

## 5.4. HEWITT MCU CARAVAN PARK L45 CAPTAIN COOK HWY

<b>REPORT AUTHOR(S)</b>	Jenny Elphinstone, Senior Planning Officer
<b>GENERAL MANAGER</b>	Nick Wellwood, General Manager Operations
<b>DEPARTMENT</b>	Development Assessment and Coordination
<b>PROPOSAL</b>	Material Change of Use For Caravan Park
<b>APPLICANT</b>	Fiona and Richard Hewitt c/o Studio Mango 457 Draper St Parramatta Park QLD 4870
<b>LOCATION OF SITE</b>	Lot 45 Captain Cook Highway, Port Douglas
<b>PROPERTY</b>	Lot 45 on RP835

### LOCALITY PLAN



Figure 1 - Locality Plan

<b>LOCALITY</b>	Rural Areas and Rural Settlements
<b>PLANNING AREA</b>	Rural
<b>PLANNING SCHEME</b>	Douglas Shire Planning Scheme 2006
<b>REFERRAL AGENCIES</b>	State Assessment and Referral Agency (SARA) for

Development adjacent to a State-Controlled Road

**NUMBER OF SUBMITTERS** Two (one not properly made).

**STATUTORY ASSESSMENT DEADLINE** Expired

**APPLICATION DATE** 2 August 2016

### **RECOMMENDATION**

That Council approves the development application for a Material Change of Use (impact assessment) for a Caravan Park over land described as Lot 45 on RP835, located at Lot 45 Captain Cook Highway, Port Douglas, subject to the following:

### **APPROVED DRAWING(S) AND / OR DOCUMENT(S)**

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
Site Masterplan Concept	Generally in accordance with Studio Mango LA3 Job 57, Drawing L-02, Revision 4, Dated 24 January 2017 and submitted to Council 8 March 2017 and as amended by conditions of the approval.	To be determined
Drainage Concept Plan	Generally in accordance with Studio Mango LA3 Job 57, Drawing L-05, Revision 3, Dated 12 December 2016 and submitted to Council 8 March 2017 and as amended by conditions of the approval.	To be determined
Landscape Masterplan Concept	Generally in accordance with Studio Mango LA3 Job 57, Drawing L-04, Revision 3, Dated 12 December 2016 and submitted to Council 8 March 2017 and as amended by conditions of the approval.	To be determined

### **ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
  - a. The specifications, facts and circumstances as set out in the application

**submitted to Council;**

- b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.**

**Except where modified by these conditions of approval**

**Timing of Effect**

- 2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.**

**Amendment to Design**

- 3. The proposed development must be amended to accommodate the following changes:**
  - a. remove wording of "bush camping" from the plan other than the designated individual sites (B1 to B30 inclusive) on Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016;**
  - b. camping sites are to be as per the general layout of Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016 and not as per Drawing L-02 Revision 4 dated 24 January 2017.**
  - c. having regard to condition 12, clarification that all permanent buildings and ablution facilities are sited above 1% flood inundation and storm tide inundation (including 0.8m sea level rise);**
  - d. inclusion of drainage buffer for introduced nutrients;**
  - e. inclusion of undulated mounds along the front setback for noise reduction accompanied by dense landscaping of the frontage setback;**
  - f. inclusion of crocodile fencing to areas adjacent to waterways and drain to the mangrove vegetation area;**
  - g. all powered sites to be above 1% flood inundation level and storm tide hazard;**
  - h. relocate powered sites 32 and 51 on (Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016 ) at least 30m from the front boundary. This is also in reference to sites 23, 34 and 53 (on Drawing L-02 Revision 4 dated 24 January 2017) to be located at least 30 metres away from the front setback; and**
  - i. drain lots to the internal road network.**

**Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.**

#### **Damage to Council Infrastructure**

4. In the event that any part of Council's existing; water, road, or drainage infrastructure is damaged as a result of construction activities occurring on the site or adjoining road, including, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced at the developer's cost, prior to the Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.

#### **Operational Works**

5. An Operational Works Approval is required for the earthworks, drainage, water supply and sewerage associated with the development.

Such works must be completed to the satisfaction of the Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first. Where plans are required, three (3) A1 size copies of the plans and one (1) copy at A3 size must be submitted to Council.

#### **Earthworks**

6. The extent of the works is to be clearly delineated for the site. In particular, the filling for the permanent structures and earthworks for the pool area. The limit of works for the proposed drainage swales and the filling associated with the disposal of excavated material on the site is also to be detailed on the earthworks plan.

The minimum finished floor level for all permanent structures including but not limited to Reception, kitchen, BBQ and pool and ablution facilities is to be 3.3m in accordance with the applicant's response to information request.

Any earthworks required at the eastern bathroom, toilet and laundry (nominated to be on stilts) is to be confirmed on appropriate site plans to ensure the site remains free drainage. Similarly, where localized earthworks are proposed at the ensuite sites, this information and grading should be nominated to confirm the site remains free drainage.

Earthworks to achieve the minimum floor levels outlined above and including excavation of the swimming pool require approval from Council and must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### **Water Supply and Sewerage Infrastructure Plan**

7. An updated water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular, the plan must:

- a. confirm the site population and associated loadings for each service noting the apparent anomaly between the engineering advice and the town planning advice on site population; and
- b. identify any trunk infrastructure external to the subdivision that may require upgrading to accommodate the development. The plan should also clarify the proposed infrastructure corridors and land tenure for the external mains.

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

#### **Water Supply and Sewerage Works External**

8. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:
  - a. the applicant is to augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties;
  - b. extend the water and sewerage rising mains from the proposed site to connect to Council's Existing infrastructure at the point(s) where sufficient capacity exists. Once demands have been confirmed Council is to be contacted to confirm the connection points;
  - c. the extension require works in the State road reserve and approval from DTMR will be required. The alignments within the state road corridor are to be agreed with DTMR and Council prior completion of the detailed design for each service and must have regard to accessibility for operational and maintenance requirements; and
  - d. owner consent will be required if the sewerage main is required to enter private property or Council land. The applicant will need to secure the owner's consent and comply with any conditions attached to that approval. A copy of the owner's consent must be provided with the application for operational works.

The plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

## **Water Supply Internal**

### **9. Undertake the following water supply works internal to the subject land:**

- a. ensure the appropriate minimum water pressure and flows (including fire-fighting flow) requirements can be provided to the site in accordance with FNQROC and the appropriate building classification for the use. Identify any extensions or upgrades proposed including on-site storage if required to achieve compliance for the classification of building and the use. Certification from an appropriately qualified hydraulic designer is required to confirm compliance; and
- b. provide a single metered internal water connection;

The above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

## **Sewerage Internal**

### **10. Undertake the following Sewerage works internal to the subject land:**

- a. design a private pump station and rising main to connect the subject site to Council's sewerage system.
- b. provide a design report confirming operation levels, storage, backup power etc. in accordance with the FNQROC development manual and WASA codes. The supporting information is to include draft operational plan and must nominate how the pump station will be operated and maintained; and
- c. provide confirmation of how the internal, supporting water and sewer infrastructure for the site including the ensuite facilities and the eastern bathroom/toilet/laundry block that is susceptible to inundation are located clear of flood waters;

The above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

## **Vehicle Parking**

11. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of 13 spaces of which 3 must be provided as visitor spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in

accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

Turning templates for the design vehicle must be submitted to confirm the manoeuvring areas and to demonstrate the clearances to proposed parking areas.

The parking, manoeuvring and access plans (and construction details) must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

The areas set aside for parking, vehicle manoeuvring must not be used for the storage or placement of goods or materials.

### **Drainage Study of Site**

12. The applicant is to review the existing local drainage study and update where necessary to ensure it addresses the following requirements.

The operation of the adjacent drainage lines to ensure that they do not impose a greater hydraulic constraint than the whole of catchment assessments undertaken to date. In particular, for the local catchments the applicant must confirm:

- a. the contributing catchment boundaries;
- b. the extent of the 1%AEP/100 year ARI flood event and 1% AEP/100 year storm tide inundation in relation to the site both pre and post development;
- c. primary and secondary flow paths for the 5, 10, and 100 year ARI flood events;
- d. storm tide inundation must consider 0.8 metre sea level rise;
- e. the location of proposed drainage crossings of the flow paths (if any) for pedestrian and vehicle movements within the site and the hydraulic implication of these on the flood modelling;
- f. confirm the extent of the stormwater swales through the site.
- g. identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development;
- h. information on the proposed works and any impacts proposed at the drainage outlet from the proposed development;
- i. drain to the internal road network, not to behind the sites; and
- j. lawful point of discharge.

