

**AQUIS RESORT AT THE GREAT BARRIER REEF PTY LTD**  
**ENVIRONMENTAL IMPACT**  
**STATEMENT**

**VOLUME 5**

**APPENDIX D**  
**DRAFT AQUIS**  
**LOCAL PLAN**

# **AQUIS LOCAL PLAN**

**June 2014**

DRAFT

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## 1.0 INTRODUCTION

### 1.1 Short Title

This document may be cited as the *Aquis Local Plan*.

### 1.2 Land to which the Aquis Local Plan (ALP) applies

The ALP applies to that part of the Cairns Regional Council Local Government Area which is subject to the Preliminary Approval Overriding the Planning Scheme, identified within the land described in **Schedule 1** (*Aquis Development Site*). The preliminary approval, pursuant to S.242 of the *Sustainable Planning Act* (SPA) 2009 was issued on .....2014.

### 1.3 Purpose of the ALP

The purpose of the ALP is to provide a planning framework for managing development within the subject land by including:-

- (a) a *Precinct Plan* (ALP1) nominating the boundaries of the site and Precincts within the ALP Area;
- (b) a *Concept Master Plan* (ALP2) describing the general location, form and nature of land use within each Precinct;
- (c) a *Table of Assessment* identifying levels of assessment and assessment criteria for development within each Precinct; and
- (d) a *Development Code* containing performance criteria and acceptable outcomes for certain land uses and infrastructure in the ALP area.

### 1.4 Effect of the ALP under the *Sustainable Planning Act 2009*

- (1) This ALP functions as part of the Preliminary Approval, varying the effect of the Cairns Regional Council Planning Scheme 2009 (CairnsPlan 2009) as it relates to a development known as the *Aquis Resort at The Great Barrier Reef (Aquis Resort)*, pursuant to section 242 of the *Sustainable Planning Act* (SPA) 2009, by:-

- (a) stating levels of assessment for development in the *ALP* Area that are different to the levels of assessment stated for the site in the CairnsPlan 2009; and
  - (b) identifying applicable Codes that are different to Codes included in the CairnsPlan 2009; and
  - (c) in all other respects relying on codes included in the CairnsPlan 2009.
- (2) In accordance with section 341(1) (b) of the SPA, there is no *relevant period* proposed for the Approval.
- (3) To remove any doubt, this ALP anticipates that any development that is subject to a level of assessment that is code or impact will be subject to referral to Advice and Concurrence agencies pursuant to the relevant provisions of SPA (2009.)

## 2.0 STRUCTURE OF THE ALP

### 2.1 Precinct Plan (ALP1) and Concept Master Plan (ALP2)

(1) The *Precinct Plan* (ALP1) is attached at **Schedule 2**.

(2) The *Precinct Plan* identifies:-

- (a) the boundaries of the subject land and each Precinct; and
- (b) Precincts:
  - Resort Complex;
  - Sport and Recreation; and
  - Environmental Management and Conservation.

(3) The *Concept Master Plan* (ALP2) is attached at **Schedule 3**.

(4) The *Concept Master Plan* identifies:

- the general layout of water bodies, buildings, major structures, land uses, roads, access to the local road network, and services facilities;
- vegetation protection and rehabilitation areas; and
- key location and separation between some uses and adjoining or nearby environmental resources, land use or activities; generally with respect to the subject land's relationship to its locality.

### 2.2 Table of Assessment

(1) The Table of Assessment is described in Section 4.0.

(2) The Table of Assessment identifies the level of assessment and assessment criteria for development in the ALP area.

## 2.3 Applicable Codes

The ALP comprises the following applicable Codes:

- (a) the ALP Development Code that applies to self-assessable and code assessable development on the site; and
- (b) the CairnsPlan 2009 Codes that apply to self-assessable and code assessable development on the site.

