



Land Use

7

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VERSION CONTROL: 28/06/2017

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7 Land Use and Planning Framework

7.1 Introduction

The *Sustainable Planning Act 2009* (SPA) and the *Sustainable Planning Regulation 2009* (SPR) currently provide a framework to integrate Queensland's planning and development assessment requirements, so that development and its effects are managed in a way that is ecologically sustainable. SPA establishes a hierarchy of planning instruments to coordinate and integrate planning, including the State Planning Policy, Regional Plans and planning schemes. It also manages the process by which development takes place through the Integrated Development Assessment System (IDAS). The following sections and **Appendix G - Planning Framework Assessment** provide an assessment of the Lindeman Great Barrier Reef Resort Project against the State's and Mackay Regional Council's planning framework as it applies to the site and discusses the project's compatibility with the existing and proposed land uses in the surrounding area.

The *Planning Act 2016* (Planning Act) was passed by the Queensland Parliament on 12 May 2016 and will commence in July 2017.

Addendum: This EIS was initially prepared assuming that the safe harbour was to be part of the Lindeman Great Barrier Reef Resort Project. With the commencement of the Great Barrier Reef Marine Park Authority's (GBRMPA) Dredging Coral Reef Habitat Policy (2016), further impacts on Great Barrier Reef coral reef habitats from yet more bleaching, and the recent impacts from Tropical Cyclone Debbie, the proponent no longer seeks assessment and approval to construct a safe harbour at Lindeman Island. Instead the proponent seeks assessment and approval for upgrades to the existing jetty and additional moorings in sheltered locations around the island to enable the resort's marine craft to obtain safe shelter under a range of wind and wave conditions. Accordingly, remaining references to, and images of, a safe harbour on various figures and maps in the EIS are no longer current.

7.2 Development Assessment under the SDPWO Act and SP Act

Under the *Sustainable Planning Regulation 2009* and the Mackay Planning Scheme certain types of development applications for material change of use, including parts of the Lindeman Great Barrier Reef Resort Project, will require impact assessment due to the zoning of the land and the levels of assessment in the planning scheme. As the project is subject to an EIS under the *State Development and Public Works Organisation Act 1971* (SDPWO Act), the Act states:

- (1) *To the extent the application is for a material change of use, or requires impact assessment, under the Sustainable Planning Act, or both—*
 - (a) *the information and referral stage and the notification stage of IDAS do not apply to the application; and*
 - (b) *there are no referral agencies, under the Sustainable Planning Act, for the application; and*
 - (c) *a properly made submission about the following is taken to be a properly made submission about the application under IDAS—*
 - (i) *a draft EIS or draft IAR for the project;*

- (ii) *any additional information required for the project that was publicly notified under section 34C(3); and*
- (d) *despite paragraph (b), until the development approval applied for has effect—*
 - (i) *the Coordinator-General's report for the EIS or IAR for the project is taken to be a concurrence agency's response for the application under IDAS; and*
 - (ii) *the Coordinator-General may exercise any power of the entity that, other than for paragraph (b), would have been the concurrence agency for the application.*
- (2) *Subsection (1)(c) does not apply if the application involves only a material change of use requiring code assessment under the Sustainable Planning Act.*
- (3) *In this section—*
 - material change of use see the Sustainable Planning Act, section 10(1).*

The proposed Lindeman Great Barrier Reef Resort project would require approval for material change of use and operational work under the Mackay City Planning Scheme 2006. Reconfiguring a lot approval is not sought at this stage, as this will be dependent on the outcomes of the proposed lease negotiations.

The SDPWO Act streamlines the development assessment process by enabling the public notification phase of the EIS to be considered the notification stage under the SPA for an impact assessable development application where involving a material change of use development application.

7.3 State Planning Policy

The State Planning Policy (SPP) contains 16 State interests that are important to protect and enhance through Queensland's continued development. It is a key component of the State's planning system that enables responsible development, contributing to a liveable, sustainable and prosperous Queensland (DILGP, 2017). The SPP provides clarity to local governments when making and amending local planning instruments and assessing development applications and assists applicants in preparing development applications. The SPP commenced 29 April 2016. The SPP is a broad and comprehensive statutory planning instrument, which enables development, protects our natural environment and allows communities to grow and prosper. The SPP applies to the:

- (1) *making or amending of a planning scheme, and*
- (2) *designation of land for community infrastructure by a Minister, and*
- (3) *making or amending of a regional plan, and*
- (4) *assessment of a development application mentioned in Part E, to the extent the SPP has not been identified in the planning scheme as being appropriately integrated in the planning scheme, and*
- (5) *carrying out of self-assessable development mentioned in Part F.*

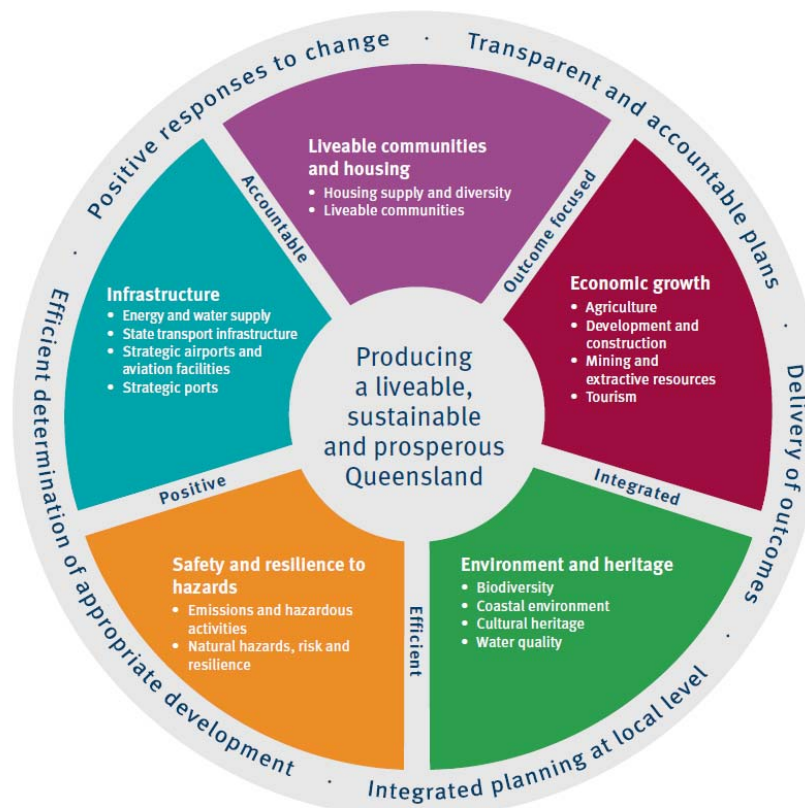
Part E of the SPP provides the interim development assessment requirements for Local Government's when assessing development applications to ensure that State interests are appropriately considered. Part E only applies to development assessment where the local government planning scheme has not yet appropriately integrated the State interests in the SPP. The Mackay Regional Council has not integrated the State interests in the SPP into the current Mackay City Planning Scheme and therefore Part E of the SPP applies.

7.3.1 State Interests

Key matters addressed by the State Planning Policy are identified in **Figure 7-1** and include:

- Planning for liveable communities and housing;
- Planning for economic growth, including development and construction and tourism;
- Planning for the environment and heritage including biodiversity; coastal environment; cultural heritage and water quality;
- Planning for safety and resilience to hazards including emissions and hazardous activities; natural hazards, risk and resilience; and
- Planning for infrastructure including for energy and water supply; State transport infrastructure; Strategic airports and aviation facilities.

Figure 7-1. State Interests (Source: State Planning Policy, 2016).



The proposal is considered to support the following key state interests:

- **Economic growth** – the proposal is for a tourism development that is appropriate and sustainable and seeks to maximise economic growth. The SPP acknowledges that tourism contributes significantly to “*creating and sustaining jobs, generating export revenue, and strengthening local and regional economies. The state’s interest in tourism seeks to support*”



these economic opportunities for local communities, regions and the state... Queensland is home to many world-class natural tourism assets. The Great Barrier Reef World Heritage Area in particular represents one of the most remarkable natural wonders of the world and is a significant driver of tourism in Queensland.” (p24);




- Environment and Heritage – the proposal has been designed to where possible avoid and otherwise minimise adverse impacts on matters of environmental significance such as biodiversity, coastal resources, cultural heritage and water quality;
- Safety and Resilience to Hazards – the proposal has been designed to minimise risk associated with natural hazards (bushfire, flooding and cyclones), as well as emissions and hazardous activities;
- Infrastructure – the proposal has been designed to provide a safe and reliable water, waste water and energy supply.

