recreational environments to support our community's lifestyle, and to enhance the identity, special character and heritage of our region.

Background:

A petition has been received requesting consideration be given to installation of a bus stop in the vicinity of 611 Bargara Road, Bargara to service patients of Grace Family Practice.

Associated Person/Organization:

Mrs Deepa Preshy Varghese – Principal Petitioner

Attachments:

Nil

Recommendation:

That the petition be received and noted.

**Item****15 December 2020****Item Number:**

E1

File Number:

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Part:STRATEGIC PROJECTS &
ECONOMIC DEVELOPMENT**Portfolio:**

Executive Services

Subject:

Bundaberg AgTech Hub Consortium Arrangement with CQUniversity

Report Author:

Rolfe Ellem, Economic Development Officer Projects & Grants

Authorised by:

Ben Artup, Executive Director Strategic Projects & Economic Development Co-ordination

Link to Corporate Plan:

Our Community - 1.1 Economic growth and prosperity - 1.1.3 Proactively advocate, attract and support economic development related opportunities across the region, specifically targeting priority industries.

Background:

The Bundaberg AgTech Hub is one of Council's 29 advocacy priorities for 2020. It incorporates the Bargara Bundaberg AgTech Hub Site and the broader regional AgTech Initiative activities.

Council and CQUniversity are the founding partners of the Bundaberg AgTech Hub and propose to enter into a consortium arrangement to facilitate the development of a sustainable agtech ecosystem in the Wide Bay Burnett region under the Bundaberg AgTech Hub.

Council has repurposed its former administration building at Bargara for lease exclusively by agtech related organisations. The building is now referred to as the Bundaberg AgTech Hub site. Council proposes to maintain the building exclusively for this purpose.

CQUniversity has been awarded \$5 million under the 'Hinkler Regional Deal' to deliver the 'Hinkler AgTech Initiative'. CQUniversity is a lessee at the Bundaberg AgTech Hub Site and conducts operations from the site.

A core tenet of that arrangement is a financial co-contribution from both partners to the engagement of an AgTech Hub Manager over an initial 2-year period. Council has received a letter of support from CQUniversity committing to financial support.

While the consortium arrangement is not legally binding, CQUniversity have advised that their legal department will review the document, as did Council. That review will

not be completed until early 2021. Material changes to the agreement as a result of that review are not anticipated.

Additional funding avenues are also being investigated to increase funding for the Hub Manager position and related activities.

Associated Person/Organization:

CQUniversity

Consultation:

All Councillors

CQUniversity – Prof Phil Brown

Chief Legal Officer's Comments:

The consortium arrangement has been reviewed. The arrangement expressly states that the parties do not wish to be legally bound by any of the arrangements.

Policy Implications:

There appears to be no policy implications beyond those described in the background.

Financial and Resource Implications:

Chief Financial Officer has been consulted and identified the likely mechanism for securing the requisite funding.

Risk Management Implications:

The consortium arrangement between Council and CQU is not legally binding while the 2-year contract between Council and a potential AgTech Hub Manager will be legally binding. In the unlikely event the arrangement between Council and CQUniversity were to break down, this could result in Council being in a position where it may need to honor the financial obligations of the Hub Management contract without a financial co-contribution from CQU. This situation is mitigated by:

- CQUniversity has provided a formal Letter of Support to Council committing to financial support for the engagement of an AgTech Hub Manager.
- The relationship with CQUniversity is collegial and constructive. CQUniversity has been consulted extensively on all matters and has approved the funding arrangements by email correspondence.
- The consortium agreement stipulates a 3-month notice period prior to termination of the agreement by either party. The 3-month notice will be reflected in the Hub Management contract.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That the Chief Executive Officer be authorised to enter into a consortium arrangement with CQUniversity.

**Item****15 December 2020**

Item Number: E2	File Number: .	Part: STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT
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Portfolio:

Executive Services

Subject:

Memorandum of Understanding with Queensland Department of Education

Report Author:

Chris Sampson, Manager Strategic Projects

Authorised by:

Ben Artup, Executive Director Strategic Projects & Economic Development Co-ordination

Link to Corporate Plan:

Our Community - 1.3 An empowered and creative place - 1.3.2 Provide leadership in creative innovation and opportunities for learning and community social and cultural development.

Background:

Council previously complete a Feasibility Study on establishing a Challenger Learning Centre in Bundaberg. This study identified what a Challenger Centre is, what options existed for it to operate under and where it could be located in Bundaberg. Subsequently, Council developed a business case and concept design, which identified if a centre what it would cost to build and operate.

In consultation with regional Department of Education (DoE) staff, Council officers have drafted an MOU between DoE and Council to undertake the following:

- participate in a Project Coordination Group,
- investigate funding opportunities for the facilities construction and operation
- investigate DoE staff working from the facility
- investigate the incorporation of the Challenger Program into the education program ensuring it aligns with the Australian Curriculum

Associated Person/Organization:

State of Queensland acting through the Department of Education and represented by the North Coast Region.

Challenger Organisation

Consultation:

All Councillors

Chief Legal Officer's Comments:

An MOU is not legally binding but is a gesture of good faith between the parties.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

Financial and resource implications are subject to the terms and conditions to be negotiated in accordance with the MOU.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That the Chief Executive Officer be authorised to enter into a Memorandum of Understanding with the Queensland Department of Education to progress the development of the Bundaberg Challenger Learning Centre.

**Item****15 December 2020****Item Number:**

F1

File Number:**Part:**

FINANCE

Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 December 2020

Report Author:

Simon Muggeridge, Deputy Chief Financial Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.1 A sustainable financial position - 3.1.2 Apply responsible fiscal principles for sustainable financial management.

Background:

In accordance with section 204 of the *Local Government Regulation 2012*, a financial report must be presented to Council on a monthly basis. The attached financial report contains the financial summary and associated commentary as at 1 December 2020.

Associated Person/Organization:

N/A

Consultation:

Financial Services Team

Chief Legal Officer's Comments:

Pursuant to section 204 of the *Local Government Regulation 2012* the local government must prepare, and the Chief Executive Officer must present, the financial report. The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

[↓1](#) Financial Summary as at 1 December 2020

Recommendation:

That the Financial Summary as at 1 December 2020 be noted by Council.

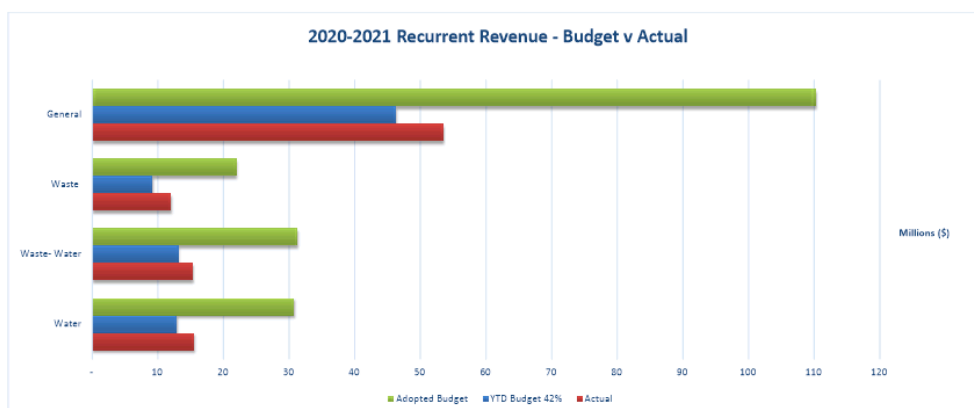
Financial Summary
as at 01 Dec 2020

	Council			General			Waste			Wastewater			Water		
	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud
Progress check - 42%															
Recurrent Activities															
Revenue															
Rates and Utility Charges	78,601,959	158,077,593	50%	41,868,113	83,461,322	50%	7,856,631	15,702,071	50%	14,849,193	30,238,858	49%	14,318,022	28,677,342	50%
Less: Pensioner Remissions	(846,620)	(1,713,674)	49%	(497,038)	(1,042,901)	48%	(120,554)	(228,169)	53%	(134,156)	(255,237)	53%	(94,872)	(187,367)	51%
	77,845,339	156,363,919	50%	41,171,075	82,418,421	50%	7,736,077	15,473,902	50%	14,715,037	29,981,621	49%	14,223,150	28,489,975	50%
Fees and Charges	12,270,392	23,576,503	52%	6,488,024	15,067,769	43%	4,158,911	5,971,134	70%	537,089	917,000	59%	1,068,368	1,820,600	67%
Interest Revenue	511,885	2,255,670	23%	43,735	785,338	6%	104,600	374,466	28%	107,806	394,114	27%	255,744	702,053	36%
Grants, Subsidies and Donations	5,026,648	12,177,757	41%	4,974,510	12,017,767	41%	52,138	160,000	33%	-	-	-	-	-	-
Sale of Developed Land Inventory	840,376	-	-	840,376	-	-	-	-	-	-	-	-	-	-	-
Total Recurrent Revenue	96,494,640	194,374,149	50%	53,517,720	110,289,285	49%	12,051,726	21,979,501	55%	15,359,932	31,292,735	49%	15,565,262	30,812,628	51%
Expenses															
Employee Costs	31,855,276	76,683,859	42%	24,375,562	59,384,503	41%	2,649,157	6,371,763	42%	2,373,881	5,576,413	43%	2,456,676	5,351,180	46%
Materials and Services	27,998,380	67,411,695	42%	16,637,974	39,598,624	42%	4,451,888	11,740,594	38%	2,630,724	7,075,701	41%	3,977,794	8,996,776	44%
Finance Costs	1,649,963	4,201,551	38%	900,000	1,531,258	39%	358,697	901,259	40%	603,322	1,808,563	38%	97,944	250,471	39%
Depreciation	21,385,455	51,245,441	42%	15,026,967	36,770,998	41%	627,101	1,621,162	39%	2,987,804	6,658,033	43%	2,883,783	6,195,248	46%
Total Recurrent Expenditure	82,889,074	199,632,546	42%	56,630,503	137,285,383	41%	8,086,843	20,634,778	39%	8,775,531	20,916,710	42%	9,396,197	20,793,675	45%
Operating Surplus	13,605,566	(5,258,397)		(3,112,783)	(26,996,098)		3,964,883	1,344,723		6,584,401	10,374,025		6,169,065	10,018,953	
Transfers to															
NCP Transfers	-	-	-	(6,594,471)	(15,826,731)	-	9,197	22,073	-	3,362,477	8,069,947	-	3,222,797	7,734,711	-
Total Transfers	-	-		(6,594,471)	(15,826,731)		9,197	22,073		3,362,477	8,069,947		3,222,797	7,734,711	
Movement in Unallocated Surplus	13,605,566	(5,258,397)		3,481,688	(11,169,367)		3,955,686	1,322,650		3,221,924	2,304,078		2,946,268	2,284,242	
Unallocated Surplus/(Deficit) brought forward	43,985,040	43,985,040		(24,947,334)	(24,947,334)		17,805,028	17,805,028		14,703,877	14,703,877		36,423,469	36,423,469	
Unallocated Surplus/(Deficit)	57,590,606	38,726,643		(21,465,646)	(36,116,701)		21,760,714	19,127,678		17,925,801	17,007,955		39,369,737	38,707,711	
Capital Activities															
Council Expenditure on Non-Current Assets	32,307,897	98,559,103	33%	23,673,167	75,273,768	31%	338,913	1,371,312	25%	534,048	3,109,765	17%	7,761,769	18,804,258	41%
Loan Redemption	3,133,631	7,509,801	42%	1,826,896	4,362,494	42%	290,945	700,376	42%	876,080	2,110,234	42%	136,910	336,697	42%
Total Capital Expenditure	35,441,528	106,068,904	33%	25,499,863	79,636,262	32%	629,858	2,071,688	30%	1,410,128	5,219,999	27%	7,901,679	19,140,955	41%
Cash															
Opening balance	136,689,730	136,689,730													
Movement - increase/(decrease)	4,758,058	(37,537,743)													
Closing balance	141,447,788	99,151,987													

Further to the Financial Summary Report as of 1 December 2020, the following key features are highlighted.

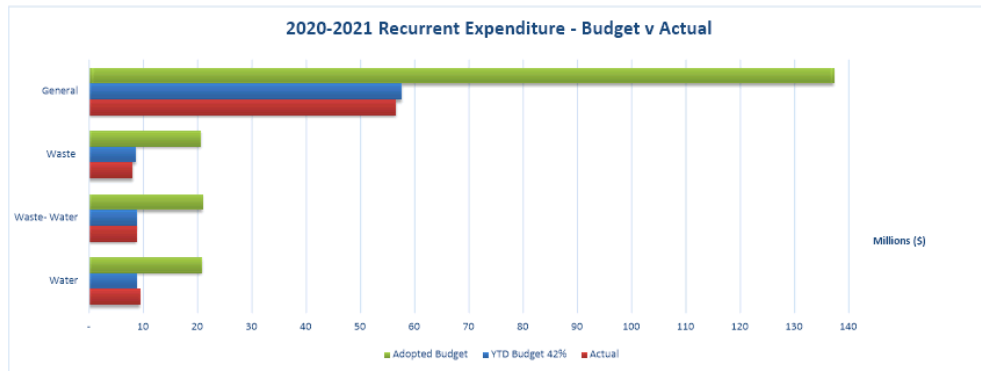
Recurrent Revenue

- Rates and Utility Charges have been levied for the first half year period and pensioner remissions applied. The levied amounts are consistent with the budget.
- Fees and charges are more than the year-to-date budget. There has been a considerable volume of commercial waste taken at landfill during the month of November. Development activity continues to contribute to increased fee income. Fees and charges will be monitored in the coming months with the opening of the remainder of Council facilities as well as changes in airline service offerings.
- Interest Revenue is lower than the year-to-date budget. Current investment rates continue to be at historic lows and the outlook in future earnings will be less than forecast.
- Grants, Subsidies and Donations are in accordance with the year-to-date budget. This reflects the payment cycle of many grants which are paid quarterly.
- Council has settled and has several unconditional contracts for parcels of Land Developed for Sale this financial year. These parcels relate to the Kinkuna Waters and Heritage Oaks developments. Council does not generally provide for an annual budget for these sales unless it has unconditional contracts at the time the budget is formulated. There are a number of conditional contracts for sales that are not reflected in the financial summary.



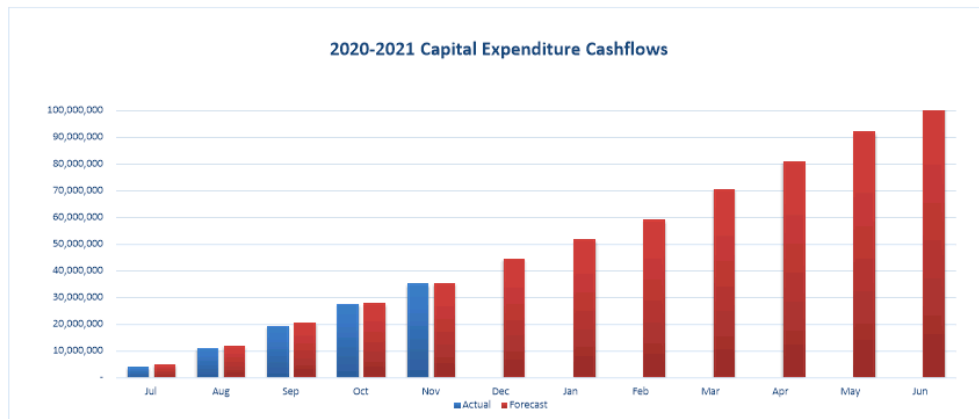
Recurrent Expenditure

- Employee Costs are tracking on budget. Employee costs will continue to be monitored with potential shifts in leave patterns the most likely variant in coming months.
- Materials and Services are tracking on budget. Timing in delivery of non-capital projects and one-off expenses are the main factors in variances throughout the year.
- Finance Costs are slightly lower than the year-to-date budget. The timing in the recognition of any bad debts can affect the level of finance costs across a financial year.
- Depreciation has been reviewed with the application of asset valuations in June last financial year. This has resulted in variances across the funds from budget.

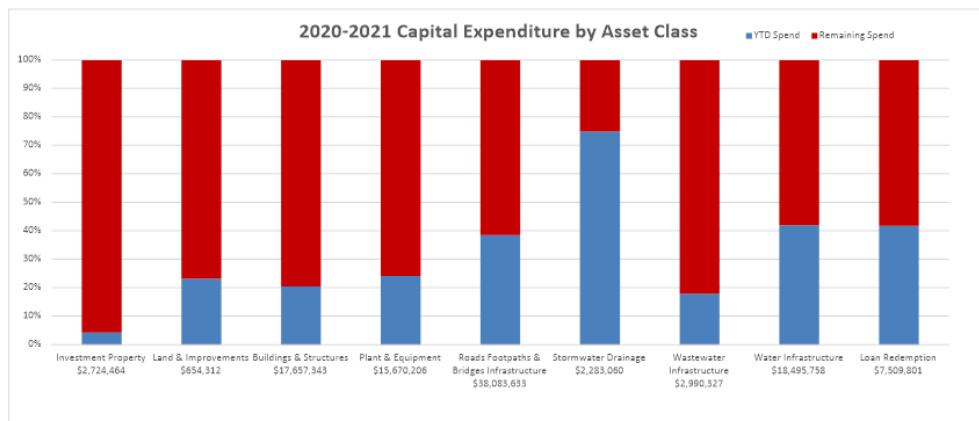


Capital Expenditure and Capital Grants

- Council has delivered 33% of this year's capital program which is in line with expected cashflows.



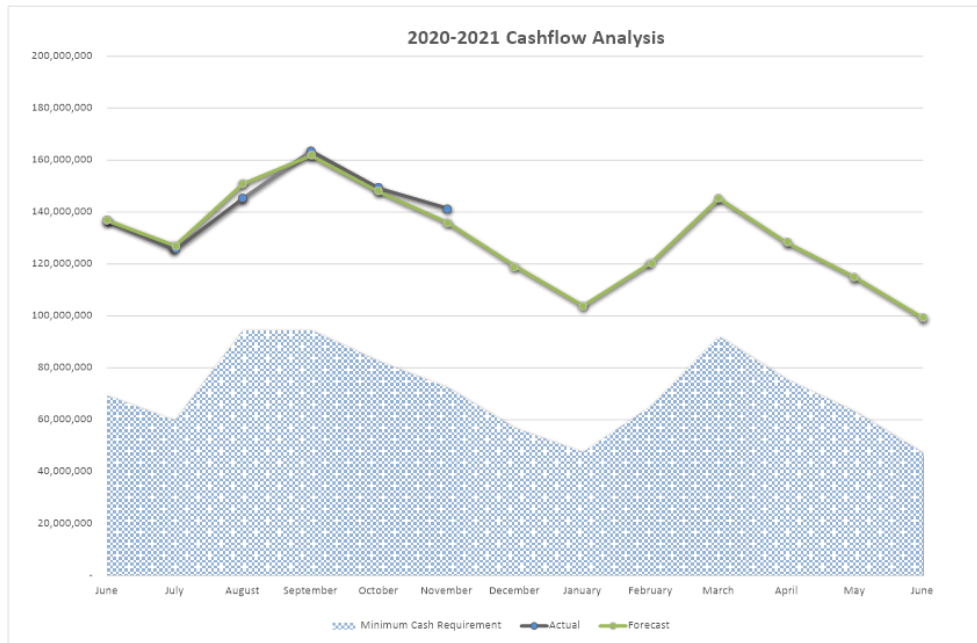
- The spend by asset class this financial year is shown below.



- Capital grants are on track with all milestones having been met. There is potential for variations to be sought in the coming months on some grant agreements to shift funding between projects.

Cash

- The cash balance as of 1 December 2020 was \$141.5 million, a decrease of \$7.7 million from the last report on 2 November 2020 reflecting the outgoings on operations and delivery of the capital program during the month.
- No short-term liquidity issues are foreseeable.
- The actual and forecast cash movement is shown below. The variance is primarily due to the increased inflow of fee income and proceeds from property sales.



Rates Debtor

- Rates outstanding on 1 December 2020 were \$8.6 million. Comparatively, this time last year the rates outstanding totalled \$5.6 million. It's expected that there will be an increase in rate payments with the rate balance attracting interest from the 1 January 2021.

Other Debtors

- Infringements outstanding total \$428,000 with the number of infringements increasing to 3,074. Parking infringements represent the majority of the infringements outstanding at around 50%. The remaining relate to local laws, environmental health and development compliance. Infringements continue to be recovered via the State Penalties, Enforcement Registry.
- Sundry Debtors outstanding for more than 90 days total \$283,000 across 60 accounts. The majority of debtors are recovered via internal resources. Where appropriate, debts are referred to Councils external agency for collection.

**Item****15 December 2020****Item Number:**

F2

File Number:**Part:**

FINANCE

Portfolio:

Organisational Services

Subject:

Debt Policy

Report Author:

Simon Muggeridge, Deputy Chief Financial Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.1 A sustainable financial position - 3.1.2 Apply responsible fiscal principles for sustainable financial management.

Background:

Pursuant to section 192 of the *Local Government Regulation 2012*, Council must adopt a Debt Policy for the financial year which outlines the proposed borrowings program of Council. A recent tender awarded for a key project resulted in a change in the project cost. It was determined the best funding strategy for this change was to borrow. Accordingly, the Debt Policy has been updated.

Associated Person/Organization:

Nil

Consultation:

Department of Local Government, Racing and Multicultural Affairs
Queensland Treasury Corporation

Chief Legal Officer's Comments:

Section 192 of the *Local Government Regulation 2012* requires Council to prepare and adopt a debt policy for a financial year. The debt policy details the new borrowings planned for the current financial year and the next 9 financial years and the period of which Council plans to repay existing and new borrowings. Given the proposed changes to the funding strategy for the tender award, the debt policy has been updated which is in accordance with best practice.

Policy Implications:

The policy must state the planned borrowings for the current financial year and the next 9 years and the term in which it plans to pay existing and new borrowings.

Financial and Resource Implications:

Council's budget and long-term financial forecast will be amended in January to accommodate the change in the borrowings program.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

[↓](#)1 CP-3-002 Debt Policy version 6

Recommendation:

That Council:

- 1. rescind CP-3-002 Debt Policy, version 5; and**
- 2. adopt CP-3-002 Debt Policy, version 6.**



HEAD OF POWER

- *Local Government Act 2009, section 104*
- *Local Government Regulation 2012, section 192*
- *Statutory Bodies Financial Arrangements Act 1982, section 32 to 41*
- *Statutory Bodies Financial Arrangements Regulation 2019, section 5 and schedule 2*

INTENT

The intent of this policy is to ensure Council is in compliance with its obligations under the *Local Government Regulation 2012*, to specify Council's strategy for the management of existing loans, its planned borrowings forecast for the next ten financial years, and the period over which borrowings plan to be repaid.

SCOPE

This policy applies to Executive Officers, Department Managers, Chief Financial Officer and Financial Services staff.

POLICY STATEMENT

1. Council will restrict borrowings to expenditure on identified capital projects that are considered by Council to be of the highest priority. These would be major projects, which cannot be fully funded by revenue, grants and/or subsidies.
2. Council will not place undue reliance upon loans as a source of capital funding in renewing assets.
3. Council will limit borrowings to fund infrastructure and buildings and structures that will generate significant economic benefits or generate income of net worth. The loan term will approximate the asset(s) useful life to a maximum of 20 years.
4. Where Council requires borrowings to fund other assets, such as plant and equipment, which do not provide significant economic benefits or generate income of net worth, the loan term will approximate the asset(s) useful life to a maximum of 5 years.
5. As planned borrowings are generally for infrastructure with a useful life greater than 20 years, any new borrowings from 1 July 2020, are expected to be repaid over the maximum allowable repayment term of 20 years.
6. Details of planned borrowings for the period 1 July 2020 through to 30 June 2030 are indicated in the schedule of future borrowings table below.

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Policy No. CP-3-002

Adopted Date: 15/12/2020 Version: 6

Responsible Department: Organisational Services

Page 1 of 2



Debt Policy

Schedule of Future Borrowings

Year and Purpose of Borrowing	Amount	Term
2020/21 Capital Works Program	\$3.00 million	20 years
2021/22 Capital Works Program	\$21.70 million	20 years
2022/23 Capital Works Program	\$25.90 million	20 years
2023/24 Capital Works Program	\$15.25 million	20 years
2024/25 Capital Works Program	\$5.50 million	20 years
2025/26 Capital Works Program	\$11.00 million	20 years
2026/27 Capital Works Program	\$9.00 million	20 years
2027/28 Capital Works Program	\$5.50 million	20 years
2028/29 Capital Works Program	\$13.00 million	20 years
2029/30 Capital Works Program	\$8.55 million	20 years

7. Existing borrowings are to be repaid under fixed terms in accordance with the Debt Policy and as per the relevant authority approval at that time.

ASSOCIATED DOCUMENTS

- Bundaberg Regional Council Long-term Financial Plan

DOCUMENTS CONTROLS

Council will review the policy annually and a new policy will be adopted by Council at the same time as its budget.

POLICY OWNER

The Chief Financial Officer, Financial Services is the responsible person for this policy.

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Policy No. CP-3-002

Adopted Date: 15/12/2020 Version: 6

Responsible Department: Organisational Services

Page 2 of 2



Item

15 December 2020

Item Number:

G1

File Number:

.

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Delegations Register Review

Report Author:

Amy Crouch, Governance Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus - 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Background:

In accordance with section 257 of the *Local Government Act 2009* (the Act) Council may, by resolution, delegate a power under this Act, or another Act, to the Mayor or the Chief Executive Officer.

The power to make a decision under legislation may be given to the 'local government' or 'Council' or 'the entity' and it is expected that Council exercises the powers. However, where a power is given in this way, Council can delegate the powers to its Chief Executive Officer, except for powers that require a resolution by Council. The Chief Executive Officer may then further sub-delegate to other positions of Council, with the exception where legislation specifically prohibits this.

Section 257(5) of the Act requires Council to review all delegations to the Chief Executive Officer at least annually. The Local Government Association of Queensland (LGAQ) Delegation Register service is updated by King & Company Solicitors during the two major Queensland Parliamentary recesses (summer and winter) when they can be confident there will be no changes to Acts.

Current review and updates

LGAQ provided an update November 2020 which has been reviewed by Governance and Legal Services and includes the following changes:

Changes of substance to existing registers:

- *Local Government Act 2009*
- *Local Government Regulation 2012*

The proposed inclusions to the existing Register of Delegations are provided in the attached document.

A copy of the current version of the register is available on Council's website: <https://formstmp.bundaberg.qld.gov.au/RG-1-001.pdf> should Councillors wish to review existing delegations.

Associated Person/Organization:

LGAQ

Consultation:

All Councillors

Chief Legal Officer's Comments:

The local government's powers are delegated in accordance with section 257 of the *Local Government Act 2009*.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

[↓1](#) Delegations Update - Council to Chief Executive Officer

Recommendation:

Pursuant to section 257 of the *Local Government Act 2009*, the "Register of Delegations – Council to the Chief Executive Officer" be varied to reflect the new and changed powers as outlined in the report and the table as appended to the report.

REGISTER OF DELEGATIONS – COUNCIL TO CHIEF EXECUTIVE OFFICER

Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	COMMENTS
1.	Chief Executive Officer	Power to appoint a qualified person to act as chief executive officer during: (a) any vacancy, or all vacancies, in the position; or (b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the chief executive officer's responsibilities.	Section 195	15-Dec-2020	New
2.	Chief Executive Officer	Power to enter into a written contract of employment with a councillor advisor (including agreeing to any variation to a written contract of employment).	Section 197A(3) and 197A(4)	15-Dec-2020	New
Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	COMMENTS
1.	Chief Executive Officer	Power, to end sale procedures at the earliest of the following: (a) Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to sell the land; or (b) the land has been sold; or (c) 1 year after the notice of intention to sell was given to the registered owner.	Section 141(3)	15-Dec-2020	Amendment
2.	Chief Executive Officer	Power to set a reserve price at the auction of the land for overdue rates and charges in accordance with section 143(1).	Section 143(1)	15-Dec-2020	Amendment
3.	Chief Executive Officer	Power, if the reserve price for the land is not reached at the auction, to enter into negotiations with any bidder who attended the auction to sell the land by agreement (for a price not less than the reserve price).	Section 143(2) and (3)	15-Dec-2020	Amendment
4.	Chief Executive Officer	Power, after the day of the auction, to decide to continue to offer the land for sale by another auction, or sale by negotiation.	Section 144(1)	15-Dec-2020	New
5.	Chief Executive Officer	Power to ensure that the price for land offered for sale by negotiation is at least: (a) the market value of the land; or (b) the higher of the following: (i) the amount of the overdue rates or charges on the land; (ii) the value of the land.	Section 144(7)	15-Dec-2020	New
6.	Chief Executive Officer	Power to prepare a shortlist of people from the persons who responded to the invitation for expressions of interest and to invite written tenders.	Section 228(7)	15-Dec-2020	Amendment
7.	Chief Executive Officer	Power to invite all persons who submitted a tender to change their tender to take account of a change in the tender specifications.	Section 228(8)	15-Dec-2020	Amendment
8.	Chief Executive Officer	Power to decide to accept a tender or not to accept any tenders it receives.	Sections 228(9) and (10)	15-Dec-2020	Amendment
9.	Chief Executive Officer	Power to put together an approved contractor list in accordance with section 231(4).	Section 231(4)	15-Dec-2020	Amendment
10.	Chief Executive Officer	Power to allow a person to take part in a meeting (Council or committee meetings) by teleconferencing and approve the teleconferencing arrangement.	Section 276(2) and (3)(b)		Removed
11.	Chief Executive Officer	Power to publish the notice mentioned in subsection (1).	Sections 277(1) and (2)		Removed

**Item****15 December 2020****Item Number:**

G2

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lots 13, 35 & 36 on SP205671 - Kinkuna Waters Estate

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus - 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Background:

Council is the freehold owner of Lots 13, 35 and 36 on SP205671, Kinkuna Waters Estate, Woodgate ('Lots'). Council has previously resolved to sell the Lots as they were surplus to Council's needs.

The Lots were previously offered for sale by auction at which the auction was not successful and the Lots were passed in. Council has received offers to purchase the Lots from separate individual Buyers. The offers to purchase the Lots presented by the Buyers to Council are for market value.

Associated Person/Organization:

N/A

Consultation:

N/A

Chief Legal Officer's Comments:

Pursuant to section 236(1)(a)(i) of the *Local Government Regulation 2012* (Qld), Council may apply an exception to the tender/auction requirement on the disposal of a non-current asset if the property has previously been offered by tender/auction.

This disposal must not be for less than market value.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council apply the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012 (Qld)* to the disposal of Lots 13, 35 and 36 on SP205671; and**
- 2. the Chief Executive Officer be authorised to enter into a Contract of Sale for each of Lot 13, 35 and 36 on SP205671 and attend to all items required to finalise the sale of the properties.**

**Item****15 December 2020****Item Number:**

H1

File Number:

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Part:

INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier - MetroCount ATLYST platform

Report Author:

Dwayne Honor, Branch Manager Engineering Services

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus
 - 3.2.5 Provide and review systems, programs and processes to ensure effective and efficient service delivery to meet community expectations.

Background:

MetroCount is an Australian company, based in Western Australia. Council utilises MetroCount traffic counters and classifiers to collate all traffic survey data. Recently MetroCount have developed an innovative tool called ATLYST.

ATLYST allows for the following functionality:

- Visualise data from multiple traffic monitoring sites on a map.
- Automated data validation and report generation.
- Timely export of data from every survey site into GIS formats.
- Easy download of spreadsheet and PDF data reports.
- Securely archives historical traffic data files.
- Easily share and receive traffic data from neighbouring Councils and Government organisations.

ATLYST is powered by and compliments MetroCount's MTE software, which Council already possess for our traffic count program. However, currently all data collected has to be entered manually into a spreadsheet after reports are generated via the MTE software. The numerous MTE data reports required are currently exported manually and individually.

ATLYST will provide a large saving in time for the file management and administration of our traffic count data. It will also provide our GIS department with a more efficient way of sourcing and accessing data to utilise in our GIS system, as well as providing

automated custom reports required for Grants Commission reporting. It also allows data to be safe from unauthorised or mistaken editing as all entry and export processes are automated.

Council's Road Corridor Management team have been trialling ATLYST free of charge for 5 months with successful results.

Associated Person/Organization:

MetroCount

Consultation:

Road Corridor Management Section, Engineering Services

Program Management Section, Engineering Services

GIS team, Information Services - For data structure, presentation and consolidation.

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

ATLYST subscription fees are based on the quantity of survey sites loaded into the platform on an annual basis. The subscription fees will be funded through the operational budget of the Road Corridor Management Section, Engineering Services.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- a) Council enter into an arrangement with MetroCount for subscription to ATLYST software without first inviting written quotes pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- b) this arrangement be made for an initial period from January 2021 – December 2023.**

**Item****15 December 2020**

Item Number:	File Number:	Part:
L1	522.2020.211.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

86, 87 and 88 Esplanade, Woodgate - Material Change of Use for Tourist Park (Extension)

Report Author:

Grant Barringer, Planning Officer

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.3 Sustainable built and natural environment - 2.3.3 Review and consistently enforce local laws, the planning scheme, and other associated environment and public health legislation to ensure they meet community standards.

Summary:

APPLICATION NO	522.2020.211.1
PROPOSAL	Material Change of Use for Tourist Park (Extension)
APPLICANT	Australian Tourist Park Management Pty Limited
OWNER	Australian Tourist Park Management Pty Limited
PROPERTY DESCRIPTION	Lot 30 on SP257628, Lot 1 on RP131730 and Lot 31 on SP111188
ADDRESS	86, 87 and 88 Esplanade, Woodgate
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Community Facilities Zone (annotated for Tourist Park) and Low Density Residential Zone.
OVERLAYS	Coastal Protection Overlay
LEVEL OF ASSESSMENT	Impact
SITE AREA	4.14 ha
CURRENT USE	Tourist Park and vacant balance land within the Low Density Residential Zone.
PROPERLY MADE DATE	17 September 2020
STATUS	The 35 business day decision period ends on 28 December 2020
REFERRAL AGENCIES	Not applicable
NO OF SUBMITTERS	22 properly made submissions
PREVIOUS APPROVALS	521.2020.148.1 322.2013.39576.1
SITE INSPECTION CONDUCTED	14 October 2020

LEVEL OF DELEGATION	C3
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1. INTRODUCTION

1.1 Proposal

The applicant seeks a Development Permit for Material Change of Use for a Tourist Park. The proposal involves the expansion of the existing NRMA Woodgate Beach Tourist Park in the balance area created under a recent development permit for reconfiguration (521.2020.148.1).

The proposal involves nineteen (19) additional caravan sites, two (2) freestanding ensuites measuring 6 metres x 2 metres which service proposed caravan sites 6 and 7 and 8 and 9 respectively, and an internal roadway. The ensuite structures are proposed 3 metres from the eastern property boundary with access via the western elevation only (plans suggest dual access however the applicant has indicated that the removal of this access should be undertaken on the approved plans). The proposal also includes a mini golf course in the North-western corner of the site fronting Acacia Street and 4 existing barbeque shelters throughout the site. This component of the proposal represents accepted development under the table of assessment and therefore is noted given it was a feature of the planning report and proposal plans.

The caravan sites measure 10 metres x 10 metres (except the 9 x 10 metre corner sites) and are accessed via a one-way internal road measuring 4 metres between site 1-5 and 10-14 and 5 metres wide between these link roads and the existing internal roadway.

The applicant has provided a 3 metres wide landscaped buffer along the southern and western property boundary (which has interface with Low Density Residential Zone land with dwelling houses sited (Lots 22 and 23 on RP895039 and Lot 2 and 3 on SP315551).

The applicant has proposed that access to the site will be via the main entrance on the Esplanade. The applicant has also proposed that access via Pine Court will be for emergency vehicles and maintenance vehicles only. However, it is noted that the application was not lodged over the access retention strip at the end of Pine Court (Lot 1 on SP111188).

1.2 Background

As discussed above, this application is subsequent to a development permit issued by Council on the 6 March 2020 (Council Ref: 521.2020.148.1) which gave conditional approval to realign the boundaries of Lot 30 on SP257628, Lot 1 on RP131730 and Lot 31 on SP111188.

The ensuing Survey Plan SP315551 was endorsed by Council's delegate on 1 September and was registered with the Titles office during the assessment of this application.

The metes and bounds of the proposed expansion now locate within the new lot (Lot 100 on SP315551).

In 2013, Council issued a development permit over the Tourist Park site for an increase for an additional 2 cabins and 16 caravan sites under Council Ref: 322.2013.39576.1. In 2019 a subsequent change application 526.2019.145.1 for the 2013 permit was issued and operational works for temporary stockpiling of spoil was issued in 2019 over Lot 30 on SP257628.

1.2 Site Description

The subject site with an area of 4.14ha is situated on the southern side of the Esplanade and is located approximately fifty (50) metres from Woodgate Beach. The site also has frontage to Acacia Street and Cassia Court with vehicle access via the Esplanade. The subject site is generally flat with a slight fall from the south-west to the north-east, contours on the property range from 4.5 metres to 5.5 metres. The site is improved by offices, cabins and associated infrastructure that forms part of the current Woodgate Beach Tourist Park facility. The subject site is zoned Community Facilities Zone (annotated as a Tourist Park) and Low Density Residential (the location of the proposed expansion).

The subject site is located approximately in the middle of the Woodgate settlement and adjoins:

- three Medium Density Residential zoned lots to the north-west, each currently used for single detached dwellings. These allotments have not been developed for medium density residential purposes (albeit a development application was lodged and withdrawn in 2008 for 69 units over Lot 1 on RP194402); and
- four Low Density Residential zoned lots to the south-east, including access restriction strip Lot 1 on SP111188.

The general area comprises mostly low scale residential dwellings and land zoned Environmental Management and Conservation and Open Space (Burrum Coast National Park) to the West.

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Zone Code: Low Density Residential Zone	Bundaberg Regional Council Planning Scheme 2015
Overlay Code <ul style="list-style-type: none"> • Coastal Protection Overlay Code • Flood Hazard Overlay Code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Community Activities Code • Relocatable Home and Tourist Park Code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Landscaping Code • Nuisance Code 	Bundaberg Regional Council Planning Scheme 2015

Benchmarks applying for the development	Benchmark reference
<ul style="list-style-type: none"> • Transport and Parking Code • Works, Services and Infrastructure Code 	
<p>Planning Scheme Policy</p> <ul style="list-style-type: none"> • Planning Scheme Policy for Development Works 	Bundaberg Regional Council Planning Scheme 2015

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

The application for a Tourist Park on the subject site is Impact Assessable and in accordance with section 5.3.3 (5), the proposal is required to be assessed against the whole of the planning scheme. Given the proposed development is located in the Low Density Residential Zone (expansion area) the following section of the scheme a highlighted section that have been identified as matters of interest in the assessment

Strategic Framework

The Strategic Framework sets the policy direction for the Planning scheme area and forms the basis for ensuring appropriate development occurs within the Planning scheme area for the life of the Planning Scheme. Section 3.3 (the Settlement Pattern Theme) of the Strategic Framework sets out keys concepts on how settle is guided and include (g):

Identified rural and coastal villages provide opportunities for additional services, facilities and residential development subject to demonstrated need and appropriate address of physical and environmental constraints.

The outcomes of the settlement pattern go further to promote villages (Woodgate) to be maintained as a small-scale village.

The theme seeks to protect villages and predominately low scale precincts from the intrusions of out of sequence development and inconstant built form outcomes. It also sets out the need to demonstrate how proposed uses are warranted based on the need for it.

The applicant prescribes in a response to submissions dated 18 November 2020 why there was need for the proposed 19 additional caravan sites. The response states that the caravan park has experienced a 50% increase in the demand for powered caravan sites at the establishment since 2017 (excluding the period of travel restrictions associated with the Covid-19 pandemic). The applicant has confirmed that the Tourist Park is regularly at full capacity during peak season and has experienced an increase demand on low or shoulder seasons. It is also noted that this Tourist Park is one of two in the Woodgate Village with the Woodgate Hotel at 195 Esplanade offering 27 caravan/ motorhome sites. This development is now operational and aligns with events occurring at the hotel on an irregular basis.

Element 3 of the theme, specifically 3.3.3.1(c), seeks infill development to occur in a compatible manner and in keeping with the prevailing character and amenity of any infill area. The proposed development is considered infill development given the

proposed expansions is located on balance land to the caravan park. The test against this element of the settlement pattern requires consideration of the proposed use, built form and context of the proposed use to surrounding land uses (in this case low density residential dwelling houses to the south and east of the expansion areas). Proposed built form associated with the proposal includes 2 x ensuites located 3 metres from the eastern boundary. These structures are approximately 300 mm above natural ground level and have an eave height of 2.170 (with a 10-degree roof pitch). All other associated fixed infrastructure associated with the expansion area are low rise in nature (water taps, power boards, internal roads).

Proposed sites 6-9 are located 5 metres from adjoining residential boundaries and proposed site 10-14 are located 7 metres from the boundary. The proposed separation of the sites and proposed interface treatments (including a three metre wide landscaped strip internal to the boundaries (Lots 22 and 23 on RP895039 and Lot 2 and 3 on SP315551) and an acoustic fence to these boundaries) are considered appropriate to achieve the specific outcomes of the settlement pattern theme.

Notwithstanding the Tourist Park occupancy fluctuations, the settlement pattern theme seeks to manage opportunities and growth for additional services where appropriate and where need dictates. Noting the increasing demand identified by the applicant in the response letter, the proposed expansion from a need's perspective satisfies the theme by providing additional services that are needed to provide for the increasing demand for powered caravan sites in the Woodgate locality without impacting of physical and environmental constraints. The scale of the proposal, in context to the village of Woodgate, also achieves the theme.

Relocatable Home Park and Tourist Park Code

The code seeks to ensure that Tourist Parks are appropriately located and designed in a manner which meets the needs of residents and visitors and protects the amenity of surrounding premises.

The tourist park site (inclusive of the proposed expansion area) measures 4.14ha, allowing the site to provide suitable levels of services and accessibility to the site. As a result, PO3 and AO3.1 are met.

The applicant has proposed an acoustic fence along the common boundaries of Lots 22 and 23 on RP895039 and Lot 2 and 3 on SP315551 to comply with PO4, which seeks amenity and landscaping outcomes to adjoining residential land uses. The proposed fence and landscaping strip meet the requirements of Acceptable Outcomes 4.1 and 4.2. The proposed expansion area does not include noisy activity attractors (such as pool or bbq shelters) and therefore the proposal complies with AO4.3.

The proposal complies with the sizing and locating of individual caravan sites and therefore achieves AO5.3 (excluding (a)) which seeks a 12 metres separation from an external road. Given the proposal includes proposed sites 13 and 14 within 7 metres of Pine Court it is appropriate to consider extending the barrier fence along the eastern property boundary to Lot 100 on SP149155. By doing so the reduced setback of the proposed sites to Pine Court will be managed to provide a reasonable level of privacy.

PO6 of the code seeks compatible residential density rates for tourist parks which are compatible with the preferred character of the locale.

The applicant has acknowledged that the proposed density is unable to meet the Acceptable outcome of 30 sites per hectare.

The additional 19 sites and 0.321 ha area take the overall tourist park to an area of 3.998 ha and a total number of 186 sites/cabins resulting in an increase in density to 46.5 sites/hectare. To compare density rates prior to the proposed density, rate the park had an area of 3.677 ha and a total number of 167 sites/cabins resulting in a density of 45.4 sites/hectare.

Noting the proposed increase of 1.1 sites/ hectare, the proposed buffering treatments, the layout of the expansion area (compliant setbacks to residential uses) and exclusion of noisy activity attractors into the site, the proposed minor density increase is considered unlikely to adversely impact on the preferred character, particularly given the low rise built form outcomes of the proposed site as discussed earlier and the density of sites within the existing approved tourist park.

It is considered that the proposed development demonstrates compliance with the applicable performance outcomes and broader overall outcomes of the code.

Low Density Residential Code

The purpose of the Low Density Residential Code is to provide for a variety of dwelling types and community uses, small-scale services, facilities and infrastructure to support local residents.

A Tourist Park (under table SC1.1.1.2- Defined activity groups) is included in the residential activities group. Given this, for the purpose of this assessment the proposed use is a residential use.

The purpose and overall outcomes of the code, section 6.2.1.2 (2)(b), sets out commentary around the preferred and predominate type of residential developments to be located in the Low Density Zone. It confirms that the predominate development type is dwelling houses and dual occupancies, with limited other residential activities being established in the zone, subject to the proposed scale and intensity being compatible with the residential amenity and character of the area.

Performance Outcome 8 (PO8) also seeks development to maintain a high level of residential amenity and avoids or mitigates potential adverse impacts to the locale. Items in the performance outcomes that guide compliance with the code are matters such as hours of operation, generation of odour, noise, waste products, dust, traffic, electrical interference, lighting, visual and privacy impacts.

The proposed layout of the 19 caravan sites and ensuites (x2), their compliant separation to sensitive land uses (under the Relocatable Homes Park and Tourist Park Code provisions) and the proposed low rise built form of the development lend itself to achieve the Performance Outcomes and overall outcomes of the code. Additionally, fencing outcomes are likely to be conditioned to appropriately manage offsite impacts associated with amenity and potential noise impacts. The fence will also serve as a barrier for the restriction of traffic from Pine Court.

Roadworks and Access

Pine Court

The application as lodged included commentary and notes on the plan that access for emergency vehicles and maintenance vehicles associated with the Tourist Park would access a gate at the end of Pine Court. An access retention strip exists at the end of Pine Court between the road reserve and the subject site (Lot 1 on SP111188).

Notwithstanding the request, officers hold the view that there is sufficient access outcomes for the proposed development via the Esplanade.

The application did not apply over this lot and therefore cannot be considered as part of the assessment nor allow access over the strip for the purpose of the proposed development.

As such, a condition restricting access via Pine Court has been included in the recommendation.

Roadwork - Esplanade

The road hierarchy identifies the Esplanade as a Collector road (Neighbourhood). This is best representative of BRC standard drawing R3002 being a township collector road.

The existing impromptu carpark off the Esplanade that allows parking and manoeuvring area straddling the road boundary is historical and not unique. Discussions with the Councils Road Corridor manager confirmed infrastructure have no desire to change the status quo in this area for this relatively minor increase in demand (167 site to 186 sites).

The applicant also confirmed that it has an online check in system that allows users of the tourist park to access the allotted site directly upon arrival rather than stopping at the front office (parked on the road reserve). At the time the application was lodged the applicant confirm that 23% of visitors used this service and it was increasing in popularity and users since inception.

Officers have considered the appropriateness of the existing roadway for the locale against the proposed increase in use and conclude that the existing infrastructure outcome meets the codes outcomes given its fit for purposes, safe and efficient for the intended increase. The current arrangement was also identified to satisfactorily control and offsite impacts.

Roadwork – Acacia St

Acacia Street is remote from the area subject of this development application. The application does not trigger any need to consider upgrades to this street.

Storm Tide Inundation Area

Parts of the subject site are located in the identified Flood Hazard Overlay area and are also identified as being affected by Storm tide. Proposed sites 1,14,15 and 6-9 inclusive all have identified storm tide inundation.

Performance Outcome 4 of the Flood Hazard Management Code seeks development to be sited and designed such that potential risk to people and damage to property on the site is avoided or minimised. The applicant has prescribed in the planning report that the proposed layout and required operational work associated with the internal roads will cater for the storm tide. The applicant has also confirmed that a condition requiring an amended emergency evacuation plan is reasonable and relevant.

Noting the above, and taking reference from the overall outcome (specifically 8.2.8.2 (2)(b) which states that development in areas identified in storm tide inundation is compatible with the nature of the hazard, the proposed use (relocatable caravans) complies with the code.

Public Notification

Twenty-six (26) submissions were received during the public notification stage. Twenty-two (22) submission were considered properly made under section 53(4) of the *Planning Act 2016*. All submissions raised objections to the proposed development. The following matters were raised by submitters:

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Public Notification</u></p> <p>Public Notification was not undertaken in accordance with the Planning Act 2016 (not placed correctly)</p>	<p>The applicant has provided a notice of compliance of public notification to Council to the 26 October 2020. The applicant refutes the comment that it was not undertaken correctly. The submission was properly made and received by Council which indicates that it did not prejudice the ability for submission to be received by Council as a result of notification.</p>
<p><u>Shortage of Amenities</u></p> <p>The proposed Tourist Park expansion has inadequate amenities</p>	<p>The proposed ensuites are proposed exclusively for use by sites 6 – 9. The villas, safari tents and cabins all have their own bathrooms. The remaining park and proposed sites 1-5 and 10-15 will utilise the existing communal facilities which have sufficient capacity to cater for the number of sites.</p> <p>All proposed sites are all within 100 metres of the communal facilities as per Acceptable Outcomes 10.1 of the Relocatable Home Park and Tourist Park Code.</p>
<p><u>Commercial use of Residential Land</u></p> <p>The proposed development is commercial in nature and should not be support in a Low Density Residential Zone</p>	<p>The proposed development is not for a commercial use. A tourist park is defined as a residential activity under table SC1.1.1.2- Defined activities group within the Bundaberg Council Planning Scheme 2015. The use of the land for residential purposes is consistent with the planning intent for the land.</p>
<p><u>Standard of the Esplanade (road)</u></p> <p>The proposed development needs to trigger the upgrade of Esplanade entrance to a higher standard</p>	<p>Following assessment of the likely traffic increase associated with the additional 19 caravan sites, it was concluded that the roads surrounding the development have adequate capacity to service the proposed minor expansion.</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Need/ Demand</u></p> <p>The proposed expansion of the site is not needed noting the number of sites already on offer</p>	<p>The application material includes information about peak periods being booked out and low and shoulder seasons increasing in popularity. Broadly speaking, the strategic framework supports the provision of additional low scale, short term accommodation within the Woodgate locality.</p>
<p><u>Density</u></p> <p>The proposed density of the Tourist park exceeds the Acceptable Outcomes of 30 sites /ha</p>	<p>The proposed ratio of sites within the tourist park will increase by 1.1 site per hectare as a consequence of the proposed 19 sites (going from 45.4 to 46.5 sites/ha).</p> <p>Although over the Acceptable Outcome, the proposed mitigation measures (landscaping/ acoustic fencing, separation to caravan site etc) are considered sufficient to mitigate any potential impacts generated by the expansion and will satisfy the code and broader planning scheme criteria.</p>
<p><u>Impact to residential amenity</u></p> <p>The proposed use is too close to low density residential uses</p>	<p>Officers conclude that the proposed low scale-built form, coupled with the compliant setbacks of caravans site to adjoining residential zoned allotments provided sufficient grounds to conditionally support the proposed use.</p> <p>Conditions that would result in compliance with relevant benchmarks include landscaping and fencing conditions coupled with the requirement to undertake a noise and environmental impact report to determine, recommend and deliver on the recommendations of the report.</p> <p>Officers also consider access restriction to Pine Court appropriate. This will remove interface issues and traffic/pedestrian impacts to that road reserve and catchment.</p>

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	2 December 2020

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Not Applicable

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 15 business days from 30 September 2020 until 23 October 2020. The Applicant submitted documentation on 26 October 2020 advising that public notification had been carried out in accordance with the *Planning Act 2016*. Council received twenty-two (22) properly made submissions in relation to this development application during this period. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 3 December 2020.

The Applicant submitted representations to Council on 4 December 2020 relating to the following draft conditions:

- Condition 8 (Approved Plans)- The applicant submitted amended plans which satisfied the condition that read:
Submit to and have approved by the Assessment Manager amended plans and/or documents which incorporate the following:
 - a. Revised ensuite plans to remove the eastern elevation access
Once approved, the amended plans will form part of the Approved plans.
- Condition 22 (Lighting) - The applicant sought to delete the condition as it required lighting to be undertaken in accordance with a lighting plan that isn't required.
- Condition 35 (Stormwater) - The applicant sought an amendment to the condition that specifically reference the extension area only.

After a review of the submitted representations, the following conditions have been amended:

- Condition 8 (Approved Plans) - Deleted
- Condition 22 (Lighting) - Deleted
- Condition 35 (Stormwater)- Amended to include the words "*of the additional 19 caravan sites as shown on Proposed Boundary Realignment and Material Change of Use Plan, prepared by Integrated Sit Design Dwg No: WB-01*"

7. REASONS FOR DECISION

The reasons for this decision are:

- The development is consistent with the strategic framework of the Bundaberg Regional Council Planning Scheme 2015 V5.0;
- The development complies with, or can be conditioned to comply with, the relevant applicable assessment benchmarks;

- The proposed development is considered to be a complementary use to the existing uses approved on the subject site (Lot 100 on SP215551).
- The proposed development can be adequately serviced by an appropriate level of infrastructure.
- The proposal does not compromise the function or viability of the existing village of Woodgate;
- The development proposes minimal built form and incorporates features that will mitigate any potential impact on adjoining premises, or can be conditioned to do so; and
- The development will provide additional tourist accommodation within the Woodgate township, which in turn helps to support the ongoing viability of local business in a way that is consistent with the planning intent for this locality.

Findings on material questions of fact

- The subject site is located in the Low Density Residential Zone of the Bundaberg Regional Council Planning Scheme 2015.
- A previous approval over the site was issued for Reconfiguring a Lot which included the expansion area on the Tourist Park Lot, now described as (Lot 100 on SP215551).
- An existing Tourist Park locates on the subject site.
- Bundaberg Regional Council, as the statutory Assessment Manager, undertook assessment of the development application against the benchmarks of the Local categorising instrument.

Evidence or other material on which the findings were based

- The development application;
- The previous development permits issued over the site, namely Development Permit References: 5221.2020.148.1 and 322.2013.39576.1
- The Bundaberg Regional Council Planning Scheme 2015 V5.0;
- The *Planning Act 2016*;
- The *Planning Regulation 2017*; and
- State Planning Policy 2017.

Attachments:

- ↓1 Locality Plan
- ↓2 Site Plan
- ↓3 Approval Plans
- ↓4 ICN

Recommendation:

That the Development Application 522.2020.211.1 detailed below be decided as follows:

1. Location details

Street address:	86, 87 and 88 Esplanade, Woodgate
Real property description:	Lot 30 on SP257628, Lot 1 on RP131730 and Lot 31 on SP111188
Local government area:	Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use (Tourist Park- Extension)

3. Decision

Decision details:	Approved in full with conditions. These conditions are set out in <u>Schedule 1</u> and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.
-------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material Change of Use				
Site Plan- MCU	InsiteSJC	Aug 2020	GC18-324-Site	Sheet 1 of 2
Site Plan- MCU	InsiteSJC	Aug 2020	GC18-324-Site	Sheet 2 of 2

Proposed Boundary Realignment and Material Change of Use Plan	Integrated Site Design	Aug. 2020	WB-01	
Twin ensuites floor plan	Raymond Design		WFY21	ens-01
Twin ensuites elevation and section	Raymond Design		WFY21	ens-02

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Darren Hull	7 Pine Court, Woodgate	darrenhull@hotmail.com
Lynette Taylor	5 Wattle Street, Woodgate	
Margaret Jolly	PO Box 28, The Gap	margaret@margaretjolly.com.au
Mick Gimaj	8 Wattle Street, Woodgate	minogi7@gmail.com
Robert Taylor	78 Straits Outlook, Craignish	rbw3t@outlook.com
Wendy Taylor	6 Pine Court, Woodgate	wat02@bigpond.com
P & M Cocking C/- Angello Olliaro	56 Honiton Street, Hervey Bay	aoliaro@bigpond.net.au

Clifford Vacher	85 Esplanade, Woodgate	cliffvacher@icloud.com
Coral Vacher	85 Esplanade, Woodgate	cliffvacher@icloud.com
Code Projects Pty Ltd C/- Matt Wheal	31 Ormonde Road, Yeronga	matt@codeprojects.com.au
Diana Lessels	3 Pine Court, Woodgate	dianalessels1@westnet.com.au
Kemsley Kelly	101/682 Rode Road, Chermside	kemsleykelly@bigpond.com
Patrick & Michelle Cocking	8 Pine Court, Woodgate	sheli71@hotmail.com.au
Lyn & Desley Bartlett	6 Macadamia Court, Woodgate	
Matthew Stokes	1 Pine Court, Woodgate	mstokes@gmail.com
Tony & Sue Zocchi	PO Box 310, Woodgate Beach	suezoc@gmail.com
Jenny Tobin	2 Pine Court, Woodgate	bluffview17@bigpond.com
Mr & Mrs Martell	2 Macadamia Court, Woodgate	
Sharon Davis	1/23 Barrmundi Drive, Woodgate	shazpaul2010@gmail.com
John Kingston	79 Knockroe Road, Childers	
Tanya Bedrow	17 Banksia Court, Woodgate	bedrowbt@bigpond.com
Peggy Harkin	84 Esplanade, Woodgate	vipoutlet@bigpond.com

8. Referral agencies for the application

Not applicable

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the *Planning Act 2016*

There are no agreements about these matters.

11. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

Condition/s	Provision under which the condition was imposed
30, 31, 34	Section 145 – Non-trunk Infrastructure
N/A	Section 128 – Trunk Infrastructure

12. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

NO.	CONDITION	TIMING
GENERAL		
1.	Comply with all conditions of this development approval and maintain compliance whilst the use continues.	At all times unless otherwise stated
2.	Where there is any conflict between the conditions of this Development approval and details shown on the Approved plans, the conditions prevail.	At all times
3.	The full cost of all work and any other requirements associated with this development must be met by the developer, unless specified in a particular condition or Infrastructure agreement.	At all times
CONSTRUCTION MANAGEMENT		
4.	Unless otherwise approved in writing by the Assessment Manager, ensure no audible noise from building work is made: a. on a business day or Saturday, before 6:30am or after 6:30pm b. on any other day, at any time.	At all times during construction
5.	Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.	At all times during construction
6.	Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction.	At all times during construction
BUILDING SETBACKS		
7.	The approved ensuites as identified on the approved plans must be sited a minimum of 3 metres from the north-eastern property boundary adjacent to Lots 2 and 3 on SP315551, with all setbacks measured from the outermost projection of the building.	At all times
FLOOD MANAGEMENT		
8.	Locate all electrical and data equipment, including switchboards, power points, and light switches, above the defined flood level.	Prior to the commencement of the sue and then to be maintained

9.	<p>Prepare and submit for approval to the Assessment Manager a Flood evacuation plan. The plan must demonstrate how people may be evacuated from the site to a safe gathering point above the defined flood level and must include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. the defined flood level for the site b. the height at which the property is inundated by the storm tide inundation c. the evacuation route from the property to an approved evacuation centre/point and the method by which staff and patrons will be transported d. the estimated time required to reach the designated evacuation centre/point e. the forecast event at which to evacuate f. the appointment of a site Flood coordinator who will distribute information to staff g. procedures for assisting those with a disability or who do not speak English h. a contact information collection process for all current staff i. a plan showing primary and secondary evacuation routes and assembly areas for the building 	Prior to the commencement of the use
10.	Ensure the Manager/Operator of the facility has access to, and a detailed understanding of, their obligations/requirements under the Approved flood evacuation plan.	At all times
11.	Display in prominent locations throughout the site floor plans showing evacuation routes and exits.	At all times
EXTENT OF THE APPROVED USE		
12.	Ensure the development is limited to 186 sites with a maximum of 19 sites located within the proposed extension area on Plan Number GC18-324- Site prepared by Insite SJC dated Aug.2020.	At all times
13.	The proposed ensuites in the extension area are only to be used for guests associated with sites 6-9 (inclusive) only.	At all times
14.	The Tourist Park must at all times operate under the supervision and management of a Tourist Park manager. The Tourist Park manager is to be familiar with the relevant development permit conditions relating to the site and ensure compliance with conditions at all times.	At all times

AMENITY		
NOISE		
15.	Submit a noise and environmental impact assessment report to the assessment manager for approval. The report must demonstrate how noise levels from Pine Court will achieve the acoustic environment and acoustic quality objectives for sensitive receiving environments set out in the Environment Protection (Noise) Policy 2008.	Prior to the commencement of the use
16.	Implement the recommendations of the approved noise and environmental impact assessment report to the satisfaction of the Assessment Manager.	Prior to the commencement of the use and then to be maintained
17.	Submit to the Assessment Manager certification from a suitably qualified person confirming the recommendations of the approved noise and environmental impact assessment report have been complied with.	Prior to the commencement of the use
AMENITY		
LIGHTING		
18.	Design and install all external lighting in accordance with <i>AS4282 – Control of the obtrusive effects of outdoor lighting</i> so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.	Prior to the commencement of the use and then to be maintained
19.	Design and install all external lighting to be the most energy efficient, dark sky compliant (which prevents the light from escaping upward and direct light down and away from the foreshore) and amber lighting available in the National Electricity Market Load Tables for Unmetered Connection Points (AEMO 2015).	Prior to the commencement of the use and then to be maintained
20.	Design and install internal lighting to be shaded through glass tinting on all windows facing or seen from the foreshore with a transmittance value of 45% or less.	Prior to the commencement of the use and then to be maintained
AMENITY		
DUST		
21.	Ensure dust emissions do not result in levels at sensitive land uses which exceed the Air quality objectives set out in the Environmental Protection (Air) Policy 2008 and do not cause environmental nuisance by dust deposition.	Prior to the commencement of the use and

		then to be maintained
22.	<p>In the event of a complaint about dust or airborne nuisance emanating from the site, if it is determined by the Assessment Manager that the complaint is substantiated, the proprietor must submit to the Assessment Manager and have approved an Airborne Nuisance Management Plan which prescribes actions to be taken to immediately suppress dust/airborne nuisance and to also provide a long term preventative solution. An Airborne Nuisance Management Plan must address at least, but not be limited to, the following matters:-</p> <ol style="list-style-type: none"> identification of potential sources and activities which cause, or have potential to cause, dust and/or airborne nuisance; the control or abatement measures that will be undertaken to immediately reduce airborne dust/pollution to acceptable levels; and the longer-term measures and strategies that will be implemented to alleviate sources of dust and/or airborne nuisance. 	At all times
LANDSCAPING		
23.	Provide landscaping strips with a minimum width of 3 metres within the site boundaries as identified on the approved plan.	Prior to the commencement of the use and then to be maintained
24.	<p>Landscape the site in accordance with the approved plans. Landscaping must:</p> <ol style="list-style-type: none"> consist of permanent garden beds planted with trees and shrubs, with particular attention to the street frontage(s) of the site include species recognised for their tolerance for low water conditions be provided with a controlled underground or drip watering system. Any such system is to be fitted with an approved testable backflow prevention device <p>Note: <i>Council does not require the submission of an Operational works development application for landscaping that is nominated as Accepted development where the works comply with the nominated requirements for Accepted development.</i></p>	Prior to the commencement of the use and then to be maintained

25.	<p>Provide certification from a Landscape Architect or other suitably qualified person that the landscaping has been constructed and established in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager.</p> <p>Note: <i>Council does not require the submission of an Operational works development application for landscaping that is nominated as Accepted development where the works comply with the nominated requirements for Accepted development.</i></p>	Prior to the commencement of the use and then to be maintained
26.	<p>Construct and maintain a 2 metre high solid scree fence along the Northern and Eastern boundary on the extension area nominated on Site Plan- MCU- Ref: GC18-324- Site dated Aug. 2020.</p> <p>The fence must be extended to the north western corner of Lot 24 on RP895039.</p> <p>Note: This fence must represent the minimum standard for fencing as a consequence of any recommendation born by the required noise and environmental impact assessment report.</p>	Prior to the commencement of the use and then to be maintained
27.	Access via Pine Court is prohibited	At all times
WASTE MANAGEMENT		
28.	Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.	At all times
29.	<p>Prepare and submit for approval to the Assessment Manager a Waste management plan in accordance with the applicable Planning Scheme codes and the Planning scheme policy for waste management. The plan is to include, but not be limited to, the following:</p> <ol style="list-style-type: none"> a. the waste management process, including the type and size of refuse bins to be utilised (eg 240 litre mobile garbage bins, 1 m³ bulk bins) for general waste and recycling b. the location of bin storage areas and collection points c. how waste collection vehicles will be able to safely and effectively access bins d. if bins are to be collected from the kerbside, demonstrate that this location has the capacity to adequately contain the maximum number of bins to be collected on collection day 	Prior to the commencement of the use and then to be maintained

	Activity is at all times required to comply with the approved Waste management plan.	
WATER		
30.	Provide a metered service, and internal infrastructure as required, to satisfy the fire fighting and water supply demands of the development.	Prior to the commencement of the use and then to be maintained
SEWERAGE		
31.	Make provision for sewerage connection suitable to meet the requirements of the development. All live sewer work, including installation of any new point of connection, must be undertaken by Council.	Prior to the commencement of the use
32.	All sewerage infrastructure must be clear of all proposed and existing buildings. If new sewerage infrastructure is required, detailed design must be determined as part of an application for Operational Works.	Prior to the commencement of the use
STORMWATER		
33.	<p>Submit a Site Based Stormwater Management Plan (SBSMP) for the development of the additional 19 caravan sites as shown on Proposed Boundary Realignment and Material Change of Use Plan, prepared by Integrated Sit Design Dwg No: WB-01 to the Assessment Manager for approval prior to commencement of works. The SBSMP must be prepared by a suitably qualified person and include, but is not limited to:-</p> <ul style="list-style-type: none"> a. a summary of stormwater quality, quantity and waterway corridor management objectives. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, ie, a piped system with a capacity to cater for Q5 ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI less piped flow; b. a description of those Stormwater Quality Best Management Practices (SQBMPs), stormwater quantity management measures, and waterway corridor protection measures that have been selected for the site for the operational phase; c. SQBMPs that have been selected for the site during the construction and operational phases 	Prior to the lodgement of operational works application

- (focusing on erosion and sediment controls and including an Erosion and Sediment Control Plan);
- d. site plans showing key features (e.g. drainage pathways) as well as the location of the items identified for the development in (b) and (c);
- e. identifies proposed lawful points of discharge, easements and any land dedications for drainage reserves;
- f. a program indicating the timing and sequence of installation of the items identified in (c);
- g. responsibilities for installation, inspection, maintenance and decommissioning of the items identified in (b) and (c);
- h. an inspection and maintenance program for the abovementioned measures;
- i. Maintenance Plans for large structural Stormwater Quality Improvement Devices whether on private or Council land;
- j. a simple audit program to check the installation and maintenance of SQBMPs that have been selected for the site during the construction phase;
- k. a description of how records are to be kept on site performance (including incidents, complaints, etc);
- l. emergency procedures to protect stormwater quality (eg how to manage the collapse of a sediment basin or burst hydraulic hose); and
- m. training requirements for construction and maintenance personnel (including an onsite induction program).

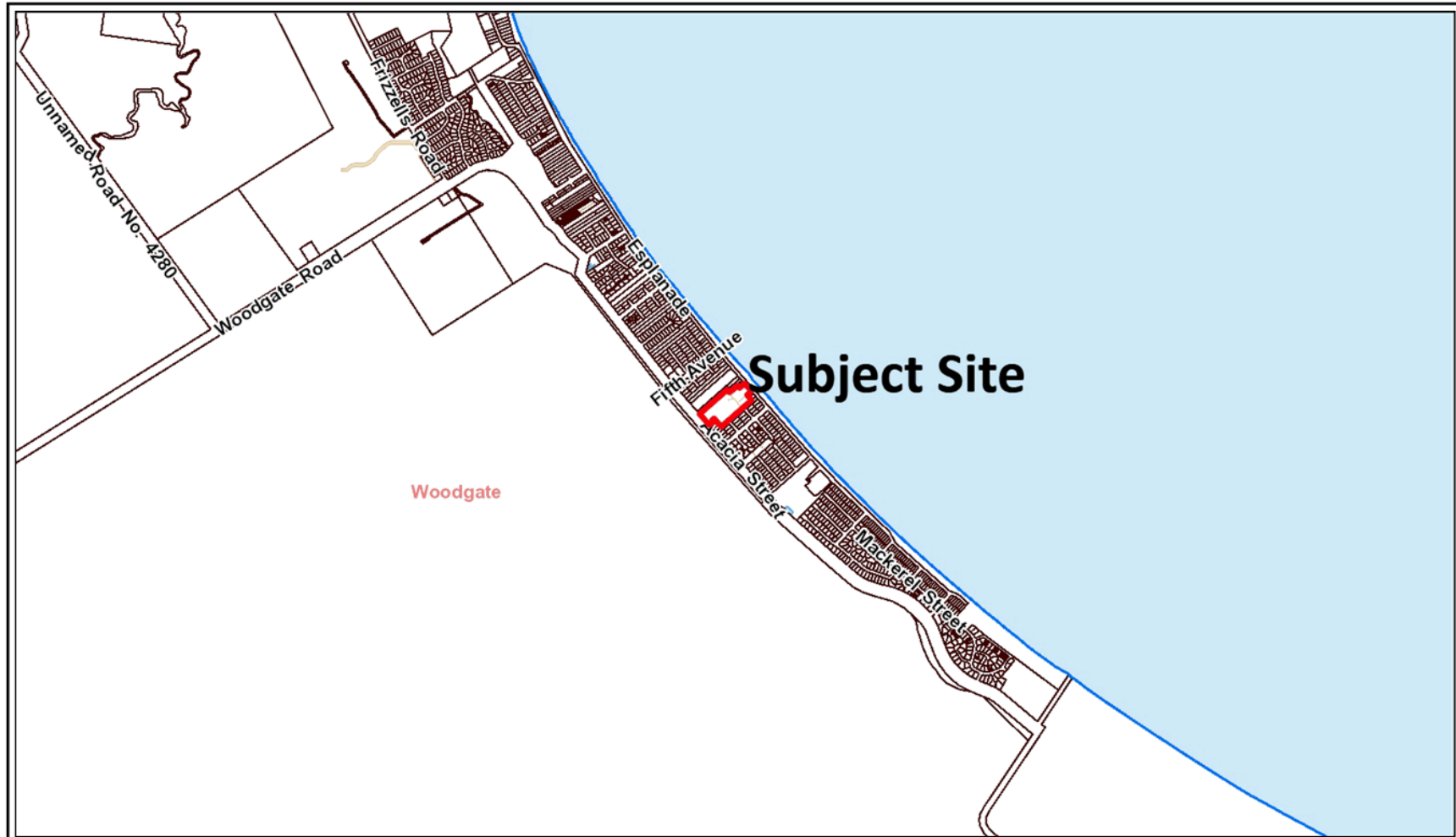
When approved, the Site Based Stormwater Management Plan will form part of the Approved Plans for this development.

- | | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 34. | Undertake the stormwater management on site in accordance with the approved SBSMP, including the construction of any necessary works. | Prior to the commencement of the use and then to be maintained |
| 35. | Provide certification from a Registered Professional Engineer Queensland (RPEQ) that stormwater management has been undertaken on site in accordance with the conditions of this approval, the approved SBSMP, and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the stormwater management where the works are certified by a RPEQ. | Prior to the commencement of the use |

PART 1B – ADVICE NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE CHARGES		
1.	Infrastructure charges notice (331.2020.1215.1) applicable to the development is attached to this Development approval.	At all times
RATES AND CHARGES		
2.	In accordance with the <i>Planning Act 2016</i> , all rates, charges, or any expenses being a charge over the subject land under any Act must be paid prior to the Plan of Subdivision being endorsed by the Assessment Manager.	Prior to the commencement of the use
ENVIRONMENTAL HARM		
3.	The <i>Environmental Protection Act 1994</i> states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction, and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil, or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.	At all times
FENCES		
4.	Should timber be used in the noise barrier fence construction, the minimum paling thickness must be 16 mm. For 100 mm wide palings, a minimum overlap of 35 mm is required. Posts must be treated to H4 hazard and spaced at 1.5 m to 3 m intervals. Top, middle, and	Prior to the commencement of the use and then to be maintained

	bottom railings are required. As the railing will be in contact with the ground, it must be treated to H4 hazard standard. There must be no gaps in the noise barrier fence, at the contact between the noise barrier fence and the ground and between the noise barrier fence and any other structure. Railings must be placed on the elevation internal to the lot.	
ABORIGINAL CULTURAL HERITAGE		
5.	All development should proceed in accordance with the Duty of care guidelines under the <i>Aboriginal Cultural Heritage Act 2003</i> . Penalties may apply where duty of care under that act has been breached.	At all times
NATURE AND EXTENT OF THE APPROVED DEVELOPMENT		
6.	This decision notice does not represent an approval to commence Building work.	At all times
SUBMISSION OF AMENDED PLANS FOR APPROVAL		
7.	The conditions of this Decision notice require submission of amended plan(s) or report(s) to the Assessment Manager. Address the amended documents to the Assessment Manager and reference 522.2020.211.1. To avoid delays and assessment issues with the Operational works application, it is recommended the amended documents be submitted prior to lodgement of any Operational works application.	
FLOOD EVACUATION PLAN		
8.	In order to protect and/or minimise the damage to property and aid in business continuity post-flood, a flood preparation checklist may be included in the Flood Evacuation Plan.	