The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being

**undertaken prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.**

#### **Acid Sulfate Soil Investigation**

- 13. The earthworks to be undertaken onsite may result in disturbance of potential acid sulfate soils (PASS).**

**Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the 'Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines, and the State Planning Policy– Appendix 3 SPP code: Water quality.**

#### **Stockpiling and Transportation of Fill Material**

- 14. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.**

**Transportation of fill or spoil to and from the site must not occur within:**

- a. peak traffic times;**
  - b. before 7:00 am or after 6:00 pm Monday to Friday;**
  - c. before 7:00 am or after 1:00 pm Saturdays; or**
  - d. on Sundays or Public Holidays.**
- 15. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.**

#### **Storage of Machinery and Plant**

- 16. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.**

#### **Demolish Structures**

- 17. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.**

#### **Existing Creek and Drainage Systems**

- 18. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.**

**The applicant / owner must obtain any necessary approvals from the Department of Natural Resource Management for carrying out works in a watercourse.**



### **Lawful Point of Discharge**

- 19. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.**

### **Sediment and Erosion Control**

- 20. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).**
- 21. An electrical design must be undertaken by a suitably qualified consultant to provide connection to the powered sites within the development and their protection from inundation by storm tide and floods. Details regarding this supply must be provided to the Chief Executive Officer prior to commencement of the use.**

### **Demarcation of Boundaries - Crocodile Management**

- 22. Provide a crocodile management plan that includes suitable demarcation (fencing / bollards) along boundaries of adjacent waterways and tidal creeks to prevent crocodiles from accessing the low-lying areas. The management plan is to include suitable signs are to be provided to warn people of the presence of crocodile's adjacent estuarine environment and as found necessary at any other locations within the development. The design outcomes from the management plan are to be erected prior to the site being opened to the public.**

### **Weed Management**

- 23. A Weed Management Plan for Class 1-3 Pest Plants under the Land Protection (Pest & Stock Route Management) Act 2002, prepared in accordance with AP1.34 'Pest Plant Management' of the FNQROC Development Manual, must be submitted to and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.**
- 24. A vehicle wash down and inspection facility for all machinery entering and leaving the site during construction must be provided to reduce the spread of invasive weed species.**

### **Compliance with Access and Mobility**

- 25. Prior to the commencement of use provide written advice, from a suitably qualified professional that the development complies with all relevant disability standards. This approval has not been assessed for compliance with the requirements for disability access.**

## **Lighting**

- 26. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.**

## **Above Ground Transformer Cubicles / Electrical Sub-Stations**

- 27. Any above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles / sub-stations to be setback from the street alignment behind a screen of landscaping, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.**

## **Construction Access**

- 28. Vehicular access to the site for construction and demolition purposes must be provided from Captain Cook highway at the Department of Transport and Main Roads approved point of access only, unless authorised by the Chief Executive Officer.**

## **Landscaping Plan**

- 29. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:**

### **Planting Design**

- a. the location and species of all existing trees, with an indication as to whether each tree is to be retained or removed, and natural and finished ground levels if filling is to occur in the vicinity of any tree;**
- b. species to have regard to Council's Planning Scheme Policy No.7 Landscaping;**
- c. a planting design which is in accordance with the FNQROC Development Manual;**
- d. a planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;**
- e. provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers;**
- f. planting details of the ten (10) metre wide landscape zone as a setback to the frontage. Tree species to be used must have the ability to grow in excess of six (6) metres and must be well established at the time of planting. They must be planted at regular intervals to achieve an immediate screening effect. The whole planting area must be mulched**

with shredded / chipped vegetation waste, or similar material. All the trees in the planting sites must be watered during dry periods, either by water truck or with a temporary drip or sprinkler irrigation system; and

- g. the detail concerning the soil preparation of the ten (10) metre wide landscape zone adjacent the earthworks. The soil must be well prepared (not compacted) and fertilized with organic fertilizers to encourage strong growth; and

#### **Hard Landscaping Works**

- h. natural and finished ground levels including details of all retaining works; and
- i. protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

#### **Vegetation Clearing**

- 30. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of roadworks / access driveways, the installation of services as detailed on the approved plans as stated in Condition 1. Any further clearing requires an Operational Works Approval.

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site.

#### **Building Colours**

- 31. The exterior finishes and colours of Buildings must be non-reflective and must blend with the natural colours of the surrounding environment. Roofs and structures (including Water Tanks) must be of moderately dark to darker shades of green, grey, blue and brown.

The applicant / owner must also ensure that the above Building Exterior requirements are made known in writing to all prospective purchasers.

#### **Wildlife**

- 32. Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Service must be contacted for

**advice. Important habitat trees should be retained wherever possible.**

#### **Removal of Protected Vegetation**

- 33. A clearing permit (protected plants) must be obtained from the Department of Environment and Heritage Protection prior to the clearing of vegetation and/or tree removal as plant species protected under the provisions of the Nature Conservation Act 1992 are known to occur within the area covered by this development approval. Information on clearing permits may be obtained at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)**

#### **Notification of Vegetation Clearing**

- 34. Council must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing.**

#### **Parkland Protection**

- 35. Any common boundaries to the adjacent creek and wetlands must be temporarily delineated and fenced off to restrict building access for the duration of construction activity.**

#### **Minimum Fill and Floor Levels**

- 36. All floor levels in all buildings must be located 150mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), plus storm tide inundation areas, in accordance with FNQROC Development Manual and Planning Scheme requirements.**

#### **Street Fencing**

- 37. Any proposed fences and/or walls to any road frontage are to be limited to the following:**
- a. 1.2 metres in height if solid; or**
  - b. 1.5 metres in height if at least 25% visually transparent; or**
  - c. 1.8 metres in height if at least 50% visually transparent.**

**Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.**

#### **Ponding and/or Concentration of Stormwater**

- 38. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.**

#### **Refuse Storage**

- 39. Refuse storage is required to service the site in accordance with Council requirements. The refuse bin storage area must be on a concrete base of a size**

**suitable for the development.**

**The refuse bin enclosure must be roofed, bunded, fitted with a bucket trap and discharge to sewer.**

**The area must be screened from the public view to the satisfaction of Council.**

#### **Liquid Waste Disposal**

- 40. Any liquid discharge to sewer must comply with Council's Trade Waste requirement.**

#### **Land Use**

- 41. The use does not include the accommodation of any relocatable homes or permanent residential uses/ buildings.**
- 42. The facilities within the site are only available to the persons accommodated on the land and are not available to the general public.**
- 43. Where a dump point is to be incorporated into the designated it must be at a suitable location on the land and be in a bunded and roofed area.**
- 44. An emergency evacuation plan must be developed and maintained to demonstrate safe emergency evacuation is feasible without increasing the burden on the State Emergency Service.**

#### **Details of Development Signage**

- 45. The development must provide clear and legible signage incorporating the street number for the benefit of the public.**

#### **Advertising Signage**

- 46. All signage associated with the use must be approved by the Chief Executive Officer. The signage must comply with the Design and Siting of Advertising Devices Code contained within the Douglas Shire Planning Scheme and plans detailing the signage must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.**

#### **Construction Signage**

- 47. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:**
  - a. developer;**
  - b. project coordinator;**

- c. architect / building designer;
- d. builder;
- e. civil engineer;
- f. civil contractor; and
- g. landscape architect.

#### **Crime Prevention Through Environmental Design**

48. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).

#### **Fuel Storage**

49. All fuels must be stored in an undercover and secure location at all times.

#### **REFERRAL AGENCY CONDITIONS & REQUIREMENTS**

<b>Referral Agency</b>	<b>Referral Agency Reference</b>	<b>Date</b>	<b>Council Electronic Reference</b>
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0117-036553	17 March 2017	D#809506

Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

#### **ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four(4) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

#### **Conflict Between Plans and Written Conditions**

4. Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plan(s), the requirements of the written condition(s) will prevail.

5. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.
6. Prior to construction or alteration of any premises used for storage, preparation, handling, packing and/or service of food, application for such must be made with Council's Public Health Unit.
7. An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.
8. Noise from generators, air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the Environmental Protection Act 1994.
9. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004 and Council's Local Law.
10. The proprietor of proposed rental accommodation premises must make application for approval under Council's Local Law.

#### **Infrastructure Charges Notice**

11. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. The Sustainable Planning Act 2009 confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development Assessment and Coordination at Council for review of the charge

amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

12. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

**Advice Statement for Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).**

You are advised that the EPBC Act applies to action that has, will have, or is likely to have, a significant impact on matters of national environmental significance.

Further information on the EPBC Act can be obtained from the Department of the Environment's website [www.environment.gov.au/epbc](http://www.environment.gov.au/epbc) EPBC Act Policy Statement 1.1 *Significant Impact Guidelines Matters of National Environmental Significance* (Oct 2009).

#### **LAND USE DEFINITIONS\***

In accordance with the *Douglas Shire Planning Scheme 2006*, the approved land use of Caravan Park is defined as:

Means the use of premises for the placement of cabins, camping areas, caravans, campervans and motorhomes, primarily for temporary residential accommodation.

A Caravan Park 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.

*\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.*



## EXECUTIVE SUMMARY

Application has been made to develop a Caravan Park on the land catering for self-drive tourists. Over time there has been a reduction in the number of caravan parks in the Port Douglas urban area, notably due to increased land value and the development of these sites for residential apartments and tourist resorts. The Planning Scheme identifies the need to provide for a range of tourist accommodation. Given the temporary and transitional nature of self-drive tourists the use can be appropriately located in rural areas provided the impacts are contained to the land and any reverse amenity issues area adequately addressed.

The land is physically constrained by coastal processes, potential flooding, adjacent waterways and the adjacent state-controlled Captain Cook Highway. The proposed development has been designed as much as possible to limit development to existing high areas to negate the need for significant site works. However it is likely that the development will involve some fill and excavation, dependant on the local drainage study and plan of earthworks. Conditions of the approval require suitable engineering review and design to ensure good design. Conditions of the approval require the deletion of some bush camping sites on the master concept plan to ensure adequate setback from vegetation.

The application is impact assessable and subject to public notification. Two submissions were received raising concern about the need for the development and impacts, notably on the scenic route and environment. The use is considered appropriate to the land and suitably meets the Planning Scheme desire for a range of tourist accommodation types. Conditions of the approval secure the visual amenity of the scenic route and ensure the development does not adversely impact on amenity and environmental issues.

The Development Approval is supported subject to conditions that address the physical constraints and impacts so that all impacts are contained to the land. The application seeks to utilise Council's urban infrastructure for reticulated water supply and sewerage treatment. Costs associated with extending Council's infrastructure to the land are borne by the applicant.

## TOWN PLANNING CONSIDERATIONS

### Background

No previous approvals have issued to the land.