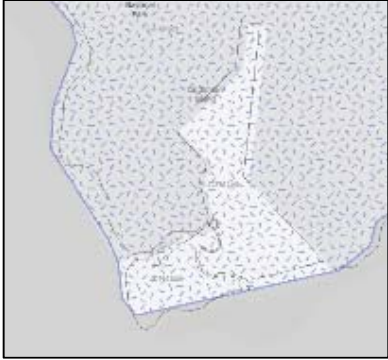
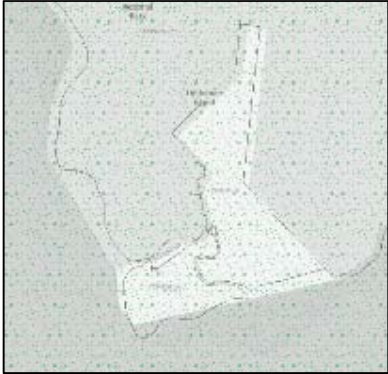
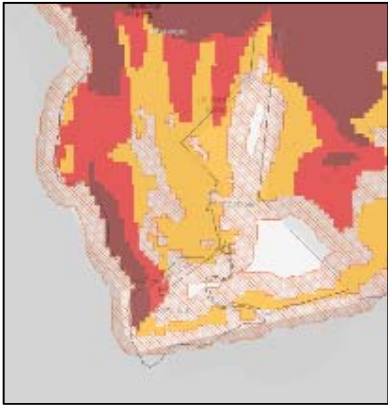
7.3.2 State Planning Policy Mapping



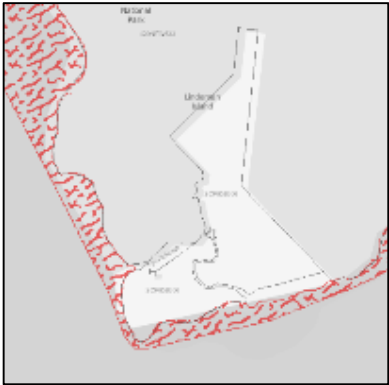
A review of the SPP interactive mapping has identified that parts of the site have the following attributes identified in the table below. The table also provides a description of these attributes and identifies whether the interim development assessment provisions in Part E of the SPP apply to the proposed development.



Table 7-1. State Planning Policy description and assessment.

| Attribute | Description and Assessment |
|---|---|
| State interest - Biodiversity | |
| MSES – Protected Area  | <p>Matters of State environmental significance (MSES) are defined in the Part G of the SPP. The definition reads as a list of natural values and areas, which are well defined and protected under Queensland Legislation. The MSES is made up of:</p> <ul style="list-style-type: none"> • Protected areas under the <i>Nature Conservation Act 1992</i>; • Marine parks and land within a ‘marine national park’, ‘conservation park’, ‘scientific research’, ‘preservation’ or ‘buffer’ zone under the <i>Marine Parks Act 2004</i>; • Areas within declared fish habitat areas under the <i>Fisheries Regulation 2008</i>; • Threatened wildlife under the <i>Nature Conservation Act 1992</i> and special least concern animal under the <i>Nature Conservation (Wildlife) Regulation 2006</i>; and • Regulated vegetation under the <i>Vegetation Management Act 1999</i>; • High preservation areas of wild river areas under the <i>Wild Rivers Act 2005</i>; • Wetlands in a wetland protection area of wetlands of high ecological significance under the <i>Environmental Protection Regulation 2008</i>; • Wetlands and watercourses in high ecological value waters as defined in the <i>Environmental Protection (Water) Policy 2009</i>; and |
| MSES – Marine Park  | |

| Attribute | Description and Assessment |
|---|--|
| <p><u>MSES – Wildlife Habitat</u></p>  | <ul style="list-style-type: none"> • Legally secured offset area. <p>The site is identified as including the following MSES:</p> <ul style="list-style-type: none"> • Protected areas; • Marine park; • Wildlife habitat; and • Regulated vegetation. <p>The interim development assessment provisions for the biodiversity State interest apply to any development application for a material change of use, reconfiguration of a lot or operational works where the land relates to a matter of State environmental significance. As identified the site is identified as including MSES and therefore the development assessment provisions in Part E of the SPP apply to the development. An assessment of the proposed development against the development assessment provisions has been included in Appendix G.</p> |
| <p><u>MSES – Regulated Vegetation</u></p>  | |
| State interest - Coastal environment | |
| <p><u>Coastal Management District</u></p>  | <p>A large portion of the site is included in the coastal management district under the coastal environment State interest of the SPP. The SPP seeks to protect and enhance the coastal environment and processes, while supporting opportunities for coastal-dependant development, compatible urban form, and safe public access along the coast. The interim development assessment provisions for the coastal environment State interest apply to any development application for a material change of use, reconfiguration of a lot or operational works on land in a coastal management district. The proposed development includes work within the coastal management district and therefore the development assessment provisions in Part E of the SPP apply to the development. An assessment of the proposed development against the development assessment provisions has been included in Appendix G.</p> |
| State interest - Water quality | |
| <p><u>Climatic Regions – stormwater management design objectives</u></p> | <p>The site is identified within in the climatic regions (stormwater management design objectives) under the water quality State interest of the SPP. The SPP seeks to protect and enhance the environmental values and quality of water in Queensland. The interim development assessment provisions in the Part E of the SPP for the water quality State interest apply to specific development in receiving waters, development in water supply catchments and</p> |

| Attribute | Description and Assessment |
|--|---|
|  | <p>development on land in an acid sulfate soils area. The development assessment provisions for the water supply catchment and acid sulfate soils. The development assessment provisions for the receiving water are identified as applying to the proposed development because the development will involve a material change of use for urban purposes on a land area greater than 2,500m² and will result in more than six dwellings. The proposal will also involve operational works for urban purposes disturbing more than 2,500m² of land. On this basis the development assessment requirements for the water quality State interest in Part E of the SPP apply.</p> <p>An assessment of the proposed development against the development assessment provisions for receiving waters has been included in Appendix G.</p> |
| State interest - Natural hazards, risk and resilience | |
| <p><u>Flood Hazard Area – Local Government flood mapping area</u></p>  | <p>The site is identified within the following hazard areas under the natural hazards, risk and resilience State interest:</p> <ul style="list-style-type: none"> • Flood hazard area (local government flood mapping area); • Bushfire hazard area; • Coastal hazard area (erosion prone area, medium storm tide inundation area and high storm tide inundation area) <p>An assessment of flooding impact is also included in Chapter 19 Flooding. The proposed development against the development assessment provisions has been included in Appendix G.</p> |
| <p><u>Bushfire Hazard Area</u></p>  | <p>An assessment of bushfire hazards is included in Chapter 21 Bushfire Assessment.</p> |

| Attribute | Description and Assessment |
|--|---|
| <p><u>Coastal Hazard Area – erosion prone area</u></p>  | <p>An assessment of the site's resilience to coastal hazards is included in Chapter 8 Coastal Processes.</p> |
| <p><u>Coastal Hazard Area – medium storm tide inundation area</u></p>  | <p>An assessment of the site's resilience to coastal hazards is included in Chapter 8 Coastal Processes of this EIS.</p> |
| <p><u>Coastal Hazard Area – high storm tide inundation area</u></p>  | <p>An assessment of the site's resilience to coastal hazards is included in Chapter 8 Coastal Processes of this EIS.</p> |

| Attribute | Description and Assessment |
|---|---|
| State interest - Strategic airports and aviation facilities | |
| <u>Obstacle Limitation Surface Contour</u>  | <u>Description</u> <p>The site is identified in the obstacle limitation surface contour and the obstacle limitation surface under the strategic airports and aviation facilities State interest. The State interest seeks to protect the operation of strategic airports and aviation facilities, and enable the growth and development of Queensland's aviation industry. The development assessment requirements for the strategic airports and aviation facilities applies to any development application that involves one of the following:</p> <ul style="list-style-type: none"> • Land located within a local government area that contains or is impacted by a strategic airport (Table 2 of the SPP); or • Land located within a local government area that contains an aviation facility if the development encroaches into the operational airspace or is on land within the 20 ANEF or greater, public safety area, lighting area buffer zone, wildlife hazard buffer or encroaches into the building restricted area. <p>The proposed development is located on land within the Mackay Local Government Area, which includes a strategic airport, and therefore the development assessment provisions in the Part E of the SPP apply to the development. The proposal is not identified as being within close proximity of an aviation facility identified in Appendix 2 of the State Planning Policy – State interest guideline for Strategic airport and aviation facilities.</p> <p>An assessment of the proposed development against the development assessment provisions has been included in Appendix G. Aviation aspects of the project are also addressed in Chapter 25 - Transport of the EIS.</p> |
| <u>Obstacle Limitation Surface</u>  | |