Projection: GDA_1994_MGA_Zone_56

Date: 3/12/2020 9:23 AM

Locality Plan- 88 Esplanade, Woodgate

Scale 1:32,000.00

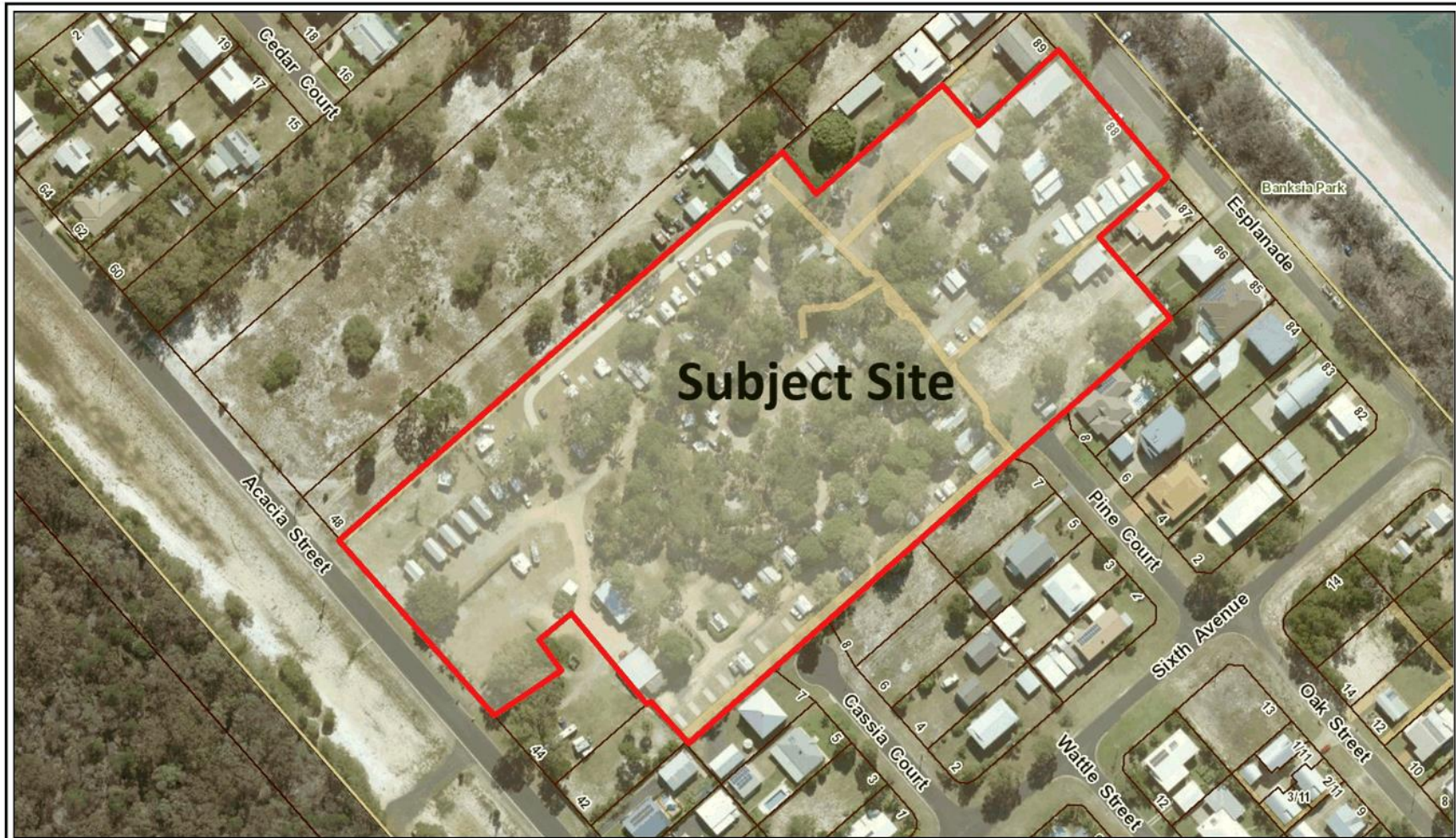
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Author: -Author-



Subject Site- 88 Esplanade, Woodgate

Projection: GDA_1994_MGA_Zone_56

Date: 3/12/2020 9:20 AM

Scale 1:2,000.00

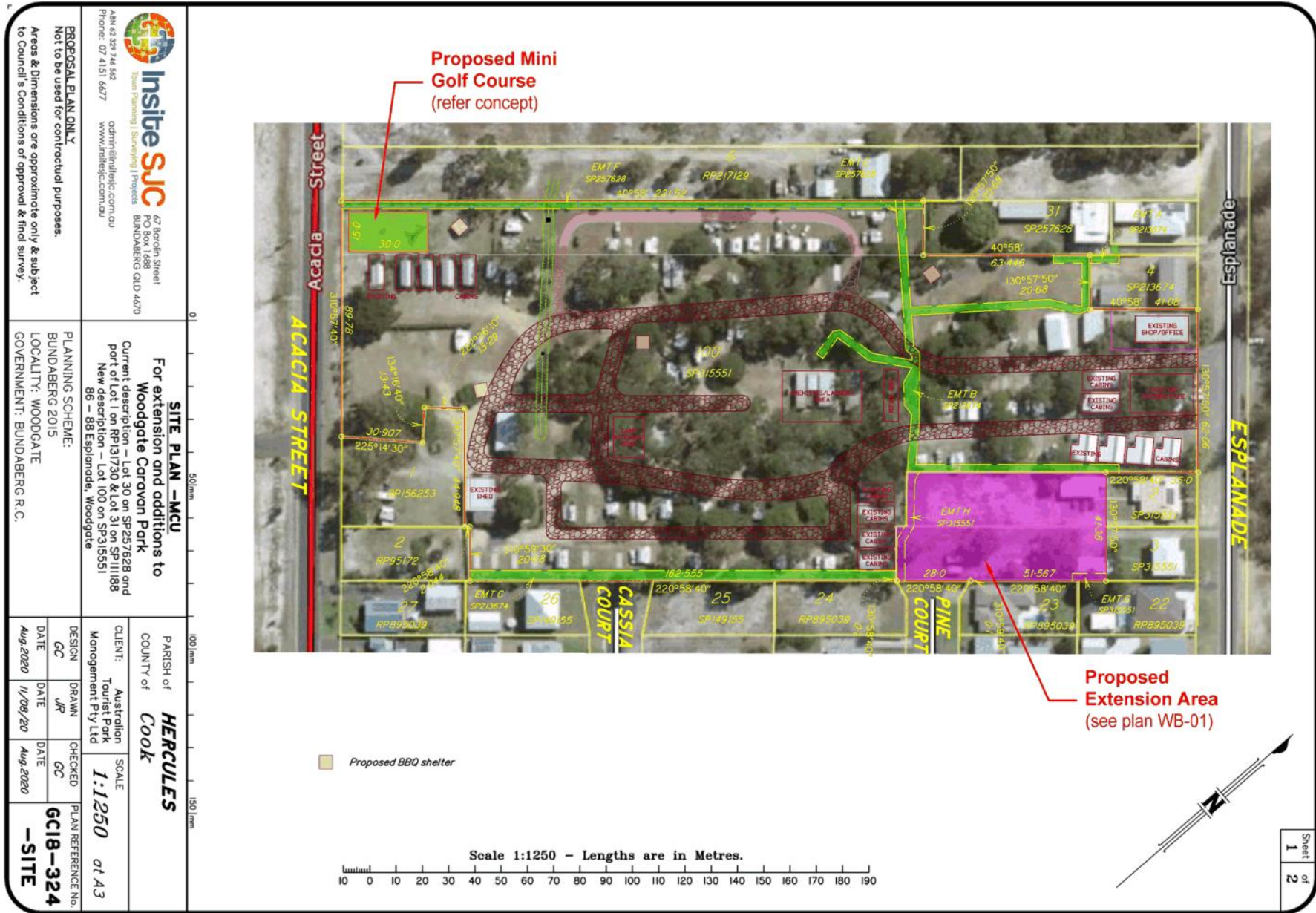
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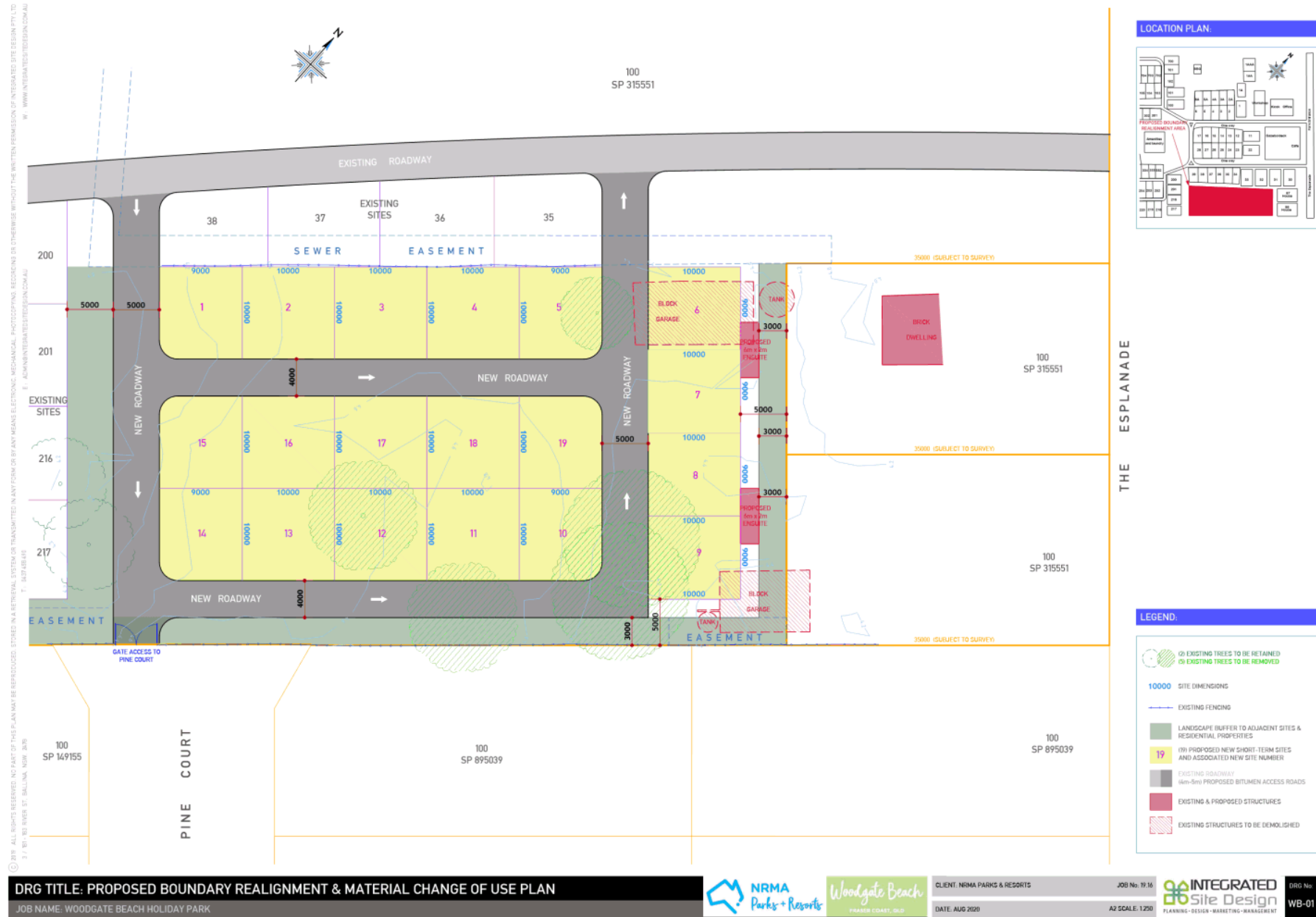
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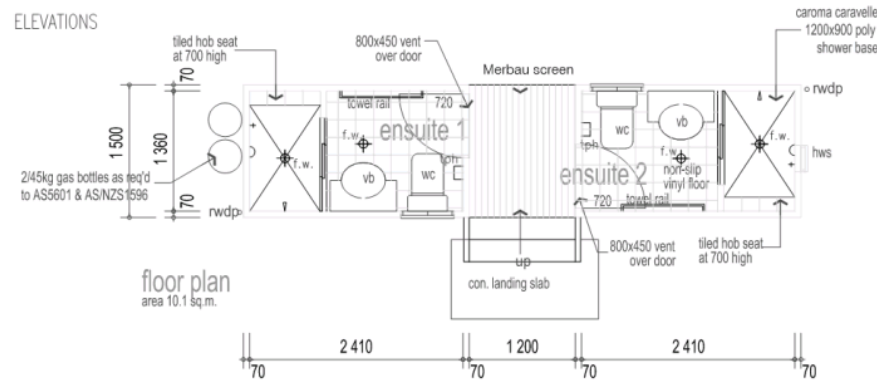
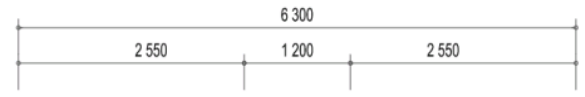
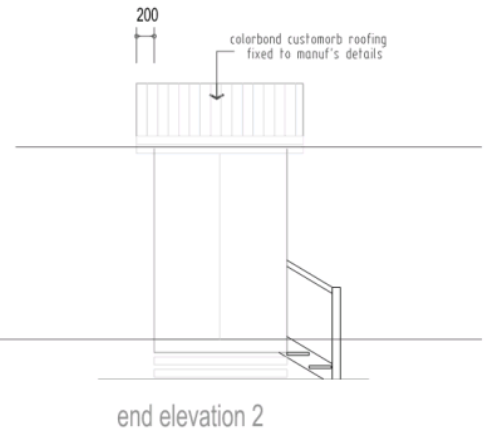
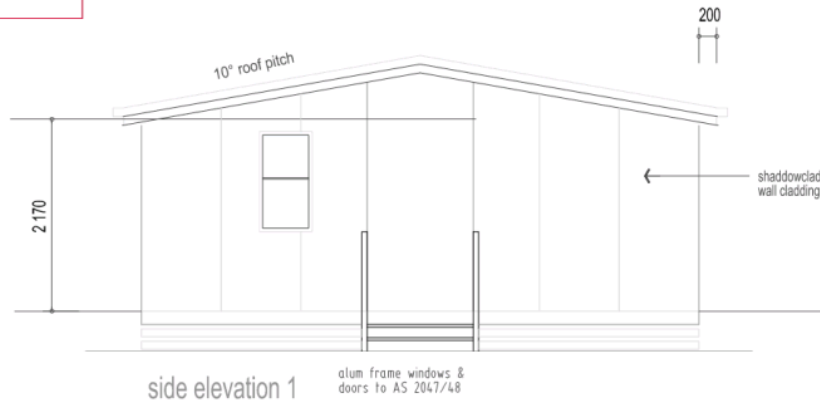


Author: -Author-



 <p>Insite SJC 47 Beulah Street PO Box 488 BUNDABERG QLD 4670 Phone: 07 4151 6677 odmh@insitejc.com.au www.insitejc.com.au</p>		<p>PROPOSAL PLAN ONLY Not to be used for contractual purposes. Areas & Dimensions are approximate only & subject to Council's Conditions of approval & final survey.</p>	
<p>SITE PLAN -MCU For extension and additions to Woodgate Caravan Park Current description - Lot 30 on SP257628 and part of Lot 1 on RP131730 & Lot 31 on SP111188 New description - Lot 100 on SP315551 86 - 88 Esplanade, Woodgate</p>		<p>PLANNING SCHEME: BUNDABERG 2015 LOCALITY: WOODGATE GOVERNMENT: BUNDABERG R.C.</p>	
<p>PARISH of HERCULES COUNTY of COOK</p>		<p>CLIENT: Australian Tourist Park Management Pty Ltd SCALE 1:1250 of A3 PLAN REFERENCE NO. GC18-324 -SITE</p>	
DESIGN DATE	DRAWN DATE	CHECKED DATE	
GC Aug 2020	JR 11/08/20	GC Aug 2020	





design parameters
 class 10a building
 b.c.a.
 C 2

ens - 01

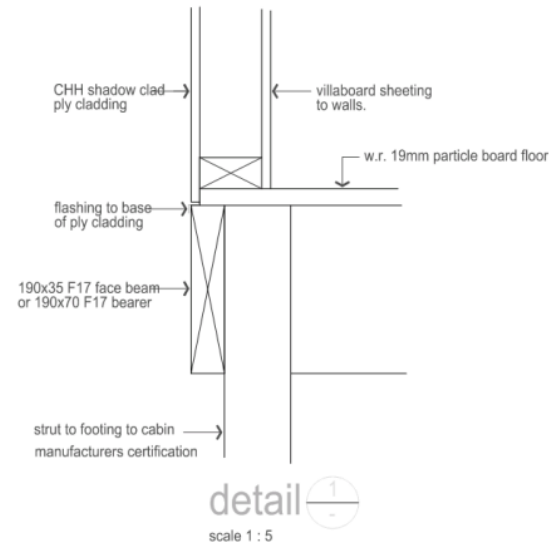
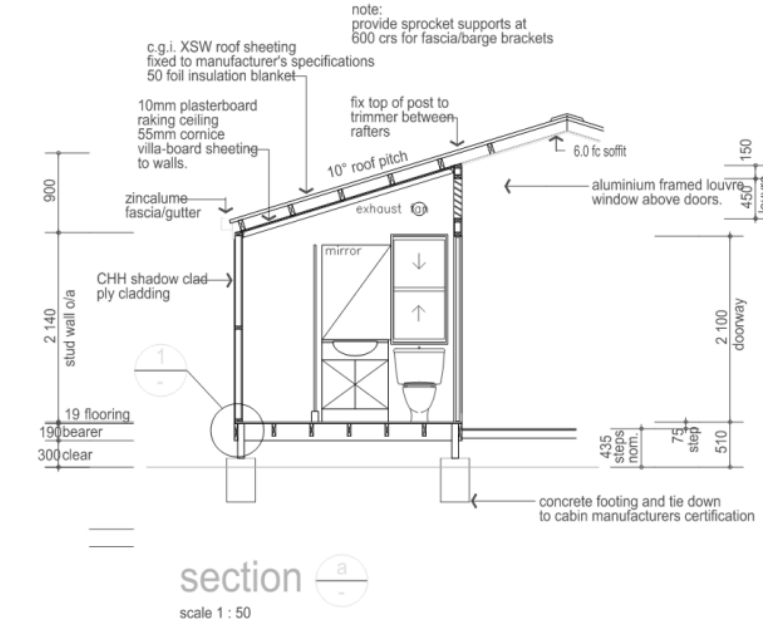
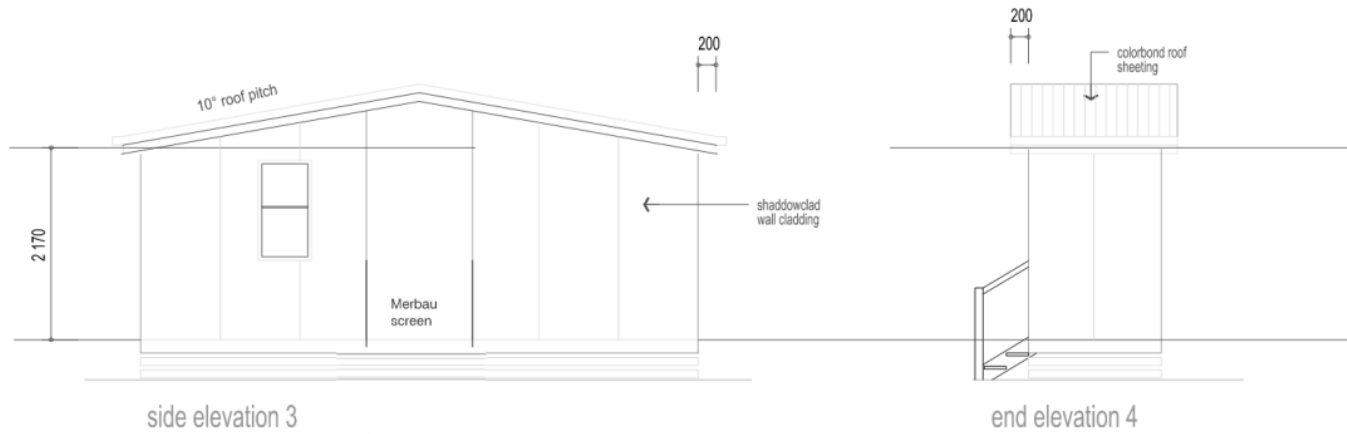
twin ensuites floor plan



note: this proposal is subject to site survey and development approval(s) from the relevant authority.
 this drawing shall not be copied or used without authorisation and is protected by copyright.



WFY21



ens - 02

twin ensuites elevation & section



note: this proposal is subject to site survey and development approval(s) from the relevant authority.
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WFY21



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

INFRASTRUCTURE CHARGES NOTICE

Charges Resolution (No. 1) 2020

To: Australian Tourist Park Management Pty Ltd
 c/- InsiteSJC

Date of Issue: 15/12/2020

Register No.: 331.2020.1215.1

Land to which the Levied Charge applies

Address: 88 Esplanade, Woodgate

Property Description: Lott 100 on SP315551

Development to which the Levied Charge applies

The adopted infrastructure charge applies to the following development type: Material Change of Use

Development Approval No.: 522.2020.211.1

Change Approval No.: n/a

Current amount of the Levied Charge

The levied charge has been calculated in accordance with the method outlined in the Bundaberg Regional Council Changes Resolution (No.1) 2020 and Chapter 4 of the *Planning Act 2016*.

Total Adopted Infrastructure Charge applicable to this development =	\$75,415.59
Total Discount applicable to this development =	\$37,707.79
Total Offset applicable to this development =	n/a
Total Levied Charge (i.e., amount payable) =	\$37,707.79

(as at date of issue)

Please see Schedule 1 of this notice for the detailed calculation of total amount payable and offset.

Refund

Please see Schedule 1 of this notice for the detailed calculation of any refund.

Total refund applicable to this development =	n/a
Refund is to be paid no later than:	n/a

Payment of Levied Charge

- The **due date for payment** of the *levied charge* is:
 - before the change of use happens.
- Interest will be applied to overdue payments in accordance with S133 of the Local Government Regulation 2012.
- The levied charge is to be paid to **Bundaberg Regional Council**. Please contact Bundaberg Regional Council, Development Assessment Team, prior to making payment.
- Please include a copy of this Notice with payment.

Automatic Increase

The levied charge is subject to an automatic increase in accordance with Bundaberg Regional Council Changes Resolution (No.1) 2020. The levied charge is to automatically increase from the time the charge is levied to the time the charge is paid. As per section 114 of Planning Act 2016 this automatic increase provision is calculated as follows:

- If the duration of time between the date the charge is levied to the date the charge is paid is less than or equal to one calendar year, then there is no automatic increase. Therefore the charge payable is equal to the charge amount at the time the charge is levied; or
- If the duration of time between the date the charge is levied to the date the charge is paid is greater than one calendar year, then the automatic increase provision is an amount representing the increase in the PPI index. The increase in PPI index is calculated for the period starting on the day the charge is levied and ending on the day the charge is paid, adjusted by reference to the 3-yearly PPI index average. Where the 3-yearly PPI index average means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. Therefore the automatic increase provision is calculated as shown in equation 1 below:



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

$$\text{automatic increase provision} = \frac{\text{Smoothed PPI (paid date)}}{\text{Smoothed PPI (levied date)}} \dots\dots\dots(1)$$

Where: *Smoothed PPI (paid date)* = 3 yearly smoothed PPI at time the charge is paid
 = average (12 previously published PPI figures relative to paid date)
Smoothed PPI (levied date) = 3 yearly smoothed PPI at time the charge is levied
 = average (12 previously published PPI figures relative to levied date)

The *levied charge payable* is equal to the charge amount at the time the charge is levied multiplied by the automatic increase provision amount as shown in equation 2 below:

$$\text{levied charge payable} = \text{levied charge} \times \text{automatic increase provision} \dots\dots\dots(2)$$

Finally, if after applying the automatic increase provision the *levied charge payable* is:

- (a) more than the maximum adopted charge that Council could have levied for the development at the time the charge is paid, then the *levied charge payable* is the maximum adopted charge for the development; or
- (b) less than the charge amount at the time the charge is levied, then the *levied charge payable* is the charge amount at the time the charge is levied.

Other Important Information

1. PAYMENT

This notice is due and payable by the due date shown. Cheques, money orders or postal notes should be made payable to Bundaberg Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

2. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

3. INFRASTRUCTURE CHARGES ENQUIRIES

Enquiries regarding this infrastructure charges notice should be directed to Council's Development Assessment Team on telephone 1300 883 699 during office hours or e-mail: duty_planner@bundaberg.qld.gov.au

Notice is hereby given under the *Planning Act 2016* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the Bundaberg Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue. STEPHEN JOHNSTON, CHIEF EXECUTIVE OFFICER

Michael Ellery
 Group Manager - Development



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 ABN 72 427 835 198

SCHEDULE 1 – Calculation of Levied Charge, Offsets and Refunds

Table 1 - Summary of Charges, Offsets and Refunds

Register No:	331.2020.1215.1
Inside PIA:	Yes
Discount Category	50% - Tourist Industry
Infrastructure Charge Area	Hinterland Fully Serviced
Total Adopted Infrastructure Charges:	\$75,415.59
Total Offsets:	n/a
Total Refund:	n/a
Refund Payment Date (if applicable):	n/a
Total Levied Charge (Amount Payable):	\$37,707.79

Table 2 - Details of Charges, Offsets and Refunds

Stage	Type	Description	Quantity	Charge/Cost	Total
n/a	Existing credit	MCU - Accommodation (short term) - Tourist park - caravan or tent	147	-\$3,427.98 per 1 caravan or tent site	\$ (251,956.62)
n/a	New charge	MCU - Accommodation (short term) - Tourist park - caravan or tent	169	\$3,427.98 per 1 caravan or tent site	\$ 289,664.41
n/a	Existing credit	MCU - Accommodation (short term) - Tourist park - cabins	20	-\$6,855.96 per cabin with 2 or less bedrooms	\$ (68,559.62)
n/a	New charge	MCU - Accommodation (short term) - Tourist park - cabins	20	\$6,855.96 per cabin with 2 or less bedrooms	\$ 68,559.62
				Total Levied Charge	\$37,707.79



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INFRASTRUCTURE CHARGES NOTICE INFORMATION NOTICE

1. REASON FOR DECISION

This notice has been issued pursuant to the Bundaberg Regional Council Charges Resolution (No. 1) 2020 and Chapter 4 of the Planning Act 2016.

2. APPEAL RIGHTS

The recipient of the infrastructure charges notice may appeal to the Planning and Environment Court and, for certain matters, to a tribunal in accordance with Chapter 6 of the *Planning Act 2016*.

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note — See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.



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 Local Call **1300 883 699** | Fax **(07) 4150 5410**
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- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Extract of Schedule 1, Table 1 of the Planning Act 2016

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the Infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-



Item

15 December 2020

Item Number:	File Number:	Part:
L2	522.2018.90.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

67 Harbour Esplanade, Burnett Heads - Preliminary Approval for a Material Change of Use (Mixed Use Development - Burnett Harbour Marina Village) - Resort Complex (including: ancillary shop, restaurant, bar, recreation and conference facilities), Short Term Accommodation and Multiple Dwellings incorporating a (s.61) component to vary the effect of the Bundaberg Regional Council Planning Scheme 2015

Report Author:

Sarah Watts, Principal Planner

Authorised by:

Richard Jenner, Development Assessment Manager

Link to Corporate Plan:

Our Environment - 2.3 Sustainable built and natural environment - 2.3.3 Review and consistently enforce local laws, the planning scheme, and other associated environment and public health legislation to ensure they meet community standards.

Summary:

APPLICATION NO	522.2018.90.1
PROPOSAL	Preliminary Approval for a Material Change of Use (Mixed Use Development - Burnett Harbour Marina Village) - Resort Complex (including: ancillary shop, restaurant, bar, recreation and conference facilities), Short Term Accommodation and Multiple Dwellings incorporating a (s.61) component to vary the effect of the Bundaberg Regional Council Planning Scheme 2015
APPLICANT	BH Developments QLD Pty Ltd
OWNER	Gladstone Ports Corporation Limited
PROPERTY DESCRIPTION	Lot 1 on SP157913
ADDRESS	67 Harbour Esplanade, Burnett Heads
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Community Facilities Zone
OVERLAYS	Acid Sulfate Soils Flood Hazard Steep Land Coastal Management
LEVEL OF ASSESSMENT	Impact
SITE AREA	14.6087 ha

CURRENT USE	Chandlery, VMR and Marine berths currently under construction
PROPERLY MADE DATE	15 February 2019
STATUS	The 35 business day decision period ended on 28 July 2020
REFERRAL AGENCIES	Department of State Development, Manufacturing, Infrastructure and Planning
NO OF SUBMITTERS	46
PREVIOUS APPROVALS	On 24 November 2020 Council granted a development permit for Stage 1 of the Burnett Heads Marina Village (application number 522.2018.89) for a Material Change of Use - Mixed Use Development (Burnett Harbour Marina Village) - Office, Shop, Food and Drink Outlet, Indoor Sport and Recreation (gymnasium), Club, (Yacht Club) Short Term Accommodation and Multiple Dwellings.
	Development approval number 325.2012. 36591.001 originally approved on 13 May 2013 for 273 wet berth marina and associated facilities, café/restaurant, administration, marine based commercial/retail and office uses) and caretakers dwelling and associated Prescribed Tidal Works. The applicant has started undertaking the works associated with the wet marina berths
	Extension to Relevant Period for 4 years application number 325.2012.36591.002 approved on 16 May 2017 extending the relevant period of the above application until 16 May 2021.
	Application for a Minor change to development approval (325.2012.36591.001) application number 526.2020.219.1 approved on 2 November 2020 for Material Change of Use for General Business (318 wet berth marina and associated facilities, café/restaurant, administration, marine based commercial/retail and office uses) and caretakers dwelling and associated Prescribed Tidal Works
SITE INSPECTION CONDUCTED	1 July 2020
LEVEL OF DELEGATION	C3

1. INTRODUCTION

1.1 Proposal

The submitted application seeks a Preliminary Approval for Material Change of Use for a Resort Complex (including ancillary shop, restaurant, bar, recreation and conference facilities), Short Term Accommodation and Multiple Dwellings as well as a Variation Request to vary the effect of the Planning scheme for development under the Preliminary approval. The application includes a variation request to vary the effect of the planning scheme to secure approval for the overall development concept for Stage 2 and guide the assessment and level of assessment of subsequent applications for development permits lodged over the site. The Burnett Harbour Marina Village development is proposed to be delivered under the umbrella of two separate town planning approvals. Stage 1 of the Burnett Heads Marina Village has been previously approved by Council on 24 November 2020.

The proposal for Stage 2 can be summarised as follows:

- 1) The preliminary approval includes a series of residential buildings which are distributed along the waterfront to the east of the village centre. These comprise a mix of product types, including eight (8) x two (2) level eco-villas situated about the foreshore and man-made lagoon, eight (8) x three (3) level waterfront villas, two (2) x six (6) level apartment buildings each comprised of seventy (70) units for use as either multiple units or short-term accommodation, two (2) x six (6) level apartment buildings each comprised of eighty five (85) units for use as either multiple units or short-term accommodation, a ten (level) 10 resort complex with associated 2,205 m² three level conference facility, recreation, restaurant and retail facilities.
- 2) The resort complex is located centrally on the small peninsula on a north-south axis running from Harbour Esplanade to the marina with the tallest building located furthest from site boundaries. The resort complex is proposed to deliver a distinctive landmark to the river mouth and as one approaches it via the elongated access driveway from Harbour Esplanade. Resort complex facilities embrace and overlook a large lagoon pool.
- 3) Residential buildings are angled in shape and offset from each other resulting in an interesting and sinuous built edge of varying height, which maximizes views to the marina and the ocean for future residents. Lower height buildings are generally positioned closer to the edges of the site. Gaps between buildings provide view lines to the marina from Harbour Esplanade.
- 4) The public promenade continues along the harbour edge in front of all buildings. This is linked by pathways to additional boardwalks, BBQ and picnic areas and a small beach, providing public access to almost the entire waterfront edge of the site. A series of lateral pathways between the buildings connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for both residents and the wider Community
- 5) Vehicular access to the site is provided through a formal landscaped entry boulevard which distributes vehicles to residential and resort buildings from a central roundabout. Parking for each of the residential and resort buildings is provided in basements beneath each building with visitor parking at grade.

The application also involves a variation request ie a request to vary aspects of the Planning Scheme. Once approved, the resulting variation approval becomes a "Local Categorising Instrument" which specifies the relevant levels of assessment for different development types, as well as the assessment benchmarks that apply to future development. These will be site specific to the preliminary approval area and, apart from the usual standards and codes from the Planning Scheme, will introduce customised requirements that reflect the plans

The variation request seeks to –

1. Change the level of assessment for those uses the subject of the preliminary approval to be consistent with the High Density Residential Zone in the Planning Scheme, ie code assessment.
2. Modify assessment benchmarks for those uses, including changes to the High Density Residential Zone Code outcomes for building height, built form and

residential density, to reference aspects of the architectural drawings submitted with the application and the Burnett Heads Town Centre Local Plan.

With respect to the changes to the assessment benchmarks, it is requested to—

- Adopt the Planning Scheme codes relevant to any assessment of multiple dwellings or resort complex in the High Density Residential Zone, and
- Make amendments only to the High Density Residential Zone Code. No other changes are proposed to the planning scheme development codes.
- Amending 'Table 5.4.3 High Density Residential Zone' by removing 'Relocatable Home Park and Tourist Park Code' from the 'Applicable use code' column of a 'Resort Complex' for want of relevance;
- Amending the High-Density Residential Zone Code by—
 - Inserting AO5.3 - *Residential and resort complex development in relation to the preliminary approval development approval over Lot 1 on SP157913 shall be in accordance with BDA Architecture document "Burnett Harbour Marina Village Bundaberg Stage 2 Preliminary Approval Application", Section '4.9 Building Height Diagram';*
 - Deleting AO6 and inserting in lieu AO6.1 - *Development occurs generally in accordance with the Burnett Heads Town Centre Local Plan as it relates to the preliminary approval development approval over Lot 1 on SP157913;*
 - Inserting AO6.2 - *Otherwise no acceptable outcome provided;*
 - Deleting AO7 and inserting in lieu AO7.1 - *Development occurs generally in accordance with the Burnett Heads Town Centre Local Plan as it relates to the preliminary approval development approval over Lot 1 on SP157913;*
 - Inserting AO7.2 *Otherwise no acceptable outcome provided;*
 - Amending AO8 to read AO8.1;
 - Inserting AO8.2 - *In relation to the preliminary approval development approval over Lot 1 on SP157913, development generally reflects the residential density contained in the Burnett Heads Town Centre Local Plan.*

The applicant requests a currency period of 12 years for the preliminary approval, instead of the default 6 years nominated under the *Planning Act* (the approval will lapse if the first change of use does not happen within this period). The applicant also requests a period of 15 years to complete the development if started (the default period under the *Planning Act* is 5 years).

1.2 Site Description

The subject land forms part of Lot 1 on SP157913 and is identified as 'Mixed Use - Boat Harbour' in the Burnett Heads Harbour Precinct of the Bundaberg Port Authority Land Use Plan. The land is zoned Community Facilities Zone within the Coastal Towns Planning area of the Bundaberg Regional Council Planning Scheme 2015.

The preliminary approval application is proposed over an area of 48,660 m².



The preliminary approval area is unimproved.

The whole of Lot 1 is included in the Community Facilities Zone of the Bundaberg Regional Council Planning Scheme 2015. The Planning Scheme's acid sulfate soil and sea turtle sensitive area overlays apply to the land.

The site is not mapped as containing State Planning Policy Biodiversity wetland values or vegetation and habitat values or conservation area values. The preliminary approval application area is within a Coastal Management District and much, although not all, of the land is within an erosion prone area.

The State Government's Development Assessment Mapping System shows no wetland protection area relevant to the site, no native vegetation but does reflect the coastal protection layers. The adjoining Lot 3, the boat harbour, is identified as a 'declared marina or State boat harbour area'.

To the immediate north of the subject land is the boat harbour. To the west is the development permit site which contains several improvements. The development permit area is improved with a two-level masonry building and workshop that was formerly part of the Burnett Heads Marina. The workshop is no longer in use, the ground floor chandlery has been abandoned but the upstairs caretaker's residence remains in use. The adjoining hard stand yard has most vessels removed and the marina per se has been dismantled. Also, on the development permit area are a number of unused accommodation 'dongas', Bundaberg VMR, the now abandoned Blue Water Club (under Lease 709722713) and a secure boat storage area (under Lease 709722690).

On the southern side of Harbour Esplanade are detached dwellings from Finucane Street to Moss Street. These properties are included in the Medium Density Residential Zone (although the achievement of the higher residential density intent could be hampered by the subdivision pattern).

To the east of the subject site is unimproved land.

1.3 Background

On 24 November 2020 Council granted a development permit for Stage 1 of the Burnett Heads Marina Village (application number 522.2018.89) for a Material Change of Use - Mixed Use Development (Burnett Harbour Marina Village) - Office, Shop, Food and Drink Outlet, Indoor Sport and Recreation (gymnasium), Club, (Yacht Club) Short Term Accommodation and Multiple Dwellings.

On 16 May 2013, Council granted a development permit for-

- (1) Material Change of Use for General Business (273 wet berth marina and associated facilities, café/restaurant, administration, marine based commercial, retail and office uses) and Caretaker's Dwelling; and
- (2) Material Change of Use for Environmentally Relevant Activity (ERA 63 – Sewerage Treatment); and
- (3) Lot reconfiguration for Subdivision by Lease; and
- (4) Operational Work for Prescribed Tidal Work (ramp, pontoon, piles, rock revetment, dredging, demolition and reclamation).

On 16 May 2017, Council extended the relevant period of this approval to 16 May 2021. Dredging for the marina birth has commenced.

In conjunction with the assessment of the subject application, the applicant lodged a change to the existing approval to introduce staging, with the view that only stage 1 would be completed under the existing approval. The changes approved on 3 November 2020 incorporated the following:

1. **Deliver land-based facilities in a two-stage process rather than as a single stage as follows;**

First Stage:

Retain the existing buildings (commercial building and amenities building) and re-purpose the commercial building. Increasing and improving landscaping.

Second Stage

Demolish the re-purposed buildings and develop the land as approved under Development Permit No 325.2012.36591.1.

2. **Change the marina by-**

- (1) Increasing the number of berths to three hundred and eighteen (318).
- (2) Modifying the layout of the marina (but not increasing the marina footprint).
- (3) Introducing five (5) substages of Stage 1 stages viz Stage 1 - 38 berths, Stage 2 - 58 berths (cumulative), Stage 3 - 102 berths, Stage 4 - 140 berths, Stage 5 - 318 berths.

3. **Change the two wet lease areas**

The minor change seeks an expansion of Lease BU to 3.689 hectares and Lease BV to 3.9 hectares.

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Zone Code: Community Facilities Zone	Bundaberg Regional Council Planning Scheme 2015
Local Plan : Central Costal Urban Growth Area Structure Plan	Bundaberg Regional Council Planning Scheme 2015
Overlay Code <ul style="list-style-type: none"> • Acid Sulfate Soils Overlay Code • Biodiversity Areas Overlay Code • Coastal Protection Overlay Code • Flood Hazard Overlay Code • Steep Land (slopes > 15%) Overlay Code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Relocatable Home Park and Tourist Park Code • Multi-unit Residential Uses Code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Landscaping Code • Nuisance Code • Transport and Parking Code • Works, Services and Infrastructure Code 	Bundaberg Regional Council Planning Scheme 2015
Planning Scheme Policies <ul style="list-style-type: none"> • Planning Scheme Policy for Development Works • Planning Scheme Policy for Waste Management 	Bundaberg Regional Council Planning Scheme 2015
• Development Assessment Requirements	State Planning Policy

2.2. Relevant Matters

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)
Burnett Heads Town Centre Local Plan – September 2017

Other relevant matters to the assessment of the development under section 45(5)(b)
Gladstone Ports Corporation Master Plan for the Burnett Heads Boat Harbour Precinct
Port of Bundaberg Land Use Plan 2009
Draft Port of Bundaberg Land Use Plan 2020
Draft - Gladstone Ports Corporation Vision Precinct outlook
Development Approval 325.2012.36591.001, as amended.
Development approval 522.2018.44 as approved by Cameron Dick the Minister for State Development, Manufacturing and Planning on 16 April 2019 and the associated assessment documents available at https://planning.dsdmip.qld.gov.au/planning/better-development/ministerial-call-ins
Temporary Local Planning Instrument 1/2019 - Bargara Building Height and Sea Turtle Sensitive Area

3. ISSUES RELEVANT TO THE APPLICATION

Preliminary Approval

This application is lodged over part of Lot 1 on SP157913 which is located within the Community Facilitates Zone and growth area identified within the Central Coast Structure Plan of the Bundaberg Regional Council Planning Scheme 2015. Any proposal within this zoning of the planning scheme for residential development, is subject to Impact assessment. As discussed below this zoning is not reflective of the anticipated used envisioned by the higher order Strategic framework of the Planning Scheme, and other relevant planning documents such as the Burnett Heads Local Area Plan 2017 and the Draft - Gladstone Ports Corporation Vision Precinct outlook.

This is the most appropriate approval/ assessment mechanism to allow for a fully master planned development area to facilitate the establishment of appropriate land uses. A preliminary approval for future residential development is considered to provide certainty to the applicant to move forward with detailed design for Stage 2 of the Burnett Heads Marina Village development.

The application has been assessed against all applicable codes identified in the assessment benchmark column as required by section 5.3.3 (4)(a) of the Planning Scheme

The following matters have been identified as being relevant to the assessment of the application:

Consistency with Strategic Planning Intent

The proposed material change of use is subject to assessment against the Central coastal urban growth area structure plan and the relevant codes of the Planning Scheme to ensure that the proposed use will achieve the intended character for the locality. An assessment was provided by the applicant, which articulated that the proposal is able to comply the local plan provisions.

The purpose and overall outcomes of the Central coastal urban growth area structure plan code states that

- (t) *development of the Burnett Heads Boat Harbour and adjacent foreshore:-*
- (i) *provides for an integrated resort development with a range of tourism and related uses including function and entertainment facilities, hotel, retail, residential and marina related businesses; and*
 - (ii) *sensitively responds to and integrates with the Burnett Heads town centre and broader township of Burnett Heads;*

The proposal is for a mixed used development that incorporates a large resort and associated facilities commonly associated with high end resorts including conference facilities, recreation, restaurant and retail facilities.

The proposed development is considered to sensitively respond to the existing Burnett Heads town centre by providing a range of uses that complement rather than conflict with the uses located within the existing CBD. The development provides pedestrian connectivity to the CBD and is located within comfortable walking distance. As discussed in further detail below it will be conditioned that the proposal only include business uses associated with a resort and not include a supermarket to direct residents and visitors to utilise the existing businesses already provided for within the CBD.

It is considered the proposal meets the purpose and overall outcomes of this code.

Settlement Pattern

With reference to Performance outcome (PO) PO1 of the Central coastal urban growth area structure plan code for the pattern of settlement and land use structure, Figure 7.2.1 of the Planning Scheme ('Structure plan concept') shows the site as being designated Burnett Heads Marina development site.

As discussed above, the proposed development is for a mixed-use development that directly supports the adjoining Burnett Heads Marina that has a previous approval for 318 wet berths (approved under application number 325.2012.36591.1 and 526.2020.219.1) and the adjoining the previously approved Stage 1 of the Burnett Heads Marina Village which includes a commercial centre (522.2018.89). The development proposes multiple residential dwelling options ranging from resort style accommodation, short stay accommodation to multiple dwelling units that could be used for either permanent residents or short stay.

Buildings range in height from 2 storeys to 10 storeys in height. Height of buildings are discussed in further detail below as a stand-alone matter. Detailed design of the buildings has not been undertaken, although the applicant has submitted artists impressions of the proposed buildings which if undertaken in accordance with this plan it is considered that they will be of high quality design. To further fulfil this PO it is recommended a condition regarding high quality design and materials be imposed on the development. This will require all future applications for Development permits to incorporate high quality design elements.

With the Burnett Heads Town Centre being redeveloped and Council recently extending the sewer network to Burnett Heads (in close proximity of the site), it is considered that the proposed development is occurring within the expected sequence of development of the area. Furthermore, the development of the adjoining Stage 1 will provide a well connected Marina Village precinct. The proposal is also consistent

with local area detailed structure planning that, although not formally part of the Planning Scheme, was adopted by Council in 2017.

As discussed in further detail below, the site is within the Coastal Hazard Area. However, it is considered that appropriate conditions can be imposed so that the proposal protects people and property from the potential impacts of coastal hazards.

It is considered the proposal is consistent with the settlement pattern intended for the subject site.

In terms of PO2 – PO5 , the proposal includes upgrades to Harbour Esplanade and the Department of Transport and Main Roads have conditioned a bus bay be provided within the sites frontage. Some of these upgrades will occur as part of the requirements for the adjoining Stage 1 development. This will improve connectivity between the greater port area and the Burnett Heads township. Furthermore, a pedestrian linkage along the water front of the harbour site is provided, which is to remain owned by the developer and with the provision of an access easement, allow for the general public to access the site and link up with existing pathways within Burnett Heads. A pedestrian path is also proposed along Harbour Esplanade and through the site at multiple locations to Harbour Esplanade for residents/ customers/ guests.

PO6- PO8 relate to Activity Centres within the Central Coast Urban Growth Area. In regards Activity Centres, the applicant states within their submitted material that the development:

locates medium density residential development contiguous to the existing commercial centre. It will inject a vitality to this part of Burnett Heads in particular but the township generally, it will encourage walking between the Town Centre and the Harbour Village and it will expand the range of shopping, dining, recreation, tourism and residential (short term and permanent) opportunities in Burnett Heads.

Officers agree that the uses proposed as part of the development are a different offering to the businesses located within the Burnett Heads Town Centre. Furthermore, through good pedestrian connections as shown on submitted plan titled *Pedestrian Network and Open Space network* drawing 4.12, Issue F, dated 23 October 2018, it is considered that the proposal would benefit the existing town centre by bringing additional residents and visitors to the area. It is recommended that a condition of approval be include that only resort associated business uses are to establish development in accordance with the submitted plans to alleviate any potential for future commercial conflict and to direct residents and visitors to utilise these existing serviced located within the Burnett heads town centre.

PO25 – 29 are specifically related to development of the Burnett Heads Boat Harbour development site. PO25 requires development to include a mix of uses including for an integrated resort development with a range of related uses which, as discussed above, is provided by the proposal. It also requires that these uses are located amongst open space areas which are accessible to the public, connection opportunities for the existing community, and manages conflicts between land uses though design elements, buffering and other separations measures.

The proposed buildings include sizable areas of in between buildings with pedestrian connections accessing the water and Harbour Esplanade. It will be conditioned that

landscaping of these areas be provided in accordance with the Landscaping Code of the Planning Scheme. As discussed above conditioned relating to high-quality subtropical design is recommended to be imposed as a condition of approval.

PO 26 requires that development of the subject site creates a definable local character that attracts local, national and international visitors, incorporates subtropical architecture and landscaping, is sensitive to the interface with the existing community, provides continuous public access along the foreshore, provides activity nodes along the foreshore and provides active frontages which relate to the waterfront promenade, Harbour Esplanade and the extensions of Moss and Somerville Streets.

The applicant has stated within the design intent for the proposal that:

The Burnett Harbour Marina Village has been designed as a high quality integrated mixed-use marine village located on the southwestern shore of Burnett Harbour. Marina. Its architectural form comprises a linear cluster of buildings spread along the shoreline with each end clearly defined by a principal node. The commercial heart marks the western end of the village (Stage 1 - separate DA Submission). This is balanced by the resort complex (Stage 2), which identifies the eastern end (the subject of this application).

Organic in its shape, the built form pattern respects and follows the line of the existing landform edge. In this way the structure of the village can be regarded as a seamless whole, maintaining a natural and meaningful relationship with its surroundings.

An east-facing boardwalk, which overlooks the marina, provides access to retail, commercial, restaurant and short-term accommodation facilities within, promoting a vibrant and interesting waterfront edge

Officers agree that the proposed development has been designed to incorporate a definable character differing from existing coastal nodes within the Region and focusing along the Marina.

It is officers view that the proposal meets the intent of PO25 - 29 and through conditions all future applications will be required to comply with these measures.

PO 28-29 relate to movement networks in the vicinity of the Burnett Heads town centre and Boat harbour development site. These Performance outcomes relate to provision of an efficient, functional and integrated movement network for both pedestrians and cars. As discussed above, pathways are proposed along the waterfront, Harbour Esplanade and in between proposed buildings creating corridors for pedestrians and cyclists in and around the subject site and the existing town centre as well as the greater costal pathway network. Furthermore, upgrades to Harbour Esplanade will be required including the provision of a bus bay. The development of the subject site will not prejudice any proposed connectivity upgrades around the Burnett Heads town centre. It is considered the development complies with or can be conditioned to comply with these PO's.

Planning Scheme Zoning

The subject site is zoned Community Facilities Zone. The purpose of the zone is to

provide for community-related uses, activities and facilities, whether publicly or privately owned, including, for example:-

- (a) *educational establishments;*
- (b) *hospitals;*
- (c) *transport and telecommunication networks;*
- (d) *utility installations.*

It should be acknowledged that this zoning is historically in place because the site forms part of the greater Bundaberg Port area, is owned by Gladstone Port Company and presumably because the Volunteer Marine Rescue (VMR) service locates within the subject lot. However, it should be noted that VMR is not located in the development area of the subject application. The subject site was zoned Communities Zone under the superseded Burnett Shire Planning Scheme 2006. This zoning was carried over to the current Planning Scheme as the detailed local area planning had not been completed prior to the commencement of the Bundaberg Regional Council Planning Scheme 2015. Since the site was original designated “community” both Gladstone Ports Corporation and Council have undertaken more detailed land-use planning related to the site, which are considered to provide more contemporary guidance on the intended use of the land.

Gladstone Ports Corporation Land Use Plan and Precinct Outlook

To give further context to the long-term vision of the Port Land the “Masterplan for the Burnett Heads Riverfront and Boat Harbour Precincts plan” is considered a relevant mater. Within this document it is stated:

The two areas, facing north-east onto the river and ocean, represent a unique opportunity to develop a world-class and environmentally in-tune residential and commercial development, providing much-needed employment and investment opportunities for the Bundaberg region. Key features (of the Master Plan include) improved riverfront and marina access, new public and green space, and new shopping, business and residential opportunities, providing significant economic and lifestyle benefits for the region.

The Port of Bundaberg Land Use Plan 2009 included the subject land in the ‘Mixed Use (Boat Harbour)’ precinct which anticipated a range of commercial and residential land uses. The release in September 2013 of the Master Plan continued the expectation that the subject land would be used for commercial and residential purposes.

It is also identified within the Port land use plan that the subject site is mapped as Non-strategic port land and is stated “*Areas adjoining Burnett Heads that are surplus to the demand for industrial development and have been strategically identified as being preferable for accommodating higher-order residential, commercial and community uses*”.

In conclusion, the proposed mixed use development is considered to align with the Gladstone Ports strategic planning for the site and will not prejudice any port activities or existing community activities located on the subject site.

Burnett Heads Local Area Plan 2017

The Burnett Heads local Area plan acknowledged that the current zoning of the subject site was due to previous zoning within the Burnett Shire Planning Scheme 2006. However, it recommends the site’s zoning be amended to “Identify the marina site as

a key development site with provisions to encourage a well designed mixed-use development that is integrated into the broader Burnett Heads community”.

It is further stated the vision for the subject site as follows:

The strategic foreshore location, scale and significant development capacity of the Burnett Heads Marina offers a significant opportunity to be a catalyst development site for the Bundaberg Region, particularly tourism related development. The development of this site will provide opportunity for a new integrated resort development with a range of related uses including function and entertainment facilities, hotel, retail, tourist attractions, residential, and marina related businesses.

It is considered this planning supports the use of the site as proposed by the submitted application.

Previous Development approval

It is also relevant to note that on 24 November 2020 Council granted a development permit for Stage one of the Burnett Heads Marana Village (application number 522.2018.89) for a Material Change of Use - Mixed Use Development (Burnett Harbour Marina Village) - Office, Shop, Food and Drink Outlet, Indoor Sport and Recreation (gymnasium), Club, (Yacht Club) Short Term Accommodation and Multiple Dwellings. These uses were deemed to comply with the Community Facilities zoning. Prior to this a Material change of use for General Business (318 wet berth marina and associated facilities, café/restaurant, administration, marine based commercial, retail and office uses) and Caretaker's Dwelling was assessed under the Burnett Shire Planning Scheme 2006 and deemed to comply with the Community uses zoning of the land at that time.

Resort uses

The relevant assessment benchmark for the resort component of the proposal is the Relocatable Home Park and Tourist Park Code. The purpose of the Relocatable Home Park and Tourist Park Code ensure relocatable home parks and tourist parks are appropriately located and are designed in a manner which meets the needs of residents and visitors and protects the amenity of surrounding premises. This is achieved through a number of overall outcomes which require that resorts are well located and offer convenient access to the services and facilities required to support residents and travellers needs, provides high quality amenities and facilities commensurate with its setting, the types of accommodation supplied and the length of stay accommodated, is of a scale and intensity that is compatible with the preferred character of the local area, does not adversely impact on surrounding and amenity and is provided with appropriate utilities and services. An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code.

Design and layout

PO1 relates to the design and layout of the proposal and ensuring that residents and guests are provided with a high quality living environment. As noted above, the proposal includes a good array of communal facilities and recreational opportunities, including lagoon pools, a gymnasium and a private beach and BBQ facilities. It is considered that the provision of these facilities will ensure a high quality living

environment. It is recommended that a condition of approval be that these elements are included in detailed design for future approvals in accordance with PO1.

Location and site suitability

In terms of broader location, site suitability and siting of the development within the community (PO2 and PO3), the development is located along the waterfront of the already approved Burnett Heads Boat Harbour. The site is located within 150 m of the Burnett Heads Town Centre and adjacent to the recently approved Stage 1 Burnett Heads Maria Village which includes a commercial centre with tourist uses such as the home base for the Lady Musgrave Experience that guests will be utilise. It is anticipated that other tourist uses such as whale watching and other boating tours will also operate out of the Stage 1 commercial centre. The site meets the minimum 2 hectares required by AO3.1 and as discussed in further detail below Harbour Esplanade will be conditioned to be upgraded for the full frontage of the site to a trunk collector standard. It should further be noted that within the Burnett Heads Local Area plan the area proposed to be used as a resort, is identified as being a site for a future resort.

Residential amenity and landscaping

Performance outcome PO4 requires the consideration of the residential amenity and landscaping, particularly that the development does not impact on the amenity of the adjoining or nearby residential areas. The associated acceptable outcomes require that a 3 metre wide landscaping strip is provided to site boundaries and that pools and other potentially noisy activities and mechanical plant are not located where they locate adjacent to a residential activity. The subject site does not adjoin any existing residential activities with the nearest residential dwelling being located on the opposite side of Harbour Esplanade. It is recommended that a condition of approval be that a minimum 3 metres of landscaping be provided along the Harbour Esplanade frontage. Officers also note that the proposed resort is located centrally within the site with residential uses located adjacent to the Harbour Esplanade frontage and the proposed pools and other ancillary facilities are buffered by residential uses on the site in accordance with A04.3.

Privacy and separation

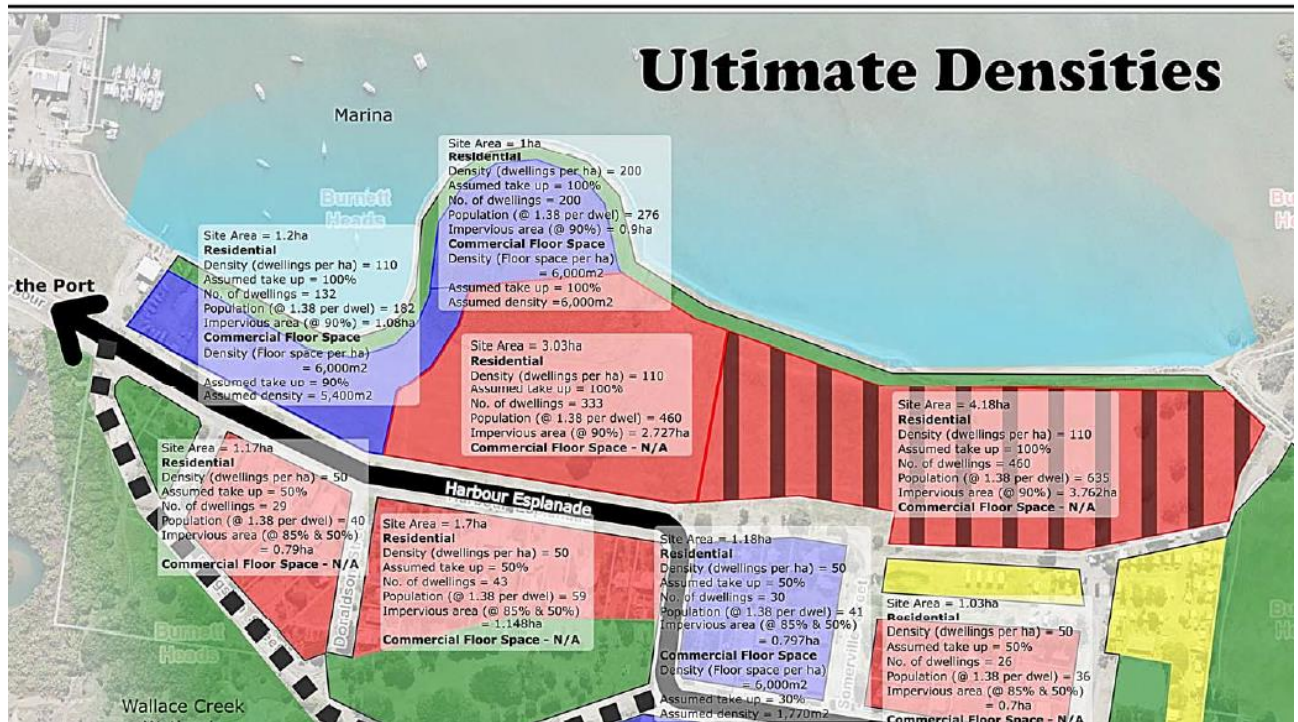
PO5 does not relate to a resort style development as it is more targeted at relocatable home parks and caravan parks. It is however recommended that standard conditions in relation to privacy are included within the conditions of approval. This will require detailed design of these building to incorporate these measure such as where habitable room windows look directly at other habitable room windows that windows have sill heights higher than 1.5 metres, have opaque glazing or have fixed external screens.

Residential density

PO6 states that "*The relocatable home park or tourist park has a residential density that is compatible with the preferred character of the local area in which it is located*". Again, the related densities within the associated Acceptable outcomes are only related to relocatable home parks and caravan parks, not resort style development.

As the subject site is located within the Community Facilities Zone this zoning does not specify residential densities. When considering what are appropriate densities for the site, the High Density Residential Zone within the Planning Scheme is considered

an appropriate equivalent zone as discussed above as are the further relevant matters being the Burnett Heads Local area plan 2017 and the Draft - Gladstone Ports Corporation Vision Precinct outlook. The High Density Residential Code anticipates densities of 110 dwellings per hectare. The Burnett Heads Local Area Plan considers a range of densities for the site as depicted in the below map extract of map 4 contained within the Local Area Plan.



In regard to densities, the applicant states within their response to Council's Information Request:

The permitted residential density of the 4.866ha preliminary approval area is 1ha x 200 dwellings plus 3.866ha x 110 dwellings or six hundred and twenty five (625) dwellings. The proposed residential density of the preliminary approval area is two hundred and fifty (250) resort complex serviced rooms (not dwellings) and three hundred and twenty six (326) dwellings (eight (8) eco-villas, eight (8) waterfront villas, two (2) x six (6) level x seventy (70) apartments, two(2) x six (6) level x eighty five (85) apartments). The proposed residential density is five hundred and seventy six (576) dwellings/serviced rooms which is some fifty (50) dwellings less than that permitted by the Local Plan.

The assumed permitted commercial floor space is 10,600sqm (4.866ha – 3.0ha with 1.0ha x 6000sqm/ha and 0.86ha x 5400sqm/ha). The only commercial floor space found in the development is associated with the resort complex - boutique shops and cafés which, in conjunction with the lobby, comprise 735sqm and a conference centre with a gross floor area of 1470sqm.

Pursuant to the Local Plan, which was the latest planning instrument at the time of making the development application, the proposal is not an overdevelopment of the site. The development proposes ... a lower residential density than

permitted by the Local Plan and less than 2,000 square metres of non-residential floor space even though the Local Plan envisages more than five (5) times that area.

The above breakdown of densities are for both the resort and for the multiple dwelling units/short term accommodation. Officers agree that the proposed densities and floor areas are consistent with the Burnett Heads Local Area Plan as well as the Draft - Gladstone Ports Corporation Vision Precinct outlook when taking into account that both the business uses and residential uses meet the applicable requirements within the Planning Scheme. Furthermore, when the densities and floor areas of Stage 1 which total 3,332 m² are added to the above densities are still well below total densities considered in the Burnett Heads Local Area Plan and proposed commercial uses are all considered necessary for the operation of a high end resort. Given the proximity to the Burnett Heads Town Centre it is considered that guests and residents will utilise business uses already established.

Recreational open space

The shown open space area are above the minimum 10% with more than 50% of this being located in one area being the large lagoon pool stipulated by AO7.1- A07.4 of the code. A condition of approval will be that recreation areas are provided as shown on the submitted plans.

Access and circulation

Access and circulation are discussed in detail in further sections of the report. The applicant prepared a Traffic impact assessment in response to Councils information request. Further Queensland Treasury were a referral agency for Development impacting on state transport and thresholds and have also imposed conditions relating to access, circulation and public transport. It is considered that the proposal can be conditioned to comply with PO9.

Residential uses

The guiding benchmark for residential uses for both short term accommodation and permanent residential accommodation is the Multi-unit residential uses code. The purpose of the Multi Unit Residential Code is to ensure multi-unit residential uses are of a high quality design and appropriately respond to local character, environment and amenity conditions. It is considered that the proposal can comply, or can be conditioned to comply with the requirements of Multi Unit Residential Code as discussed below.

Site suitability

The development is located on a large greenfield lot with a development area in excess of 4.86 ha. The use is located on a site which is of a configuration which is capable of accommodating the development in terms of parking and access, private open space and on-site servicing.

The proposed dwellings are sited and designed to take account of the views, the setting and site context (views to the Burnett Heads Boat Harbour or alternatively orientated to Burnett Heads Town Centre and Harbour Esplanade). These vistas create an attractive environment for the residents and will assist in activating harbour esplanade and the Burnett Heads Local Centre with the design of the buildings

providing a positive contribution to the character of the Burnett Heads Boat Harbour and local area.

Buildings are to be designed to consider their relationship to street, public space and private open space. It will be conditioned that all dwellings are well designed and address Harbour Esplanade or alternatively open space areas. It will also be conditioned that all of the residential buildings have clearly defined entrances to both Harbour Esplanade and the pedestrian pathway. Landscaping and carparking will also be conditioned in accordance with the Landscaping Code. However, the site is large enough to provide all required carparking and landscaping.

The submitted plans show setbacks to Harbour Esplanade range from 11.8m to 20.9 m. These are considered to represent generous setbacks and demonstrate that the subject site is large enough to accommodate the range of proposed uses and buildings whilst still effectively addressing the street.

Withing the submitted material the applicant states that the following are key design principals of the development:

- Accessibility
- Comprehensibility
- Varsity and interest
- Accommodation Choice
- Connectivity
- Quality of edges
- Human scale
- Space making
- Sense of community
- Public and private interface
- Adaptability and versatility
- Environmental qualities
- Safety

As discussed below and above, it is considered that to meet the requirements of the Planning Scheme that the development should be of exemplary design. Conditions of approval will require good design elements such as articulation, private open space, a design that addresses the street, colours and textures that make the development an icon but in keeping with the surrounding costal setting and generous well planned landscaping. The above statement of urban design intent will be listed as an approved document and all future applications will be required to incorporate these principals into the future design of buildings. It is considered that these principals will result in a high quality built form.

Building Height

The Community Facilities Zone does not specify a maximum building height. Performance outcome PO6 states that *“Development accommodates the specific operational, functional and locational needs of the particular use, whilst being of a building height, scale, appearance and intensity that is compatible with existing and intended development in the surrounding area and adjacent zones”*.

As discussed above, the zoning of the site for Community uses is not reflective of the envisioned long-term use of the land. A zoning that is closer aligned with the

envisioned higher density mixed use of the land is the High Density Residential Zone. Within this zone the maximum height anticipated in similar coastal areas is 5 storeys. However within the Temporary Local Planning Instrument 1/2019 - Bargara Building Height and Sea Turtle Sensitive Area, which has come into effect since the Planning Scheme was adopted, anticipates building heights for residential development in Bargara to be between 5 storeys where abutting the Esplanade and 6 storeys for lots located behind the lots fronting the Esplanade. The related Performance outcome in this zone states that *“Development has a medium-rise built form that is compatible with the existing and intended scale and character of the surrounding area”*.

Given the nature and context of the site does not entirely align with either the Community Facilities Zone or the High Density Residential Uses Zone, other relevant matters which commentate on building height are considered appropriate to provide guidance on this matter.

One of these relevant matters is the Burnett Heads Local Area Plan 2017 as it considers what is appropriate for the intended use of the site whilst taking into consideration the surrounding area and the future planning for these areas. Within the Burnett Heads Local Area Plan it is stated that:

Development of the Burnett Heads Marina delivers architecturally significant built forms which... are of a height and scale that makes efficient use of land, is consistent with planned infrastructure, and respects the interface with the adjacent Town Centre;

Building heights nominated in Map 6 for the Marina development site are indicative and are illustrative of the preferred layout and development orientation. Within this map the building heights for the area proposed by the subject development is 5 storeys and 9 storeys for the “knuckle” portion of the site.

However, since the Burnett Heads Local Area plan was endorsed by Council, other relevant planning matters in relation to heights have overtaken that within the Local Plan, with one important relevant planning matter being the Minister for State Development, Manufacturing and Planning’s call in, reassessment and decision on 16 April 2019 for the Esplanade Jewel application located at neighbouring coastal community Bargara (application number 522.2018.44).

Within the Minister’s call in notice the Minister states a reason for call in as being:

Specifically, the height of the development, which is up to nine storeys, exceeds the acceptable outcomes for the relevant zone code, which contemplates a maximum of five storeys. The development is potentially inconsistent with the purpose and overall outcomes of the relevant zone code, which relevantly includes that ‘Development is designed and located in a manner which makes a positive contribution to the streetscape and is sympathetic to the existing and intended scale and character of the surrounding area.

The planning scheme does not change the level of assessment for code assessable development that does not comply with the acceptable outcomes in the High Density Residential Zone Code including as a result of building height.

The State directed Temporary Local Planning Instrument 1/2019 - Bargara Building Height and Sea Turtle Sensitive Area also came into effect since the adoption of the Burnett Heads Local Area plan.

The performance outcome within the Bundaberg Regional Council Planning Scheme 2015 related to height within the High Density Zone Code (which the applicant is requesting to be the relevant zone code provisions) states that:

Development has a medium-rise built form that is compatible with the existing and intended scale and character of the surrounding area.

The applicant was requested within Councils Information Request to provide further grounds for the proposed height over and above that envisioned for other Coastal areas. Specifically Officers requested:

Further plan information is requested to better demonstrate the overall height envisaged in the Preliminary Approval master plan, to assist in establishing sufficient planning grounds to support any non-compliance with the Planning Scheme.

Additional view perspectives (taken from other prominent locations) would be beneficial to clarify the impact of the development on the surrounding locality. These perspectives, possibly in the form of a visual impact assessment, would assist both Council and the community to visualise what the development will look like when viewed from other prominent locations. It is requested that additional indicative elevations and perspective views be provided in this regard.

The applicant did not prepare and submit the requested information, rather provided justification for the proposed 10 storeys from a turtle management perspective. Within their response the applicant states *“The “additional justification” sought by Council is found in Map 6 Alternative Building Heights and Setbacks of the Burnett Heads Town Centre Local Plan”*.

The Planning Scheme requires that the built form and landscape design must respond to the Region’s sub-tropical climate and the beachside character of the local area. The architecture of all buildings must be of an exemplary design in a regional context, responds to the beachside character of the site and local area, be highly articulated and reflect outstanding subtropical and sustainable design principles.

Given officers do not have detailed design plans demonstrating the above, it is recommended that heights above 6 storeys be subject to Impact assessment and the entire Planning Scheme be an applicable assessment benchmark including the strategic framework. Furthermore, it will enable the community to have their input on their views on detailed design in the circumstances any application over this height is publicly advertised. In this regard officers recommended that a variation to the planning scheme, differing to what the applicant requested be conditioned. The submitted height masterplan will also be approved as amended by Council with a condition confirming a maximum height of 6 storeys.

Footpaths

The material originally submitted with the application showed a boardwalk along the waters edge. Officers requested further detail within its Information Request in regards to future tenure, maintenance, revetment wall condition and management responsibility. The applicant has stated the following in their response to Information Request, *“it is proposed to construct a concrete pathway landward of the rock revetment wall. The applicant has no objection to a condition to this effect”*. Within the

information response material, the applicant also states that they wish to retain the portion on the land with the footpath, but provide public access via access easements.

Within Councils adopted Local Area Plan for Burnett Heads, it is discussed that a key outcome for the site is a “foreshore for everyone”. It is further discussed that development of the subject site is to “provide a promenade for the full length of the waterfront that is accessible by the community”. It is recommended that this path is to be wider than a standard footpath and should be something that defines the Burnett Heads Local Area. To create this ‘promenade’, it is considered that a minimum total width of 10 metres should be provided, with the path a minimum concrete width of 3.5 metres with wider nodes provided strategically along the promenade to provide for community interaction. The proposed plans do not clearly depict the width of the corridor left for the waterfront path. The boundary setback plan depicts that in some areas the edges of the residential buildings are located less than 4 metres from the site’s water edge boundary. However, if these buildings were orientated slightly differently there would be a large enough corridor for a “promenade footpath”.

It is noted that the Strategic Framework within the Planning scheme states that:

- (a) *Development in the Bundaberg Region supports healthy lifestyles and strong communities by maximising accessibility to:-*
 - (i) *pedestrian, cycle and recreational trail networks;*
 - (ii) *sport and recreation, community and social facilities and services;*
and
 - (iii) *education and employment opportunities.*
- (b) *Development supports and contributes to the provision of pedestrian, cycle and recreational trail networks to service and link residential development, employment areas, centres, public transport nodes, community facilities and sport and recreational facilities internally within urban areas and externally to the wider open space network of the Bundaberg Region.*

It is also noted Councils mapped Turtle trail abuts the boundary of the subject site. It was also included as a condition of approval for the Stage 1 that this “promenade footpath” be provided for and plans for Stage 1 are required to be amended to provide for this corridor.

Given all of the above it is considered both reasonable and relevant to require the recommended footpath corridor. This will require plan amendments which will also be conditioned. The applicant has requested that this footpath remain in their ownership to mitigate any ownership issues to maintain the revetment wall and Marina. It will be conditioned that a right of way easement be placed over the Promenade, allowing public access at all times. Maintenance of this path will remain the owner’s responsibility. It is also recommended that public right of way easement be provided over the key foot path connecting Harbour Esplanade to the promenade being the path east of buildings H and N.

Landscaping

The table of assessment within the High Density Zone Code for all uses proposed under the Preliminary approval lists an applicable code as being the Landscaping Code. Therefore, all landscaping for future applications for a Development permit

must address this code. It is recommended that a condition of approval include that all future applications for a Material Change of use submit a Landscape Concept plan in accordance with the requirements of the Landscape Code.

Open Space and Recreation

A key element of the “Community identity, culture and sport and recreation” Strategic Framework theme is to provide open space and recreation facilities that meet the lifestyle needs of the community and such that is also consistent with Councils Local Growth Infrastructure Policy (LGIP). The subject site sits outside of the Priority Infrastructure Area (PIA) as designated in the LGIP within the Planning Scheme. Therefore, open space for the proposed residents and the additional demand they will create as a result of the development has not been anticipated and reflected within the LGIP. However, as a result of the stage 1 approval, a park was conditioned as part of this approval. This park benefits from ease of access from the existing public car park and beach.

Proposed Public Beach

The proposal includes a public beach located at the northern tip of the subject site. It is unclear within the applicants submitted material how day to day operations of this area are proposed to be handled considering the proposed pedestrian pathways lead to this beach which is essentially contained within the private resort. Council would not be able to access and maintain this beach given its location. Due to the public accessibility, it will require a public right of way easement similar to the foreshore path in Stage 1 and the continuation of the path proposed in Stage 2.

The easement documentation should also state that the maintenance requirements are the responsibility of the developer. At preliminary approval stage, an advice note regarding the easement is recommended.

More information is required outlining how the beach will operate and be maintained. Themes that should be addressed in a recreation facility proposal such as this include lifeguard provisions, netting considerations, signage preventing craft and swimmer interaction, environmental impacts and mitigation strategies and funding considerations for the ongoing maintenance obligations. It is recommended a Beach Management Plan be submitted to ensure appropriate management strategies are implemented to maintain the amenity and safety of the beach to the public.

The Beach Management Plan should outline at a minimum:

- Mitigation measure against impacts of storm surge;
- Maintenance schedule including waste management;
- Operational guidelines including opening times, any restricted access, rules and regulations imposed;
- Safety management plan; and
- Seasonal considerations against all areas of management.

Development Impacts on Nesting Sea Turtles

The subject site is located in proximity to Mon Repos turtle rookery. The site faces north toward Burnett Heads Boat Harbour and the Burnett River beyond. In the vicinity of the development, turtle nesting beaches include Oaks Beach, Barubbra Island and Mon Repos Beach. At the closest point, the development is located approximately 1.7 km from Oaks Beach, 4.5 km from Mon Repos Beach and approximately 0.65 km from

Barubbra Island. Unlike Oaks Beach and Mon Repos Beach, the level of development (eg existing housing) between beaches of Barubbra Island and the development is very low. Further, Barubbra Island is located across the Burnett River, in direct line of sight of the development. This, combined with the shorter distance, makes the beaches of Barubbra Island more exposed to the potential of directly visible light.

The Planning scheme requires applicants to consider this feature and in the most recent Planning Scheme amendments has introduced a Sea Turtle Sensitive Area Overlay Code. Given this code came into effect prior to the subject application entering the decision stage, full weight can be given to this code. Prior to this overlay coming into effect the subject site was still mapped as being within a sea turtle sensitive area with requirements under the Nuisance Code.