## 2.4 Compliance with the Codes

- (1) The following provisions apply in determining compliance with a Code/s applicable under the ALP for self-assessable development:
  - (a) Development must comply with the identified acceptable outcomes of the ALP Development Code; and
  - (b) Development must comply with the identified probable solutions of the relevant CairnsPlan 2009 Code.
- (2) Where self-assessable development does not comply with the identified acceptable outcomes / probable solutions of the applicable Code/s, the development becomes code assessable development.
- (3) The following provisions apply in determining compliance with a Code/s applicable under the Aquis Local Plan for code assessable development:
  - (a) development complies with the ALP Development Code if it complies with the purpose of the Code;
  - (b) development which complies with the overall outcomes of the ALP Development Code complies with the purpose of the Code;
  - (c) development which complies with the performance outcomes of the ALP Development Code complies with the Code overall outcomes and the purpose of the Code;

- (d) where acceptable outcomes are identified for performance outcomes, development which complies with the acceptable outcomes complies with the performance outcomes, Code overall outcomes and the purpose of the ALP Development Code; and
  - (e) development complies with a CairnsPlan 2009 Code if the development is consistent with the overall outcomes of the relevant Code. Development which complies with the specific outcomes complies with the overall outcomes. A probable solution provides a guide for achieving the corresponding specific outcome in whole or in part.
- (4) Impact assessable development is to be assessed against the entire Planning Scheme, as deemed relevant by the assessment manager.



### 3.0 INTERPRETATION

#### 3.1 Terms defined in the *Sustainable Planning Act 2009*

Terms defined in the *Sustainable Planning Act 2009* which are used in the ALP have the meaning given in the *Sustainable Planning Act 2009*.

#### 3.2 Terms defined in the ALP

The dictionary at **Schedule 4** defines a suite of use definitions peculiar to the ALP.

#### 3.3 Terms defined in the Cairns Regional Council CairnsPlan 2009

Terms defined in the Planning Scheme which are used in the ALP have the meaning given in the Planning Scheme, other than the use definitions in Schedule 4 or unless identified otherwise.

#### 3.4 Relationship between CairnsPlan 2009 and the ALP

Where there is conflict between the ALP and the Cairns Regional Council CairnsPlan 2009, the ALP prevails to the extent of any inconsistency.

#### 4.0 TABLE OF ASSESSMENT

The following table identifies the levels of assessment for Material Change of Use development in the ALP Precinct areas.

Consistent with the definition of *use* in **Schedule 4**, activities which are ancillary, supplementary or necessarily associated with a predominant use do not trigger an MCU application. This includes maintenance.

Where a use and activity is not mentioned in this section, it is subject to Impact Assessment.

##### Material Change of Use

Use	Level of assessment	Assessment criteria
<b>Resort Complex Precinct</b>		
Park	Exempt	
Parking Station	Self-assessment	
		Aquis Local Plan Code Parking and Access Code Infrastructure Works Code
Caretaker's accommodation	Self-assessment	
		Aquis Local Plan Code Caretaker's Residence Code
Utility Installation	Self-assessment	
		Aquis Local Plan Code
Indoor sport and Recreation	Code-assessment	
		Aquis Local Plan Code Infrastructure Works Code Landscaping Code Parking and Access Code
Shop	Code-assessment	
		Aquis Local Plan Code Shopping and Business Facilities Code Infrastructure Works Code

		Landscaping Code Parking and Access Code
Temporary workforce accommodation	Code-assessment	
		Aquis Local Plan Code Short Term Accommodation Code Infrastructure Works Code Landscaping Code Parking and Access Code
Resort Complex	Code-assessment	
		Aquis Local Plan Code Infrastructure Works Code Landscaping Code Parking and Access Code
Theatre	Code-assessment	
		Aquis Local Plan Code Infrastructure Works Code Landscaping Code Parking and Access Code
All other uses & non-defined uses	Impact-assessment	
		Aquis Local Plan Code Relevant Land Use Code Infrastructure Works Code Landscaping Code Parking and Access Code

### Sport and Recreation Precinct

Park	Exempt	
Parking Station	Self-assessment	
		Aquis Local Plan Code
Caretaker's accommodation	Self-assessment	
		Aquis Local Plan Code Caretaker's Residence Code
Utility installation	Self-assessment	
		Aquis Local Plan Code