7.3.3 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out matters of interest to the State for development assessment, where the chief executive administering the SPA is responsible for assessing and deciding development applications. The SDAP is prescribed in the *Sustainable Planning Regulation 2009* and contains the matters the chief executive may have regard to when assessing a development application as either an assessment manager or a referral agency. The following table identifies the potential circumstances where the chief executive will be a referral agency for the development application under Schedule 7 of the *Sustainable Planning Regulation* and the SDAP codes which would apply to the assessment. An assessment of the proposed development against the development assessment provisions as identified in the following table has been included in **Appendix G**.

Table 7-2. Relevant State Development Assessment Provisions.

| Matter of Interest | Development Type | Relevant Provision of the Regulation | Relevant Module and Codes |
|--|---|--|--|
| Environmentally relevant activities | Material change of Use | Schedule 7, Table 2, Item 1 | Module 4: Environmentally relevant activities 4.1 Concurrence environmentally relevant activity state code |
| Taking or interfering with water | Operational works | Schedule 7, Table 2, Item 9 | Module 7: Water resources 7.1 Sustainable management of water resources state code |
| Tidal works, or development in a coastal management district | Operational works | Schedule 7, Table 2, Item 13 Schedule 7, Table 2, Item 18 (advice agency) | Module 10: coastal protection 10.1 Tidal works or development in the coastal management state code |
| Removal, destruction or damage of marine plants | Operational Works Material Change of Use | Schedule 7, Table 2, Item 30 Schedule 7, Table 2, Item 32 Schedule 7, Table 3, Item 25 | Module 5: Fisheries resources 5.3 Removal, destruction or damage of marine plants state code |
| State transport infrastructure | Any aspect of development | Schedule 7, Table 3, Item 2 | Module 17: Public passenger transport 17.1 Public passenger transport state code Module 18: State transport infrastructure protection 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code Module 19: state transport network functionality 19.2 Transport infrastructure and network design state code |
| Coastal management districts | Material Change of Use | Schedule 7, Table 3, Item 5 | Module 10: coastal protection 10.1 Tidal works or development in the coastal management state code |
| Clearing vegetation | Material Change of Use | Schedule 7, Table 3, Item 10 | Module 8: Native vegetation clearing 8.1 Queensland vegetation management state code |

7.4 Mackay, Isaac and Whitsunday Regional Plan

The Mackay, Isaac and Whitsunday Regional Plan (the “Regional Plan”) was endorsed by the Queensland Government on 8 February 2012 and is intended to guide future planning decisions for the region over the next two decades. It provides a framework to guide the long-term sustainability of the region’s communities, strengthen its economy, inform the delivery of social services and infrastructure, and protect its environment. The Regional Plan recognises that the region’s environment and natural resources underpin its major economic activities, such as tourism (underlining added):

“The tourism industry in the subregion is predominantly focused on the business and drive markets, with the major accommodation precincts located within Mackay City, near Mackay Harbour, or on Brampton and Lindeman islands”.

The Regional Plan indicates that additional tourism-oriented accommodation and associated facilities across the Whitsunday Islands may be supported where the type and extent of development is suitable, taking into account environmental values, infrastructure capacity and costs of servicing. Specifically the regional narrative for Mackay under Part B of the Regional Plan identifies Lindeman Island as a major accommodation precinct. Part C of the Regional Plan identifies the Desired Regional Outcomes (DROs) for the region. The DROs articulate the preferred direction for development and land use outcomes for the region, and includes principles and specific policies and programs to manage the growth of the region. An assessment of the proposed development against the relevant DROs in the Regional Plan has been provided below.

DRO 2 – Regional Landscapes

DRO 2 seeks to protect and maintain the regional landscape values, which contribute significantly to defining the character of the region and providing economic opportunities to sustain growth. The following table provides an assessment against the relevant principles applying to the development under the DRO.

Table 7-3. Assessment of proposal against DRO 2 – Regional Landscapes.

| Principle | Assessment |
|--|---|
| <i>2.1.1 Manage and enhance the values of the regional landscape to optimise their ability to contribute to the region’s liveability, lifestyle, health and economy.</i> | The proposed development seeks to redevelop the existing resort at Lindeman Island into three integrated tourist resorts. The resort will contribute to the liveability, lifestyle, health and economy of the Mackay region. |
| <i>2.2.1 Optimise multiple community benefits through coordinated planning, management and investment in regional landscape area</i> | <p>The proposed integrated resort will seek to enhance the community and economic benefits that are delivered to the Mackay region. The benefits will include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Employment opportunities; • Delivery of infrastructure; • Additional visitors to the region; • Diversification of the economy; and • Subsequent spending in the region. |

DRO 3 – Environment

DRO 3 seeks to protect and support the region's rich biodiversity and ecosystem services, which contribute to the economic development, social and cultural identity and prosperity of the region. The following table provides an assessment against the relevant principles applying to the development under the DRO.

Table 7-4. Assessment of proposal against DRO 3 – Environment.

| Principle | Assessment |
|---|--|
| <i>3.1.1 The region's natural assets, biodiversity values and ecological services are protected, managed and enhanced to improve their resilience to the anticipated effects of climate change and other threats.</i> | The proposed development has been designed and sited to protect and enhance the natural assets, biodiversity values and ecological services on the island and to ensure that they continue to contribute to the economic development, identity and prosperity of the region. Refer to Chapters 8 - 28 of the EIS for further details. |

DRO 4 – Natural Resource Management

DRO 4 seeks to manage and protects the region's natural resources. The natural resources are identified as underpinning the region's economy and employment and supporting the diverse range of industry and other business opportunities that rely upon their quality and accessibility. The following table provides an assessment against the relevant principles applying to the development under the DRO.

Table 7-5. Assessment of proposal against DRO 4 – Natural Resource Management.

| Principle | Assessment |
|---|--|
| <i>4.1.1 The management and use of natural resources enhance community, economic and landscape values.</i> | The proposed development seeks to protect the natural resources on the island to ensure that they can continue to contribute to the identity of the region and support the region's economy and employment. Refer to Chapters 8 - 28 of the EIS for further details. |
| <i>4.2.1 Ecosystems are sustainably managed, ensuring their cultural, social, economic and environmental services and values are protected.</i> | The proposed development has been designed to appropriately manage the natural resources and ecosystems on the island to ensure that their social, economic and environmental benefits are protected and promoted. Refer to Chapters 8 - 28 of the EIS for further details. |

DRO 6 – Strong Economy

DRO 6 seeks to create a strong and diverse regional economy that is sustainable, resilient and robust, and advances the prosperity and liveability of communities across the region. The following table provides an assessment against the relevant principles applying to the development under the DRO.