The Applicant submitted a prelodgement enquiry for council consideration. At the Ordinary Meeting of Council held on 3 November 2015 Council resolved to provide in-principle support for a Caravan Park catering for the self-drive tourist market requiring any formal application to address, among 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 (ie 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."*

## Proposal

The application is for a two staged development for a caravan park including bush camping sites for a maximum capacity of 312 persons (2.5 persons per site). A 75% (average) occupancy will equate to 234 persons. A range of site types will be provided from powered sites serviced by individual ensuites to basic camping sites. A swimming pool and other park facilities and infrastructure will complement the caravan / camping sites. Landscape buffers will be provided to the site boundaries with the reception and parking also located at the front of the land. The applicant has advised that no permanent accommodation or relocatable homes will be developed.

The layout plan is included in Attachment 1.

## State Planning Requirements

The State Planning Policy is relevant to the assessment of this application where a State interest is not appropriately reflected in the Planning Scheme relevant to the site. 'Part E: Interim Development Assessment Requirements' outlines the State interests and associated development requirements which are to be considered in relation to certain development applications. An assessment against Part E reveals that State interests have been appropriately considered. Consideration of 0.8m sea level rise has been included in the conditions of approval.

## 2006 Douglas Shire Planning Scheme Assessment – Current Scheme

Table 1.

Douglas Shire Rural Areas and Rural Settlements Planning Locality		Code Applicability	Compliance
Locality	Rural Areas and Rural Settlements	✓	Satisfactory with conditions
Planning Area	Rural	✓	Satisfactory with conditions
Defined Use	Caravan Park	✓	
Overlay Codes	Acid Sulfate Soils Code	✓	Satisfactory with conditions
	Cultural Heritage and Valuable Sites Code	x	
	Natural Hazards Code	✓	Satisfactory with conditions
General Codes	Design and Siting of Advertising Devices Code	✓	Satisfactory with conditions
	Filling and Excavation Code	✓	Satisfactory with conditions
	Landscaping Code	✓	Satisfactory with conditions
	Natural Areas and Scenic Amenity Code	✓	Satisfactory with conditions
	Reconfiguring a Lot Code	x	-
	Vehicle Parking and Access Code	✓	Satisfactory with conditions
	Sustainable Development Code	✓	Satisfactory through building code compliance
	Vegetation Management Code	✓	Complies

### Compliance Issues – 2006 Planning Scheme

The extent of development that can occur on the land is limited by storm tide and flood inundation. The applicant's submitted plan has nominated levels of inundation respective of general conditions. The request for further information identified a need for a local drainage study and in response the applicant considered a study an unreasonable imposition given detention could be incorporated into the design. The applicant submitted as part of the information response a detailed fee estimate for a localised study being around \$25,640.00. However, Council needs assurance that the consideration of development in low lying areas achieves a suitable standard. The requirement to produce a localised drainage study is a standard basic parameter for the development of low lying areas within the Shire. The complexity of the modelling on the quote to the applicant reflects the complexity of the surrounding environment and the need to ensure all impacts are suitably addressed. A condition of the approval requires a specific drainage study of the land to consider impacts of local conditions and the confluence of both storm tide inundation and flood inundation. Conditions also require the sites be drained to the internal road network, as is the standard design for urban development. All sites are to achieve a minimum height clearance for the 1% incident for storm tide inundation and flooding. The internal driveway can have a lower immunity but this needs to be relevant to moving vehicles when necessary.

As compliance with minimum immunity levels will result in areas of fill a condition of the approval requires further details to determine these outcomes. Care needs to be taken with the extent and weight of fill so as to not result in acid sulphate soil exposure.

The open areas marked as “bush camping” are not supported as they are too low in regards to storm tide inundation. These areas are to be deleted from the plan.

All amenity installations, such as ensuites, ablution blocks and kitchen camp areas, buildings must achieve ground levels of 1% immunity. This is particularly important as the applicant has sought to connect to Council’s reticulated water and sewer infrastructure. Works and access permissions for the connecting infrastructure to Council’s services are the applicant’s responsibility.

Issues such as crocodile and weed management and disability access are conditioned for compliance.

The Planning Scheme Rural Planning Area code requires a 40m setback of buildings and structures from the State-controlled road. The separation distance is required to maintain rural character and achieve separation from road frontages. Concern is raised with the proposed 10m setback of the development from the Highway including the extent of vegetation buffer and associated reverse noise impacts. The setback area is identified on the plans as “boundary buffer planting,” and this is further described as,

*“The intention of this planting is to screen and buffer the caravan park and conversely the adjacent properties from the new development. This planting will occur on the Captain Cook Highway and the north and south boundaries of the site. The planting selections will consist of planting complementary to the two adjoining planting types of remnant and woodland planting. The mix of species will include tall trees and pockets of palms at feature locations with mid storey shrubs and low shrubs to create a wall of vegetation. All the plant species selected for this type will be endemic to the local plant communities.”*

The planting of vegetation does not achieve sound attenuation from the Highway and concern is raised with the proposed sites Nos 32 and 51 and the plans indicate a row of trees to line the internal driveway, along the front of the site, in a regular pattern that does not reflect the informal growth in the area, notably the adjacent land to the north. To address a balance of desired scenic amenity, reverse amenity consideration and development of the land, conditions of the approval require incorporation of undulated mounds in the landscape buffer, relocation of sites 32 and 51 away from the front boundary and detail of the landscape plan.

No concern is raised with the proposed staging plan as conditions regarding infrastructure connection are required prior to the commencement of use and all car parking is to be sited at the western part of the land. The applicant has asked that no wash bay be provided on the land. Given the need to bund and roof the wash bay and the desire to connect to Council’s infrastructure, the provision of a wash bay is considered onerous. A commercial wash facility is available nearby in the Craiglie industrial area and this is considered sufficient.

## 2006 Douglas Shire Planning Scheme Assessment – Proposed Scheme

The proposed Planning Scheme was developed under the *Sustainable Planning Act 2009* with a twenty year horizon and an intended periodical review. Under the proposed scheme the use is categorised as a Tourist Park and is impact assessable. The most relevant codes are as follows.

Table 2.

Proposed 2017 Douglas Shire Planning Scheme		Code Applicability	Compliance
<b>Zone</b>	Rural Zone Code	✓	Complies through conditions of approval, refer to comment.
<b>Local Plan</b>	None applicable	x	Complies through condition of approval.
<b>Precinct / Sub Precinct</b>	None Specified	x	
<b>State Codes</b>	Community Residence Code	x	
	Forestry For Wood Production Code	x	
	Reconfiguring A Lot (Subdividing One Lot Into Two Lots) And Associated Operational Work Code	x	
<b>Overlay Codes</b>	Acid Sulfate Soils Code	✓	<ul style="list-style-type: none"> <li>ASS &lt;5m AHD</li> </ul> Satisfactory through condition.
	Bushfire Hazard Code	x	Medium Risk Hazard
	Coastal Environment Overlay Code	x	<ul style="list-style-type: none"> <li>Part erosion prone area</li> </ul> Satisfactory through condition.
	Flood And Storm Tide Hazard Overlay Code	x	<ul style="list-style-type: none"> <li>Part high storm tide Hazard</li> <li>Part medium storm tide hazard</li> <li>Part 100 year Ari flood study</li> </ul> Satisfactory through condition
	Hillslopes Overlay Code	x	Not mapped
	Landscape Values Overlay Code	x	<ul style="list-style-type: none"> <li>Part scenic route buffer</li> <li>Part view corridor</li> <li>Part medium landscape values</li> </ul> Satisfactory through condition
	Natural Areas Overlay Code	x	<ul style="list-style-type: none"> <li>Part MSES regulated Vegetation</li> <li>MSES regulated Vegetation (intersecting a watercourse)</li> </ul> Satisfactory through condition
	Places Of Significance Overlay Code	x	Not mapped
	Potential Landslide Hazard Overlay Code	x	Not mapped
	Transport Network Overlay Code: (Pedestrian and Cycle) Overlay	✓	<ul style="list-style-type: none"> <li>Captain Cook Highway is a Principal Route</li> </ul> Refer to comment.

Proposed 2017 Douglas Shire Planning Scheme		Code Applicability	Compliance
	Transport Network Overlay Code: (Road Hierarchy) Overlay	✓	<ul style="list-style-type: none"> <li>Captain Cook Highway – Arterial Road</li> </ul> Complies through referral agency conditions.
	Transport Network Overlay Code: (Transport Noise Corridor) Overlay	✓	<ul style="list-style-type: none"> <li>Part Category 1: 58 dB(A) =&lt; Noise Level &lt; 63 dB;</li> <li>Part Category 2: 63 dB(A) &lt; Noise Level &lt; 68 dB; and</li> <li>Part Category 3: 68 dB(A) =&lt; Noise Level &lt; 73 dB(A).</li> </ul> Satisfactory through condition.
	Land Use Code: Tourist Park Code.	✓	Refer to comment.
<b>Other Development Codes</b>	Access, Parking And Servicing Code	✓	Complies.
	Advertising Devices Code	✓	Satisfactory through conditions
	Environment Performance Code	✓	Complies through conditions of approval.
	Filling And Excavation Code	✓	Satisfactory through conditions
	Infrastructure Works Code	✓	Complies through conditions of approval.
	Landscaping Code	✓	Satisfactory through conditions
	Reconfiguring A Lot Code	x	
	Ship-Sourced Pollutants Reception Facilities In Marina Code	x	
	Vegetation Management Code	✓	Protected through conditions of approval.

## Compliance Issues – Proposed Planning Scheme

### Rural Zone Code and Transport Noise Corridors

As per the existing scheme there is an acceptable outcome for a 40 metres setback from a state-controlled road to maintain rural character and achieve suitable separation of uses. This requirement can be suitably addressed by requiring at least a 30 metre setback together with undulated landscape mounds. Consideration of a suitable amenity to occupants of the van park is necessary given the general lower noise attenuation features of a caravan or camping site compared to a house. The relative scale of the development is compatible to rural activities.

### Vegetation Setbacks, Flooding and Storm Tide

The conditions of the approval constrain the development to appropriate setbacks and these are considered to suitably address these matters.