To demonstrate compliance with these assessment benchmarks, the applicant engaged Pendoley Environmental to prepare a Marine Turtle Management Plan that was submitted in response to Council's information request. This management plan has been prepared for both the subject development and the development of Stage 1 which has previously been assessed and approved with conditions. Within this report the 3 significant turtle nesting beaches being Oaks Beach, Barubbra Island and Mon Repos Beach are considered.

Of the relevant nesting beaches, Mon Repos supports the greatest number of nests each year when considered as a proportion of the total number recorded across the Woongarra Coast. The submitted Turtle management Plan states the following:

Baseline light monitoring from Barubbra Island, Oaks Beach and Mon Repos Beach indicated that Barubbra Island currently experiences direct visible light and high levels of skyglow emanating from the direction of Bundaberg Port and Marina. Oaks Beach currently experiences some direct visible light from local sources and skyglow from Bundaberg Port and Marina. Mon Repos Beach experiences low direct visible light and low skyglow. The mitigation measures in this report have been prepared with a view to the development not discernibly increasing light levels above this baseline.

The impact assessment process, including the development of mitigation measures conducted during the preparation of this report, together with the requirement to conduct a post construction audit to verify compliance with the approved lighting design and regulatory conditions, were done so in line with the National Light Pollution Guidelines (Commonwealth of Australia, 2019) and are considered best practice.

To ensure efficacy of proposed mitigation measures, we recommend that during the detailed design phase of the development, qualified turtle biologists collaborate with professionally qualified lighting engineers/designers to further develop and assess mitigation measures based on detailed lighting designs, light models and simulations.

Implementation of the proposed mitigation measures as described will prevent the development leading to significant impacts to marine turtle species as assessed against the EPBC Act Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (Commonwealth of Australia, 2013) and will meet relevant priority actions outlined in the Recovery Plan for Marine Turtles in Australia 2017 – 2027 (Commonwealth of Australia, 2017).

Accordingly, it is recommended that the regulatory assessors of this proposal apply these mitigation measures within approval conditions.

The submitted report recommends a total of 30 conditions relating to turtle lighting. These include the following requirements;

- Lighting Management Plans,
- amber lights equal to or lower than 2700k,
- zero % upward waste light output ration,
- motion activated security and walkway lighting during turtle nesting season,
- exterior and interior finishes to be matte and have a maximum reflective value of 30%,
- all indoor lighting to have a corelated colour temperature equal or lower than 2700k,
- apartment down lights to be a built in feature,
- all widow openings will have opaque binds, curtains or shutters fitted,
- in pool lighting to be the minimum required for safe swimming,
- pool decking to be a dark colour,
- pool lighting to be low level amber bollard lighting,
- carpark, driveway and walkway lighting to be intermittent,
- use of true amber emitters and be low level bollard style lighting,
- no construction that requires flood lighting to occur during turtle season,
- a post construction audit to be undertaken and submitted to Council,
- requirements for each Community Management Scheme to incorporate including a Code of Conduct, and:
- requirements for the storage of chemicals.

It is considered that with the proposed conditions imposed, the proposed development will meet the purpose and overall outcomes of the Sea Turtle Overlay Code which is to “*ensure that development does not create harm to sea turtle nesting and sea turtle activity by avoiding adverse impacts generated from artificial lighting*”. With these conditions imposed the proposal will comply with all acceptable outcomes for the code other than AO5 which relates to the screening of development located on land visible to the beach. The related Performance outcome requires that

Development provides for landscape buffers that:-

(a) protect the edges of existing native vegetation or any other areas of environmental significance; and

(b) screen the development (including associated artificial light) to a level where it is not visible from the beach or ocean.

It would not be possible for landscaping to screen the development to Oaks beach and Mon Repos beach to the south given that some of the buildings are 10 storeys in height, with the recommendation for anything over 6 storeys to be impact assessable. However, the proposal includes dense streetscape planting of large trees, as well as landscaping within the at grade carparks and in front of buildings that will screen buildings to the south. Furthermore, the approval of the adjoining Stage 1 included conditions for planting to be provided in an area of the subject lot located between Stage 1 and Barubbra Island. Stage 1 will also screen some of the development to Barubbra Island and the landscaping required within the area to be dedicated to Council as park in Stage 1 will also assist in achieving this Performance outcome.

Landscaping is also proposed and conditioned to be provided within the Promenade footpath corridor along the water's edge. It is considered that the proposed conditions will fulfill the purpose and overall outcomes of the code and the landscaping both within the site, along Harbour Esplanade and within the area conditioned to be dedicated to Council as park will achieve compliance with the Sea Turtle Area Overlay Code.

When the subject application was lodged, sea turtle requirements were located within the Nuisance Code. The relevant Performance outcome under this planning scheme PO8 required that:

Effective measures are implemented during the construction and operation of development to –

(a) protect fauna that is sensitive to disturbance from noise, vibration, odour, light, dust and particulates; and

(b) limit impacts from artificial lighting on sea turtle nesting areas.

It is considered that when giving weight to both assessment benchmarks and the recommendations and findings of the Turtle Management Plan that the intent of both codes has been met and the proposal can be conditioned to comply with both codes.

Works, Services and Infrastructure Code

The purpose of the Works, Services and Infrastructure Code is to ensure that development works and the provision of infrastructure and services meets the needs of the development, and is undertaken in a professional and sustainable manner.

An assessment of the proposal against the applicable PO's has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria.

Water

A suitable point of connection (POC) for water reticulation to lot 1 on SP157913 will be provided under Stage 1 of the development (522.2018.89.1). All additional water infrastructure for Stage 2 will be via an on-site, private network. This means no additional POC will be approved for Stage 2, an advice note to this effect is recommended.

The addition of the proposed resort will create an additional demand on Councils infrastructure and as such, it will need to be demonstrated that Councils current infrastructure can cater for this additional demand without adversely impacting other users on the network. If this can't be demonstrated, all necessary upgrades of Council's water supply infrastructure must be designed and constructed by the applicant.

The Engineering Report by RMA, dated 24 October 2018, states that Council indicated they would assess the impacts the development would have on the network once the development yields were finalised. Council confirms this was for Stage 1 of the development only. It is reasonable to request the developer to investigate if current Council infrastructure can support the demand of their proposed Stage 2 development.

The above information should be presented at the development permit application stage in the form of a Water Supply Plan. Conditioning the submission of this document is recommended to ensure adequate provision of potable water for the development.

Sub-meters are required to be installed in accordance with the Plumbing and Drainage Act 2018. This is also recommended to be included as an advice note.

Sewerage

It is intended that suitable connection of sewer reticulation to lot 1 on SP157913 will be provided at Stage 1 of the development (522.2018.89.1). RMA's Engineering Services Report, dated 14 January 2020 states:

The site has two connection options, low pressure sewer (LPS) and/or a gravity extension of Council's existing main. It is noted that Council do not have any objections to either connection option. A value engineering assessment will be required during detailed design to assist with connection option selection.

Items to be taken into consideration for the connection options:

- *High water table hindered construction of Council's existing gravity sewer network; and*
- *LPS has a higher maintenance obligation and risk of failure.*

The sewer connection for Stage 2 is dependent on the outcomes from the engineering assessment and subsequent option selected for the sewer servicing of Stage 1. A condition is recommended to note that the engineering assessment is required at Development Permit MCU approval stage for Stage 2 in the event Stage 2 is developed first.

Council undertook an assessment of the capacity the current sewer infrastructure has and determined it was capable of servicing the demand of the proposed development – Stage 1 only. Council will need to be satisfied that the current infrastructure will also have enough capacity to service the demand of the Stage 2 development. Conditioning the developer to undertake such an assessment is recommended.

The above information should be presented at the development permit application stage in the form of a Sewer Master Plan. Conditioning the submission of this document is recommended to ensure adequate sewer servicing for the development.

Stormwater

The stormwater report provided with the application (within RMA's Engineering Assessment Report, dated 24 October 2018) is preliminary in nature, intended to inform the engineering fundamentals that will underpin the development as it progresses. A site based Stormwater Management Plan (SWMP) is required to determine the specifics in relation to how stormwater will be managed as well as measures to be taken to ensure water quality objectives are met. It is recommended to condition the SWMP be provided with the development application seeking a development permit for Material Change of Use.

The Stage 1 MCU application review noted saltwater intrusion impacts and management was not addressed. It is recommended to condition the SWMP include this information to ensure a more complete application is received and further information in regard to this is then less likely to be required.

Transport and Parking Code

This code aims to ensure transport infrastructure is provided in a way that meets the needs of the development while maintaining a safe and efficient road network. Key

considerations under this code are the promotion of active and public transport and preserving the character and amenity of the region.

Roadworks

Councils Local Growth Infrastructure Plan (LGIP) identifies Harbour Esplanade as a trunk collector. An advice note is recommended stating the upgrade of Harbour Esplanade for the full frontage of the development and continued down Moss Street to tie in with the existing widening (see figure 1) is required. Trunk collector standard should be in accordance with BRC’s standard drawing R2002.

Passenger Transport

The referral response from SARA dated 13 March 2020 conditions a bus stop be provided along the Harbour Esplanade frontage of the site, as shown on 4.3 Overall Master Plan, prepared by BDA, dated 23 October 2018, Revision F, as amended in red by SARA (see figure 2). SARA had no conditions regarding passenger transport in the Stage 1 approval as this was not an applicable referral trigger.



Figure 2 – Harbour Esplanade Frontage as per SARA Referral Response

The development permit approved by Council for Stage 1 required the provision of a sealed bus bay located generally as shown in the RMA Traffic Impact Assessment 13101, dated 14 January 2020 (see figure 3). Council supported this general location as it ensured there would be a bus stop provision within 400m of the overall proposed development, which is considered satisfactory walking distance in accordance with the TransLink Public Transport Infrastructure Manual guidelines.



It is recommended that Council remain silent on the bus stop provision for the Stage 2 development. To comply with the SARA conditions, the development can locate the bus stop along the Harbour Esplanade frontage as per figure 2, which will still comply with Council's condition in the Stage 1 approval by being generally in accordance with figure 3. There will also be scope to potentially change the SARA condition at a later time if it is preferred that the bus stop be located further to the west one the applicant undertaken further detailed design.

Carparking & Bicycle Provisions

The submitted Traffic Impact Assessment notes the total required car parks for the land use proposed is 856 car parking spaces. This was calculated based on direct adoption of parking rates in accordance with the Council's Planning Scheme Transport and Parking Code, with no cross-utilisation reduction applied. However, the ground level use of the resort complex is yet to be determined and as such, car park requirements for this use was excluded. The assessment recommends the actual car parking configuration and parking numbers onsite will be addressed in further phases of the development planning and future development application stages. A condition outlining this requirement is recommended.

The assessment mentions bicycle paths being provided to connect the development to the Burnett Heads Town Centre and local residential areas. It further states that buildings within the development will cater for people arriving by foot, bicycle, car, boat and public transport, however there is no bicycle spaces provided in any of the master planning to date. It is recommended that bicycle provisions are nominated at the development permit application stage for the material change of use.

Traffic Impact Assessment

The submitted Traffic Impact Assessment (TIA) from RMA, dated 22 November 2019, itself notes that the assessment is preliminary in nature and *"aims to identify constraints and help achieve consistent and agreeable outcomes for the site. The detailed planning, design and any staging will need to be undertaken as part of the subsequent material change of use application for a development permit."*

While the methodology used to estimate the traffic generation of the development, distribution and growth rates is generally adopted, the current traffic counts used were based off estimated daily volumes and do not reflect the traffic counts on Councils records, albeit from 2016, but still higher than those assumed for RMA's assessment (see table 1).

Location		RMA's Estimate	2016 Council Data	% Difference
Harbour West	Esplanade	390 v/p/d	763 v/p/d	95%
Harbour East	Esplanade	770 v/p/d	1,167 v/p/d	51%

Table 1 – Percentage difference between estimated traffic data used and 2016 recorded AADT

Further inconsistencies were found when looking at the site access/Harbour Esplanade intersection analysis that will either need addressing or commentary to justify them. The inconsistencies include:

- The same number of left and right turn movements into the development were used for both the 2030 and 2040 turn treatment warrant calculations; and
- Differing traffic volumes were used for the 2040 turn treatment warrant calculations then that used in the SIDRA analysis.

From the issues raised in in relation to car/bicycle parking and the submitted TIA, it is recommended to condition that an updated Traffic Impact Assessment be submitted which must include, but is not limited to:

- Updated, accurate traffic count data reflecting the year of submission;
- Car parking requirements, provision and configuration;
- Site access design requirements; and
- Servicing management.

Pedestrian Connectivity

The development provides a pedestrian network along the full length of the waterfront that is accessible by the community via several internal pedestrian footpaths. All pedestrian or

shared paths are separated from driveway crossovers to minimise conflicts between pedestrians and vehicles. The Traffic Impact Assessment notes the internal pedestrian connectivity may include additional footpath connections throughout the development to further enhance pedestrian connectivity and safety. It is proposed that future development applications will include final design of these connections. A condition outlining this requirement is recommended.

The promenade is envisaged to be an extension of the approved Stage 1 promenade. It stands to reason that this continue to be concrete construction and feature a public right of way easement over it, which would include all details of maintenance requirements. As with the Stage 1 approval, all maintenance requirements will be the responsibility of the landowner. It is recommended an advice note be included noting the required maintenance arrangements.

No safety assessment for the pedestrian connectivity was included in the Traffic Impact Assessment. It is recommended that one be provided at the development permit application stage for the MCU. The safety assessment must be in accordance with the Austroads Guide to Road Design - Part 6A - Implementing Road Safety Audits (2019).

Coastal Protection Overlay Code

The intent of the Coastal Protection Overlay Code is to support opportunities for coastal dependant and maritime development by maintaining or enhancing public access to the coastline, while protecting people and property from coastal hazards. There are two key points of discussion in regards to this code, flooding/storm tide inundation and the existing revetment wall.

Flooding and Storm Tide

As part of the application, RMA provided a preliminary engineering assessment report, dated 24 October 2018, which assessed both this site and the neighbouring Stage 1 development site to the west. The report included some macro flood impact modelling of the defined flood event which Council accepted subject to further detailed analysis being provided. It is recommended to condition that a detailed Flood Impact Assessment and Management Plan be submitted with the development permit application.

Similar to Stage 1 of the development, Stage 2 increases the number of people living and working within the flood hazard area. Therefore, to meet all the acceptable outcomes of the flood hazard overlay, it is recommended to condition that an emergency evacuation plan be submitted with the development permit application for the MCU.

Revetment Wall

Lonjac Pty Ltd undertook an inspection of the existing rock revetment wall associated with the proposed Stage 2 of the development. The rock revetment wall is located within the Burnett Heads Marina and protected to the north by the channel breakwater and the marina breakwater. The rock revetment was originally constructed in the late 1970's (between 1976 and 1979) with no records of further development or maintenance on the wall discovered during the investigation period.

Lonjac's Rock Revetment Wall Inspection Report – Stage 2, dated November 2019 notes that the existing wall is in poor condition, with the initial construction unlikely to have ever been completed. The placement and positioning of the rock is sporadic over the entire length of the visible wall which indicates either the wall was not completed in its initial construction or scavenging of the wall has occurred for the purpose of placing the original rock in other locations.

Lonjac's report recommends that a number of considerations should be addressed in order to drive the most efficient modifications and/or repairs on the rock revetment wall and ensure the final configuration meets the structural purpose for the facility.

It is recommended that at this preliminary approval stage an advice note is given that indicates the re-design and construction of the rock revetment wall for the entire length of the Stage 2 development is required and must be undertaken in accordance with *Lonjac's Rock Revetment Wall Inspection Report – Stage 2*, dated November 2019.

Acid Sulfate Soils Overlay Code

The purpose of the Acid Sulfate Soils Overlay Code is to ensure that the generation or release of acid and associated metal contaminants from acid sulfate soils (ASS) does not have significant adverse effects on the natural environment, built environment, infrastructure or human health. The purpose of the code will be achieved through the following overall outcome:

- (a) *development ensures that the release of acid and associated metal contaminants into the environment is avoided by either:*
 - (i) *not disturbing acid sulfate soils (ASS) when excavating or otherwise removing soil or sediment, extracting groundwater or filling land; or*
 - (ii) *treating and, if required, undertaking ongoing management of any disturbed ASS and drainage waters.*

It is recommended an Acid Sulfate Soil Management Plan be submitted as per advice given in the applicant's proposal (page 200). Through appropriate mitigation and management methods these matters are generally dealt with at the time of construction, and as such, should be included as an advice note only.

Land Contamination

The subject site is listed on the State Government's Contaminated Land register. Whilst a referral for this matter was not required, Council requested the applicant undertake assessment regarding potential contamination. In response to Council's information request, the applicant submitted a Preliminary Site Contamination Investigation prepared by FPE. Within this report it was concluded that a number of areas within the development footprint were identified as containing former and existing Areas of Potential Concern (AOPC) relating to contamination.

Given this it is recommended that a conditions be imposed requiring that the applicant provide evidence to Council that all necessary permits for the relevant authorities have been obtained in relation to the Contamination and any required remediation works undertaken to address any potential contaminated land conflicts such that the premises are suitable for the proposed use.

Variation request

Section 61 of the Planning Act 2016 addresses the matter of assessing and deciding a variation request. Sub-section (2) states—

- (2) When assessing the variation request, the assessment manager must consider—
 - a. the result of the assessment of that part of the development application that is not the variation request; and
 - b. the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and
 - c. the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and
 - d. any other matter prescribed by regulation
- (3) The assessment manager must decide—

- a. to approve—
 - (i) all or some of the variations sought; or
 - (ii) different variations from those sought; or
- b. to refuse the variations sought.

In summary, the applicant has requested to vary the effect of the Bundaberg Regional Council Planning Scheme to be in line with the submitted stage 2 masterplan with the zoning to be for High Density Residential and associated levels of assessment, to facilitate the development of the site in line with the Masterplan. As discussed in detail below, the zoning of the development to High Density Residential is considered to align with contemporary planning intent for the area.

Levels of assessment tables

Where a use is proposed within the development site that is not one of the specified uses listed in the Level of Assessment tables within the Preliminary Approval for the High Density Residential Zone, the existing local planning instrument in force at the time is appropriate and will provide opportunity for inconsistent uses to undergo Impact assessment and public notification.

When material change uses are proposed over the site, the level of assessment will be considered as code assessable development where consistent to that of the High Density Residential Zone within the Bundaberg Regional Council Planning Scheme, other than where for a Relocatable Home Park or Tourist Park. However, as discussed within greater detail in the assessment below, Officers recommend the one exception to this be in regards to building height. This change is considered to be in accordance with section 61 part 3((a) (ii)).

This has been included below.

Table 1: Variations proposed to Planning scheme levels of assessment

Planning Scheme Level of assessment table	Summary of changes within Preliminary approval
<p>High Density Residential Zone</p>	<p>The table for Stage 2 of the Marina Village Development is a replication of the BRC planning Scheme table, including the reference to the Planning scheme criteria.</p> <p>The applicant has requested that Relocatable home parks and Tourist parks remain Impact assessable as these are not uses envisioned on the site.</p> <p>One notable difference to the table of assessment that officers recommend be included is that all other uses listed in this table of assessment be subject to code assessment where less than 6 storeys in height. Where over this height development is to be subject to impact assessment.</p>

In terms of Operational Works applications within the development area, there is no variation proposed to the BRC Planning Scheme. All future applications for this type of development will be undertaken in accordance with the provisions of the Council scheme.

The variations are proposed by the developer in order to deliver a master-planned development generally in accordance with the Burnett Heads Local Area Plan, which has not formally been incorporated into Councils Planning Scheme. Currently all of the proposed uses would be subject to Impact assessment within the Community Facilities Zone.

High Density Zone Code

In terms of the proposed variations to the High Density Zone Code, the applicant is proposing a total of 7 changes to the acceptable outcomes of this code. These variations are summarised in Table 2 below.

Table 2: Variations proposed to the High Density Residential Zone Code

Planning Scheme Zone Code	Summary of changes proposed
High Density Zone Code	<p>Inserting AO5.3 Residential and resort complex development in relation to the preliminary approval development approval over Lot 1 on SP157913 is to be in accordance with BDA Architecture document "Burnett Harbour Marina Village Bundaberg Stage 2 Preliminary Approval Application", Section '4.9 Building Height Diagram'. It is recommended that this also read as amended by Council to reflect 6 storeys rather than the 10 storeys proposed in this plan.</p> <p>Deleting AO6 and inserting in lieu AO6.1 Development occurs generally in accordance with the Burnett Heads Town Centre Local Plan as it relates to the preliminary approval development approval over Lot 1 on SP157913;</p> <p>Inserting AO6.2 Otherwise no acceptable outcome provided;</p> <p>Deleting AO7 and inserting in lieu AO7.1 Development occurs generally in accordance with the Burnett Heads Town Centre Local Plan as it relates to the preliminary approval development approval over Lot 1 on SP157913;</p> <p>Inserting AO7.2 Otherwise no acceptable outcome provided;</p> <p>Amending AO8 to read AO8.1;</p> <p>Inserting AO8.2 In relation to the preliminary approval development approval over Lot 1 on SP157913, development generally reflects the</p>

	residential density contained in the Burnett Heads Town Centre Local Plan.
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When considering the changes listed above, it is considered that the variations to the High Density Zone Code, within the Bundaberg Regional Council Planning Scheme 2015 are generally appropriate other than proposed building heights above 6 storeys, and allow for the developer to deliver the intended character of the area consistent with the intent of the Planning Scheme specifically the Central coastal Structure Plan, the Burnett Heads Local Area Plan 2017 and Draft - Gladstone Ports Corporation Vision Precinct outlook.

However, the officers are of the view that changes to the acceptable outcomes in relation to design to be in accordance with the Burnett heads local area plan are not considered to sufficient to provide clear guidance on future good design outcomes from development applications. Plans approved within the preliminary approval documents which include statement of urban design intent will also be considered by officers when assessing future applications. It is therefore recommended that changes to AO6- AO8 not be approved and as a result it is therefore recommended that other than Inserting AO5.3, all other Acceptable outcomes should be as currently stated within the Bundaberg Regional Council Planning Scheme.

Overlay codes

When considering the Level of Assessment Tables for the overlay codes within Bundaberg Regional Council Planning, there are no changes proposed by the applicant.

Reflection of State Interests

It is important as part of the application assessment, to consider whether, in recommending for approval, Council's requirement to adequately reflect the required State interests is impacted upon. It is noted that the proposed development has been referred to the Department of Treasury.

On 17 December 2019 the Department issued an outstanding matters raising concerns relating to Matters of State Environmental Significance, specifically in relation to nesting sea turtles and height above 6 storeys. However, there was no formal assessment trigger for SARA to assess these matters. On 13 March 2020 the department issued their referral agency assessment which was limited to 'development impacting on State transport and thresholds' and 'work within a coastal management district'. MSES was not a concurrence trigger. SARA approved the proposal with conditions.

As tabled above officers consider the development approval 522.2018.44 as approved by Cameron Dick the Minister for State Development, Manufacturing and Planning on 16 April 2019 and the associated assessment documents as a matter relevant to the assessment of the subject application. Officers note that within the Ministers Assessment for the Esplanade Jewel development that the Ministerial call in notice dated 21 December 2018 the Minister states;

I consider the proposed development involves, or is likely to involve:

- *an environmental interest of the State or a part of the State*

- *the interest of ensuring the Planning Act's purpose is achieved.*

Within the above assessment, impacts on nesting sea turtles from the proposed development has been assessed and conditions recommended to be imposed relating to lighting and nesting sea turtles. It is considered that any relevant State interests have been assessed accordingly and appropriately conditioned where required.

Length of approval

The applicant requests a currency period of twelve (12) years for the preliminary approval, instead of the default 6 years nominated under s85 of the Planning Act (the approval will lapse if the first change of use does not happen within this period). The applicant also requests a period of 15 years to complete the development if started (the default period under s88 of the Planning Act is 5 years). It is considered that this timeframe is appropriate to allow ample time for the development outcomes to be realised and a condition has been recommended accordingly. By this time, it is also envisaged that relevant planning controls, such as the Planning Schemes will have been updated and it would be prudent to apply contemporary planning provisions.

Public Notification

The application was publicly notified for 30 business days in accordance with the requirements of the Planning Act 2016. Because of an error with notification signs for the proposal coming down prior to the notification period ending, the applicant stopped notification and restarted the entire notification process to comply with all Planning Act requirements. Submissions received both in the first advertised notification period and the second advertised notification period and met the requirements of “properly made” have been considered by officers as being properly made irrelevant to if they were received in the first or in the second notification period.

A total of 43 properly made submissions and 3 not properly made submissions were received over both periods combined. Of these properly made submissions 34 submissions were against the proposed development and 9 submissions in support of the development.

The following matters were raised by submitters:

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Level of assessment</u> Application should not vary the level of assessment for future applications. The community should be able to make submission on future applications</p>	<p>The proposed application to vary the planning scheme has been lodged and assessed as discussed above in accordance with section 61 of the Planning Act 2016. As the application included a request to vary the planning scheme a longer notification period was required under the act to provide opportunity for the community to make submissions.</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Timing of Public Notification</u></p> <p>Submissions raised issued relating to the timing of notification and confusion why notification was extended and the timing of notification with the global pandemic and newly elected Council.</p>	<p>The planning act does not preclude public notification from occurring during a pandemic, although Council did raise concerns regarding this with the State government. Similarly, the planning act allows for notification to occur during election. However, when a local government is in “caretaker period” which is the period after the Queensland Electoral Commission calls an election and before a new Council is sworn in, Councils cannot approve applications that include a variation request.</p> <p>As discussed above there was an error during public notification and the applicant was required to restart the entire notification process. Submission that were received in both periods and met the other properly made test requirements have all been consider as properly made regardless of which notification period they were received in.</p>
<p><u>Lighting impacts – Increased light spill</u></p> <p>The proposed development will result in increased lighting along the coastline, resulting in increased light spill, impacting on sea turtles.</p> <p>The Bundaberg Regional Council has received funding to investigate the sources of urban glow and develop measures to aid in reducing urban glow in relation to sea turtles. Approving a development which would result in increased light spill could jeopardise this funding or negatively impact the reputation of Council.</p>	<p>The submitted Marine Turtle Management plan has recommended a raft of conditions to be imposed as part of any approval and concluded with these conditions imposed that there will be no increase in light spill as a result of the proposed development.</p> <p>All of the recommendations of the Marine Turtle Management Plan have been included within the conditions of approval as well as the Marine Turtle Management Plan listed as an approved document. Additional requirements for landscape buffers within the Harbour Esplanade road reserve, within land to be designated to cancel as park as well as within the waterfront Promenade footpath are also included as conditions for the development.</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Building height</u></p> <p>The building height is inconsistent with the existing built form – a maximum of three (3) storeys is suggested by majority of submitters. Majority of submitters strongly objected the proposed 10 storey building because of its height.</p>	<p>As discussed in the above report, there is no height limit associated with the Community Facilities Zone. Officers have assessed the proposal against other relevant matters including the Burnett Heads Local Area Plan and given regard to the circumstance which lead to the introduction of TLPI 1 of 2019 (Bargara Building Height and Sea Turtle Sensitive Area) and recommend that the Preliminary approval approve heights up to 6 storeys in height.</p>
<p><u>Storm tide inundation</u></p> <p>The development is located along the coastline with the site being impacted by Storm tide inundation and potentially cyclone events. Has this been considered during the design of the building to ensure that the development does not result in a future financial burden to Bundaberg region taxpayers if remedial works are required along the coast line to protect the development?</p>	<p>The application has been assessed by both Council and SARA as a concurrency agency and found to comply with the relevant Coastal Management benchmarks in accordance with technical reports submitted by the applicant.</p>
<p><u>Impacts on local wildlife and environment</u></p> <p>Proposed development in this location has a risk of being extremely detrimental to local wildlife and the environment, including kangaroos, shorebirds, sea turtles and mangroves.</p> <p>Smart lighting should be a requirement of the development</p>	<p>The subject site does not contain any biodiversity areas that are identified by the Planning scheme as a Matter of environmental significance as mapped within the State Planning Policy interactive mapping.</p> <p>As discussed above conditions will be imposed to protect Marine Turtles. The protection of mangroves is legislated under the Environmental Protection Act.</p>
<p><u>Character, visual amenity and building design</u></p> <p>Concern for loss of amenity of the Burnett Heads area and poor building design.</p>	<p>Officers have assessed building design against criteria within the Planning Scheme and determined that the proposal meets criteria relating to building design and protects the surrounding amenity. Furthermore, conditions requiring future development applications to incorporate high quality design elements is recommended to be imposed as a condition of approval.</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Zoning</u></p> <p>Submissions raised objections to the proposed zoning of High Density Residential.</p>	<p>Officers have assessed the request for High density residential table of assessment to override the Community Facilities Zone table of assessment and concluded that the other relevant planning matters that have occurred after the current Planning scheme was adopted provide more contemporary guidance on the appropriate use of the site. After taking into account matters such as the Burnett Heads Local area plan that underwent significant community consultation, officers are of the view that the High Density Zone table of assessment better aligns with these other relevant planning documents.</p>
<p><u>Open space</u></p> <p>Public access to the foreshore for recreation and larger recreation areas should be retained for the public.</p> <p>Green spaces should be retained for leisure</p>	<p>Conditions relating to the construction of a Promenade footpath located on the waters edge as well as other key pathways that will connect the Promenade to Harbour Esplanade are recommended to be imposed. Tenure by the way of public right of way easements are also recommended to be conditioned.</p> <p>As part of the adjoining Stage 1 approval, the applicant was conditioned to dedicated to Council 2 areas for open space that will create areas for the community to recreate.</p>
<p><u>Landscaping</u></p> <p>Landscaping should include advanced plantings</p>	<p>It is recommended that a condition of approval be that future applications provide a landscape concept plan in accordance with the Landscaping Code. Landscaping will be required to provided planting sized in accordance with this.</p>
<p><u>State government assessment</u></p> <p>Proposal should also be assessed by the state government because of its potential impacts.</p>	<p>The Department of treasury did assess the application as a referral agency and provided conditions of approval for the matters they were referred under being Development impacting on state transport and thresholds and Tidal works or work in a coastal management district</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
<p><u>Stormwater</u> All of Harbour Esplanade, Moss Street and Somerville Street are subject to flooding in a tidal surge event. At spring tides saltwater backs up storm water drains into Somerville Street and Moss Street. This indicates the existing low level of the road infrastructure.</p>	<p>Harbour Esplanade is required to be upgraded to a trunk collector standard which will require curb and channelling and associated stormwater infrastructure required with this standard of road.</p>

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Received	Comments
Development Assessment - Engineering	30 November 2020	
Roads and Drainage	16 January 2019	
Health	21 January 2019	
Parks	30 November 2020	

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Referral Agency responses were received from the following State agencies:

Agency	Concurrence/ Advice	Date Received	Conditions Yes/No
Department of Treasury	Concurrence	13 March 2020	Yes

Any significant issues raised have been included in section 3 of this report.

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 30 business days from 11 May 2020 until 23 June 2020. The Applicant submitted documentation on 24 June 2020 advising that public notification had been carried out in accordance with the *Planning Act 2016*. Council received 43 properly made and 3 not properly made submissions in relation to this development application during this period. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 4 December 2020.

The Applicant submitted representations to Council on 7 December 2020 relating to the following draft conditions:

- 4 – Amended Plans
- 12 – Building height

After a review of the submitted representations, the following conditions have been amended:

- 4 – Amended Plans

The following conditions have remain unchanged:

- 12 – Building height

7. REASONS FOR DECISION

The reasons for this decision are:

- The development is consistent with the strategic framework of the Planning Scheme;
- The development complies with, or can be conditioned to comply with, the relevant applicable planning matters including the Planning Scheme and the Burnett Heads Local Area Plan;
- To the extent of any inconsistency with the Community Facilities Zone, it is considered that the zoning of the land has been overtaken by events, including the earlier approval of a development application over the site for a marina and associated facilities.
- The development complies with, or can be conditioned to comply with, the High Density Residential Zone Code which is more consistent with the stated planning intent for the land and provides more relevant requirements for the type of development applied for;
- The proposed development is considered to be a complementary use to the existing uses approved on and adjacent to the site.
- The proposed development can be adequately serviced by an appropriate level of infrastructure.
- The proposed development protects state and federal matters of environmental significant through imposed conditions and the approved Marine Turtle Management Plan;
- The proposal does not compromise the function or viability of the existing Burnett Heads Town Centre;
- The development links the Burnett Town Centre to the greater Bundaberg Port Area;
- The development will provide a community benefit to both the Burnett Heads Township and the Bundaberg Region through the provision of additional recreation and increased employment opportunities; and

Findings on material questions of fact

- The subject site is located in the Community facilities zone of the Bundaberg Regional Council Planning Scheme 2015.
- The Community Facility located on the subject site is to be relocated to another appropriate site within the same community catchment so that there is no loss of this community service
- Other relevant planning matters pertaining to the subject site include the Burnett Heads Local Area Plan and Gladstone Port Corporation's strategic planning documents which have both undergone extensive community consultation and are generally accepted by the local community.
- A previous approval over the site was issued for Material Change of Use for General Business (318 wet berth Marina and associated facilities, café/restaurant, administration, marine based commercial/retail and office uses) and Caretakers dwelling and associated Prescribed Tidal Works under the Burnett Shire Planning Scheme 2006 and dredging for the approved marina berths have commenced.
- On 24 November 2020 Council granted a Development Permit for Stage one of the Burnett Heads Marina Village (application number 522.2018.89) for a Material Change of Use - Mixed Use Development (Burnett Harbour Marina Village) - Office, Shop, Food and Drink Outlet, Indoor Sport and Recreation (gymnasium), Club, (Yacht Club) Short Term Accommodation and Multiple Dwellings.
- The subject site locates between the Bundaberg Port and the Burnett Heads Town Centre
- Bundaberg Regional Council, as the statutory Assessment Manager, undertook assessment of the development application under the benchmarks of the Local categorising instrument.

Evidence or other material on which the findings were based

- The development application;
- The Bundaberg Regional Council Planning Scheme 2015;
- The *Planning Act 2016*;
- The *Planning Regulation 2017*; and
- State Planning Policy 2017.
- Burnett Heads Town Centre Local Plan – September 2017
- Gladstone Ports Corporation Master Plan for the Burnett Heads Boat Harbour Precinct
- Port of Bundaberg Land Use Plan 2009
- Draft Port of Bundaberg Land Use Plan 2020
- Draft - Gladstone Ports Corporation Vision Precinct outlook
- Temporary Local Planning Instrument 1/2019 – Bargara Building Height and Sea Turtle Sensitive Area

Attachments:

- ↓1 Locality Plan
- ↓2 Site Plan
- ↓3 Approval Plans
- ↓4 Approval Plans (Turtle Management Plan)
- ↓5 Referral Agency Response

Recommendation:

That the Development Application 522.2018.90.1 detailed below be decided as follows:

1. Location details

Street address: 67 Harbour Esplanade, Burnett Heads

Real property description: Lot 1 on SP157913

Local government area: Bundaberg Regional Council

2. Details of the proposed development

Preliminary Approval for Material Change of Use (Preliminary Approval (Mixed Use Development - Burnett Harbour Marina Village) - Resort Complex (including: ancillary shop, restaurant, bar, recreation and conference facilities), Short Term Accommodation and Multiple Dwellings

3. Decision

Decision details: Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version / issue
Aspect of development: All				
Statement of Urban Design intent	BDA	23/10/2018	4.1	F
Statement of Urban Design intent	BDA	23/10/2018	4.2	F
Overall Masterplan	BDA	23/10/2018	4.3	F
Masterplan	BDA	23/10/2018	4.4	F
Concept Sketches (1)	BDA	23/10/2018	4.5	F
Concept Sketches (2)	BDA	23/10/2018	4.6	F
Boundary Setback Plan	BDA	23/10/2018	4.7	F
Building Typology & Use diagram	BDA	23/10/2018	4.8	F
Building height diagram (as annotated in red by Council)	BDA	1/12/2020	4.9	F
Traffic Network	BDA	23/10/2018	4.10	F
Parking	BDA	23/10/2018	4.11	F
Pedestrian & open space (as annotated in red by Council)	BDA	1/12/2020	4.12	F
Site sections F & G	BDA	23/10/2018	4.13	F

Site sections H-H (as annotated by Council in red)	BDA	23/10/2018	4.14	F
Architectural Design	BDA	23/10/2018	6.1	F
Perspective view 1	BDA	23/10/2018	6.2	F
Burnett Harbour Marina Village: Marine Turtle Management Plan	Pendoley Environmental Pty Ltd	21/2/2020	J71001	0

5. Variation approval details

A preliminary approval which includes a variation approval is given and the assessment manager has approved a **variation to the local planning instrument(s)**:

- Bundaberg Regional Council Planning Scheme 2015.

The variation approved is:/The variations approved are:

Local Planning Instrument	Variation Approved
Bundaberg Regional Council Planning Scheme 2015	<p>Part 5 – Tables of Assessment - Table 5.4.14 Community Facilities Zone – Levels of Assessment for material change of use is overridden by the provisions Table 5.4.3 High Density Zone Code</p> <p>Part 5 – Tables of Assessment – Table 5.4.3 High Density Zone Code insert for all uses Impact assessable where exceeding 6 storeys in height.</p> <p>Part 5 – Tables of Assessment – Table 5.4.3 High Density Zone Code is varied by removing Relocatable home parks and Tourist parks from this table.</p> <p>Part 6- Zone Codes – 6.2.3 High Density Residential Zone Code – Table 6.2.3.3.1 insert AO5.3 Residential and resort complex development in relation to the preliminary approval development approval over Lot 1 on SP157913 is to be in accordance with BDA Architecture document “Burnett Harbour Marina Village Bundaberg Stage 2 Preliminary Approval Application”, Section ‘4.9 Building Height Diagram’ as amended in red by Council.</p>

6. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

7. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Development Permit for a Material Change of Use
- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

8. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Andrew Kulibab	8 Chantilly Street Burnett Heads	andybab@hotmail.com
Noela Shortman	67 Harbour Esplanade Burnett Heads	noelashortman@hotmail.com
Margaret Faulkner	14 Harbour Esplanade Burnett Heads	faulkner@moranh.net.au
Pamela Sylvania	67 Harbour Esplanade Burnett Heads	pamsylvania@yahoo.com
Sumner Dale	83 Esplanade Bargara	drkjsun@outlook.com
Anne Schmidt	3 Samuels Road Bundaberg	amschmidt608@gmail.com
Jennifer Thomson	332/3 Carlyle Court Bargara	trojen33@aapt.net.au
John Brown	17 Hunter Street Burnett Heads	colvillea@bigpond.com
Rob Quivooy	563 Branyan Drive Branyan	robquivooy@gmail.com
Michael Moller	17 Cypress Street Woodgate	mmoller57@gmail.com
Wide Bay Burnett Environmental Council	Po Box 97 Maryborough	manager@wbbec.org.au
Clinton Brett	49 Nielson Avenue Burnett Heads	clinton@dieselhelp.com.au

Vicki Townson	137 Shelley Street Burnett Heads	vicki_3l@hotmail.com
George Robert Thomson	332/3 Carlyle Court Bargara	trojen33@aapt.net.au
Sandra Kent	16 Baldry Street Burnett Heads	sandrakent4670@yahoo.com.au
Jamie Young	3 Schleger Street Burnett Heads	jamiedyoung72@gmail.com
George Martin	12 Goodwin Street Bundaberg	geomartin55@gmail.com
Wayne Smith	34 Bisdie Street Coral Cove	ethylthefrog48@gmail.com
Brandon Gary	PO Box 8143 Bargara	glbrandon@gmail.com
Edwin & Fiona Hoffman	135 Woongarra Scenic Bargara	e.hoffmann@bigpond.com
Gail Walton-Hill	10 Cove Street Burnett Heads	bob47gail43@gmail.com
Ian Gaffel	4496 Goodwood Road Bundaberg	ian@austchilli.com.au
Bess Martin	12 Goodwin Street Bundaberg	bessmartin57@gmail.com
Daniel Wick	2 Milton Street Burnett Heads	dan@wick.id.au
Diane Anderson	3 Shelley Street Burnett Heads	tomdianderson@gmail.com
Des Gellert	19 Sorrento Drive Bargara	des.gellert@outlook.com
Mary Walsh	24 Scherer Bvd Kepnock	marywalsh6@bigpond.com
Mark Herron	7 Breaker Ct Bargara	wabster@gmil.com
Moya Jackson	7 Breaker Court Bargara	emmjay55@gmail.com
Alison Vercoe	31 Hurst Street Walkervale	vivalamusique@yahoo.com.au
Peter Shaw	5/72 Quay Street Bundaberg West	thorold598@gmail.com
Cath Rehbein	4 Reid Crescent Innes Park	61456188118@online.telstra.com.au and lestercath@westnet.com.au

Dr Chris Barnes	1 Rosewood Place Bundaberg North	birds4chris@icloud.com
Sue Sargent	94 Crofton Street Bundaberg	sue.sargent65@gmail.com
Danny Rowleson	PO Box 413 Bli Bli	oaksbeach@hotmail.com
Pam Soper	29 Watsons Road Bargara	pam.environment@gmail.com
Karen Tulk	33 Farquhars Rd Qunaba	karen.tulk@bigpond.com
Terry & Karen Kelly	2 Harbour Esplanade Burnett Heads	monterey2@bigpond.com
Maureen A Schmidt	565 Branyan Drive Branyan	schmittm@bigpond.net.au
Jodi Brett	49 Nielson Avenue Burnett Heads	jodicollings@gmail.com
Les and Barbie Quinn	36 Burnett Heads Road Burnett Heads	-
Genevieve Kerbaul	27 Nielson Avenue Burnett Heads	gkerbaul@icloud.com

9. Referral agencies for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State Transport Infrastructure</p> <p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017)</p> <p>Development impacting on state transport and thresholds</p> <p>Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument or section 21, if—</p> <p>(a) the development is for a purpose stated in schedule 20, column 1 for the aspect; and</p> <p>(b) the development meets or exceeds the threshold—</p> <p style="padding-left: 20px;">(i) for development in local government area 1—stated in schedule 20, column 2 for the purpose; or</p> <p style="padding-left: 20px;">(ii) for development in local government area 2—stated in schedule 20, column 3 for the purpose; and</p> <p>(c) for development in local government area 1—the development is not for an accommodation activity or an office at premises wholly or partly in the excluded area</p>	<p>Department of Treasury</p>	<p>Concurrence</p>	<p>State Assessment and Referral Agency (SARA)</p> <p><i>E:</i> WBBSARA@dsmip.qld.gov.au</p> <p><i>P:</i> PO Box 979 Bundaberg Qld 4670</p>

<p>Tidal works or work in a coastal management district</p> <p>Schedule 10, Part 17, Division 3, Table 6, Item 1</p> <p>Development application for a material change of use that is assessable development under a local categorising instrument, if carrying out the change of use will involve—</p> <p>(a) operational work that—</p> <p style="padding-left: 20px;">(i) is carried out completely or partly in an erosion prone area in a coastal management district; and</p> <p style="padding-left: 20px;">(ii) is extracting, excavating or filling 1,000 m³ or more, or clearing native vegetation from an area of 1,000 m² or more; or</p> <p>(b) building work, carried out completely or partly in an erosion prone area in a coastal management district, if the building work involves increasing the gross floor area on the premises by 1,000 m² or more</p>	Department of Treasury	Concurrence	<p>State Assessment and Referral Agency (SARA)</p> <p><i>E:</i> WBBSARA@dsdmip.qld.gov.au</p> <p><i>P:</i> PO Box 979 Bundaberg Qld 4670</p>
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10. Currency period for the approval

Unless lawfully extended, the currency period for this development approval is 12 years starting the day that this development approval first took effect (Refer to Section 85 “Lapsing of approval at end of currency period” of the Planning Act 2016).

11. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the *Planning Act 2016*

There are no agreements about these matters.

12. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

Condition/s	Provision under which the condition was imposed
21-32	Section 145 – Non-trunk Infrastructure
-	Section 128 – Trunk Infrastructure

13. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

NO.	CONDITION	TIMING
GENERAL		
1.	Comply with all conditions of this development approval and maintain compliance whilst the use continues.	At all times unless otherwise stated
2.	Where there is any conflict between the conditions of this Development approval and details shown on the Approved plans, the conditions prevail.	At all times
3.	The full cost of all work and any other requirements associated with this development must be met by the developer, unless specified in a particular condition or Infrastructure agreement.	At all times
APPROVED PLANS		
4.	<p>Submit to and have approved by the Assessment Manager amended plans and/or documents which incorporate the following:</p> <p>a. Plans to be amended to provide for a promenade footpath area landward of the seawall within:</p> <p>i. a minimum 10 m wide corridor clear of lockable structures where adjacent to Buildings J and K (eg Buildings, fences etc)</p> <p>ii. A minimum 5m corridor elsewhere.</p> <p>Once approved, the amended plans will form part of the Approved plans.</p>	Prior to the submission of an Operational work or Building Work application, or commencement of work, whichever comes first
NATURE AND EXTENT OF APPROVED USE		
5.	Development authorised by this approval must be undertaken in accordance with the approved Masterplan and requirements of the Bundaberg Regional Council Planning Scheme 2015 relating to the High Density Residential Zone other than where varied by this approval.	At all times
6.	Any development application for development permit made pursuant to this approval must comply with the Bundaberg Regional Council Planning Scheme 2015 V5.0 or the Planning Scheme in force at the time of lodgement, except where varied by this preliminary approval and any conditions attached to it.	At all times
7.	Any business use located on the site must be ancillary and complementary to any resort complex established on the subject site.	At all times

8.	A supermarket must not establish within the Preliminary Approval area.	At all times
DATE DEVELOPMENT MUST BE COMPLETED BY (LAPSING DATE)		
9.	All development related to this variation approval for development must be completed fifteen (15) years from the date of this approval. To the extent that any development under this approval is not completed within that time the approval will lapse pursuant to section 88(2)(a) of the <i>Planning Act 2016</i>	At all times
ARCHITECTURAL BUILDING DETAIL		
10.	Submit a detailed materials palette to be used for all stages of the development for assessment by Council. The materials palette must show the final details of the facade treatment, the ground interface and the rooftop/building capping elements of the proposed buildings. The architectural drawings must nominate materials, colours and finishes.	Prior to the submission of the first application for a Development Permit
11.	<p>For each subsequent application for a Material Change of Use for a Development Permit, architectural drawings must be prepared and submitted to the Assessment Manager for review against the relevant codes. The architectural drawings must show the final developed details of the facade treatment, the ground level interface with the street and the rooftop/building capping elements of the approved buildings, and must depict a higher level of documentation detail than that shown on the Approved Plans. The architectural drawings must:</p> <ul style="list-style-type: none"> a. demonstrate compliance with the approved materials palette pursuant to Condition 11 of this approval; b. have title blocks, revision numbers, scale details, north point and be cross referenced to larger scaled drawings; c. include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including: <ul style="list-style-type: none"> i. all servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc. ii. rooftop or building capping elements, awnings and soffits d. include for rendered perspectives (from the north, east, south and west 	

	<ul style="list-style-type: none"> e. include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations f. show how the building/s coordinates with fencing and landscaping for the site; g. enhanced privacy screening (or the like), on all elevations of the buildings that have the potential to overlook adjoining buildings to address overlooking of adjoining residential uses; and h. showing the intended finished built form which should incorporate high quality urban design outcomes and take into account the “coastal beach’ vernacular and subtropical design elements. 	
BUILDING HEIGHT		
12.	The maximum height of any building or structure must not exceed six storeys above natural ground level as shown on the amended approved plan <i>4.9 Building Height Diagram</i> dated 1/12/2020.	At all times
COMMUNAL FACILITIES		
13.	Submit with each application plans outlining communal open spaces for each building.	As indicated
ECOLOGY – MARINE TURTLES		
14.	Each subsequent development application for a development permit must incorporate measures to mitigate the effects of lighting on turtles by doing all things necessary to comply with the Recommended Conditions of Development Approval for Marine Turtle Management contained within appendix C of the approved <i>Marine Turtle Management Plan J71001</i> dated 20 February 2020.	Prior to the commencement of the use and then to be maintained
OPERATIONAL WORK ASSOCIATED WITH THE MCU		
STORMWATER		
15.	<p>A site-based Stormwater Management Plan must be submitted as part of the first development application seeking a development permit for Material Change of Use. The Stormwater Management Plan must be prepared by a suitably qualified practising Registered Professional Engineer of Queensland and must address the following:</p> <ul style="list-style-type: none"> a) Lawful point/s of discharge; b) Saltwater intrusion impacts; c) Mitigation measures addressing the saltwater intrusion impacts; 	As indicated

	<ul style="list-style-type: none"> d) Stormwater quality improvement measures to meet water quality objectives; e) Requirements under the Queensland Urban Drainage Manual and Bundaberg Regional Councils Planning Scheme (current versions at time of development application submission); and f) Other such issues contained in, but not limited to, this Preliminary Approval. 	
WATER		
16.	<p>A Water Supply Plan prepared by a suitably qualified practising Registered Professional Engineer of Queensland must be submitted as part of the first development application seeking a development permit for Material Change of Use.</p> <p>The Water Supply Plan must:</p> <ul style="list-style-type: none"> a) demonstrate that Councils current infrastructure can cater for the additional demand generated by the development (Stage 2) without adversely impacting other users on the network; and b) include the demands of the Stage 1 development within the assessment. 	As indicated
SEWERAGE		
17.	<p>Submit a Sewer Assessment Report prepared by a suitably qualified practising Registered Professional Engineer of Queensland, determining the most suitable sewer connection that will ultimately extend from Harbour Esplanade Sewerage Pump Station (SE.2008) and service the broader development (Stage 1 and 2).</p> <p>The Sewer Assessment Report must be submitted as part of the first development application seeking a development permit for Material Change of Use for Stage 2 unless already submitted as part of the development application for operational work - Stage 1.</p>	As indicated
18.	<p>A Sewer Master Plan, prepared by a suitably qualified practising Registered Professional Engineer of Queensland, must be submitted as part of the first development application seeking a development permit for Material Change of Use. The Sewer Master Plan must:</p> <ul style="list-style-type: none"> a) demonstrate that Councils current infrastructure can cater for the additional demand generated by the development (Stage 2) without adversely impacting other users on the network; b) include the demands of the Stage 1 development within the assessment; and 	As indicated

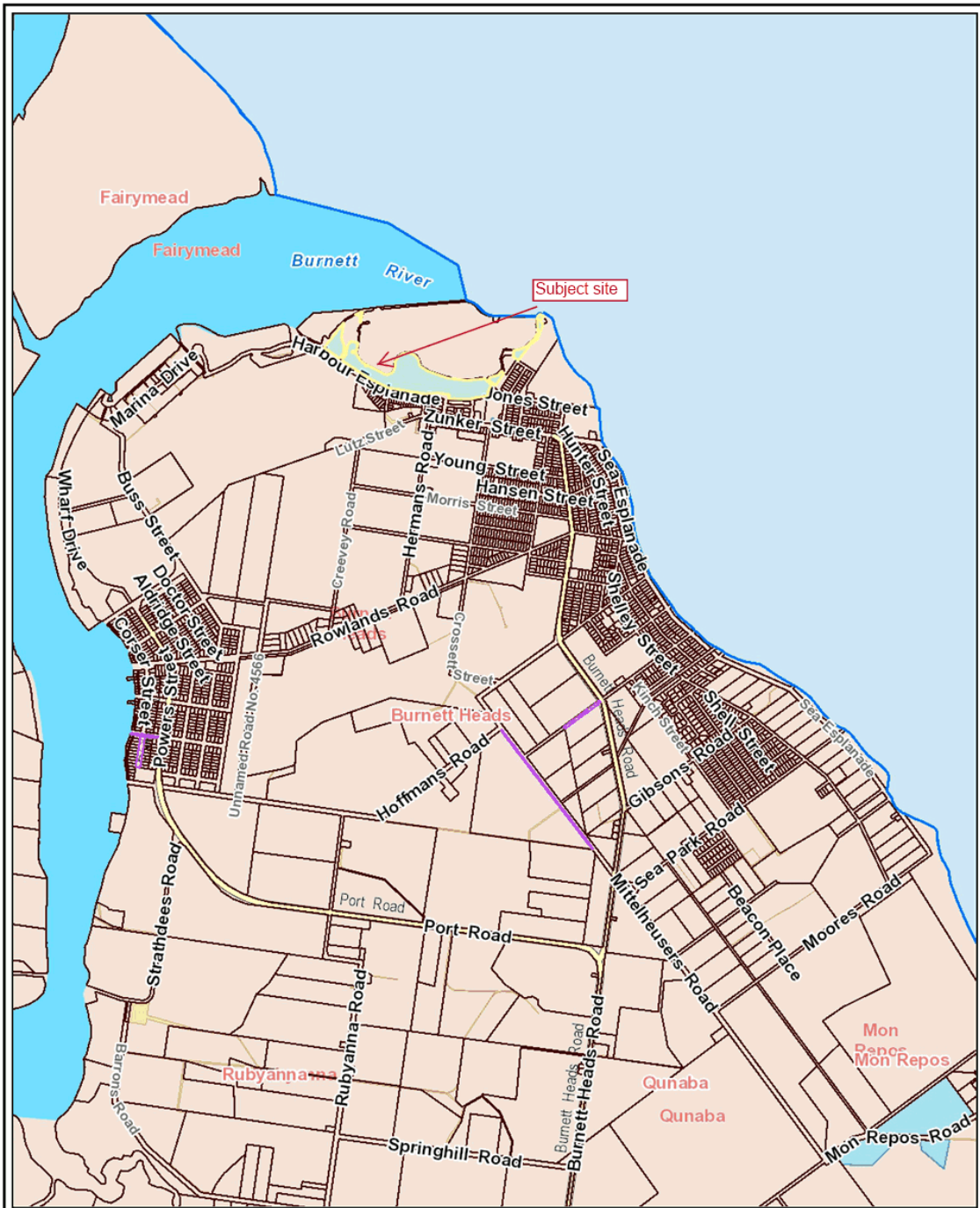
	c) be based on the connection requirements recommended from the engineering assessment (LPS or gravity extension) as per conditions of this approval.	
FLOOD HAZARD		
19.	Submit a Flood hazard assessment and impact report as part of the first development application seeking a development permit for Material Change of Use. The plan must be prepared by a suitably qualified practising Registered Professional Engineer of Queensland.	As indicated
20.	<p>Submit a Flood Emergency Management Plan as part of the first development application seeking a development permit for Material Change of Use. The plan must be prepared by a suitably qualified practising Registered Professional Engineer of Queensland.</p> <p>The Flood Emergency Management Plan must be prepared in accordance with <i>Australian Disaster Resilience Handbook 7 Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia (AIDR 2017); and accompanying guidelines</i> and must detail the following:</p> <ul style="list-style-type: none"> a) nature of the flood threat; b) flooding constraints and flood risks for the site and access/egress of the site (including consideration of any residual flood risk); c) sources of flood intelligence; d) considerations for flood management; e) procedures to manage the flood risk; f) roles and responsibilities before, during and after the flood episodes; g) triggers for plan activation; h) arrangements for education of workers and residents; i) resources needed to shelter in place during a flood episode; j) management of a medical emergency during a flood episode; k) duration of isolation; and l) recovery. 	As indicated
OPEN SPACE NETWORK		
21.	<p>A Beach Management Plan must be submitted as part of the development application seeking a development permit for Material Change of Use. The Beach Management Plan must address the following at a minimum:</p> <ul style="list-style-type: none"> a) Mitigation measure against impacts of storm surge; 	As indicated

	<p>b) Maintenance schedule including waste management;</p> <p>c) Operational guidelines including opening times, any restricted access, rules and regulations imposed;</p> <p>d) Safety management plan; and</p> <p>e) Seasonal considerations against all areas of management.</p>	
22.	A Landscaping Master Plan, prepared by a suitably qualified person, must be submitted as part of the development application seeking a development permit for Material Change of Use and must incorporate landscaping elements as required by the Bundaberg Regional Council Planning Scheme 2015.	As indicated
ROADWORKS, ACCESS, AND CAR PARKING		
23.	<p>Submit an updated Traffic Impact Assessment prepared by a suitably qualified practising Registered Professional Engineer of Queensland. The assessment must be submitted as part of the development application seeking a development permit for Material Change of Use.</p> <p>The Traffic Impact Assessment must include, but not be limited to:</p> <ul style="list-style-type: none"> • Updated calculations utilising accurate, up to date traffic count data; • Car parking requirements and provision; • Bicycle parking requirements and provision; • Site access design requirements; and • Servicing management plan. 	Prior to the commencement of the use
PEDESTRIAN CONNECTIVITY		
24.	Submit an updated Pedestrian & Open Space Network Plan including all proposed internal and external pedestrian pathways including corridor widths as specified within condition 4 as part of the development application seeking a development permit for Material Change of Use.	As indicated
25.	Submit a safety assessment for the pedestrian connectivity as part of the development application seeking a development permit for Material Change of Use. The safety assessment must be in accordance with the Austroads Guide to Road Design - Part 6A - Implementing Road Safety Audits (2019).	As indicated



PART 1B – ADVICE NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE CHARGES		
1.	Infrastructure charges will be applied to future Material Change of Use applications or a Development Permit within the Preliminary Approval area. These charges will be calculated in line with Infrastructure Charging Policy in force at that time.	At all times
ENVIRONMENTAL HARM		
2.	The <i>Environmental Protection Act 1994</i> states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction, and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil, or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.	At all times
NATURE AND EXTENT OF THE APPROVED DEVELOPMENT		
3.	This decision notice does not represent an approval to commence Building work.	At all times
SUBMISSION OF AMENDED PLANS FOR APPROVAL		
4.	The conditions of this Decision notice require submission of amended plan(s) or report(s) to the Assessment Manager. Address the amended documents to the Assessment Manager and reference 525.2018.90.1. To avoid delays and assessment issues with the first application for a Development Permit for a Material Change of Use, it is recommended the amended documents be submitted prior	Prior to the submission of the first application for a Development Permit for a

	to lodgement of any application for a Development Permit for a Material Change of Use.	Material Change of Use
SIGNAGE		
5.	An Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the self assessable criteria of the Planning Scheme in effect at the time of the proposed works.	At all times
WATER		
6.	The existing point of connection for water supply to lot 1 on SP157913 must be used. No additional point of connection for water supply at this location will be approved.	At all times
CONTAMINATED LAND		
7.	Any future application for a Development Permit will need to provide evidence to the satisfaction of the assessment manager that all necessary permits for the relevant authorities have been obtained and any required remediation works undertaken to address any potential contaminated land conflicts such that the premises are suitable for the proposed use.	Prior to the commencement of the use



Locality Plan

Projection: GDA_1994_MGA_Zone_56 Date: 13/11/2020 3:00 PM Scale 1 : 32,000.00 on A4 Sheet

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89 - Site Plan

Projection: GDA_1994_MGA_Zone_56

Date: 13/11/2020 2:47 PM

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4.1 STATEMENT OF URBAN DESIGN INTENT



URBAN DESIGN OVERVIEW

The Burnett Harbour Marina Village has been designed as a high quality integrated mixed-use marine village located on the southwestern shore of Burnett Harbour. Its architectural form comprises a linear cluster of buildings spread along the shoreline with each end clearly defined by a principal node. The commercial heart marks the western end of the village (Stage 1 - separate DA Submission). This is balanced by the resort complex (Stage 2), which identifies the eastern end (the subject of this application).

Organic in its shape, the built form pattern respects and follows the line of the existing landform edge. In this way the structure of the village can be regarded as a seamless whole, maintaining a natural and meaningful relationship with its surroundings. An east-facing boardwalk, which overlooks the marina, provides access to retail, commercial, restaurant and short-term accommodation facilities within, promoting a vibrant and interesting waterfront edge.

Stage 2 includes a series of residential buildings which are distributed along the waterfront to the east of the village centre. These comprise a mix of product types, including 4 – 5 storey low-rise apartment buildings, 2 storey waterfront villas, 2 storey eco-villas and a 6 – 10 storey resort complex. The resort complex is located centrally on the small peninsula on a north-south axis running from Harbour Esplanade to the marina. Complex facilities embrace and overlook a large lagoon pool.

As the tallest structure, the resort complex will provide a distinctive landmark on the shore, identifying the river mouth on approach from the sea.

Residential buildings are angled in plan shape and offset from each other resulting in an interesting and sinuous built edge of varying height, which maximizes views to the marina and the ocean for residents. Lower height buildings are generally positioned closer to the edges of the site with the tallest structure located the furthest distance from the site's boundaries. Generous gaps between buildings provide view shafts to the marina from Harbour Esplanade.

The public boardwalk continues along the harbour edge in front of all buildings. This is linked by pathways to additional boardwalks, BBQ and picnic areas and a small beach, providing public access to almost the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for both residents and the wider community.

Vehicular access to the site is provided through a formal high landscaped entry boulevard which distributes vehicles to residential and resort buildings from a central roundabout.

Parking for each of the residential and resort buildings is provided in basements beneath each building, with visitor parking at grade.

The concept design for this preliminary approval application describes a resolved resort residential scheme which both compliments the Stage 1 development and responds sensitively to the constraints and opportunities of this special waterfront site.

4.2 STATEMENT OF URBAN DESIGN INTENT



KEY URBAN DESIGN PRINCIPLES

Key principles of good urban places considered in the design include:

Accessibility

Good places are accessible to all members of the community. Proposed buildings will cater for people arriving by foot, bicycle, car, coach, boat or future public transport. All areas within the site will allow equitable access for people with disabilities.

Comprehendibility

People can take full advantage of a place if they can readily understand it, easily interpret it and it is imbued with meaning corresponding with its use. The proposed built environment has clear points of reference in its circulation routes and meeting and gathering places and building entrances. Individual buildings are designed to exhibit clear legibility through architectural language, colour, materiality, transparency and articulation.

Variety and Interest

Variety is an essential ingredient of good urban places. Variety implies varied forms, uses and meanings. The visual appearance of building forms will be given increased variety through the layering of façades, variation in height and roof shape, the use of a wide range of exterior materials and the natural landscape. The dynamic composition of building elements within the overall 'horizontal' built form of the development will create visual interest for both residents and visitors.

Accommodation Choice

The wide range of accommodation choice proposed will cater for a broad range of occupants over the long term.

Connectivity

Generous gaps between buildings will provide view shafts to the marina from Harbour Esplanade and the existing residential neighborhood to the south. The waterfront boardwalk provides public access to the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for residents and for the wider community.

Qualities of Edges

All edges of the resort residential precinct are readily accessible and have been designed to be legible and interesting in appearance, easy and safe to access, using appropriate materials, finishes and landscaping, which will also provide shade and weather protection.

Human Scale

Good urban places affirm the importance of people, helping us to relate to, interpret and enjoy the built environment. The proposed development is broken into a series of human scaled building elements, which will relate well to the landform context at the mouth of the Burnett River. Richness will be achieved through the articulation, materiality and detailing of building forms.

Space Making

A good environment possesses well defined public spaces, in which people will feel comfortable. The public waterfront and other circulation areas within the site comprise a series of interconnected human scaled spaces containing communal meeting places at nodal points. Residents are provided with sheltered outdoor living and recreation areas.

Sense of Community

Good places enhance the sense of community and provide for social interaction. The design of the circulation and communal areas will provide comfortable places in which people can meet and socialise enjoying a good sense of well being.

Public and Private Aspects

The close proximity of public and private realms has been given consideration in the design.

Adaptability and Versatility

The proposal has been designed to allow its construction to be staged so that it can be developed at an appropriate pace over time. Many internal walls of the buildings are non load bearing providing adaptive design to readily accommodate changing uses over time.

Environmental Qualities

The design satisfies environmental qualities for users of the site including the quality of air and water, noise and visual pollution, bio diversity in the landscape and the minimization of energy use and waste.

Safety

In its layout, the masterplan has been configured to provide safe access within the site as well as to and from the new village. This includes the provision of clear sightlines along all pathways.

4.3 OVERALL MASTER PLAN

STAGE 1 & STAGE 2



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BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG





4.4 MASTER PLAN

- G - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION
 - H - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION
 - I - RESORT COMPLEX - ACCOMMODATION, RESTAURANTS & BARS
 - J - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION
 - K - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION
 - L - CONFERENCE BUILDING
 - M - RESIDENTIAL - WATERFRONT VILLAS
 - N - SHORT TERM ACCOMMODATION - ECO VILLAS
- *Note: Buildings G, H, I, J, K and L all contain basement parking

4.5 CONCEPT SKETCHES (1)

PROPOSED BUILT FORM CHARACTER SKETCHES

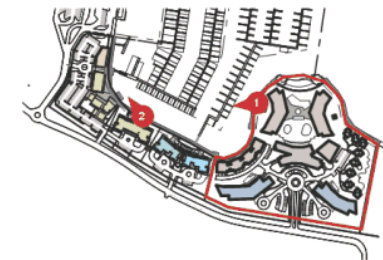
The attached images illustrate design intent for subtropical architecture and materials within the general massing.



WATERFRONT VIEW BUILDINGS C & D



RETAIL PRECINCT WATERFRONT VIEW



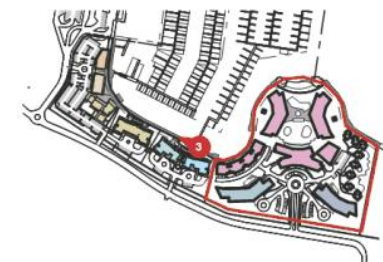
4.6 CONCEPT SKETCHES (2)

PROPOSED BUILT FORM CHARACTER SKETCHES

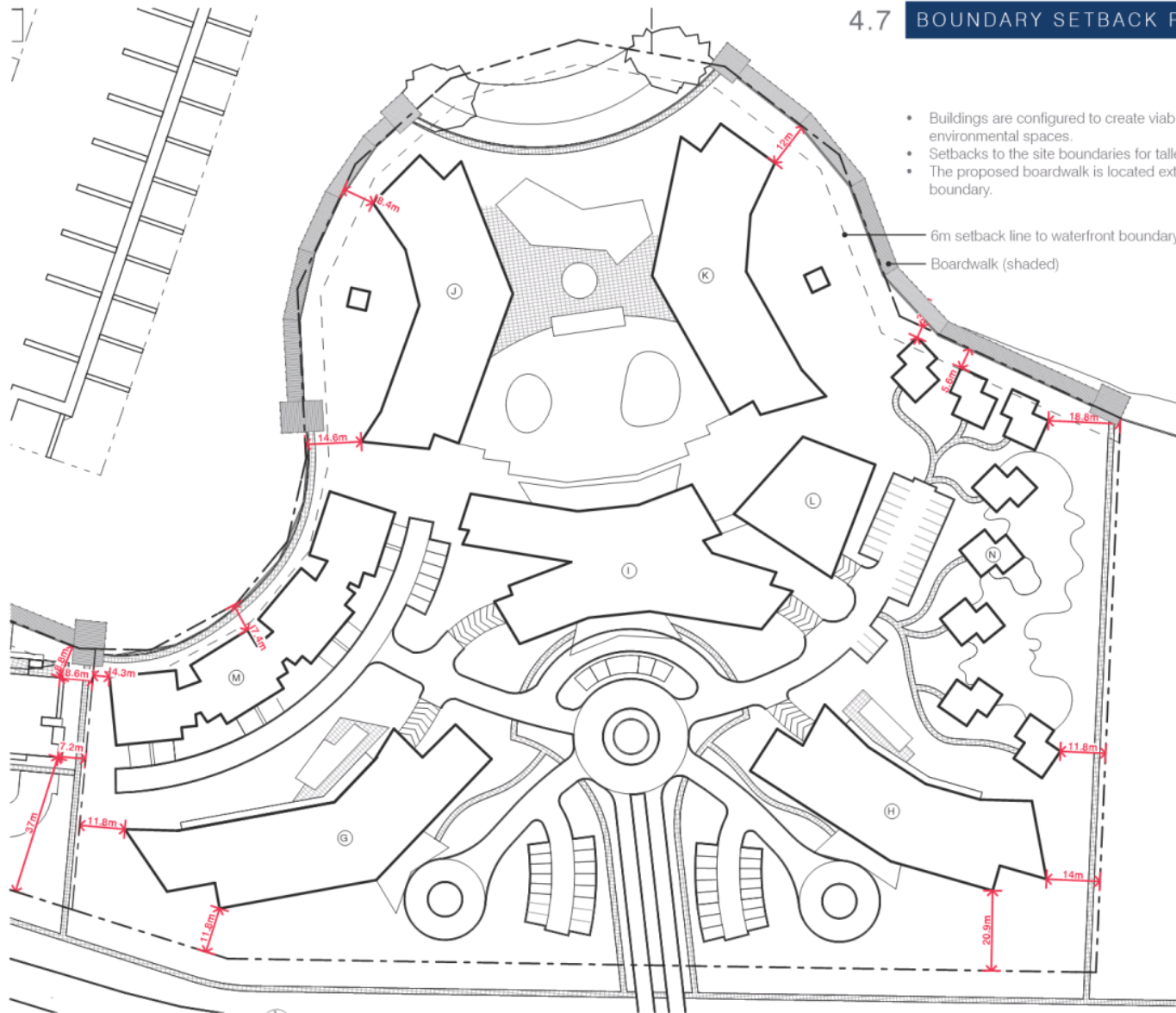
The attached images illustrate design intent for subtropical architecture and materials within the general massing.



BOARDWALK VIEW 1
STAGE 1 ONLY - SEPARATE APPLICATION

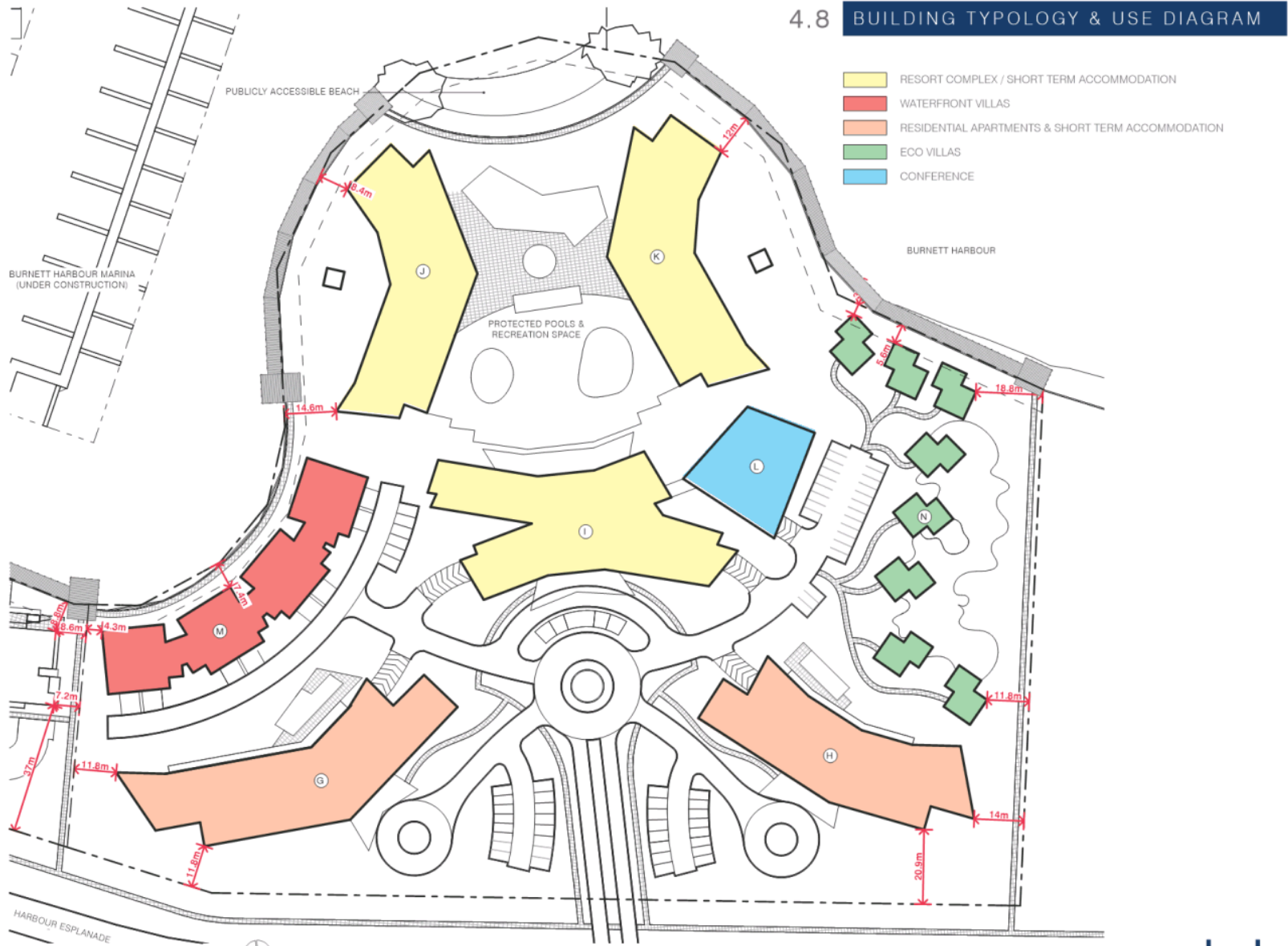


4.7 BOUNDARY SETBACK PLAN



- Buildings are configured to create viable outdoor recreation and environmental spaces.
- Setbacks to the site boundaries for taller buildings are generous.
- The proposed boardwalk is located external to the site waterfront boundary.