Table 7-6. Assessment of proposal against DRO 6 – Strong Economy.

| Principle | Assessment |
|---|--|
| 6.6.1 Continue to develop the region's distinctive and sustainable tourist destinations, which offer a diverse range of activities and unique experiences to attract domestic and international visitors. | <p>The proposal seeks to redevelop the existing resort at Lindeman Island into three integrated tourist resorts that will offer a diverse range of activities and experiences that attract both domestic and international visitors to the region.</p> <p>The economic considerations relevant to the project are addressed in Chapter 15 of the EIS.</p> |

7.5 Mackay City Planning Scheme 2006

The site is subject to the provisions of the Mackay City Planning Scheme which was adopted on 15 March 2006. The planning scheme was prepared in accordance with the *Integrated Planning Act 1997* (IPA) (the planning legislation in effect at that time) as a framework for managing development in Mackay, in a way that advances the purpose of the IPA by:

- (a) *identifying desired environmental outcomes for the planning scheme area; and*
- (b) *identifying the localities, zones, precincts and the overlays within the planning scheme area; and*
- (c) *identifying in respect of the localities, zones, precincts and the overlays, assessment categories for development being exempt development, self-assessable development and assessable development; and*
- (d) *identifying in respect of the localities, zones, precincts and the overlays, development which is consistent development and inconsistent development; and*
- (e) *identifying in respect of the localities, zones, precincts and the overlays, assessment criteria in the form of codes for assessing self-assessable development and assessable development.*

The Mackay City Planning Scheme 2006 includes the site with the Offshore Islands Locality and within the Special Activities (Tourism) and Open Space Zone (refer to **Map 7-1. Mackay Planning Scheme 2006 – Zoning Extract**). Under this scheme the existing beach resort, airstrip and services infrastructure precinct are included in the Special Activities (Tourism) Zone with the balance of the resort including the dam and golf course included in the Open Space Zone.



The existing resort and proposed extension is defined as a Tourist Facility which is defined as:

“Any premises used primarily to attract tourists whether or not such activity is associated with accommodation facilities for tourists”.




The following sections and **Appendix G - Planning Framework Assessment** provide an assessment of the proposal against the Offshore Islands Locality provisions and applicable codes of the planning scheme.

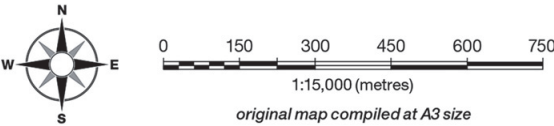
LEGEND

Zones

-  Open Space
-  Special Activities (Tourism)

Other

-  Proposed Site Boundary
-  Proposed Sea Bed Lease Boundary
-  Cadastral Boundary

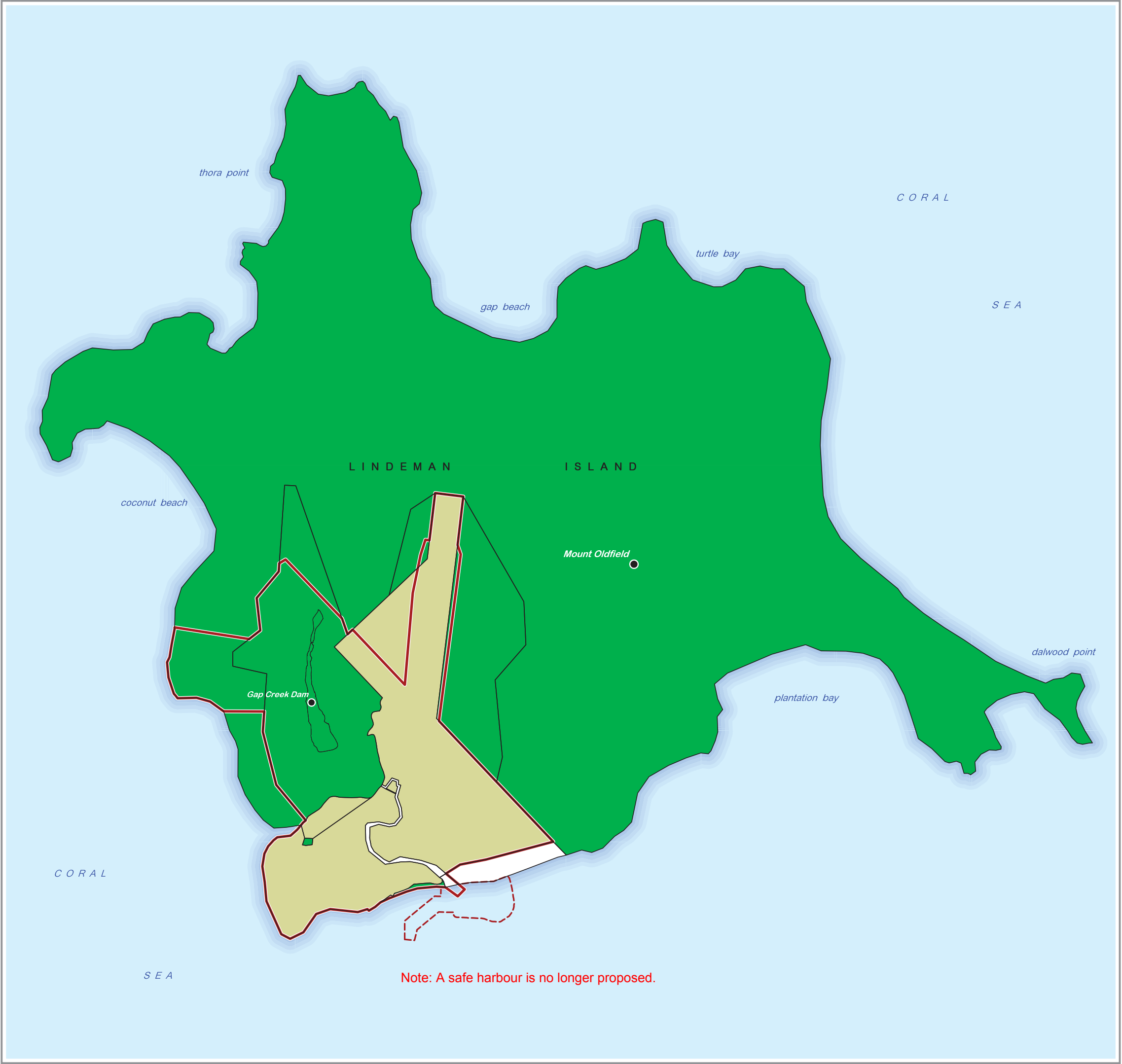


| | |
|-------------------|---|
| DRAWING TITLE | Map 7-1: Zoning - Current Planning Scheme |
| DRAWING DATE | 20 December 2016 |
| DRAWING VERSION | 2.0 |
| COORDINATE SYSTEM | GDA 94; MGA Zone 55 |
| MAP PRODUCED BY | Cardno QLD Pty Ltd |
| JOB NUMBER | HRP15078 |
| DATA SOURCE | |

Cadastral data: State of Queensland (Department of Natural Resources and Mines) 2015; Property Boundaries Queensland; Publication date: 02/04/2015.
Zoning data: Mackay Regional Council; Mackay City Council Planning Scheme (March 2006) - Lindeman Island Zone Map.

Lindeman Great Barrier Reef Resort & Spa
ENVIRONMENTAL IMPACT STATEMENT

Zoning - Current
(Mackay City Planning Scheme 2006)



7.5.1 Locality: Offshore Islands

The overall outcomes for the Off-Shore Islands Locality are identified in the table below and a response to the overall outcomes has been provided.

Table 7-7. Assessment of proposal against the Mackay City Planning Scheme 2006 - Off-Shore Islands Locality.

| Overall Outcomes (emphasis added) | Response |
|---|--|
| (a) <i>Off-Shore islands provide <u>opportunities for island living</u> as part of a range of living and lifestyle options across the City.</i> | The proposed redevelopment of the existing resort on Lindeman Island into three (3) integrated resorts is consistent with the overall outcomes for the Offshore Islands locality. |
| (b) <i>Off-Shore islands provide <u>opportunities for tourism development</u> to support the growth and development of hospitality and business services sectors of the economy.</i> | The development will support the growth and development of the tourism, hospitality and business services sectors of the Mackay region economy. |
| (c) <i>Development in island locations is limited in scale.</i> | The proposed development has been designed and located having regard to the natural environment, resources and biodiversity values and World Heritage Values of the island. |
| (d) <i>Infrastructure services to the islands are designed and constructed having regard to the <u>sensitivity of the environment</u> and the finite nature of resources available.</i> | The project seeks to reuse the interface between the resort and the adjacent National Park and to revoke from the National Park the area which accommodates the existing golf course and water supply dam. |
| (e) <i>Open space areas on the islands remain in their natural state and are protected from the adverse effects of development.</i> | Accessibility to the island and the National Park is being maintained and enhanced by the provision of an upgraded airstrip and upgrades to the jetty/moorings. Pedestrian access to the National Park will be maintained. |
| (f) <i><u>Accessibility to major community facilities is maintained</u> and enhanced to optimise their value to the community.</i> | |

The existing and proposed resort is consistent with the overall outcomes for the Off-shore Islands Locality.