### Tourist Park Land Use Code – Bushfire Hazard Code

The internal road network for the amended design meets the code accessibility requirement for fire fighting appliances. While the site is part of the Medium hazard bushfire overlay, it is close to Port Douglas and will be connected to Council's reticulated water supply.

### Transport Network Overlay Code: (Pedestrian and Cycle) Overlay

A requirement to provide a pedestrian bicycle pathway connecting the site to the Port Douglas pathway is considered unreasonable given the scale and nature of the proposed development. It is understood the State has future plans to develop a pedestrian cycle path along the state-controlled road.

### Referral Agency Requirements

An amended Concurrence Agency response was issued with the applicant's agreement by SARA following the applicant's representations. A copy of the advice is included in Attachment 2.

### Public Notification / Submissions

Two submissions were received. One submission was received late and is considered "not properly made" for this reason. Council has the ability to consider issues raised in a "not properly made submission." However, the submitter has no third party appeal rights. The grounds of both submissions are summarised and commented on below.

Table 3.

Ground of submission	Comment
<p><b>There are at least four existing caravan parks in the Port Douglas District and there is no further need for another.</b></p> <p><b>Under SPA 2009 consideration of impact assessable development includes economic effects of the development.</b></p> <p><b>As an example, a Tourist Park, located in the Shire reports in their occupancy report for the 2015-2016 financial year, an average occupancy of about 40%.</b></p> <p><b>In terms of operation of this Tourist Park, the owner advises that:</b></p> <ul style="list-style-type: none"> <li><b>Operating costs are kept to a minimum in order to keep accommodation costs to a minimum;</b></li> <li><b>Operations include 2 part time staff for the majority of the year, supported by an additional 2 part time staff during peak periods;</b></li> <li><b>The impact of reduced tourist visitation during and immediately</b></li> </ul>	<p>Over time caravan parks in the Port Douglas area have been replaced by unit development. There is a current development approval for the Tourist site mentioned in the submission for a unit accommodation development.</p> <p>No over supply, or a need to limit supply, has been identified in the proposed planning scheme. Port Douglas is the main tourist accommodation centre for the Shire and it would be preferable that the development be located within relative close proximity to the township area.</p>



Ground of submission	Comment
<p>post-Global Financial Crisis was significant, requiring additional funds to be contributed to ensure ongoing operations to be introduced from outside the business.</p> <p>The Tourist Park owner is concerned that if a “new” business is introduced into the Port Douglas Caravan Park market, there would be significant detrimental impact on the operation of the Tourist Park, likely to result in the park closing, and / or significant alterations to the business model being considered.</p> <p>Whilst it is appreciated that financial matters are ordinarily not a consideration in planning applications, Council is requested to consider the “economic need” for the development on land included within the Rural Planning Area in the Douglas Shire Planning Scheme.</p>	
<p>The new development will make it harder for already established caravan parks to remain viable during quiet periods.</p>	<p>This is an individual financial consideration and is not a planning ground.</p>
<p>The development will detract from the ambience of the area. Port Douglas is a very unique location that provides magnificent scenic vistas and large open spaces which in itself is a huge draw card for the region. With areas like Craiglie slowly growing and other developments along the highway being approved, such as another petrol station, and the expansion of the prawn farm in Killaloe, an obtrusive caravan park right on the highway would be totally out of place. Individually these types of projects may not initially appear to impact on the character of the district, but collectively they all have a detrimental effect, both aesthetically and environmentally. So many other areas throughout Australia have already been compromised due to poor Council management, and I</p>	<p>The development is not considered an urban use and can be located outside the Regional Plan’s mapped urban footprint for the Port Douglas and Craiglie area.</p> <p>The Captain Cook Highway is a scenic route. The impacts of the development are contained to the land through the conditions of the approval. A condition specifically requires a dense landscape buffer to the Highway.</p>

Ground of submission	Comment
<p>sincerely hope that the Douglas Shire Council can look far enough ahead and take measures now to prevent a similar fate happening to this special region.</p>	
<p>The proposed entrance is right on a bend along the Captain Cook Highway where traffic is travelling at speeds of up to 100kmh. Based on the number of accidents that have occurred at the Port Douglas turn off only a few hundred metres away, it will only be a matter of time before a serious accident occurs between highway traffic and large slow vehicles entering and leaving the park, even if a slip lane is provided.</p>	<p>The safety of movements onto and off the Highway are a matter for the State as the Highway is a state-controlled road. The State has conditioned the approval requiring new intersection works to be undertaken by the applicant.</p>

## ADOPTED INFRASTRUCTURE CHARGES

The proposed development triggers Adopted Infrastructure Charges. Refer to Attachment 3 to view calculations.

## 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:

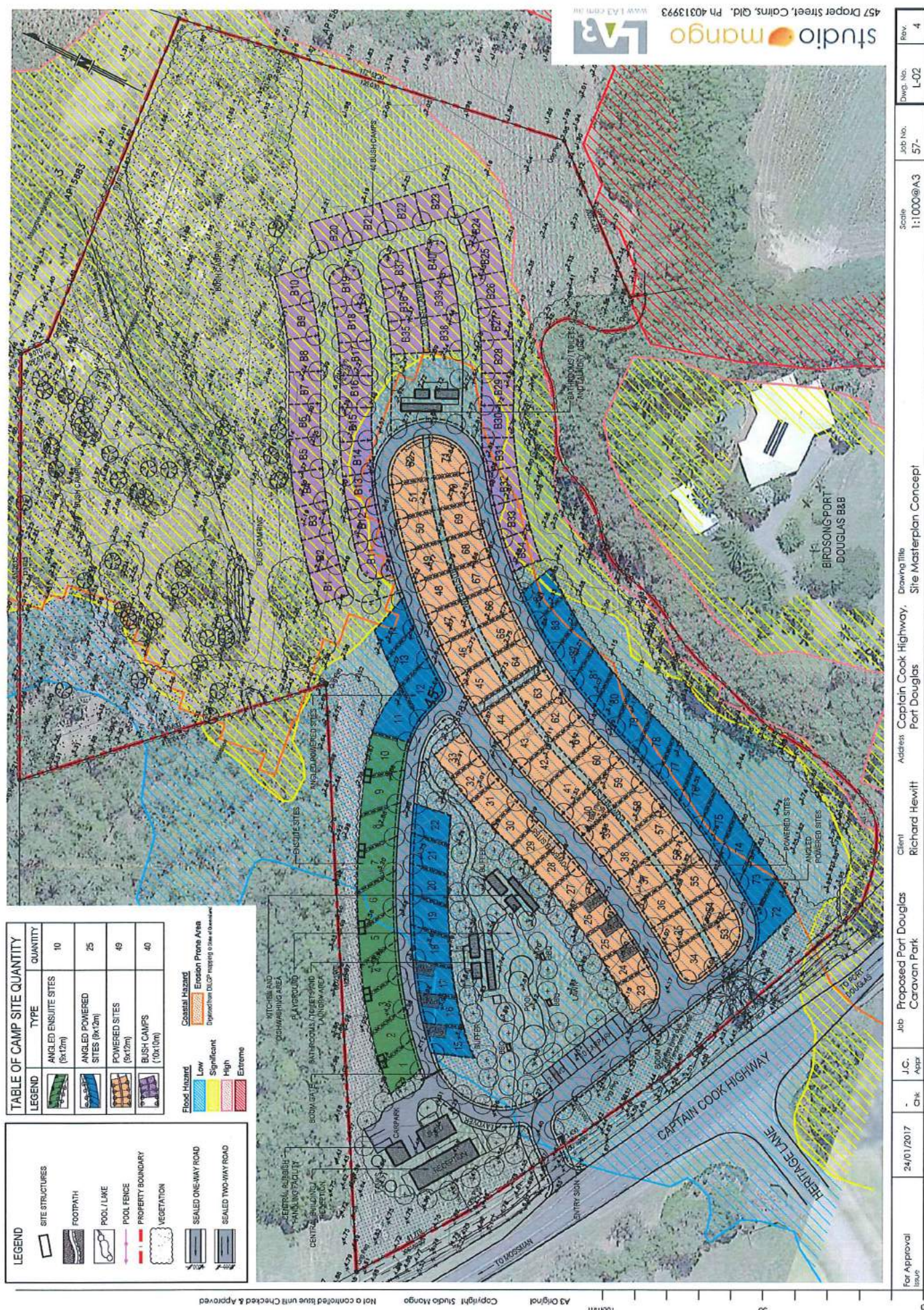
**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

