

HARDY
TOWN PLANNING AND CONSULTING
Level 1
127 Abbott Street, Cairns
Queensland Australia

PO Box 1256 Cairns QLD 4870

Telephone (07) 4031 3663
www.hardyplanning.com.au

29 April 2025

Chief Executive Officer
Douglas Shire Council
PO Box 723
PORT DOUGLAS QLD 4873

Our Reference – C1302

Attention: Jenny Elphinstone

Dear Jenny

RE: 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
COUNCIL REF: CA 2025_5732
SARA REF: 2503-45404 SRA**

We act on behalf of Krystal Marie DeMenna, the Applicant in relation to the above matter.

Reference is made to following actions:-

- a) the State Assessment and Referral Agency (SARA) issued an Action Notice dated 8 April 2025 (refer **Attachment 1**);
- b) a Response to the Action Notice was submitted to SARA by email dated 10 April 2025 (refer **Attachment 2**);
- c) an Amended Response to the Action Notice was submitted to SARA by email dated 14 April 2025 (refer **Attachment 3**);
- d) SARA issued a Confirmation Notice dated 15 April 2025 confirming that the Development Application was properly referred (refer **Attachment 4**).

Having regard to the above actions please find **attached** the Amended Town Planning Report.

The Town Planning Report includes amendments to the following:-

- a) Town Planning Report

Section 6.02 - to make reference to the water main and sewer main to be located in the unnamed road reserve.

Section 7.02 vii) – to make reference to the water main and sewer main to be located in the unnamed road reserve and to refer to the amended calculation for the estimated excavation and filling.

- b) Figure 7 – to make reference to the water main and sewer main to be located in the unnamed road reserve.

Director
Nick Hardy
BRTP(Hons) MPiA LGTIP(Q)
Mobile: 0412 756 622
Email: nick@hardyplanning.com.au

Senior Town Planner
Stephen Walker
B BIt Env GDURP
Phone: 0480 472 377
Email: steve@hardyplanning.com.au

Hardy Town Planning and Consulting Pty Ltd
ABN: 78 666 346 201

c) Appendix G – Proposal Plans

To amend the locations of the water and sewer connections to the development.

d) Appendix H – Engineering Report

To amend the calculations of the estimated excavation and filling associated with the provision of water and sewer connections within the unnamed road reserve in the *Erosion Prone Area* section.

e) SARA has advised by email dated 24 April 2025 that no Information Request will be issued in relation to State Interest Matters.

Having regard to Section 52 of the Planning Act (2016), it is submitted that the amendments to the Town Planning Report can be considered as minor in nature and *“does not affect the development assessment process”*.

It is further submitted that this letter represents *“giving notice to the assessment manager under Section 52(1) of the Act”* in accordance with Section 25.1 of the Development Assessment Rules (Version 2.0).

We seek Council's written confirmation that the provision of this response *“does not affect the development assessment process”*.

We trust this assists and if you require any further information please contact me on 0412 756 622.

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

cc: State Assessment and Referral Agency

ATTACHMENT 1



SARA reference: 2503-45404 SRA
Your reference: C1302
Council reference: CA 2025_5732/1

8 April 2025

Krystal Marie DeMenna
C/- Hardy Town Planning and Consulting
PO Box 1256
CAIRNS QLD 4870
nick@hardyplanning.com.au

Attention: Nick Hardy

Dear Sir/Madam

Action notice – Captain Cook Highway, Port Douglas

(Given under section 8 of the Development Assessment Rules)

The State Assessment and Referral Agency (SARA) received your referral agency material for the following premises on 1 April 2025.

