DOUGLAS SHIRE COUNCIL

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28 October 2026

Enquiries: Jenny Elphinstone
Our Ref: CA 2025_5732/1(Doc ID 1398375)
Your Ref:

Krystal Marie Demenna
C/- Hardy Town Planning and Consulting
PO Box 1256
CAIRNS QLD 4870

Email: nick@hardyplanning.com.au

Attention Mr Nick Hardy

Dear Sir

FURTHER ISSUES LETTER
Combined Application for a staged development for Material Change of Use for an Undefined Use for Workers' Accommodation, Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities and Operational Work for an Advertising Device At Captain Cook Highway, Port Douglas

Council refers to your development application that was received on 3 March 2025. An information request was issued on 3 April 2025 to which a response was received on 15 December 2025. The application was amended on 6 July 2026. The change application included the earlier response to the information request.

Council wishes to advise that the assessment of your development application has identified some issues remain outstanding and the advice provided to date has uncovered further issues which require attention.

Please note, the information provided to Council to date is inadequate and does not enable the assessment of the application to be completed to a sufficient level of certainty to facilitate the drafting of conditions for a Development Permit. The following matters remain outstanding and are listed as follows.

Flood and Storm Tide Inundation Considerations

The land is constrained by both flood and storm tide inundation as per Council's Planning Scheme Maps. The consideration of the flood impacts needs to have regard to the type and nature of the land use ensuring safety from these hazards.

Having regard to AO1 and the respective PO1 of the Flood and Storm Tide Hazards Overlay code, it is essential that parts of the site on which the accommodation is constructed, the camping area grounds and the network of internal roads giving access to pedestrians and micro mobility vehicles, are all provided with sufficient immunity from inundation to enable a safe environment.

Council's Storm Tide inundation Study identifies a minimum floor height to be achieved for habitable rooms of 3.314m AHD. However, there is no known flood level for the AEP for riverine or rainfall event.

The nominated schematic cut and fill plan identifies intended fill of 6,042m^3 over that part of the site where the accommodation and associated uses are to occur being an area of some 3.3 ha. The plan also nominates significant extent of the existing land is at or above 3.314m AHD.

Council does not have a specific current riverine flood or AEP study for this land. The request for further information sought such a local study. To date, you have advised that further details, such as a detailed flood study, cut and fill plan and final design with levels and drainage for the development will be provided at a later date under an application for operational work.

Considerable advice and information have been provided through the properly made submissions in which residents recall the severe impacts of recent severe rain events and resultant flooding of the adjacent creek, the land, the surrounding land and the adjacent roads. Significant concern is held by residents for severe events, in a post development construction future, will have detrimental cumulative impacts on the surrounding area and nearby residential area.

Council is not satisfied with the information provided to date that the development provides a safe environment for the future occupants of the land, as well as certainty that any cut and fill will not detrimentally impact on the surrounding area and nearby residential area.

1. The applicant needs to provide a local flood study, of pre and post development construction including the detailed cut and fill design, the intended landform and the stormwater design. The study needs to include assessment of fill on the impact of surrounding and nearby development. The study needs to be provided at this point of assessment of the planning application.

   The immunity for access must also be provided along the adjacent unnamed road between the entry to the development and the Captain Cook Highway. The development includes a buffer corridor along the creek in which no cut or fill is proposed. It is understood the buffer area will be landscaped. The flood study must include consideration of any landscaping to the buffer area and impact on velocity flow. The study must also consider any earth mounds incorporated into the buffer area.

   The study needs to include local calibration against known flood levels of previous events.

Access Along Public Road

Concern has been raised through the properly made submissions of the accessibility of the surrounding area to traditional owners. The design details the constructed cul-de-sac head at the end of the opened unnamed road indicate a sharp drop beyond the road pavement.

2. Please provide advice that the area beyond the head of the cul-de-sac will be suitably graded to provide a safe transition beyond the boundary of the opened, unnamed road.

Creek Gradient

3. Clarification is needed to the intended finished levels and any grading of the creek buffer areas, in particular where the boundary lies adjacent to steep gradients to the physical creek bed.

Water Supply and Wastewater Calculations

The development is outside the LGIP Priority Infrastructure Area.

The civil design calculations have adopted average estimates on occupancy, as per the FNQROC Development Manual, being an equivalent demand for Caravan Parks (Van Site / Camping Site) of 1.2 Equivalent Persons for sewer service and water supply, as opposed to a two bedroom unit that has a standard guideline rate of at least 1.6 Equivalent Persons. It is noted the Manual does not identify a specific demand for worker accommodation or for peak occupancy periods.

Noting that the intended use for the site is for workers accommodation and peak occupancy rates for this use are not contemplated in average rates in the FNROC Development Manual.

The development is likely to experience higher occupancy during the peak tourist season when the occupancy is considered to be more akin to permanent resident use, rather than holiday makers, including the need for the resident workers to undertake cooking and washing, etc.

During the peak tourist period it is anticipated that a much higher occupancy rate will occur, yielding higher demands on Council's infrastructure. These higher yields may be above the FNQROC Development Manual's guide of 1.2 equivalent persons.

4. Council requires certainty that there is sufficient capacity in the existing network to accommodate the development or what upgrades are necessary to adequately service the development. The applicant needs to provide this further detail, such as expected occupancy rates and infrastructure demands, to clarify this matter.

   To assess the potential impacts, Council requests that a sensitivity analysis be undertaken for water and sewer demands and impacts to the respective networks based on an occupancy rate of 1 person per bedroom.

Noise and Amenity

Concern has been raised though the properly made submissions of the impacts of noise emanating from the use. The Environmental Performance Code identifies that noise emissions can have an impact on the surrounding environment.

It is noted that any issues of from noisy residents and resident's music are matters for the Queensland Police Service. Nevertheless, please provide details of any proposed management rules that could address these types of resident impacts.

Council requires certainty that the development will not detrimentally impact on sensitive land uses including that experienced by neighbouring sites and sensitive land uses in the nearby residential area to the south. These noise emissions would include regulated devices (such as outdoor maintenance equipment, power tools etc,) pumps, air conditioner compressor units and backup generators.

5. Council requires a noise assessment be provided. The report should clarify expected emissions, and any strategies, such as how devices are to be attenuated, any associated design features (e.g., any earth noise mounds, acoustic fence treatments etc) and management rules, that will ensure the development does not adversely impact on nearby residents.

Further Discussions and Information

Given the extent and nature of the issues at hand, Council is open to a technical meeting to discuss the matters at a level to enable a clear understanding that the development is capable of achieving the desired outcomes and can be conditioned. Please advise if you seek such a meeting.

Please note, Council officers are not of the opinion that a Preliminary Approval could be supported on the basis of the information provided to date.

Other

Please quote Council's application number CA 2025 5732/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully



Leonard Vogel
Manager Environment & Planning