6m setback line to waterfront boundary.
Boardwalk (shaded)

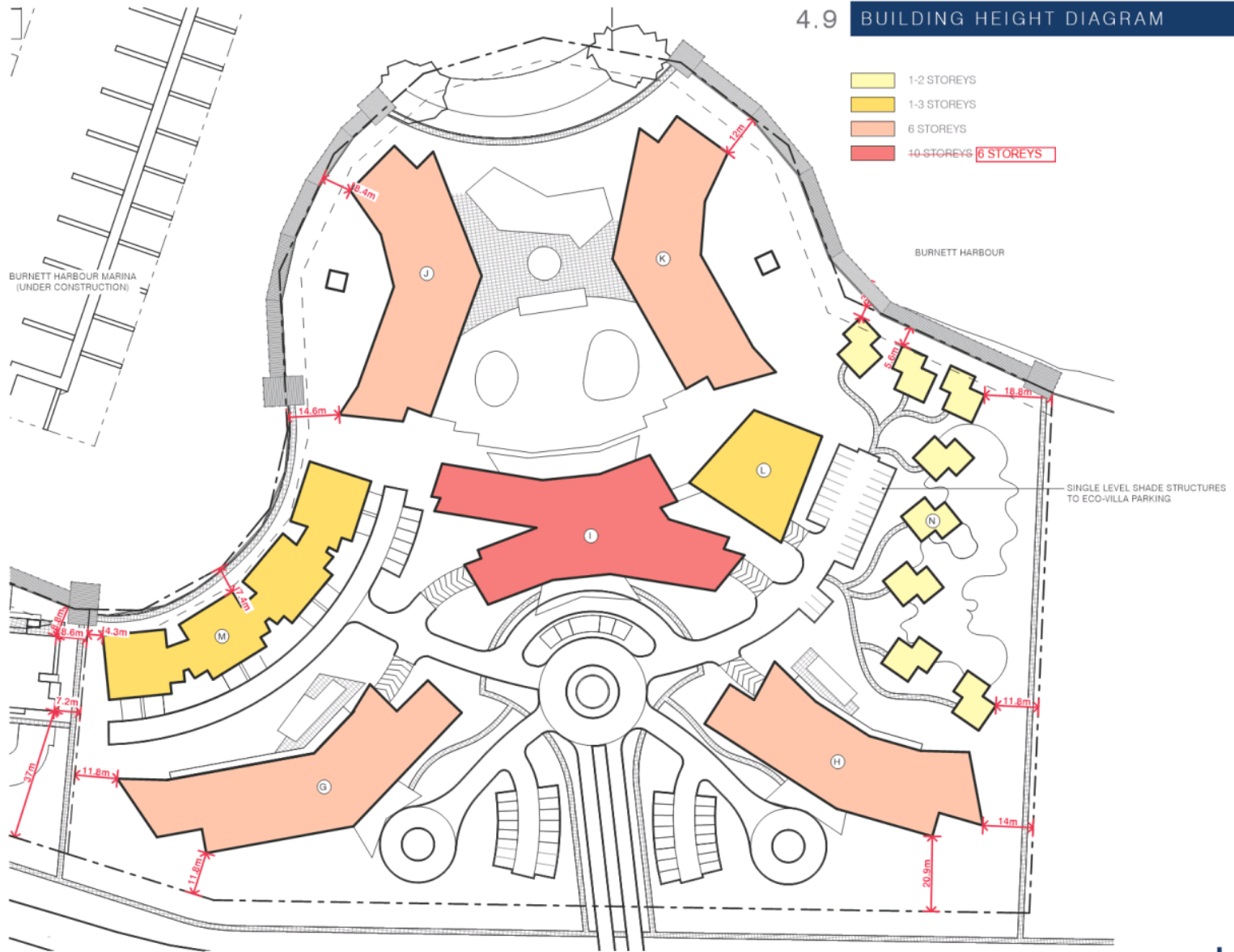


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22 / 35

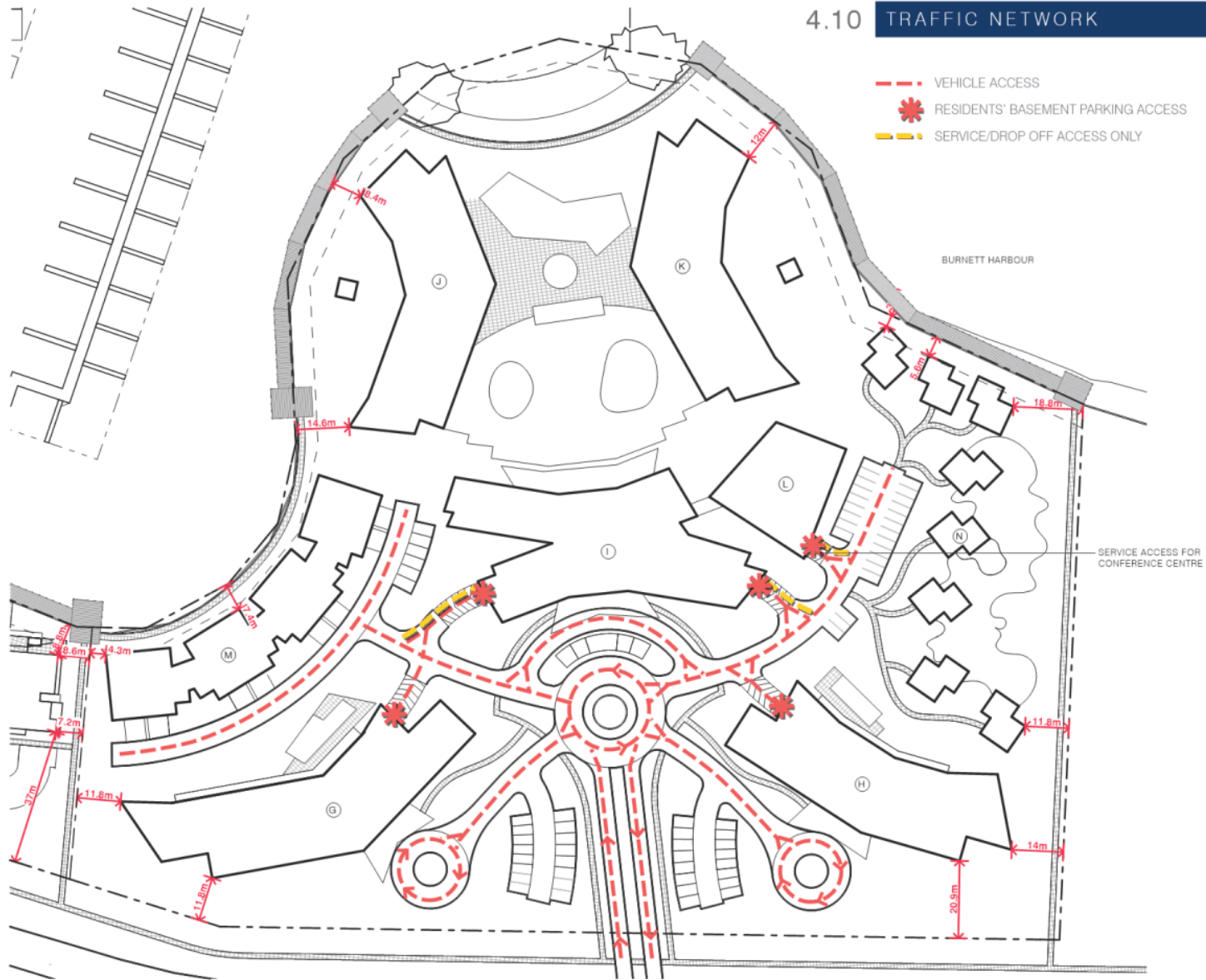


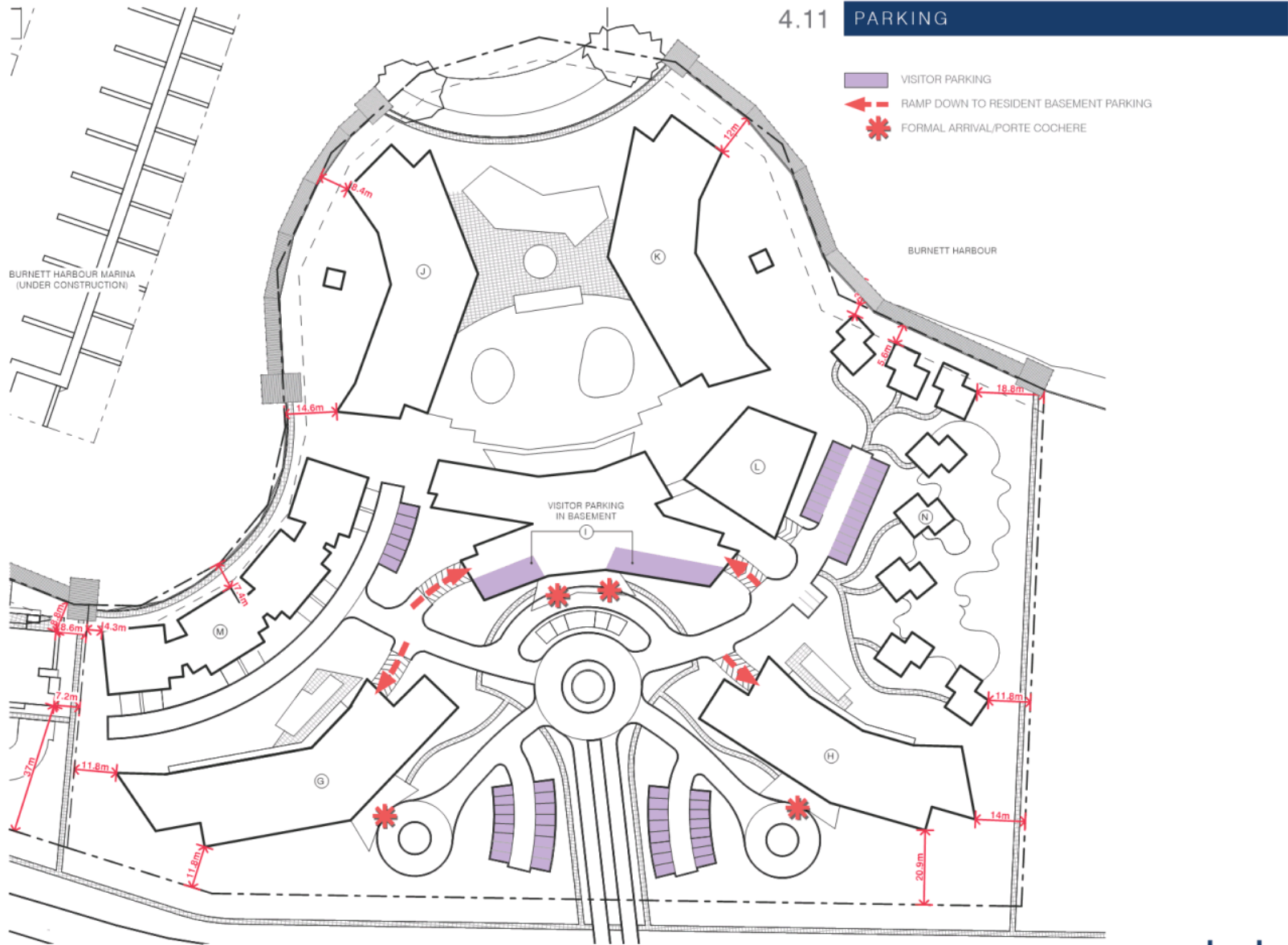
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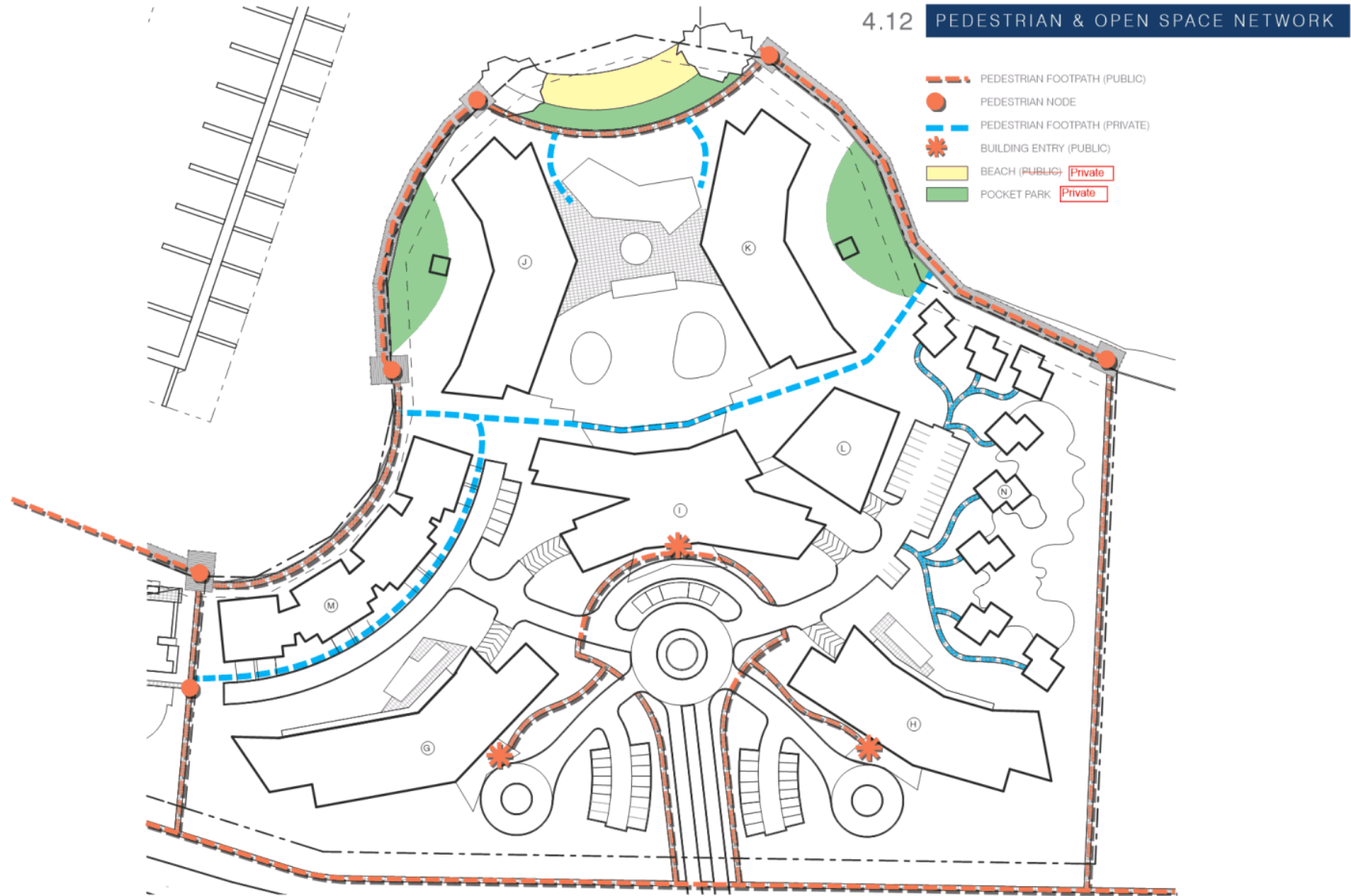
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23 / 35







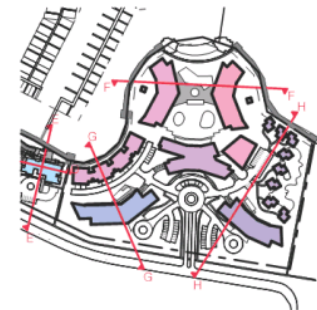
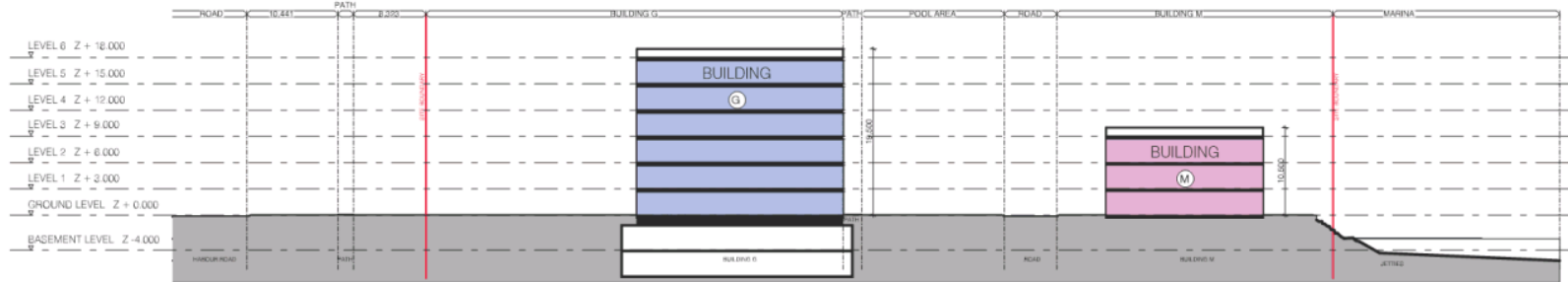
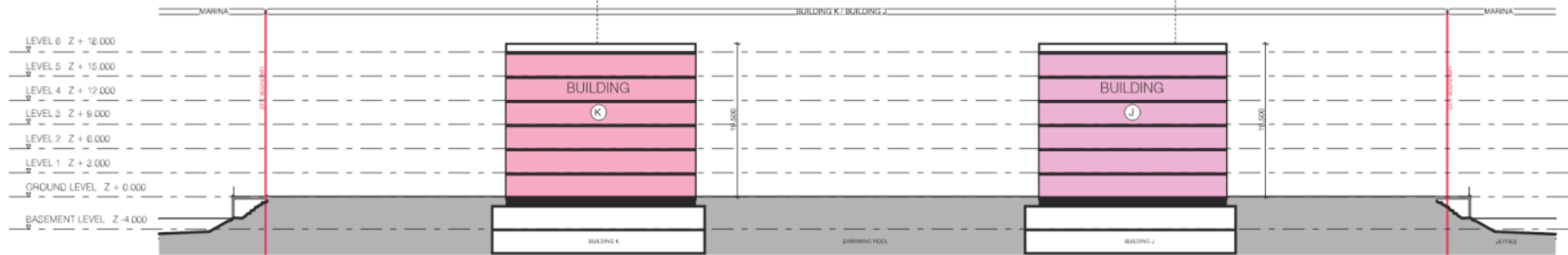
387700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018

1/12/2020 as amended by Council

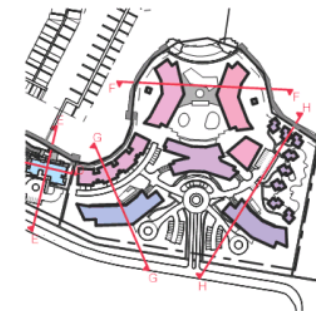
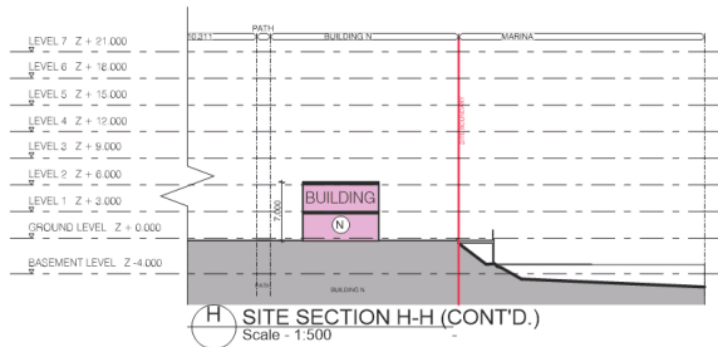
BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

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26 / 35

4.13 SITE SECTIONS F & G



4.14 SITE SECTION H-H



6.1 ARCHITECTURAL DESIGN INTENT

STAGE 2 ARCHITECTURAL VISION

Stage 2 of the overall Marine Village is the subject of this submission.

The intent of the design is to create a high quality mixed use residential community and resort which integrates visually with Stage 1 of the overall project (separate application)

Each building will be composed and articulated utilising a consistent architectural language, which contributes to the creation of a place of distinct character.

Exterior building forms are proposed to be highly articulated and modelled as a series of individual architectural elements, expressing the variety of individual dwelling types. Each of these elements will be arranged in a composition of sculpturally distinct yet interconnected architectural forms.

Building heights vary from 2 levels to 10 levels. All buildings have outlook over water or resort landscaped recreation spaces.

All buildings are designed to be fully accessible.

The resort complex buildings, which primarily provide short term accommodation, contain a variety of uses including restaurants, bars, convention facilities, guest suites, specialty retail and extensive recreational facilities. These buildings are arranged around a tropically landscaped lagoon pool, and vary in height between 6 and 10 storeys. The concept design will ensure the creation of a subtropical ambience, which will be characterized by white concrete forms with partial stone and timber cladding and aluminium screens.

Buildings are angled in plan shape and offset from each other, resulting in an interesting and sinuous built edge of varying height. All apartments will open out onto terraces or balconies primarily possessing northern aspect, ranging from north-east to north-west, creating outstanding amenity for residents and visitors in this resort community.



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6.2 PERSPECTIVE VIEW 1



INDICATIVE PERSPECTIVE VIEW FROM STAGE 1
MARINA VILLAGE RETAIL

INSITE SJC

**BURNETT HARBOUR MARINA VILLAGE: MARINE TURTLE
MANAGEMENT PLAN**



Prepared by

Pendoley Environmental Pty Ltd

For

InSite

21 February 2020





DOCUMENT CONTROL INFORMATION

TITLE: BURNETT HARBOUR MARINA VILLAGE

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Document History

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Rev A1	Internal Review	18/12/2019	16/12/2019	Dr K Pendoley
Rev A	Client review	20/12/2019	24/12/2010	R Barrington
Rev B	Address client comments	26/01/2020		Dr A Knipe/Dr K Pendoley
Rev C	Revised to include light monitoring	31/01/2020		Dr A Knipe
Rev D	Address client comments	7/02/2020		Dr A Knipe/Dr K Pendoley
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TABLE OF CONTENTS

1	INTRODUCTION.....	1
1.1	Project Background.....	1
1.2	Site Description.....	2
1.2.1	Existing ambient light levels.....	4
1.3	Aims.....	9
1.4	Exclusions.....	9
2	RELEVANT LEGISLATION.....	10
3	SPECIES PROFILES.....	12
3.1	Loggerhead Turtles.....	12
3.2	Green Turtle.....	12
3.3	Flatback Turtle.....	13
4	SITE SPECIFIC RISK ASSESSMENT.....	14
4.1	Threats.....	14
4.2	Risk Assessment Methodology.....	15
4.3	Climate change and variability.....	16
4.3.1	Potential impacts.....	16
4.3.2	Mitigation measures.....	16
4.3.3	Risk assessment.....	17
4.4	Marine debris.....	17
4.4.1	Potential impacts.....	17
4.4.2	Mitigation measures.....	18
4.4.3	Risk assessment.....	18
4.5	Chemical and terrestrial discharge.....	18
4.5.1	Potential impacts.....	18
4.5.2	Mitigation measures.....	19
4.5.3	Risk assessment.....	19
4.6	International take.....	19
4.7	Terrestrial predation.....	20
4.7.1	Potential impacts.....	20
4.7.2	Mitigation measures.....	20
4.7.3	Risk assessment.....	20
4.8	Fisheries bycatch.....	21
4.8.1	Potential impacts.....	21
4.8.2	Mitigation measures.....	21
4.8.3	Risk assessment.....	21
4.9	Light pollution.....	21
4.9.1	Potential impacts.....	21
4.9.2	Mitigation measures.....	23
4.9.3	Risk assessment.....	26
4.10	Habitat modification.....	27
4.11	Indigenous take.....	27
4.12	Vessel disturbance.....	27



4.12.1	Potential impacts	27
4.12.2	Mitigation measures	28
4.12.3	Risk assessment	28
4.13	Noise interference	28
4.14	Recreational activities.....	28
4.14.1	Potential impacts	28
4.14.2	Mitigation measures	29
4.14.3	Risk assessment	30
4.15	Disease and pathogens	30
4.16	Risk Assessment Summary.....	31
5	MONITORING AND ADAPTIVE MANAGEMENT.....	36
5.1	Artificial Light	36
5.2	Marine Turtles.....	36
5.3	Other	36
5.4	Reporting and Adaptive Management.....	36
6	SIGNIFICANT IMPACT CRITERIA	38
7	CONCLUSION AND RECOMMENDATIONS.....	44
8	REFERENCES	45

LIST OF TABLES

Table 1:	Details of proposed buildings in Phase 1 and Phase 2	1
Table 2:	Sky brightness as measured at each beach (visual magnitudes/arcsec2)	5
Table 3:	Conservation status and presence of marine turtle species at relevant nesting beaches	11
Table 4:	Threats to marine turtle species as identified in the Recovery Plan for Marine Turtles in Australia (2017 – 2027).....	14
Table 5:	Risk Assessment Matrix.....	15
Table 6:	Definition of consequence descriptions.....	16
Table 7:	Summary of the risk assessment for climate change.....	17
Table 8:	Summary of the risk assessment for marine debris.....	18
Table 9:	Summary of the risk assessment for chemical and terrestrial discharge	19
Table 10:	Summary of the risk assessment for terrestrial predators	20
Table 11:	Summary of the risk assessment for fisheries bycatch.....	21
Table 12:	Summary of the risk assessment for light pollution	27
Table 13:	Summary of the risk assessment for vessel disturbance	28
Table 14:	Summary of the risk assessment for recreational use.....	30
Table 15:	Summary of the site-specific risk assessment outcomes.....	31
Table 16:	Summary of significant impact of the project.....	39



LIST OF FIGURES

Figure 1: Turtle nesting beaches and critical habitat of the Woongarra Coast. Proposal location indicated by.....	3
Figure 2: Proportion of loggerhead turtle nesting crawls occurring on the individual beaches of the Woongarra Coast relative to the total number of crawls between 1982 and 2018 (Source: Limpus pers. comm.).....	4
Figure 3: Artificial light monitoring results at Barubbra Island on the 24 th January; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.	6
Figure 4: Artificial light monitoring results at Mon Repos Beach on 2 nd October 2019; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.....	7
Figure 5: Artificial light monitoring results at Oaks Beach on 2 nd October 2019; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.	8

LIST OF APPENDICES

Appendix A: Sky42™ Data Analysis
Appendix B: Burnett Harbour Marina Village Development Application
Appendix C: Suggested approval conditions



ACRONYMS

Acronym	Definition
AFMA	Australian Fisheries Management Authority
BHD	BH Developments Qld Pty Ltd
CITES	Convention on the International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
DoEE	Department of Energy and the Environment
EPBC	Environment Protection and Biodiversity Conservation
ESD	Ecologically Sustainable Development
eQld	Eastern Queensland (genetic stock)
GHG	Green House Gas
IUCN	International Union for the Conservation of Nature
MTMP	Marine Turtle Management Plan
NCA	Nature Conservation Act
sGBR	Southern Great Barrier Reef (genetic stock)
SSAP	Single Species Action Plan
swPac	south-west Pacific (genetic stock)



1 INTRODUCTION

1.1 Project Background

BH Developments Qld Pty Ltd. (BHD) have submitted two development applications (Phase 1 and Phase 2) to Bundaberg Regional Council for the “Burnett Harbour Marina Village” located within Lot 1 on SP157913 at Burnett Heads. The proposal includes a total of 14 buildings, which are a mix of retail/commercial and residential, in addition to a public walkway and connecting pathways. Building details are provided in Table 1.

The proposal is located adjacent to the Bundaberg State Development Area (SDA) which was established by the Queensland Government with the key objective to “encourage the establishment of industrial and port related development of regional, State or national significance and other associated industries, facilities and local utilities to facilitate economic development and job creation” (Queensland Government, 2017). The Bundaberg SDA also has a vision to “manage and plan for the establishment of industry, infrastructure and port related development to support the continued growth of the Port of Bundaberg as a multicommodity port”. The Port of Bundaberg, managed by Gladstone Ports Corporation (GPS), is located ~5 km downstream from the mouth of the Burnett River. Between 2009 and 2019 the port has more than doubled its throughput of sugar and molasses and is expected to continue to grow (Gladstone Ports Corporation, 2020). Bundaberg Port Marina also provides 180 floating berths (Bundaberg Port Marina, 2020). Bundaberg Regional Council also maintains a four-lane Burnett Heads Harbour Boat Ramp, adjacent to the development (Bundaberg Regional Council, 2020).

Table 1: Details of proposed buildings in Phase 1 and Phase 2

Building	Use	Area (sq.m)	Storeys
<i>Phase 1</i>			
A	Offices, yacht club, retail	345	3
B	Short term accommodation, retail	648	3
C	Retail	860	1
D	Residential apartments and short-term accommodation	951	5
E	Residential apartments and short-term accommodation	597	5
F	Residential apartments	597	5
<i>Phase 2</i>			
G	Residential apartments and short-term accommodation	1404	6
H	Residential apartments and short-term accommodation	1404	6
I	Resort complex	1500	10
J	Residential apartments and short-term accommodation	1478	6
K	Residential apartments and short-term accommodation	1478	6
L	Conference centre	735	3
M	Residential apartments	1320	2
N	Short term accommodation	800	2



1.2 Site Description

The development site for Phase 1 includes some existing buildings and previously undeveloped land. Phase 2 comprises entirely undeveloped land. Combined, the sites face north toward Burnett Heads Boat Harbour and the Burnett River beyond. Aerial photography of the site is provided in Appendix B.

The Queensland Coast provides a number of nesting beaches for marine turtle species listed under the Environment Protection and Biodiversity Conservation (EPBC) Act 1999. The Woongarra Coast comprises individual turtle nesting beaches which, combined, represent a major loggerhead turtle rookery (see Section 3.1). Lower density nesting of green and flatback turtles has also been recorded at beaches within this area (see Sections 3.2 and 3.3, respectively). The Woongarra Coast includes the individual beaches of Mon Repos, Oaks Beach, Neilson Park, Bargara, Kellys-Moneys beaches, Elliott Heads and Innes Park (Figure 1). Although not routinely monitored, Barubbra Island is considered the northernmost extent of the Woongarra Coast (DES, pers. comm.).

In the vicinity of the development, turtle nesting beaches include Oaks Beach, Barubbra Island and Mon Repos Beach (Figure 1). The beach at South Head Parklands is fringed by a rocky intertidal zone rendering it unsuitable for turtle nesting. As such, this beach is not considered further. Accordingly, in this Marine Turtle Management Plan (MTMP), Oaks Beach, Barubbra Island and Mon Repos Beach are collectively referred to as 'relevant nesting beaches' hereon in. Though undocumented, it is also possible that adult and juvenile green turtles will use the Burnett River, and the mangrove lined creek behind the development location, as a refuge or for foraging.

Of the relevant nesting beaches, Mon Repos supports the greatest number of nests each year when considered as a proportion of the total number recorded across the Woongarra Coast (Figure 2). Although not routinely monitored or published, DES field studies of Barubbra Island (10-15 years ago) found that the number of loggerhead and flatback turtle were similar to the number of nests on Bargara Beach (DES, pers. comm.). At the closest point, the development is located approximately 1.7 km from Oaks Beach, 4.5 km from Mon Repos Beach and approximately 0.65 km from Barubbra Island. Unlike Oaks Beach and Mon Repos Beach, the level of development (e.g. existing housing) between beaches of Barubbra Island and the development is very low. Further, Barubbra Island is located across the Burnett River, in direct line of sight of the development. This, combined with the shorter distance, makes the beaches of Barubbra Island more exposed to the potential of directly visible light.

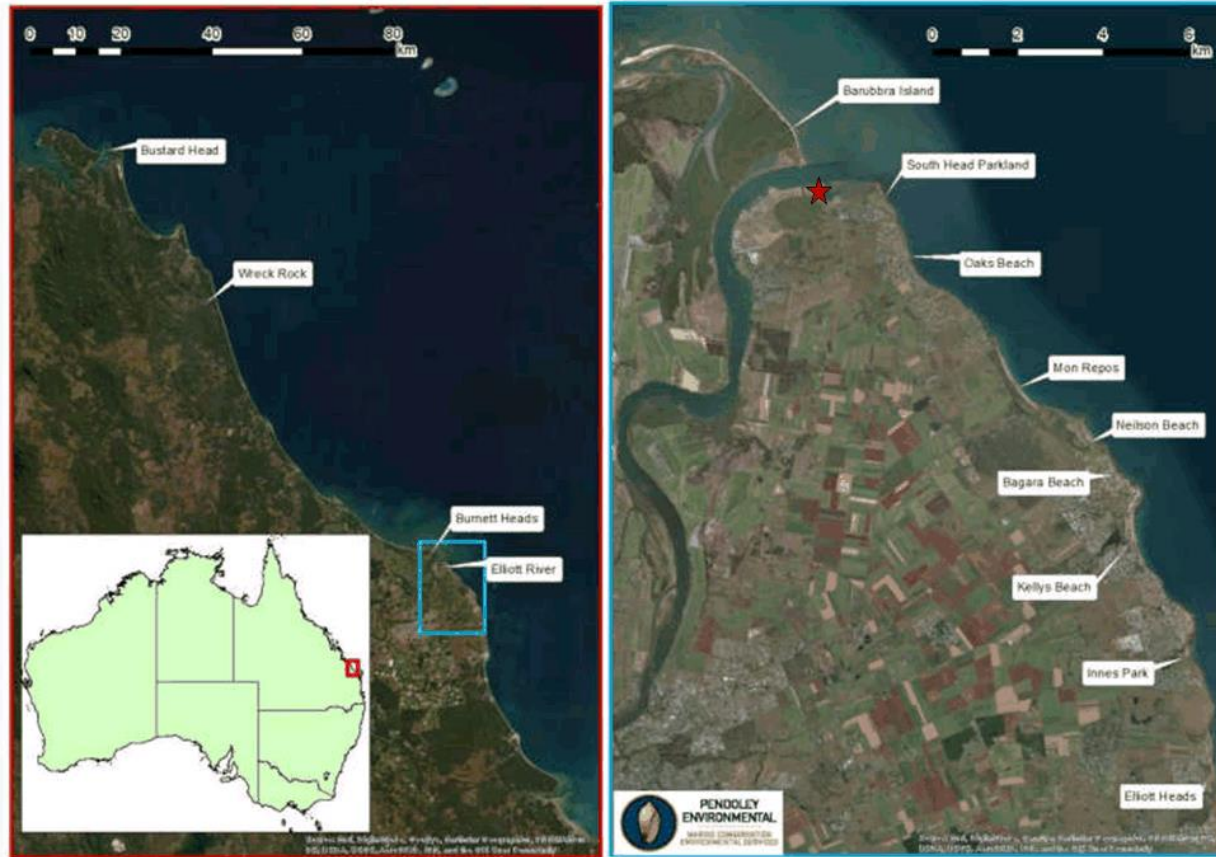


Figure 1: Turtle nesting beaches and critical habitat of the Woongarra Coast. Proposal location indicated by ★

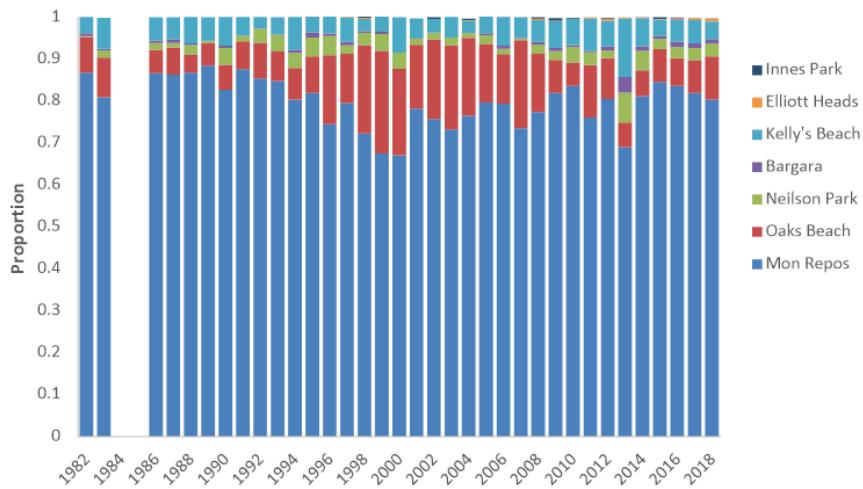


Figure 2: Proportion of loggerhead turtle nesting crawls occurring on the individual beaches of the Woongarra Coast relative to the total number of crawls between 1982 and 2018 (Source: Limpus pers. comm.).

1.2.1 Existing ambient light levels

Information regarding ambient light levels were collected from Barubbra Island, Oaks Beach and Mon Repos Beach to better understand the artificial light environment of the region. Data was gathered using automated Sky42™ light monitoring cameras that feature a Canon EOS 700D camera and fish-eye lens with custom built hardware to acquire low light night sky images of the entire sky. The cameras are built into a rigid housing with a protective lid that automatically opens during image capture and closes between capture intervals. The cameras were deployed at Barubbra Island, Oaks Beach and Mon Repos Beach between the 24th and 26th January 2020. Images were downloaded from the cameras each day and were processed as described in Appendix A.

Atmospheric conditions, such as cloud cover, can influence the scattering of light and therefore ambient light levels. Cloud cover was present for the duration of the survey; however, this is typical for the Burnett Heads area at this time of year and, therefore, results are considered representative and suitable for future comparisons. Conditions on the 24th January 2020 provided the best image quality and these are presented in Figure 3 (Barubbra Island), Figure 4 (Mon Repos Beach) and Figure 5 (Oaks Beach).

The images were processed to determine “whole-of-sky”, “zenith”, and “horizon” sky brightness levels. Zenith is the mean value of sky glow in magnitudes within 0° – 30° field of view directly overhead, whole-of-sky (WOS) is the mean value of sky glow in the entire image, and horizon is the



mean value of sky glow within the 60° – 90° outer band (see Appendix A). Results for each beach are provided in Table 2.

Table 2: Sky brightness as measured at each beach (visual magnitudes/arcsec²)

Site	Median Sky brightness (V mag / arcsec ²)		
	WOS*	Zenith	Horizon
Barubbra Island	18.92	19.49	18.77
Oaks Beach	19.12	19.44	18.92
Mon Repos Beach	19.65	19.65	19.77

*Whole-of-sky

The median sky brightness varied between 18.77 and 19.77 across the three beaches which is typical of a suburban/urban night sky (Appendix A). Overall Barubbra Island had the brightest night sky, whereas Mon Repos Beach had the least bright night sky.

Images show that at Barubbra Island (Figure 3), sky brightness was greatest in the direction of Bundaberg and Bundaberg Port. At Oaks Beach (Figure 5), the greatest levels of sky brightness were evident in the direction of Bundaberg Port and Marina, rather than Bundaberg, suggesting that the high levels of sky brightness visible from Barubbra Island also originate from Bundaberg Port and Marina.

High levels of sky brightness are also evident in a south eastern direction from Barubbra Island (Figure 3), towards the proposed development, in the direction of Bargara and some less dense residential buildings. Images from Oaks Beach (Figure 5) and Mon Repos Beach (Figure 4), which are south of the residential area but north of Bargara, indicate relatively low sky brightness in the direction of the proposed development suggesting that the sky brightness detected at Barubbra Island is most likely skyglow from Bargara, rather than the residential area. Images from Oaks Beach (Figure 5) also indicate high levels of sky brightness in the direction of Bargara. At Mon Repos, sky brightness was lowest overall, with Bargara being the most notable source.

Overall, it is possible to conclude that Bundaberg Port and Marina is a significant source of artificial light in the region, in addition to Bundaberg and Bargara.

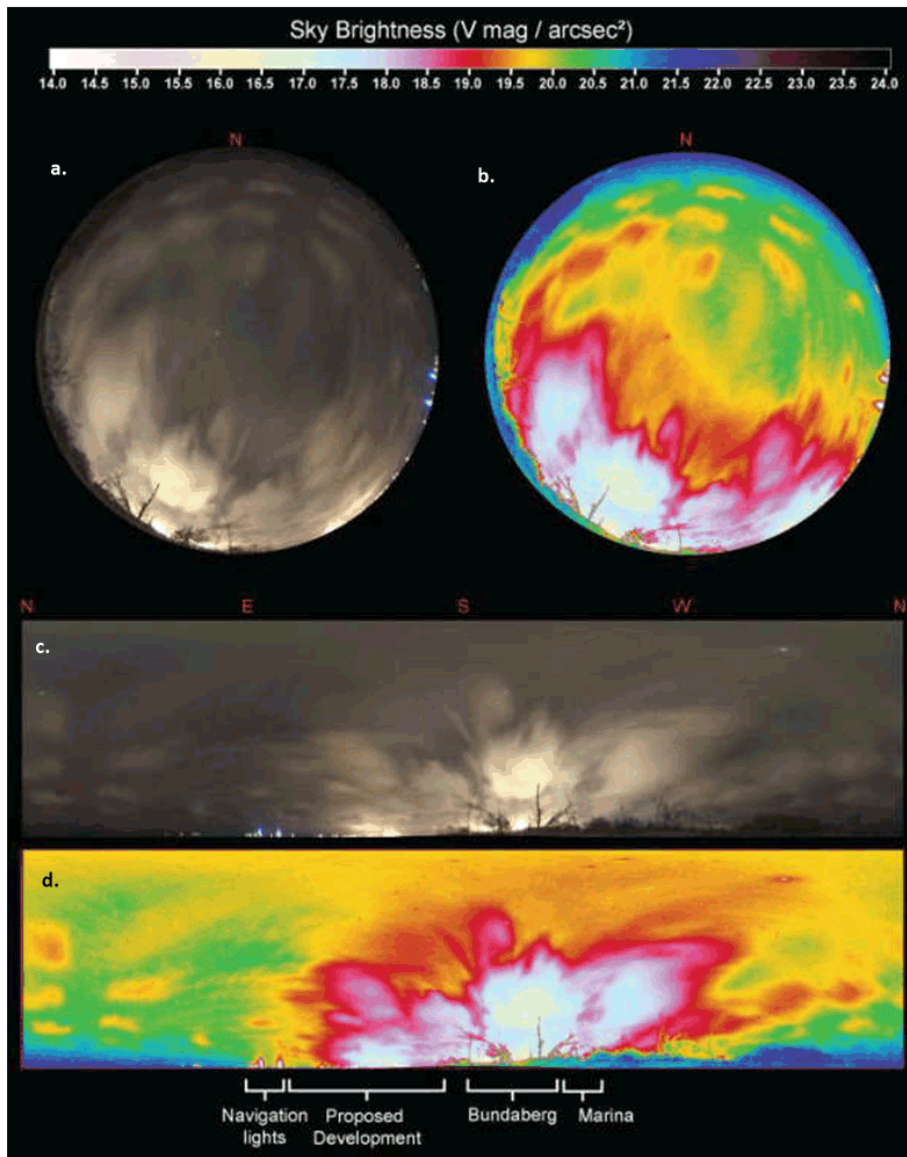


Figure 3: Artificial light monitoring results at Barubbra Island on the 24th January; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.

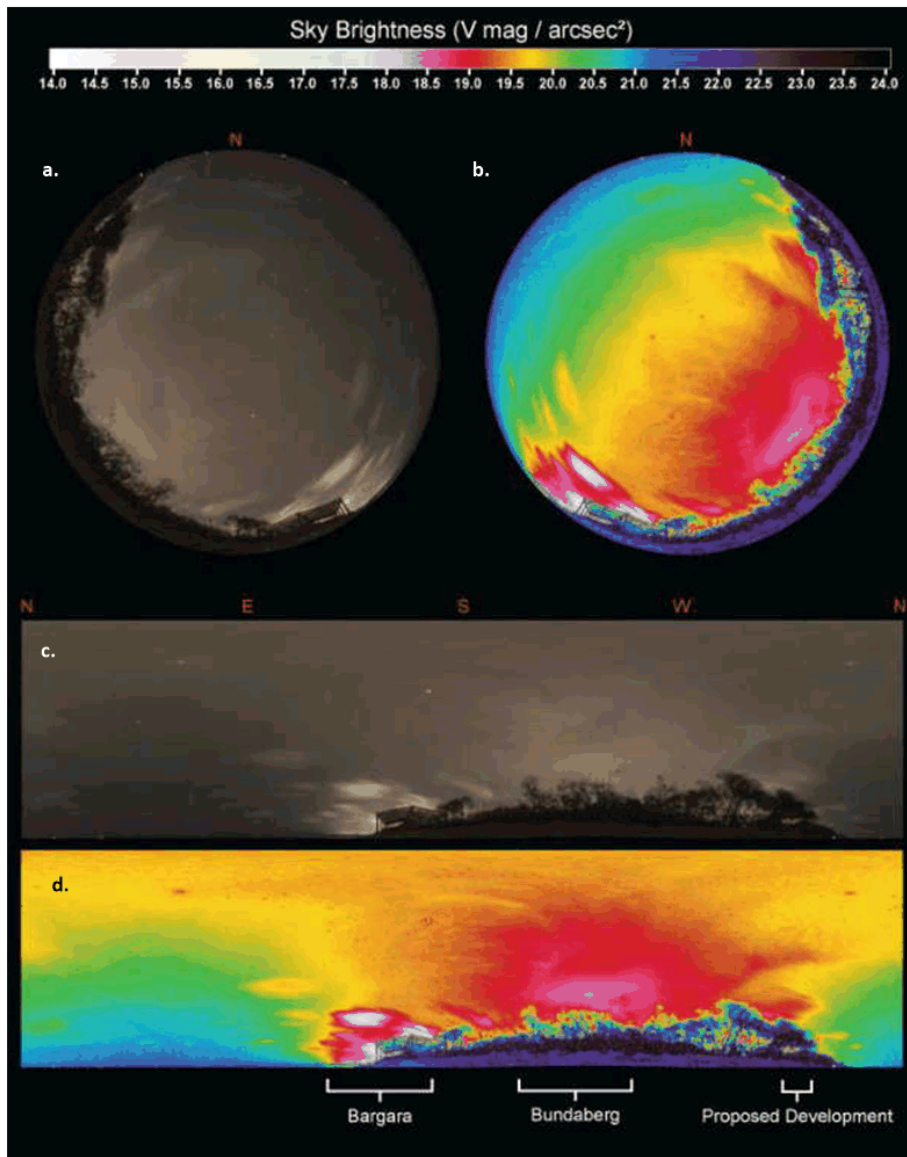


Figure 4: Artificial light monitoring results at Mon Repos Beach on 2nd October 2019; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.

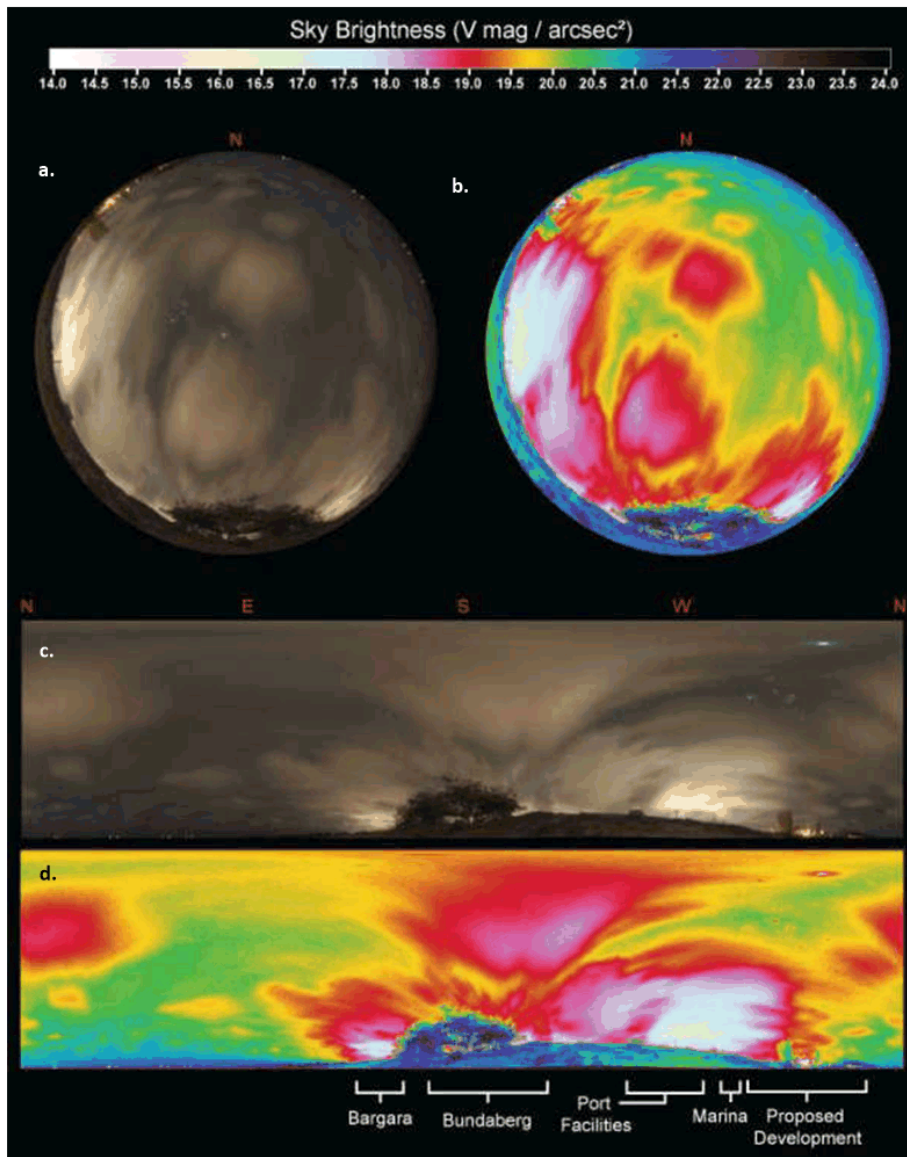


Figure 5: Artificial light monitoring results at Oaks Beach on 2nd October 2019; a. Median raw image; b. Processed isophote image; c. Median raw panorama; d. Processed equirectangular panorama showing location of visible light sources.



1.3 Aims

This MTMP has been prepared to accompany the Phase 1 and Phase 2 Burnett Harbour Marina Village applications, with aims to:

- Provide species profiles for the EPBC listed threatened marine turtle species nesting on beaches in the vicinity of the development;
- Describe and risk assess the potential threats of the development at the stock, population and site-specific level;
- Develop mitigation measures to reduce the risk of site-specific threats; and
- Assess the potential impacts of site-specific threats, following implementation of mitigation measures, against the 'Significant Impact Criteria' (refer to Section 2; Commonwealth of Australian, 2013).

1.4 Exclusions

This MTMP does not include assessment or mitigation of potential impacts arising from the construction and operation of the marina berths.



2 RELEVANT LEGISLATION

Six species of marine turtle are documented as occurring in Queensland, all are listed as threatened under State and Commonwealth legislation. Of these, four species have been recorded breeding at beaches in the vicinity of the development; loggerhead (*Caretta caretta*), green (*Chelonia mydas*), flatback (*Natator depressus*) and leatherback (*Dermochelys coriacea*) turtles (see Section 3 for species profiles).

The Nature Conservation Act 1992 (NCA), administered by the Queensland Department of Environment and Science, protects flora and fauna species in Queensland. The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the central legislation for protection of nationally significant environmental values across Australia and is administered by the Department of the Environment and Energy (DoEE). In accordance with the EPBC Act *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance* ('Significant Impact Guidelines') (Commonwealth of Australian, 2013), an action is deemed to have a significant impact if there is a real chance or possibility that it will adversely affect 'habitat critical to the survival of a species'. The EPBC Act provides for recovery plans to be made for the purpose of protection, conservation and management of listed threatened species. The Recovery Plan for Marine Turtles in Australia, 2017 – 2027 (the 'Recovery Plan'), identifies nesting and interesting areas that are considered habitat critical to the survival of marine turtles ('critical habitat') (Commonwealth of Australia, 2017). In the vicinity of the development, critical habitat for marine turtles includes (Figure 1):

- Flatback turtle: Mon Repos beach including a 60 km interesting buffer (between October and March);
- Green turtle: Wreck Rock to Burnett Head including a 20 km interesting buffer (between October and April); and
- Loggerhead turtle: beaches from the Elliot River to Bustard Head including a 20 km interesting buffer (between October and March).

These species are also included on the Red List of Threatened Species of the International Union for the Conservation of Nature (IUCN), of which Australia is a member, which internationally recognises them as species of conservation concern. Additionally, Australia is a signatory to a range of international agreements and conventions including the Convention on Biological Diversity, the Convention Concerning the Protection of the World Cultural and Natural Heritage, the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on the Conservation of Migratory Species of Wild Animals (CMS). The CMS adopts the Single Species Action Plan (SSAP) for the loggerhead turtle in the South Pacific Ocean. While the SSAP is not legally binding, it provides a framework and actions for the recovery of the loggerhead turtle nesting at Mon Repos.

Refer to Table 2 for relevant marine turtle conservation status.



Table 3: Conservation status and presence of marine turtle species at relevant nesting beaches

Common name	Scientific name	Legislation			Presence at relevant nesting beaches
		State (NCA)	Commonwealth (EPBC Act)	International (IUCN)	
Loggerhead	<i>Caretta caretta</i>	Endangered	Endangered Migratory	Vulnerable	✓
Flatback	<i>Natator depressus</i>	Vulnerable	Vulnerable Migratory	Data deficient	✓
Green	<i>Chelonia mydas</i>	Vulnerable	Vulnerable Migratory	Endangered	✓
Leatherback	<i>Dermochelys coriacea</i>	Endangered	Endangered Migratory	Vulnerable	✓
Hawksbill	<i>Eretmochelys imbricata</i>	Endangered	Vulnerable Migratory	Critically endangered	✗
Olive Ridley	<i>Lepidochelys olivacea</i>	Endangered	Endangered Migratory	Vulnerable	✗



3 SPECIES PROFILES

As outlined in Table 3, four species of marine turtle have been recorded breeding at relevant nesting beaches; loggerhead, green, flatback and leatherback turtles. The last recorded nesting event for the leatherback turtle on the east coast of Queensland was in 1996 and it is understood that the nesting population of leatherbacks in eastern Australia is likely to be functionally extinct. As such, leatherback nesting is considered unlikely to recommence at the relevant nesting beaches and is not considered further.

The status, habitat and distribution of loggerhead, green and flatback turtles are discussed below. Threats, as identified for each species in the Recovery Plan, will be addressed through a site-specific risk assessment in Section 4.

3.1 Loggerhead Turtles

There are two genetically distinct stocks of loggerhead turtles nesting in Australia, one in Queensland (known as the south-west Pacific (swPac) stock) and one in Western Australia. Loggerhead turtles nesting at Mon Repos are part of the swPac stock. The nesting population of the swPac stock declined by 86% between the mid 1970's and 1999, and recruitment, measured as the proportion of turtles breeding for the first time, has declined by 50% over the last two decades (Limpus *et al.* 2019), and is classified as 'in early stages of decline' (Commonwealth of Australia, 2017; Limpus & Limpus, 2003).

The Woongarra Coast is a major rookery for the swPac genetic stock and includes the individual beaches of Mon Repos, Oaks Beach, Neilson Park, Bargara, Kellys-Moneys beaches, Elliott Heads and Innes Park (Figure 1). Of these beaches, Mon Repos supports the greatest proportion of nesting loggerhead turtles, as measured as the proportion of nesting crawls on each individual beach relative to the total number of crawls recorded that season (Figure 2; Limpus, pers comm.) Additionally, beaches between Elliot River to Bustard Head are identified as critical habitat for the species within the Recovery Plan (Commonwealth of Australia, 2017). Loggerhead turtle nesting has been monitored at Mon Repos Beach since 1968, with a long history of observations prior to this date. Accordingly, Mon Repos Beach, along with Wreck Rock further north on the Queensland coast, is an index beach used to monitor the population (Limpus *et al.* 2013a). Between 400 - 480 turtles have been reported to nest annually at Mon Repos between October and March (Limpus *et al.* 2013a).

Mating by turtles of the swPac stock occurs from October to December (peak: November), nesting occurs on sandy beaches almost exclusively in Australia and New Caledonia (Limpus, 2009) between October and March (peak: December to January), with hatching from December to May (peak: February to March). More than 80% of nesting by this genetic stock occurs in protected areas under management of the Queensland Government (Limpus, 2009).

3.2 Green Turtle

Green turtles nesting in Australia are distributed across nine genetically distinct stocks. Green turtles nesting at relevant nesting beaches are identified as part of the southern Great Barrier Reef (sGBR) genetic stock which has been assessed as recovering (Chaloupka & Limpus, 2001). The relevant nesting beaches sit within the minor nesting area of mainland coast from Bustard Head to Bundaberg



(Commonwealth of Australia, 2017). The population of green turtles at Mon Repos has been estimated at less than ten individuals nesting annually (Limpus *et al.* 2013b). Major nesting areas include islands of the south Great Barrier Reef, including Heron, Wreck, North West and Lady Musgrave Islands which are index beaches (Limpus *et al.* 2013b).

Within this stock, mating occurs from September to November, nesting from October to April (peak: late December to early January) and hatching from December to May (peak: February to March) (Commonwealth of Australia, 2017).

3.3 Flatback Turtle

There are five genetic stocks of flatback turtles currently described around Australia. Flatback turtles relevant to this MTMP are part of the eastern Queensland (eQld) genetic stock. Breeding for the Eastern Queensland flatback turtle occurs between Bundaberg and Townsville and is centred on continental islands in inshore areas; Peak, Wild Duck, Avoid, Facing and Curtis Islands, with the remainder comprising low-density nesting on mainland beaches, including Mon Repos (Limpus *et al.* 2013c)

The relevant nesting beaches are components of the Woongarra Coast nesting area which, like the eQld stock overall, is identified as stable. Flatback turtle nesting has been monitored at Mon Repos beach since 1968 and is an index beach for the eQld stock. Since monitoring began, the total nesting population at Mon Repos has fluctuated annually between two and 14 individuals (Limpus *et al.* 2013c). Seasonality for mating of this genetic stock is unknown, however, nesting is reported to occur between October and January (peak: late November to early December), with hatching occurring between December and March with a peak in February (Commonwealth of Australia, 2017).



4 SITE SPECIFIC RISK ASSESSMENT

4.1 Threats

The Recovery Plan identifies and assess current threats to marine turtles of each identified genetic stock. Threats identified for the genetic stock of the relevant nesting beaches for loggerhead (swPac), green (sGBR) and flatback (eQld) turtles are summarised in Table 4.

In addition, the CMS SSAP (see Section 2) for loggerhead turtles in the South Pacific Ocean outlines threats assessed as very high risk to the population, which also align with those identified in the Recovery Plan:

- Terrestrial predators
- Fisheries bycatch
- Marine debris
- Lower water table
- Changed light horizons (light pollution)
- Climate change/ variability

The site-specific risks of these threats to the nesting population at relevant beaches, both before (inherent) and after (residual) implementation of proposed mitigation measures, are discussed in the following subsections, with a summary provided in Table 15. Risk assessment methodology is described in Section 4.2

Table 4: Threats to marine turtle species as identified in the Recovery Plan for Marine Turtles in Australia (2017 – 2027)

Threat	Loggerhead (swPac)	Green (sGBR)	Flatback (eQld)
Climate change and variability	High	High	Very high
Marine debris – entanglement and ingestion	High	High	Moderate
Chemical and terrestrial discharge	Moderate	High	Moderate
International take	Moderate	Moderate	Low
Terrestrial predation	Moderate	Low	Moderate
Fisheries bycatch	Very high	Moderate	Low
Light pollution	High	Moderate	High
Habitat modification – coastal development	Moderate	Moderate	Moderate
Indigenous take	Low	Moderate	Low
Vessel disturbance	Moderate	Moderate	Low
Noise interference – chronic	Moderate	Moderate	Moderate
Recreational activities	Low	Low	Low
Disease and pathogens	Moderate	Low	Low



4.2 Risk Assessment Methodology

The risks of the development are assessed by considering the consequence and likelihood of the development contributing to the threats identified in Section 4.1 in both construction and operational phases. The risk assessment process undertaken follows that used in the Turtle Sands Holiday Park Turtle Management Plan (2018), which was modified from the Great Barrier Reef Marine Park Authority Environmental Assessment and Management Risk Management Framework (GBRMPA, 2009). The risk assessment process is described in Table 5 with descriptions of the consequence definitions provided in Table 6. In this section we assess the risk before (inherent risk) and after (residual risk) mitigation measures are applied to the project.

Table 5: Risk Assessment Matrix

Likelihood	Consequence (see Table 6 for definition)				
	<i>Insignificant</i> 1	<i>Minor</i> 2	<i>Moderate</i> 3	<i>Major</i> 4	<i>Catastrophic</i> 5
<i>Almost certain</i> (96 – 100%) 5	Medium 5	High 10	High 15	Extreme 20	Extreme 25
<i>Likely</i> (71 – 95%) 4	Medium 4	Medium 8	High 12	High 16	Extreme 20
<i>Possible</i> (31 – 70%) 3	Low 3	Medium 6	Medium 9	High 12	High 15
<i>Unlikely</i> (5 – 30%) 2	Low 2	Low 4	Medium 6	Medium 8	High 10
<i>Rare</i> (0 – 5%) 1	Low 1	Low 2	Low 3	Medium 4	Medium 5



Table 6: Definition of consequence descriptions

Description	Definition
Insignificant	Little to no impact on the overall ecosystem. Very small levels of impact on turtles and their habitats. Only occasional injury to or mortality of turtles.
Minor	Impacts are present, but not to the extent that the overall condition of turtle populations or their habitats are impaired in the long term. Low levels of mortality of turtles and their habitats. Recovery would generally be measured in years for habitats.
Moderate	Turtle populations and their habitats are significantly affected, either through elevated mortality of turtles or a minor disruption to a population over a widespread geographic area. Recovery at habitat level would take at least a decade, with recovery of turtle populations taking several decades.
Major	Significant impact on sea turtle populations and their habitats, with high level of turtle mortality. Recovery of habitats would take a few decades with turtle populations taking several decades.
Catastrophic	Turtle habitats irretrievably compromised. Mass mortality of sea turtles and local extinction of species. Recovery over several decades for habitat values and centuries for turtle populations.

4.3 Climate change and variability

4.3.1 Potential impacts

Climate change has the potential to effect marine turtles across the entire lifecycle, both at the nesting beach and at sea (see Hawkes *et al.* 2009 for review).

Changes in sea temperature can affect prey or foraging habitat distribution leading to a change in species range. Further, conditions in foraging areas may influence both the decision to breed in a given season, as well as the timing of migration to the breeding grounds (Hawkes *et al.* 2009, and references therein). Once nesting has occurred, shifts in sand temperature have the potential to affect both hatch rate and sex ratio of the clutch; incubation temperature during the middle trimester of development (the thermosensitive period) determines whether hatchlings are male or female (Bjorndal & Bolten 1992; Standora & Spotila 1985; Spotila *et al.* 1987; Yntema & Mrosovsky 1980, 1982; Hewavisenthi & Parmenter 2002). Sea level rise and increases in frequency of extreme weather events, such as high category cyclones, resulting in greater incidence of beach erosion can result in loss of turtle nesting habitat (Hawkes *et al.* 2009, and references therein).

Green House Gas (GHG) emissions which will occur throughout the construction phase, through use of vehicles and machinery. During operation, energy consumption will be required to power residential units and shops and other amenities, further contributing to global emissions.

4.3.2 Mitigation measures

Appendix B outlines a number of Ecologically Sustainable Development (ESD) initiatives to reduce energy consumption during the operational phase, including:



- Natural cross ventilation
- Natural lighting of all rooms where possible
- Fixed sun shading of selected glazing and adjustable screening
- Passive thermal design for ventilation, heating and cooling
- Use of solar panels

It is recommended that BHD contribute to and support ongoing turtle research at Mon Repos Beach conducted by Department of Environment and Science (DES). This work conducted by DES will support understanding of long term trends, potential evidence of effects of climate change and implement mitigative actions such as beach replenishment or nest relocation.

4.3.3 Risk assessment

Potential consequences could include shifts in species range or loss of nesting habitat resulting in long term declines in nesting females at these beaches. Clutches may be exposed to inundation from extreme weather or experience lower success or skewed sex ratios reducing reproductive success of the Mon Repos nesting population. Although difficult to predict, should these effects of climate change be realised, it is considered possible that the relevant nesting populations could be impacted.

Implementation of the mitigation measures to reduce energy consumption will contribute towards global efforts in reducing emissions and reducing the effects of climate change. More directly, by supporting and contributing to research and monitoring programmes at Mon Repos Beach, the ability to detect impacts of climate change, and implement mitigating actions, will reduce the consequence and likelihood of impacts occurring to nesting and hatchling turtles on relevant nesting beaches.

Outcomes of the risk assessment is provided in Table 7 below.

Table 7: Summary of the risk assessment for climate change

Risk	Consequence	Likelihood	Ranking
Inherent	Moderate (3)	Possible (3)	Medium (9)
Residual	Minor (2)	Rare (1)	Low (2)

4.4 Marine debris

4.4.1 Potential impacts

Marine debris primarily consists of plastic debris and can negatively impact adult and hatchling turtles via entanglement and from ingestion. Entanglement can inhibit swimming resulting in drowning or inhibiting the ability to escape predation or feed normally, while the implications of debris ingestion include death through perforation or impaction of the digestive system (Wallace *et al.* 1985), or through pollution if the solid waste is toxic or hazardous. Debris washed up on turtle nesting beaches can also present obstacles for hatchlings as they traverse the beach towards the ocean.



The development will increase the numbers of visitors to the area, initially as part of construction then during operation, increasing the total volume of waste produced. Litter and other waste products have the potential to enter the marine environment through poor housekeeping, such as overfilling bins, or inadequate storage areas allowing access of wildlife.

4.4.2 Mitigation measures

During construction and operation, a waste management plan will outline the number and location of waste bins in outdoor areas and enclosed waste storage spaces within buildings. Waste collection will be based on estimates of volume produced based on building tenancy. Waste generation will be monitored throughout operation and the number of bins increased if required (Section 5).

Both outdoor bins and internal waste storage spaces will be signposted and designed to prevent loss of items through extreme weather or scavenging by urban wildlife.

4.4.3 Risk assessment

Marine debris is a growing problem for wildlife, including turtles. Of 115 necropsied turtles recovered from southeast Queensland, over half were found to have debris-load from ingestion (Schuyler *et al.* 2012), indicating high prevalence of ingestion occurring in the region. Unmitigated, the development could increase the likelihood of individuals nesting at relevant beaches encountering marine debris. However, implementation of the mitigation measures should not result in an increase in the amount of marine debris in the local area. Mitigation proposed would reduce the consequence at the population level, since prevention of marine debris entering the marine environment would reduce the number of individuals potentially encountering marine debris.

Outcomes of the risk assessment is provided in Table 8 below.

Table 8: Summary of the risk assessment for marine debris

Risk	Consequence	Likelihood	Ranking
Inherent	Minor (2)	Possible (3)	Medium (6)
Residual	Insignificant (1)	Rare (1)	Low (2)

4.5 Chemical and terrestrial discharge

4.5.1 Potential impacts

Chemical and terrestrial discharges can occur through leakages, stormwater discharges or loss of solid wastes. Solid waste is considered in Section 4.4 above.

Discharge of stormwater contaminated with fertilisers, pollutants or sediments may impact marine environments through:

- Algae blooms from increased nutrients;
- Reduced oxygen availability for aquatic organisms;



- Toxic effects to marine organisms and communities;
- Physical smothering of habitats; and
- Reduced water clarity limiting sunlight penetration and photosynthesis.
- Increased risk of fibropappilloma disease in adult turtles

During construction, the sediment load of stormwater may be increased, depending on the excavation works being undertaken. Leaks and spillages of chemicals during construction and operation have the potential to contaminate stormwater. Stormwater quality modelling undertaken by RMA Engineers and forming part of the Phase 1 and Phase 2 development applications demonstrates the development meets pollutant load reductions required by State Planning Policy 2017. (Stormwater Management Plan, RMA Engineers, November 2019)

4.5.2 Mitigation measures

Chemical pollutants will be appropriately stored and disposed of in accordance with their Material Safety Data Sheet.

A stormwater management plan will be developed for the proposal which will outline the practicability of storm water harvesting and water recycling initiatives. Such initiatives will not only reduce potential impacts to the marine environment (and therefore the nesting turtle population at relevant beaches) but will also contribute to water conservation and storage of emergencies supplies.

4.5.3 Risk assessment

Chemical discharges have the potential to cause toxic impacts to marine turtles across all life stages. Although adult and juvenile green turtles have been shown to use rivers as refuge, and may be more susceptible to runoff while utilising this habitat, the distance between the development footprint and turtle nesting beaches reduces the likelihood of impact to breeding marine turtles. Further, stormwater quality modelling demonstrates the development meets regulatory pollutant load reductions. Following implementation of mitigation measures the consequence of such an impact would be reduced.

Outcomes of the risk assessment is provided in Table 9 below.

Table 9: Summary of the risk assessment for chemical and terrestrial discharge

Risk	Consequence	Likelihood	Ranking
Inherent	Minor (2)	Unlikely (2)	Low (4)
Residual	Insignificant (1)	Rare (1)	Low (1)

4.6 International take

The development does not represent any site-specific risks regarding this threat.



4.7 Terrestrial predation

4.7.1 Potential impacts

Predation of eggs and hatchlings, particularly by non-native species, can have significant, negative effects on the breeding success of nesting populations.

Prior to management, red fox (*Vulpes vulpes*) predation of loggerhead turtle clutches at Mon Repos was reported for ~10% of all clutches (Limpus, 2009). Following baiting and control at Mon Repos, predation levels declined during the early 1970s and have been relatively trivial since about 1975 (Limpus, 2009).

The increase in human population in the area of the development, initially during construction and then more so during operation, has the potential to attract scavenging wildlife, such as the red fox. Poor housekeeping, such as discarded food waste, overfilling bins and active feeding of wildlife can increase predator population densities, subsequently increasing predation risk and pressure on turtle clutches at nesting beaches.

4.7.2 Mitigation measures

Outdoor bins and internal waste storage spaces will be designed to prevent scavenging by urban wildlife (Section 4.4).

The Marine Village Resident and Visitor Code of Conduct (Section 4.14), implemented as part of the approved Community Management Scheme by the Bodies Corporate, will promote reporting of non-native predator sightings, and prohibit feeding of wildlife, by residents and visitors.

4.7.3 Risk assessment

Although predation levels at Mon Repos are currently considered trivial, the influx of visitors and the potential for increased scavenging opportunities could result in increases in predator population density with subsequent increases in predation rate. Unmitigated, there is potential for notable effects on the relevant nesting populations. However, implementation of mitigation measures outlined above minimise the likelihood of predator populations increasing, thereby reducing the consequence of predation at the nesting population level.

Outcomes of the risk assessment is provided in Table 10 below.

Table 10: Summary of the risk assessment for terrestrial predators

Risk	Consequence	Likelihood	Ranking
Inherent	Moderate (3)	Unlikely (2)	Medium (6)
Residual	Insignificant (1)	Rare (1)	Low (1)



4.8 Fisheries bycatch

4.8.1 Potential impacts

Fisheries bycatch is the incidental catch and interactions with marine turtles in fishing gear and this threat can occur at any time during the oceanic life cycle phases of marine turtles.

Recreational fishing is likely to be undertaken by residents and visitors during the operational phase either on or in the vicinity of nesting beaches. Recreational fishing is unlikely to use the equipment most commonly associated with marine turtle bycatch (e.g. bottom trawling or long line gear (AFMA, 2019)). However, inappropriate disposal of recreational fishing gear can result in equipment, such as fishing line, entering the marine environment and resulting in entanglement of marine turtles.

4.8.2 Mitigation measures

Outdoor bins and internal waste storage spaces will be positioned and designed to prevent loss of litter, including fishing gear, to the marine environment (Section 4.4).

The Marine Village Resident and Visitor Code of Conduct (Section 4.14), implemented as part of the approved Community Management Scheme by the Bodies Corporate, will educate and promote responsible control, management and disposal of fishing line and hooks by residents and visitors.

4.8.3 Risk assessment

Entanglement of marine turtles with marine debris, such as discarded fishing gear, can inhibit swimming resulting in drowning or inhibiting the ability to escape predation or feed normally (Wallace et al. 1985; Section 4.4). Unmitigated, the development could increase the likelihood of individuals of the nesting population becoming entangled in fishing gear. However, implementation of the mitigation measures should not result in an increase in the amount of fishing gear (and other marine debris) in the local area. Mitigation proposed would reduce the consequence at the population level, since prevention of discarded fishing gear entering the marine environment would reduce the number of individuals potentially becoming entangled or injured.

Outcomes of the risk assessment is provided in Table 11 below.

Table 11: Summary of the risk assessment for fisheries bycatch

Risk	Consequence	Likelihood	Ranking
Inherent	Minor (2)	Unlikely (2)	Low (4)
Residual	Insignificant (1)	Rare (1)	Low (1)

4.9 Light pollution

4.9.1 Potential impacts

Adverse effects of artificial light on marine turtle behaviour is well recognised by a substantial body of research (see Withington and Martin, 2003; Lohmann et al., 1997; Salmon, 2003 for reviews). Artificial



lighting can impact individuals at different stages of the life cycle, including nesting adult females and hatchlings.

Adult female marine turtles return to land, predominantly at night, to nest on sandy beaches, relying on visual cues to select, and orient on, nesting beaches. Artificial lighting on or near beaches has been shown to disrupt nesting behaviour (see Witherington and Martin, 2003 for review). Beaches with artificial light, such as urban developments, roadways and piers, often have lower densities of nesting females compared to beaches with less development (Salmon, 2003; Hu et al., 2018).

Hatchling turtles emerge from the nest, typically at night (Mrosovsky & Shettleworth, 1968), and must rapidly reach the ocean to avoid predation (Salmon 2003). Hatchlings locate the ocean using a combination of topographic and brightness cues, orienting towards the lower, brighter oceanic horizon, and away from elevated darkened silhouettes of dunes and/or vegetation behind the beach (Pendoley & Kamrowski, 2015; Lohmann et al 1997; Limpus & Kamrowski 2013).

Artificial lights interfere with natural light levels and silhouettes disrupting hatchling sea finding behaviour (Withington and Martin, 2003; Pendoley & Kamrowski, 2015; Kamrowski, et al., 2014). Hatchlings may become disorientated - where hatchlings crawl in circuitous paths; or misorientated - where they move in the wrong direction, possibly attracted to artificial lights (Withington and Martin, 2003; Lohmann et al., 1997; Salmon 2003). On land, movement of hatchlings in a direction other than the sea often leads to death from predation, exhaustion or dehydration.