Location details

Street address:	Captain Cook Highway, Port Douglas
Real property description:	Lot 2 on RP745166
Local government area:	Douglas Shire Council

Under the Planning Regulation 2017, the relevant referral requirements for the development application are as follows:

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on State transport infrastructure
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a state transport corridor
- Schedule 10, Part 17, Division 3, Table 6, Item 1 – Material change of use involving work in a coastal management district

The application does not meet the requirements for a properly referred application under section 54 of the *Planning Act 2016*. The reason for this decision is the correct fees have not been paid, as additional referral interests are applicable. Namely:


- 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
- the applicable fee for referral under 10.17.3.6.1 is \$3,636.00 (pay item 8(b))
- the total development application referral fee is \$7,270.00
- you have advised SARA that \$3,634.00 has been paid.

The application will not be accepted as properly referred until the total development application referral fee is paid to SARA. Based on the information provided above, SARA calculates that \$3,636.00 is currently outstanding.

The above action must be completed within 20 business days of receiving this notice, or a further period agreed with SARA, to avoid your application lapsing.

For further information please contact Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Javier Samanes', written over a light grey circular stamp.

Javier Samanes
A/ Manager (Planning)

cc Douglas Shire Council, enquiries@douglas.qld.gov.au

ATTACHMENT 2

HARDY
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127 Abbott Street, Cairns
Queensland Australia

PO Box 1256 Cairns QLD 4870

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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.

Director
Nick Hardy
BRTP(Hons) MPiA LGTIP(Q)
Mobile: 0412 756 622
Email: nick@hardyplanning.com.au

Senior Town Planner
Stephen Walker
B Blt Env GDURP
Phone: 0480 472 377
Email: steve@hardyplanning.com.au