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

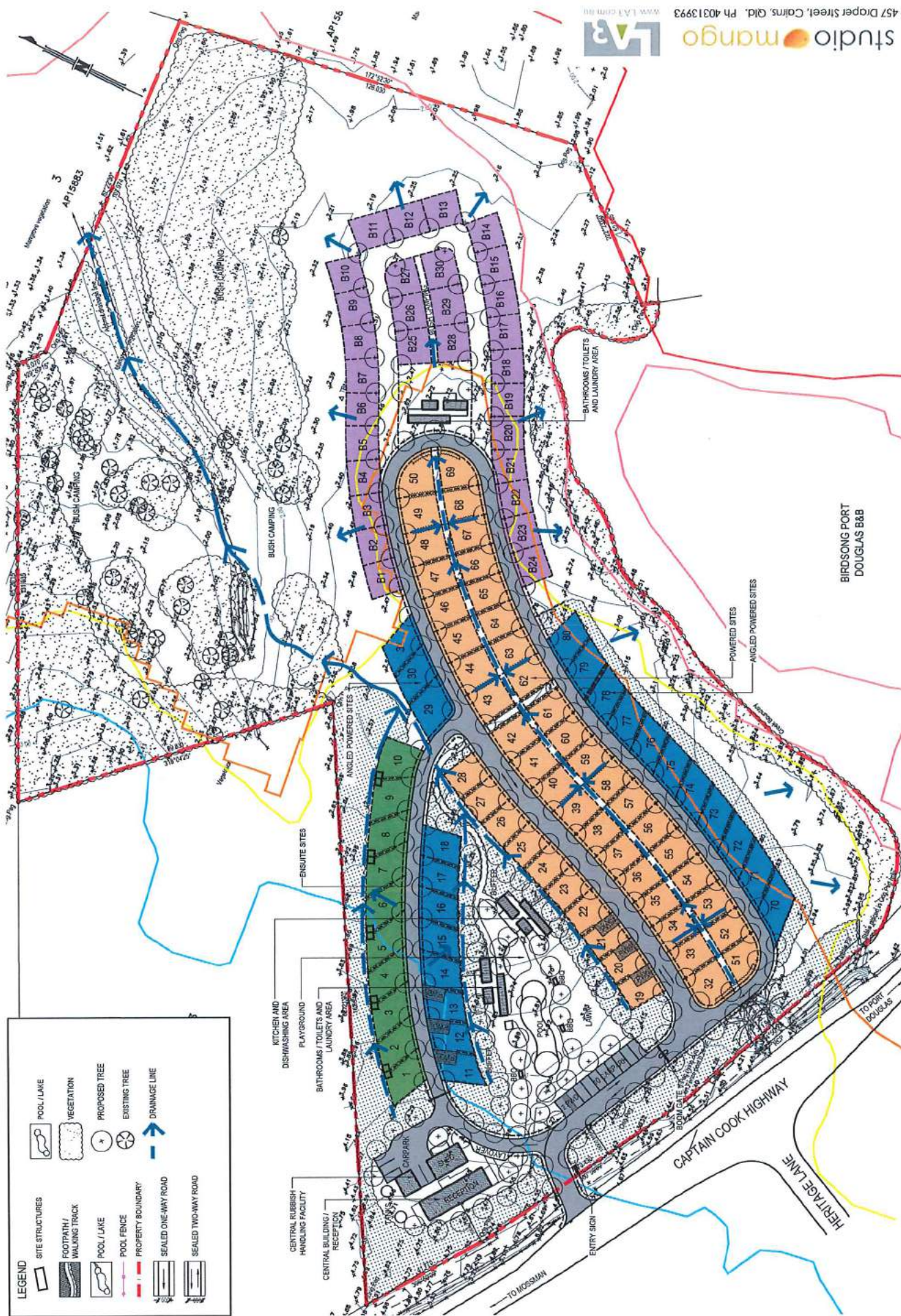
## ATTACHMENTS

1. Hewitt MCU Attachment 1 Plans **[5.4.1]**
2. Hewitt MCU Attachment 2 SARA Response **[5.4.2]**
3. Hewitt MCU Attachment 3 Adopted Charges **[5.4.3]**



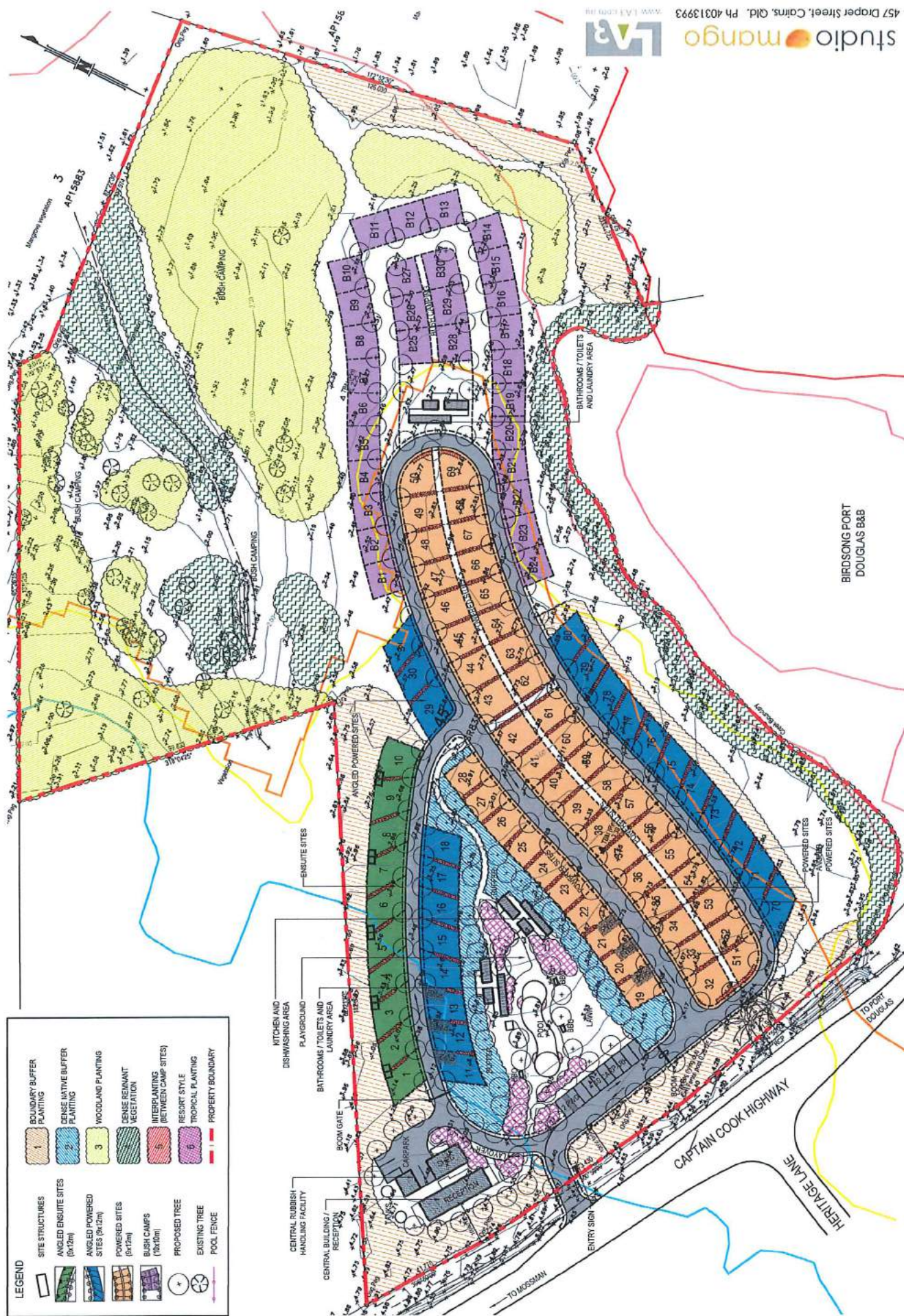






For Approval Issue	12/12/2016	J.C. CHK	Proposed Port Douglas Caravan Park	Client Richard Hewitt	Address Captain Cook Highway, Port Douglas	Drawing title Drainage Concept Plan	Scale 1:100@A3	Job No. 57-	Dwg. No. L-05	Rev. 3
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for Approval Date	12/12/2016	J.C. Appr CHK	Job Proposed Port Douglas Caravan Park	Client Richard Hewitt	Address Captain Cook Highway, Port Douglas	Drawing Title Landscape Masterplan Concept	Scale 1:1000@A3	Job No. 57-	Dwg No. L-03	Rev. 3
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PLANT LIST									
BOTANICAL NAME	COMMON NAME	HEIGHT AT MATURITY	1	2	3	4	5	6	
<i>Acmena hemilampra</i>	Blush Sainash	6-10m	•						Resort-style
<i>Acmena smithii</i>	Lilipili	2-6m		•					
<i>Acrostichum speciosum</i>	Mangrove Fern	1-2m					•		•
<i>Adenanthera pavonina</i>	False Red Sandalwood	6-10m	•			•			
<i>Allocasuarina littoralis</i>	Black She Oak	3-8m			•				
<i>Alpinia caerulea</i>	Common Ginger	1-2m		•					
<i>Anidesma buntus</i>	Herbert River Cherry	6-8m	•						
<i>Archidendron grandiflorum</i>	Laceflower Tree	3-6m		•					
<i>Archidendron lucyi</i>	Scarlet Bean	5-8m	•						
<i>Archonophoenix alexandrae</i>	Alexandra Palm	6-8m	•	•	•	•	•	•	•
<i>Asplenium nidus</i>	Bird's Nest Fern	1m		•	•	•	•	•	•
<i>Aracocarpus flizalarii</i>	Brown Gardenia	5-9m		•					
<i>Baeckea frutescens</i>	Weeping Baeckea	2-4m		•					
<i>Barringtonia calyptrata</i>	Mango Pine	20-30m	•						•
<i>Barringtonia acutangula</i>	Freshwater Mangrove	3-5m		•					
<i>Barringtonia asiatica</i>	Beach Barringtonia	20-30m	•						
<i>Bougainvillea glabra</i>	Paperflower Bougainvillea	1-2m							•
<i>Calophyllum nophyllum</i>	Beach Calophyllum	15-20m			•				
<i>Callistemon 'Glenne River'</i>	Glenne River Bottlebrush	2-3m							•
<i>Callistemon sp. 'Little John'</i>	Little John Bottle Brush	1m							•
<i>Calathea lutea cv 'Havana Cigar'</i>	Havana Cigar	2m							•
<i>Cordia alliodora</i>	Croton	2m							•
<i>Cordia subcordata</i>	Sea Trumpet	10m		•					
<i>Crinum pendunculatum</i>	Swamp Lily	1-3m		•					
<i>Cupaniopsis anacardioides</i>	Tuckeroo	10m		•					•
<i>Cyathea cooperi</i>	Tree Fern	5m				•			•
<i>Deplanchea tetraphylla</i>	Golden Bouquet Tree	15m	•						
<i>Dillenia alata</i>	Red Beech	6-10m	•			•			
<i>Diplotaxis diplotaxis</i>	Northern Tamarind	5-10m	•						
<i>Dysoxylum</i>	Golden Cane Palm	5m							•
<i>Flindersia brayleyana</i>	Queensland Maple	15-20m	•						
<i>Ficus sp. 'Green Island'</i>	Green Island Fig	1m							•
<i>Grevillea baileyana</i>	White Oak	10-15m							•
<i>Hamelia patens</i>	Mexican Bushfire	2-3m							•
<i>Harpulia pendula</i>	Tulwood	8-10m							•
<i>Ilex 'Pink Malay'</i>	Pink Malay	2m							•
<i>Leea indica</i>	Bamboo Berry	3-5m	•						
<i>Licuala ramsayi</i>	Fan Palm	20m	•	•					
<i>Livistona nuxallii</i>	Fan Palm	12m			•				
<i>Lomandra longifolia</i>	Mat Rush	1m	•	•	•	•	•	•	•
<i>Lophosiemon suaveolens</i>	Swamp Mahogany	15-20m	•						
<i>Maritima lenticellata</i>	Cascading Bean	8-10m		•					
<i>Mealeuca dealbata</i>	Red Tea Tree	15-20m	•						
<i>Mealeuca leucadendra</i>	Tea Tree	20-25m	•						•
<i>Melicope rubra</i>	Little Euodia	6-8m							
<i>Naucleria orientalis</i>	Leichhardt Tree	10-15m							
<i>Pandanus tectorius</i>	Screw Palm	4-8m	•		•				
<i>Pandanus pygmaeus</i>	Dwarf Pandanus	GC							•
<i>Pandorea pandorana</i>	Wonga Vine	Vine				•			
<i>Pseudanthemum reticulatum</i>	Golden Pseudanthemum	2m							•
<i>Phytosperma elegans</i>	Solitaire Palm	5-8m				•			•
<i>Rhipis excelsa</i>	Lady Palm	2m							•
<i>Rhoeo spathacea</i>	Boat of Moses	GC							•
<i>Scaevola taccada</i>	Sea Lettuce	2m							•
<i>Sheffera actinophylla</i>	Umbrella Tree	10m	•						
<i>Syzygium australe</i>	Lilipili	3-5m		•					
<i>Syzygium forte</i>	Playbark Salmash	10-15m	•						•
<i>Syzygium wilsonii ssp. wilsonii</i>	Powderpuff Lilipili	1-3m	•						•
<i>Wodyetia bifurcata</i>	Foxtail Palm	8-10m	•						
<i>Xanthostemon chrysanthus</i>	Golden Penda	6-10m							•