Once in nearshore waters, artificial lights on land can also interfere with the dispersal of hatchlings. Lights can slow down their in-water dispersal (Witherington & Bjorndal, 1991; Wilson et al., 2018), increase their dispersion path or even attract hatchlings back to shore (Truscott et al., 2017). In addition to interfering with swimming, artificial light can influence predation rates, with increased predation of hatchlings in areas with significant sky glow (Gyuris 1994; Pilcher et al 2000). Since the nearshore area tends to be predator-rich, hatchling survival may depend on them exiting this area rapidly (Gyuris, 1994). Should this be the case, aggregation of predatory fish occurring in artificially lit areas (Becker et al., 2013, Wilson et al 2019) may further increase predation of hatchlings.

The proposal is located adjacent to the Bundaberg State Development Area where development is encouraged by the Queensland Government. Given the nature of the proposal (residential/light commerce), light emissions from the proposal are expected to be lower in comparison to existing industrial activities in the Burnett Heads area (e.g. Bundaberg Port and Marina) and urban areas such as Bundaberg and Bargara (refer to Section 1.2.1). Nevertheless, the current proposal involves development of previously undeveloped land increasing the size of the artificial light footprint with potential to increase skyglow on the horizon when considered cumulatively across the Burnett Heads area.

The proposal includes multistorey buildings (up to 10 storeys). The height of elevation of a light source can influence the distance at which the light source is directly visible. However, to what extent this leads to impacts to nesting or hatchling turtle behaviour is dependent on a suite of factors including, but not limited to, the distance to turtle nesting beach, the intensity of the light source, topography and presence of any shielding or screening. Since these factors are both site and project specific, the degree to which building height may impact turtle nesting beaches should be assessed on a case by



case basis. To understand how the proposed light sources of the Burnett Harbour Marine Village may impact turtle nesting beaches, modelling of the light sources, including the location, orientation and height of lights, in relation to topography and screening/shielding in situ, is recommended (Section 7).

During construction, the use of temporary lighting, such as floodlights has the potential to increase light pollution over a shorter duration. During operation, the increase in light associated with the ongoing use of the development will permanently affect ambient light levels. Artificial light generated could result in direct light spill on adjacent water, directly visible light or light glow at relevant nesting beaches.

4.9.2 Mitigation measures

The presence of habitat for EPBC listed threatened turtle species potential exposed to artificial light, mitigation measures should align with those outlined in the Draft National Light Pollution Guidelines for Wildlife Including marine turtles, seabirds and migratory shorebirds (Commonwealth of Australia, 2019), which also recognises that the health and safety of humans take precedence over environmental considerations.

When considering these measures, 'turtle season' is defined as the timing of peak nesting and hatching of all species (December to March; Section 3).

At time of writing no detailed lighting design for the proposal has been undertaken. During detailed design, the following simple light design principles can be used to reduce light pollution (adapted from the *Draft National Light Pollution Guidelines for Wildlife Including marine turtles, seabirds and migratory shorebirds* (Commonwealth of Australia (2019)):

1. Start with a base case of no lights and only add light for specific purposes.
2. Apply adaptive light controls to manage light timing, intensity and colour (but see exemptions).
3. Light only the object or area intended.
4. Use the lowest intensity lighting appropriate for the purpose.
5. Use non-reflective, dark-coloured surfaces.
6. Use amber LED lights ('true amber' or 'phosphor converted amber') and avoid lights containing short wavelength (blue and ultraviolet) light (but see exemptions).
7. Where conflicts in design occur, the option which results in the lowest levels of light spill or emissions will be selected.

It should be noted that exemptions are in place for:

- Lighting installations required by the Commonwealth, State or Local law;
- Lighting installations required temporarily for emergency tasks (such as evacuation); and
- Where contrary to the requirements of applicable Australian Standard designs.



Considering the above key principles, the following control measures could be implemented to reduce light emissions and potential impacts to marine turtles. However, the efficacy of suggested control measures may be compromised due to the above exemptions. Further, additional, practicable controls may be available following detailed design. Therefore, it is recommended that qualified marine turtle biologists are consulted during the lighting design phase of the project.

External lighting (buildings):

- All exterior building lights utilise amber LED emitters (~585nm ‘true amber’ emitters, ‘phosphor converted amber’) or, where white light is required, LEDs with a correlated colour temperature (CCT) equal to or lower than 2700K;
- External lighting achieves an upward waste light output ratio (ULR) of 0%, achieved by:
 - Shielding, by recessing the light fitting into roof structures, eaves or building ceilings
 - Shielding, by the light housing which prevents horizontal light above a 45-degree angle.
 - Mounting external lights (i.e. on walls, stairs and walkways) as low as physically possible and using targeted asymmetrical distribution to illuminate only the specific areas of need, while minimising the angle of incidence and reflectance.
- Security lighting will be motion activated and supplemented with computer monitored infrared detection systems;
- Motion activated external walkway lighting for residential premises from 8pm until dawn during turtle season;
- Motion activated lights will have an associated deactivation period of a maximum of five minutes;
- Exterior finishes on all buildings will be matte and have a maximum reflective value of 30%; and
- All balcony lighting will automatically turn off at 8:00pm during the turtle season (under the control of the Bodies Corporate).

Indoor lighting (buildings):

- Indoor lighting will have a CCT equal to or lower than 2700K;
- Apartment downlights will be built-in to the fixture – not a replaceable fixture;
- Modification of the apartments’ lighting design, including changes to the type / colour temperature / spectral power distribution of the LED sources, will be prohibited by the Bodies Corporate (see ‘Bodies Corporate responsibilities’ below);
- All glass (windows/doors) will have opaque (block-out) blinds/curtains/shutters fitted;



- interior finishes will be matte and have a maximum reflective value of 30%;
- All glass (windows/doors/balustrades) on all buildings will have a tint applied with a visible light transmittance value of 50%; and
- Skylights will not be permitted.

Pool/water feature lighting:

- The boundary of artificial water bodies will only be illuminated at night if night activities are intended;
- Swimming pools will either be in-ground design or enclosed with solid walls (i.e. no glass windows);
- In-pool lighting will be the minimum and lowest intensity needed for safe swimming and use of steps to access the water, lights will be aimed at or below the horizontal or lower;
- Pool surfaces will be dark coloured to reduce light reflection from the water;
- Pool decking will be a dark colour to minimise reflection; and
- Pool deck lighting will be low level, shielded, mini-bollard amber LED.

Car parks, road and walkways:

- Flashing/intermittent lights or reflective material instead of fixed beam to identify an entrance or delineate a pathway;
- Use of amber LED emitters (~585nm 'true amber' emitters, or 'phosphor converted amber') for carparks lighting; and
- Carpark lighting will be low level, bollard style with an upward waste light output ratio (ULR) of 0% (Principle 3)

Bodies Corporate responsibilities:

- Following construction to conduct inspection and to ensure:
 - No directly visible light is observed from Oaks Beach; and
 - Compliance with the Lighting Management Plan.
- At the start of each turtle season to ensure:
 - No directly visible light is observed from Oaks Beach;
 - Compliance with the Lighting Management Plan;
 - Internal light fixtures are within specification;



- No additional light fittings (temporary or otherwise) have been installed on balconies; and
- Internal blinds have been closed after 8 pm.
- Should any non-conformances be noted, educational outreach to residents and visitors will be performed, based on reiteration of the Code of Conduct, implemented as part of the approved Community Management Scheme.

Lighting Management Plan

A project specific Lighting Management Plan will outline:

- Proposed lighting plans for each building/section of walkway, including number, type and specification of each light fitting;
- Design specifications for external building surfaces;
- Post construction audit to verify compliance with the approved lighting design and regulatory conditions;
- Auditing schedule to ensure compliance with lighting designs in communal areas;
- Monitoring schedule for the measurement of biologically meaningful light from Oaks Beach post construction and annually throughout operation.

During construction:

- Avoid activities that require elevated floodlights at night during the nesting season.

Implementation of these mitigation measures would satisfy the relevant performance outcomes outlined in Schedule 3 of the Temporary Local Planning Instrument (TLPI) 01/2019 (Bargara Building Height and Sea Turtle Sensitive Area).

4.9.3 Risk assessment

Artificial light, in the form of light spill, directly visible light or skyglow, has the potential to contribute to the cumulative regional skyglow and impact nesting females and hatchlings. Unmitigated, there is potential for direct light to be visible from Oaks Beach and Barubbra Island, and open ocean adjacent to the development. Nesting females at Oaks Beach and Barubbra Island could potentially be disturbed by the artificial light resulting in reduced nesting activity. Emerging hatchlings may be dis- or mis-orientated on the beach, reducing survival rates. Once at sea, hatchlings may be attracted by the artificial light preventing or disrupting dispersal with potential effects on survival rates. However, direct light spill onto open ocean would be limited to water adjacent to the development and within Burnett Harbour. Given the lack of nesting activity within the harbour boundaries, few hatchlings are expected to occur and, therefore, increased predation is unlikely to notably effect survival rates.

Implementation of the above lighting management mitigation measures, and assurance of efficacy of these measures as demonstrated through compliance with a Lighting Management Plan and



Monitoring (Section 5), will prevent direct light being visible from Oaks Beach. Given the extent of direct light currently visible from Barubbra Island in the direction of the development, light monitoring from this beach is unlikely to detect additional light as a result of the development. While the prevention of upward light spill (i.e. ULR) may not eliminate skyglow, given the current light levels recorded during baseline monitoring (Section 1.2.1), additional skyglow attributed directly to the development will unlikely be detectable above the baseline. As such, both the consequence and likelihood of disruption of nesting and emerging hatchling behaviour is reduced.

Outcomes of the risk assessment is provided in Table 12 below.

Table 12: Summary of the risk assessment for light pollution

Risk	Consequence	Likelihood	Ranking
Inherent	Moderate (3)	Likely (4)	High (12)
Residual	Minor (2)	Unlikely (2)	Low (4)

4.10 Habitat modification

Potential impacts of artificial light are discussed in Section 4.9. The construction of the marina and berths is not included within the scope of this MTMP (Section 1.3). Further, since the area to be developed does not occur on, or adjacent to, turtle nesting beaches, no site-specific risks regarding this threat are identified.

4.11 Indigenous take

The development does not represent any project-specific risks regarding this threat.

4.12 Vessel disturbance

4.12.1 Potential impacts

Vessel presence and movements can lead to behavioural changes in response to vessel noise, resulting such as startle responses (abrupt movements, increase in swimming) and prolonged inactivity (Lenhardt et al. 1983, 1996; Lenhardt 1994), potential altering foraging and internesting behaviours. However, habituation to vessel presence has been documented in response to continuous, low frequency noise (O'Hara & Wilcox 1990; Dickerson et al. 2004; Geraci & Aubin 1980; Whittock et al. 2017). Vessels also present the risk of injury or mortality from collision (Dobbs, 2001). This is particularly an issue in shallow coastal foraging habitats and internesting areas where there are high numbers of recreational and commercial craft (Hazel & Gyuris, 2006; Hazel *et al.* 2009). Excluding unknown causes of mortality, boat strike was the most commonly determined cause of marine turtle mortality in Queensland waters between 2000 and 2011 (Meager & Limpus, 2012).

Although construction and operation of the proposed development does not include vessel activities, the development will increase the number of residents and visitors to the area which in turn may increase recreational boat use during the operational phase. The degree to which boat use may



increase due to the development is not quantifiable, however, is unlikely to be significant at the local and regional scale given existing vessel traffic associated with Bundaberg Port, Bundaberg Port Marina and the existing four-land boat ramp at Burnett Heads Harbour, and absence of boat storage within the development. The marina, once developed, may provide residents and visitors access to vessel berths, however, construction and operation of the marina is out of scope of this MTMP.

Interesting females may be present in the marine environment adjacent to the development during the nesting season. The Burnett River and mangrove creeks may be used as foraging and/or refuge habitat by juvenile and resident (non breeding) adult turtles, though numbers are expected to be low. Consequently, increased boat use presents a risk of collision and behavioural responses to vessel presence to a small number of individuals only.

4.12.2 Mitigation measures

The Marine Village Resident and Visitor Code of Conduct (Section 4.14), implemented as part of the approved Community Management Scheme by the Bodies Corporate, will raise awareness of boat strike and promote slow speeds by residents and visitors.

4.12.3 Risk assessment

Although the outcome can be fatal for individual turtles, boat strike (as a standalone threat) has not been shown to cause stock level declines (Commonwealth of Australia, 2017). Behavioural responses of a insignificant number individuals to vessel presence may occur; it is not anticipated that vessel activity will increase substantially in order to lead to population level effects. Raising awareness of the risks of collision to visitors and residents, and promotion of slower speeds, reduces the likelihood of a collision occurring, resulting in a lower proportion of the local population being impacted, reducing the consequence and overall risk ranking.

Outcomes of the risk assessment is provided in Table 13 below.

Table 13: Summary of the risk assessment for vessel disturbance

Risk	Consequence	Likelihood	Ranking
Inherent	Insignificant (1)	Unlikely (2)	Low (2)
Residual	Insignificant (1)	Rare (1)	Low (1)

4.13 Noise interference

Only vessel noise was identified as a potential source of threat, which is discussed in Section 4.12.

4.14 Recreational activities

4.14.1 Potential impacts

The development will increase the number of residents and visitors to the area during the operational phase with a subsequent increase in recreational activities, such as:



- Recreational fishing (Section 4.8);
- Recreational boat use (Section 4.12); and
- Beach use, including turtle watching.

Oaks Beach is a 25-minute walk from the development location and Mon Repos Beach a 10-minute drive. Mon Repos is globally recognised for its tourism around nesting and hatchling turtles which is encouraged by the Queensland Government (Queensland Government, 2018). To what extent the development will increase visitor numbers to the beaches is unknown; however, increased beach use may result in increased marine debris (Section 4.4) and unintentional disturbance of nesting turtles, clutches and hatchlings.

4.14.2 Mitigation measures

We propose the development of a Marine Village Resident and Visitor Code of Conduct to be implemented through the approved Community Management Schemes as a tool for the Bodies Corporate to communicate standards and expectations of behaviour for residents and visitors residing at the Marina Village.

1. Turtle watching and beach use (source: Queensland Government (2018))

- Stay well clear (at least two meters) of turtles;
- Turn off all lights until laying begins;
- Keep still and quiet;
- Remain behind turtles as they dig and lay their eggs – do not stand in front of or where they can see you;
- Restrict flash photography to a minimum and only take flash photos once the eggs have been laid;
- Remove/turn off lights and back away from the turtles if they appear to show signs of disturbance;
- Watch where you step to avoid crushing eggs or hatchlings;
- Do not disturb or dig up nests; and
- Be aware that turtles have good eyesight and an excellent sense of smell.

2. Recreational fishing and boat use (source: Queensland Government (2019))

- All discarded fishing gear to be disposed of in bins provided;
- Check crab pots regularly, set your pots to avoid loose rope floating about in the water and ensure pot entrances are not large enough to trap a turtle;



- Report all sightings of any sick, injured or dead turtles by calling the RSPCA Queensland (1300 264 625);
- Avoid shallow seagrass areas. If you cannot avoid seagrass areas, reduce speed to below 10 knots (off the plane) and take extra care;
- Look out for turtles and dugong; and
- Be careful not to damage seagrass by careless anchoring or operating of a vessel in shallow water where boat wash or propeller damage can occur.

3. Housekeeping

- Report sightings of non-native predators;
- Prohibit feeding of wildlife;
- Observe waste disposal and storage plans; and
- Close internal blinds after 8 pm during turtle nesting season.

4.14.3 Risk assessment

Unmitigated, disturbance to nesting and hatchling turtles on nesting beaches could result in decreased breeding success, depending on the extent to which beach use is increased due to the development. Through education of visitors and promotion of mitigation measures the likelihood and consequence of disturbance occurring is reduced.

Outcomes of the risk assessment is provided in Table 14 below.

Table 14: Summary of the risk assessment for recreational use

Risk	Consequence	Likelihood	Ranking
Inherent	Minor (2)	Unlikely (2)	Low (4)
Residual	Insignificant (1)	Rare (1)	Low (1)

4.15 Disease and pathogens

Physical contact between humans and turtles could result in zoonosis or exposure of turtles to contaminants. However, the Code of Conduct (Section 4.14) outlines that persons should remain two meters from turtles on the beach, eliminating risk of this threat. No additional site-specific threats were identified.



4.16 Risk Assessment Summary

Table 15: Summary of the site-specific risk assessment outcomes

Threat	Inherent risk	Mitigation measures	Residual risk
Climate change and variability	Medium (9)	<ul style="list-style-type: none"> ESD initiatives Contribute to and support ongoing marine turtle research at Mon Repos 	Low (2)
Marine debris	Medium (6)	<ul style="list-style-type: none"> Waste Management Plan Bin and waste storage spaces design 	Low (2)
Chemical and terrestrial discharge	Low (2)	<ul style="list-style-type: none"> Storage of chemicals Stormwater Management Plan 	Low (1)
International take	<i>Not considered relevant to the development</i>		
Terrestrial predation	Medium (6)	<ul style="list-style-type: none"> Bin and waste storage spaces design Marine Village Resident and Visitor Code of Conduct 	Low (1)
Fisheries bycatch	Low (4)	<ul style="list-style-type: none"> Bin and waste storage spaces design Marine Village Resident and Visitor Code of Conduct 	Low (1)
Light pollution	High (12)	<p><u>External lighting (buildings):</u></p> <ul style="list-style-type: none"> All exterior building lights utilise amber LED emitters (~585nm 'true amber' emitters, 'phosphor converted amber') or where white LED is required for human safety, a correlated colour temperature (CCT) equal to or lower than 2700K; External lighting achieves an upward waste light output ratio (ULR) of 0%, achieved by: <ul style="list-style-type: none"> Shielding, by recessing the light fitting into roof structures, eaves or building ceilings Shielding, by the light housing which prevents horizontal light above a 45-degree angle. 	Low (4)



Threat	Inherent risk	Mitigation measures	Residual risk
		<ul style="list-style-type: none"> ○ Mounting external lights (i.e. on walls, stairs and walkways) as low as physically possible and using targeted asymmetrical distribution to illuminate only the specific areas of need, while minimising the angle of incidence and reflectance. ● Security lighting will be motion activated and supplemented with computer monitored infrared detection systems; ● Motion activated external walkway lighting for residential premises from 8pm until dawn during turtle season; ● Motion activated lights will have an associated deactivation period of a maximum of five minutes; ● Exterior finishes on all buildings will be matte and have a maximum reflective value of 30%; and ● All balcony lighting will automatically turn off at 8:00pm during the turtle season (under the control of the Bodies Corporate). <p><u>Indoor lighting (buildings):</u></p> <ul style="list-style-type: none"> ● Indoor lighting will have a CCT equal to or lower than 2700K; ● Apartment downlights will be built-in to the fixture – not a replaceable fixture; ● Modification of the apartments’ lighting design, including changes to the type / colour temperature / spectral power distribution of the LED sources, will be prohibited by the Bodies Corporate (see ‘Bodies Corporate responsibilities’ below); ● All glass (windows/doors) will have opaque (block-out) blinds/curtains fitted; ● interior finishes will be matte and have a maximum reflective value of 30%; 	



Threat	Inherent risk	Mitigation measures	Residual risk
		<ul style="list-style-type: none"> • All glass (windows/doors/balustrades) on all buildings will have a tint applied with a visible light transmittance value of 50%; and • Skylights will not be permitted. <p><u>Pool/water feature lighting:</u></p> <ul style="list-style-type: none"> • The boundary of artificial water bodies will only be illuminated at night if night activities are intended; • Swimming pools will either be in-ground design or enclosed with solid walls (i.e. no glass windows); • In pool lighting will be the minimum and lowest intensity needed for safe swimming and use of steps to access the water, lights will be aimed at or below the horizontal or lower; • Pool surfaces will be dark coloured to reduce light reflection from the water; • Pool decking will be a dark colour to minimise reflection; and • Pool deck lighting will be low level, shielded, mini-bollard amber LED. <p><u>Car parks, road and walkways:</u></p> <ul style="list-style-type: none"> • Flashing/intermittent lights instead of fixed beam to identify an entrance or delineate a pathway; • Use of amber LED emitters (~585nm ‘true amber’ emitters, or ‘phosphor converted amber’) for carparks lighting; and • Carpark lighting will be low level, bollard style with an upward waste light output ratio (ULR) of 0% (Principle 3) <p><u>Bodies Corporate responsibilities:</u></p> <ul style="list-style-type: none"> • Following construction to conduct inspection and to ensure: <ul style="list-style-type: none"> ○ No directly visible light is observed from Oaks Beach; and ○ Compliance with the Lighting Management Plan. 	



Threat	Inherent risk	Mitigation measures	Residual risk
		<ul style="list-style-type: none"> • At the start of each turtle season to ensure: <ul style="list-style-type: none"> ○ No directly visible light is observed from Oaks Beach; ○ Compliance with the Lighting Management Plan; ○ Internal light fixtures are within specification; ○ No additional light fittings (temporary or otherwise) have been installed on balconies; and ○ Internal blinds have been closed after 8 pm. • Should any non-conformances be noted, educational outreach to residents and visitors will be performed, based on reiteration of the Code of Conduct, implemented as part of the approved Community Management Scheme. <p><u>Lighting Management Plan</u> A project specific Lighting Management Plan will outline:</p> <ul style="list-style-type: none"> • Proposed lighting plans for each building/section of walkway, including number, type and specification of each light fitting; • Design specifications for external building surfaces; • Auditing schedule to ensure compliance with lighting designs in communal areas; • Monitoring schedule for the measurement of biologically meaningful light from Oaks Beach post construction and annually throughout operation. <p><u>During construction</u></p> <ul style="list-style-type: none"> • Avoid activities that require elevated floodlights at night during the nesting season. 	
Habitat modification	<i>Not considered relevant to the development</i>		
Indigenous take	<i>Not considered relevant to the development</i>		



Threat	Inherent risk	Mitigation measures	Residual risk
Vessel disturbance	Low (4)	<ul style="list-style-type: none"> Marine Village Resident and Visitor Code of Conduct 	Low (1)
Noise interference	<i>Not considered relevant to the development</i>		
Recreational activities	Low (4)	<ul style="list-style-type: none"> Marine Village Resident and Visitor Code of Conduct 	Low (1)
Disease and pathogens	<i>Not considered relevant to the development</i>		



5 MONITORING AND ADAPTIVE MANAGEMENT

5.1 Artificial Light

Baseline artificial light monitoring was conducted in January 2020 (Section 1.2.1) from Barubbra Island, Oaks Beach and Mon Repos Beach which provided evidence of directly visible light and measures of sky brightness. It is recommended that this light monitoring is repeated following completion of construction, and periodically throughout operation, from Oaks Beach with the objective of:

- Identifying any additional directly visible light from the direction of the development; and
- Comparing measures of sky brightness (in V mag / arcsec²) to the baseline measurements.

Light monitoring and reporting should be detailed in a Lighting Management Plan (see Section 7).

5.2 Marine Turtles

Mon Repos is one of six index nesting beaches for the loggerhead turtle across Queensland. The beach has been monitored for nightly turtle nesting from October – March from 1968 through to 2020. It is recommended that a partnership be established between DES and BHD for the purpose of sharing information. The partnership can be formalised between the two parties through development of a Memorandum of Understanding (MoU) to include, but not limited to:

- BHD sharing with DES their Marina Village Residents and Visitors Code of Conduct.
- BHD sharing with DES their Lighting Management Plan.
- Identifying options for resourcing increased biological monitoring effort at Oaks Beach and Barubbra Island.
- Pre-turtle season meeting to confirm compliance with the Lighting Management Plan.
- Post-turtle season meeting to discuss DES experiences regarding turtle nesting at Barubbra Island and Oaks Beach in particular.
- Anything else the parties see as being relevant to their interests.

5.3 Other

Waste generation will be monitored throughout operation and the number of bins increased if required.

5.4 Reporting and Adaptive Management

An annual review of monitoring outcomes will be undertaken at the end of each turtle season. This review will allow for adaptive management such as:



- Should any directly visible light from the development be detected during post-construction light surveys, additional measures will be undertaken (e.g. additional screening or shielding) to eliminate directly visible light.



6 SIGNIFICANT IMPACT CRITERIA

The Significant Impact Guidelines (Section 2; Commonwealth of Australia, 2013) provide criteria under which an action can be assessed. An action is likely to have a significant impact on an endangered (loggerhead turtle, Table 3) or vulnerable (green and flatback turtles, Table 3) species if there is a real chance or possibility that it will:

- Lead to a long-term decrease in the size of a population (endangered) or important population¹ (vulnerable);
- Reduce the area of occupancy of the species (endangered) or important population (vulnerable);
- Fragment an existing population (endangered) or important population (vulnerable) into two or more populations;
- Adversely affect habitat critical to the survival of a species;
- Disrupt the breeding cycle of a population (endangered) or important population (vulnerable);
- Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline;
- Result in invasive species that are harmful to an endangered or vulnerable species becoming established in the endangered or vulnerable species' habitat;
- Introduce disease that may cause the species to decline; or
- Interfere (endangered) or substantially interfere (vulnerable) with the recovery of the species.

Table 16 assess the potential for significant impacts to occur based on the identified threats and mitigation measures outlined in Section 4.

¹ The Recovery Plan identifies areas of the coast, including Mon Repos beach, as important nesting areas for all three species. Therefore, the nesting populations in the vicinity of the development are considered to be components of 'important populations' and are assessed accordingly.



Table 16: Summary of significant impact of the project

Significant criteria	Impact	Contributing threats (risk)	Assessment of significance
Lead to a long-term decrease in the size of a population		Light pollution (Low) Recreational activities (Low) Vessel disturbance (Low)	<p>Nest success could be negatively impacted by recreational activities on nesting beaches. However, following implementation of mitigation measures, primarily the Code of Conduct, disturbance to nesting turtles, clutches or hatchlings was considered low. Increased vessel use associated with the development is considered insignificant when compared to existing levels of vessel use and the mitigated likelihood of a population level decline is low.</p> <p>Of greater risk was the potential impact of light pollution disrupting nesting and hatchling turtle behaviour on the beach. Mitigation measures, including monitoring and adaptive management, will eliminate light spill and direct visible light at turtle nesting beaches, and minimise additional skyglow, reducing potential impacts to nesting turtles. Should any changes in turtle nesting and hatchling behaviour be detected pre and post construction, and throughout operation, adaptive management will identify and rectify potential impacts to prevent long term declines.</p> <p>Accordingly, long-term decreases in the size of the population or genetic stock are not expected.</p>
Reduce the area of occupancy of the species		Light pollution (Low) Recreational activities (Low)	<p>The development does not propose any physical changes to nesting, internesting or foraging habitat, however, changes to nesting habitat could result from recreational activities and/or light spill on nesting beaches.</p> <p>Mitigation measures, including monitoring and adaptive management, will eliminate light spill and direct visible light at turtle nesting beaches, and minimise additional skyglow, reducing potential impacts to nesting turtles. Should any changes in turtle nesting behaviour be detected before and after construction, adaptive management will identify and rectify potential impacts</p>



Significant criteria	Impact	Contributing threats (risk)	Assessment of significance
			to prevent changes in area occupancy. The Code of Conduct will further reduce the potential for recreational activities to effect nest success. Accordingly, the proposal is not expected to reduce the area of occupancy of marine turtle species.
Fragment an existing population into two or more populations		Light pollution (Low)	The genetic stocks for each turtle species identified in Section 3 occur over a large geographical area and comprise a number of nesting beaches. Fragmentation of nesting populations within each genetic stock are not considered likely given the nature of the development, and the number of nesting beaches comprising the Woongarra Coast rookery.
Adversely affect habitat critical to the survival of a species		Light pollution (Low) Recreational activities (Low) Vessel disturbance (Low)	Beaches and adjacent waters in the vicinity of the development are identified as habitat critical to the survival of the species for loggerhead, flatback and green turtles (Section 3). Nesting habitat (beaches) could be adversely affected by light pollution and recreational activities. However, mitigation measures, including monitoring and adaptive management, will eliminate light spill and direct visible light at turtle nesting beaches, and minimise additional skyglow, reducing potential impacts to nesting turtles, and the Code of Conduct will reduce the likelihood of recreational activities affecting nest success. Should any changes in turtle nesting and hatchling behaviour be detected before and after construction, adaptive management will rectify any identified adverse effects. Vessel disturbance has the potential to affect internesting habitat by changing internesting turtle behaviour and distribution. However, any increase in vessel activity due to the development will be insignificant when compared to existing vessel use and is not considered to influence turtle internesting behaviour to the extent that population level effects are observed.



Significant criteria	Impact	Contributing threats (risk)	Assessment of significance
			Therefore, the development is not expected to adversely affect habitat critical to the survival of marine turtles.
Disrupt the breeding cycle of a population	Light pollution (Low) Recreational activities (Low)		<p>Recreational activities could disturb nesting females, incubating clutches or emerging hatchlings disrupting these stages of the breeding cycle. However, following implementation of mitigation measures, primarily the Code of Conduct, disturbance to nesting turtles, clutches or hatchlings was considered low. Increased vessel use associated with the development is unlikely to be significant when compared to existing vessel use in the area. Further, the mitigated risk of collision is low and is unlikely to impact on resident turtles or disrupt the internesting phase of the breeding cycle at the population level.</p> <p>Light pollution will be mitigated so that no direct light or light spill is detected at nesting beaches and skyglow will be minimised. Should any changes in turtle nesting and hatchling behaviour be detected before and after construction, and throughout operation, adaptive management will identify and rectify potential impacts prevent disruption to the breeding cycle.</p> <p>Accordingly, disruption to marine turtle the breeding cycles is not expected.</p>
Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the	Light pollution (Low) Recreational activities (Low)		<p>Since no physical changes to nesting beaches are proposed, it is considered unlikely that the proposal will modify, destroy, remove, isolate or decrease the availability of habitat of the marine turtles to the extent that the species is likely to decline. Light pollution will be mitigated so that no direct light or light spill is detected at nesting beaches and skyglow will be minimised. Should any changes in turtle nesting and hatchling behaviour be detected before and after construction,</p>



Significant criteria	Impact	Contributing threats (risk)	Assessment of significance
species is likely to decline			and throughout operation, adaptive management will identify and rectify changes to nesting habitat so that marine turtle populations are expected to decline.
Result in invasive species that are harmful to a species becoming established in the endangered or vulnerable species' habitat		Terrestrial predators (Low)	It is unlikely that invasive species would be introduced to marine turtle habitat during the construction and operation of the development. However, existing non-native species occur in the region and are terrestrial predators of marine turtle eggs and hatchlings. The Code of Conduct outlines measure to be taken to reduce the likelihood of predator population densities to increase and, therefore, no significant impacts are expected at the population or stock level due to invasive species.
Introduce disease that may cause the species to decline		Recreational activities (Low)	The development does not present a risk of introducing disease that could result in the decline of marine turtle species.
Interfere with the recovery of the species		Light pollution (Low)	The status of each genetic stock is outlined in Section 3 (sGBR = recovering; eQLD = stable; swPac = early stages of decline). The effects of light pollution on nesting and hatchling emergence behaviour could interfere with the recovery of these stocks, should impacts significantly affect breeding success in the long term.



Significant criteria	Impact	Contributing threats	Assessment of significance
			<p>As discussed above, mitigation measures, including implementation of monitoring and adaptive management, will prevent long term impacts on nesting and hatchling emergence behaviour.</p> <p>Accordingly, the development is not expected to interfere with the recovery of the genetic stocks.</p>



7 CONCLUSION AND RECOMMENDATIONS

Baseline light monitoring from Barubbra Island, Oaks Beach and Mon Repos Beach indicated that Barubbra Island currently experiences direct visible light and high levels of skyglow emanating from the direction of Bundaberg Port and Marina. Oaks Beach currently experiences some direct visible light from local sources and skyglow from Bundaberg Port and Marina. Mon Repos Beach experiences low direct visible light and low skyglow. The mitigation measures in this report have been prepared with a view to the development not discernibly increasing light levels above this baseline.

The impact assessment process, including the development of mitigation measures conducted during the preparation of this report, together with the requirement to conduct a post construction audit to verify compliance with the approved lighting design and regulatory conditions, were done so in line with the National Light Pollution Guidelines (Commonwealth of Australia, 2019) and are considered best practice.

To ensure efficacy of proposed mitigation measures, we recommend that during the detailed design phase of the development, qualified turtle biologists collaborate with professionally qualified lighting engineers/designers to further develop and assess mitigation measures based on detailed lighting designs, light models and simulations.

Implementation of the proposed mitigation measures as described will prevent the development leading to significant impacts to marine turtle species as assessed against the EPBC Act Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (Commonwealth of Australia, 2013) and will meet relevant priority actions outlined in the Recovery Plan for Marine Turtles in Australia 2017 – 2027 (Commonwealth of Australia, 2017). Accordingly, it is recommended that the regulatory assessors of this proposal apply these mitigation measures within approval conditions. Suggested approval conditions are provided in Appendix C.



8 REFERENCES

- AFMA (2019) <https://www.afma.gov.au/environment-and-research/protected-species/turtles>. Accessed 09/12/2019.
- BJORN DAL, E.A. & BOL TEN, A.B. (1992) Spatial distribution of green turtle (*Chelonia mydas*) nests at Tortuguero, Costa Rica. *Copeia*, 1992, 45 – 53.
- BUNDABERG PORT MARINA (2020) <https://www.bundabergportmarina.com.au/marina>. Accessed 10/01/2020
- BUNDABERG REGIONAL COUNCIL (2020) <https://www.bundaberg.qld.gov.au/boat-ramps>. Accessed 05/02/2020
- CHALOU PKA M., LIM PUS C.J. (2001) Trends in the abundance of sea turtles resident in southern Great Barrier Reef waters. *Biological Conservation* 102: 235-249.
- COMMONWEALTH OF AUSTRALIA (2019) Draft National Light Pollution Guidelines for Wildlife Including marine turtles, seabirds and migratory shorebirds, September 2019.
- COMMONWEALTH OF AUSTRALIA. (2013). Matters of National Environmental Significance Significant impact guidelines 1.1. Canberra: Commonwealth of Australia.
- COMMONWEALTH OF AUSTRALIA. (2017). Recovery Plan for Marine Turtles in Australia (2017 – 2027). Canberra: Commonwealth of Australia.
- DOBBS K (2001) A Compendium of Information and Basis for the Development of Policies and Strategies for the Conservation of Marine Turtles. Townsville, Australia. Great Barrier Reef Marine Park Authority. pp 59.
- FISHER L.R., GODFREY M.H., OWENS D.W. (2014) Incubation Temperature Effects on Hatchling Performance in the Loggerhead Sea Turtle (*Caretta caretta*). *PLoS One*. 2014; 9(12): e114880.
- GBRMPA (2009). Environmental Assessment and Management (EAM) Risk Management Framework http://www.gbrmpa.gov.au/_data/assets/pdf_file/0008/4949/gbrmpa_EAMRiskManagementFramework.pdf
- GYURIS, E. (1994) The rate of predation by fishes on hatchlings of the green turtle (*Chelonia mydas*). *Coral Reefs*. 13: p. 137-144.
- GLADSTONE PORTS CORPORATION (2020) <https://www.gpcl.com.au/port-of-bundaberg>. Accessed 10/01/2020
- HAWKES L.A., BRODERICK A.C., GODFREY M.H., GODLEY B.J. (2009) Climate change and marine turtles. *Endangered Species Research*. 7; 137 – 154.
- HAZEL J., GYURIS E. (2006) Vessel-related mortality of sea turtles in Queensland, Australia. *Wildlife Research* 33: 149-154.



- HAZEL J., LAWLER I.R., MARSH H., ROBSON S. (2007) Vessel speed increases collision risk for the green turtle *Chelonia mydas*. *Endangered Species Research* 3: 105-113.
- HEWAVISENTHI, S. & PARMENTER, C.J. (2002) Thermosensitive period for sexual differentiation of the gonads of the flatback turtle (*Natator depressus Garman*). *Australian Journal of Zoology*, 50, 521 – 527.
- HU, Z., H. HU, AND Y. HUANG. (2018) Association between nighttime artificial light pollution and sea turtle nest density along Florida coast: A geospatial study using VIIRS remote sensing data. *Environmental Pollution*. 239: p. 30-42.
- INSIGHT (2018) Redevelopment of lot 2 RP 82146, Mon Repos road for Turtle Sands Holiday Park: Marine Turtle Management Plan. Rev1
- KAMROWSKI R.L., LIMPUS C., PENDOLEY K., HAMANN M. (2014) Influence of industrial light pollution on the sea-finding behaviour of flatback turtle hatchlings. *Wildlife Research*. 41: p. 421-434
- LENHARDT, M. L., BELLMUND, S., BYLES, R. A., HARKINS, S. W. & MUSICK, J.A. (1983) Marine turtle reception of bone-conducted sound. *J. Aud Res.* 23, 119–125.
- LENHARDT, M., MOEIN, S. & MUSICK, J. (1996) A method for determining hearing thresholds in marine turtles,” in *Proceedings of the fifteenth annual workshop on sea turtle biology and conservation*, NOAA technical Memorandum NMFS-SEFSC-387.
- LENHARDT, M.L. (1994) Seismic and very low frequency sound induced behaviours in captive loggerhead marine turtles (*Caretta caretta*). In *Proceedings of the 14th International Symposium on Sea Turtle Biology and Conservation*, pp. 238-241.
- LIMPUS C., FERGUSON J., FINE L., GATLEY C., LIMPUS D. (2019). Queensland Turtle Conservation Project: data report for marine turtle breeding on the Woongarra Coast, 2018-2019 breeding season. Brisbane: Department of Environment and Science, Queensland Government. Report produced for the Gladstone Ports Corporation.
- LIMPUS, C., PARMENTE, C., CHALOUPKA M. (2013b). Monitoring of Coastal Sea Turtles: Gap Analysis 2. Green turtles, *Chelonia mydas*, in the Port Curtis and Port Alma Region. Report produced for the Ecosystem Research and Monitoring Program Advisory Panel as part of Gladstone Ports Corporation’s Ecosystem Research and Monitoring Program.
- LIMPUS C.J., PARMENTER C.J., CHALOUPKA M. (2013a) Monitoring of Coastal Sea Turtles: Gap Analysis 1. Loggerhead turtles, *Caretta caretta*, in the Port Curtis and Port Alma Region. Report produced for the Ecosystem Research and Monitoring Program Advisory Panel as part of Gladstone Ports Corporation’s Ecosystem Research and Monitoring Program.
- LIMPUS C.J., PARMENTER C.J., CHALOUPKA M. (2013c) Monitoring of Coastal Sea Turtles: Gap Analysis 5. Flatback turtles, *Natator depressus*, in the Port Curtis and Port Alma Region. Report produced for the Ecosystem Research and Monitoring Program Advisory Panel as part of Gladstone Ports Corporation’s Ecosystem Research and Monitoring Program.



- LIMPUS, C. J. (2008). A Biological Review of Australian Marine Turtles – 1. Loggerhead Turtle *Caretta caretta*. © The State of Queensland. Environmental Protection Agency.
- LIMPUS, C.J. and LIMPUS, D.J. (2003) The biology of the logger head turtle, *Caretta caretta* in Western South Pacific Ocean foraging areas. IN: BOLTEN, A.B. and WITHERINGTON, B.E. (eds.) *Loggerhead Sea Turtles*. Smithsonian Books, Washington, pp 93-113.
- LIMPUS, C.J. AND R.L. KAMROWSKI (2013) Ocean-finding in marine turtles: The importance of low horizon elevation as an orientation cue. *Behaviour*. 150: p. 863-893.
- LOHMANN, K.J., WITHERINGTON B.E., LOHMANN C.M.F., SALMON M. (1997) Orientation, navigation, and natal beach homing in sea turtles, in *The Biology of Sea Turtles*. Volume I, P.L. Lutz and J.A. Musick, Editors., CRC Press: Washington D.C. p. 107-135.
- MEAGER J.J., LIMPUS C.J. (2012) Marine wildlife stranding and mortality database annual report 2011, III, Marine Turtle. Conservation Technical and Data Report 2012: 1-46.
- MROSOVSKY, N. AND S.J. SHETTLEWORTH (1968) Wavelength preferences and brightness cues in the water finding behaviour of sea turtles. *Behaviour*. 32: p. 211-257.
- PENDOLEY, K. AND R.L. KAMROWSKI (2015) Influence of horizon elevation on the sea-finding behaviour of hatchling flatback turtles exposed to artificial light glow. *Marine Ecology Progress Series*. 529: p. 279-288.
- PILCHER N., ENDERBY S., STRINGELL T., BATEMAN L. (2000) Nearshore turtle hatchling distribution and predation, in *Sea turtles of the Indo-Pacific: research management and conservation*. Proceedings of the Second ASEAN Symposium and Workshop on Sea Turtle Biology and Conservation, N. Pilcher and G. Ismail, Editors. ASEAN Academic Press: London.
- QUEENSLAND GOVERNMENT (2017). Bundaberg State Development Area Development Scheme. State of Queensland, Department of State Development, December 2017
- QUEENSLAND GOVERNMENT (2018). Marine Turtle Conservation Strategy. Queensland, Brisbane: Department of Environment and Science - Conservation & Biodiversity Operations Branch.
- SALMON, M., (2003) Artificial night lighting and sea turtles. *Biologist*, 2003. 50: p. 163-168.
- SCHUYLER Q, HARDESTY BD, WILCOX C, TOWNSEND K (2012) To Eat or Not to Eat? Debris Selectivity by Marine Turtles. *PLoS ONE* 7(7): e40884.
- SPOTILA, J.R., STANDORA, E.A., MORREALE, S.J. & RUIZ, G.J. (1987) Temperature dependent sex determination in the green turtle (*Chelonia mydas*): Effects on the sex ratio on a natural nesting beach. *Herpetologica*, 43, 74 – 81.
- TRUSCOTT, Z., D.T. BOOTH, AND C.J. LIMPUS (2017) The effect of on-shore light pollution on sea-turtle hatchlings commencing their off-shore swim. *Wildlife Research*. <http://dx.doi.org/10.1071/WR16143>: p. 127-134.



- WALLACE N SHOMURA RS, YOSHIDO HO, editors. (1985) Debris entanglement in the marine environment: a review. NMFS NOAA-TM-MMFS-SWFC-54: 259–277. Honolulu, Hawaii: US Department of Commerce, NOAA Technical Memo.
- WILSON, P., THUMS, M., PATTIARATCHI, C., WHITING, S., PENDOLEY, K., FERREIRA, L.C. AND MEEKAN, M., 2019. High predation of marine turtle hatchlings near a coastal jetty. Biological Conservation.
- WILSON, P., THUMS, M., PATTIARATCHI, C., MEEKAN, M., PENDOLEY, K., FISHER, R., WHITING, S. (2018) Artificial light disrupts the nearshore dispersal of neonate flatback turtles *Natator depressus*. Marine Ecology Progress Series. 600: p. 179-192.
- WITHERINGTON, B. AND R.E. MARTIN (2003) Understanding, Assessing, and Resolving Light-Pollution Problems on Sea Turtle Nesting Beaches. Florida Fish and Wildlife Conservation Commission FMRI Technical Report TR-2: Jensen Beach, Florida. p. 84
- WITHERINGTON, B.E. AND K.A. BJORN DAL (1991) Influences of artificial lighting on the seaward orientation of hatchling loggerhead turtles *Caretta caretta*. Biological Conservation. 55(2): p. 139-149.
- YNTEMA, C. & MROSOVSKY, N. (1980) Sexual differentiation in hatchling loggerheads (*Caretta caretta*) incubated at different controlled temperatures. Herpetologica, 36, 33 – 36.
- YNTEMA, C. & MROSOVSKY, N. (1982) Critical periods and pivotal temperatures for sexual differentiation in loggerhead sea turtles. Canadian Journal of Zoology, 60, 1012 – 1016.

Appendix A: Sky42™ Data Analysis

The quality of an image captured by a Sky42 light monitoring camera can be influenced by atmospheric factors such as the presence of the moon, twilight, cloud, rain, dust, humidity, or physical factors such as accumulation of sand or dust on the lens. Any images that were affected by physical factors were removed from the analysis, as well as any images that were affected by the moon or twilight.

All suitable images were processed to determine “whole-of-sky”, “zenith”, and “horizon” sky brightness levels. Zenith is the mean value of sky glow in magnitudes within 0° – 30° field of view directly overhead, whole-of-sky (WOS) is the mean value of sky glow in the entire image, and horizon is the mean value of sky glow within the 60° – 90° outer band (**Figure 2**).

Sky brightness was quantified in units of visual magnitudes/arcsec² (a standard unit used in astronomical measurements and emerging as a standard for sky glow monitoring globally). The visual magnitudes/arcsec² unit quantifies light intensity on an inverted logarithmic scale, i.e. higher values represent lower intensity light, while lower values represent higher intensity light (**Table 3**). The image with the median value of sky brightness for each site on a clear night was selected for complete analysis and presentation in this report.

Table A1: Qualitative interpretation of magnitude band values (source: Unihedron Sky Quality Meter). Use as guide only. **Values <17 Vmag/arcsec² not provided by source (considered to represent light level greater than ‘very high’ and representative of skies brighter than an urban night sky horizon).

Magnitude (Vmag/arcsec ²)	Qualitative Interpretation	Qualitative Example of Interpretation
21 – 22	Very low	Ideal natural dark night sky horizon
20 – 21	Low	Typical rural night sky horizon
19 – 20	Moderate	Typical suburban night sky horizon
18 – 19	High	Typical urban night sky horizon
17 – 18	Very High**	Poor urban night sky horizon

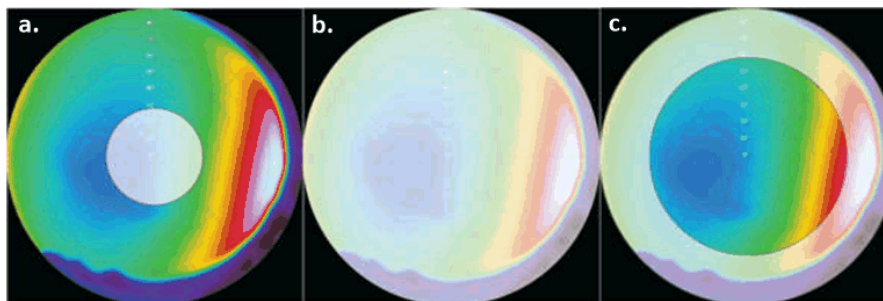


Figure A1: Measurement of mean pixel values; a. Zenith brightness (0° – 30°); b. WOS brightness (full image); c. Horizon brightness (60° – 90°). White shaded areas denote the region of the sky being measured.

Note that the colour coding used in the isophote map represents the scale of intensity of light and is not representative of the colour of light as perceived by a human/turtle eye or Sky42 camera.

Appendix B: Burnett Harbour Marina Village Development Application



0.0 CONTENTS

1.0 APPLICATION DETAILS & CONSULTANTS	6.0 STATEMENT OF ARCHITECTURAL DESIGN INTENT	7.24 APARTMENT BUILDING D - ELEVATION (3)
2.0 EXECUTIVE SUMMARY	6.1 ARCHITECTURAL DESIGN INTENT	7.25 APARTMENT BUILDING D - ELEVATION (4)
3.0 STATEMENT OF URBAN DESIGN INTENT - SITE ANALYSIS	6.2 PERSPECTIVE VIEW 1	7.26 APARTMENT BUILDING D - SECTION
3.1 CONTEXT PLAN	6.3 PERSPECTIVE VIEW 2	7.27 APARTMENT BUILDING E - BASEMENT PLAN
3.2 EXISTING BUILDINGS & ROADS	6.4 PERSPECTIVE VIEW 3	7.28 APARTMENT BUILDING E - GROUND FLOOR PLAN
3.3 STREET VIEWS	6.5 PERSPECTIVE VIEW 4	7.29 APARTMENT BUILDING E - LEVEL 1 FLOOR PLAN
3.4 EXISTING SURVEY PLAN (1)	6.6 PERSPECTIVE VIEW 5	7.30 APARTMENT BUILDING E - LEVEL 2 FLOOR PLAN
3.5 EXISTING SURVEY PLAN (2)	6.7 PERSPECTIVE VIEW 6	7.31 APARTMENT BUILDING E - LEVEL 3 FLOOR PLAN
3.6 EXISTING SURVEY PLAN (3)	6.8 PERSPECTIVE VIEW 7	7.32 APARTMENT BUILDING E - LEVEL 4 FLOOR PLAN
3.7 EXISTING SURVEY PLAN (4)	6.9 PERSPECTIVE VIEW 8	7.33 APARTMENT BUILDING E - ROOF PLAN
3.8 EXISTING SURVEY PLAN (5)	6.10 PERSPECTIVE VIEW 9	7.34 APARTMENT BUILDING E - ELEVATION (1)
3.9 EXISTING SURVEY PLAN (6)	6.11 PERSPECTIVE VIEW 10	7.35 APARTMENT BUILDING E - ELEVATION (2)
4.0 STATEMENT OF URBAN DESIGN INTENT - MASTER PLAN	6.12 MIXED USE BUILDING - COLOURS AND MATERIALS	7.36 APARTMENT BUILDING E - ELEVATION (3)
4.1 STATEMENT OF URBAN DESIGN INTENT	6.13 MIXED USE BUILDING - COLOURS AND MATERIALS	7.37 APARTMENT BUILDING E - ELEVATION (4)
4.2 OVERALL MASTERPLAN	6.14 APARTMENT BUILDING - COLOURS AND MATERIALS	7.38 APARTMENT BUILDING E - SECTION
4.3 MASTER PLAN	7.0 ARCHITECTURAL DESIGN INTENT - PLANS	7.39 APARTMENT BUILDING F - BASEMENT PLAN
4.4 CONCEPT SKETCHES (1)	7.1 MIXED USE BUILDINGS A & B - GROUND FLOOR PLAN	7.40 APARTMENT BUILDING F - GROUND FLOOR PLAN
4.5 CONCEPT SKETCHES (2)	7.2 MIXED USE BUILDINGS A & B - LEVEL 1 FLOOR PLAN	7.41 APARTMENT BUILDING F - LEVEL 1 FLOOR PLAN
4.6 STAGING PLAN	7.3 MIXED USE BUILDINGS A & B - LEVEL 2 FLOOR PLAN	7.42 APARTMENT BUILDING F - LEVEL 2 FLOOR PLAN
4.7 BOUNDARY SETBACK PLAN	7.4 MIXED USE BUILDINGS A & B - ROOF PLAN	7.43 APARTMENT BUILDING F - LEVEL 3 FLOOR PLAN
4.8 BUILDING TYPOLOGY DIAGRAM	7.5 MIXED USE BUILDINGS A & B - ELEVATIONS (1)	7.44 APARTMENT BUILDING F - LEVEL 4 FLOOR PLAN
4.9 BUILDING HEIGHT DIAGRAM	7.6 MIXED USE BUILDINGS A & B - ELEVATIONS (2)	7.45 APARTMENT BUILDING F - ROOF PLAN
4.10 WASTE TYPICAL BASEMENT PLAN	7.7 MIXED USE BUILDINGS A & B - SECTIONS	7.46 APARTMENT BUILDING F - ELEVATION (1)
4.11 WASTE MANAGEMENT PLAN	7.8 RETAIL BUILDING C - GROUND FLOOR PLAN	7.47 APARTMENT BUILDING F - ELEVATION (2)
4.12 WASTE MANAGEMENT CALCULATION (1)	7.9 RETAIL BUILDING C - FIRST FLOOR PLAN	7.48 APARTMENT BUILDING F - ELEVATION (3)
4.13 WASTE MANAGEMENT CALCULATION (2)	7.10 RETAIL BUILDING C - ROOF PLAN	7.49 APARTMENT BUILDING F - ELEVATION (4)
4.14 VISITOR PARKING	7.11 RETAIL BUILDING C - ELEVATIONS (1)	7.50 APARTMENT BUILDING F - SECTION
4.15 TRAFFIC NETWORK	7.12 RETAIL BUILDING C - ELEVATIONS (2)	7.51 TYPICAL APARTMENT PLANS - TYPE A & B
4.16 PEDESTRIAN NETWORK	7.13 RETAIL BUILDING C - ELEVATIONS (3)	7.52 TYPICAL APARTMENT PLANS - TYPE C & C1
4.17 STREETS CAPES	7.14 RETAIL BUILDING C - SECTIONS	7.53 TYPICAL APARTMENT PLANS - TYPE C2, C3 & D
4.18 SITE SECTION A & B	7.15 APARTMENT BUILDING D - BASEMENT PLAN	7.54 TYPICAL APARTMENT PLANS - TYPE E
4.19 SITE SECTION C & D	7.16 APARTMENT BUILDING D - GROUND FLOOR PLAN	7.55 TYPICAL APARTMENT PLANS - TYPE E1
4.20 SITE SECTION E	7.17 APARTMENT BUILDING D - LEVEL 1 FLOOR PLAN	7.56 TYPICAL APARTMENT PLANS - TYPE F
5.0 DEVELOPMENT SUMMARY	7.18 APARTMENT BUILDING D - LEVEL 2 FLOOR PLAN	7.57 TYPICAL APARTMENT PLANS - TYPE G & H
5.1 BUILDINGS A, B, C	7.19 APARTMENT BUILDING D - LEVEL 3 FLOOR PLAN	7.58 TYPICAL APARTMENT PLANS - TYPE I & D1
5.2 BUILDINGS D, E, F	7.20 APARTMENT BUILDING D - LEVEL 4 FLOOR PLAN	7.59 TYPICAL SHORT TERM ACCOMMODATION - TYPE A & B
	7.21 APARTMENT BUILDING D - ROOF PLAN	
	7.22 APARTMENT BUILDING D - ELEVATION (1)	
	7.23 APARTMENT BUILDING D - ELEVATION (2)	

1.0 APPLICATION & CONSULTANTS

1.1 APPLICATION:

- 1.1.0 **APPLICANT:**
BH Developments Qld Pty Ltd
- 1.1.1 **APPLICATION:**
Development Application
- 1.1.2 **STREET ADDRESS:**
44 Harbour Esplanade, Burnett Heads
- 1.1.3 **PROPERTY DESCRIPTION:**
Part of Lot 1 on SP157193

1.2 CONSULTANTS:

- 1.2.1 **ARCHITECTS & URBAN DESIGN**
BDA Architecture
Contact: Darren Greenaway Ph - (07) 5555 2600
- 1.2.2 **TOWN PLANNER**
InsiteSJC
Contact: Randall Barrington Ph - (07) 4151 6677
- 1.2.3 **CIVIL**
RMA Engineers
Contact: Scott Graham Ph - (07) 3846 5885
- 1.2.4 **TRAFFIC**
RMA Engineers
Contact: Perci Barnes Ph - (07) 3846 5885



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG  3 / 113

2.0 EXECUTIVE SUMMARY

INTRODUCTION - URBAN DESIGN & ARCHITECTURE

The Burnett Harbour Marina Village has been designed as a high quality mixed-use marine village located on the southwestern shore of Burnett Harbour. Its architectural form comprises a linear cluster of buildings spread along the shoreline with each end clearly defined by a principal node. The commercial heart marks the western end of the village. This is to be balanced by a future resort residential component, which will identify the eastern end.

This application includes "Stage 1" of the total project: including the retail/commercial buildings (A, B and C), and the first three residential buildings (D, E and F).

Organic in its shape, the built form pattern respects and follows the line of the existing landform edge. In this way the structure of the village can be regarded as a seamless whole, maintaining a natural and meaningful relationship with its surroundings.

The commercial heart is located adjacent to the existing public parking area, boat ramp and jetty. It comprises a compact grouping of 1, 2 and 3 storey buildings sited along the waters edge. These buildings are organized about a principal east-west axis upon which the main public access to the centre and the access to the new marina are aligned. An east-facing boardwalk, which overlooks the marina, provides access to retail, commercial, restaurant and short-term accommodation facilities within, promoting a vibrant and interesting waterfront edge.



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

A series of residential buildings are distributed along the waterfront to the east of the village centre. These comprise a diverse mix of product types, including 4 – 5 storey low-rise apartment buildings in this "Stage 1" application. (The separate Preliminary Approval application for the eastern end of the site, Stage "2" includes 2 storey waterfront villas, 2 storey eco-villas and a 6 – 10 storey resort hotel. The resort hotel is located centrally on the small peninsula on a north-south axis running from Harbour Esplanade to the marina. Hotel facilities embrace and overlook a large lagoon pool.)

Residential buildings are angled in plan shape and offset from each other resulting in an interesting and sinuous built edge of varying height, which maximizes views to the marina and the ocean for residents. Lower height buildings are generally positioned closer to the edges of the site with the tallest structure located the furthest distance from the site's boundaries.

Generous gaps between buildings provide view shafts to the marina from Harbour Esplanade and the existing residential neighborhood to the south.

The public boardwalk continues along the southern edge of the harbour in front of the apartment buildings. This is linked by pathways to additional boardwalks, BBQ and picnic areas and a small beach, providing public access to almost the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for both residents and the wider community.

Parking for each of the "Stage 1" residential buildings is provided in basements beneath each building, with visitor parking at grade.

The linear nature of the site allows individual buildings to be accessed directly from Harbour Esplanade. This characteristic also facilitates staging of construction, allowing the development to be staged in sustainable parcels.

OVERVIEW

This Development Application seeks Development Approval for the western component of the proposed marina village, which comprises commercial/mixed use buildings A, B and C plus residential apartment buildings D, E and F (Stage 1).

The second stage of the overall development, at the eastern end of the Marine Village will be the subject of a separate Preliminary Approval Application, which may be lodged concurrently.

Through thoughtful consideration of the existing waterfront context and its envisaged potential for urban development, the execution of this Stage 1 design will result in the addition of a high quality waterfront mixed use residential community providing both short and long term accommodation, together with service retail and restaurants, which will provide significant amenity for residents and visitors and contribute positively to the existing community of Burnett Heads.

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

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4 / 113

3.0

STATEMENT OF URBAN DESIGN INTENT
- SITE ANALYSIS

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



3.1 CONTEXT PLAN



3.2 EXISTING BUILDINGS & ROADS



- SUBJECT SITE
- ~ EXISTING SITE ENTRIES
- HARBOUR ESPLANADE
- EXISTING 'BLUE WATER CLUB'
- EXISTING WORKSHOP, CHANDLERY, CARETAKER RESIDENCE
- EXISTING VOLUNTEER MARINE RESCUE BUILDING

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: NTS

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



3.3 STREET VIEWS



VIEW LOOKING SOUTH-EAST FROM HARBOUR ESPLANADE



VIEW LOOKING NORTH FROM HARBOUR ESPLANADE

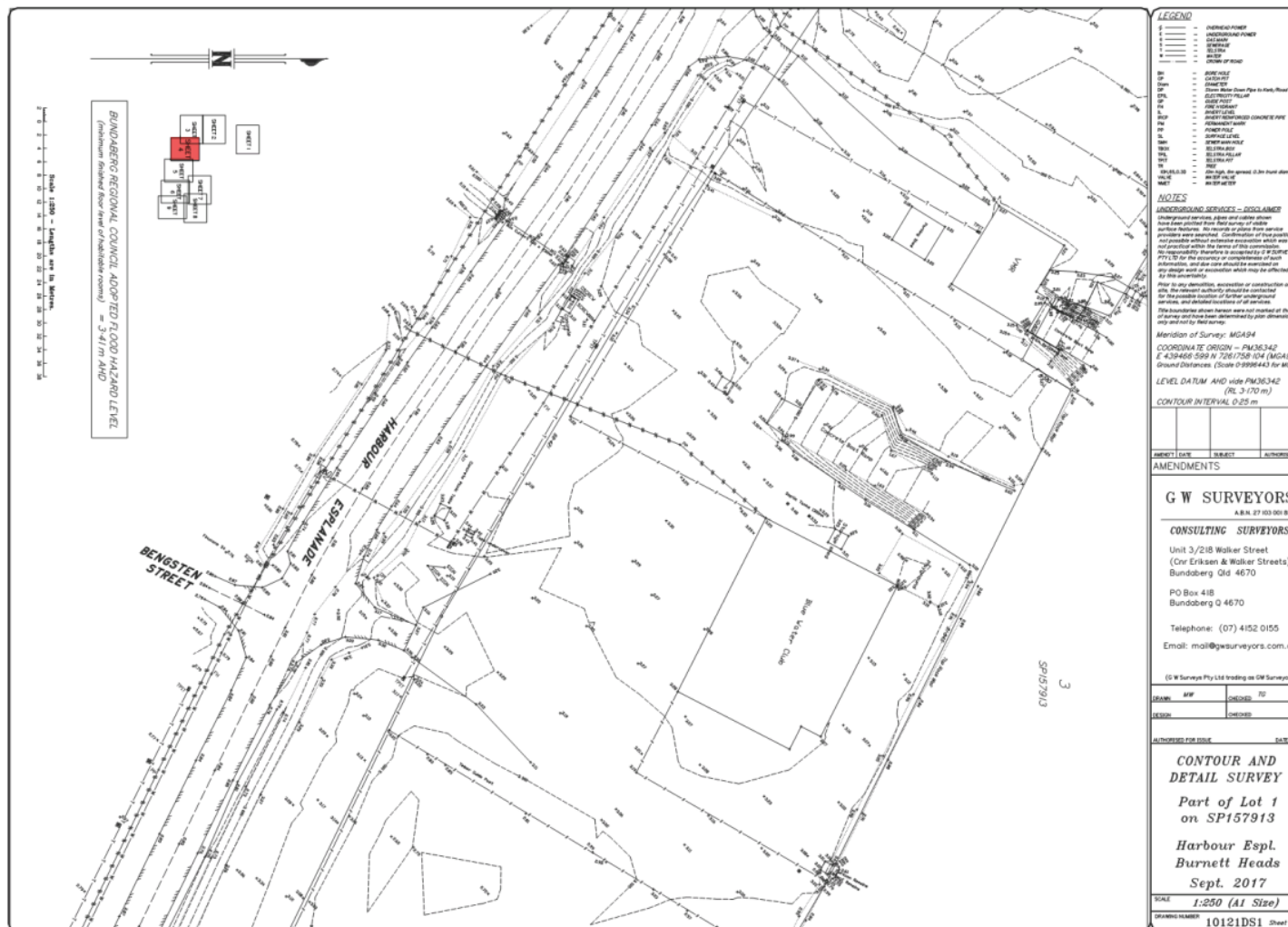


VIEW LOOKING SOUTH-EAST FROM HARBOUR ESPLANADE



VIEW LOOKING NORTH FROM HARBOUR ESPLANADE

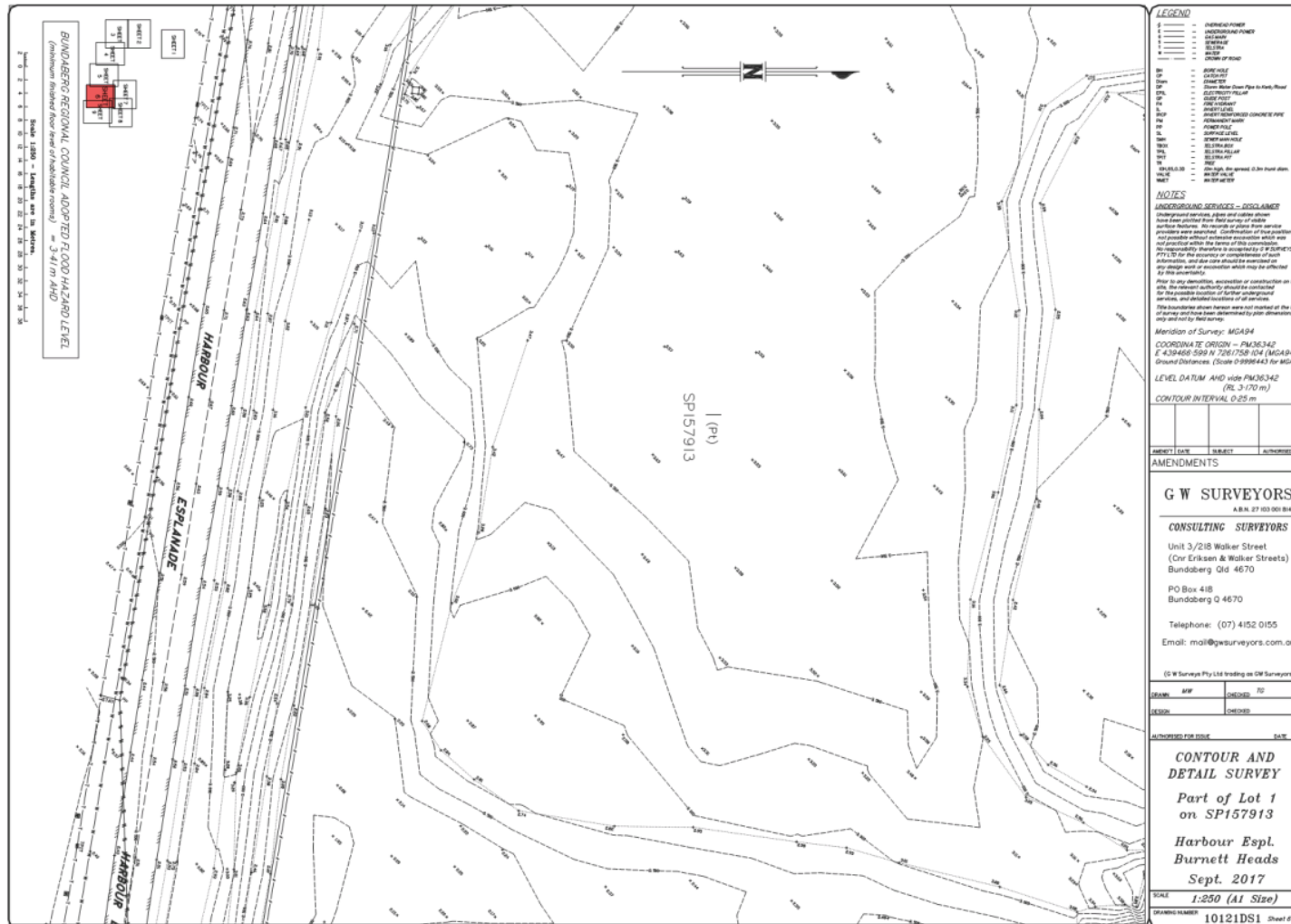
3.7 EXISTING SURVEY PLAN (4)



3.8 EXISTING SURVEY PLAN (5)



3.9 EXISTING SURVEY PLAN (6)





4.0

STATEMENT OF URBAN DESIGN INTENT
- MASTER PLAN

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



4.1 STATEMENT OF URBAN DESIGN INTENT



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

The urban form of the Burnett Harbour Marina Village has been designed as a linear cluster of buildings spread along the shoreline with each end clearly defined by a principal node.

In overall shape, massing and composition, the built form has been developed from an analysis of the physical landform, the existing built form and the envisaged use, character and density in this part of Burnett Heads.

Organic in its shape, the built form pattern respects and follows the line of the existing waterfront edge. In this way the linear structure of the village wrapping around the harbour, maintains a natural and meaningful relationship with both the landform and the ocean.

The hotel in "Stage 2" (separate Preliminary Approval application) is the tallest building and is designed to provide a distinctive and memorable landmark on the shoreline, clearly identifying the river mouth on approach from the ocean.

Key principles of good urban places considered in the design include:

ACCESSIBILITY

Good places are accessible to all members of the community. Proposed buildings will cater for people arriving by foot, bicycle, car, coach, boat or future public transport. All areas within the site will allow equitable access for people with disabilities.

COMPREHENSIBILITY

People can take full advantage of a place if they can readily understand it, easily interpret it and it is imbued with meaning corresponding with its use. The proposed built environment has clear points of reference in its circulation routes and meeting and gathering places and building entrances. Individual buildings are designed to exhibit clear legibility through architectural language, colour, materiality, transparency and articulation.

VARIETY AND INTEREST

Variety is an essential ingredient of good urban places. Variety implies varied forms, uses and meanings. The visual appearance of building forms will be given increased variety through the layering of façades, variation in height and roof shape, the use of a wide range of exterior materials and the natural landscape. The dynamic composition of building elements within the overall 'horizontal' built form of the development will create visual interest for both residents and visitors.

ACCOMMODATION CHOICE

The wide range of accommodation choice proposed will cater for a broad range of occupants over the long term.

CONNECTIVITY

Generous gaps between buildings will provide view shafts to the marina from Harbour Esplanade and the existing residential neighborhood to the south. The waterfront boardwalk provides public access to the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for residents and for the wider community.

QUALITIES OF EDGES

All edges of the village are readily accessible and have been designed to be legible and interesting in appearance, easy and safe to access, using appropriate materials, finishes and landscaping, which will also provide shade and weather protection.

HUMAN SCALE

Good urban places affirm the importance of people, helping us to relate to, interpret and enjoy the built environment. The proposed village is broken into a series of human scaled building elements, which will relate well to the landform context at the mouth of the Burnett River. Richness will be achieved through the articulation, materiality and detailing of building forms, and extensive outdoor dining and recreation spaces.

SPACE MAKING

A good environment possesses well defined public spaces, in which people will feel comfortable. The public waterfront and other circulation areas within the site comprise a series of interconnected human scaled spaces containing communal meeting places at nodal points. Residents are provided with sheltered outdoor living and recreation areas.

SENSE OF COMMUNITY

Good places enhance the sense of community and provide for social interaction. The design of the circulation and communal areas will provide comfortable places in which people can meet and socialise enjoying a good sense of well being.

PUBLIC AND PRIVATE ASPECTS

The close proximity of public and private realms has been given consideration in the design. Views towards residential areas will be partially screened through planting to minimise overlooking and maintain privacy for residents.

ADAPTABILITY AND VERSATILITY

The village has been designed to allow its construction to be staged so that it can be developed at an appropriate pace over time. Many internal walls of the buildings are non load bearing providing adaptive design to readily accommodate changing uses over time.

ENVIRONMENTAL QUALITIES

The design satisfies environmental qualities for users of the site including the quality of air and water, noise and visual pollution, bio diversity in the landscape and the minimization of energy use and waste.

SAFETY

In its layout, the masterplan has been configured to provide safe access within the site as well as to and from the new village. This includes the provision of clear sightlines along all pathways.