Hardy Town Planning and Consulting Pty Ltd
ABN: 78 666 346 201

In this regard, 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

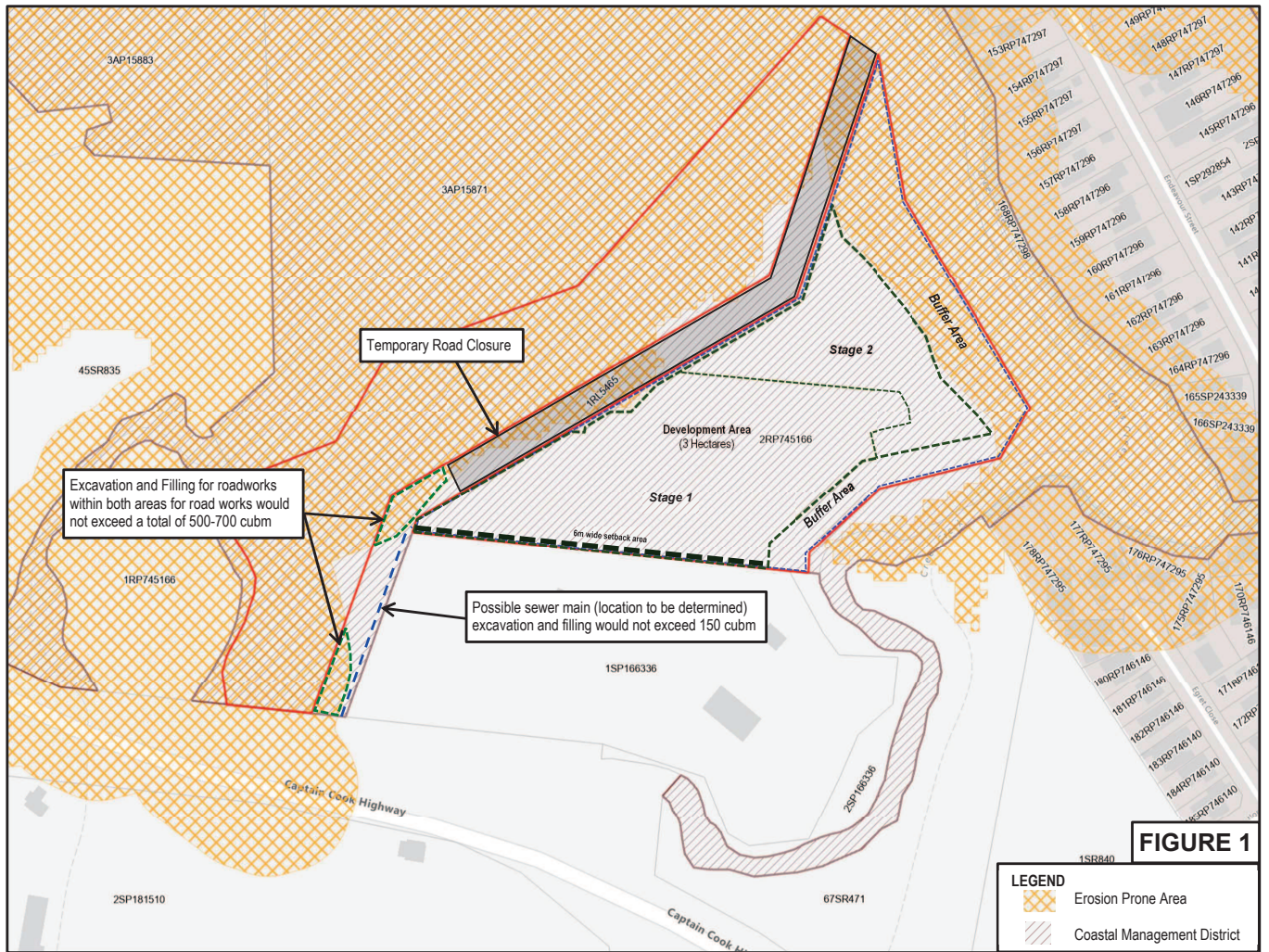


FIGURE 1

ATTACHMENT 3

HARDY
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14 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: AMENDED RESPONSE TO 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.

Director
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Mobile: 0412 756 622
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Phone: 0480 472 377
Email: steve@hardyplanning.com.au

Hardy Town Planning and Consulting Pty Ltd
ABN: 78 666 346 201

With reference to **Figure 1**, 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 and the water main for the project are required to be constructed in the unnamed road reserve, the maximum volume of earthworks required to excavate and backfill the sewer main and the water main within the nominated road reserve would be 150 - 200 cubm.

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

We further advise that the **attached** Appendix G – Proposal Plans have been amended to be consistent with the advice provided in this letter and Figure 1.