7.5.2 Special Activities (Tourism) and Open Space Zone

The proposed extension to the resort is located on land identified in both the Special Activities (Tourism) zone and the Open Space Zone. The proposed development has been assessed against the overall outcomes for these zones as set out respectively in **Table 7-8** and **Table 7-9**.

Table 7-8. Assessment of the proposal against the Mackay City Planning Scheme 2006 - Special Activities (Tourism) zone provisions.

| Overall Outcomes | Response |
|--|---|
| (a) <i>Tourist facilities:</i> (i) <i>are restricted to the Special Activities (Tourism) zone on those Islands which have been previously subject to development, in particular, Keswick Island, Brampton Island and Lindeman Island;</i> | The project is centred on that part of Lindeman Island which has been previously established for tourism development. The project's boundaries extend beyond the boundaries of the Special Activities (Tourism) Zone. |

| Overall Outcomes | Response |
|---|---|
| (ii) <i>have a low-impact form, scale and intensity with the setting which is sympathetic to the natural environment;</i> | The buildings have been designed to have a low impact form and scale that is sympathetic to the character and natural values. |
| (iii) <i>maintain the landscape character of the islands to ensure the continued attractiveness of the Islands for tourists;</i> | As a result of constraints based approach to planning and a range of design and mitigation measures for integrating the separate precincts into their landscaping settings, the visual impacts of the proposed development are considered minor and acceptable. Refer to the scenic amenity study in Chapter 11 . |
| (iv) <i>ensure recreation-based developments, including boat launching facilities, do not adversely affect ecological processes and conservation values;</i> | Recreation facilities, and in particular, water based activities, will be located and appropriately managed so as not to have any adverse effect on the environmental values and ecological processes on the island. |
| (v) <i>provide attractions, services and facilities for visitors to support their appreciation of outstanding conservation values of the islands and to support the ongoing development of the tourist industry in the region;</i> | The project includes a National Park and Great Barrier Reef Education Centre which will provide opportunities to inform and educate tourists about the environmental and ecological values on the island. |
| (vi) <i>minimise clearing of remnant native vegetation, marine plants or any other type of vegetation;</i> (vii) <i>minimise impacts such that the composition and distribution of the area's natural communities and species of conservation significance are not threatened;</i> | The proposal has been designed and located having regard to the environmental values of the island. The proposed development will include environmental enhancements such as native vegetation planting over previously disturbed areas to enhance the environmental values of the island. The project also includes a nature based glamping accommodation facility. Refer to Chapter 10 for further details in relation to any proposed vegetation clearing. |
| (viii) <i>minimise waste and incorporate best-practice environmentally sustainable waste disposal practices;</i> | The proposal will redevelop and upgrade the existing centralised service and infrastructure facilities on the site. The redevelopment will include improvements to stormwater and wastewater management on the site and increase in the use of renewable energy on the site. |
| (ix) <i>do not release unacceptable emissions or contaminants to the environment; and</i> | The development will not release unacceptable levels of contaminants, emissions or waste into the environment during either the construction or operational phase of the development. Refer to Chapter 22 for further details. |
| (x) <i>do not need a large workforce or create a large resident or live-in workforce.</i> | The construction and operational phase of the development will generate employment opportunities as identified in Chapter 15 of the EIS. |
| (b) <i>Tourist accommodation and related facilities are designed and sited to minimise the risk of</i> | The project has been designed to minimise the risk of property damage or loss from bushfire hazard. Refer to |

| Overall Outcomes | Response |
|---|--|
| <i>property damage or loss through flooding, inundation or bushfire hazard.</i> | Chapter 21 of the EIS for further details. The project has also been designed to minimise the risk of property damage or loss from flooding. Refer to Chapter 19 of the EIS for further details. |

The overall outcomes for the Open Space zone in the Islands Locality are identified in the table below and a response to the overall outcomes has been provided.

Table 7-9. Assessment of the proposal against the Mackay City Planning Scheme 2006 - Open Space Zone provisions.

| Overall Outcomes | Response |
|---|---|
| <p>(a) <i>The open space areas of the islands remain in their natural state and accommodate nature based, low key and low intensity activity and works to:</i></p> <ul style="list-style-type: none"> (i) <i>protect the significant natural environmental values of the open space;</i> (ii) <i>provide for the continued enjoyment and attraction for visitors to the region; and</i> (iii) <i>avoid works or buildings which visually dominate the landscape.</i> | <p>The proposed Masterplan (April 2016) indicates that while the bulk of development is proposed in the Special Activities (Tourism) Zone, the Eco Resort, Golf Course (existing and planned upgrades), Dam, Villas (western section) and Glamping Facilities are proposed to be located on land included in the Open Space Zone.</p> <p>It is understood from Council that the Open Space zoning of this land is a reflection of the National Park tenure of this land.</p> <p>Development within the open space zone has been sited to minimise the requirement for vegetation clearing and impacts on the environmental values of the island. Any vegetation clearing will be offset by the development. The development has designed to ensure that buildings have a low impact scale, form and intensity so as not to visually dominate the landscape.</p> |
| <p>(b) <i>Development respects the need for conservation measures and community facilities and incorporates:</i></p> <ul style="list-style-type: none"> (i) <i>mitigation measures to limit any adverse effects of development;</i> (ii) <i>effective buffer areas; and</i> (iii) <i>limited, if any, clearing of vegetation or any earthworks.</i> | <p>The proposed development seeks to minimise any vegetation clearing or impacts on the natural environment, including the Great Barrier Reef. Any required clearing of significant vegetation will be offset. The development will also include environmental enhancements such as native vegetation planting over previously disturbed areas to enhance the environmental values of the island.</p> <p>Refer to Chapter 10 for further details.</p> |

7.5.4 Overlays

The Mackay City Planning Scheme 2006 includes the site in the Bushfire management overlay and more specifically within the medium risk bushfire hazard area. The proposed redevelopment of the resort has been designed and located to minimise hazard from bushfire and to protect the safety of people and property. A bushfire hazard and risk assessment has been completed for the EIS. Further detail regarding the bushfire management for the proposed development is included in **Chapter 21**.

7.5.5 Defined Uses, Level of Assessment and Applicable Codes

The proposal is best defined as a tourist facility under Schedule 1 of the 2006 Mackay Planning Scheme. The following table includes use definitions that are useful in describing different components of the project. The table also includes the level of assessment and applicable codes applying to each of the use definitions.

An assessment of the proposed development against the applicable codes identified in the table below has been included in **Appendix G - Planning Framework Assessment**.