## PLANTING TYPES



### BOUNDARY BUFFER PLANTING

THE INTENTION OF THIS PLANTING IS TO SCREEN AND BUFFER THE CARAVAN PARK AND CONVERSELY THE ADJACENT PROPERTIES FROM THIS NEW DEVELOPMENT. THIS PLANTING WILL OCCUR ON THE CAPTAIN COOK HIGHWAY AND THE NORTH AND SOUTH BOUNDARIES OF THE SITE. THE PLANTING SELECTIONS WILL CONSIST OF PLANTING COMPLEMENTARY TO THE TWO ADJOINING PLANTING TYPES OF REMNANT & WOODLAND PLANTING. THE MIX OF SPECIES WILL INCLUDE TALL TREES AND POCKETS OF PALMS AT FEATURE LOCATIONS WITH MID STORY SHRUBS AND LOW SHRUBS TO CREATE A WALL OF VEGETATION. ALL THE PLANT'S SPECIES SELECTED FOR THIS TYPE WILL BE ENDEMIC TO THE LOCAL PLANT COMMUNITIES.



### DENSE BUFFER PLANTING

THE INTENTION OF THIS PLANTING IS ALSO TO SCREEN HOWEVER THE SCALE IS DIFFERENT AS THESE AREAS OCCUR WITH THE DEVELOPMENT. THE HEIGHT WILL BE LOWER THAN TYPE 1, AND THE DETAIL PLANTING AND INTEREST AT GROUND LEVEL WILL BE GREATER. THE WALL OF VEGETATION IS STILL THE INTENTION BUT WILL BE A 5-8M AT MATURITY ONLY. SPECIES WILL BE MOSTLY NATIVE WITH A SMALL PERCENTAGE OF EXOTIC HIGHLIGHTS TO COMPLEMENT THE ADJACENT RESORT STYLE TROPICAL PLANTINGS.



### WOODLAND PLANTING

WOODLAND PLANTING IS MORE OPEN PLANTING WITH LIMITED UNDERSTORY. THE EMPHASIS FOR THIS PLANTING IS REINFORCING AND EXISTING WOODLAND AND ENSURING THAT THE STRONG CHARACTER OF SHADE IS MAINTAINED. SOME PANDANUS SP. AND LIVISTONA SP. GROUPINGS WILL BE INCLUDED HERE TO GIVE THE WOODLAND ARE AUTHENTICITY.



### DENSE REMNANT VEGETATION

LOCATED ON THE SOUTHERN BOUNDARY AND ALONG THE MAIN DRAINAGE LINE BELOW THE LAKE AND ON THE LAKE ISLAND THIS PLANTING TYPE IS REMINISCENT OF LOCAL RAINFOREST OR VINE FOREST. THE SPECIES ARE ALL ENDEMIC AND PROMOTE ECOLOGICAL ACTIVITY AND HABITAT LINKAGES.



### INTER-PLANTING (BETWEEN CAMP SITES)

THIS TYPE IS 3-4M IN HEIGHT BUT MAY CONTAIN SOME FEATURE NATIVE PALM PLANTING. THIS WILL BE PREDOMINANTLY NATIVE.



### RESORT STYLE PLANTING (AROUND POOL AREA)

THIS AREA IS THE ONLY AREA THAT WILL BE PREDOMINANTLY WORLD TROPICAL PLANTINGS WHICH REFLECT THE LOCAL PORT DOUGLAS RESORT CHARACTER. HERE THE USE OF REMARKABLE FLOWERING AND LEAF COLOUR PLANTS WILL BE USED. SOME EXOTIC PALMS AND FLOWERING TREES ALONG WITH ORNAMENTAL PLANTS DOWN TO THE DETAIL GROUND COVER PLANTS WILL BE REFLECTED HERE AND COMPLEMENT THE OASIS CREATED BY THE POOL AREA.



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0117-036553  
Council reference: MCUI 2016/1591 (D#782952)

9 March 2017

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

Dear Sir/Madam

**Amended Concurrence agency response—with conditions**

Material change of use for a caravan park on land situated at Captain Cook Highway, Port Douglas and described as Lot 45 on SR835.

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 1 February 2017.

**Applicant details**

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Applicant name:	Richard Hewitt
Applicant contact details:	PO Box 2970 CAIRNS QLD 4870 matt@urbansync.com.au

**Site details**

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Street address:	Captain Cook Highway, Port Douglas
Lot on plan:	Lot 45 on SR835
Local government area:	Douglas Shire Council

**Application details**

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Proposed development:	Material change of use for a Caravan Park
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Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	A caravan park comprising 84 van sites, 40 bush camping sites and associated buildings	Impact Assessment

Referral trigger	Schedule 7, Table 3, Item 1 - State-controlled road Schedule 7, Table 3, Item 2 - development impacting on State transport infrastructure
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Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/ Issue
<b>Aspect of development: Material Change of Use – Caravan Park</b>				
<del>Site Masterplan Concept</del>	<del>Studio Mango</del>	12/12/2016	L-02	3
Site Masterplan Concept	Studio Mango	24/01/2017	L-02	4
Drainage Concept Plan	Studio Mango	12/12/2016	L-05	3
TMR Layout Plan (20A - 62.01km)	Queensland Government Transport and Main Roads	TMR17-20459 (500-1082)	22/02/2017	A
Channelised right-turn (CHR) on a two-lane rural road	Austrorads Guide to Road Design: Part 4A Unsignalised and Signalised Intersections	2010	Figure 7.7	-
Auxiliary left-turn treatment (AUL) on a rural road	Austrorads Guide to Road Design: Part 4A Unsignalised and Signalised Intersections	2010	Figure 8.4	-



A copy of this response has been sent to the applicant for their information.

For further information, please contact Patricia Gadsden, Senior Planning Officer, SARA Far North QLD on 4037 3233, or email [patricia.gadsden@dilgp.qld.gov.au](mailto:patricia.gadsden@dilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc: Richard Hewitt, C/- Urban Sync, [matt@urbansync.com.au](mailto:matt@urbansync.com.au)  
enc: Attachment 1—Conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Attachment 3—Further advice  
Attachment 4—Approved Plans and Specifications

Our reference: SDA-0117-036553

Council reference: MCUI 2016/1591 (D#782952)

### Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use		
<b>Schedule 7, Table 3, Item 1</b> – State-controlled road —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of <b>Department of Transport and Main Roads</b> to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
<b>In accordance with approved plans</b>		
1	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> <li><del>Site Masterplan Concept prepared by Studio Mango, dated 12/12/2016, Dwg No. L-02 and Rev 3.</del></li> <li>Site Masterplan Concept prepared by Studio Mango, dated 24/01/2017, Dwg No. L-02 and Rev 4.</li> <li>Drainage Concept Plan prepared by Studio Mango, dated 12/12/2016, Dwg No. L-05 and Rev 3.</li> <li>TMR Layout Plan (20A - 62.01km) prepared by Queensland Government Transport and Main Roads, dated 22/02/2017, Reference TMR17-20459 (500-1082), Issue A.</li> </ul>	Prior to the commencement of use and to be maintained at all times.
<b>Vehicular access to the state-controlled road</b>		
2	The road access location is to be located generally in accordance with TMR Layout Plan (20A - 62.01km) prepared by Queensland Government Transport and Main Roads, dated 22/02/2017, Reference TMR17-20459 (500-1082), Issue A.	Prior to the commencement of use and to be maintained at all times.
<b>Road works on a state-controlled road</b>		
3	<p>(a) Roadworks comprising of a Channelized Right-turn (CHR) treatment, a Rural Auxiliary Left-turn (AUL) treatment and Category V5 Lighting must be provided at the road access location.</p> <p>(b) The roadworks must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>Austrroads Guide to Road Design: Part 4A Unsignalised and Signalised Intersections, dated 2010.               <ul style="list-style-type: none"> <li>Figure 7.7: Channelised right-turn (CHR) on a two-lane rural road, and</li> <li>Figure 8.4: Auxiliary left-turn treatment (AUL) on a rural road.</li> </ul> </li> <li>The Department of Main Roads Road Planning and Design Manual (2<sup>nd</sup> edition), Volume 6: Lighting, dated July 2016.</li> </ul>	Prior to the commencement of use.
<b>Removal of redundant road access works</b>		
4	The existing vehicular property access located between Lot 45 on SR835 and the Captain Cook Highway must be permanently closed and removed.	Prior to the commencement of use.