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

cc: State Assessment and Referral Agency
Attn: Anthony Westbury

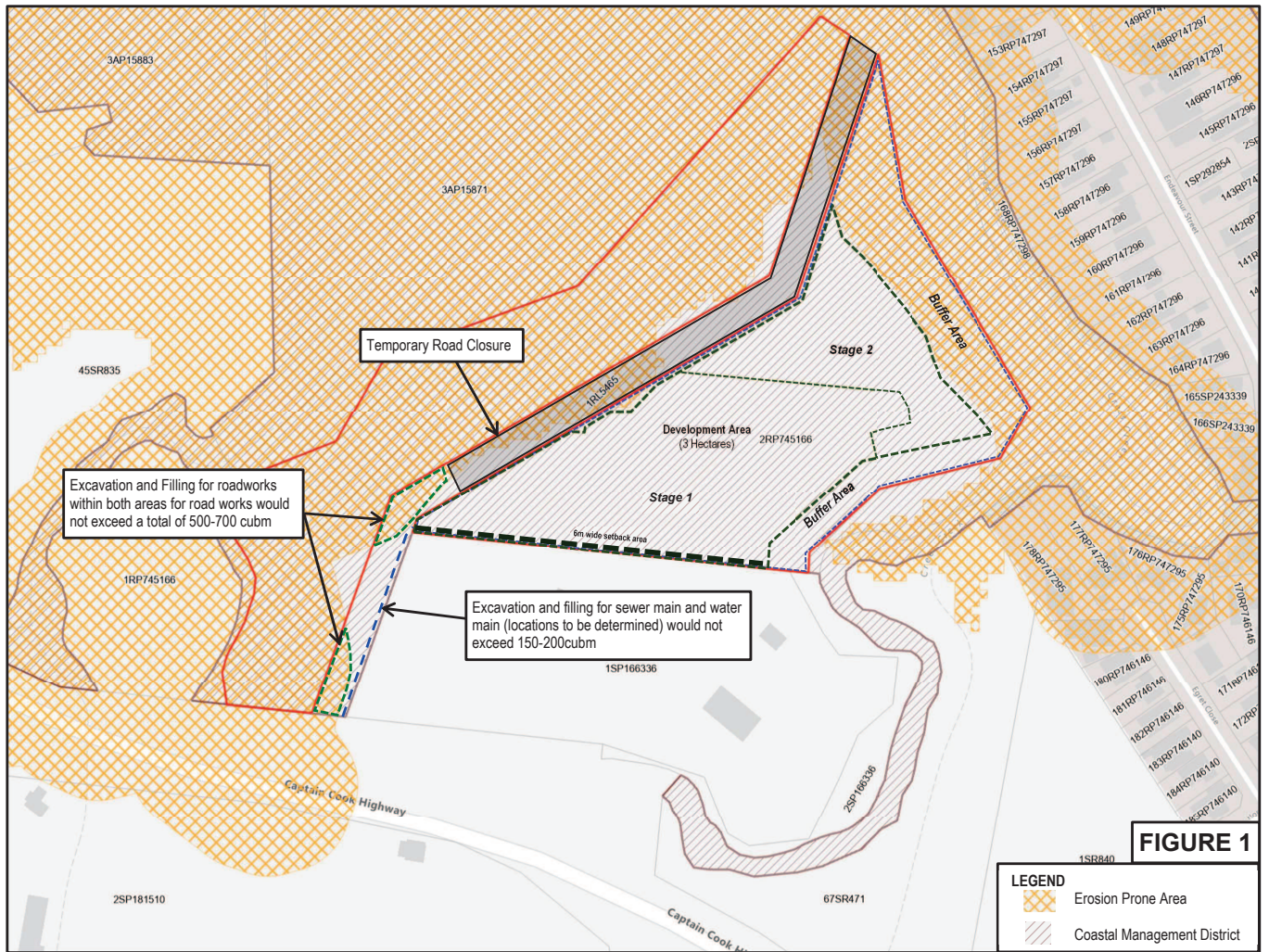


FIGURE 1

WORKERS ACCOMODATION COMPLEX FOR SUPERIOUR STAYS
LOT 2 RP745166
CAPTAIN COOK HIGHWAY
PORT DOUGLAS

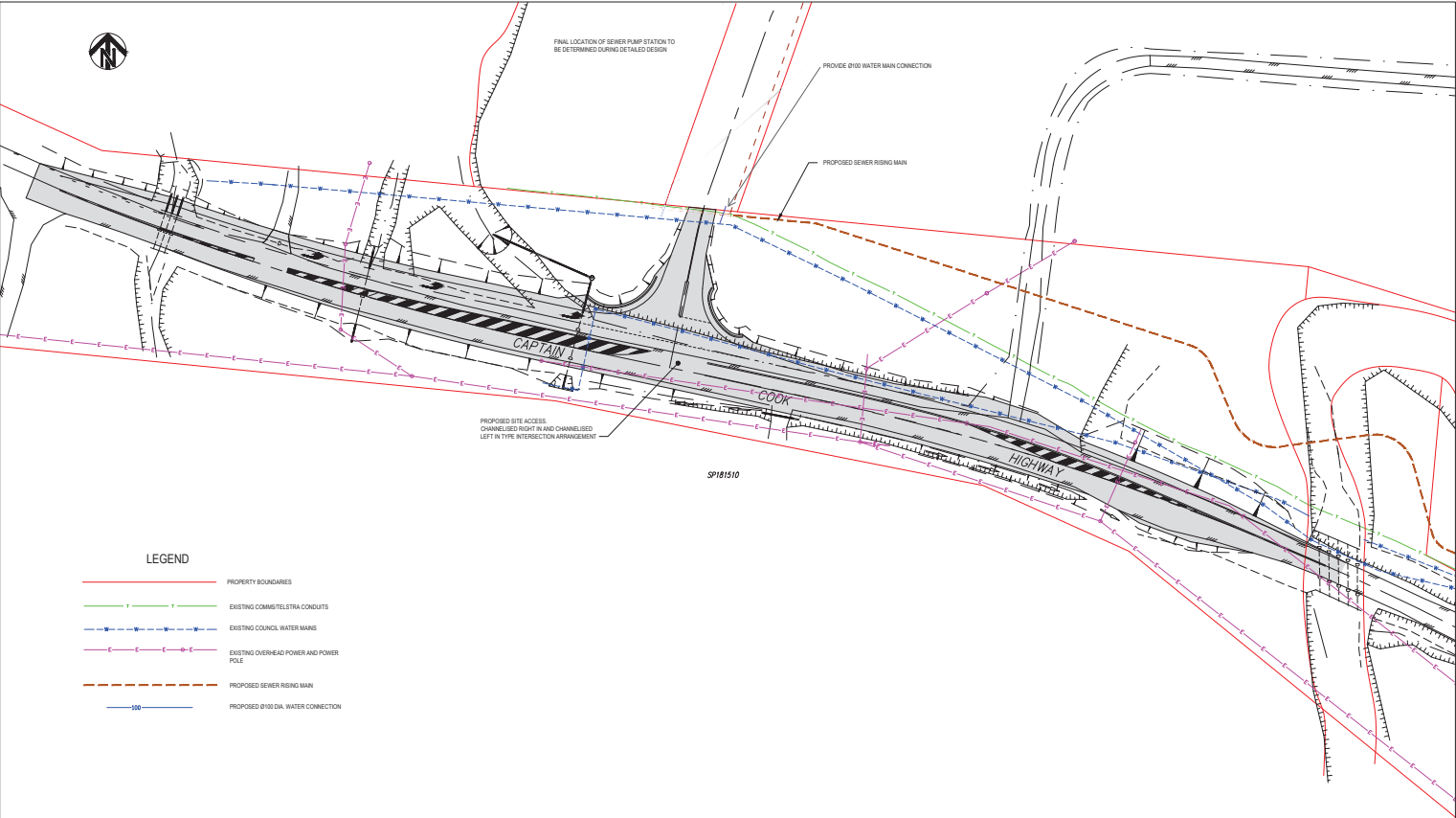


DRAWING INDEX	
DWG No.	TITLE
C00	COVER SHEET, LOCALITY PLAN AND DRAWING INDEX
C01	SITE ACCESS PLAN, SERVICES CONNECTIONS
C02	WORKERS ACCOMMODATION LAYOUT INTERNAL SITE LAYOUT
C03	WORKERS ACCOMMODATION LAYOUT VEHICLE TURN MOVEMENTS

AMENDED 14/04/2025

B 21.02.25 DRAWING INDEX UPDATED A 04.12.23 FOR APPROVAL REV DATE REVISION NOTES		DESIGNER <div>OSE GROUP</div> <div>Address: 10 ABBOTT ST, CARING 4815 Email: info@osegroup.com.au</div>	CLIENT SUPERIOR STAYS	PROJECT WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745166 CAPTAIN COOK HIGHWAY, PORT DOUGLAS			TITLE COVER SHEET, LOCALITY PLAN AND DRAWING INDEX	
				DESIGNED CJM	DESIGNED/CHECK AMSP	APPROVED	SCALE (Scale as shown)	23070-C00
				DESIGNED CJM	DESIGNED/INDEX AMSP	DATE 14/12		