4.2 OVERALL MASTER PLAN



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: 1:2000 @ A3

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17 / 113



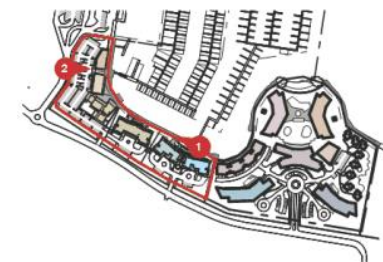
4.4 CONCEPT SKETCHES (1)



BOARDWALK VIEW 1



MARINE VILLAGE VIEW 2



4.5 CONCEPT SKETCHES (2)



HARBOURFRONT VIEW 3



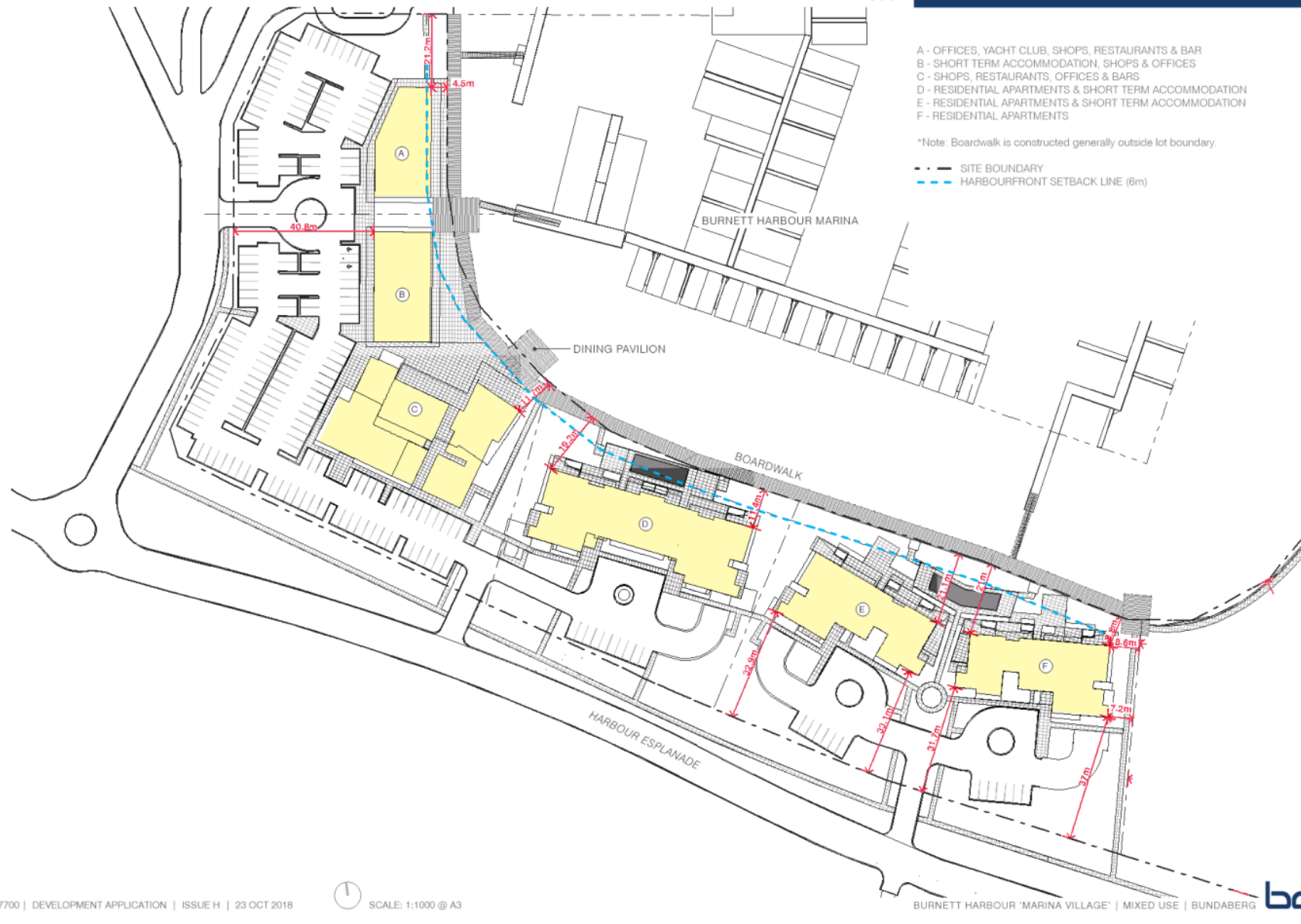
HARBOURFRONT VIEW 4

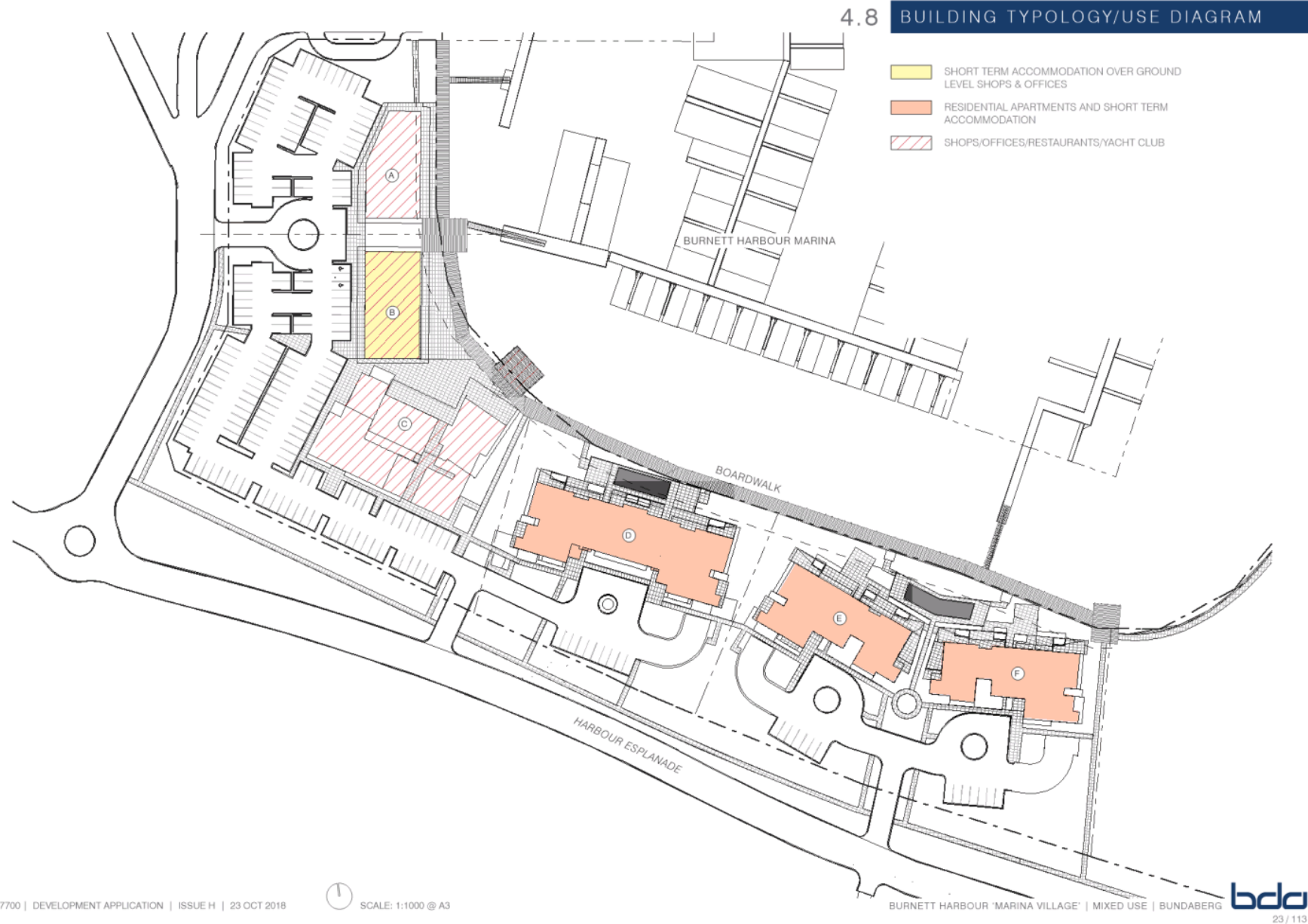


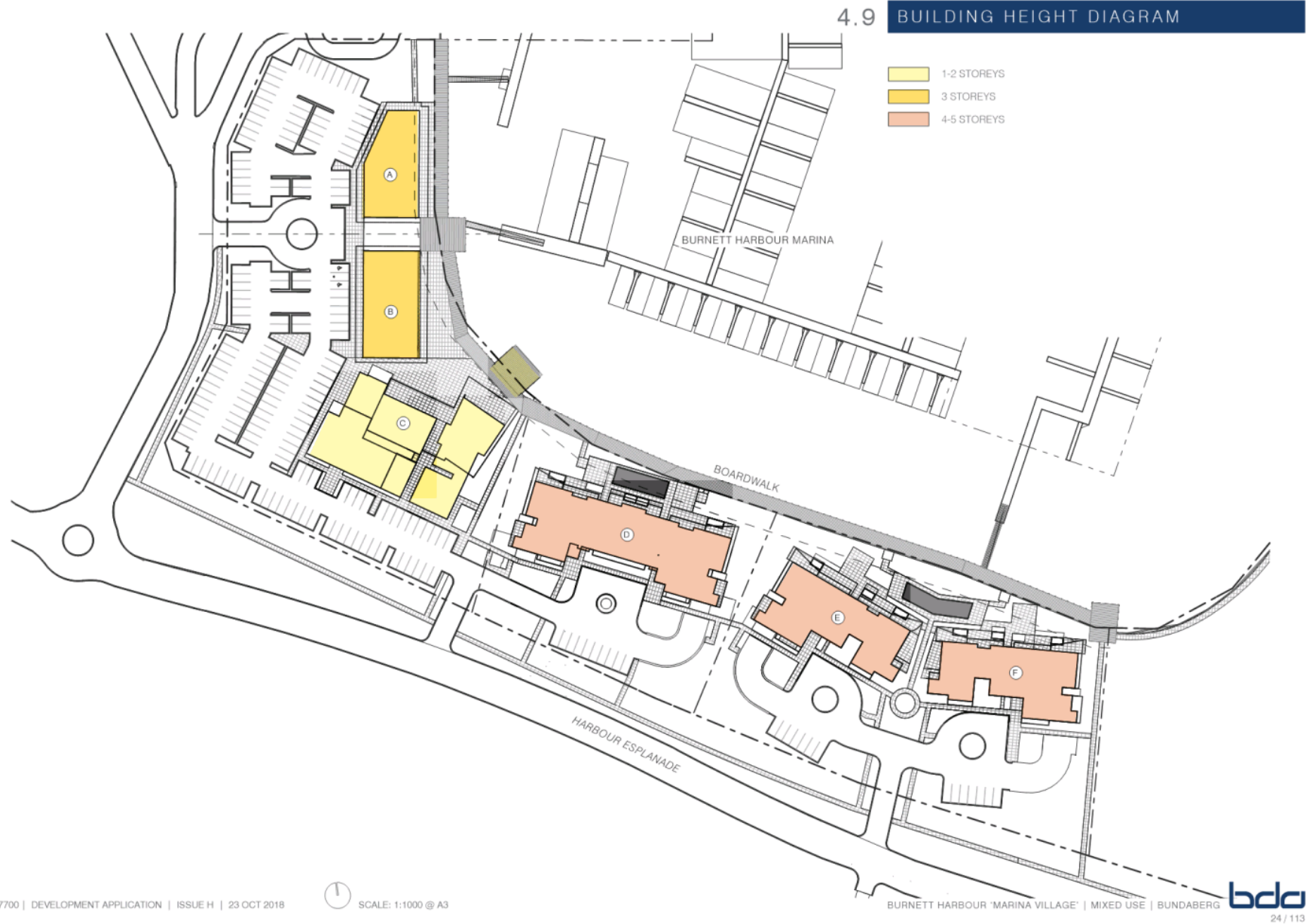
4.6 STAGING PLAN



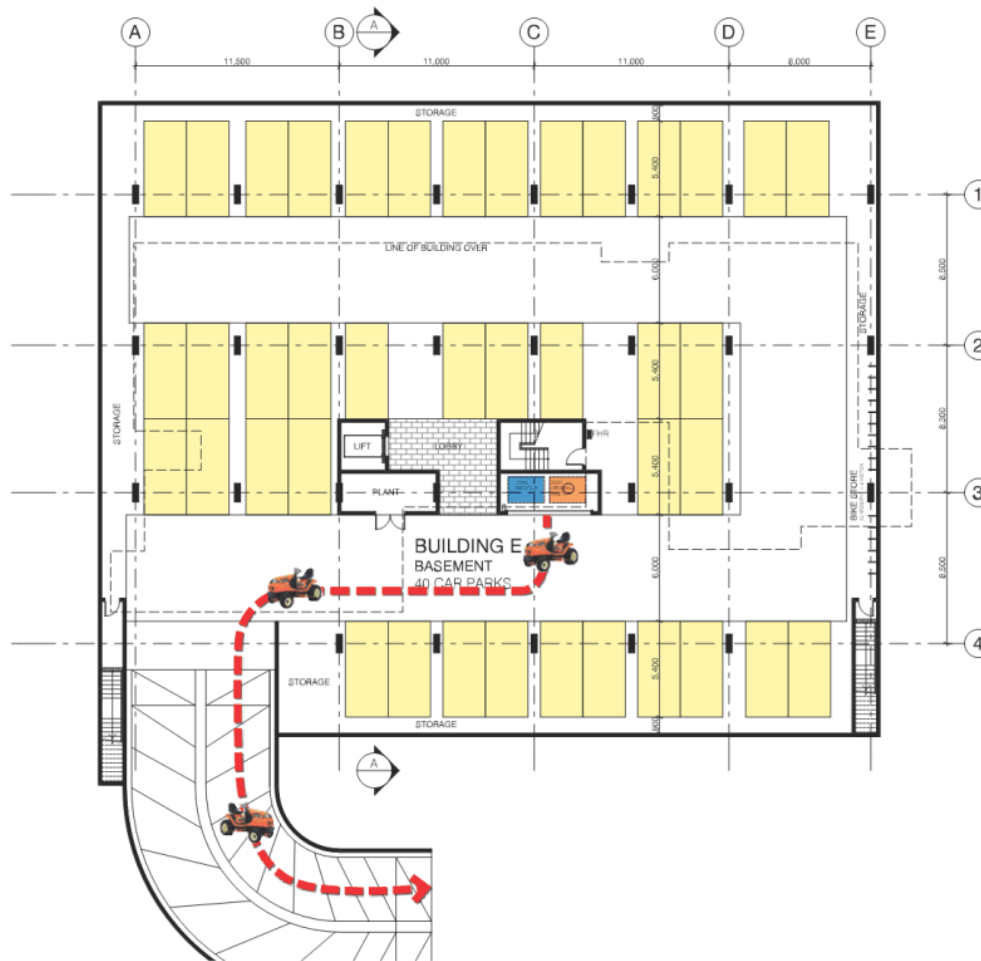
4.7 BOUNDARY SETBACK PLAN



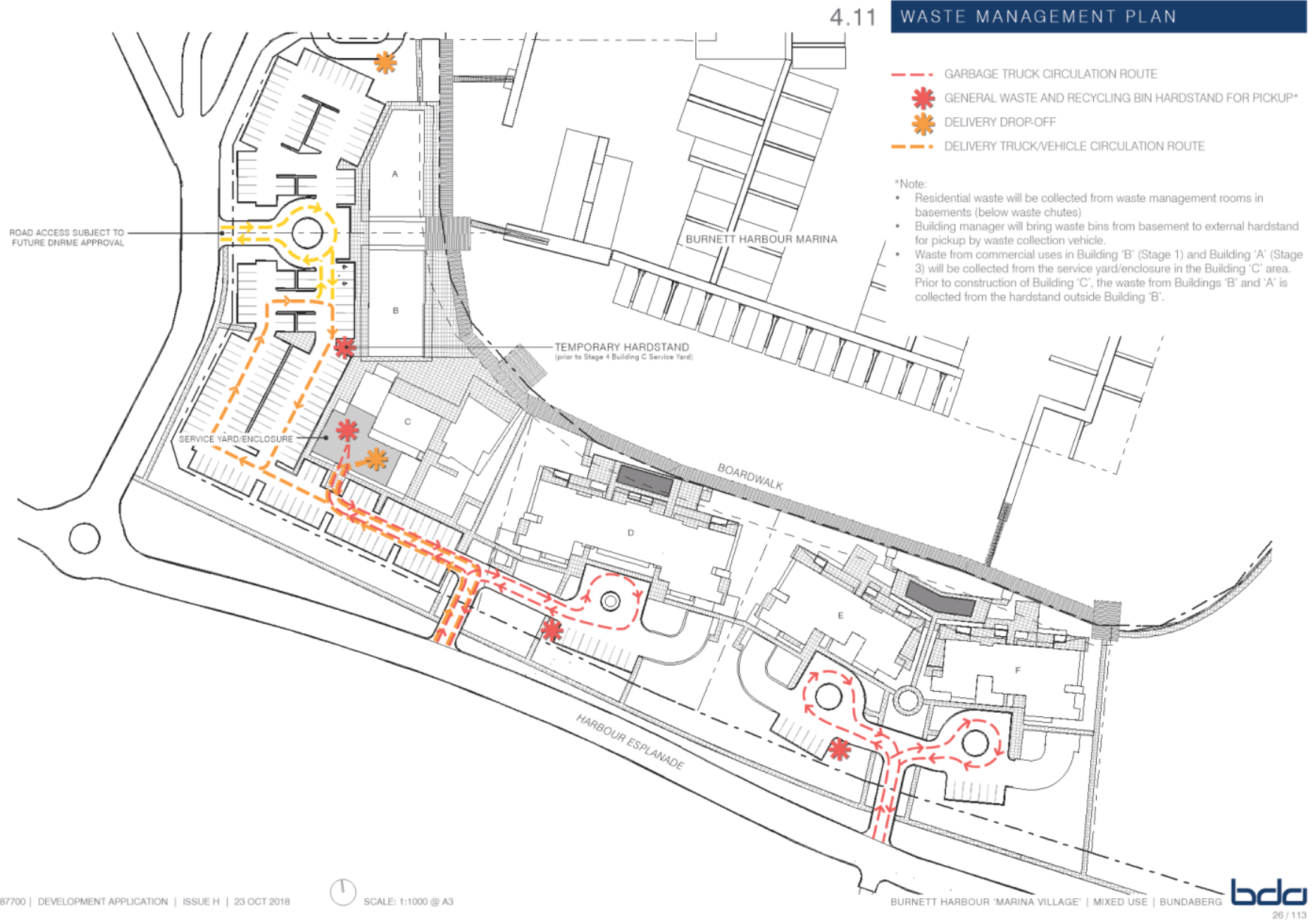




4.10 WASTE TYPICAL BASEMENT PLAN



- GENERAL WASTE STORAGE AREA
- RECYCLED WASTE STORAGE AREA
- ➔ PATH OF MANAGERS TRANSFER OF BINS TO PICKUP





387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

4.12 WASTE MANAGEMENT CALCULATION (1)

BUILDING A (SHOPS, YACHT CLUB & COMMERCIAL USES)

OFFICE

General Waste
 $458.5\text{m}^2 @ 30\text{L}/100\text{m}^2/\text{day} = 962.85\text{L} / \text{week}$
 Recyclable Waste
 $458.5\text{m}^2 @ 40\text{L}/100\text{m}^2/\text{day} = 1,283.8\text{L} / \text{week}$

YACHT CLUB

General Waste
 $229\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 801.5\text{L} / \text{week}$
 Recyclable Waste
 $229\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 801.5\text{L} / \text{week}$

RESTAURANT

General Waste
 $334.5\text{m}^2 @ 860\text{L}/100\text{m}^2/\text{day} = 15,453.9\text{L} / \text{week}$
 Recyclable Waste
 $334.5\text{m}^2 @ 200\text{L}/100\text{m}^2/\text{day} = 4,683\text{L} / \text{week}$

SHOP TENANCIES

General Waste
 $441\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,543.5\text{L} / \text{week}$
 Recyclable Waste
 $441\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,543.5\text{L} / \text{week}$

BUILDING B

SHOP TENANCIES

General Waste
 $334\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,169\text{L} / \text{week}$
 Recyclable Waste
 $334\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,169\text{L} / \text{week}$

SHORT TERM ACCOMMODATION

General Waste
 $28 \times 1 \text{ Bed Apartments} @ 80\text{L}/\text{apt}/\text{week} = 2,240\text{L} / \text{week}$
 Recyclable Waste
 $28 \times 1 \text{ Bed Apartments} @ 50\text{L}/\text{apt}/\text{week} = 1,400\text{L} / \text{week}$

SUMMARY (BUILDINGS A & B)

Total General Waste 22,170.75L / Week
4 x 3000L bin with 2 weekly pickup will provide an adequate weekly capacity.

Total Recyclable Waste 10,880.8L / Week
4 x 3000L bin with 1 weekly pickup will provide an adequate weekly capacity.

BUILDING C

RESTAURANT

General Waste
 $752.5\text{m}^2 @ 860\text{L}/100\text{m}^2/\text{day} = 34,765.5\text{L} / \text{week}$
 Recyclable Waste
 $752.5\text{m}^2 @ 200\text{L}/100\text{m}^2/\text{day} = 10,535\text{L} / \text{week}$

SHOP TENANCIES

General Waste
 $398.5\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,394.75\text{L} / \text{week}$
 Recyclable Waste
 $398.5\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 1,394.75\text{L} / \text{week}$

FOOD (CAFE)

General Waste
 $135.4\text{m}^2 @ 300\text{L}/100\text{m}^2/\text{day} = 2,843.4\text{L} / \text{week}$
 Recyclable Waste
 $135.4\text{m}^2 @ 200\text{L}/100\text{m}^2/\text{day} = 1,895.6\text{L} / \text{week}$

DINING

General Waste
 $597.1\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 2,089.85\text{L} / \text{week}$
 Recyclable Waste
 $597.1\text{m}^2 @ 50\text{L}/100\text{m}^2/\text{day} = 2,089.85\text{L} / \text{week}$

SUMMARY (BUILDING C)

Total General Waste 40,145.7L / Week
7 x 3000L bin with 2 weekly pickup will provide an adequate weekly capacity.

Total Recyclable Waste 15,915.2L / Week
3 x 3000L bin with 2 weekly pickup will provide an adequate weekly capacity.



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

4.13 WASTE MANAGEMENT CALCULATION (2)

BUILDING D

General Waste
 18 x 2 Bed Apartments @ 100L/apt/week = 1,800L/week
 18 x 3 Bed Apartments @ 120L/apt/week = 2,160L/week

Recyclable Waste
 18 x 2 Bed Apartments @ 60L/apt/week = 1,080L/week
 18 x 3 Bed Apartments @ 80L/apt/week = 1,440L/week

SUMMARY (BUILDING D)

Total General Waste 3,960L/week
1 x 2,250L bin with 2 weekly pickups will provide an adequate weekly capacity.

Total Recyclable Waste 2,520L/week
1 x 3,000L bin with 1 weekly pickup will provide an adequate weekly capacity.

BUILDING E

General Waste
 11 x 2 Bed Apartments @ 100L/apt/week = 1,100L/week
 13 x 3 Bed Apartments @ 120L/apt/week = 1,560L/week

Recyclable Waste
 11 x 2 Bed Apartments @ 60L/apt/week = 660L/week
 13 x 3 Bed Apartments @ 80L/apt/week = 1,040L/week

SUMMARY (BUILDING E)

Total General Waste 2,660L/week
1 x 3000L bin with 1 weekly pickup will provide an adequate weekly capacity.

Total Recyclable Waste 1,700L/week
1 x 2250L bin with 1 weekly pickup will provide an adequate weekly capacity.

BUILDING F

General Waste
 11 x 2 Bed Apartments @ 100L/apt/week = 1,100L/week
 13 x 3 Bed Apartments @ 120L/apt/week = 1,560L/week

Recyclable Waste
 11 x 2 Bed Apartments @ 60L/apt/week = 660L/week
 13 x 3 Bed Apartments @ 80L/apt/week = 1,040L/week

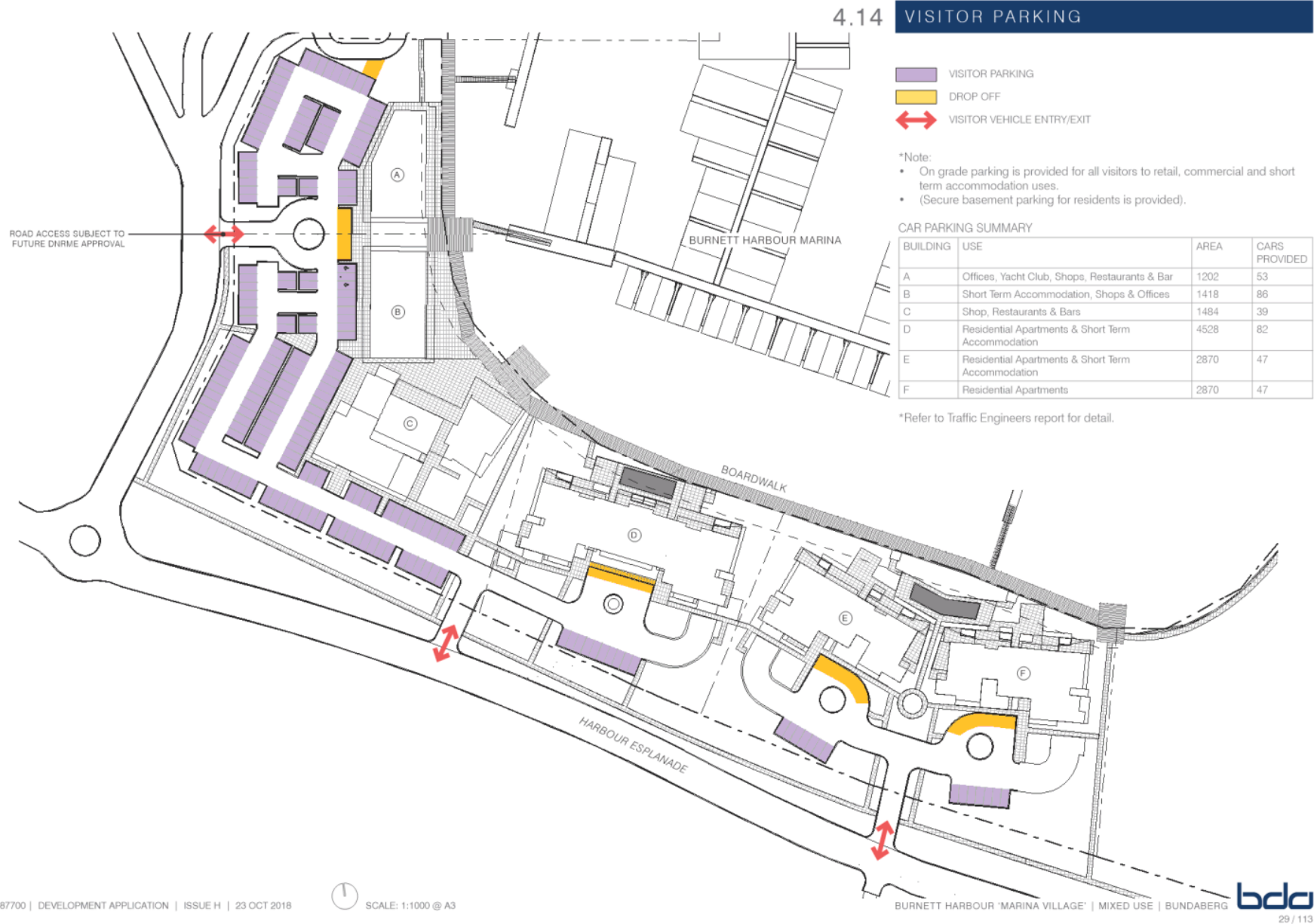
SUMMARY (BUILDING F)

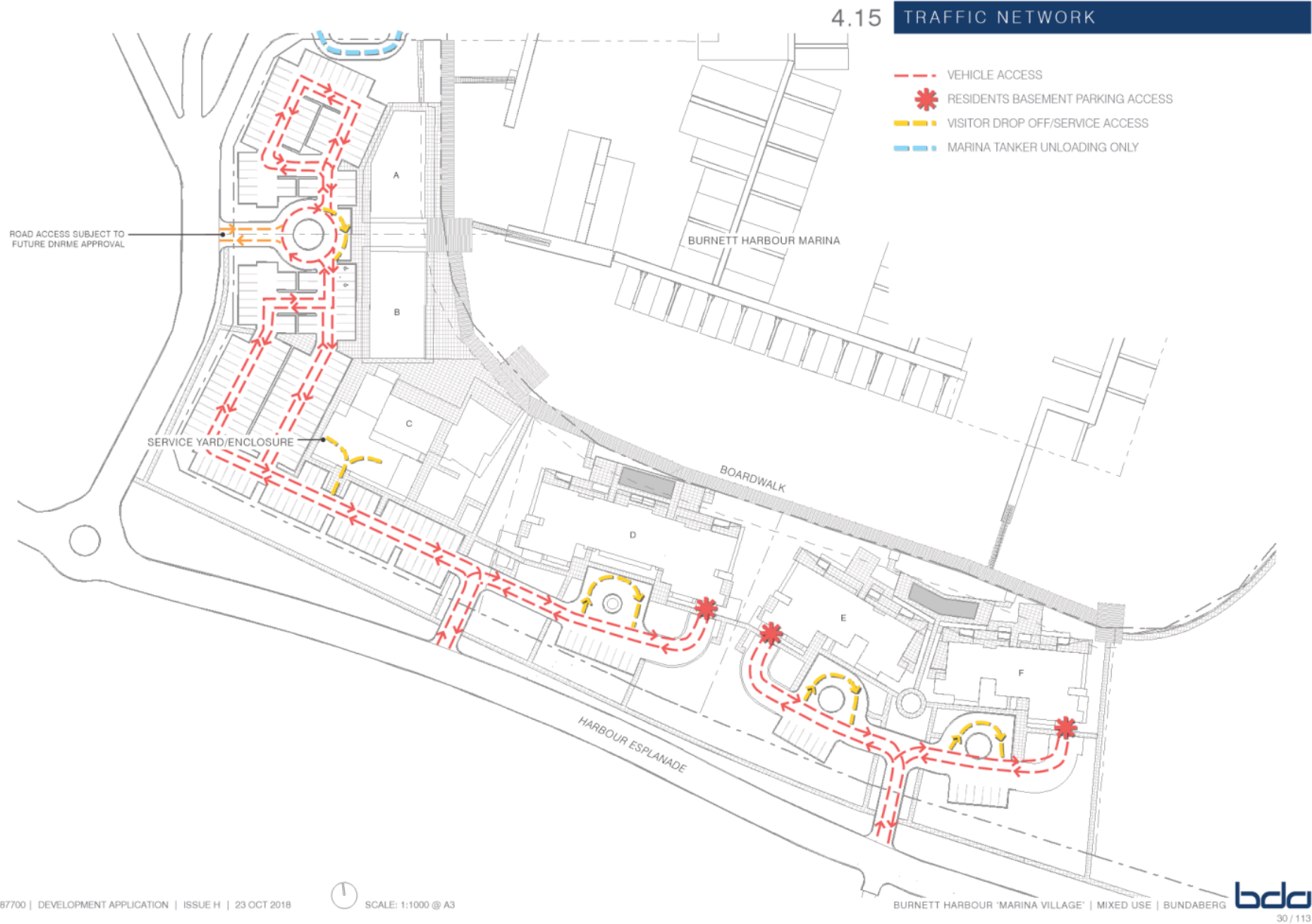
Total General Waste 2,660L/week
1 x 3000L bin with 1 weekly pickup will provide an adequate weekly capacity.

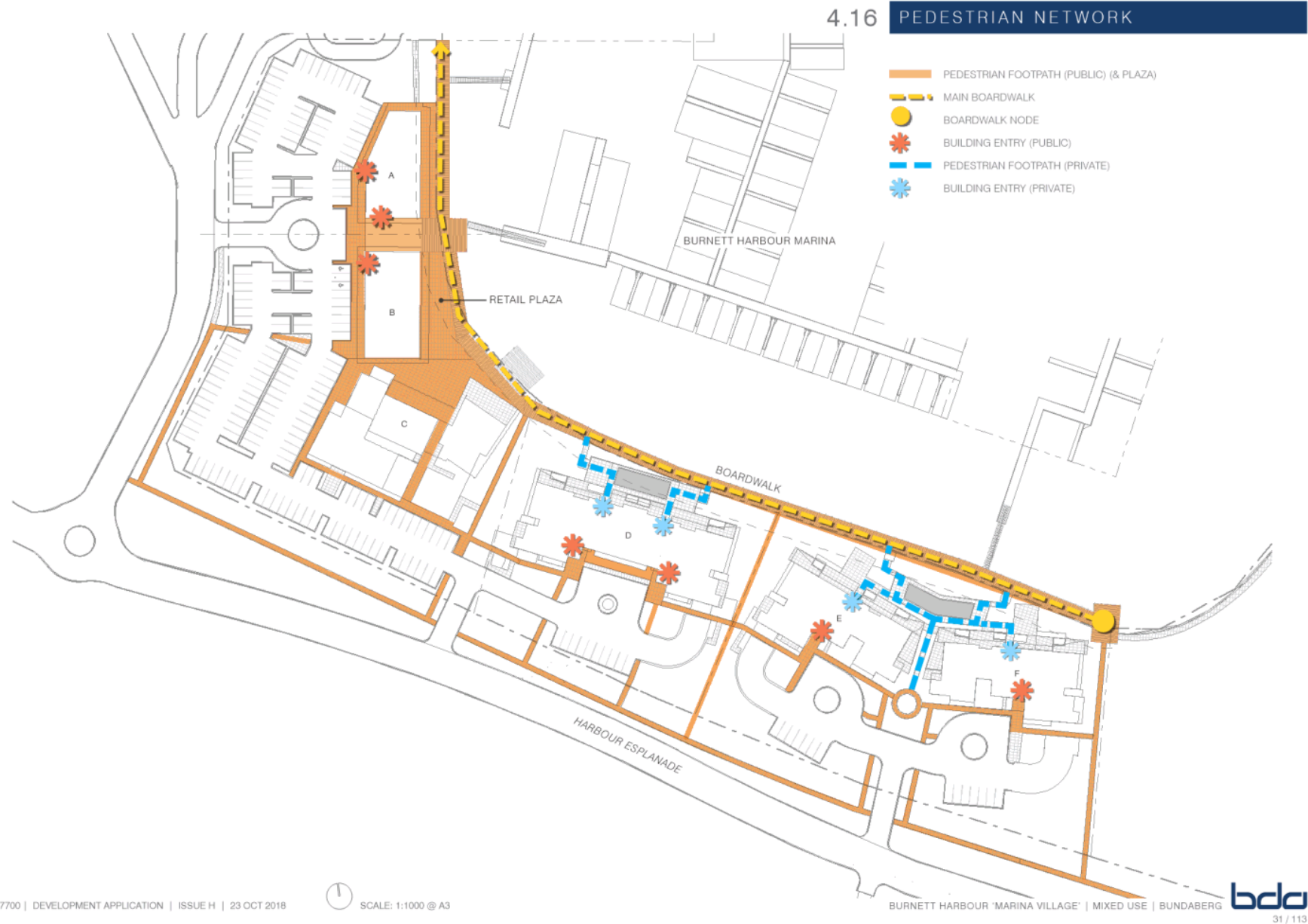
Total Recyclable Waste 1,700L/week
1 x 2250L bin with 1 weekly pickup will provide an adequate weekly capacity.

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

bda
 28 / 113







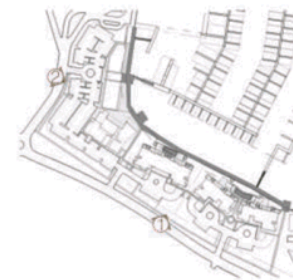
4.17 **STREETSCAPES**



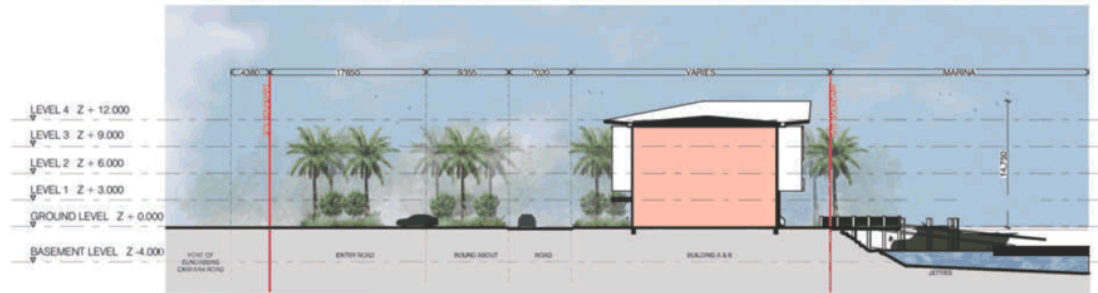
STREETSCAPE 01 - VIEW FROM HARBOUR ESPLANADE LOOKING NORTH-EAST



STREETSCAPE 02 - VIEW FROM MARINA ACCESS ROAD LOOKING EAST



4.18 SITE SECTION A & B



SITE SECTION A-A - BUILDING A/B ATRIUM



SITE SECTION B-B - BUILDING A/B & C



4.19 SITE SECTION C & D



SITE SECTION C-C - BUILDING D



SITE SECTION D-D (PART 1) - BUILDINGS C & D



SITE SECTION D-D (PART 2) - BUILDINGS E & F



4.20 SITE SECTION E



SITE SECTION E-E - BUILDING F





5.0

DEVELOPMENT SUMMARY

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

bda
36 / 113

5.1 DEVELOPMENT SUMMARY

BUILDINGS A, B, C

BUILDING A		Non GFA (sq.m)	GFA (sq.m)
Component(s)			
BUILDING A - SHOPS / YACHT CLUB - RESTAURANT / OFFICES & BAR			
Level 02	Commercial - Office		337
	Core/Toilets/Services	100	
	Balcony - Private	60	
Subtotal			337
Level 01	Yacht Club - Restaurant		345
	Core/Toilets/Services	101	
	Balcony - Outdoor Dining		220
Subtotal			665
Ground	Shops - Convenience / Chandlery / Fashion / Souvenirs / Gift		300
	Marina Amenities	129	
	Core/Toilets/Services	32	
Subtotal			300
Total		422	1202

BUILDING B		Type A	Type B					
Internal Area (sq.m)		28	37					
Balcony Area (sq.m)		8	11					
No. of Bedrooms		1	1					
Bathrooms		1	1					
Component(s)		Type A 1 Bed	Type B 1 Bed	No of Apartments	No. of Bedrooms	Core/Service (sq.m)	Non GFA (sq.m)	GFA (sq.m)
BUILDING B - SHOPS / RESTAURANTS / SHORT TERM ACCOMMODATION & OFFICE								
Level 02	Guest Suites	7	7	14	14	147		464
	Balconies						134	
Level 01	Guest Suites	7	7	14	14	147		464
	Balconies						134	
Ground Level	Offices							172
	Reception/Lobby/Office					23		131
	Shops - Broker, Real Estate & Cafe/Bakery					29		263
	Marina Management							62
Subtotal		14	14	28	28	346	268	1576

BUILDING C		Non GFA (sq.m)	GFA (sq.m)
Component(s)			
BUILDING C - SHOPS / RESTAURANTS / OFFICES / BAR			
Level 01	Gym/Spa		327
	Balconies - Private	51	
	Office		297
	Balcony - Private	60	
	Core/Services	147	
Subtotal		258	624
Ground	Restaurant		212
	Dining Pavilion		114
	Outdoor Dining	206	
	Shops		322
	Take Away Food		212
	Core/Services/Toilets/Mall (Service yard not included)	181	
Subtotal		387	860
Total		645	1484

5.2 DEVELOPMENT SUMMARY

BUILDINGS D, E, F

y

	Type A	Type B	Type C	Type C1	Type C2	Type C3	Type D	Type D1	Type E	Type E1	Type F	Type G1	Type H	Type I
Internal Area (sqm)	117	130	89	84	88	84	132	126	192	152	214	114	165	89
Balcony Area	31	32	16	22	18	53	34	34	168	163	126	30	44	54
No. of Bedrooms	3	3	2	2	2	2	2	2	3	3	3	2	3	2
Bathrooms	2	2	2	2	2	2	2	2	3	2	3	2	2	2

Component(s)		Type A 3 Bed	Type B 3 Bed	Type C 2 Bed	Type C1 2 Bed	Type C2 2 Bed	Type C3 2 Bed	Type D 2 Bed	Type D1 2 Bed	Type E 3 Bed	Type E1 3 Bed	Type F 3 Bed	Type G1 2 Bed	Type H 3 Bed	Type I 2 Bed	No. of Apartments	No. of Bedrooms	Core/Service (sq.m)	Basement (sq.m)	GFA (sq.m)
BUILDING D - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION																				
Roof Terrace	Apartments																	31		21
Level 04	Apartments									2		2				4	12	102		776
Level 03	Apartments	2	2	2				2								8	20	132		951
Level 02	Apartments	2	2	2				2								8	20	132		951
Level 01	Apartments	2	2	2				2								8	20	132		951
Ground Level	Apartments	2							2				2		2	8	18	186		899
Parking	Basement																		2499	
Subtotal		8	6	6	0	0	0	6	2	2	0	2	2	0	2	36	90	715	2499	4528

BUILDING E - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION																				
Level 04	Apartments				1	1					1			1		4	5	93		500
Level 03	Apartments	1	1	1	1									1		5	10	98		597
Level 02	Apartments	1	1	1	1									1		5	10	98		597
Level 01	Apartments	1	1	1	1									1		5	10	98		597
Ground Level	Apartments	1					1						1	1	1	5	9	117		579
Parking	Basement																		1579	
Subtotal		4	3	3	4	1	1	0	0	0	1	0	1	5	1	24	44	504	1579	2870

BUILDING F - RESIDENTIAL APARTMENTS																				
Level 04	Apartments				1	1				1				1		4	5	93		500
Level 03	Apartments	1	1	1	1									1		5	10	98		597
Level 02	Apartments	1	1	1	1									1		5	10	98		597
Level 01	Apartments	1	1	1	1									1		5	10	98		597
Ground Level	Apartments	1					1						1	1	1	5	9	117		579
Parking	Basement																		1579	
Subtotal		4	3	3	4	1	1	0	0	0	1	0	1	5	1	24	44	504	1579	2870

Overall Total Residential Apartments	16	12	12	8	2	2	6	2	2	2	4	4	10	4	84	178	1723	5657	10268
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6.0

STATEMENT OF ARCHITECTURAL DESIGN INTENT



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

bda
39 / 113

6.1 ARCHITECTURAL DESIGN INTENT



The marine village comprises a linear cluster of buildings spread along the shoreline. Its proposed building form encloses the western edge and part of the southern edge of the existing harbour basin. The site's northern aspect and its location at the mouth of the Burnett River are ideal for a mixed use resort residential development of this nature.

The intent of the design is to create a high quality mixed use residential community at Burnett Heads, achieving a design outcome that provides a high standard of liveability and responds appropriately to the scale and developing character of the context and to its natural waterfront setting.

In overall shape, massing, composition and detail, the proposed built form has evolved through a considered analysis of the physical form, existing character, natural landscape, climatic conditions and envisaged potential for the future development of Burnett Heads.

Each building is composed and articulated utilising a consistent architectural language, which contributes to the creation of a place of distinct character. The accordant nature of this language reinforces the concept of the linear cluster of buildings along the 'natural' edge to the harbour, celebrating the boardwalk as a unique place for the whole community to experience.

Exterior building forms are highly articulated and modelled as a series of individual architectural elements, expressing the variety of individual commercial uses and/or dwelling types within. Each of these elements are arranged in a composition of sculpturally distinct yet interconnected architectural forms, articulated by deep recesses and extruded shapes.

Building elevations vary in height and setback, utilising a planar language of blade walls, extruded boxes, cantilevered slabs, glazed balconies, overhanging roofs plus aluminium louvred screens and timber cladding.

Exterior styling is restrained and simple yet bold. The architectural language is contemporary and minimal.

All buildings are designed to be fully accessible.

Commercial buildings contain retail, restaurants, offices and marina support facilities plus some short term accommodation. They vary in height between 1 and 3 storeys. In their external expression these buildings possess a subtropical ambience, which is characterized by off white concrete forms with partial stone and timber cladding and aluminium screens. Their forms are enlivened through the expression of extruded white open box like elements with screened balconies. Cantilevered upper levels create extensive covered pedestrian areas at ground level. Central retail and mixed use buildings possess timber clad and/or metal clad blade walls with 'flying' skillion roof elements over, creating dramatic forms on key buildings.

Residential buildings are angled in plan shape and offset from each other, resulting in an interesting and sinuous built edge of varying height. All apartments open out onto terraces or balconies and possess northern aspect, ranging from north-east to north-west. Building footprints are configured to conceal the core and services. Internal lobbies are glazed and naturally lit and naturally ventilated. AC condensers are screened from view on the southern elevations.

Proposed construction is generally of reinforced concrete foundations and floor slabs, rendered concrete masonry and rendered concrete external walls with concrete and metal roofs.

Exterior materials are to be predominantly glass, natural stone, prefinished aluminium, painted concrete, cement render and prefinished steel.

ESD initiatives proposed in the design, in addition to those required by regulations include:

- Natural cross ventilation
- Fixed sun shading of selected glazing and adjustable screening
- Passive thermal design for ventilation, heating and cooling
- Viridian Comfort Plus Neutral glass (clear) for window glazing generally
- Use of solar panels
- Natural ventilation and lighting of all rooms where possible
- Deep soil zones for groundwater recharge and establishment of vegetation

6.2 PERSPECTIVE VIEW 1



PERSPECTIVE VIEW BUILDING 'A' - LOOKING SOUTH

6.3 PERSPECTIVE VIEW 2



OVERALL PROJECT PERSPECTIVE VIEW LOOKING FROM CNR HARBOUR ESPLANADE AND MARINA ACCESS ROAD

6.4 PERSPECTIVE VIEW 3



PERSPECTIVE VIEW BUILDING 'D' - FROM HARBOUR ESPLANADE

6.5 PERSPECTIVE VIEW 4



PERSPECTIVE VIEW FROM HARBOUR - BUILDINGS A, B, C, D & E

6.6 PERSPECTIVE VIEW 5



PERSPECTIVE VIEW FROM HARBOUR - BUILDINGS A, B, C, D, E & F

6.7 PERSPECTIVE VIEW 6



PERSPECTIVE VIEW FROM HARBOUR - BUILDINGS A, B, C, D, E & F

6.8 PERSPECTIVE VIEW 7



PERSPECTIVE VIEW FROM BOARDWALK - BUILDINGS D, E, F AND A, B, C

6.9 PERSPECTIVE VIEW 8



ENTRY VIEW TO MIXED-USE BUILDING

6.10 PERSPECTIVE VIEW 9



MARINA VIEW TO MIXED-USE BUILDING

6.11 PERSPECTIVE VIEW 10



AERIAL VIEW OF PROJECT LOOKING SOUTH-EAST

6.12 MIXED USE BUILDING
COLOURS AND MATERIALS







WALLS

- 1.  Painted Render/R.C. Dulux 'Vivid White'
- 2.  Painted Render Dulux 'Urban Obsession'
- 3.  Stone Natural Sandstone Colour

BALUSTRADES, FRAMES & GLASS

- 4.  Clear Glass Balustrade Powdercoated Silver
- 5.  Solid Upstand Balustrade Dulux 'Vivid White'
- 6.  Black Powdercoated Aluminium window & door frames, clear glass at ground level retail and Grey Body Tinted Glass

ARCHITECTURAL ELEMENTS

- 7.  Plywood Timber Soffit
- 8.  Metal Colorbond Fascia 'Surfmist'
- 9.  Powdercoated Aluminium Louvred Screens, Timber Look
- 10.  Vertical Aluminium Louvre Blades Powdercoated Silver

6.13 MIXED USE BUILDING
COLOURS AND MATERIALS



WALLS

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <p>1.  Painted Render Dulux 'Vivid White'</p> <p>3.  Copper Cladding</p> | <p>2.  Zinc Sheet Cladding</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|

BALUSTRADES, FRAMES & GLASS

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>4.  Clear Glass Balustrade Powdercoated Silver</p> | <p>5.  Black Powdercoated Aluminium window, door frames, Grey Body Tinted Glass</p> |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



ARCHITECTURAL ELEMENTS

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <p>6.  Plywood Timber Soffit</p> | <p>7.  Metal Colorbond Fascia 'Surfmist'</p> |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|

6.14 APARTMENT BUILDING
COLOURS AND MATERIALS






WALLS

- 1.  Painted Render Dulux 'Vivid White'
- 2.  Painted Render Dulux 'Urban Obsession'

BALUSTRADES, FRAMES & GLASS

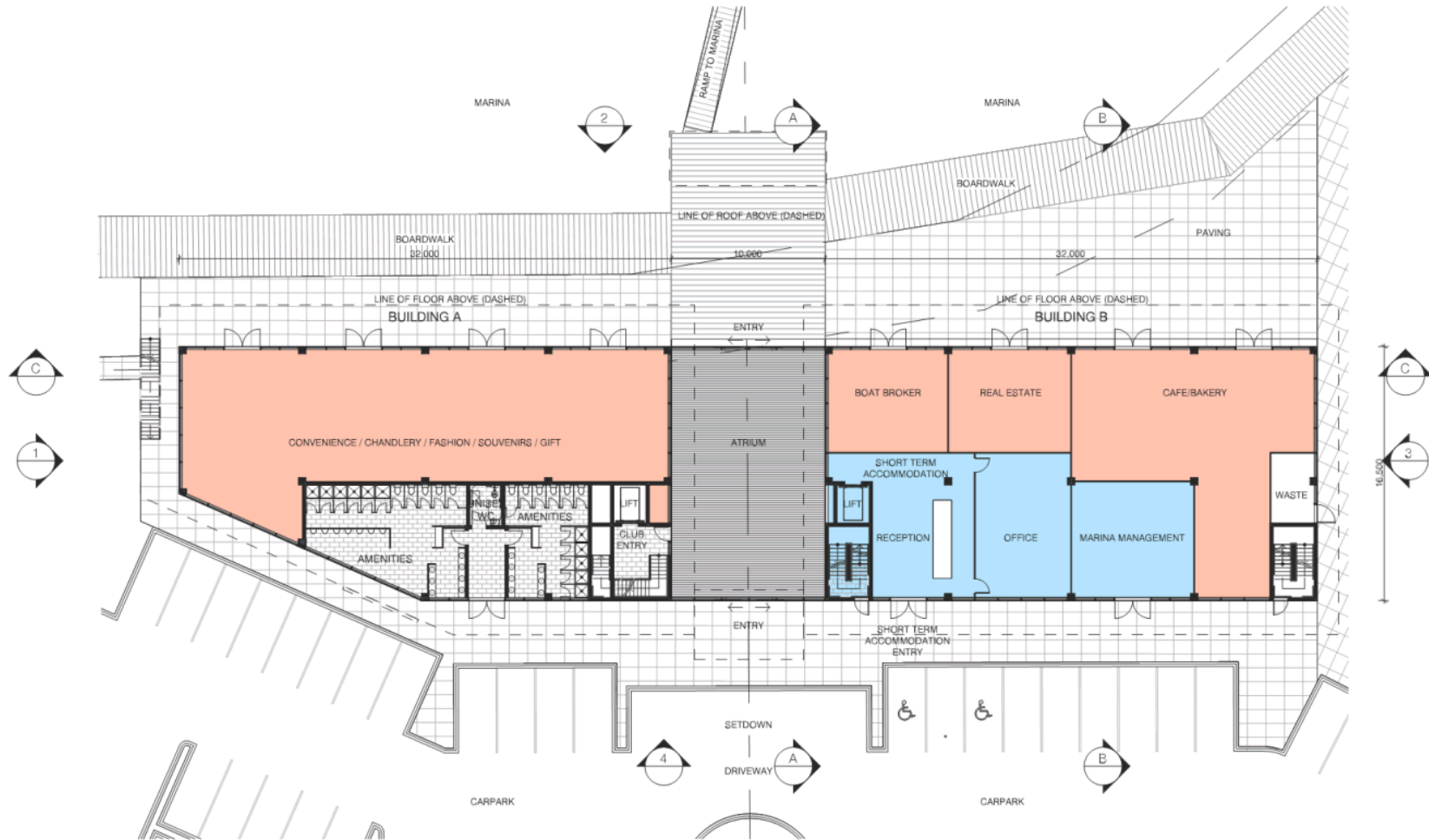
- 3.  Clear Glass Balustrade Powdercoated Silver
- 4.  Solid Upstand Balustrade Dulux 'Vivid White'
- 5.  Black Powdercoated Aluminium window, door frames, Grey Body Tinted Glass

ARCHITECTURAL ELEMENTS

- 6.  Plywood Timber Soffit
- 7.  Metal Colorbond Fascia 'Surfmist'
- 8.  Powdercoated Aluminium Screens, Timber Look



7.1 MIXED USE BUILDINGS A & B
GROUND FLOOR PLAN



387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: 1:200 @ A3

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55 / 113

7.2 MIXED USE BUILDINGS A & B

LEVEL 1 FLOOR PLAN

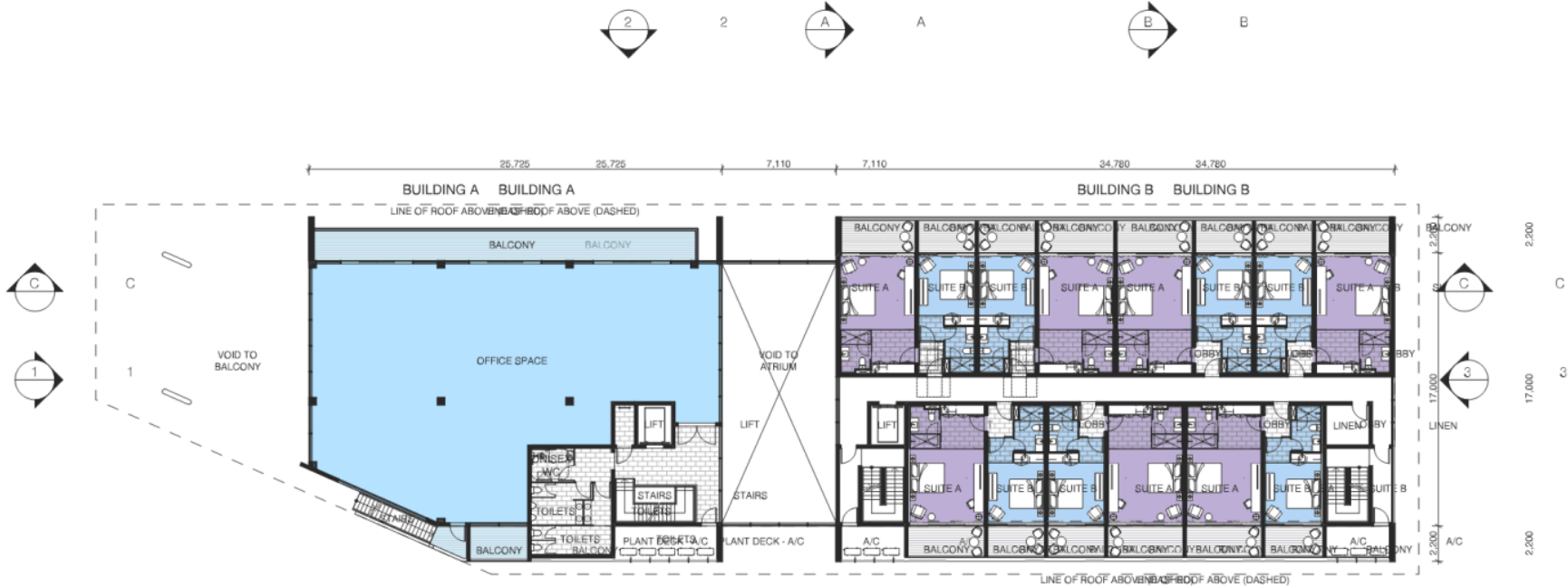


DEVELOPMENT SUMMARY
SHORT STAY ACCOMMODATION

SUITE A	14 Suites (50%)	37.75 m ² Enclosed 10.75 m ² Balcony 48.5 m ² Total
SUITE B	14 Suites (50%)	25 m ² Enclosed 9.25 m ² Balcony 34.25 m ² Total
TOTAL	28 SUITES	
OFFICE	LEVEL 2	337 m ² Enclosed 60 m ² Balcony 397 m ² Total
YACHT CLUB	LEVEL 1	345 m ² Enclosed 270 m ² Balcony 615 m ² Total

7.3 MIXED USE BUILDINGS A & B

LEVEL 2 FLOOR PLAN

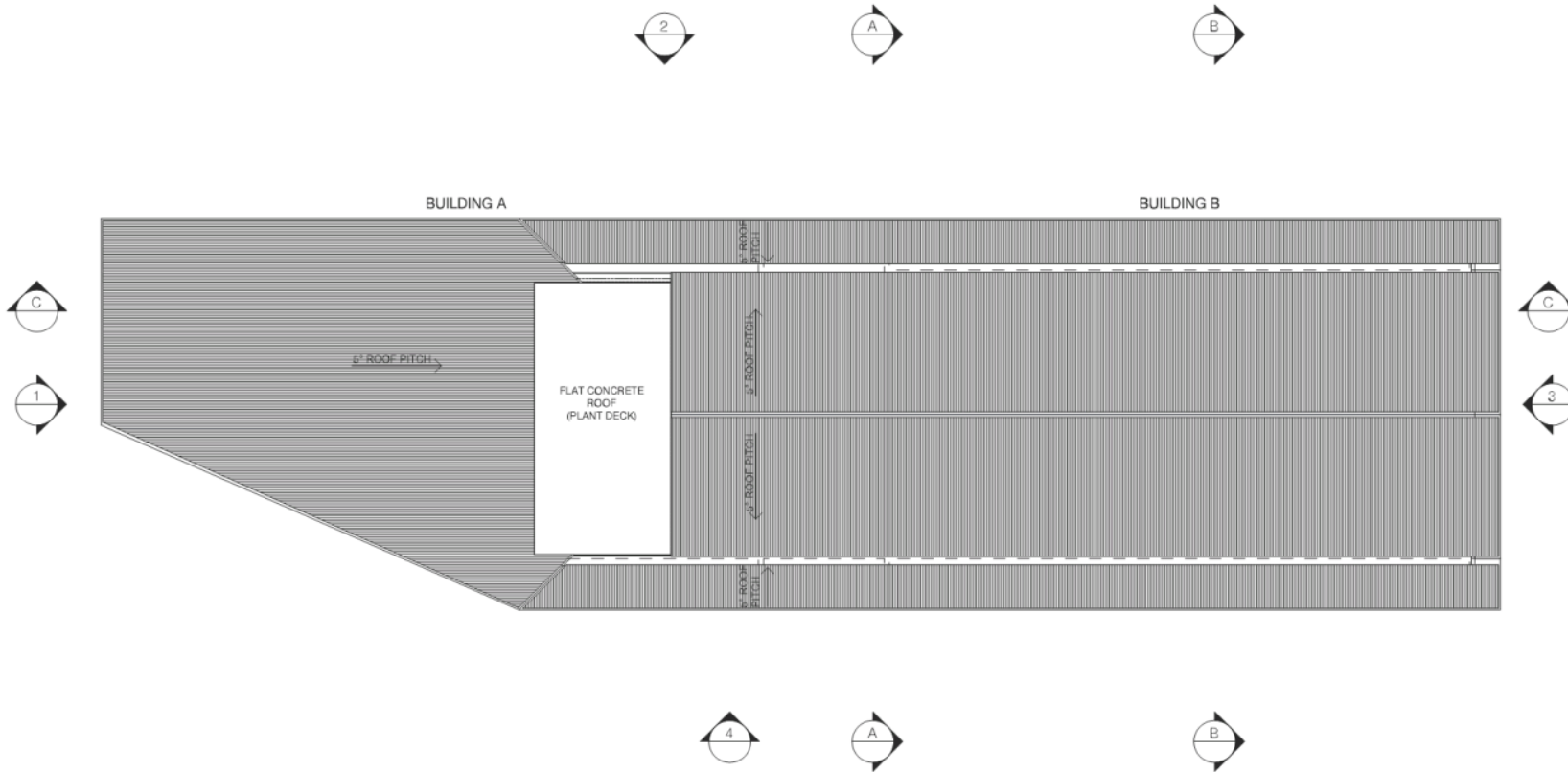


DEVELOPMENT SUMMARY
SHORT STAY ACCOMMODATION

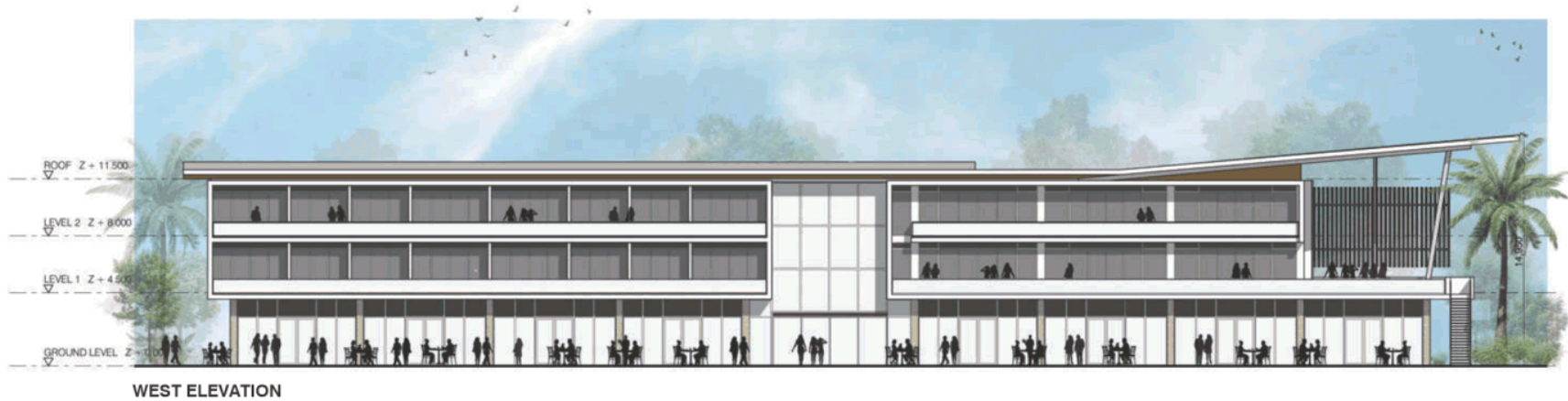
SUITE A	14 Suites (50%)	37.75 m ² Enclosed 10.75 m ² Balcony 48.5 m ² Total
SUITE B	14 Suites (50%)	25 m ² Enclosed 9.25 m ² Balcony 34.25 m ² Total
TOTAL	28 SUITES	
OFFICE	LEVEL 2	337 m ² Enclosed 60 m ² Balcony 397 m ² Total
YACHT CLUB	LEVEL 1	345 m ² Enclosed 270 m ² Balcony 615 m ² Total

7.4 MIXED USE BUILDINGS A & B

ROOF PLAN



7.5 MIXED USE BUILDINGS A & B
ELEVATIONS (1)

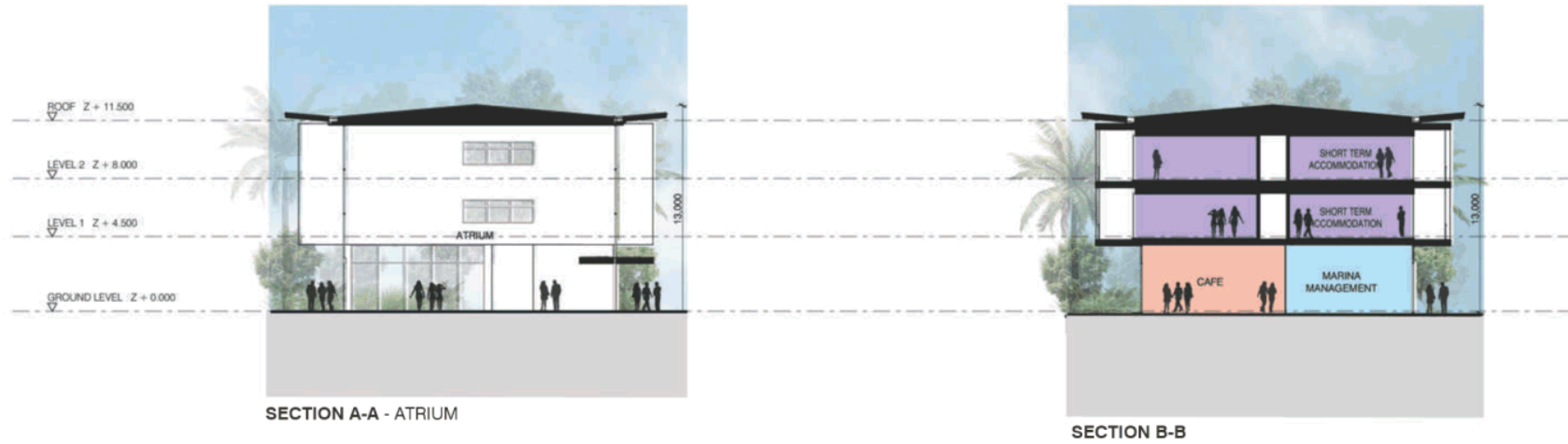


7.6 MIXED USE BUILDINGS A & B
ELEVATIONS (2)



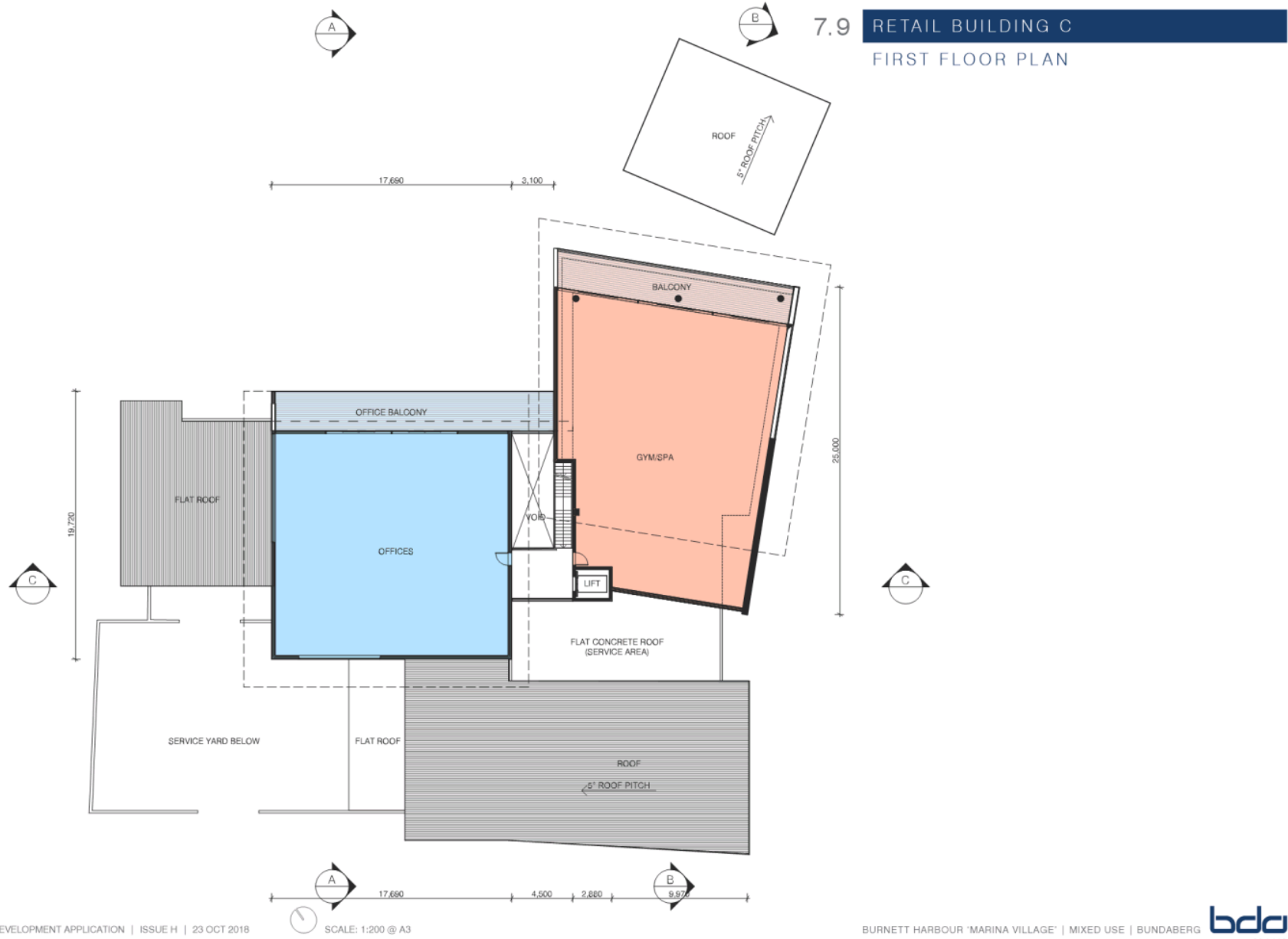
7.7 MIXED USE BUILDINGS A & B

SECTIONS





NOTE:
ALL HABITABLE ROOMS SHALL BE 300mm
ABOVE THE DESIGNATED FLOOD LEVEL





7.10 RETAIL BUILDING C
ROOF PLAN

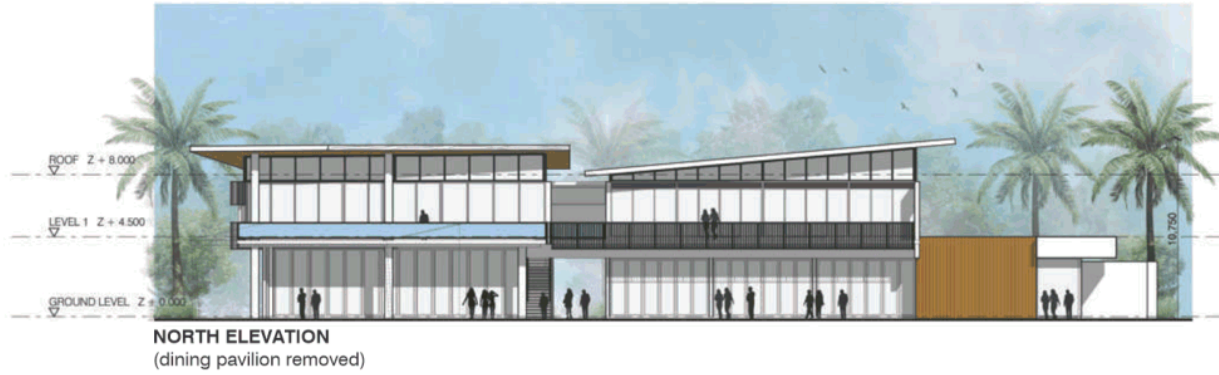
7.11 RETAIL BUILDING C
ELEVATIONS (1)



7.12 RETAIL BUILDING C
ELEVATIONS (2)



7.13 RETAIL BUILDING C
ELEVATIONS (3)



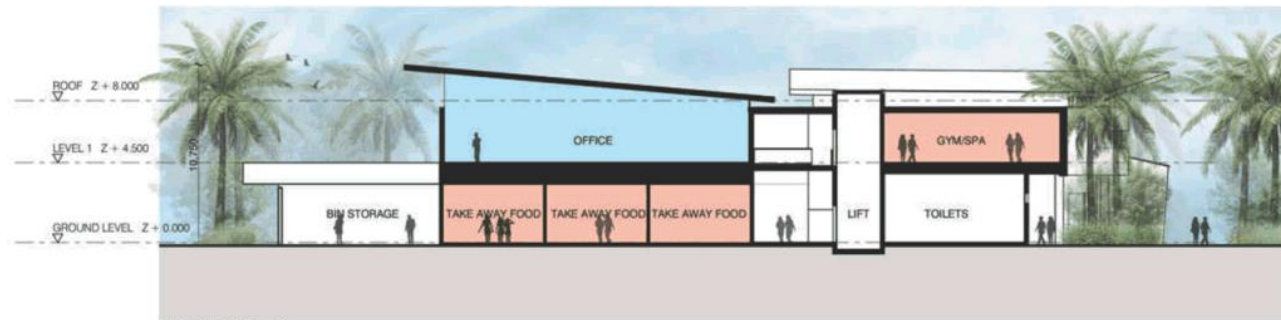
7.14 RETAIL BUILDING C
SECTIONS



SECTION A-A



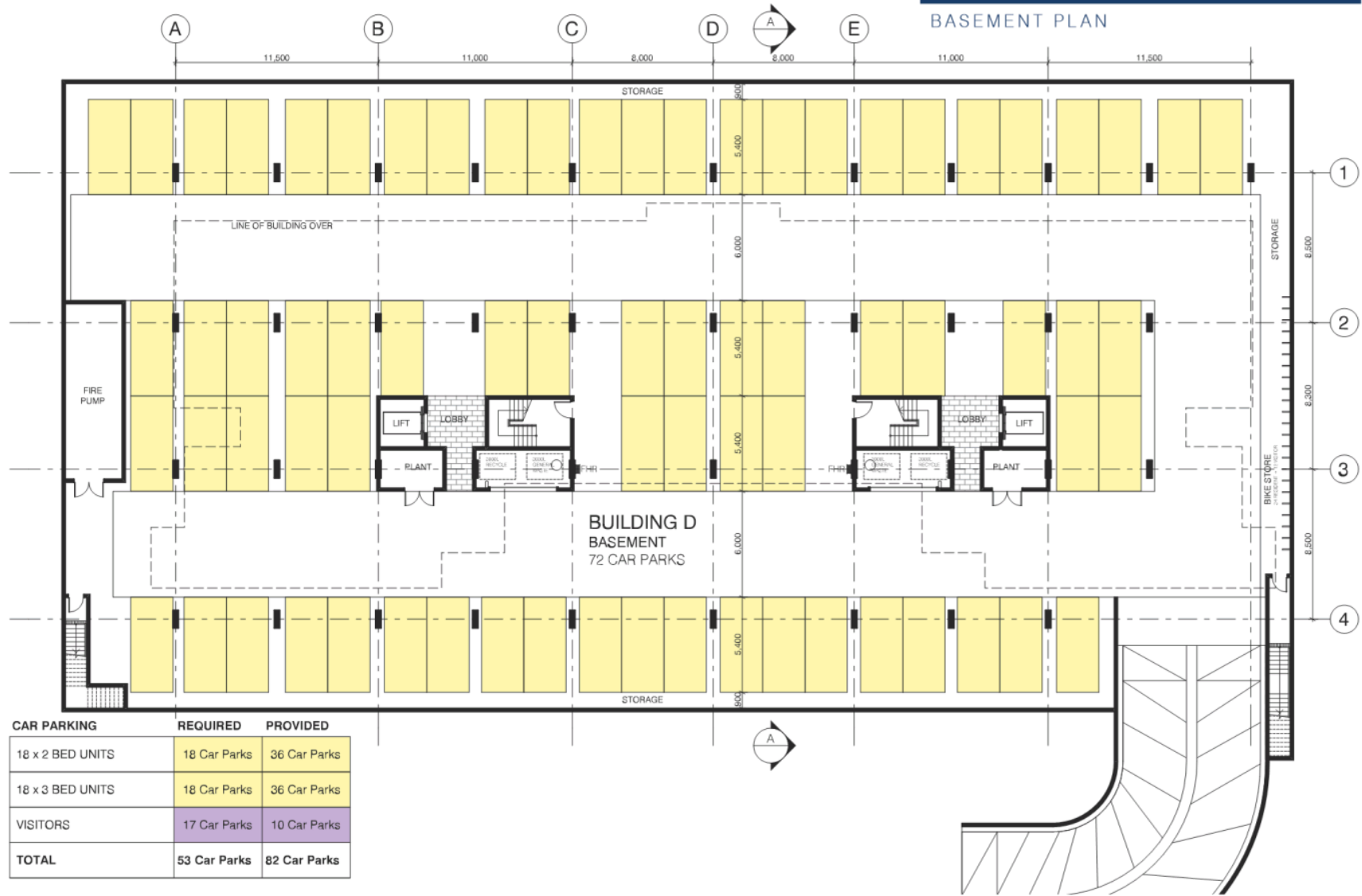
SECTION B-B



SECTION C-C

7.15 APARTMENT BUILDING D

BASEMENT PLAN



CAR PARKING	REQUIRED	PROVIDED
18 x 2 BED UNITS	18 Car Parks	36 Car Parks
18 x 3 BED UNITS	18 Car Parks	36 Car Parks
VISITORS	17 Car Parks	10 Car Parks
TOTAL	53 Car Parks	82 Car Parks

7.16 APARTMENT BUILDING D
GROUND FLOOR PLAN



NOTE:
All habitable rooms shall be 300mm above the designated flood level.