Our reference: SDA-0117-036553

Council reference: MCUI 2016/1591 (D#782952)

## **Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.
- To ensure the road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.
- To maintain the safety and efficiency of the state-controlled road by reducing the number of road access.

Our reference: SDA-0117-036553

Council reference: MCUI 2016/1591 (D#782952)

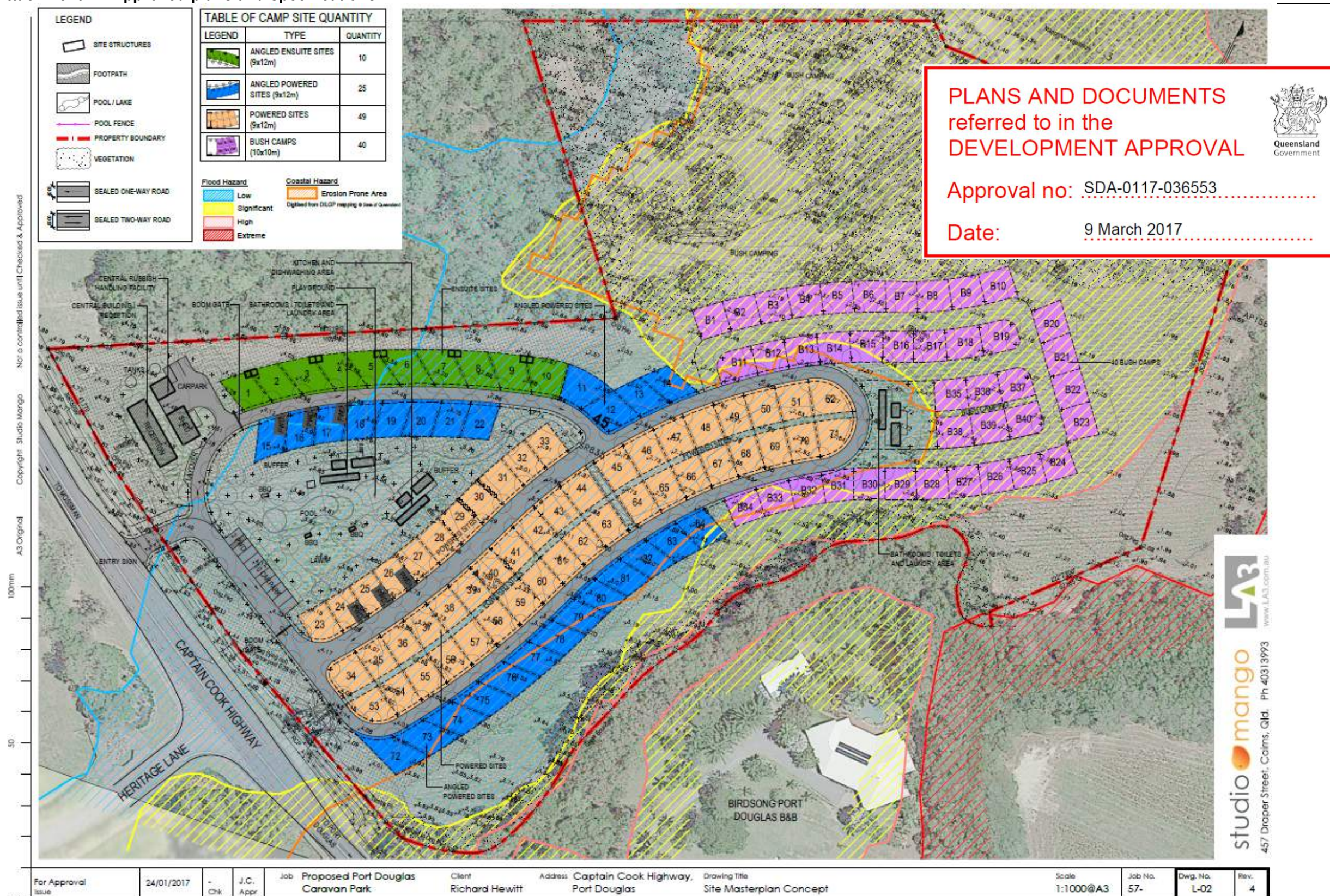
### **Attachment 3—Further advice**

<b>General advice</b>	
<b>Ref.</b>	<b>Advertising device</b>
1.	<p>A local government should obtain advice from the Department of Transport and Main Roads (DTMR) if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: DTMR has powers under section 139 of the Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2015 to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
<b>Further development permits, compliance permits or compliance certificates</b>	
<b>Ref.</b>	<b>Road access works approval</b>
2.	<p>Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Cairns district office of the Department of Transport and Main Roads on 4045 7144 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p><b>The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</b></p>

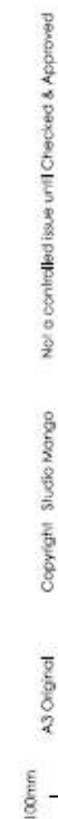


Our reference: SDA-0117-036553

Council reference: MCUI 2016/1591 (D#782952)

