

SARA reference: 2509-48332 SRA
Council reference: MCUC 2021_4248/1

3 November 2025

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

SARA referral agency response—147-149 Port Douglas Road, Port Douglas

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 1 October 2025.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	3 November 2025
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit	Application for an Other Change for a Material Change of Use (Code) for mobile food and drink outlet and staging the development in two stages for the existing approved Development Permit for Material Change of Use for Shopping Centre, Food and Drink Outlet (with no drive-through facility) and Office
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning	

Regulation 2017)

Material change of use of premises near a state transport corridor

SARA reference: 2509-48332 SRA

Assessment manager: Douglas Shire Council

Street address: 147-149 Port Douglas Road, Port Douglas

Real property description: Lot 193 on RP747071

Applicant name: T W Peterson

Applicant contact details: C/- Hardy Town Planning and Consulting,
PO Box 1256
CAIRNS CITY QLD 4870
steve@hardyplanning.com.au

Human Rights Act 2019 considerations: The decision has been assessed for compatibility with human rights under the Human Rights Act 2019. The decision was found not to limit human rights under the Human Rights Act 2019 therefore, it is reasonable to conclude the decision is compatible with human rights.

Representations

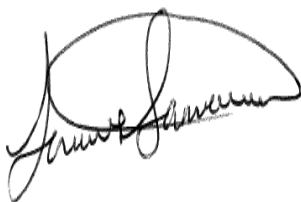
An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 3**.

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

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

Yours sincerely



Javier Samanes
A/ Manager (Planning)

cc T W Peterson, steve@hardyplanning.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP), (version 3.3). If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- The proposed development has been revised with a reduced building footprint, down from five (5) tenancies and 355m² gross floor area (GFA) to three (3) tenancies and 284m² GFA.
- Given the reduced floorspace and retention of the rear ingress/egress via Ribbon Avenue, the proposed development is not considered a significant traffic generator and is unlikely to impact on the function of a state-controlled road intersection or state-controlled road network.
- The site for the proposed development is located approximately 107 metres from Port Douglas Road, a state-controlled road.
- The proposed development will be screened by nature vegetation partly within the subject site and within the state-controlled road corridor.
- The proposed development is not increasing the impervious area of the premises.
- The proposed development will connect to existing stormwater infrastructure which discharges stormwater and drainage flows via Ribbon Avenue, a lawful discharge point.
- No stormwater and drainage run-off flows will be discharged via Port Douglas Road, a state-controlled road.
- The premises have direct vehicle access via Ribbon Avenue, a local council road and via Port Douglas Road, a state-controlled road.
- Port Douglas Road is not a limited access road.
- The proposed development will not require a new or changed access via Port Douglas Road.
- The existing access is improved by a channelized right turn (CHR) and auxiliary left turn (AUL) and complies with the Department of Transport and Main Roads' intersection standards for a shopping centre. This will also ensure that there is no queuing on Port Douglas Road.
- The proposed development will not require additional road works to improve the function and design of the state-controlled road intersection.
- On-site vehicle circulation will be via Ribbon Street, a local council road and Port Douglas Road, a state-controlled road.
- The design of the intersection with a channelized right turn (CHR) and auxiliary left turn (AUL) will adequately accommodate increased traffic generation from the proposed extensions to the existing shopping centre.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the *State Development Assessment Provisions* (version 3.3 effective 18 July 2025), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system

Attachment 3— Representations about a referral agency response provisions

(page left intentionally blank)