

HARDY
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10 April 2025

Charlton Best
Senior Planning Officer
Far North Queensland Regional Office
Planning Services Group
PO Box 2358
CAIRNS QLD 4870

Our Reference – C1302

Dear Charlton

RE: ACTION NOTICE FOR TOWN PLANNING APPLICATION FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK AND CARETAKER'S ACCOMMODATION AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

ON LAND DESCRIBED AS PART OF LOT 2 ON RP745166 AND LOCATED AT LOT 2 CAPTAIN COOK HIGHWAY, PORT DOUGLAS
SARA REF: 2503-45404 SRA

We act on behalf of Krystal Marie DeMenna, the Applicant in relation to the above matter and the Action Notice dated 8 April 2025.

Reference is also made to our further discussions and email exchanges on 8 April 2025 to confirm the scope of the referral matter identified in the Action Notice.

In this regard, the Action Notice is limited to the following:-

- a) referral is required under Schedule 10, Part 17, Division 3, Table 6, Item 1 (10.17.3.6.1) of the Planning Regulation 2017 as the development likely involves operational work for fill or excavation greater than 1,000m³;
- b) the excavation and filling undertaken within the unnamed road reserve connecting the development area with the Captain Cook Highway and in particular, the areas identified by the SARA Mapping including the Erosion Prone Area as shown by attached **Figure 1**; and
- c) a determination on the amount of excavating and fill associated with road works and provision of a sewer main within the relevant section of the unnamed road reserve.

In response to the Action Notice, further advice has been provided by the Project Engineer, Alan McPherson of OSE Group.

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In this regard, we the following advice is provided by the Project Engineer:-

"Erosion Prone area:

During the pre-lodgement process the issue of placing fill within the erosion prone zone was highlighted. Referral would be required if excavating or filling, within the zone, exceeded 1000 cubm. Filling is required, in a section of this zone, for the purpose of constructing the access road within the unnamed road reserve. We have carried out preliminary calculations, based on existing levels, and conservatively estimate the volume of fill required to be 500-700 cubm. If the sewer main for the project is required to be constructed in the unnamed road reserve, the maximum volume of earthworks required to excavate and backfill the sewer line within the nominated road reserve (Refer to Figure 1) would be 150m cubm.

On this basis the filling and excavating within the Erosion Prone Area would not exceed 1,000 cubm."

We trust this response is suitable and consider that the application is properly referred and a Confirmation Notice can be issued for the application.

We await the Department's further response.

Yours faithfully

HARDY TOWN PLANNING AND CONSULTING



**Nick Hardy
Director**

cc: Douglas Shire Council
Attn: Jenny Elphinstone
Attn: Neil Beck

cc: OSE Group
Attn: Alan McPherson

cc: Krystal Marie DeMenna