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: 1:200 @ A3

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



7.17 APARTMENT BUILDING D

LEVEL 1 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	8 Apt (22.22%)	3 Bed, 2 Bath ? Car Space	117 m ² Enclosed 21 m ² Balcony 146 m ² Total
TYPE B	6 Apt (16.66%)	3 Bed, 2 Bath ? Car Space	130 m ² Enclosed 21 m ² Balcony 161 m ² Total
TYPE C	6 Apt (16.66%)	3 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE D	6 Apt (16.66%)	3 Bed, 2 Bath ? Car Space	123 m ² Enclosed 24 m ² Balcony 168 m ² Total
TYPE D1	2 Apt (5.56%)	3 Bed, 2 Bath ? Car Space	105 m ² Enclosed 20 m ² Terrace 125 m ² Total
TYPE E	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	195 m ² Enclosed 106 m ² Balcony 300 m ² Total
TYPE F	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	114 m ² Enclosed 136 m ² Balcony 249 m ² Total
TYPE G1	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	124 m ² Enclosed 149 m ² Balcony 272 m ² Total
TYPE I	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	89 m ² Enclosed 54 m ² Terrace 143 m ² Total
TOTAL	36 APARTMENTS		

387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: 1:200 @ A3

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



71 / 113

7.18 APARTMENT BUILDING D

LEVEL 2 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	8 Apt (22.22%)	3 Bed, 2 Bath ? Car Space	117 m ² Enclosed 21 m ² Balcony 146 m ² Total
TYPE B	6 Apt (16.66%)	3 Bed, 2 Bath ? Car Space	130 m ² Enclosed 21 m ² Balcony 161 m ² Total
TYPE C	6 Apt (16.66%)	3 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE D	6 Apt (16.66%)	3 Bed, 2 Bath ? Car Space	123 m ² Enclosed 24 m ² Balcony 168 m ² Total
TYPE D1	2 Apt (5.56%)	3 Bed, 2 Bath ? Car Space	105 m ² Enclosed 20 m ² Terrace 125 m ² Total
TYPE E	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	195 m ² Enclosed 106 m ² Balcony 300 m ² Total
TYPE F	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	114 m ² Enclosed 136 m ² Balcony 249 m ² Total
TYPE G1	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	124 m ² Enclosed 149 m ² Balcony 272 m ² Total
TYPE I	2 Apt (5.56%)	3 Bed, 3 Bath ? Car Space	89 m ² Enclosed 54 m ² Terrace 143 m ² Total
TOTAL	36 APARTMENTS		

7.19 APARTMENT BUILDING D

LEVEL 3 FLOOR PLAN



DEVELOPMENT SUMMARY

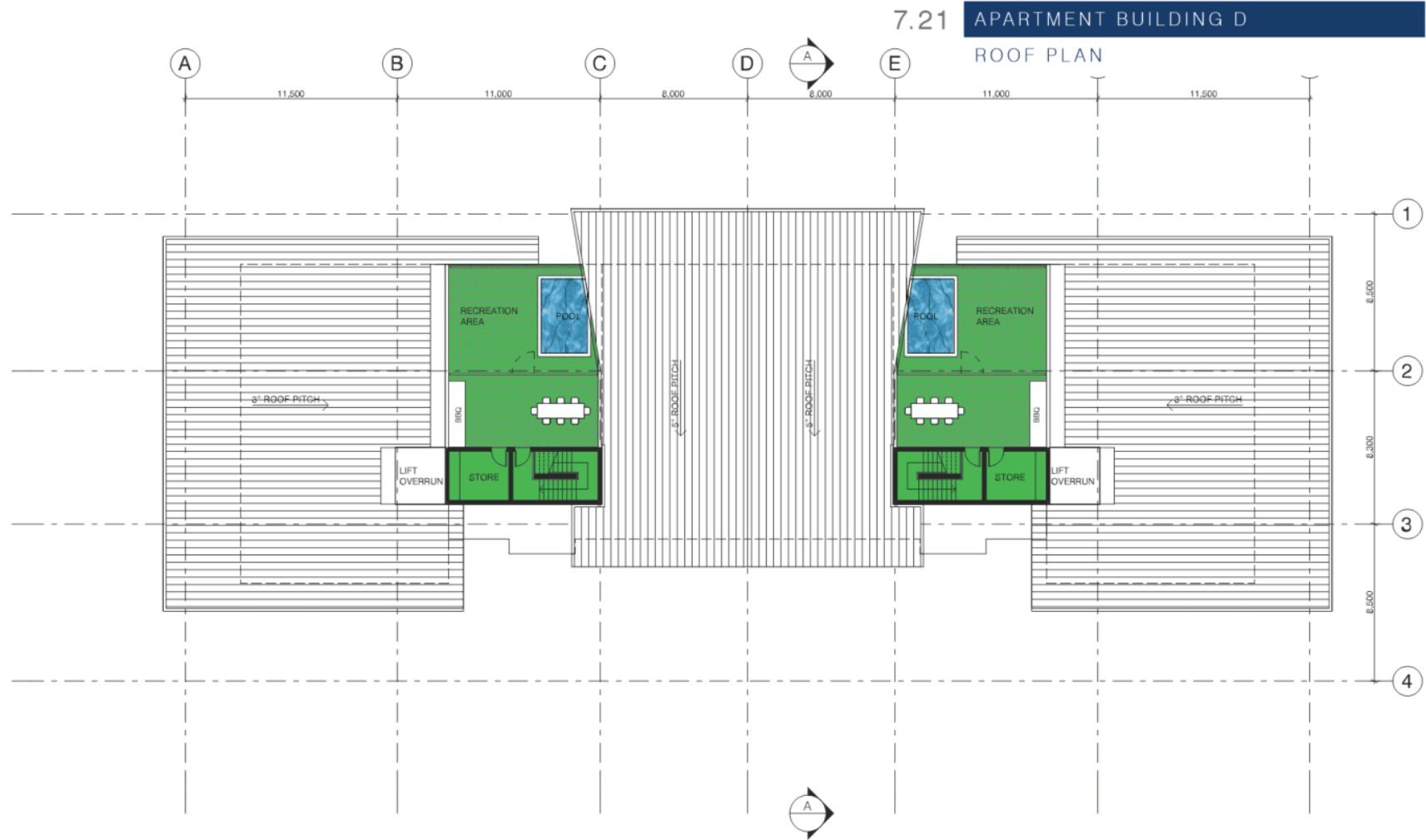
TYPE A	8 Apt (22.22%)	3 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 146 m ² Total
TYPE B	6 Apt (16.66%)	3 Bed, 2 Bath 2 Car Space	130 m ² Enclosed 21 m ² Balcony 161 m ² Total
TYPE C	6 Apt (16.66%)	3 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE D	6 Apt (16.66%)	3 Bed, 2 Bath 2 Car Space	123 m ² Enclosed 24 m ² Balcony 168 m ² Total
TYPE D1	2 Apt (5.56%)	3 Bed, 2 Bath 3 Car Space	105 m ² Enclosed 20 m ² Terrace 125 m ² Total
TYPE E	2 Apt (5.56%)	3 Bed, 3 Bath 3 Car Space	195 m ² Enclosed 106 m ² Balcony 300 m ² Total
TYPE F	2 Apt (5.56%)	3 Bed, 3 Bath 3 Car Space	114 m ² Enclosed 136 m ² Balcony 249 m ² Total
TYPE G1	2 Apt (5.56%)	3 Bed, 2 Bath 3 Car Space	124 m ² Enclosed 149 m ² Balcony 272 m ² Total
TYPE I	2 Apt (5.56%)	3 Bed, 2 Bath 3 Car Space	89 m ² Enclosed 54 m ² Terrace 143 m ² Total
TOTAL	36 APARTMENTS		

7.20 APARTMENT BUILDING D

LEVEL 4 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	8 Apt (22.22%)	3 Bnd, 2 Bth ? Car Space	117 m ² Enclosed 21 m ² Balcony 146 m ² Total
TYPE B	6 Apt (16.66%)	3 Bnd, 2 Bth ? Car Space	130 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	6 Apt (16.66%)	3 Bnd, 2 Bth 1 Car Space	69 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE D	6 Apt (16.66%)	3 Bnd, 2 Bth ? Car Space	123 m ² Enclosed 24 m ² Balcony 168 m ² Total
TYPE D1	2 Apt (5.56%)	3 Bnd, 2 Bth ? Car Space	105 m ² Enclosed 20 m ² Terrace 125 m ² Total
TYPE E	2 Apt (5.56%)	3 Bnd, 3 Bth ? Car Space	195 m ² Enclosed 106 m ² Balcony 300 m ² Total
TYPE F	2 Apt (5.56%)	3 Bnd, 3 Bth ? Car Space	314 m ² Enclosed 136 m ² Balcony 240 m ² Total
TYPE G1	2 Apt (5.56%)	3 Bnd, 3 Bth ? Car Space	124 m ² Enclosed 149 m ² Balcony 262 m ² Total
TYPE I	2 Apt (5.56%)	3 Bnd, 3 Bth ? Car Space	69 m ² Enclosed 54 m ² Terrace 143 m ² Total
TOTAL	36 APARTMENTS		



7.22 APARTMENT BUILDING D
ELEVATION (1)



7.23 APARTMENT BUILDING D
ELEVATION (2)



NORTH ELEVATION

7.24 APARTMENT BUILDING D
ELEVATION (3)



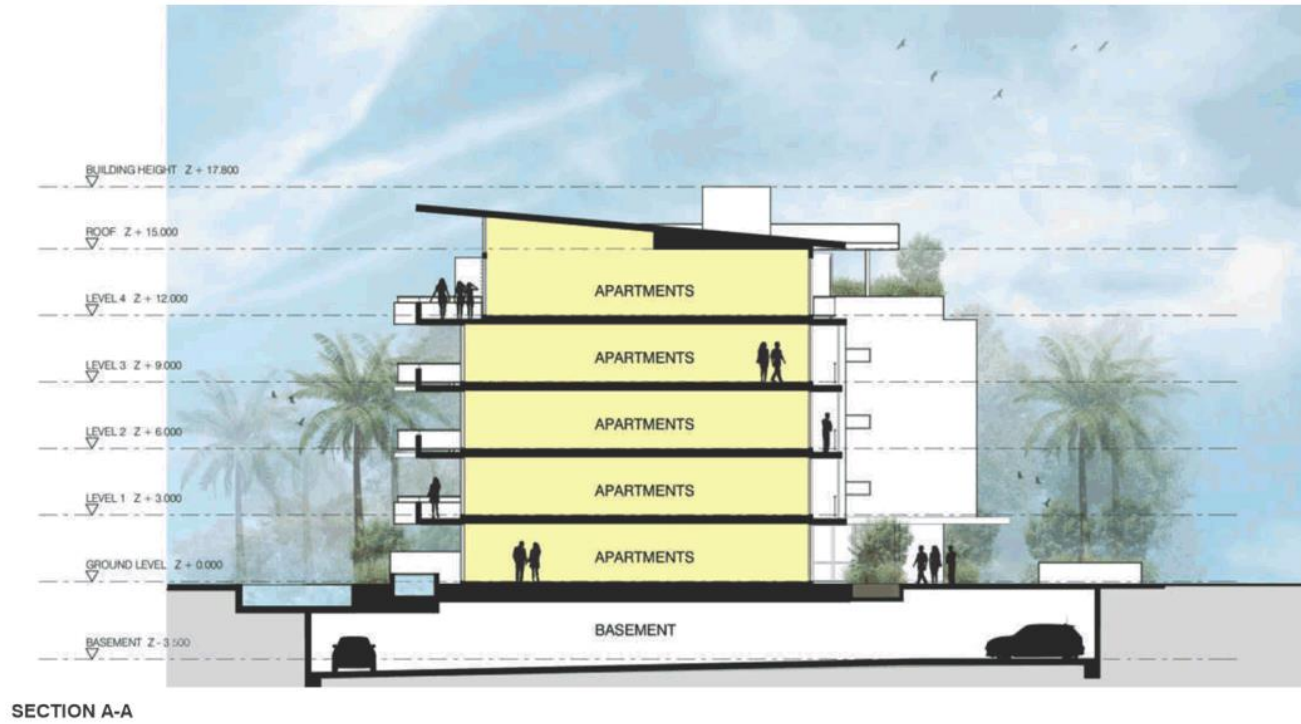
WEST ELEVATION

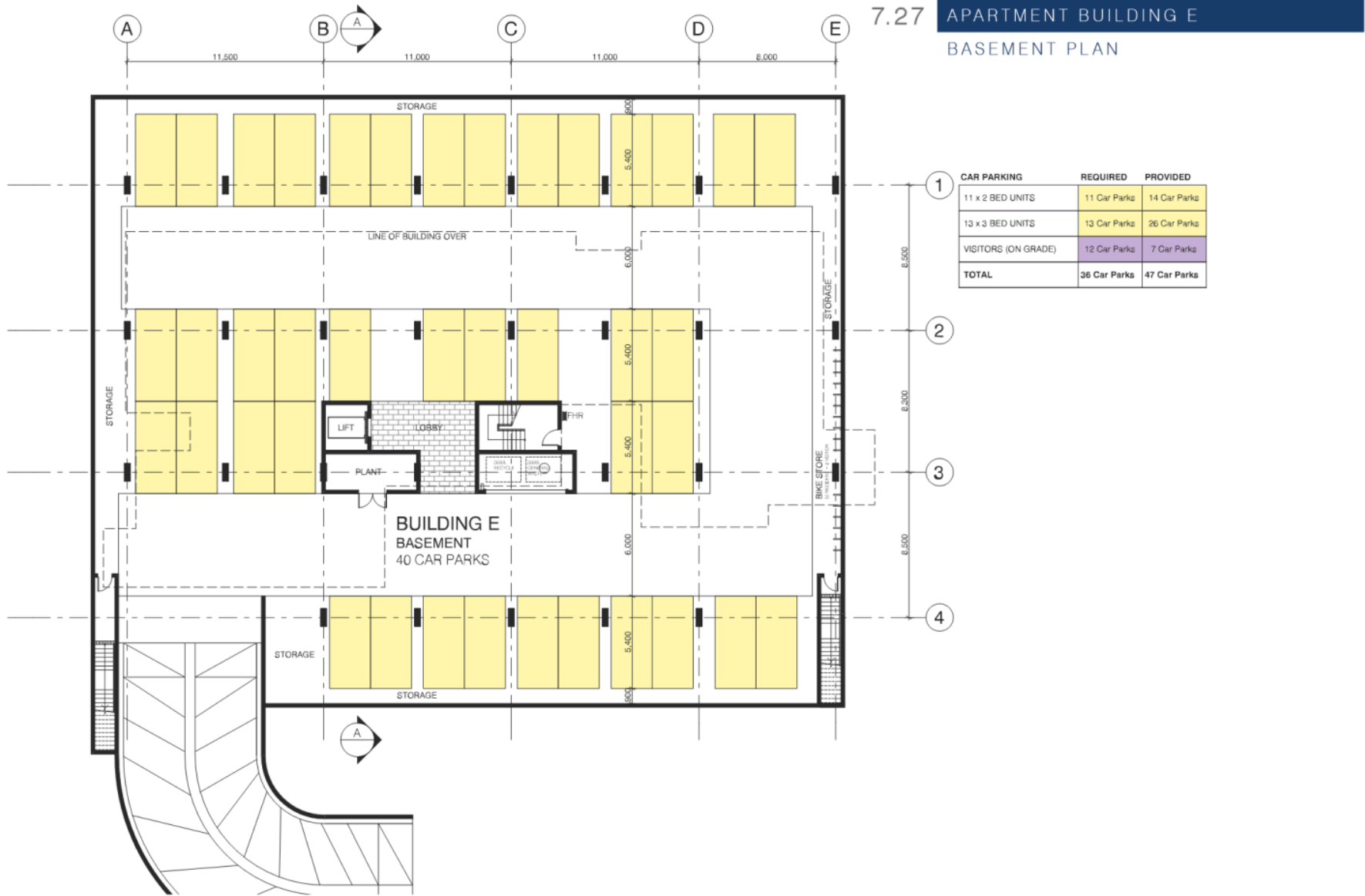
7.25 APARTMENT BUILDING D
ELEVATION (4)



SOUTH ELEVATION

7.26 APARTMENT BUILDING D
SECTION





387700 | DEVELOPMENT APPLICATION | ISSUE H | 23 OCT 2018

SCALE: 1:200 @ A3

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



81 / 113



7.29 APARTMENT BUILDING E

LEVEL 1 FLOOR PLAN



7.30 APARTMENT BUILDING E

LEVEL 2 FLOOR PLAN

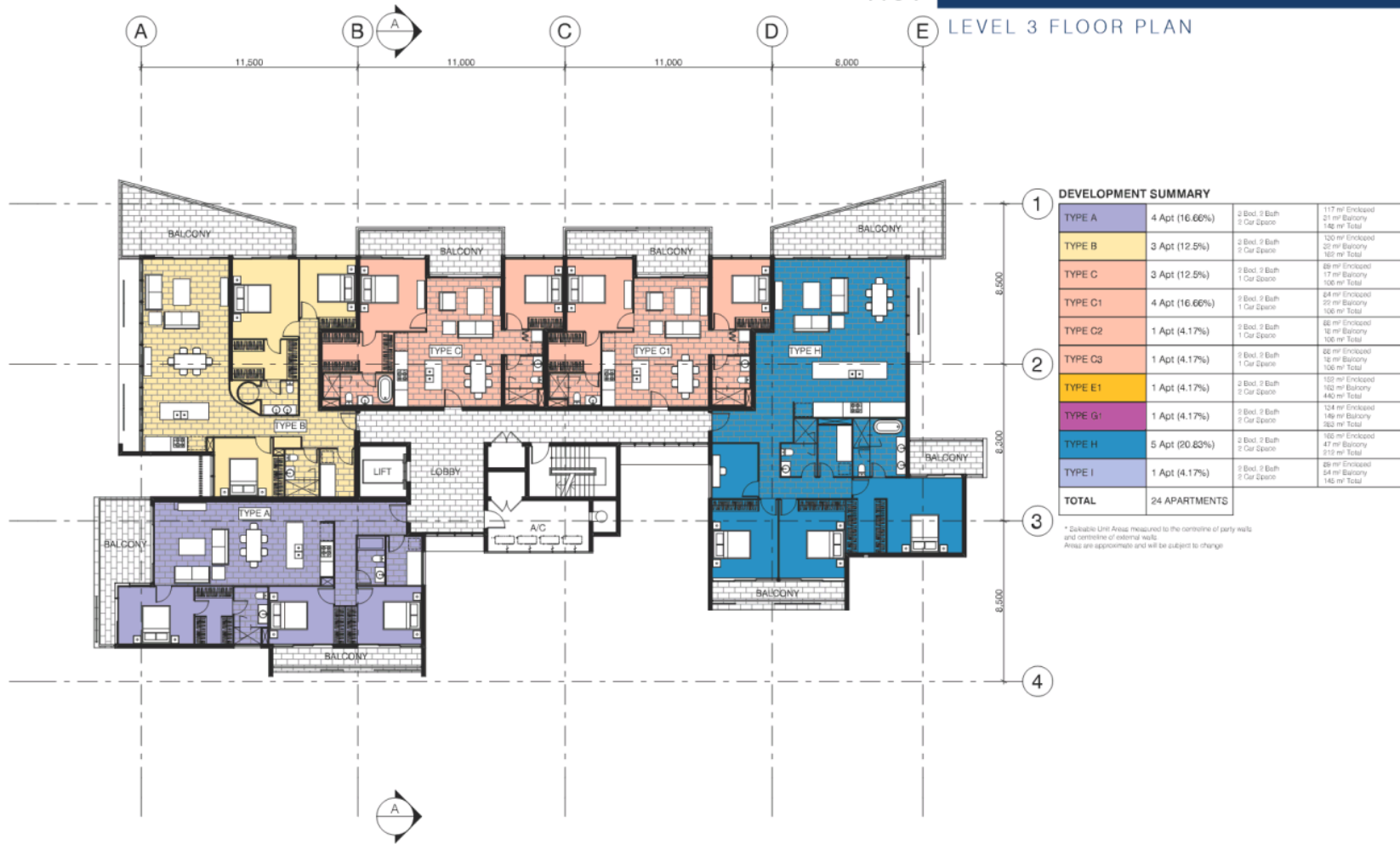


DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	84 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 100 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 100 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Areas measured to the cornice of party walls and cornice of external walls. Areas are approximate and will be subject to change.

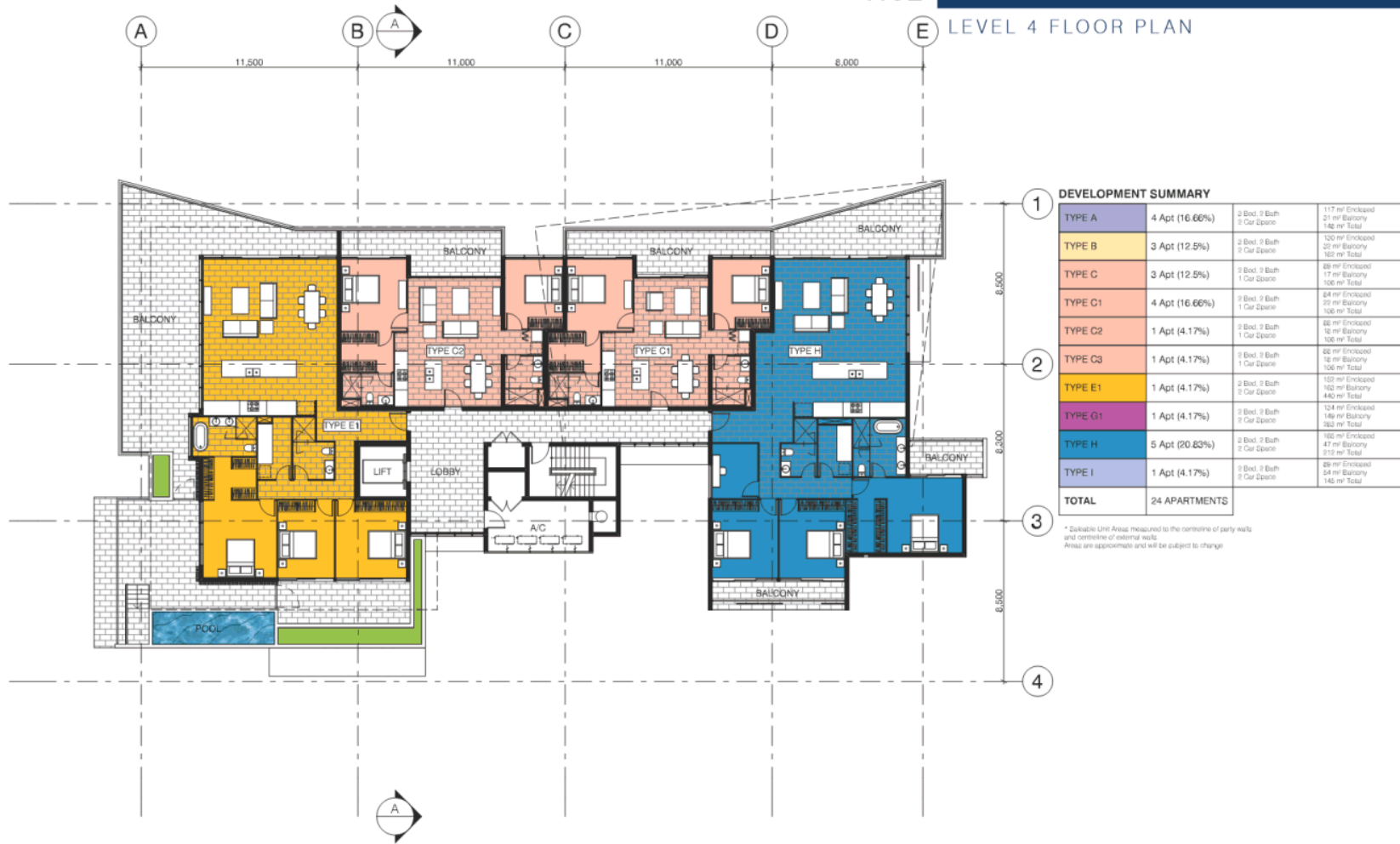
7.31 APARTMENT BUILDING E

LEVEL 3 FLOOR PLAN



7.32 APARTMENT BUILDING E

LEVEL 4 FLOOR PLAN

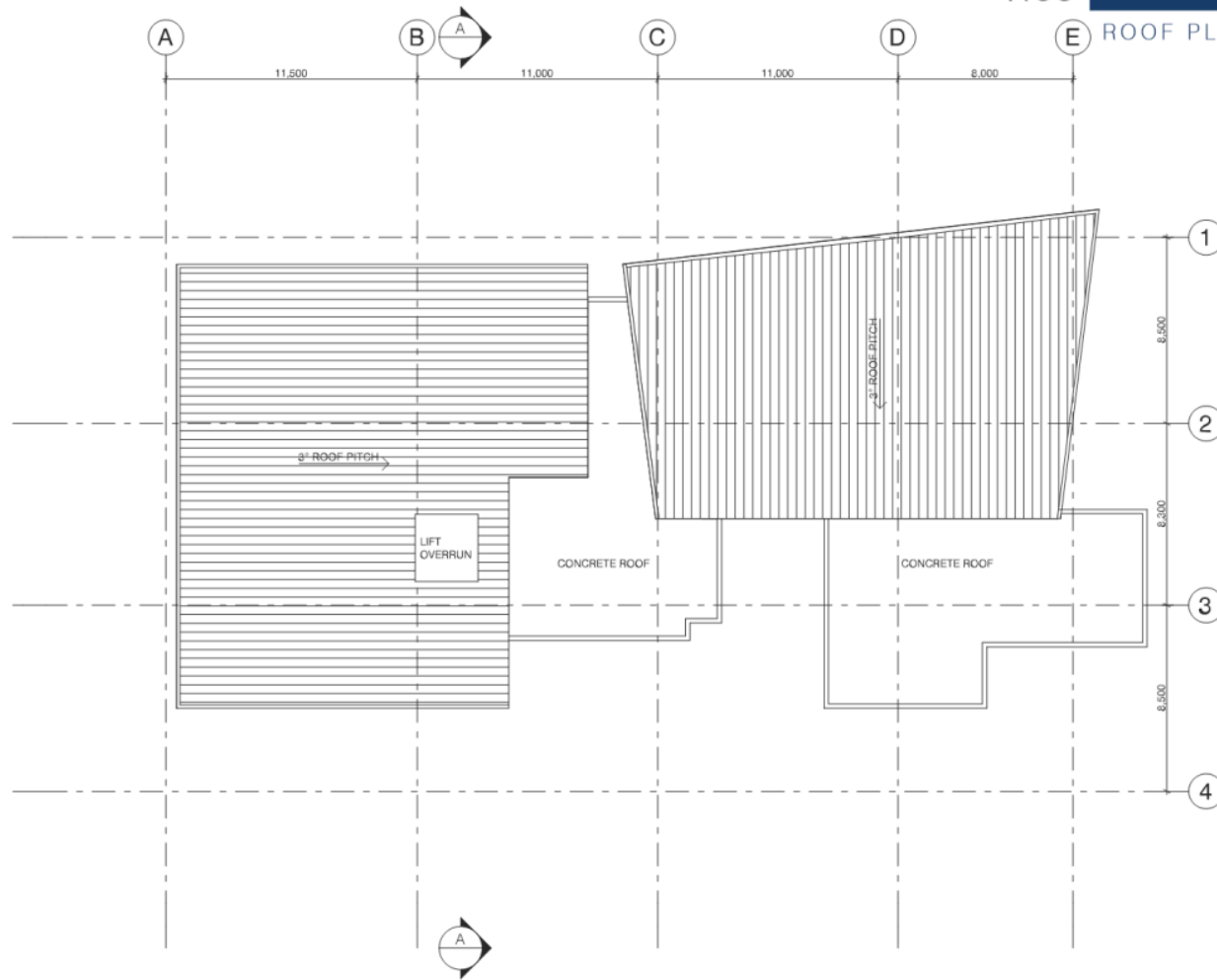


DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 163 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	84 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Areas measured to the cornice of party walls and cornice of external walls. Areas are approximate and will be subject to change.

7.33 APARTMENT BUILDING E

ROOF PLAN



7.34 APARTMENT BUILDING E
ELEVATION (1)



EAST ELEVATION

7.35 APARTMENT BUILDING E
ELEVATION (2)



NORTH ELEVATION

7.36 APARTMENT BUILDING E
ELEVATION (3)



WEST ELEVATION

7.37 APARTMENT BUILDING E
ELEVATION (4)

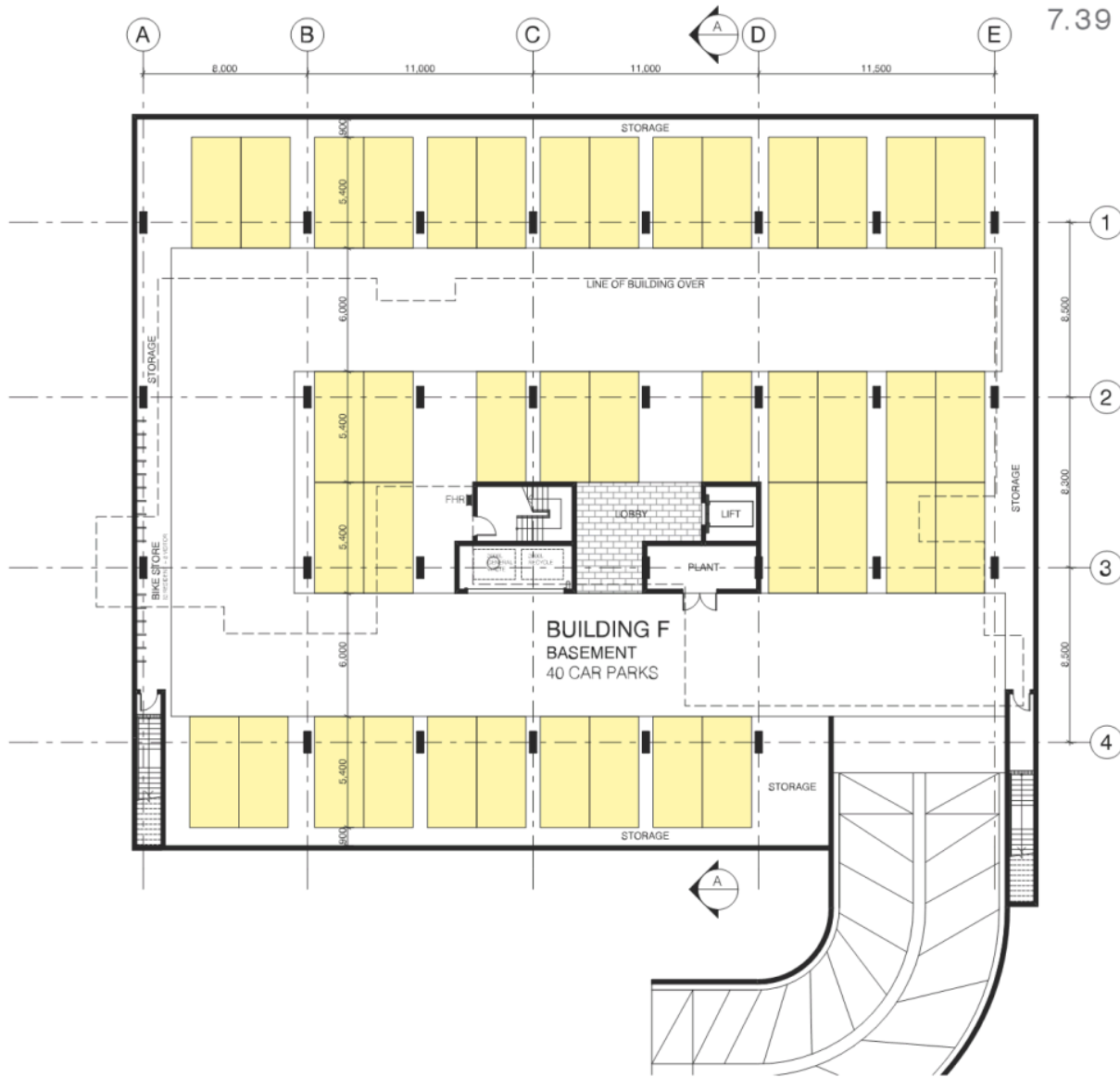


SOUTH ELEVATION

7.38 APARTMENT BUILDING E
SECTION



SECTION A-A



7.39 APARTMENT BUILDING F
BASEMENT PLAN

CAR PARKING	REQUIRED	PROVIDED
11 x 2 BED UNITS	11 Car Parks	14 Car Parks
13 x 3 BED UNITS	13 Car Parks	26 Car Parks
VISITORS (ON GRADE)	12 Car Parks	7 Car Parks
TOTAL	36 Car Parks	47 Car Parks



7.41 APARTMENT BUILDING F
LEVEL 1 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	64 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Area measured to the cornice of party walls and cornice of external walls.
Areas are approximate and will be subject to change.

7.42 APARTMENT BUILDING F
LEVEL 2 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	64 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Area measured to the cornice of party walls and cornice of external walls.
Areas are approximate and will be subject to change.

7.43 APARTMENT BUILDING F
LEVEL 3 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	64 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Area measured to the cornice of party walls and cornice of external walls.
Areas are approximate and will be subject to change.

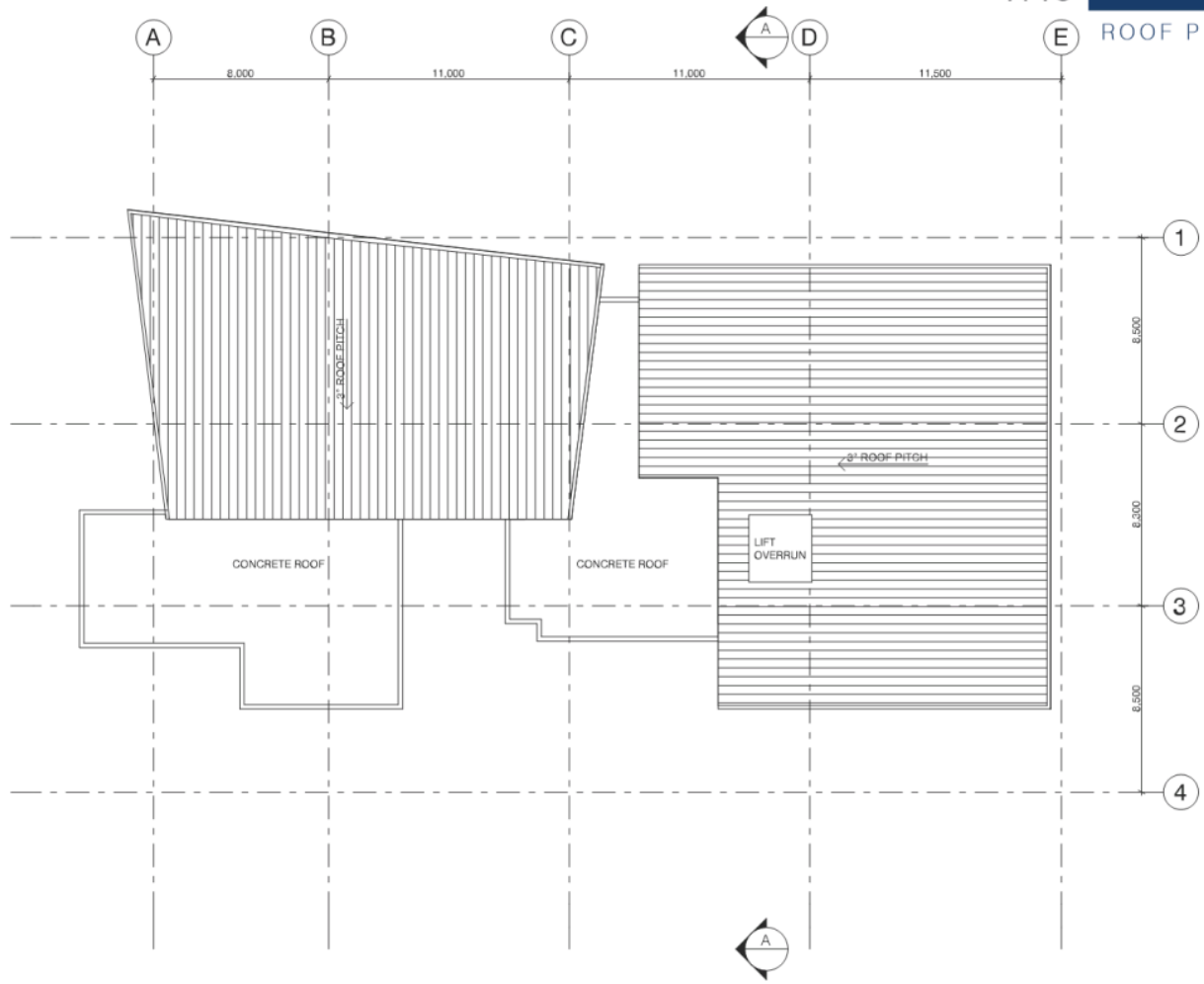
7.44 APARTMENT BUILDING F
LEVEL 4 FLOOR PLAN



DEVELOPMENT SUMMARY			
TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 21 m ² Balcony 142 m ² Total
TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 22 m ² Balcony 162 m ² Total
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	89 m ² Enclosed 17 m ² Balcony 106 m ² Total
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	64 m ² Enclosed 22 m ² Balcony 106 m ² Total
TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	62 m ² Enclosed 16 m ² Balcony 106 m ² Total
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	102 m ² Enclosed 162 m ² Balcony 442 m ² Total
TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 149 m ² Balcony 362 m ² Total
TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	162 m ² Enclosed 47 m ² Balcony 312 m ² Total
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 24 m ² Balcony 142 m ² Total
TOTAL	24 APARTMENTS		

* Balcony Unit Area measured to the cornice of party walls and cornice of external walls.
Areas are approximate and will be subject to change.

7.45 APARTMENT BUILDING F
ROOF PLAN



7.46 APARTMENT BUILDING F
ELEVATION (1)



7.47 APARTMENT BUILDING F
ELEVATION (2)



NORTH ELEVATION

7.48 APARTMENT BUILDING F
ELEVATION (3)

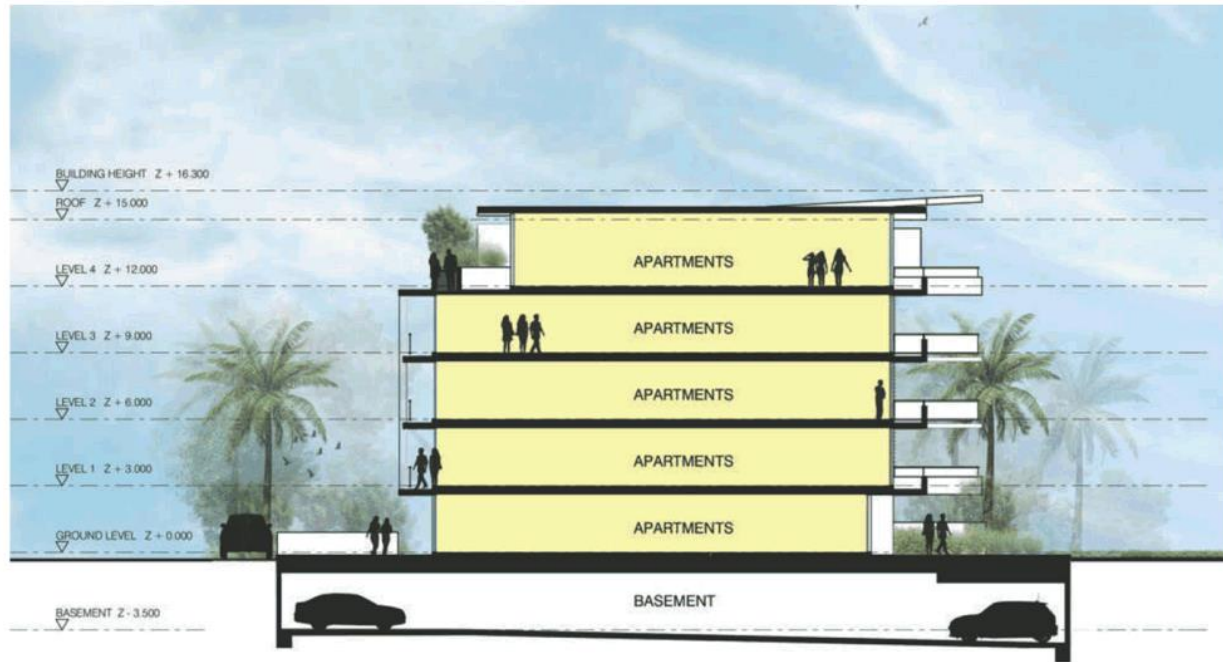


7.49 APARTMENT BUILDING F
ELEVATION (4)



SOUTH ELEVATION

7.50 APARTMENT BUILDING F
SECTION



SECTION A-A

7.51 TYPICAL APARTMENT PLANS

TYPE A & B



UNIT TYPE A - 1:100 (A3)

BUILDING D

TYPE A	8 Apt (22.22%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 31 m ² Balcony 148 m ² Total
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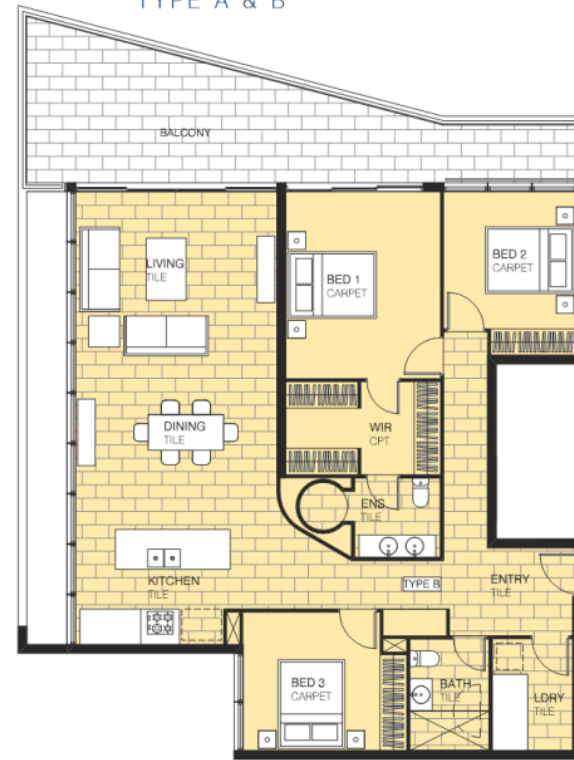
BUILDING E

TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 31 m ² Balcony 148 m ² Total
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BUILDING F

TYPE A	4 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	117 m ² Enclosed 31 m ² Balcony 148 m ² Total
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* Saleable Unit Area measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



UNIT TYPE B - 1:100 (A3)

BUILDING D

TYPE B	6 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 25 m ² Balcony 145 m ² Total
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BUILDING E

TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 25 m ² Balcony 145 m ² Total
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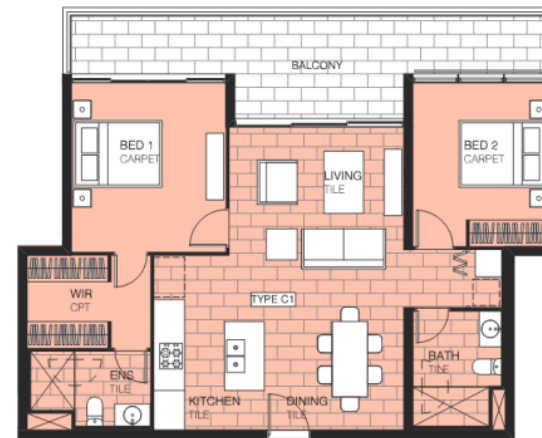
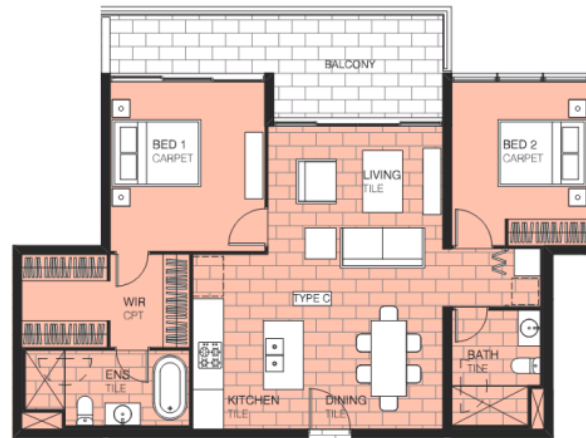
BUILDING F

TYPE B	3 Apt (12.5%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 25 m ² Balcony 145 m ² Total
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* Saleable Unit Area measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.

7.52 TYPICAL APARTMENT PLANS

TYPE C & C1



UNIT TYPE C - 1:100 (A3)

BUILDING D			
TYPE C	6 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	88 m ² Enclosed 17 m ² Balcony 106 m ² Total
BUILDING E			
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	88 m ² Enclosed 17 m ² Balcony 106 m ² Total
BUILDING F			
TYPE C	3 Apt (12.5%)	2 Bed, 2 Bath 1 Car Space	88 m ² Enclosed 17 m ² Balcony 106 m ² Total

* Separate Unit Areas measured to the centreline of party walls and centreline of external walls. Areas are approximate and will be subject to change.

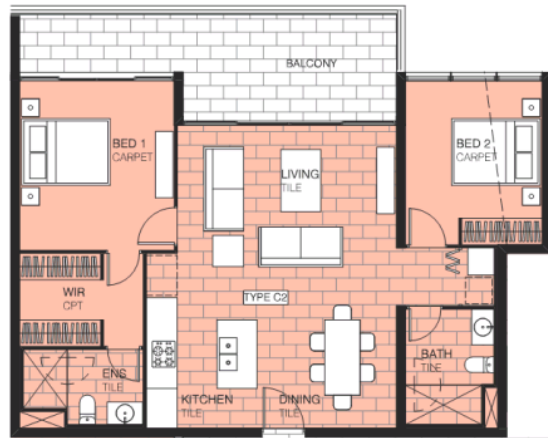
UNIT TYPE C1 - 1:100 (A3)

BUILDING E			
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	84 m ² Enclosed 22 m ² Balcony 106 m ² Total
BUILDING F			
TYPE C1	4 Apt (16.66%)	2 Bed, 2 Bath 1 Car Space	84 m ² Enclosed 22 m ² Balcony 106 m ² Total

* Separate Unit Areas measured to the centreline of party walls and centreline of external walls. Areas are approximate and will be subject to change.

7.53 TYPICAL APARTMENT PLANS

TYPE C2, C3 & D



UNIT TYPE C2 - 1:100 (A3)

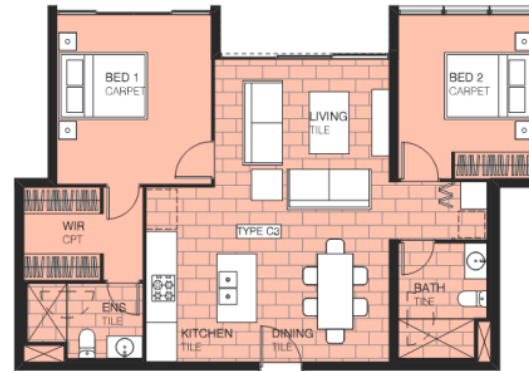
BUILDING E

TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
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BUILDING F

TYPE C2	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
---------	---------------	------------------------------	-------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



UNIT TYPE C3 - 1:100 (A3)

BUILDING E

TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
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BUILDING F

TYPE C3	1 Apt (4.17%)	2 Bed, 2 Bath 1 Car Space	66 m ² Enclosed 16 m ² Balcony 106 m ² Total
---------	---------------	------------------------------	-------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



UNIT TYPE D - 1:100 (A3)

BUILDING D

TYPE D	6 Apt (16.66%)	2 Bed, 2 Bath 2 Car Space	120 m ² Enclosed 24 m ² Balcony 146 m ² Total
--------	----------------	------------------------------	--------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



7.54 TYPICAL APARTMENT PLANS

TYPE E

TYPE E1 1 Apt (4.17%)

TYPE E1 1 Apt (4.17%)

2 Bed, 2 Bath
Car Space

188 m² Enklosed
188 m² Balcony
300 m² Total

UNIT TYPE E1 - 1:100 (A3)

BUILDING E			
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 3 Car Space	188 m ² Enklosed 188 m ² Balcony 440 m ² Total
BUILDING F			
TYPE E1	1 Apt (4.17%)	2 Bed, 2 Bath 3 Car Space	188 m ² Enklosed 188 m ² Balcony 440 m ² Total

7.55 TYPICAL APARTMENT PLANS
TYPE E1



7.56 TYPICAL APARTMENT PLANS

TYPE F

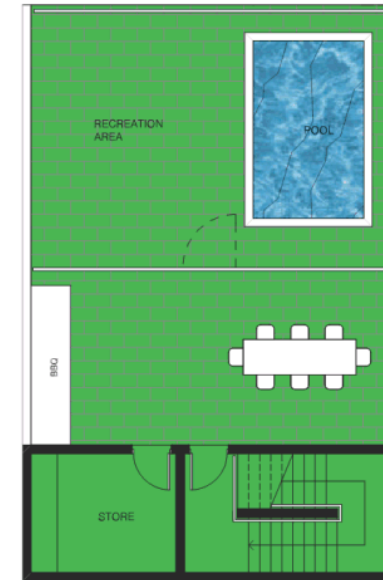


UNIT TYPE F - 1:100 (A3)

BUILDING D

TYPE F	2 Apt (5.56%)	3 Bed, 2 Bath 3 Car Spaces	214 m ² Enclosed 136 m ² Balcony 340 m ² Total
--------	---------------	-------------------------------	---------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and combine of external walls.
Areas are approximate and will be subject to change



UNIT TYPE F ROOF - 1:100 (A3)

7.57 TYPICAL APARTMENT PLANS

TYPE G & H



UNIT TYPE H - 1:100 (A3)

BUILDING E

TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	165 m ² Enclosed 47 m ² Balcony 212 m ² Total
--------	----------------	------------------------------	--------------------------------------------------------------------------------------

BUILDING F

TYPE H	5 Apt (20.83%)	2 Bed, 2 Bath 2 Car Space	165 m ² Enclosed 47 m ² Balcony 212 m ² Total
--------	----------------	------------------------------	--------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



UNIT TYPE G - 1:100 (A3)

BUILDING D

TYPE G1	2 Apt (5.56%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 146 m ² Balcony 269 m ² Total
---------	---------------	------------------------------	---------------------------------------------------------------------------------------

BUILDING E

TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 146 m ² Balcony 269 m ² Total
---------	---------------	------------------------------	---------------------------------------------------------------------------------------

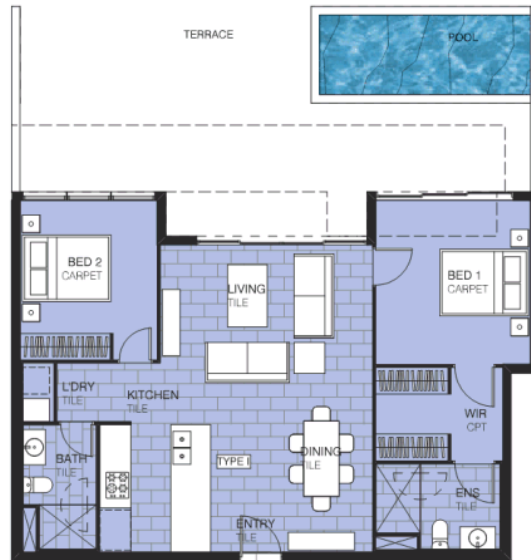
BUILDING F

TYPE G1	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	124 m ² Enclosed 146 m ² Balcony 269 m ² Total
---------	---------------	------------------------------	---------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.

7.58 TYPICAL APARTMENT PLANS

TYPE I & D1



UNIT TYPE I - 1:100 (A3)

BUILDING D

TYPE I	2 Apt (5.56%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 54 m ² Terrace 143 m ² Total
--------	---------------	------------------------------	-------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.

BUILDING E

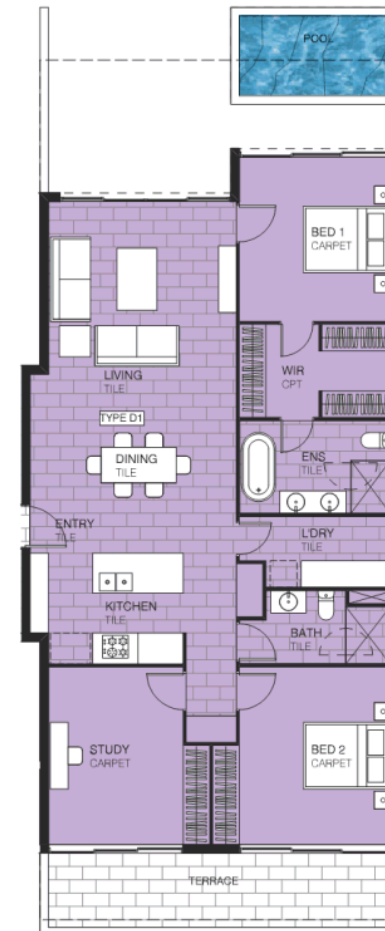
TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 54 m ² Balcony 143 m ² Total
--------	---------------	------------------------------	-------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.

BUILDING F

TYPE I	1 Apt (4.17%)	2 Bed, 2 Bath 2 Car Space	89 m ² Enclosed 54 m ² Balcony 143 m ² Total
--------	---------------	------------------------------	-------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



UNIT TYPE D1 - 1:100 (A3)

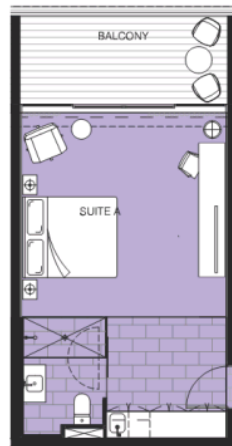
BUILDING D

TYPE D1	2 Apt (5.56%)	2 Bed, 2 Bath 2 Car Space	128 m ² Enclosed 38 m ² Terrace 166 m ² Total
---------	---------------	------------------------------	--------------------------------------------------------------------------------------

* Suitable Unit Areas measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.

7.59 TYPICAL SHORT TERM ACCOMMODATION
TYPE A & B

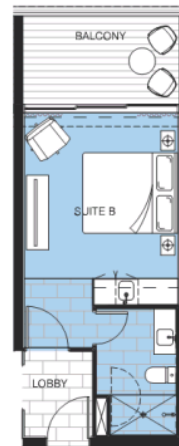
Note: These suites are configured in pairs to create a twin key apartment with shared entry.



SUITE TYPE A - 1:100 (A3)

SUITE A	14 Suites (50%)	27.75 m ² Enclosed 10.75 m ² Balcony 42.5 m ² Total*
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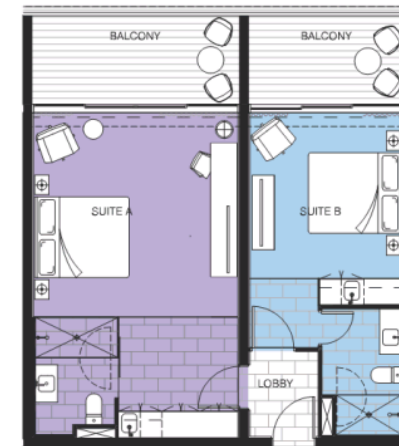
* Excludes Unit Area measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



SUITE TYPE B - 1:100 (A3)

SUITE B	14 Suites (50%)	35 m ² Enclosed 9.55 m ² Balcony 32.55 m ² Total*
---------	-----------------	------------------------------------------------------------------------------------------

* Excludes Unit Area measured to the centreline of party walls and centreline of external walls.
Areas are approximate and will be subject to change.



COMBINED SUITE - 1:100 (A3)

Burnett Harbour 'Marina Village' Bundaberg - Stage 2

Preliminary Approval Application

23 October 2018
Issue F

for BH Developments Qld Pty Ltd



0.0 CONTENTS



387,700 | PRELIMINARY APPROVAL | ISSUE F | 08 OCT 2016

- 1.0 APPLICATION DETAILS & CONSULTANTS**
- 2.0 EXECUTIVE SUMMARY**
- 3.0 STATEMENT OF URBAN DESIGN INTENT - SITE ANALYSIS**
 - 3.1 CONTEXT PLAN
 - 3.2 SITE ANALYSIS
 - 3.3 EXISTING BUILDINGS & ROADS
 - 3.4 STREET VIEWS
 - 3.5 EXISTING SURVEY PLAN (1)
 - 3.6 EXISTING SURVEY PLAN (2)
 - 3.7 EXISTING SURVEY PLAN (3)
 - 3.8 EXISTING SURVEY PLAN (4)
 - 3.9 EXISTING SURVEY PLAN (5)
- 4.0 STATEMENT OF URBAN DESIGN INTENT - MASTER PLAN**
 - 4.1 STATEMENT OF URBAN DESIGN INTENT
 - 4.2 OVERALL MASTERPLAN
 - 4.3 MASTER PLAN
 - 4.4 CONCEPT SKETCHES (1)
 - 4.5 CONCEPT SKETCHES (2)
 - 4.6 BOUNDARY SETBACK PLAN
 - 4.7 BUILDING TYPOLOGY DIAGRAM
 - 4.8 BUILDING HEIGHT DIAGRAM
 - 4.9 PARKING
 - 4.10 PEDESTRIAN NETWORK
 - 4.11 TRAFFIC NETWORK
 - 4.12 SITE SECTIONS F-F & G-G
 - 4.13 SITE SECTION H-H
- 5.0 DEVELOPMENT SUMMARY**
 - 5.1 BUILDING G, H, I & L
 - 5.2 BUILDING J, K, M & N
- 6.0 STATEMENT OF ARCHITECTURAL DESIGN INTENT**
 - 6.1 ARCHITECTURAL DESIGN INTENT
 - 6.2 PERSPECTIVE VIEW

1.0 APPLICATION & CONSULTANTS

1.1 APPLICATION:

- 1.1.0 **APPLICANT:**
BH Developments Qld Pty Ltd
- 1.1.1 **APPLICATION:**
Preliminary Approval
- 1.1.2 **STREET ADDRESS:**
44 Harbour Esplanade, Burnett Heads
- 1.1.3 **PROPERTY DESCRIPTION:**
Part of Lot 1 on SP157913

1.2 CONSULTANTS:

- 1.2.1 **ARCHITECTS & URBAN DESIGN**
BDA Architecture
Contact: Darren Greenaway Ph - (07) 5555 2600
- 1.2.2 **TOWN PLANNER**
InsiteSJC
Contact: Randall Barrington Ph - (07) 4151 6677
- 1.2.3 **CIVIL**
RMA Engineers
Contact: Scott Graham Ph - (07) 3846 5885
- 1.2.4 **TRAFFIC**
RMA Engineers
Contact: Perci Barnes Ph - (07) 3846 5885



2.0 EXECUTIVE SUMMARY

DEVELOPMENT SUBMISSION

The development application process for this project is in two parts:

- A Development Application for the western end Marina Village Stage 1; and
- A Preliminary Approval Application for the Eastern and Marina Village Stage 2.

This approach secures specific development outcomes for Stage 1, and secures the in-principle development strategy for Stage 2, with a little more flexibility for future development.

OVERVIEW

This application for Preliminary Approval seeks approval for Stage 2 of the project; the eastern component of the proposed marina village, which comprises the resort complex buildings I, J, K and L, waterfront villas M, eco villas N and residential apartment buildings G and H.

Through thoughtful consideration of the existing waterfront context and its envisaged potential for urban development, the execution of this design will result in the addition of a high quality waterfront resort residential community providing both short and long term accommodation, which will provide significant amenity for residents and visitors and contribute positively to the existing community of Burnett Heads.



3.0

STATEMENT OF URBAN DESIGN INTENT
- SITE ANALYSIS

3.1 CONTEXT PLAN



387700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018

SCALE: NTS

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG



6 / 35

3.2 EXISTING BUILDINGS & ROADS



- SUBJECT SITE
- ADJACENT SITE SUBJECT TO SEPARATE DA APPLICATION
- EXISTING SITE ENTRIES
- HARBOUR ESPLANADE
- EXISTING 'BLUE WATER CLUB'
- EXISTING WORKSHOP, CHANDLERY, CARETAKER RESIDENCE
- EXISTING VOLUNTEER MARINE RESCUE BUILDING

387700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018

SCALE: NTS

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7 / 35

3.3 STREET VIEWS



VIEW LOOKING SOUTH-EAST FROM HARBOUR ESPLANADE



VIEW LOOKING NORTH FROM HARBOUR ESPLANADE



VIEW LOOKING SOUTH-EAST FROM HARBOUR ESPLANADE

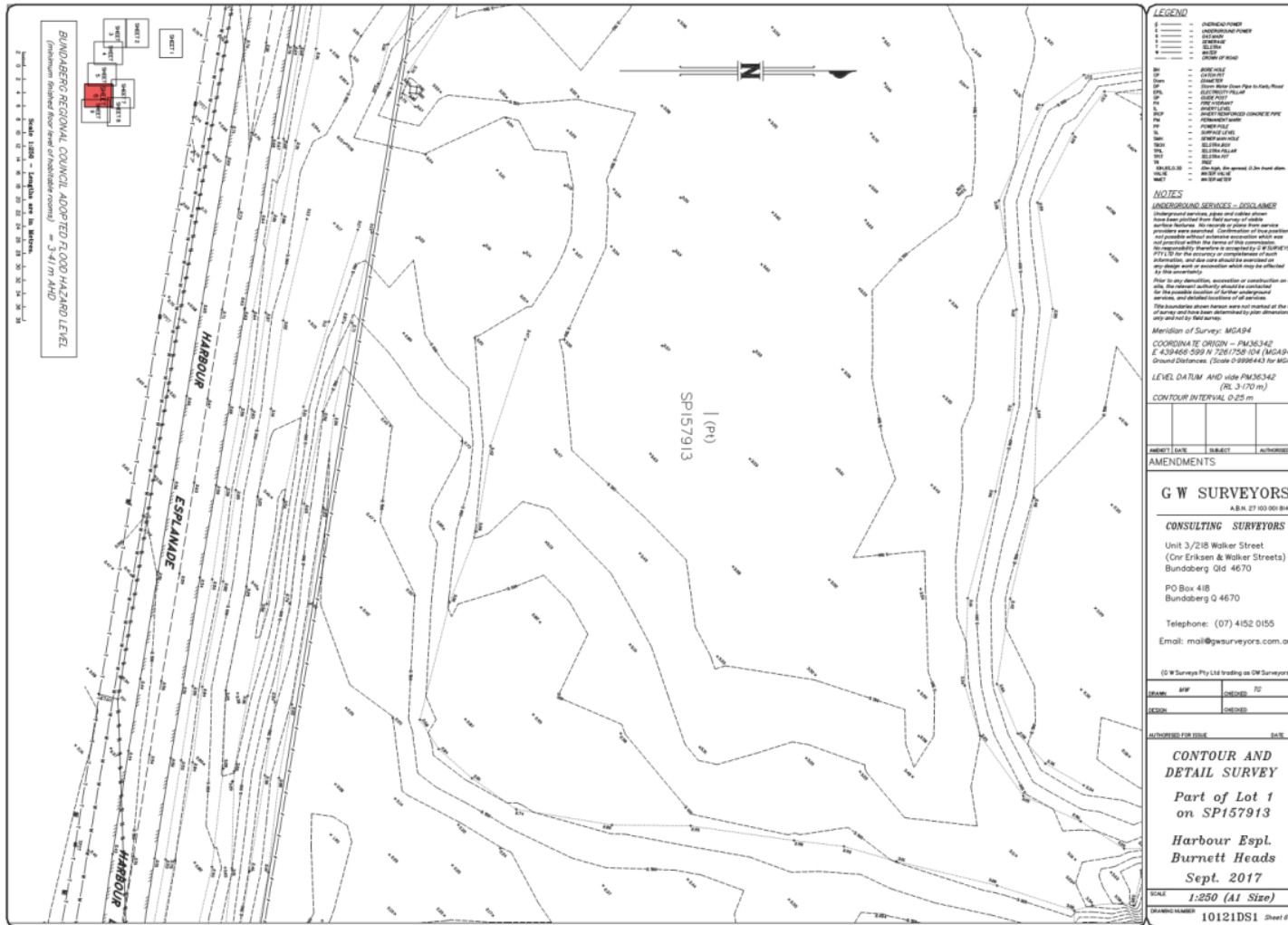


VIEW LOOKING NORTH FROM HARBOUR ESPLANADE

3.4 EXISTING SURVEY PLAN (1)



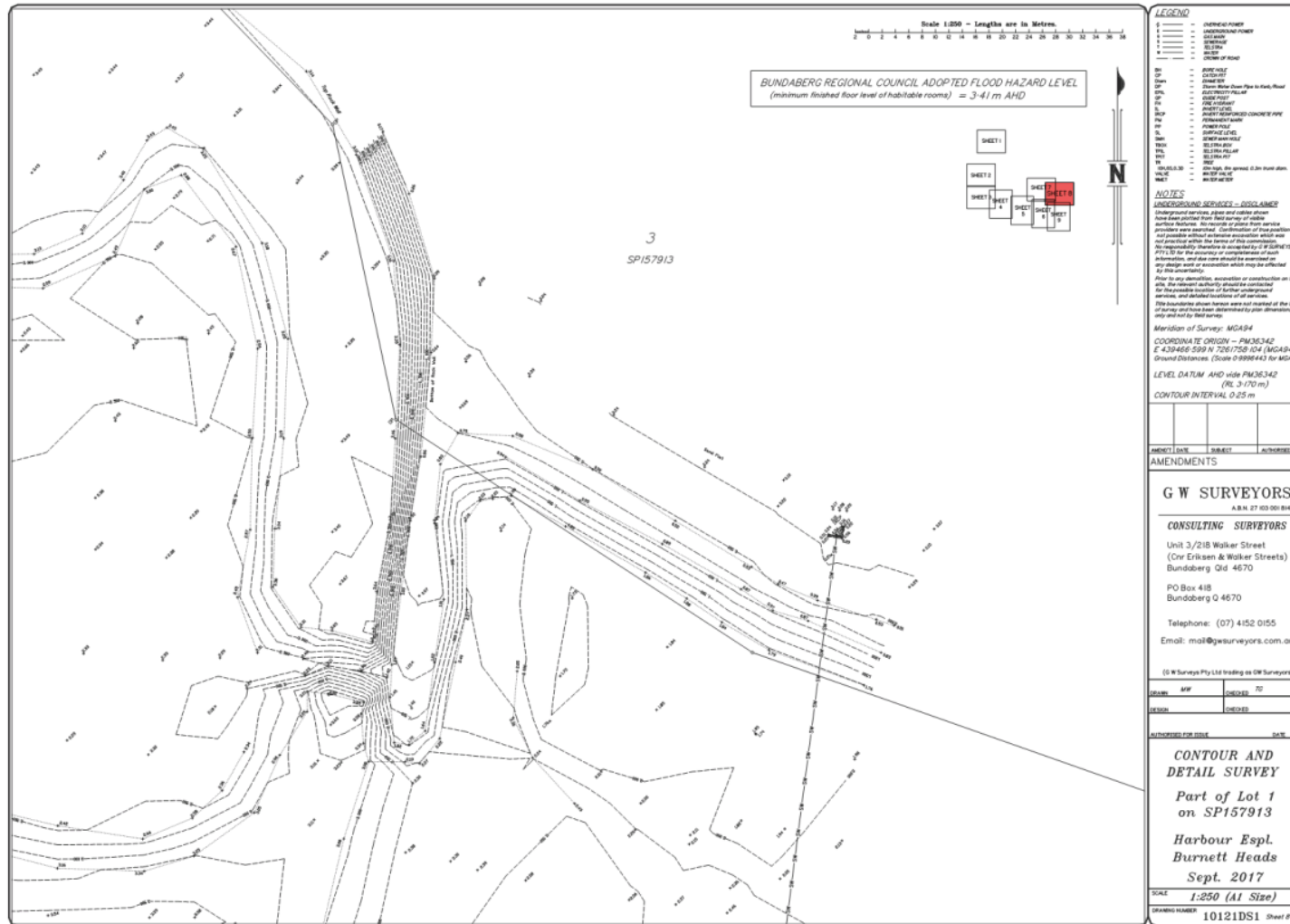
3.5 EXISTING SURVEY PLAN (2)



3.6 EXISTING SURVEY PLAN (3)



3.7 EXISTING SURVEY PLAN (4)



4.0

STATEMENT OF URBAN DESIGN INTENT
- MASTER PLAN

4.1 STATEMENT OF URBAN DESIGN INTENT



URBAN DESIGN OVERVIEW

The Burnett Harbour Marina Village has been designed as a high quality integrated mixed-use marine village located on the southwestern shore of Burnett Harbour. Its architectural form comprises a linear cluster of buildings spread along the shoreline with each end clearly defined by a principal node. The commercial heart marks the western end of the village (Stage 1 - separate DA Submission). This is balanced by the resort complex (Stage 2), which identifies the eastern end (the subject of this application).

Organic in its shape, the built form pattern respects and follows the line of the existing landform edge. In this way the structure of the village can be regarded as a seamless whole, maintaining a natural and meaningful relationship with its surroundings. An east-facing boardwalk, which overlooks the marina, provides access to retail, commercial, restaurant and short-term accommodation facilities within, promoting a vibrant and interesting waterfront edge.

Stage 2 includes a series of residential buildings which are distributed along the waterfront to the east of the village centre. These comprise a mix of product types, including 4 – 5 storey low-rise apartment buildings, 2 storey waterfront villas, 2 storey eco-villas and a 6 – 10 storey resort complex. The resort complex is located centrally on the small peninsula on a north-south axis running from Harbour Esplanade to the marina. Complex facilities embrace and overlook a large lagoon pool.

As the tallest structure, the resort complex will provide a distinctive landmark on the shore, identifying the river mouth on approach from the sea.

Residential buildings are angled in plan shape and offset from each other resulting in an interesting and sinuous built edge of varying height, which maximizes views to the marina and the ocean for residents. Lower height buildings are generally positioned closer to the edges of the site with the tallest structure located the furthest distance from the site's boundaries. Generous gaps between buildings provide view shafts to the marina from Harbour Esplanade.

The public boardwalk continues along the harbour edge in front of all buildings. This is linked by pathways to additional boardwalks, BBQ and picnic areas and a small beach, providing public access to almost the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for both residents and the wider community.

Vehicular access to the site is provided through a formal high landscaped entry boulevard which distributes vehicles to residential and resort buildings from a central roundabout.

Parking for each of the residential and resort buildings is provided in basements beneath each building, with visitor parking at grade.

The concept design for this preliminary approval application describes a resolved resort residential scheme which both compliments the Stage 1 development and responds sensitively to the constraints and opportunities of this special waterfront site.

4.2 STATEMENT OF URBAN DESIGN INTENT



KEY URBAN DESIGN PRINCIPLES

Key principles of good urban places considered in the design include:

Accessibility

Good places are accessible to all members of the community. Proposed buildings will cater for people arriving by foot, bicycle, car, coach, boat or future public transport. All areas within the site will allow equitable access for people with disabilities.

Comprehendibility

People can take full advantage of a place if they can readily understand it, easily interpret it and it is imbued with meaning corresponding with its use. The proposed built environment has clear points of reference in its circulation routes and meeting and gathering places and building entrances. Individual buildings are designed to exhibit clear legibility through architectural language, colour, materiality, transparency and articulation.

Variety and Interest

Variety is an essential ingredient of good urban places. Variety implies varied forms, uses and meanings. The visual appearance of building forms will be given increased variety through the layering of façades, variation in height and roof shape, the use of a wide range of exterior materials and the natural landscape. The dynamic composition of building elements within the overall 'horizontal' built form of the development will create visual interest for both residents and visitors.

Accommodation Choice

The wide range of accommodation choice proposed will cater for a broad range of occupants over the long term.

Connectivity

Generous gaps between buildings will provide view shafts to the marina from Harbour Esplanade and the existing residential neighborhood to the south. The waterfront boardwalk provides public access to the entire waterfront edge of the site. A series of lateral pathways between the buildings, connect the boardwalk to Harbour Esplanade, providing a choice of routes through the village and along the waterfront for residents and for the wider community.

Qualities of Edges

All edges of the resort residential precinct are readily accessible and have been designed to be legible and interesting in appearance, easy and safe to access, using appropriate materials, finishes and landscaping, which will also provide shade and weather protection.

Human Scale

Good urban places affirm the importance of people, helping us to relate to, interpret and enjoy the built environment. The proposed development is broken into a series of human scaled building elements, which will relate well to the landform context at the mouth of the Burnett River. Richness will be achieved through the articulation, materiality and detailing of building forms.

Space Making

A good environment possesses well defined public spaces, in which people will feel comfortable. The public waterfront and other circulation areas within the site comprise a series of interconnected human scaled spaces containing communal meeting places at nodal points. Residents are provided with sheltered outdoor living and recreation areas.

Sense of Community

Good places enhance the sense of community and provide for social interaction. The design of the circulation and communal areas will provide comfortable places in which people can meet and socialise enjoying a good sense of well being.

Public and Private Aspects

The close proximity of public and private realms has been given consideration in the design.

Adaptability and Versatility

The proposal has been designed to allow its construction to be staged so that it can be developed at an appropriate pace over time. Many internal walls of the buildings are non load bearing providing adaptive design to readily accommodate changing uses over time.

Environmental Qualities

The design satisfies environmental qualities for users of the site including the quality of air and water, noise and visual pollution, bio diversity in the landscape and the minimization of energy use and waste.

Safety

In its layout, the masterplan has been configured to provide safe access within the site as well as to and from the new village. This includes the provision of clear sightlines along all pathways.

4.3 OVERALL MASTER PLAN

STAGE 1 & STAGE 2



387700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018



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4.5 CONCEPT SKETCHES (1)

PROPOSED BUILT FORM CHARACTER SKETCHES

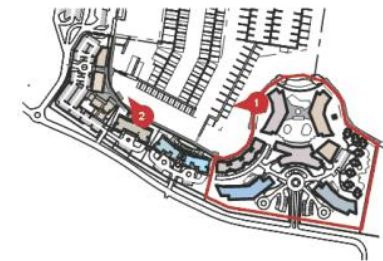
The attached images illustrate design intent for subtropical architecture and materials within the general massing.