<b>Food and drink outlet</b>	<b>Code assessment</b>	
		Aquis Local Plan Code Parking and Access Code
<b>Indoor sport and recreation</b>	<b>Code assessment</b>	
		Aquis Local Plan Code Parking and Access Code
<b>Outdoor sport and recreation</b>	<b>Code-assessment</b>	
		Aquis Local Plan Code Infrastructure Works Code Landscaping Code Parking and Access Code
<b>All other uses &amp; non-defined uses</b>	<b>Impact-assessment</b>	
		Aquis Local Plan Code Relevant Land Use Code Infrastructure Works Code Landscaping Code Parking and Access Code

### Environmental Management and Conservation Precinct

<b>Environment facility</b>	<b>Self-assessment</b>	
		Aquis Local Plan Code
<b>All other uses</b>	<b>Impact (inconsistent)</b>	

## 5.0 AQUIS LOCAL PLAN DEVELOPMENT CODE

### 5.1 Application

This Code applies to assessing Material Change of Use and Building Work for self-assessable and assessable development that is identified within the Precinct Plan enclosed in **Schedule 2**.

### 5.2 Purpose

- (1) The purpose of the Code is to ensure that development in the ALP area is consistent with the overall outcomes of the Aquis Local Plan Development Code.
- (2) The purpose of the Code will be achieved through the following overall outcomes:
  - a) The Aquis Resort at The Great Barrier Reef (Aquis Resort) is to be a fully integrated master planned resort and tourist facility;
  - b) Aquis will create an internationally recognizable architectural statement that reflects its tropical context and celebrates the unique regional values of Reef and Rainforest.
  - c) Building height, design, location, setting, construction and management reflects key design limitations for the protection of the operations of the Cairns International Airport
  - d) Development within the ALP area reflects the following Precinct intents:

#### Resort Complex Precinct:

This Precinct is the main feature of the Aquis Resort at The Great Barrier Reef and will be developed with a range of accommodation and ancillary features including luxury hotels, specialty retail, food and beverage outlets, cultural, entertainment and leisure uses, an aquarium, an international class casino and ancillary uses.

The Precinct will feature accommodation, casino, 2 x 600 seat theatres, a coral reef lagoon, an artificial lake around the built form. Development of Hotel accommodation will be up to a maximum height of 60m above the flood immunity level (7.5M AHD) or the OLS and Pans-OPS (whichever is lower) and will be designed to provide views of the resort and surrounding locality.

Pedestrian and vehicle access connections within the Precinct are strong, legible and safe with good passive surveillance from surrounding uses.

### Sport and Recreation Precinct:

This Precinct includes for indoor and outdoor recreation uses including a tennis club equestrian facilities and an 18 hole championship golf course, located on both the eastern and a community Sports and Recreation facility on the western side of Yorkeys Knob Road. The golf course will be available to both guests of the resort and members of the public.

Existing natural vegetation around the periphery of the Precinct is to be retained and enhanced through vegetation restoration. Passive recreational activities such as walking/cycling tracks and viewing platforms will be a feature of the Precinct.

### Environmental Management and Conservation Precinct:

This Precinct buffers major water courses, protects environmentally sensitive features and corridors and incorporates passive recreational areas. This Precinct buffers Richters Creek to the east and Yorkeys Creek to the west. Environmental management and conservation areas protect and enhance existing natural vegetation landscapes.

Performance outcomes	Acceptable outcomes
<b>P01</b> Development is consistent with the purpose statement for the Aquis Local Plan Development Code.	<b>AO1</b> No acceptable outcomes.
<b>P02</b> Development to be generally in accordance with the Concept Land Use Plan	<b>AO1.1</b> Maximum density does not exceed 7500 hotel rooms. <b>AO1.2</b> The distribution of land uses is to be generally in accordance with Schedule 3.
<b>P03</b> Development is to protect the operational aspects of Cairns International Airport.	<b>AO2.1</b> Maximum height for development in the Resort Complex precinct does not exceed 60m above the flood immunity level of 7.5 metres AHD, or the OLS and PANS-OPS, whichever is the lesser. <b>AO2.2</b> Maximum height in the Sport and Recreation precinct is 15 metres above flood immunity level of 7.5metres AHD or the OLS and PANS-OPS whichever is the lesser. <b>AO2.3</b> Maximum height in the Environmental management and Conservation Precinct is 15 metres. <b>AO 2.5</b> The nominated maximum height above is to the underside of the ceiling on the top-most storey/level. Roof structures and parapet detail are to demonstrate visual interest and a differentiation, in both height and design, from other buildings in the Precinct.