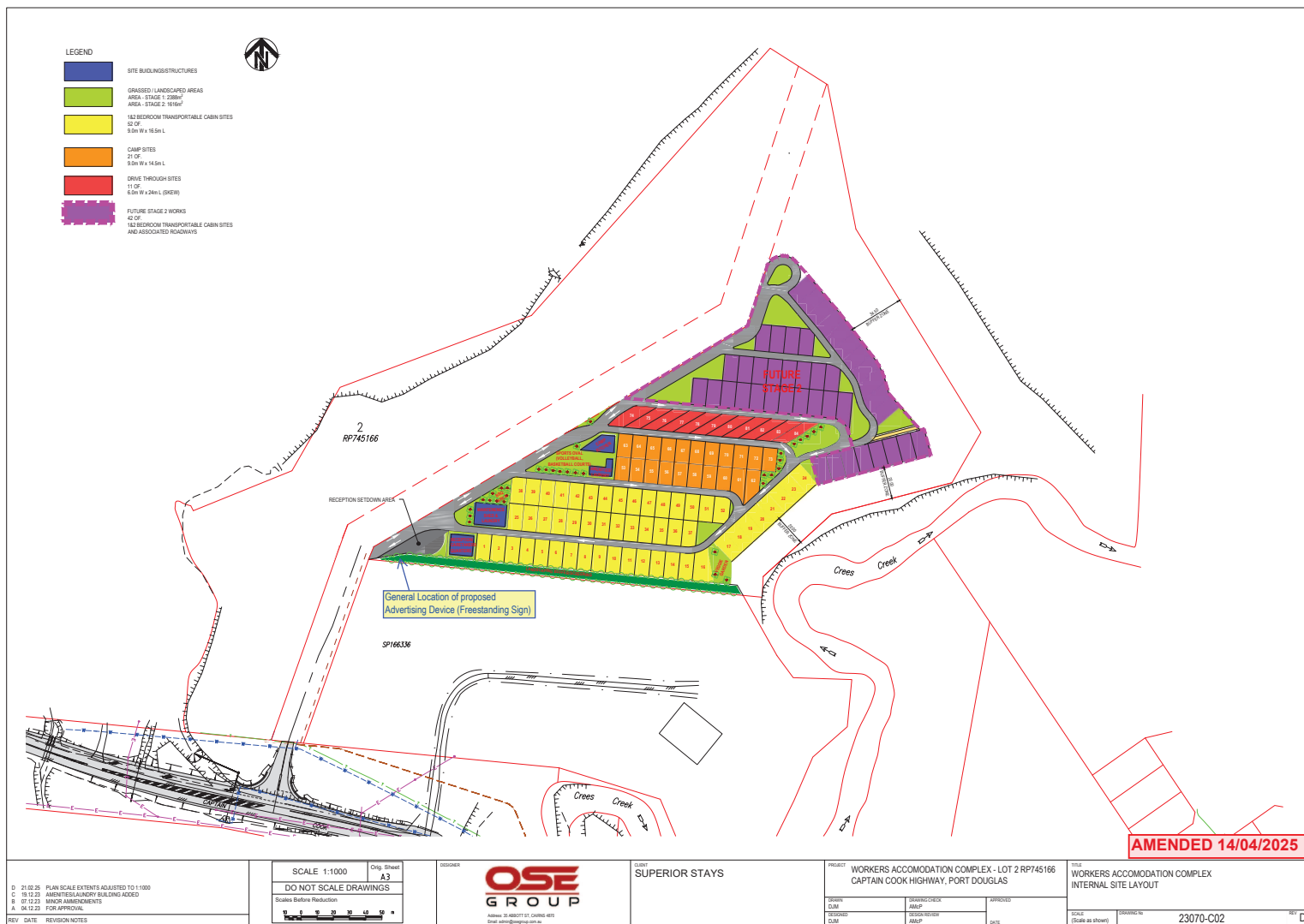
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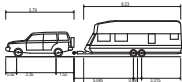