WATERFRONT VIEW BUILDINGS C & D



RETAIL PRECINCT WATERFRONT VIEW



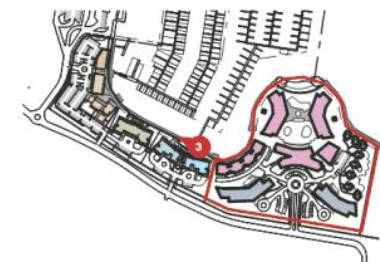
4.6 CONCEPT SKETCHES (2)

PROPOSED BUILT FORM CHARACTER SKETCHES

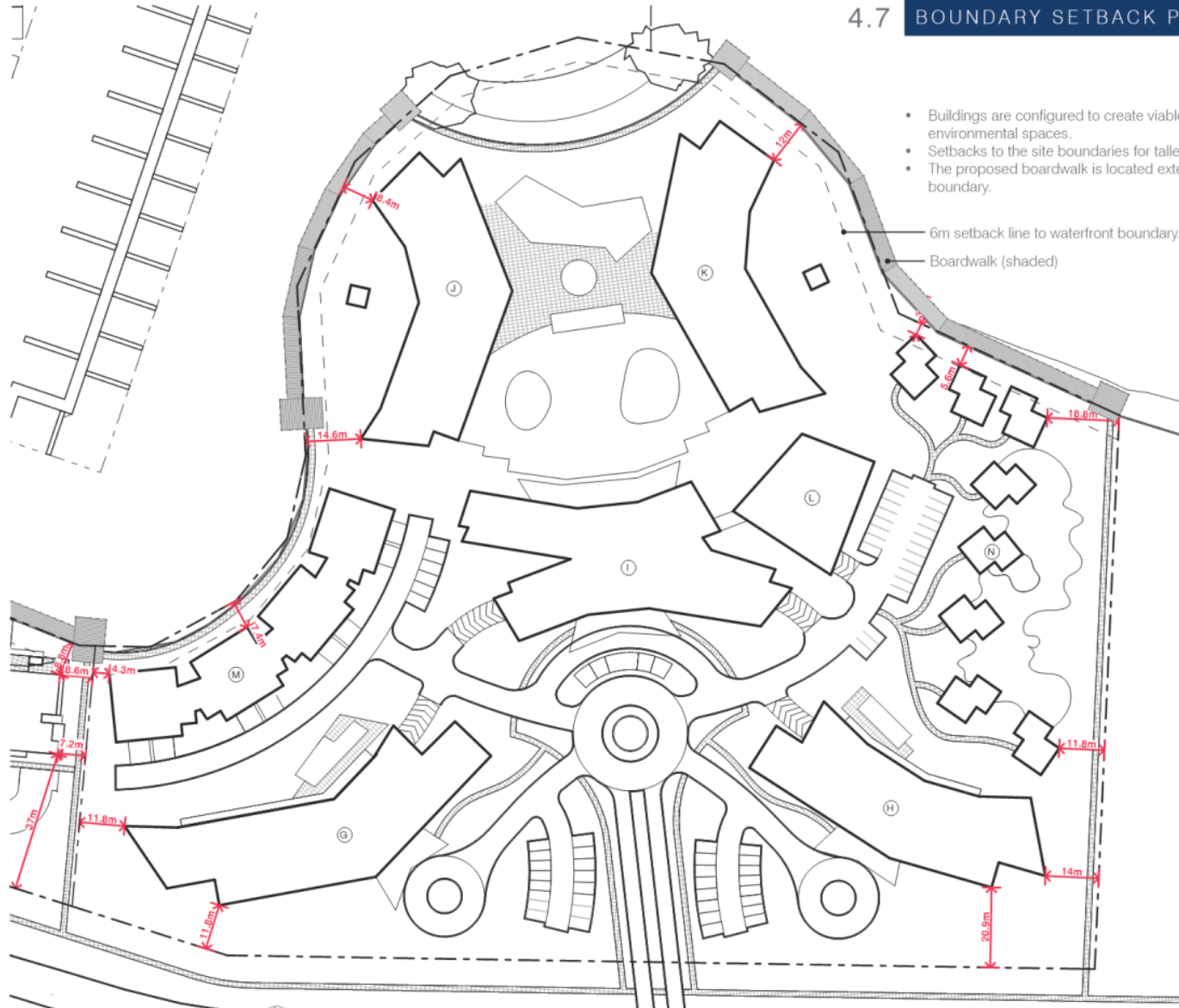
The attached images illustrate design intent for subtropical architecture and materials within the general massing.



BOARDWALK VIEW 1
STAGE 1 ONLY - SEPARATE APPLICATION

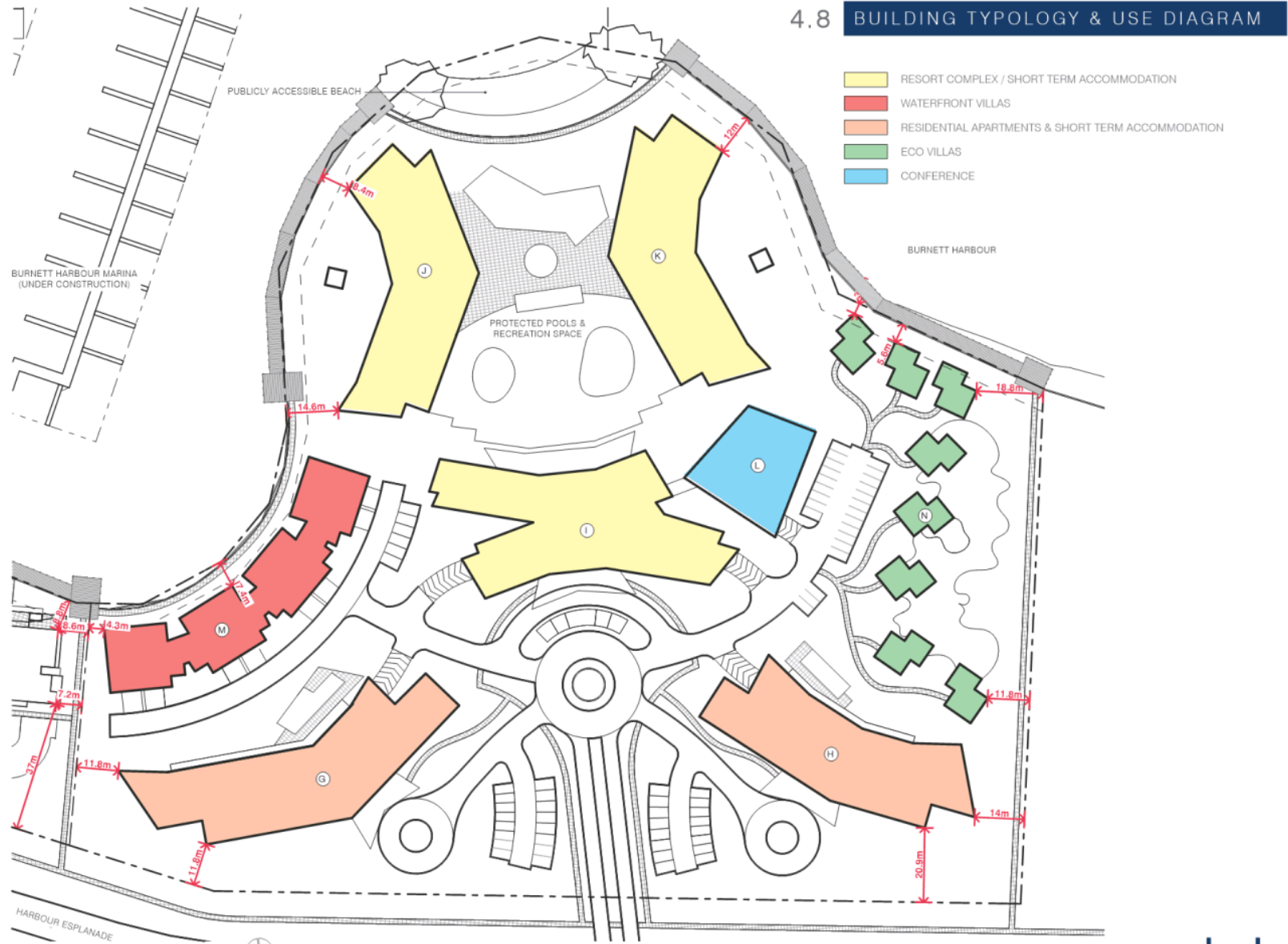


4.7 BOUNDARY SETBACK PLAN



- Buildings are configured to create viable outdoor recreation and environmental spaces.
- Setbacks to the site boundaries for taller buildings are generous.
- The proposed boardwalk is located external to the site waterfront boundary.

6m setback line to waterfront boundary.
Boardwalk (shaded)

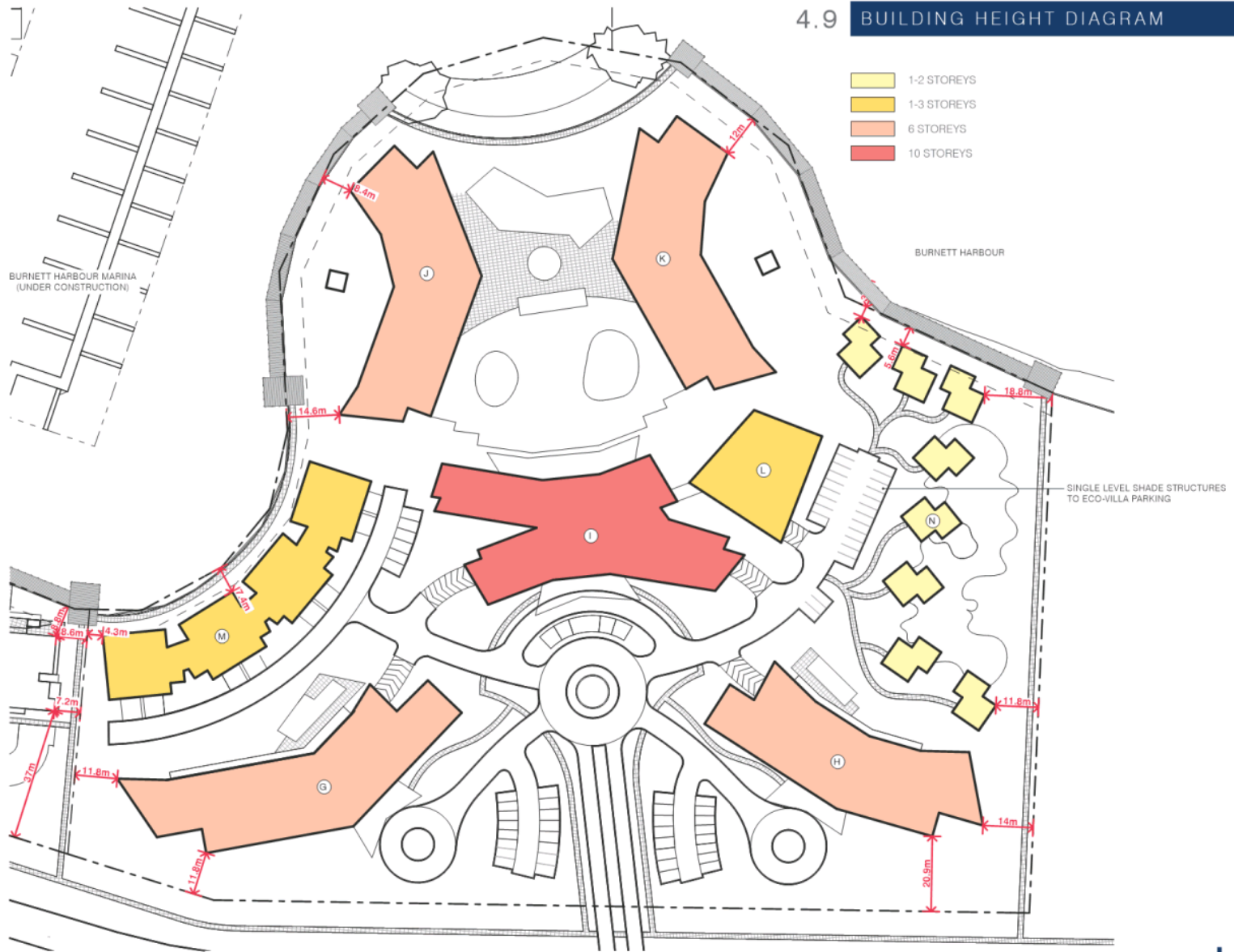


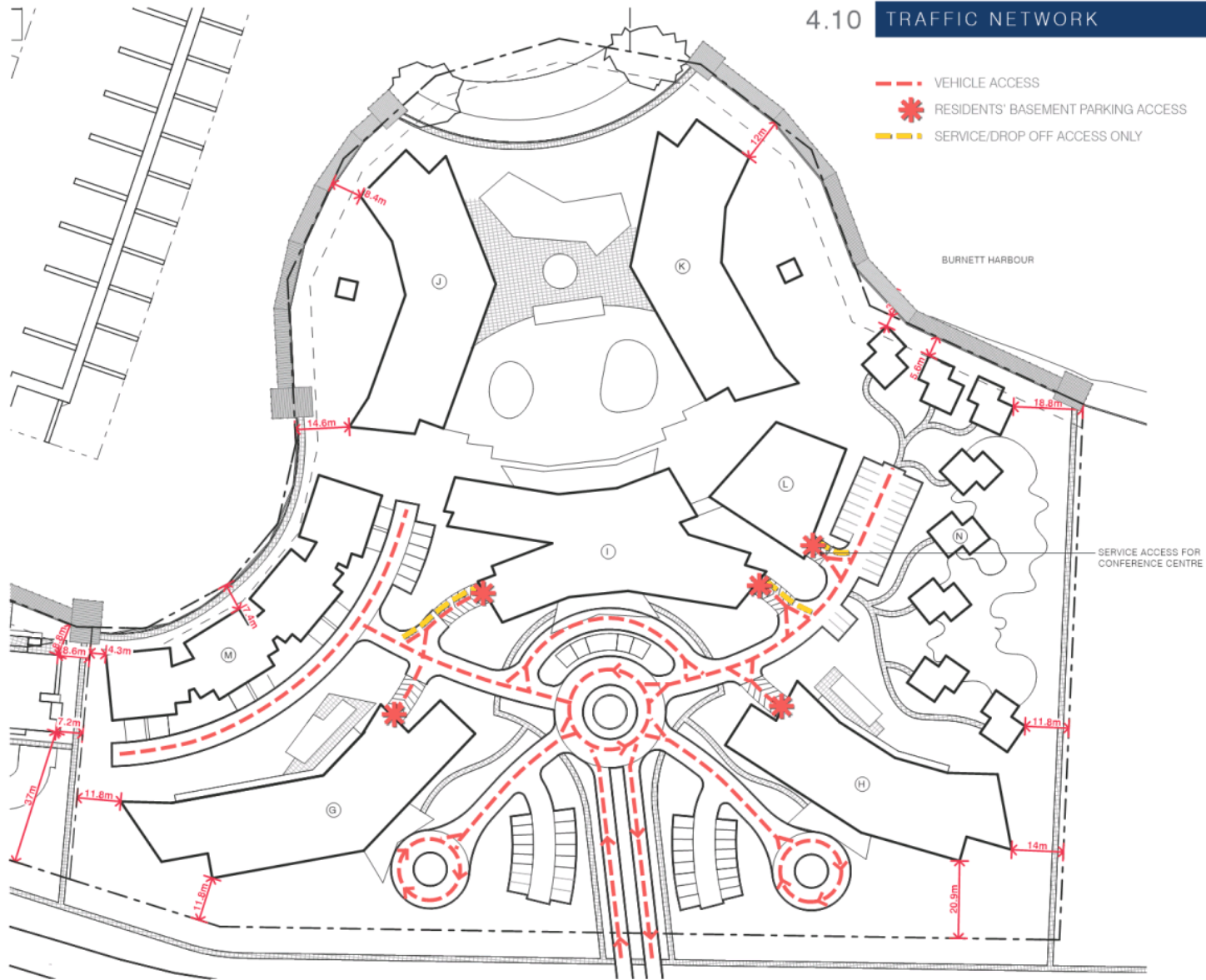
387700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018

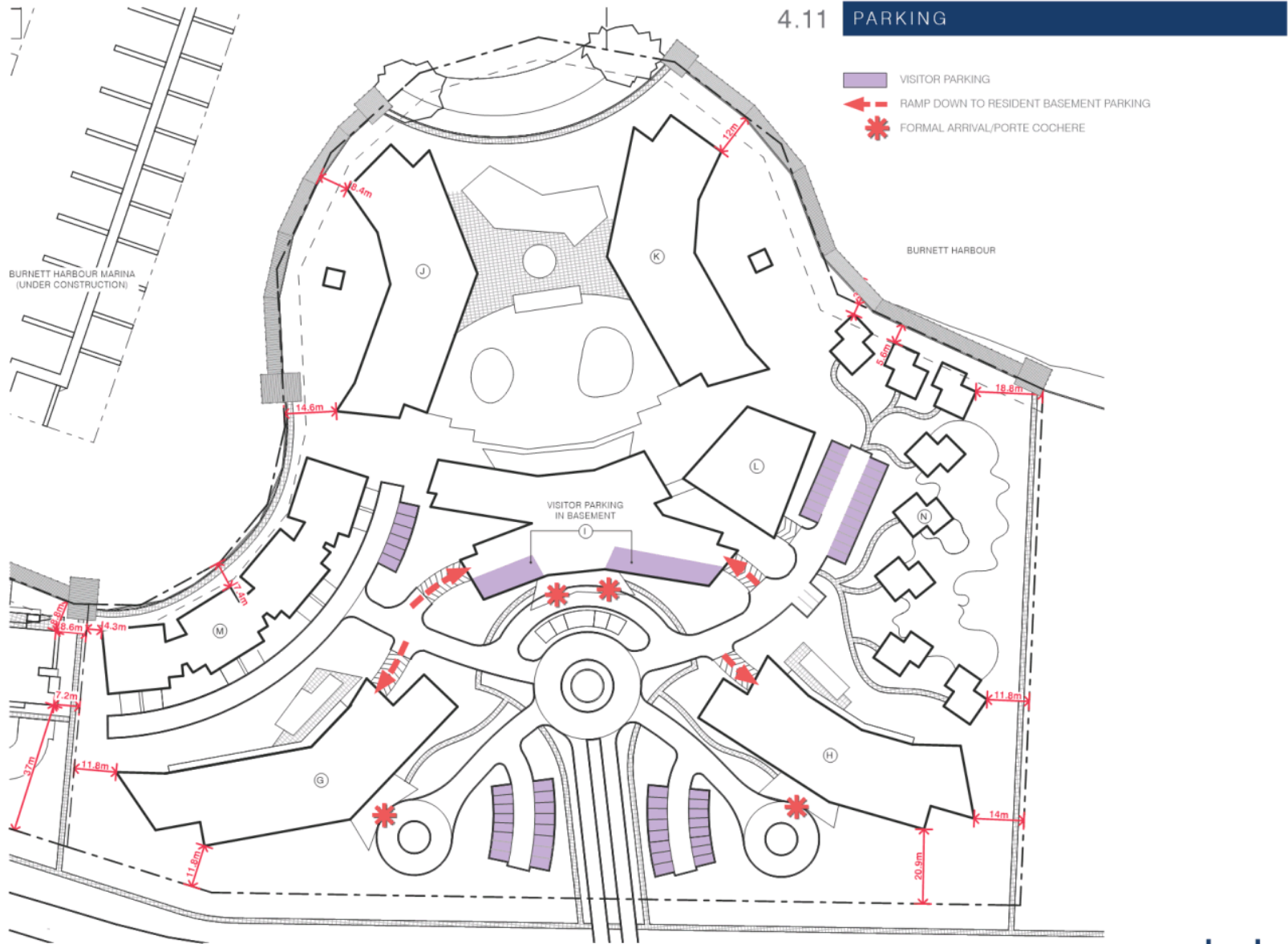
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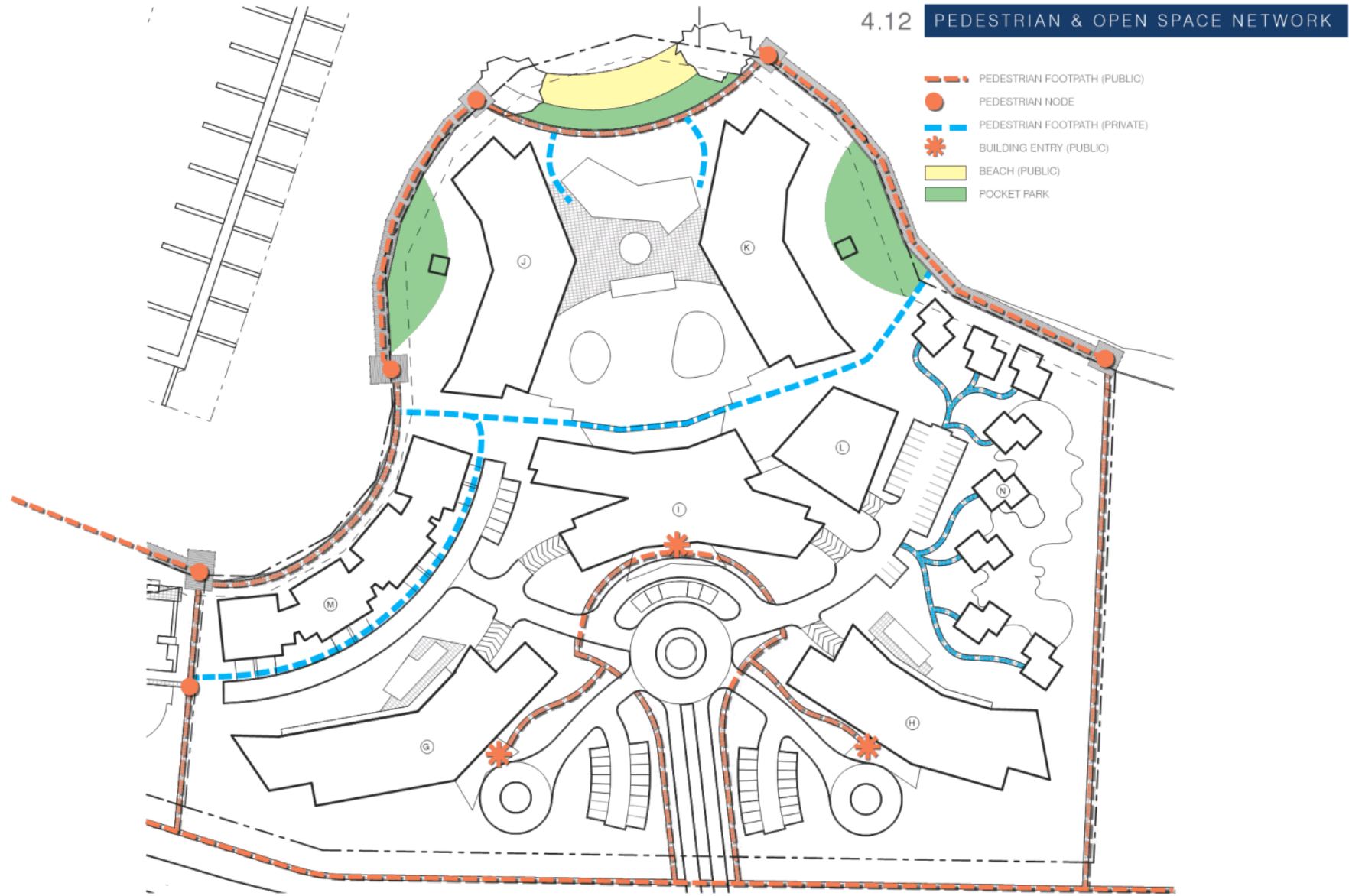
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22 / 35

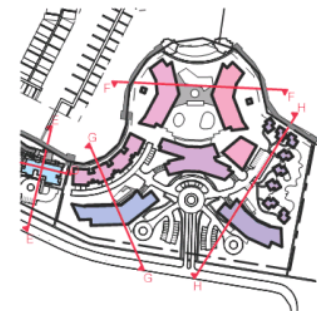
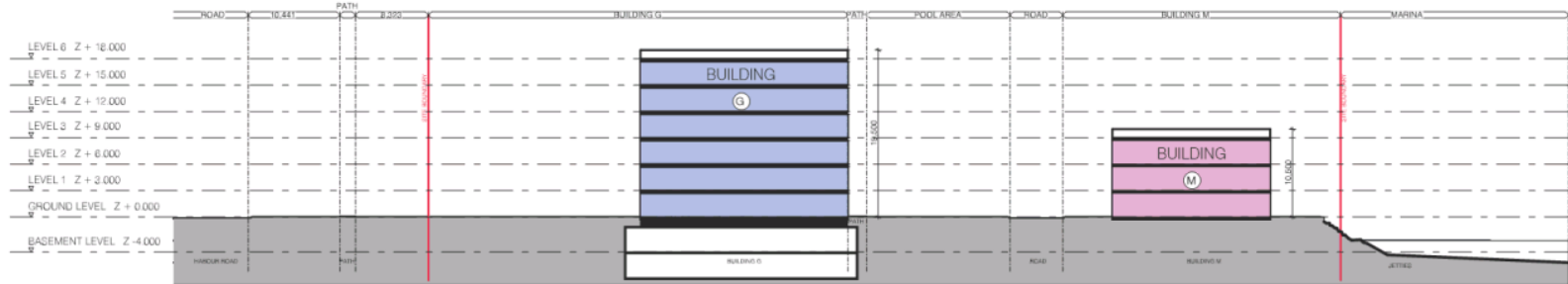
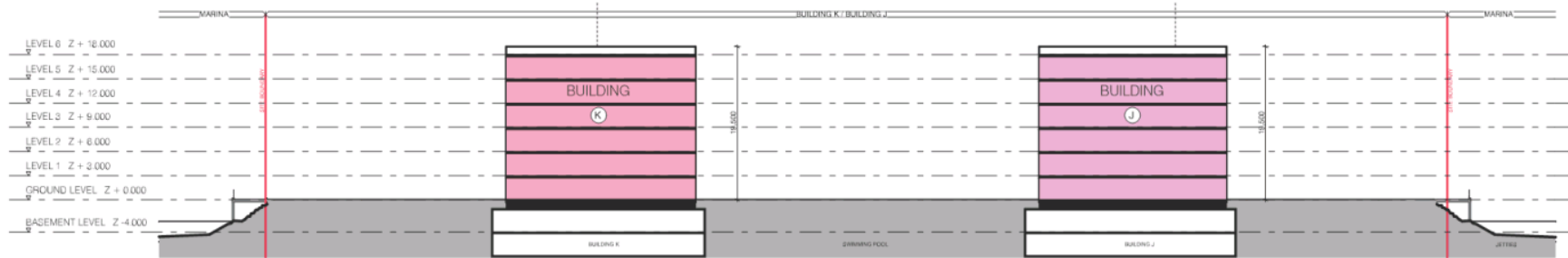




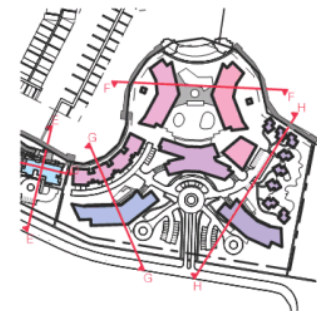
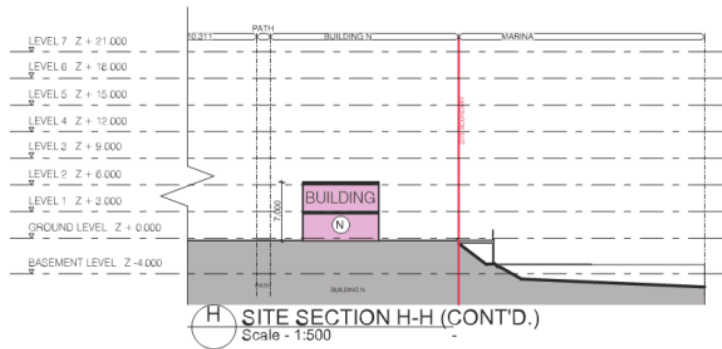




4.13 SITE SECTIONS F & G



4.14 SITE SECTION H-H



5.0

DEVELOPMENT SUMMARY

5.1 DEVELOPMENT SUMMARY

OVERALL

DEVELOPMENT SUMMARY OVERALL "STAGE 2" DEVELOPMENT

Building	Height	Use	No of Apts/Keys	GFA (sq.m)
G	6 Storeys + 2 Basement	Residential & Short Term	70	8424
H	7 Storeys + 2 Basement	Residential & Short Term	70	8424
I	10 Storeys + 1 Basement	Resort Complex	250	15000
J	6 Storeys + 2 Basement	Residential & Short Term	100	10346
K	6 Storeys + 2 Basement	Residential & Short Term	100	10346
L	3 Storeys + 1 Basement	Conference	0	2205
M	2 Storeys	Residential	8	2640
N	2 Storeys	Short Term	8	1600
Total			606	58985

5.2 DEVELOPMENT SUMMARY

BUILDINGS G, H, I & L

BUILDING G - APARTMENT BUILDING
APARTMENT AREA BREAKDOWN

	Type A	Type B	Type C
Internal Area	140	100	72
Balcony Area	20	12	9
No. of Bedrooms	3	2	1
Bathrooms	2	2	1

	Component(s)	Type A 3 Bed	Type B 2 Bed	Type C 1 Bed	No of Keys	No. of Bedrooms	NSA (sq.m)	GFA (sq.m)
BUILDING G - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION								
Level 05	Residential	2	8	2	12	24	1224	1404
Level 04	Residential	2	8	2	12	24	1224	1404
Level 03	Residential	2	8	2	12	24	1224	1404
Level 02	Residential	2	8	2	12	24	1224	1404
Level 01	Residential	2	8	2	12	24	1224	1404
Ground Level	Residential	2	8		10	22	1080	1404
B1	Parking							
B2	Parking							
	Visitor Parking							
Total		12	48	10	70	142	7,200	8424

BUILDING H - APARTMENT BUILDING
APARTMENT AREA BREAKDOWN

	Component(s)	Type A 3 Bed	Type B 2 Bed	Type C 1 Bed	No of Keys	No. of Bedrooms	NSA (sq.m)	GFA (sq.m)
BUILDING H - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMMODATION								
Level 05	Residential	2	8	2	12	24	1224	1404
Level 04	Residential	2	8	2	12	24	1224	1404
Level 03	Residential	2	8	2	12	24	1224	1404
Level 02	Residential	2	8	2	12	24	1224	1404
Level 01	Residential	2	8	2	12	24	1224	1404
Ground Level	Residential	2	8		10	22	1080	1404
B1	Parking							
B2	Parking							
	Visitor Parking							
Total		12	48	10	70	142	7,200	8424

BUILDING I & L - RESORT COMPLEX & CONFERENCE CENTRE
TYPICAL SUITE BREAKDOWN

	Type A
Internal Area	40
Balcony Area	4
No. of Bedrooms	1
Bathrooms	1

	Component(s)	Type A 1 Bed	No of Keys	No. of Bedrooms	GFA (sq.m)
BUILDING I - RESORT COMPLEX					
Level 09	Suites	32	32	32	1500
Level 08	Suites	32	32	32	1500
Level 07	Suites	32	32	32	1500
Level 06	Suites	32	32	32	1500
Level 05	Suites	32	32	32	1500
Level 04	Suites	32	32	32	1500
Level 03	Suites	32	32	32	1500
Level 02	Suites	26	26	26	1500
Level 01	Lobby				1500
Ground Level	BOH				1500
B1	Parking				
Total		250	250	250	15000

	Component(s)	GFA (sq.m)
BUILDING L - CONFERENCE BUILDING		
Level 02	Conference	735
Level 01	Conference	735
Ground Level	Lobby, F+B	735
B1	Parking	
Total		2205

NOTE:
All areas are approximate only and subject to detail design and future approval.

5.3 DEVELOPMENT SUMMARY

BUILDINGS J, K, M & N

BUILDING J & K - APARTMENT BUILDINGS
APARTMENT AREA BREAKDOWN

	Type A	Type B	Type C
Internal Area	140	100	72
Balcony Area	20	12	9
No. of Bedrooms	3	2	1
Bathrooms	2	2	1

	Component(s)	Type A 3 Bed	Type B 2 Bed	Type C 1 Bed	No of Keys	No. of Bedrooms	NSA (sq.m)	GFA (sq.m)
BUILDING J - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMODATION								
Level 05	Residential	2	4	9	15	23	1328	1478
Level 05	Residential	2	4	9	15	23	1328	1478
Level 04	Residential	2	4	9	15	23	1328	1478
Level 03	Residential	2	4	9	15	23	1328	1478
Level 02	Residential	2	4	9	15	23	1328	1478
Level 01	Residential	2	4	9	15	23	1328	1478
Ground Level	Residential	2	4	4	10	18	968	1478
B1	Parking							
B2	Parking							
	Visitor Parking							
Total		14	28	58	100	156	8,936	10346

	Component(s)	Type A 3 Bed	Type B 2 Bed	Type C 1 Bed	No of Keys	No. of Bedrooms	NSA (sq.m)	GFA (sq.m)
BUILDING K - RESIDENTIAL APARTMENTS & SHORT TERM ACCOMODATION								
Level 05	Residential	2	4	9	15	23	1328	1478
Level 05	Residential	2	4	9	15	23	1328	1478
Level 04	Residential	2	4	9	15	23	1328	1478
Level 03	Residential	2	4	9	15	23	1328	1478
Level 02	Residential	2	4	9	15	23	1328	1478
Level 01	Residential	2	4	9	15	23	1328	1478
Ground Level	Residential	2	4	4	10	18	968	1478
B1	Parking							
B2	Parking							
	Visitor Parking							
Total		14	28	58	100	156	8,936	10346

BUILDING M - WATERFRONT VILLAS
VILLA AREA BREAKDOWN

	Type A
Internal Area	290
Balcony Area	40
No. of Bedrooms	4
Bathrooms	2

	Component(s)	Type A 4 Bed	No of Keys	No. of Bedrooms	GFA (sq.m)
BUILDING M - WATERFRONT RESIDENTIAL VILLAS					
Level 01	RESIDENTIAL				1320
Ground Level	RESIDENTIAL	8	8	32	1320
Visitor Parking					
Total		8	8	32	2640

BUILDING N - ECO VILLAS (SHORT TERM ACCOMMODATION)
ECO VILLA AREA BREAKDOWN

	Type A
Internal Area	200
Balcony Area	40
No. of Bedrooms	3
Bathrooms	1

	Component(s)	Type A 3 Bed	No of Keys	No. of Bedrooms	GFA (sq.m)
BUILDING N - ECO VILLAS SHORT TERM ACCOMMODATION					
Level 01	RESIDENTIAL				800
Ground Level	RESIDENTIAL	8	8	24	800
Visitor Parking					
Total		8	8	24	1600

NOTE:
All areas are approximate only and subject to detail design and future approval.

6.0

STATEMENT OF ARCHITECTURAL
DESIGN INTENT

6.1 ARCHITECTURAL DESIGN INTENT



347700 | PRELIMINARY APPROVAL | ISSUE F | 23 OCT 2018

STAGE 2 ARCHITECTURAL VISION

Stage 2 of the overall Marine Village is the subject of this submission.

The intent of the design is to create a high quality mixed use residential community and resort which integrates visually with Stage 1 of the overall project (separate application)

Each building will be composed and articulated utilising a consistent architectural language, which contributes to the creation of a place of distinct character.

Exterior building forms are proposed to be highly articulated and modelled as a series of individual architectural elements, expressing the variety of individual dwelling types. Each of these elements will be arranged in a composition of sculpturally distinct yet interconnected architectural forms.

Building heights vary from 2 levels to 10 levels. All buildings have outlook over water or resort landscaped recreation spaces.

All buildings are designed to be fully accessible.

The resort complex buildings, which primarily provide short term accommodation, contain a variety of uses including restaurants, bars, convention facilities, guest suites, specialty retail and extensive recreational facilities. These buildings are arranged around a tropically landscaped lagoon pool, and vary in height between 6 and 10 storeys. The concept design will ensure the creation of a subtropical ambience, which will be characterized by white concrete forms with partial stone and timber cladding and aluminium screens.

Buildings are angled in plan shape and offset from each other, resulting in an interesting and sinuous built edge of varying height. All apartments will open out onto terraces or balconies primarily possessing northern aspect, ranging from north-east to north-west, creating outstanding amenity for residents and visitors in this resort community.

BURNETT HARBOUR 'MARINA VILLAGE' | MIXED USE | BUNDABERG

bda
34 / 35

6.2 PERSPECTIVE VIEW 1



INDICATIVE PERSPECTIVE VIEW FROM STAGE 1
MARINA VILLAGE RETAIL

Appendix C: Suggested approval conditions

Recommended Conditions of Development Approval for Marine Turtle Management**Lighting**

1. Prior to Council approval of the first operational works application, the applicant shall submit to Council for approval a Lighting Management Plan that inter alia-
 - a. Incorporates the lighting recommendations of the Turtle Management Plan.
 - b. Provides lighting plans for each building/section of walkway, including number, type and specification of each light fitting.
 - c. Recommends a post construction audit compliance with the approved lighting design and regulatory conditions.
 - d. Recommends an annual auditing schedule of lighting in public or communal areas to be undertaken at the commencement of the turtle season to ensure compliance with lighting designs.
 - e. Recommends an annual monitoring schedule of direct visible light from the development at Oaks Beach.
2. Each building and associated public or communal area shall be developed in accordance with the Lighting Management Plan with an electrical engineer certifying same prior to commencement of the relevant use.
3. All exterior lights utilise amber LED emitters (~585nm 'true amber' emitters, 'phosphor converted amber') or, where white light is required under a specific Standard, LEDs with a correlated colour temperature (CCT) equal to or lower than 2700K.
4. External lighting achieves an upward waste light output ratio (ULR) of 0%, achieved by:
 - a. Shielding, by recessing the light fitting into roof structures, eaves or building ceilings.
 - b. Shielding, by the light housing which prevents horizontal light above a 45-degree angle.
 - c. Mounting external lights (i.e. on walls, stairs and walkways) as low as physically possible and using targeted asymmetrical distribution to illuminate only the specific areas of need, while minimising the angle of incidence and reflectance.
5. Security lighting will be motion activated and supplemented with computer monitored infrared detection systems from 8pm until dawn during turtle season ie 1 December – 30 March.
6. Motion activated external walkway lighting for residential premises occurs from 8pm until dawn during turtle season ie 1 December – 30 March.
7. Motion activated lights will have an associated deactivation period of a maximum of five minutes.
8. Exterior finishes on all buildings will be matte and have a maximum reflective value of 30%.
9. All balcony and/or verandah electric lighting to residential and non-residential land uses, excluding cafes/bars/restaurants, will turn off at 9:00pm during the turtle season i.e. 1 December – 30 March, or an alternative solution is identified that achieves the same objective, that is, no light source located on balconies/verandahs can be detected external to the building after 9 pm at night during the turtle season .
10. All indoor lighting will have a correlated colour temperature (CCT) equal to or lower than 2700K.
11. Apartment downlights will be built-in to the fixture, not a replaceable fixture.
12. All glass (windows/doors) to all residential premises and non-residential premises operating after 9:00pm, excluding cafes/bars/restaurants, will have opaque (block-out) blinds or curtains or shutters fitted.

13. Interior finishes of all buildings will be matte and have a maximum reflective value of 30%.
14. All exterior glazed windows and doors of buildings six (6) storeys or more above finished ground level shall have a maximum light transmittance of 50%.
15. Notwithstanding Condition (14), all exterior glazed windows and doors of any building elevation that faces the ocean shall have a maximum light transmittance of 50%.
16. Skylights will not be incorporated in any building design.
17. The boundary of artificial water bodies will only be illuminated at night if night activities are intended.
18. Swimming pools will either be in-ground design or enclosed with solid walls (i.e. no glass windows).
19. In-pool lighting will be the minimum and lowest intensity needed for safe swimming and use of steps to access the water. Lights will be aimed at or below the horizontal.
20. Pool surfaces will be dark coloured to reduce light reflection from the water.
21. Pool decking will be a dark colour to minimise reflection.
22. Pool deck lighting will be low level, shielded, mini-bollard amber LED.
23. Car parks, driveways and walkways will-
 - a. Incorporate flashing/intermittent lights or reflective material instead of fixed beam to identify an entrance or delineate a pathway;
 - b. Use amber LED emitters (~585nm 'true amber' emitters, or 'phosphor converted amber') for car park lighting; and
 - c. Carpark lighting will be low level, bollard style with an upward waste light output ratio (ULR) of 0%.
24. No construction activity that requires flood lighting shall occur during the turtle season ie 1 December – 31 March.
25. A post construction audit of each building shall be undertaken by an appropriately qualified electrical engineer and provided to Council prior to occupation of the relevant building demonstrating compliance with the approved lighting design and regulatory conditions.
26. Each community management scheme shall incorporate the following responsibilities of the body corporate manager-
 - a. Confirmation at the beginning of the turtle season (ie prior to 1 December) that no direct visible light from the body corporate premises is observed from Oaks Beach (NB Footage from a drone will suffice as confirmation.)
 - b. Ensure the body corporate premises is, to the extent relevant, compliant with the Lighting Management Plan.
 - c. Ensure that each owner and each visitor is provided with a copy of the Marina Village Residents and Visitors Code of Conduct.
 - d. Should significant light be observed from any residential premise after 9:00pm during the turtle season (ie 1 December – 31 March), the body corporate manager will draw the resident's attention to the requirements of the Marina Village Residents and Visitors Code of Conduct.
27. Each community management scheme shall incorporate a Marina Village Residents and Visitors Code of Conduct (Code of Conduct) which shall include marine turtle protection measures and responsibilities of owners and visitors. The Code of Conduct will include-
Lighting Advice
 - a. No electric lighting to balconies or verandahs, except ground level cafes/bars/restaurants, shall occur after 9:00pm during the turtle season ie 1 December – 31 March.

- b. No electric internal lighting, including light from television and computer screens, shall be emitted after 9:00pm during the turtle season ie 1 December – 31 March. (Ground level cafes/bars/restaurants excepted.)

Recreational Fishing and Boat Use Advice

- a. All discarded fishing gear and rubbish to be disposed of in bins.
- b. Check crab pots regularly, set your pots to avoid loose rope floating about in the water and ensure pot entrances are not large enough to trap a turtle.
- c. Report all sightings of any sick, injured or dead turtles by calling the RSPCA Queensland (1300 264 625).
- d. Avoid shallow seagrass areas when boating. If you cannot avoid seagrass areas, reduce speed to below 10 knots (off the plane) and look out for turtles and dugong.

Turtle Watching and Beach Use Advice

- a. Stay well clear (at least two meters) of turtles.
- b. Turn off all lights until laying begins.
- c. Keep still and quiet.
- d. Remain behind turtles as they dig and lay their eggs – do not stand in front of or where they can see you.
- e. Restrict flash photography to a minimum and only take flash photos once the eggs have been laid.
- f. Remove/turn off lights and back away from the turtles if they appear to show signs of disturbance.
- g. Watch where you step to avoid crushing eggs or hatchlings.
- h. Do not disturb or dig up nests.
- i. Be aware that turtles have good eyesight and an excellent sense of smell.

Waste Management

1. A Waste Management Plan (WMP) addressing the construction phase of development shall be submitted to and approved by Council prior to approval of the first operational works application. The WMP will specifically address the measures proposed to ensure no escape of rubbish from the site to Burnett Heads Boat Harbour.
2. A Waste Management Plan (WMP) addressing the operation of each development shall be submitted to and approved by Council prior to approval of the first operational works application. The WMP will specifically address the measures proposed to ensure no escape of rubbish from the site to Burnett Heads Boat Harbour.

Storage of Chemicals

1. Chemicals shall be stored and disposed of in accordance with their Material Safety Data Sheet.

RA6-N



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

SARA reference: 1901-9384 SRA
 Council reference: 522.2018.90.1
 Applicant reference: GC15-352-T03

13 March 2020

Chief Executive Officer
 Bundaberg Regional Council
 PO Box 3130
 BUNDABERG Qld 4670
 development@bundaberg.qld.gov.au

Attention: Ms Sarah Watts

Dear Ms Watts

SARA response—67 Harbour Esplanade, Burnett Heads

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning (the department) on 6 February 2019.

Response

Outcome:	<ul style="list-style-type: none"> Referral agency response – with conditions Under section 56(2)(a) of the <i>Planning Act 2016</i>, the department advises it has no requirements to the extent the application is for a variation request
Date of response:	13 March 2020
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Material change of use	Preliminary approval that includes a variation request (Mixed used development – Burnett Harbour Marina Village) – office, shop, food and drink outlet, indoor sport and recreation,
--------------	------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DA Advisory Team (DAAT)
 Level 13, 1 William Street
 Brisbane QLD 4000
 Po Box 15009 City East QLD 4002

Page 1 of 8

1901-9384 SRA

short term accommodation and multiple dwellings

SARA role: Referral Agency

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017)
Development impacting on state transport and thresholds

Schedule 10, Part 17, Division 3, Table 6, Item 1 (Planning Regulation 2017)
Material change of use involving work in a coastal management district

SARA reference: 1901-9384 SRA

Assessment Manager: Bundaberg Regional Council

Street address: 67 Harbour Esplanade, Burnett Heads

Real property description: 1SP157913

Applicant name: BH Developments QLD Pty Ltd

Applicant contact details: 67 Barolin Street
Bundaberg QLD 4670
tim@insitesjc.com.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Duncan Livingstone, Principal Planner, on 34527180 or via email DAAT@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Phil Joyce
Director Development Assessment

cc BH Developments QLD Pty Ltd, tim@insitesjc.com.au

Department of Transport and Main Roads, Wide.Bay.Burnett.IDAS@tmr.qld.gov.au

Department of Environment and Science, Sara.CoastalWetlands@des.qld.gov.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Change representation provisions
Attachment 5 - Approved plans and specifications

1901-9384 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Preliminary Approval - Material Change of Use		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 — Development impacting on state transport and thresholds, The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	<p>The development must provide the internal pedestrian network and connectivity to Harbour Esplanade as shown on:</p> <ul style="list-style-type: none"> • 4.12 Pedestrian & Open Space Network, prepared by bda, dated 23 October 2018, Issue F • Figure 8-2: Additional footpath connections within the Traffic Impact Assessment – Bundaberg Gateway Marina Development, prepared RMA Engineers, dated 22 November 2019, RMA reference 13101, Revision 1, as amended in red by SARA. 	Prior to the commencement of use and to be maintained at all times
2.	<p>(a) Submit a detailed drawing for a new bus stop on the Harbour Esplanade frontage of the site to the District Director (Wide Bay Burnett) Program Delivery and Operations Unit, Wide Bay Burnett Region (Wide.Bay.Burnett.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads</p> <p>(b) The detailed drawing for the bus stop must:</p> <ol style="list-style-type: none"> (i) be prepared by a Registered Professional Engineer of Queensland (RPEQ) that (ii) locate the new bus stop along the Harbour Esplanade frontage of the site, as shown on 4.3 Overall Master Plan, prepared by bda, dated 23 October 2018, Revision F, as amended in red by SARA (iii) be in accordance with the TransLink <i>Public Transport Infrastructure Manual (PTIM) 2015</i>, the <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009</i>, and the <i>Disability Standards for Accessible Public Transport 2002</i> made under subsection 31(1) of the <i>Disability Discrimination Act 1993</i>. <p>(c) Undertake the works for the bus stop generally in accordance with the detailed drawing required by part (a) and (b) of this condition.</p>	(a) - (c) Prior to the commencement of use
3.	<p>(a) Each Formal Arrival/Porte Cochere for buildings G, H and I as shown on 4.11 Parking, prepared by BDA, dated 23 October 2018, Issue F, must be designed and constructed to ensure that at least one parking bay is capable of accommodating a taxi suitable for use by people with disabilities.</p> <p>(b) The parking bays required in part (a) of this condition must be in accordance with the following:</p> <ul style="list-style-type: none"> • Disability Standards for Accessible Public Transport 2002 - subsection 31(1) of the <i>Disability Discrimination Act 1992</i>; 	(a) & (b) Prior to the commencement of use and to be maintained at all times

1901-9384 SRA

	<ul style="list-style-type: none"> AS1428.1 – Design for Access and Mobility AS2890.6 – Parking Facilities, Part 6: Off-street parking for people with disabilities. 	
4.	<p>Road works comprising a Rural Channelised Right turn (CHR) at the northern approach of the Port Road/Burnett Heads Road intersection must be designed and constructed generally in accordance with the following:</p> <ul style="list-style-type: none"> Figure 7.7 of Austroads <i>Guide to Road Design Part 4A Unsignalised and Signalised Intersections 2009</i> The Department of Transport and Main Roads' <i>Road Planning and Design Manual 2nd Edition, Technical Standards and Standard Drawings Roads</i>. 	Prior to the commencement of use

1901-9384 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.4]. If a word remains undefined it has its ordinary meaning.
Public passenger transport	
2.	<p>The detailed design of the bus stop as referenced in condition 2 should be submitted to the TransLink Division of the Department of Transport and Main Roads (DTMR) prior to construction or any works commencing. Please contact the DTMR TransLink Division on (07) 3851 8700 or at bus_stops@translink.com.au.</p> <p>The DTMR TransLink <i>Public Transport Infrastructure Manual (PTIM) 2015</i> and <i>Signage Manual Bus Network Transport Infrastructure</i> December 2016 are available at: https://translink.com.au/about-translink/reports-and-publications</p>
3.	The existing urban bus route no. 5 extending along the Harbour Esplanade frontage of the subject site must be able to function during construction of the proposed development and during any associated roadworks. Accordingly, if any temporary arrangements are required, the applicant must reach agreement on suitable arrangements with the DTMR TransLink division via e-mail (temporary_closures@translink.com.au) prior to any construction works commencing.
Road works approval in a state – controlled road environment	
4.	<p>Condition No. 4 of the SARA response includes a requirement for road works on a state-controlled road. Under Section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the DTMR to carry out works on a state-controlled road.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer Queensland (RPEQ). The road works approval process takes time – please contact the DTMR as soon as possible to ensure that gaining approval does not delay construction.</p> <p>For further information, please contact the DTMR Bundaberg Office via e-mail (Wide.Bay.Burnett.IDAS@tmr.qld.gov.au) or by phone on (07) 4154 0200 and quote 'TMR19-026588'.</p>

1901-9384 SRA

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- To ensure compliance with the State Development Assessment Provisions, version 2.4
- To ensure the road works on, or associated with, the state-controlled road network is undertaken in accordance with applicable standards
- To maintain the safety and efficiency of the state-controlled road
- To provide for safe, direct and convenient pedestrian access to existing and future public passenger transport infrastructure
- To provide for appropriate future public passenger transport infrastructure.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.4]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system.

1901-9384 SRA

Attachment 4—Change representation provisions

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1901-9384 SRA

Attachment 5—Approved plans and specifications

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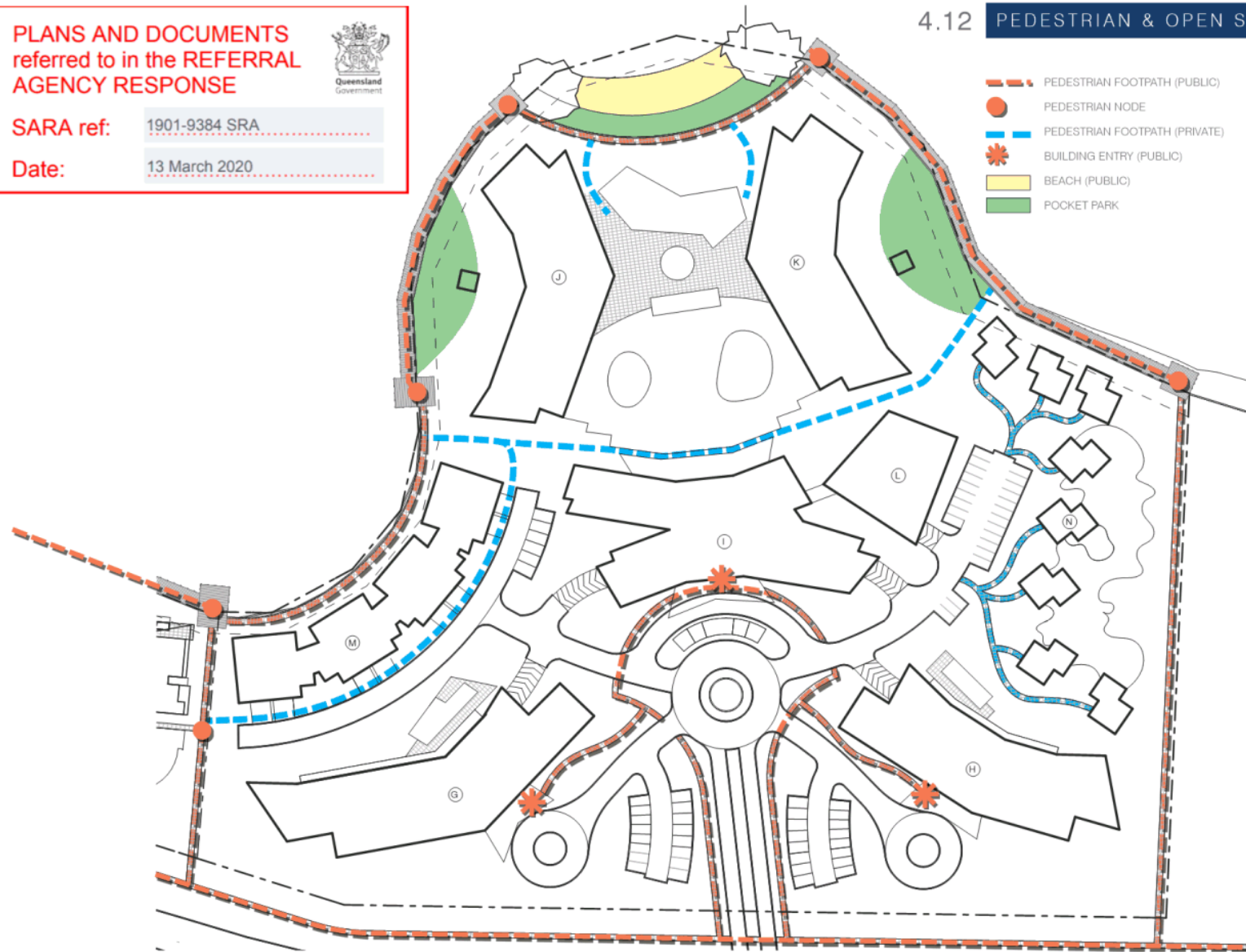
PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



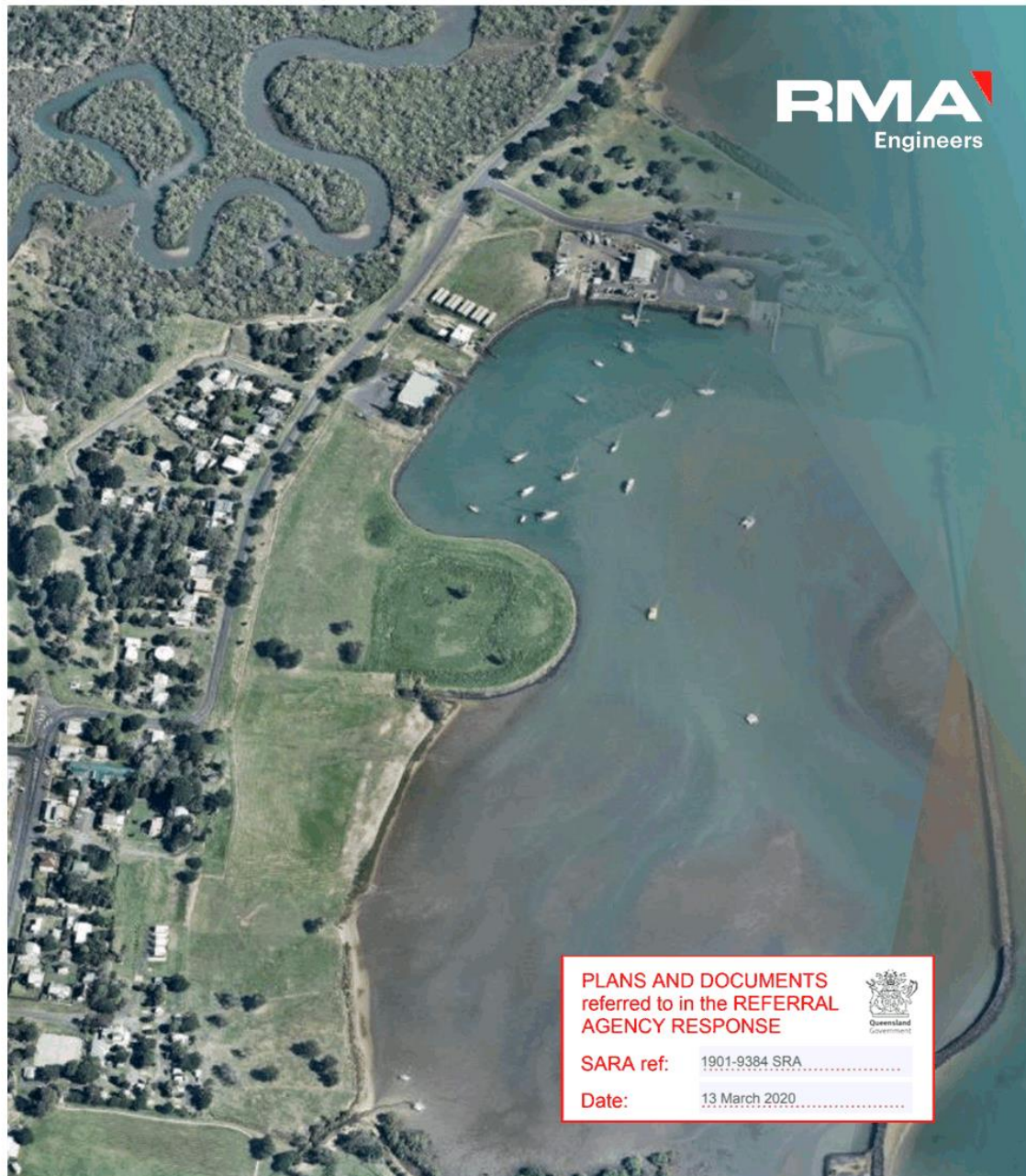
SARA ref: 1901-9384 SRA

Date: 13 March 2020

4.12 PEDESTRIAN & OPEN SPACE NETWORK



- PEDESTRIAN FOOTPATH (PUBLIC)
- PEDESTRIAN NODE
- PEDESTRIAN FOOTPATH (PRIVATE)
- BUILDING ENTRY (PUBLIC)
- BEACH (PUBLIC)
- POCKET PARK



TRAFFIC IMPACT ASSESSMENT

Bundaberg Gateway Marina Development

Traffic Engineering Report (Preliminary Approval)

Date 22 November 2019

Project number 13101



REPORT CONTROL SHEET

RMA ref.	13101
Project name:	Burnett Heads Harbour Village Development
Report title:	Traffic Impact Assessment – Traffic Engineering Report (Preliminary Approval)
Report author:	Sheldon Lopez / Adam Gwatking

Document control						
Revision	Author	Reviewer	Approved for issue			
			Name	RPEQ no.	Signature	Date
A (Draft)	S Lopez	A Gwatking	A Gwatking	15158	-	10/10/19
B (Draft)	S Lopez	A Gwatking	A Gwatking	15158	-	22/10/19
1 (Final)	A Gwatking	B Brown	A Gwatking	15158		22/11/19

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Disclaimer:

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The conclusions in this report should not be read in isolation. We recommend that its contents be reviewed in person with the author so that the assumptions and available information can be discussed in detail to enable the reader to make their own risk assessment in conjunction with information from other sources.

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**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**


SARA ref: 1901-9384 SRA

Date: 13 March 2020

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 1901-9384 SRA

Date: 13 March 2020




~~The proposed active transport provisions, developed in consultation with Council, is designed in consideration of logic, legibility, accessibility and desire lines. As shown Figure 8-1, pedestrian or shared paths are separated from driveway crossovers to minimise conflicts between pedestrians and vehicles.~~

~~It is identified that additional internal pathways can be incorporated within the design to further enhance pedestrian connectivity and safety. These additional connections are shown in Figure 8-2 and can be incorporated into the future designs of the development as part of future development applications.~~



Figure 8-2: ~~Potential~~ Additional footpath connections

~~It is anticipated that time separated pedestrian crossings (i.e. 'zebra' crossings) along Harbour Esplanade will be considered by Council as part of its further Local Plan implementation.~~

~~In consideration of future bus network planning and infrastructure, the development layout includes active transport permeability to Harbour Esplanade and the boardwalk along the foreshore.~~

~~It should be noted that pedestrian safety should also be considered in further detailed design of the development, such as Crime Prevention Through Environmental Design principles and the provision of adequate barriers (such as balustrading) of paths and boardwalk interfaces with the ocean (or edge drops).~~

Amended in red by SARA on
13 March 2020

4.3 OVERALL MASTER PLAN

~~STAGE 2~~



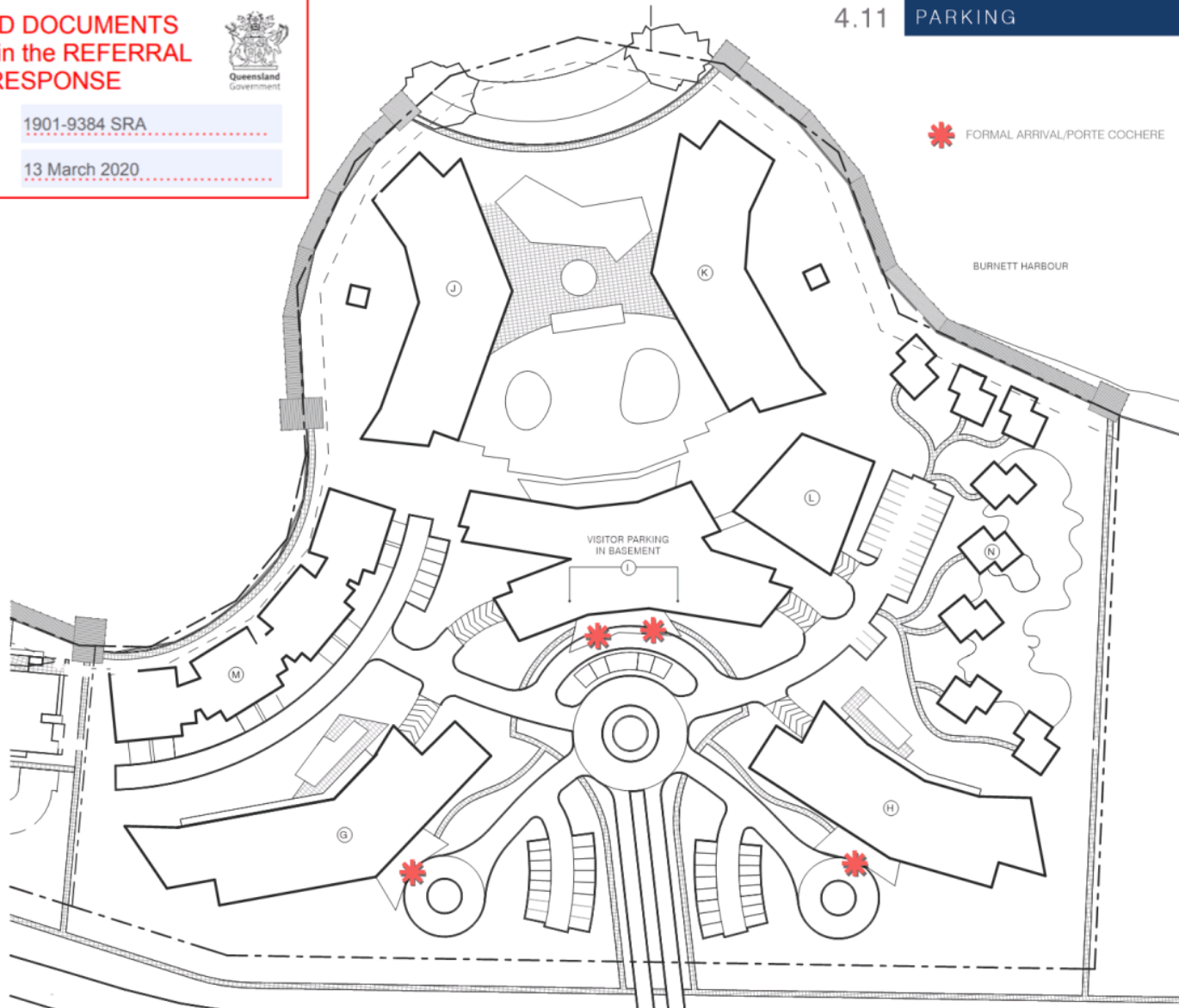
**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 1901-9384 SRA

Date: 13 March 2020

4.11 PARKING



FORMAL ARRIVAL/PORTE COCHERE

BURNETT HARBOUR

VISITOR PARKING
IN BASEMENT

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Ashlee Dickinson

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Friday, 13 March 2020 2:24 PM
To: duncan.livingstone@dsdmip.qld.gov.au; Development
Cc: tim@insitesjc.com.au
Subject: 1901-9384 SRA application correspondence
Attachments: Attachment 5 - Approved plans and specifications.pdf; GE83-N Representations about a referral agency response.pdf; RA6-N Response with conditions.pdf

Please find attached a notice regarding application [1901-9384 SRA](#).

If you require any further information in relation to the application, please contact the Department of State Development, Manufacturing, Infrastructure and Planning on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

RA6-N



Department of State Development,
Manufacturing, Infrastructure and Planning

Email Id: RFLG-0320-0007-1729

**Item****15 December 2020****Item Number:**

O1

File Number:**Part:**

COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Lease - Lot 218 on SP170700 - Bargara Lions

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus
 - 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Background:

14 School Lane, Windermere known as the Old Barolin State School on Lot 218 on SP170700 is a State owned reserve for recreation which Council is the Trustee of ('Property').

Lions Club of Bargara Inc ('Bargara Lions') wish to Lease part of the Property for a storage shed. The term of the Lease will be 10 years, rent will be at the community rate of \$55 inclusive of GST per year. The Bargara Lions will be responsible for all costs associated with the Lease and 100% of outgoings.

Council proposes to apply the exception to the tender/auction requirements contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) given that the disposal is to a community organisation.

Associated Person/Organization:

Lions Club of Bargara Inc

Consultation:*Nil***Chief Legal Officer's Comments:**

Section 236(1)(b)(ii) of *Local Government Regulation 2012* (Qld) allows Council to dispose of an interest in a valuable non-current asset other than by tender or auction on the basis the disposal is to a community organisation.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a 10 year Lease with the Lions Club of Bargara Inc for part of the land at Lot 218 on SP170700.**

**Item****15 December 2020****Item Number:**

O2

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Renewal of Lease - Community Lifestyle Support Ltd - Lot 218 on SP170700

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus
- 3.2.3 Administer statutory compliant governance operations incorporating insurance;
risk management; property management and Council policies and procedures.

Background:

14 School Lane, Windermere known as the Old Barolin State School on Lot 218 on SP170700 is a State owned reserve for recreation which Council is the Trustee of ('Property').

Community Lifestyle Support Ltd ACN 615 836 630 have a current lease over part of the Property which is due to expire on 30 June 2022. Community Lifestyle Support have verbally agreed to surrendering their lease to allow the Lions Club of Bargara Inc to lease part of their unused lease area.

A new lease for Community Lifestyle Support for the remaining lease area will need to be entered into. The basic terms of the lease will be an initial lease term of 5 years, rent will be at market value and 100% of outgoings payable by the tenant. All other terms will be as per Council's standard terms.

Council proposes to apply the exception to the tender/auction requirements contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) given that the disposal is for the purposes of renewing the lease of the land to the existing tenant of the land.

Associated Person/Organization:

Community Lifestyle Support Ltd ACN 615 836 630

Lions Club of Bargara Inc

Consultation:

Nil

Chief Legal Officer's Comments:

Section 236(1)(c)(iii) of *Local Government Regulation 2012* (Qld) allows Council to dispose of an interest in a valuable non-current asset other than by tender or auction on the basis the disposal is for the purpose of renewing a lease to an existing tenant on the basis that it is for market rent.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council apply the exception contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a 5 year Lease with the Community Lifestyle Support Ltd ACN 615 836 630 for part of the land at Lot 218 on SP170700.**

**Item****15 December 2020****Item Number:**

O3

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Renewal of Lease - Telstra Corporation Limited - Lot 4 on SP298190

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our People, Our Business - 3.2 Responsible governance with a customer-driven focus
 - 3.2.3 Administer statutory compliant governance operations incorporating insurance;
 risk management; property management and Council policies and procedures.

Background:

Council is the freehold owner of Lot 4 on SP298190 at Lot 4 Buxton Road, Isis River.
 The property is currently listed on Council's website for sale.

Australian Telecommunications Corporation has lease over a portion of the property.
 Australian Telecommunications Corporation became Telstra Corporation Limited in
 1993. The lease has expired and is now operating under holding over provisions.

Telstra Corporation Limited wish to enter into consecutive leases for a term of 10 years
 each. Rent will be for market value.

Council proposes to apply the exception to the tender/auction requirements contained
 in section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) given that the
 disposal is for the purposes of renewing the lease of the land to the existing tenant of
 the land.

Associated Person/Organization:

Telstra Corporation Limited

Consultation:

Nil

Chief Legal Officer's Comments:

Section 236(1)(c)(iii) of *Local Government Regulation 2012* (Qld) allows Council to
 dispose of an interest in a valuable non-current asset other than by tender or auction

on the basis the disposal is for the purpose of renewing a lease to an existing tenant on the basis that it is for market rent.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council apply the exception contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into consecutive 10 year Leases with the Telstra Corporation Limited ABN 33 05 775 556 for part of the land at Lot 4 on SP298190.**

**Item****15 December 2020****Item Number:**

S1

File Number:

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Part:TOURISM & REGIONAL
GROWTH**Portfolio:**

Community & Environment

Subject:

Sole Supplier Arrangement with Qantas Airways Ltd

Report Author:

Greg Barrington, Manager Airport Operations

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Community - 1.1 Economic growth and prosperity - 1.1.3 Proactively advocate, attract and support economic development related opportunities across the region, specifically targeting priority industries.

Background:

The Government of Queensland has established the \$5m Domestic Aviation Route Restart Program. The program is a one-off support package responding to the need to stimulate the domestic travel market and a return of regional airline services to pre-COVID-19.

The key principle of the program is to stimulate aviation demand by allowing airports to negotiate directly with airlines to increase service frequency / capacity and by funding marketing activity in partnership with Tourism and Events Queensland (TEQ) / Regional Tourism Organisations, linked to the TEQ "Good to Go" messaging. The program does not require a financial co-contribution by Council.

The program is administered through the Department of State Development, Tourism and Innovation by TEQ, which has notified each Queensland airport how much funding from the program had been allocated to the airport.

The program's funding agreement was signed for Council and the funds have been received.

Council has received proposals from Qantas to use the funding to support increased capacity on the Bundaberg – Brisbane route, and to participate in a marketing promotion in the Qantas magazine to target its high tier frequent flyers, who are known to respond to this kind of promotion. A proposal from Bundaberg Tourism did not meet eligibility criteria for funding by the program.

After Qantas' resumption of service to Bundaberg, Alliance Airlines suspended its operations and terminated its ground handling arrangements at Bundaberg. Consequently, there is only one airline with whom to negotiate for increased frequency / capacity.

Associated Person/Organization:

Sharyn Brydon / Scott Russell - Tourism and Events Queensland
Seb Mackinnon / Paulette Parisi - Qantas Airways

Consultation:

NA

Chief Legal Officer's Comments:

Section 235(a) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that there is only one supplier that is reasonably available.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That Council authorise the CEO to enter into an arrangement with Qantas Airways Ltd for the provision of services eligible for funding by the Domestic Aviation Route Restart Program without seeking competitive quotations or tenders pursuant to section 235 of the *Local Government Regulation 2012*.

**Item****15 December 2020****Item Number:**

S2

File Number:

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Part:TOURISM & REGIONAL
GROWTH**Portfolio:**

Community & Environment

Subject:

Partnership & Sponsorship Grant Application - YMCA of Bundaberg Ltd (Bundaberg Disability Resource Centre incorporating the Toy Library)

Report Author:

Heidi Mason, Team Leader Events

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Community - 1.2 Safe, active, vibrant and inclusive community - 1.2.3 Support and facilitate community programs, networks, projects and events that promote social connectedness; and active and healthy community life.

Background:

An application, pursuant to the Partnerships & Sponsorships grant program, has been received from the YMCA of Bundaberg, seeking Council's continued financial assistance. \$10,000 is sought to assist with the delivery of the Toy Library programs in the 2020/21 financial year.

An outline of items which the funding will be used for is below:-

- Plan and host small events to engage the local community – children, parents & caregivers;
- Fund the purchase of new resources and to update the board games collection;
- Continue to operate a professional BDRC and Toy Library that provides a valuable support service to families, schools and organisations in the Region;
- Promotion of the Bundaberg Disability Resource Centre & Toy Library; and
- Support and promote community events

The Bundaberg Disability Resource Centre incorporating the Toy Library is managed by the YMCA Bundaberg, a not for profit registered charity. The organization was established in 1986 by local parents to provide access to specialized equipment and developmentally appropriate toys for children with special needs. Since that time, it has grown to have more than 3000 resources.

The Centre is a valued resource for the community as it is the only service in the region offering specialized equipment for people with disabilities and cost-effective play opportunities for families.

Associated Person/Organization:

NA

Consultation:

Portfolio Spokesperson: Cr Tracey McPhee
Divisional Councillor: Cr John Learmonth

Chief Legal Officer's Comments:

The funding is provided in accordance with Council policy.

Policy Implications:

The provision of the Grant funding is in accordance with Policy.

Financial and Resource Implications:

\$10,000 has been allocated in the 2020/21 budget for this activity.

Risk Management Implications:

Risk management for this program is the responsibility of the organiser.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That Council provide financial support in the amount of \$10,000 (plus GST where applicable) pursuant to Council's Partnerships Grant Program to the YMCA of Bundaberg Ltd (ABN 14 652 841361).