**Attachment 4—Approved plans and specifications**





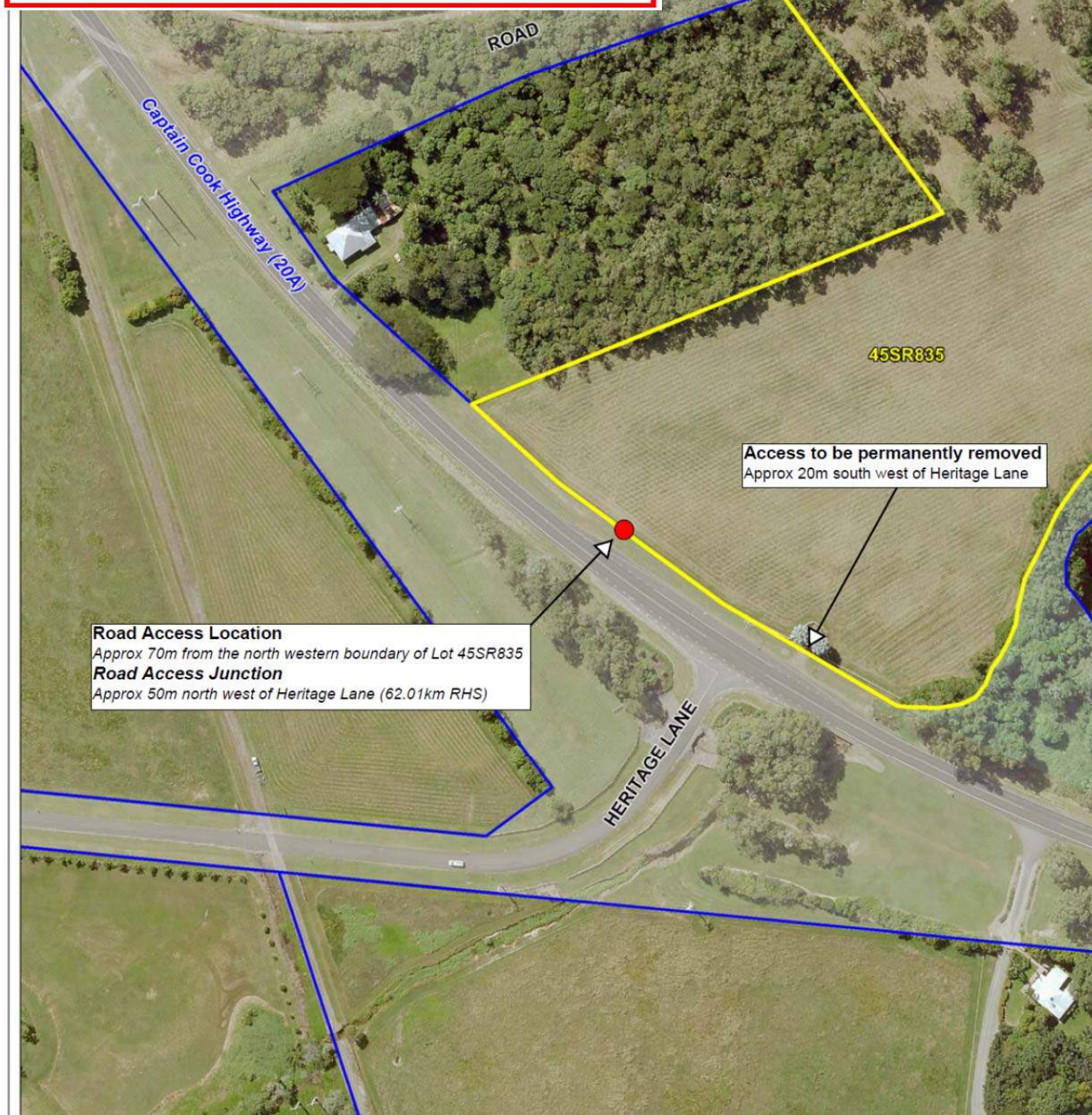


# PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL



Approval no: SDA-0117-036553

Date: 9 March 2017



Branch/Unit: Corridor Management/Far North Region

Projection/Datum: Geocentric Datum of Australia (GDA) 1994

— PROPERTY BOUNDARY  
— SUBJECT LAND

## TMR Layout Plan (20A - 62.01km)



Queensland Government  
Transport and Main Roads

Plan No: 1 / 1

Issue: A

Date: 22/02/2017

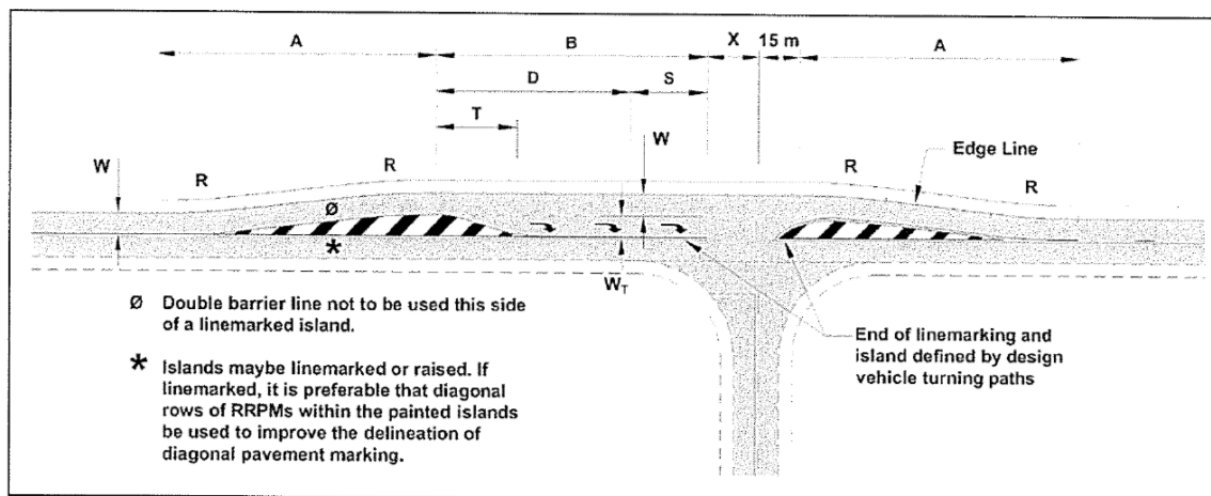
Drawn by: RPK

File ref: TMR17-20459 (500-1082)

© The State of Queensland, 2010. © Pitney Bowes Software Pty Ltd, 2010. © QRL Limited, 2010. Based on [Dataset - State Digital Road Network (SDRN)] provided with the permission of Pitney Bowes Software Pty Ltd (Current as at 04/1/10). [Dataset - Rail, Centre Line, May 2010] provided with the permission of QRL Limited and other state government datasets. Disclaimer: While every care is taken to ensure the accuracy of this data, Pitney Bowes Software Pty Ltd and/or the State of Queensland and/or QRL Limited makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



## Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



## Notes:

1. An alternative to the double white line on the offside edge of the right-turn slot is a 1.0 m painted median. The 1.0 m median is particularly useful when the major road is on a tight horizontal curve and oncoming vehicles track across the centreline. Provision of this median will require the dimension 'A' to be increased.
2. A raised concrete median on the minor road may be used with this treatment to minimise 'corner cutting', particularly for higher turning volumes.
3. The dimensions of the treatment are defined below and values of A, D, R and T are shown in Table 7.2:

W = Nominal through lane width (m) (including widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy.

W<sub>T</sub> = Nominal width of turn lane (m), including widening for curves based on the design turning vehicle. Desirable minimum = W, absolute minimum = 3.0 m.

B = Total length of auxiliary lane including taper, diverge/deceleration and storage (m).

D = Diverge/deceleration length including taper. Adjust for grade using the 'correction to grade' factor (Section 5)

T = Physical taper length (m) and is given by:

$$T = \frac{0.33VW_T}{3.6}$$

S = Storage length (m) should be the greater of:

1. the length of one design turning vehicle or
2. (calculated car spaces - 1) x 8 m (*Guide to Traffic Management – Part 3: Traffic Studies and Analysis* (Austroads 2009h), or use computer program e.g. aaSIDRA).

V = Design speed of major road approach (km/h)

X = Distance based on design vehicle turning path, typically 10–15 m

Source: Based on QDMR (2006).

Figure 7.7: Channelised right turn (CHR) on a two-lane rural road

### 7.5.4 Rural Right-Left Staggered T

#### Basic two-lane two-way road

This layout should be designed to ensure that:

- the stagger distance between the minor legs is large enough to discourage drivers from 'taking a short-cut on the wrong side of the traffic islands (e.g. at least 15 m to 25 m depending on the site characteristics)
- the island treatments in the minor roads are long enough to also discourage wrong way movements
- sufficient width is provided on the major road within the intersection to enable through vehicles to pass slowly to the left of vehicles waiting to turn right (e.g. 12 m), a similar principle to the BAR treatment.

PLANS AND DOCUMENTS  
referred to in the  
DEVELOPMENT APPROVAL

Approval no: SDA-0117-036553

Date: 9 March 2017



Austroads 2010

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#### Department of Transport and Main Roads note:

Site specific requirements may not reflect this example in its entirety. Detailed drawings will be issued upon application for Road Works / Road Access Works.



## Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections

Table 8.2: Dimensions for AUL(S) treatment on major leg

Design speed of major road approach (km/h)	Diverge/deceleration length D (m) <sup>1</sup>	Taper length T (m) <sup>2</sup>
50	15	15
60	25	15
70	35	20
80	45	20
90	55	25
100	70	30
110	85	30
120	100	35

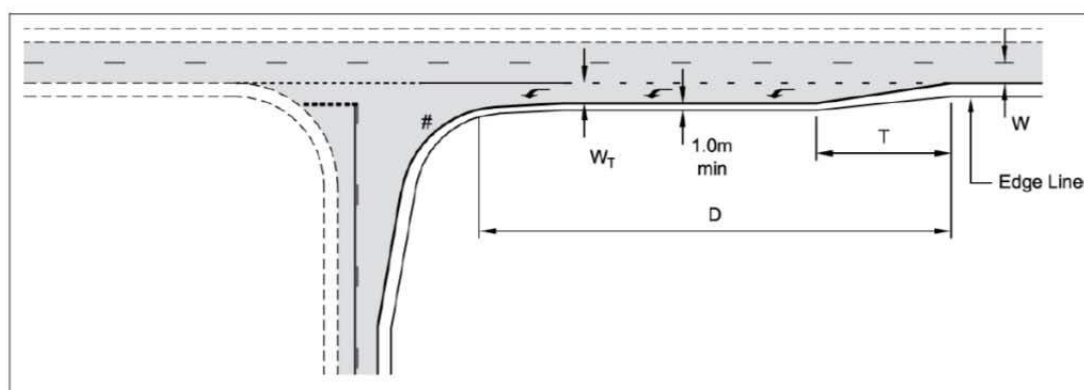
1. Based on a 20% reduction in through road speed at the start of the taper and a value of deceleration of 3.5 m/s<sup>2</sup> (Table 5.2). Adjust for grade using the 'correction to grade', Table 5.3.

2. Based on a turn lane width of 3.0 m.

Source: QDMR (2006).

### 8.2.3 Rural Auxiliary Left-turn Lane Treatment (AUL)

A diagram of an AUL turn treatment on the major leg of a rural road is shown in Figure 8.4. The length of the auxiliary left-turn lane should not be restricted to the minimum if there is little difficulty in making it longer and the demand warrants the treatment (Section 4.8).



#### Notes:

- # For setting out details of the left-turn geometry, use to vehicle turning path software or templates.
- Approaches to left-turn slip lanes can create hazardous situations between cyclists and left-turning motor vehicles. Treatments to reduce the number of potential conflicts at left-turn slip lanes are given in this guide.
- The dimensions of the treatment are defined thus:
  - W = Nominal through lane width (m) (incl. widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy.
  - W<sub>T</sub> = Nominal width of turn lane (m) (incl. widening for curves based on the design turning vehicle) = 3.0 m minimum.
  - D = Diverge/deceleration length including taper – Table 5.2. (Adjust for grade using the 'correction to grade' in Table 5.3).
  - T = Physical taper length (m) given by:

$$T = \frac{0.33VW_T}{3.6}$$

- V = Design speed of major road approach (km/h).

Figure 8.4: Auxiliary left-turn treatment (AUL) on a rural road

**Department of Transport and Main Roads note:**  
Site specific requirements may not reflect this example in its entirety. Detailed drawings will be issued upon application for Road Works / Road Access Works.

**PLANS AND DOCUMENTS**  
referred to in the  
**DEVELOPMENT APPROVAL**



Approval no: SDA-0117-036553

Date: 9 March 2017

Our reference: SDA-0117-036553  
Council reference: MCUI 2016/1591 (D#782952)

Attn: Patricia Gadsden, Senior Planning Officer

**Written agreement for the Department of Infrastructure, Local Government and Planning to amend its concurrence agency response**

Material change of use for a caravan park

(Given under section 290(1)(b)(i) of the *Sustainable Planning Act 2009*)

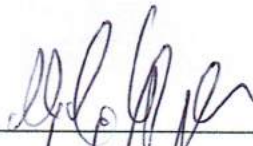
**Street address:** Captain Cook Highway, Port Douglas  
**Real property description:** Lot 45 on SR835  
**Assessment manager reference:** MCUI 2016/1591 (D#782952)  
**Local government area:** Douglas Shire Council

As the applicant of the above development application, I hereby agree to the amended concurrence agency response provided to me in the notice dated 9 March 2017:

**Name of applicant:** Richard Hewitt, C/- Matt Ingram, Urban Sync

**Signature of applicant:**

**Date:**

  
17/3/2017

