

6 July 2026

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

Our Reference – C1302

Attention: Jenny Elphinstone

Dear Jenny

RE: NOTICE ABOUT CHANGE TO DEVELOPMENT APPLICATION FOR DEVELOPMENT 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, PART OF LOT 3 ON AP15871, PART OF CREES CREEK AND PART OF LOT 168 ON RP747298 AND LOCATED AT LOT 2 CAPTAIN COOK HIGHWAY, LOT 3 CAPTAIN COOK HIGHWAY, LOT 168 ENDEAVOUR STREET AND CREES CREEK, 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 the **attached** Notice about a Change to Development Application dated 6 July 2026.

The following aspects are noted in relation the proposal to Change to Development Application under Section 52 of the Planning Act (2016):-

a) Landowner Consent

As part of further discussions and negotiations with Council Officers, it was determined that the most efficient method of connecting to Council's sewerage network is to provide a direct connection to the existing Council pump station located on Lot 168 on RP747298 and located at Endeavour Street to the north east of Lot 2 on RP745166.

It was agreed that the land to contain the sewer main alignment should be incorporated into the current Development Application.

To incorporate the proposed sewer main alignment within the application, landowner consent is required for the following land owned by other entities to enable the application to be considered properly made under Section 51 of the Planning Act (2016):-

- i) Lot 3 on AP15871;
- ii) Crees Creek; and
- iii) Lot 168 on RP747298

On this basis, landowner consent was obtained from the following:-

- i) Department of Natural Resources and Mines, Manufacturing, Regional and Rural Development (DNRMMRRD) to include Lot 3 on AP15871 and Crees Creek within the Application by letter dated 2 July 2026; and
- ii) Douglas Shire Council to include Lot 168 on RP747298 within the Application by letter dated 30 June 2026.

These letters are **attached** as **Appendix B** within the amended Town Planning Report dated July 2026.

b) Application Fee

Council by email dated 23 June 2026 confirmed that no Application Fee is required for this Change Development Application.

c) Amendments to the Town Planning Report

The following general principles are identified for the necessary amendments to the Town Planning Report to include additional land within the application for the sewer main alignment:-

- i) amend the Report text, Figures and relevant Appendices. These amendments include additional text to provide clarity and assessment for the additional land;
- ii) amend DA Form 1 to identify the additional land;
- iii) attach letters providing landowner consent for the additional land; and
- iv) include, in full, the Applicant's Response to Council's Information Request as a separate Appendix

It is submitted that the **attached** amended Town Planning Report is a full representation of the original application, the Applicant's Response to Council's Information Request and inclusion of additional land subject to the application.

d) Confirmation Notice

On the basis that this Change to a Development Application is not considered to be a Minor Change, it noted that the assessment of the application will "return" to Part 1: Application and that Council will issue a new Confirmation Notice.

Please confirm receipt of the **attached** Notice and amended Town Planning Report dated July 2026.

We await receipt of Council's new Confirmation Notice and should Council require any further information please contact me on 0412 756 622.

Yours faithfully

HARDY TOWN PLANNING AND CONSULTING



Nick Hardy
Director

- cc: OSE Group
- Attn: Alan McPherson
- cc: Krystal Marie DeMenna
- cc: State Assessment and Referral Agency

Notice about change to development application
Section 52(1) of the Planning Act 2016

CA 2025_5732/1	[application reference number]
Krystal Marie DeMenna	[applicant's name]
c/- Hardy Town Planning and Consulting PO Box 1256 CAIRNS QLD 4870 nick@hardyplanning.com.au	[contact address/email address]
0412 756 622	[contact number]
6 July 2026	[notice date]
Douglas Shire Council	[assessment manager's name]
PO Box 723 Mossman QLD 4873	[assessment manager's address]

DEVELOPMENT APPLICATION TO THE DOUGLAS SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR
A) MATERIAL CHANGE OF USE . IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS. ACCOMMODATION), TOURIST PARK, CARETAKER.S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
B) OPERATIONAL WORK . IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

LOT 2 CAPTAIN COOK HIGHWAY, PORT DOUGLAS
LOT 3 CAPTAIN COOK HIGHWAY, PORT DOUGLAS
CREES CREEK, PORT DOUGLAS
ENDEAVOUR STREET, PORT DOUGLAS

PART OF LOT 2 ON RP745166
PART OF LOT 3 ON AP15871
PART OF CREES CREEK
PART OF LOT 168 ON RP747298

Dear Jenny

In accordance with section 52(1) of the *Planning Act 2016*, I would like to advise that I am changing the development application identified above. The change is:

Detailed by the **attached** letter dated 6 July 2026.

I believe this change should be considered as: *[tick applicable box]*

- a minor change in accordance with the Planning Act
 a change in response to an information request
 a change in response to a further advice notice
 a change in response to a properly made submission
 another change as described below

For the following reasons:

Detailed by the **attached** letter dated 6 July 2026.

Please find attached to this notice further information and documentation about the change, including:

Detailed by the **attached** letter dated 6 July 2026.

If you wish to discuss this matter further, please contact me on the above telephone number.

Yours sincerely



Nick Hardy, Director, Hardy Town Planning and Consulting for and on behalf of the Applicant