Table 7-10. Definitions, Levels of Assessment and Applicable Codes under the Mackay City Planning Scheme 2006.

| Defined Land Use | | Level of Assessment | Applicable Codes |
|---------------------|---|--|--|
| Accommodation Units | <i>Means any premises comprising an integrated development of rooming units. The term includes:</i> <i>(i) retirement villages, boarding houses, guest houses, hostels, unlicensed hotels, unlicensed residential clubs, serviced rooms, student accommodation, and the like; and</i> <i>(ii) ancillary activities such as dining and recreation facilities, administration offices, laundry, kitchens, staff accommodation and meeting rooms.</i> <i>Accommodation units do not include a multiple access unit.</i> | <u>Special Activities (Tourism) Zone</u> Code Assessable <u>Open Space Zone</u> Impact Assessable | For code and impact assessable: Off-Shore Islands Locality Code Multiple Dwellings Accommodation units and Dual Occupancy Code Tourist Accommodation Resorts Code Environment and Infrastructure Code For impact assessable development, regard will be given to the planning scheme as a whole |
| Airport | <i>Means an authorised public landing area for aircraft, including facilities for the:</i> <i>housing, servicing, maintenance and repair of aircraft;</i> <i>(ii) assembly, loading and unloading of passengers or goods; and</i> <i>(iii) refreshment of passengers and their guests.</i> | <u>Special Activities (Tourism) Zone</u> Impact Assessable <u>Open Space Zone</u> Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole |
| Hotel | <i>Means any premises used for the sale of liquor for consumption on the premises, whether or not the premises are also used for:</i> <i>the sale of liquor for consumption elsewhere;</i> | <u>Special Activities (Tourism) Zone</u> Code Assessable <u>Open Space Zone</u> Impact Assessable | For code and impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code |

| Defined Land Use | | Level of Assessment | Applicable Codes |
|----------------------|--|--|---|
| | facilities for dining, dancing and similar entertainments; and (iii) overnight accommodation. | | Environment and Infrastructure Code For impact assessable development, regard will be given to the planning scheme as a whole. |
| Sport and Recreation | <i>Means any premises used for the conduct of a sport or recreation whether or not such activity is conducted indoors or outdoors. The term includes the ancillary establishment of facilities such as grandstands, meeting and function rooms, toilets and amenities for participants and spectators.</i> | <u>Special Activities (Tourism) Zone</u> Code Assessable <u>Open Space Zone</u> Impact Assessable | For code and impact assessable: Off-Shore Islands Locality Code Recreation Facilities Code Environment and Infrastructure Code For impact assessable development, regard will be given to the planning scheme as a whole. |
| Tourist Facility | <i>Means any premises used primarily to attract tourists whether or not such activity is associated with accommodation facilities for tourists.</i> | <u>Special Activities (Tourism) Zone</u> Code Assessable <u>Open Space Zone</u> Impact Assessable | For code and impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Tourist Accommodation Resorts Code Environment and Infrastructure Code For impact assessable development, regard will be given to the planning scheme as a whole. |

The proposed development will require a material change of use application for a tourist facility.

Based on the proposed uses, the layout of the resort and the site's split zoning means that the project is impact assessable.

7.6 Draft Mackay Region Planning Scheme 2016

Mackay Regional Council is in the process of drafting a new planning scheme for the Mackay region. In 2013 and 2016, the draft Mackay Region Planning Scheme ("Draft Scheme") was made available for public consultation, with the latest round of consultation closing on 12 December 2016. It remains un-gazetted as at June 2017. The Draft Scheme provides the strategic and detailed direction for the region up to 2036. The Draft Scheme aims to maintain and strengthen the prosperity, sustainability, vibrancy and liveability of the Mackay region. The Draft Scheme identifies the site in the Conservation Zone, Open Space Zone and the Tourism Area (Major) Zone. The zoning reflects the current lease boundaries on the site. The site is also identified in a number of overlays.

7.6.1 Strategic Framework

The Draft Scheme includes a Strategic Framework which sets out the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the region. The Strategic Framework includes eight (8) themes that articulate the policy direction for the planning scheme. The strategic intent in 3.2 of the Strategic Framework sets out the outcomes for growth management and urban consolidation and specifically identifies the following intent for offshore islands and tourism opportunities within the region:

"The offshore islands are protected for their natural, environmental and scenic amenity value. Tourism development that maintains sensitive environmental and landscape character values is encouraged on Lindeman, Brampton and Keswick Islands. The development of Keswick Island avoids increasing the scale of activity within the Tourism area (major) zone and achieves appropriate environmental and servicing outcomes".."

The proposed development is considered to be consistent with the intent and policy direction of the Strategic Framework. The proposal seeks to redevelop the existing resort on Lindeman Island into three integrated resorts. The expansion of the existing resort has been carefully designed and sited to ensure that the natural and scenic amenity values of the island are protected.

7.6.2 Zones

The Draft Scheme identifies the site within the Conservation Zone, Open Space Zone and the Tourism Area (Major) Zone. Refer to **Map 7-2** for further details.

7.6.2.1 Draft Conservation Zone

Of the proposed development only the Ecotourism Facility – Glamping is located within Draft Conservation Zone which reflects the current National Park boundaries. The proposed resort and Glamping Facilities are consistent with the directions included in the State's Ecotourism Plan 2016 – 2020 which seeks to provide ecotourism facilities that showcase the world renowned Great Barrier Reef and address issues with the existing unoccupied island resorts (p8). The overall outcomes for the Conservation Zone are identified in the table below and a response to the overall outcomes has been provided.

Table 7-11. Assessment of the proposal against the Conservation Zone provisions of the Draft Mackay Planning Region Planning Scheme.

| Overall Outcomes | Response |
|------------------|--|
| (a) Uses: | The proposed ecotourism facility which comprises of 30 glamping structures and an associated central facility building has been designed to enhance access and enjoyment of the natural setting. |

| Overall Outcomes | Response |
|---|---|
| (i) the predominant form of development in the zone is undeveloped natural habitat areas and environment facilities; and (ii) a limited range of low intensity accommodation activities and other small scale buildings and infrastructure may be appropriate if these uses: (A) enhance access to, and enjoyment of, the area; and (B) enable administration and maintenance; and | |
| (b) Infrastructure: (i) development is adequately serviced by urban infrastructure networks or appropriate on-site systems relevant to the use; and | Infrastructure for the proposed development has been designed to ensure achievement of all relevant standards and ensure appropriate on-site systems relevant to the proposed equivalent population. |
| (c) Site requirements and environment: (i) development maintains, enhances and responds high value ecological features and the physical constraints of the land; and (ii) development is designed to incorporate sustainable land management practices such as retention and enhancement of native vegetation and water sensitive design; and | The proposed glamping facilities have been sited to avoid high value ecological features, including the State mapped grassland community. |
| (d) Built form and development intensity: (i) development is located, designed and operated to maintain: (A) maintain the ecological integrity and biological diversity of the area; and (B) visually integrate with the natural environment and landscape character of the area; and | The proposed ecotourism facilities will be constructed from temporary/lightweight materials that have been located to visually integrate with the natural landscape by stepping buildings up a hill, using colours derived from the surrounding landscape and by ensuring that buildings do not "sky-line" or stand out when viewed from the ocean. |
| (e) Amenity: (i) development does not adversely affect amenity of the conservation area or of surrounding areas. | The proposed development will not adversely affect the amenity of the conservation area, with the proposed ecotourism facility to be small in scale and nature. |

7.6.2.2 Draft Open Space Zone

The overall outcomes for the Open Space Zone are identified in the table below and a response to the overall outcomes has been provided.

Table 7-12. Assessment of the proposal against the Open Space Zone provisions of the Draft Mackay Region Planning Scheme.

| Overall Outcomes | Response |
|--|---|
| (a) Uses: (i) the predominant form of development in the zone is: (A) park, access and stormwater infrastructure and environmental facilities; or (B) undeveloped open space; and (ii) outdoor sport and recreation uses are limited to irregular/informal activities; and (iii) where practical, open spaces accommodate multiple recreation activities and environmental functions by: (A) co-locating a variety of facilities; or (B) providing robust facilities suitable for shared use; and | This area currently accommodates the existing resort's dam and golf course. The proposed Eco Resort, Tourist Villas, Dam and Golf Course areas are proposed in that portion of the site to be included in the Open Space Zone. These accommodation buildings and facilities have been designed to enhance access to and enjoyment of the natural setting. |