<p><b>P03</b></p> <p>Development protects the amenity of surrounding residential uses and is separated from sensitive receptors.</p>	<p><b>AO3.1</b></p> <p>Vehicle loading/unloading and refuse storage/collection facilities are located within an enclosed service yard or courtyard.</p> <p><b>AO3.2</b></p> <p>Site service facilities and areas are not located along the frontage to a public space.</p> <p><b>AO3.3</b></p> <p>The location of ventilation and mechanical plants ensures that prevailing breezes do not direct noise and odour toward nearby residential uses.</p> <p><b>AO3.4</b></p> <p>Accesses, driveways and service areas are located to minimise vehicle headlight impacts on adjacent development.</p> <p><b>AO3.5</b></p> <p>Windows and outdoor areas are designed such that they do not overlook adjacent residential uses.</p> <p><b>AO 3.6</b></p> <p>The following uses/features will be the minimum distance from the nearest residential zone of the Yorkeys Knob community, as nominated opposite the use/feature below:</p> <p>Golf Course Club House - 200metres</p> <p>Principal access to the Tourist Accommodation Precinct – 1000 metres.</p>
<p><b>P04</b></p> <p>New buildings maximise the availability of light and ventilation to adjoining development.</p>	<p>No acceptable outcomes are specified.</p>



<p><b>P05</b></p> <p>New development provides for active street frontages that contribute to the internal pedestrian focus.</p>	<p>No acceptable outcomes are specified.</p>
<p><b>P06</b></p> <p>Buildings, open spaces, roads and pedestrian links achieve a consistent, high quality urban and streetscape amenity through the use of:</p> <ul style="list-style-type: none"> <li>a. artwork;</li> <li>b. street furniture;</li> <li>c. functional and decorative footpath pavement features; and</li> <li>d. street trees.</li> </ul>	<p>No acceptable outcomes are specified.</p>
<p><b>P07</b></p> <p>Buildings are designed to define the gateways and edges of the ALP area and, where practicable, each Precinct.</p>	<p>No acceptable outcomes are specified.</p>

<p><b>P08</b></p> <p>Development achieves architectural excellence and landscaped spaces which:</p> <ul style="list-style-type: none"> <li>a. creates an internationally recognizable architectural statement that reflects its tropical context and celebrates the unique regional values of Reef and Rainforest.;</li> <li>b. responds to the tropical climate to reduce energy consumption;</li> <li>c. has a high level of amenity; and</li> <li>d. promotes variety and visual interest.</li> </ul>	<p>No acceptable outcomes are specified.</p>
<p><b>P09</b></p> <p>A sense of arrival in or departure from Yorkeys Knob Road is achieved and the character of the site and its precincts strengthened through well-defined:</p> <ul style="list-style-type: none"> <li>a. gateway sites; and</li> <li>b. landmark buildings.</li> </ul>	<p>No acceptable outcomes are specified.</p>
<p><b>P010</b></p> <p>Buildings and structures are:</p> <ul style="list-style-type: none"> <li>a. Responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and</li> </ul> <p>Designed to minimise energy consumption.</p>	<p>No acceptable outcomes are specified</p>

