

## 5.1. PRELODGE MENT ENQUIRY RESPONSE FOR PROPOSED MATERIAL CHANGE OF USE (IMPACT) CARAVAN PARK - L45 CAPTAIN COOK HIGHWAY, PORT DOUGLAS

**REPORT AUTHOR(S):** Neil Beck, Planning Officer  
**GENERAL MANAGER:** Paul Hoyer, General Manager Operations  
**DEPARTMENT:** Development and Environment

**PROPOSAL** Caravan Park – Pre-lodgement Enquiry

**APPLICANT** Richard Hewitt  
PO Box 729  
Kununurra WA 6743

**LOCATION OF SITE** L45 Captain Cook Highway, Port Douglas

**PROPERTY** Lot 45 on SR835

### LOCALITY PLAN



**LOCALITY** Rural Areas and Rural Settlements

**PLANNING AREA** Rural

<b>PLANNING SCHEME</b>	Douglas Shire Planning Scheme 2008
<b>REFERRAL AGENCIES</b>	State Assessment and Referral Agency
<b>NUMBER OF SUBMITTERS</b>	Not Applicable
<b>STATUTORY ASSESSMENT DEADLINE</b>	Not Applicable
<b>APPLICATION DATE</b>	13 October 2015

#### **RECOMMENDATION**

1. **That Council provides its in principle support for a caravan park catering for the self-drive tourist market, over land described as Lot 45 on SR835, located at L45 Captain Cook Highway, Port Douglas. The application must address, amongst other requirements, the following:**
  - a. **A detailed survey of the property identifying the site's contours and natural features.**
  - b. **A detailed description of the proposed use supported by an appropriately scaled site plan detailing all buildings, designated caravan sites, road layout, communal buildings, recreational areas and the like.**
  - c. **Floor plans and elevations of habitable buildings nominating finished floor levels supported by an engineering assessment (i.e. detailing flooding considerations).**
  - d. **Local drainage investigations to determine the Average Recurrence Interval (ARI) for a 1 in 100 year flood event having regard to the external contributing catchment and storm tide inundation. The drainage investigation must also illustrate how stormwater will be managed throughout the site for lower order rainfall events and identifying the lawful point of stormwater discharge / outlet conditions.**
  - e. **Report prepared by a suitably qualified professional examining methods of waste water treatment taking into account the potential to connect to the reticulated network as an alternative to on-site effluent disposal.**
  - f. **Access to the Captain Cook Highway to be determined following liaison with the Department of Transport and Main Roads.**
  - g. **An investigation into the extent of all services required for the proposed use (water, telecommunications, power).**
  - h. **Details of proposed landscaping treatment, taking into account the appearance of the caravan park, particularly when viewed from the Captain Cook Highway.**

2. **That the above information is offered in the context of providing open and frank without prejudice comment from Council in relation to the proposed use. The determination of any future application is a matter for Council following detailed assessment of the application, including consideration of any properly made submissions in relation to the application.**
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## **EXECUTIVE SUMMARY**

A request has been made to Council to consider a pre-lodgement enquiry for a caravan park on land located at L45 Captain Cook Highway, Port Douglas. The land is included in the Rural Planning Area and is presently vacant.

The pre-lodgement enquiry has been submitted to Council to ascertain its preliminary views on the proposal and to provide advice on issues that require further detailed investigation should Council choose to provide without prejudice, in principle support to the proposal.

It is recommended that in principle support be provided to the concept of a caravan park at this location subject to further detailed investigations into a range of matters including, but not limited to, site survey, flooding investigations, infrastructure service requirements, detailed design plans, confirmation of suitability of access to the Captain Cook Highway and detailed landscaping proposals.

## **TOWN PLANNING CONSIDERATIONS**

### **Background**

The site is located in the Rural Planning Area within the Rural Areas and Rural Settlements Locality and has a site area of 5.3 hectares. Approximately 70% of the site is cleared of vegetation and the remainder consisting of scrub vegetation. The land slopes gently towards the east and adjoins a mangrove wetland environment further to the east of the site. The land adjoining the eastern boundary is contained within the Conservation Planning Area. Located to the north and south of the site are two relatively large parcels of land improved by residential dwellings. These properties are also contained within the Rural Planning Area.

The land is close to, but not within, the urban area of Port Douglas. Although the land is part of the rural zone, the majority of land surrounding this site is used primarily for rural settlement purposes rather than for rural production.

### **Proposal**

The layout plan is included in Attachment 1. This plan shows a caravan park with 57 dedicated caravan spaces, a manager's office/residence, kitchen and games room and ablutions building and a centrally located pool and recreational area. Each of the dedicated van spaces is accessed via a looping driveway network that connects back to the Captain Cook Highway at the present access point to the site.

The applicant describes the proposed caravan parks as follows:

- 1) The caravan park is proposed to be designed as a nature-based park with its natural position in a rural area and boarded by mangrove wetlands and natural woodland;
- 2) It is proposed that the overall standard of the caravan park will be upmarket, appealing to the self-drive tourist market;

- 3) The caravan park will have a 20 metre rainforest buffer to the Captain Cook Highway and a 10 metre wide buffer to side boundaries;
- 4) Individual dedicated van sites will be provided with 2 metre buffers to their sides and rear boundaries to give the feeling of privacy and a feeling of camping in the bush;
- 5) Communal areas will be landscaped to provide privacy from individual van sites;
- 6) The lower rear half of the site will be left undeveloped (initially) with possible potential for further cabin facilities, mangrove interpretive centre, natural open space, wetland walking trail along a potential future track to Port Douglas (possibly using the old cane train track).