| Overall Outcomes | Response |
|---|---|
| <p><i>(iv) a limited range of low intensity, small scale buildings and infrastructure may be appropriate if these uses:</i></p> <p><i>(A) enhance public enjoyment of the area; and</i></p> <p><i>(B) provide facilities for clubs and community groups that need to be located in the open space; and</i></p> <p><i>(C) enable administration and maintenance; and</i></p> | |
| <p><i>(b) Infrastructure:</i></p> <p><i>(i) development is adequately serviced by urban infrastructure networks or appropriate on-site systems relevant to the use; and</i></p> | <p>Infrastructure for the proposed development has been designed to ensure achievement of all relevant standards and ensure appropriate on-site systems relevant to the proposed equivalent population. The proposed development will provide its own water supply, sewerage and power requirements.</p> |
| <p><i>(c) Site requirements and environment:</i></p> <p><i>(i) development maintains, enhances and responds high value ecological features and the physical constraints of the land; and</i></p> <p><i>(ii) development is designed to incorporate sustainable land management practices such as retention and enhancement of native vegetation and water sensitive design; and</i></p> | <p>The island has two Threatened Ecological Communities under the EPBC Act being the Coastal Vine Thicket and Broad Leaf Melaleuca Communities. The proposed development has been located wholly outside of the Coastal Thicket Vine Forest community which generally occurs in the rocky steep foreshore areas. In order to achieve necessary obstacle limitation surfaces for the airstrip some trimming of the Broad Leaf Melaleuca community will be required. The development has been designed to offset impacts on this community and ensure sustainable land management practices, including revegetation of the site using local native species.</p> |
| <p><i>(d) Built form:</i></p> <p><i>(i) development is located, designed and operated to maintain:</i></p> <p><i>(A) visually integrate with the open space setting and landscape character of the area; and</i></p> <p><i>(B) maintain the ecological integrity and biological diversity of the area; and</i></p> | <p>The proposed Villas and Eco Resort have been designed to reflect the natural landscape by stepping buildings slopes, using colours derived from the surrounding landscape and by ensuring that buildings do not "sky-line" or stand out when viewed from the ocean.</p> |
| <p><i>(e) Amenity:</i></p> <p><i>(i) development does not adversely affect the amenity of the open space and adjacent areas and uses, particularly residential uses and other sensitive land uses.</i></p> | <p>The proposed development will not have an adverse amenity impact on any sensitive land uses.</p> |

7.6.2.3 Draft Tourism Area (Major) Zone




The proposed Beach Resort, Spa Resort, Village and Service Infrastructure Precinct are located in the draft Tourism Area (Major) Zone. The overall outcomes for the Tourism Area (Major) Zone are identified in the table below and a response to the overall outcomes has been provided.

Table 7-13. Assessment of the proposal against the Tourism Area (Major) Zone provisions of the Draft Mackay Region Planning Scheme.




| Overall Outcomes | Response |
|---|--|
| (a) Uses: (i) The predominant form of development within the zone is resort complex and complementary leisure and environmental uses; and | The proposed Beach Resort, Spa Resort, Village and Service Infrastructure Precinct are located in the draft Tourism Area (Major) Zone and are consistent with the required uses. The project is consistent with the form of development sought for this zone. |
| (b) Infrastructure: (i) development is adequately serviced by the full range of urban infrastructure networks or, where urban infrastructure is not available, appropriate on-site systems; and | Infrastructure for the proposed development will not be connected to the mainland infrastructure networks. Rather, it has been designed (with the exception of solid waste disposal) to be standalone and designed to ensure achievement of all relevant standards and ensure appropriate on-site systems relevant to the proposed equivalent population. |
| (c) Built form (i) buildings integrate with the established visual amenity of nearby natural / rural landscapes; and (ii) development provides high quality design outcomes reinforcing the sense of identity of the local area and region; and | The proposed buildings are of high architectural standard and include iconic central facilities designed to create a world-class tourist resort. The development has been designed to reflect the natural landscape by carefully siting buildings according to topography and using colours derived from the surrounding landscape and by ensuring that buildings do not "sky-line" or stand out when viewed from the ocean. |
| (d) Site requirements and environment: (i) development maintains and enhances the ecological integrity of environmentally significant features within and adjoining the site, adjoining coastal areas and National Parks and the Great Barrier Reef; and (ii) development responds to the physical attributes and constraints of the land; and (iii) development is designed to incorporate sustainable land management practices such as retention and enhancement of native vegetation and water sensitive urban design; and | The island has two Threatened Ecological Communities under the EPBC Act being the Coastal Vine Thicket and Broad Leaf Melaleuca Communities. The proposed development has been located wholly outside of the Coastal Thicket Vine Forest community which generally occurs in the rocky steep foreshore areas. In order to achieve necessary obstacle limitation surfaces for the airstrip some trimming of the Broad Leaf Melaleuca community will be required. The development has been designed to offset impacts on this community and ensure sustainable land management practices, including revegetation of the site using local native species. |
| (e) Amenity: (i) development does not adversely affect the amenity of adjacent areas and uses, particularly residential uses and other sensitive land uses. | The proposed development will not have an adverse amenity impact on sensitive land uses. |

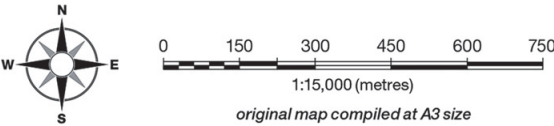
LEGEND

Zones

-  Open Space
-  Conservation
-  Tourism Area (Major)

Other

-  Proposed Site Boundary
-  Proposed Sea Bed Lease Boundary
-  Cadastral Boundary



DRAWING TITLE Map 7-2: Zoning - Draft Planning Scheme

DRAWING DATE 20 December 2016

DRAWING VERSION 2.0

COORDINATE SYSTEM GDA 94; MGA Zone 55

MAP PRODUCED BY Cardno QLD Pty Ltd

JOB NUMBER HRP15078

DATA SOURCE

Cadastral data: State of Queensland (Department of Natural Resources and Mines) 2015; Property Boundaries Queensland; Publication date: 02/04/2015.

Zoning data: Mackay Regional Council; Draft Mackay Region Planning Scheme (May 2013) - Zone Map ZO-2.

Lindeman Great Barrier Reef Resort & Spa
ENVIRONMENTAL IMPACT STATEMENT



Zoning - Draft

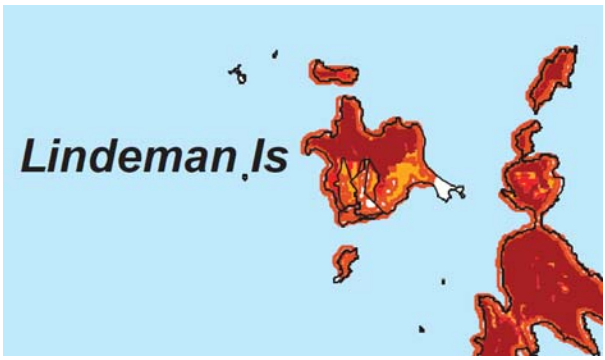

Note: A safe harbour is no longer proposed.

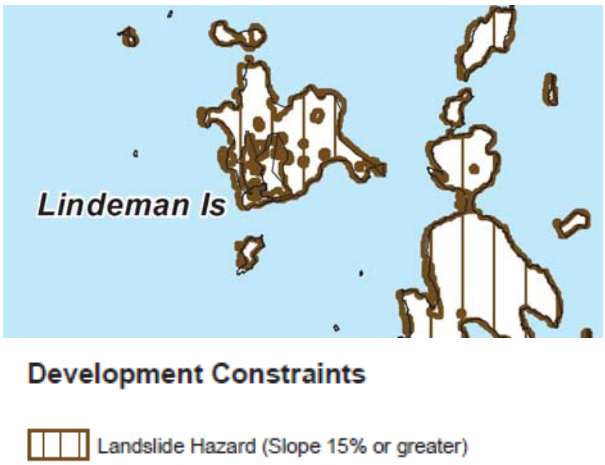
7.6.3 Draft Overlays

The Draft Scheme includes a number of overlays which provide additional information in relation to state and local interests. The table below outlines the overlays relevant to the site.