# **SCHEDULE 1**

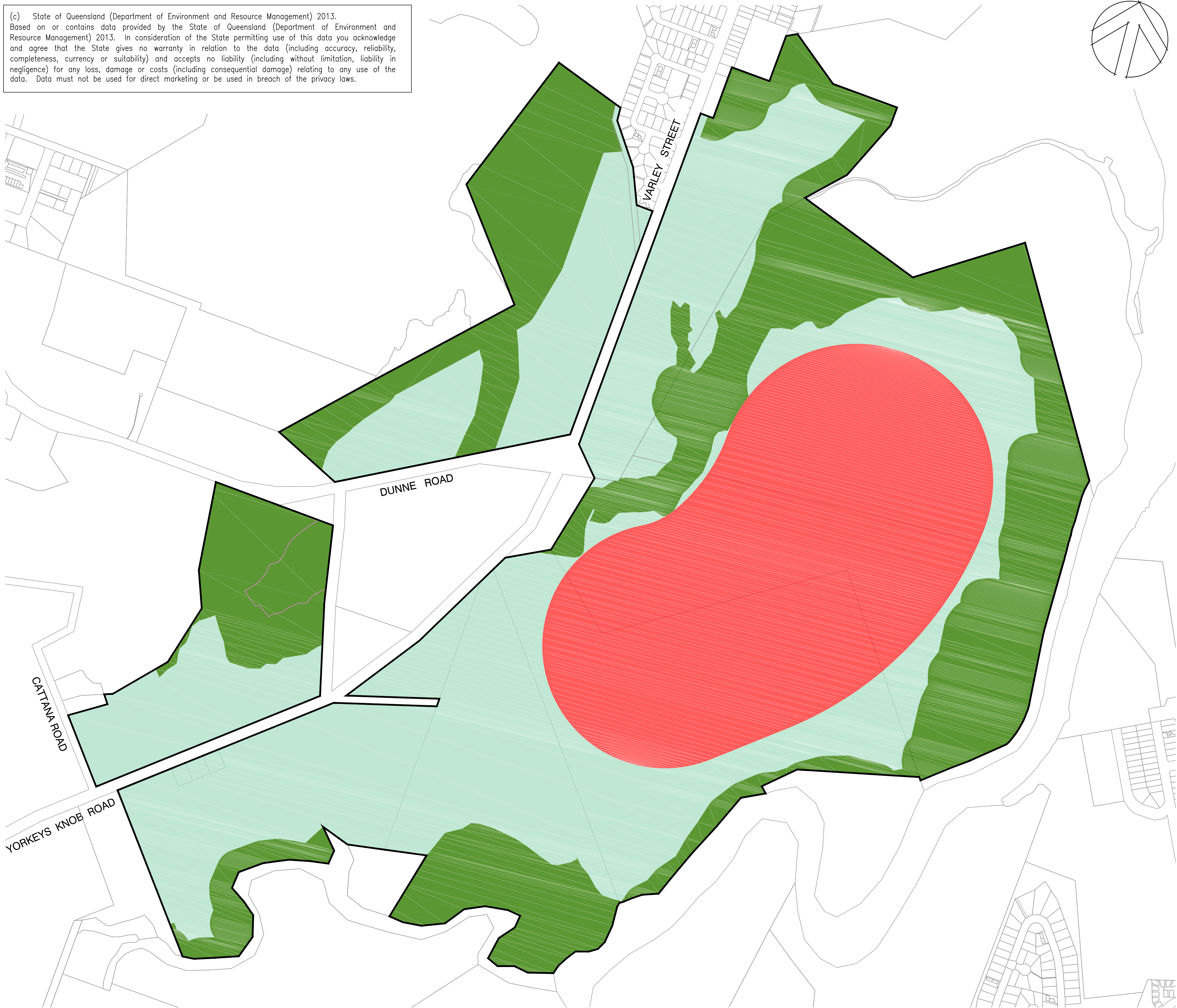
LOT AND PLAN DETAILS	AREA
Lot 100 on NR3818 Title Ref: 20983091	121.001ha
Lot 1 on RP800898 Title Ref: 21449027	40.835ha
Lot 2 on RP800898 Title Ref: 21449028	46.35ha
Lot 2 on RP745120 Title Ref: 21343157	26.7596ha
Lot 60 on RP835486 Title Ref: 21027116	43.24ha
Lot 4 on RP713690 Title Ref: 20503245	3.88ha
Lot 1 on RP724792 Title Ref: 20864025	2173m <sup>2</sup>
Lot 2 on RP746114 Title Ref: 21360116	2515m <sup>2</sup>
Lot 3 on RP746114 Title Ref: 21360117	2000m <sup>2</sup>
Lot 4 on RP746114 Title Ref: 21360118	28.266ha
Lot 4 on RP749342 Title Ref: 21418082	30.74ha