### **Douglas Shire Planning Scheme Assessment**

Under the 2008 Douglas Shire Planning Scheme, the proposed development falls within the land use definition of Caravan Park. A caravan park means the use of premises for the placement of cabins, camping areas, caravans, camper vans and motorhomes, primarily for temporary residential accommodation. The use includes:

- camping areas and cabins for overnight and holiday accommodation;
- amenity buildings;
- recreational and entertainment facilities;
- manager's office and residence;
- kiosk and storage facilities which cater exclusively for occupants of the caravan park.

The site is included in the Rural Planning Area. A Caravan Park is an Impact Assessable Land Use in the Rural Planning Area and is therefore assessable against the entire Douglas Shire Planning Scheme.

Accordingly any future application will need to address the Desired Environmental Outcomes of the Planning Scheme along with each of the relevant codes as follows:

- Rural Areas and Rural Settlements Locality Code;
- Rural Planning Area Code;
- Natural hazard Overlay Code (Medium Risk to bushfires);
- Caravan Park Code;
- Design and Siting of Advertising Devices Code
- Landscaping Code, and
- Vehicle Parking and Access Code.

A preliminary review of the planning scheme reveals that a caravan park could potentially be supported in this particular location. However the following matters will need to be carefully addressed.

#### **On-site effluent disposal**

The applicant proposes to utilise on-site waste water disposal as opposed to connecting to Council's reticulated sewerage network. Such a facility is likely to constitute a prescribed Relevant Activity as detailed in Schedule 2 Part 13 of the *Environmental Protection Regulation 2008*. The Department of Environment and Heritage (DEHP) would be a concurrence agency for this aspect of the proposal. Any formal application will need to explore this aspect in detail and demonstrate that compliance can be achieved.

The site is located adjacent to mangrove wetlands/tidal system that form part of Dicksons Inlet. The Desired Environmental outcomes of the Planning Scheme make reference to enhancing water quality entering these systems with particular reference to Dicksons Inlet. The site is also identified as being partly within the coastal hazard area of high and medium risk with respect to storm surge and inundation. Any formal application will need to examine this issue with respect to disposal of on-site effluent and the safety of people and property in major storm events.

Furthermore, the option of connecting to Council's reticulated sewerage network should not be discounted and should be given due consideration in a formal application to Council.

### **Flood investigations**

The Douglas Shire Planning Scheme does not contain any detailed flood information on the proposed lot with respect to identifying how susceptible this particular allotment is to flooding. A detailed flood investigation and assessment against the State Planning Policy will need to be completed by an appropriately qualified professional at the time of making a formal application.

### **Water main**

There is an ability to service the site with Council's reticulated water network. It is likely that the water main located in the road reserve to the north of the site would need to be extended approximately 150 metres to the south to provide a connection to the north western corner of the lot.

An investigation into the extent of all services including water will be needed to accompany a formal application.

### **Access to the Captain Cook Highway**

The current plans show the proposed access to the caravan park located where the current gateway to the premises is positioned. This location is adjacent to the passing lane of the southbound protected right-turn slot into Heritage Lane. The Department of Transport and Main Roads will be a concurrence agency for any formal application and it is likely that the current proposed access location may need to be moved to avoid traffic conflicts close to the Heritage Lane intersection.

### **Scenic amenity**

Due to the proposed caravan park's location on the Captain Cook Highway, the proposal will introduce a use that may have the potential to compromise the rural scenic amenity of the area when viewed from the highway. The applicant is proposing a 20 metre wide 'rainforest' buffer along the frontage of the site to screen the proposed caravan park. There is currently no screening vegetation along the highway frontage. Details of the proposed buffer screening will need to be provided in a formal application for the proposed use. The aim should be to achieve a low-key appearance to the highway and to rehabilitate cleared portions of the site to ensure that the caravan park is located in more natural and visually appealing setting.

## **Other issues**

The applicant proposes to cater for the self-drive tourist market. The site is located proximate to the urban area of Port Douglas. However it is not particularly well-connected to the services and facilities available in Port Douglas. Accordingly, it is very important that the caravan park cater for the transient accommodation needs of tourists, and not provide a permanent, alternative accommodation option. The recommendation to Council emphasises this particular distinction.

## **ADOPTED INFRASTRUCTURE CHARGES**

The proposed development will trigger Adopted Infrastructure Charges.

## **COUNCIL'S ROLE**

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following area outlines where Council has a clear responsibility to act:

**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

Under the *Sustainable Planning Act 2009* and the *Sustainable Planning Regulation 2009*, Council is the assessment manager for the application.

## **ATTACHMENTS**

Attachment 1 – Concept Plan of the Proposed Caravan Park

KEY

	GRASSES
	LANDSCAPED / NATURAL
	ROADWAYS
	BUILDINGS

MANGROVE WETLANDS.

PROPOSED CARAVAN PARK AT  
 LOT 45 CAPT COOK HWY, FORT DOWELLAS  
 SCALE: 1:1250 AT A3 SIZE  
 SKETCH PLAN 17/9/15. R.H