Table 7-14. Overview of applicable Overlays in the Draft Mackay Region Planning Scheme.

| Overlay | Description |
|---|--|
| Landscape Character and Image Corridor Overlay | |
| <u>Landscape Character</u>  <p>Development Constraints</p> <ul style="list-style-type: none"> Image Corridor Landscape Character | <p>The site is identified in the Landscape Character sub-category under the Landscape Character and Image Corridor Overlay.</p> <p>The Landscape Character and Image Corridor Overlay seeks to maintain and enhance the visual amenity of the region provided by landscape areas and experienced from image corridors.</p> <p>The proposal has been designed and located having regard to the environmental values of the island. The buildings have been designed to have a low impact form and scale that is sympathetic to the character and natural values of the landscape and any significant views (refer to Chapter 11 – Scenic Values).</p> |
| Biodiversity Overlay | |
| <u>Environmentally Significant Vegetation and Wildlife Habitats</u>  <p>Environment</p> <ul style="list-style-type: none"> Environmentally significant vegetation Wildlife habitat | <p>The site is identified as containing sections of Environmentally Significant Vegetation and Wildlife Habitat.</p> <p>The proposed development has been sited and designed to minimise any potential adverse impacts to areas of high ecological significance on the site and mitigate potential environmental, amenity, hydrologic and access impacts. Site rehabilitation works are also proposed as part of the project (refer to Chapter 10 – Flora and Fauna).</p> |

| Overlay | Description |
|---|--|
| Bushfire Hazard Overlay  <p>Bushfire Hazard Areas</p> <ul style="list-style-type: none"> Very high bushfire hazard area High bushfire hazard area Medium bushfire hazard area Within 100m of a bushfire hazard area | <p>The site is mapped as having Very High to Medium bushfire hazards. A Bushfire Assessment has been undertaken and is included in Chapter 21 – Bushfire Assessment to ensure that development in areas subject to bushfire hazard is located and designed to minimise the risk of harm to people and property.</p> |
| Flood and Coastal Hazards Overlay  <p>Coastal Hazard Areas</p> <ul style="list-style-type: none"> Storm tide inundation areas Erosion prone areas | <p>The site's coastline is mapped as being a Storm tide inundation area. In accordance with the overlay code an assessment of the storm tide and erosion prone areas has been included in Chapter 8 – Coastal Processes with measures proposed to ensure that developed is located, designed and constructed to minimise the risk of hazards to people and property.</p> |

| Overlay | Description |
|---|--|
| Landslide Hazard Overlay | |
|  | <p>Part of the site is mapped as having a slope of 15% greater. A geotechnical assessment has been undertaken with the findings included in Appendix F – Geotechnical Assessment.</p> |

7.6.4 Defined Land Uses and Level of Assessment

Schedule 1 of the Draft Scheme sets out the use definitions. The Draft Scheme includes the defined land use term of 'Resort complex', which includes a range of uses which is generally broad enough to cover all components of the Lindeman Great Barrier Reef Resort Project.

The definition of 'Resort Complex's is reproduced below.

Resort complex: Premises used for tourist and visitor short-term accommodation that include integrated leisure facilities including:

- restaurants and bars;
- meeting and function facilities;
- sporting and fitness facilities;
- staff accommodation;
- transport facilities directly associated with the tourist facility such as ferry terminal and air services.

Note that the above definition includes the term "short term accommodation" and "air services", which is separately defined as follows:

Air services: Premises used for any of the following:

- the arrival and departure of aircraft;
- the housing, servicing, refuelling, maintenance and repair of aircraft;
- the assembly and dispersal of passengers or goods on or from an aircraft;
- any ancillary activities directly serving the needs of passengers and visitors to the use;
- associated training and education facilities;
- aviation facilities.

Short term accommodation: Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may

be self-contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.

The definition for Resort Complex refer to transport facilities including a ferry terminal which is separately defined in Schedule 1 as a "Port Services" (reproduced below).

Port Services: *Premises used for the following:*

- *the arrival and departure of vessels;*
- *the movement of passengers or goods on or off vessels;*
- *any ancillary activities directly serving the needs of passengers and visitors or the housing, servicing, maintenance and repair of vessels.*

The proposed development will require a development permit for a material change of use. The development application would be subject to impact assessment based on the zones identifies on the site, proposed used and the applicable level of assessment tables.

7.6.5 Existing Approvals

A review of Mackay Regional Council's PdOnline system indicates two approvals relevant to the site. A summary of the relevant approvals is provided below.

- **MCUCD – 7/1991/A** - On 9 April 2014, a request to change the development approval was lodged with Mackay Regional Council to change conditions of the original approval. The request was approved by Council on 27 May 2014. The application sought to change conditions of approval relating to the redevelopment to the existing tourist resort (accommodation units, licensed premises, restaurant, recreational facilities, shop and other ancillary uses); and
- **MCUIMP – 377/2007** - On 24 August 2007 an application was made to Mackay Regional Council for a Development Permit for a Material Change of Use to upgrade an existing radio transmission facility on the site. The application was decided on 17 December 2007.

As the current project proposes a greater scale and form of development than that provided for in the above approvals, the project requires a new material change of use and operational works approval to capture the nature of the project and extent of works proposed. Under the *State Development and Public Works Organisation Act 1971*, this current EIS process is taken to be the information and referral stage under IDAS.

7.7 Consistency of Land Uses

The proposed redevelopment is consistent with the Mackay, Isaac and Whitsunday Regional Plan which recognises that the tourism industry in the subregion is “*predominantly focused on the business and drive markets, with the major accommodation precincts located within Mackay City, near Mackay Harbour, or on Brampton and Lindeman islands*”. Further, the project will create a rejuvenated tourist resort is consistent with a number of other island developments in the Great Barrier Reef World Heritage Area, including:

- Hamilton Island is the largest inhabited island of the Whitsunday Islands and the only island in the Great Barrier Reef with its own commercial airport. While the island offers six different types of accommodation, Qualia targets the luxury end of the market. Hamilton Island is surrounded by the Commonwealth and State Marine Park which includes these waters in the Conservation Park Zone; and
- Hayman Island is the most northerly of the Whitsunday Islands, part of the Cumberland Island Group. Hayman Island is surrounded by the Commonwealth and State Marine Park which includes these waters in the both the Marine National Park Zone and Conservation Park Zone.

However, unlike the proposed resort development at Lindeman Island, these islands do not contain national park tenure (tenure is land act lease over unallocated state land) and the marine park boundary lies outside of the marinas at both of these islands.

The following resorts have also been established within the Great Barrier Reef World Heritage Area but not within the Whitsunday Islands:

- Lizard Island is a National Park of the same name located on the Great Barrier Reef within the Lizard Island Group of islands. Lizard Island is located 27km from the coast of Tropical North Queensland and 240km north of Cairns. The Lizard Island Resort is the only accommodation facility on the island and is situated on the island’s north-western side. It focuses on providing a secluded getaway for its visitors with snorkelling, fishing and diving trips popular. The island is accessible only by private charter from Cairns Airport;
- Bedarra Island is located within the Family Islands National Park approximately seven kilometres from the Queensland coastline. The island is divided into three sections – one section includes the Bedarra Island Resort, a small and exclusive facility targeting the luxury market; and
- Orpheus Island is one of the islands within the Palm Island Group and is located within the Great Barrier Reef World Heritage Area. The island contains a research facility as well as the Orpheus Island Resort.

7.8 Summary

The proposed Lindeman Great Barrier Reef Resort is consistent with key provisions included in the State Planning Policy, Regional Plan and the *State's Ecotourism Plan 2016 - 2020* which supports tourism development opportunities that showcase the world renowned Great Barrier Reef and address issues with the existing unoccupied island resorts. It also facilitates the achievement of key directions included in the Strategic Framework of the Draft Mackay Region Planning Scheme which encourages on Lindeman Island “*tourism development that maintains sensitive environmental and landscape character values*”. An assessment of the proposal against the relevant codes included in both the current and Draft Mackay Region Planning Scheme has identified that proposed development complies with the acceptable or performance based outcomes of the relevant codes by ensuring that:

- The proposed resort is adequately serviced by the full range of appropriate on-site systems;
- The proposed buildings integrate with the established visual amenity of the surrounding landscapes;
- The proposed resort provides high quality design outcomes reinforcing the sense of identity of the local area and region;
- The proposed resort maintains and enhances the ecological integrity of environmentally significant features within and adjoining the site, adjoining coastal areas and National Parks and the Great Barrier Reef;
- The proposed resort responds to the physical attributes and constraints of the land;
- The proposed resort has been designed to incorporate sustainable land management practices such as retention and enhancement of native vegetation and water sensitive urban design; and
- The proposed resort does not adversely affect the amenity of adjacent areas and uses, particularly residential uses and other sensitive land uses.