## **SCHEDULE 2**

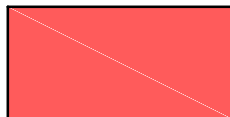
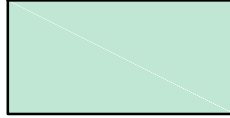

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## PRECINCTS

-  RESORT COMPLEX
-  SPORT AND RECREATION
-  ENVIRONMENTAL MANAGEMENT AND CONSERVATION



### AQUIS LOCAL PLAN PRECINCT PLAN

3528-ALP1

NTS  
A1 Full Size

Acad No. 3528-ALP1A.DWG

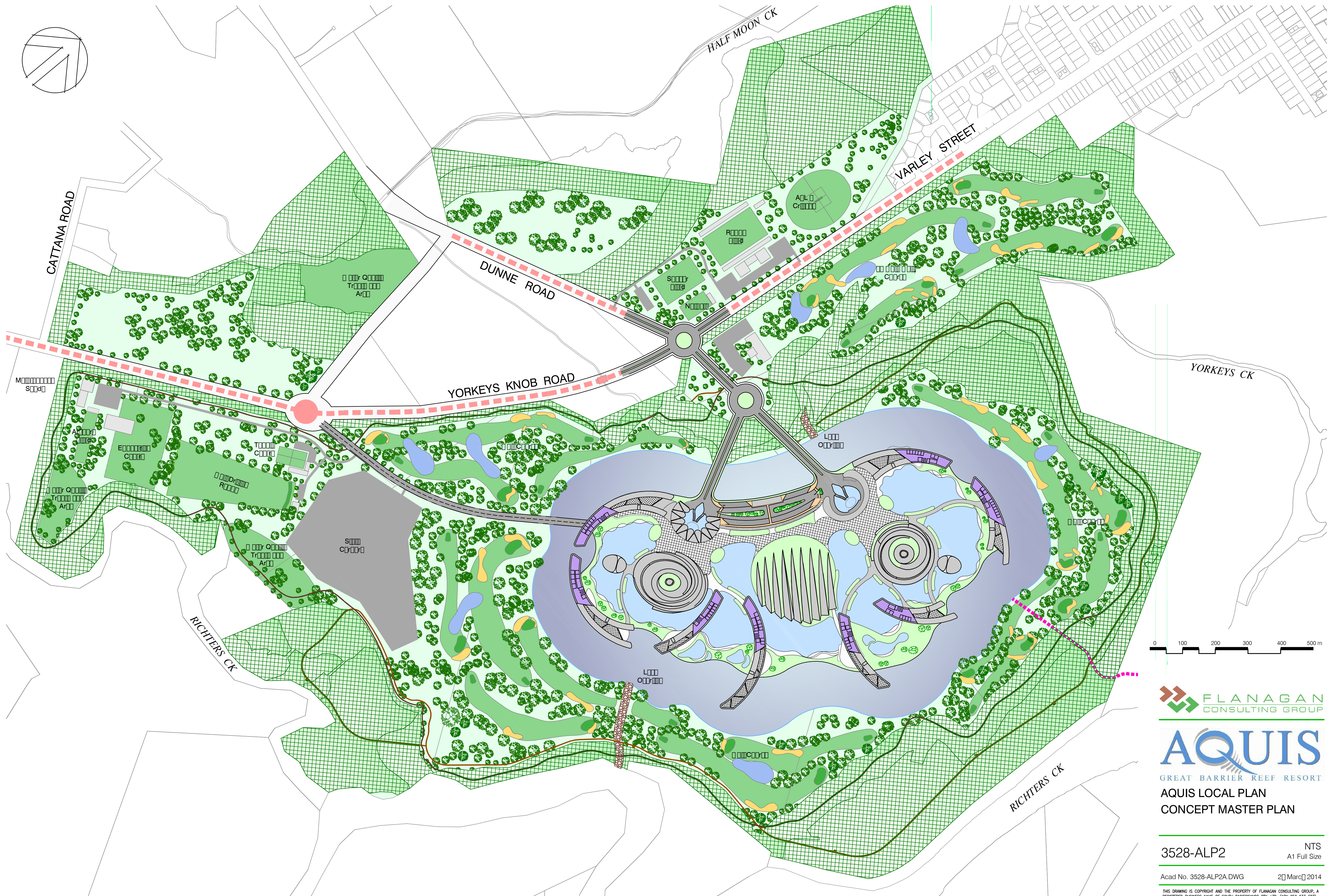
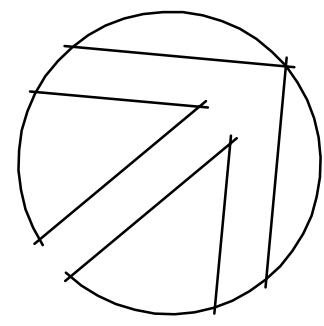
30 April 2014