AMENDED 14/04/2025

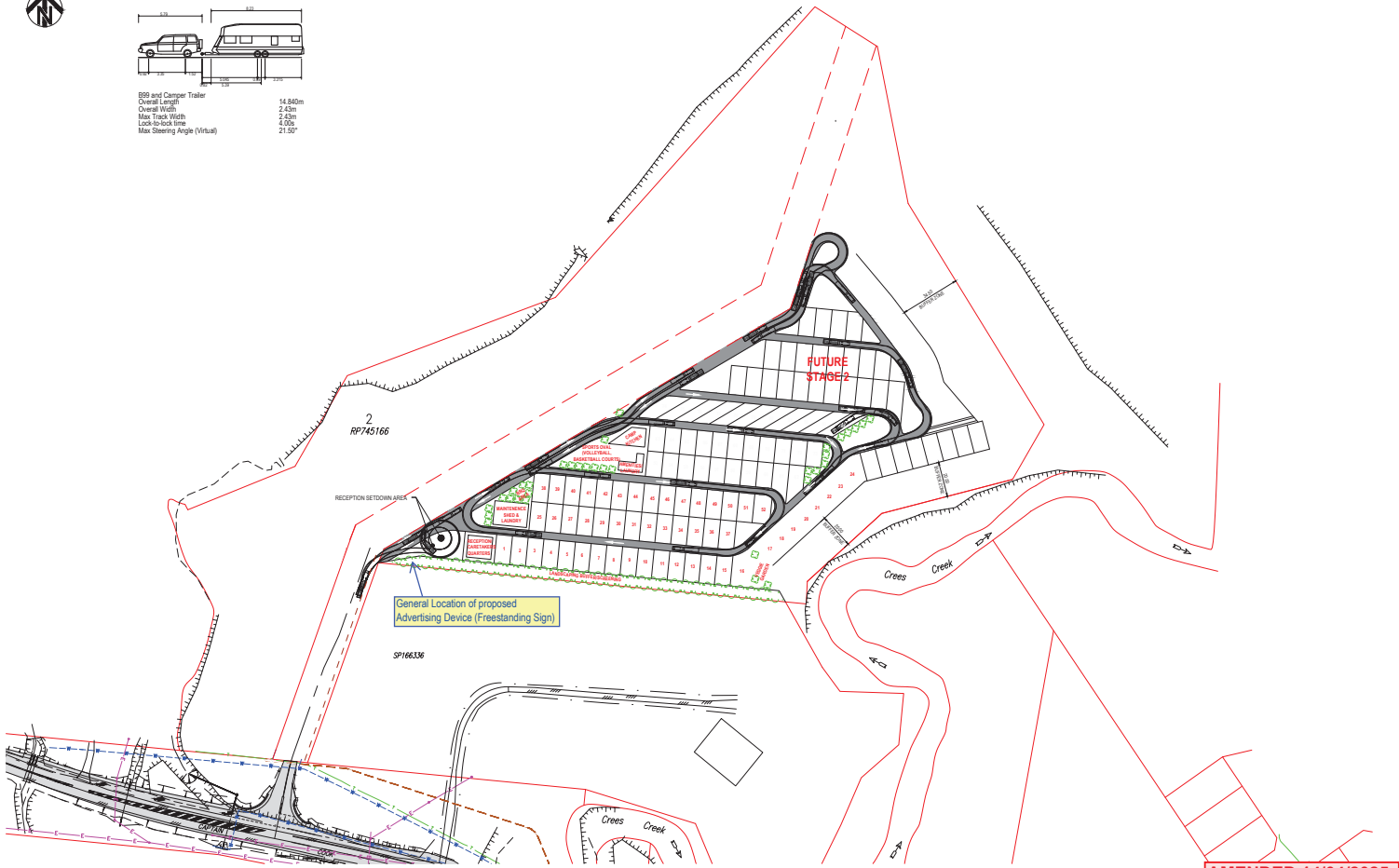
<div><div>8 21.02.25 DRAFTING AMENDMENTS</div><div>A 04.02.25 FOR APPROVAL</div><div>REV DATE REVISION NOTES</div></div>		<div><div>SCALE 1:500</div><div>Orig. Sheet A3</div><div>DO NOT SCALE DRAWINGS</div><div>Scales Before Reduction</div><div></div></div>	<div><div>DESIGNER</div><div></div><div>Address: 20 ABBOTT ST, CARING 4013</div><div>Email: info@osegroup.com.au</div></div>	<div><div>CLIENT</div><div>SUPERIOR STAYS</div></div>	<div><div>PROJECT</div><div>WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745166</div><div>CAPTAIN COOK HIGHWAY, PORT DOUGLAS</div></div> <table><tr><td>DESIGN</td><td>DESIGNED</td><td>APPROVED</td></tr><tr><td>DATE</td><td>DATE</td><td>DATE</td></tr></table>	DESIGN	DESIGNED	APPROVED	DATE	DATE	DATE	<div><div>TITLE</div><div>SITE ACCESS PLAN, SERVICES CONNECTIONS</div></div> <table><tr><td>SCALE</td><td>ORIENT</td></tr><tr><td>(SCALE AS SHOWN)</td><td>23070-C01</td></tr></table> <div><div>REV</div><div>B</div></div>	SCALE	ORIENT	(SCALE AS SHOWN)	23070-C01
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DATE	DATE	DATE														
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(SCALE AS SHOWN)	23070-C01															