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## **SCHEDULE 3**





**AQUIS**  
GREAT BARRIER REEF RESORT  
AQUIS LOCAL PLAN  
CONCEPT MASTER PLAN

3528-ALP2 NTS  
A1 Full Size

Acad No. 3528-ALP2A.DWG 21 March 2014

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## **SCHEDULE 4**

Column 1 Use	Column 2 Definition	Column 3 Examples Include	Column 4 Does not include the following examples
Caretaker's accommodation	A dwelling provided for a caretaker of a non-residential use on the same premises		Dwelling house
Environment Facility	Facilities used for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value.	Nature based attractions, walking tracks, seating, shelters, boardwalks, observation decks, bird hides.	
Food and drink outlet	Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site/	Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, take-away, team room	Bar, club, hotel, shop, theatre, nightclub entertainment facility.
Indoor sport and recreation	Premises used for leisure, sport or recreation conducted wholly or mainly indoors.	Amusement parlour, bowling alley, gymnasium, squash courts, enclosed tennis court.	Cinema, hotel, nightclub, entertainment facility, theatre.
Major sport, recreation and entertainment	Premises with large scale built facilities designed to cater for large scale events including major sporting, recreation, conference and entertainment events.	Convention and exhibition centres, entertainment centres,	Indoor sport and recreation, local sporting field, motor sport park, outdoor sport and recreation.
Nightclub entertainment facility	Premises used to provide entertainment, which may include cabaret, dancing and music.  The use generally includes the sale of liquor and food for consumption on site.		Club, hotel, tavern, pub, indoor sport and recreation, theatre, concert hall.
Temporary workforce accommodation	Premises used to provide accommodation for construction workers.  The use may include provision of recreational and entertainment facilities for the exclusive use of residents and their visitors.	Contractor's camp or, construction camp,	Relocatable home park, short term accommodation, tourist park.

Outdoor sport and recreation	Premises used for a recreation or sport activity that is carried on outside a building and requires areas of open space and may include ancillary works necessary for safety and sustainability.	Driving range, golf course, swimming pool, tennis courts, football grounds, cricket oval Equestrian facilities (stables and arenas)	Major sport, recreation and entertainment facility, motor sport park,
Shop	Premises used for the display, sale or hire of goods and services or the provision of personal services or betting to the public.	Hairdresser, liquor store, department store, discount department store, discount variety stores, betting agencies, supermarket, corner store	
Resort Complex	Premises used for tourist and visitor short-term accommodation that includes integrated leisure facilities including: <ul style="list-style-type: none"> <li>• restaurants and bars</li> <li>• meeting and function facilities</li> <li>• sporting and fitness facilities</li> <li>• staff accommodation</li> <li>• transport facilities directly associated with the tourist facility such as ferry terminal and air service</li> </ul>		
Theatre	Premises used for providing on-site entertainment, recreation or similar facilities for the general public.		Hotel, major sport, recreation and entertainment facility, nightclub entertainment facility.