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B99 and Camper Trailer
Overall Length 14.840m
Overall Width 2.43m
Max Track Width 2.52m
Lock-to-lock time 4.00s
Max Steering Angle (Virtual) 21.50°



AMENDED 14/04/2025

C 21.02.25 PLAN SCALE EXTENTS ADJUSTED TO 1:1000
B 07.12.23 MINOR AMENDMENTS
A 04.12.23 FOR APPROVAL

REV DATE REVISION NOTES

SCALE 1:1000
Orig Sheet
A3
DO NOT SCALE DRAWINGS
Scale Before Reduction
0 10 20 30 40 50 60 70 80 90 100 M

DESIGNER

OSE
GROUP

Address: 10 ABBOTT ST, CARING 4013
Email: info@osegroup.com.au

CLIENT

SUPERIOR STAYS

PROJECT

WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745166
CAPTAIN COOK HIGHWAY, PORT DOUGLAS

DESIGN
DATE

DESIGNED
DATE

APPROVED
DATE

TITLE

WORKERS ACCOMMODATION COMPLEX
VEHICLE TURN MOVEMENTS

SCALE
(SCALE AS SHOWN)

DEVELOPER

23070-C03

C

ATTACHMENT 4



Our reference: 2503-45404 SRA
Your reference: C1302
Council reference: CA 2025_5732/1

15 April 2025

Krystal Marie DeMenna
C/- Hardy Town Planning and Consulting
PO Box 1256
CAIRNS QLD 4870
nick@hardyplanning.com.au

Attention: Nick Hardy

Dear Sir/Madam

Referral confirmation notice – Part of Lot 2 on RP745166, Captain Cook Highway, Port Douglas

(Given under chapter 1, part 2, section 7 of the Development Assessment Rules)

The development application described below is taken to be properly referred to the State Assessment and Referral Agency (SARA) under Chapter 1, Part 2: Referral, of the Development Assessment Rules.

Location details

Street address:	Captain Cook Highway, Port Douglas
Real property description:	Part of Lot 2 on RP745166
Local government area:	Douglas Shire Council

Application details

Development permit	Material change of use for undefined use (workers' accommodation), tourist park, caretaker's accommodation and operational work for an advertising device
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The referral confirmation period ended on 8 April 2025 when the advice notice was issued. SARA's assessment will be under the following provisions of the Planning Regulation 2017:

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on State transport infrastructure
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a state transport corridor

For further information please contact Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Sue Lockwood', with a small flourish at the end.

Sue Lockwood
A/Principal Planning Officer

cc Douglas Shire Council, enquiries@douglas.qld.gov.au