DOUGLAS SHIRE COUNCIL

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30 October 2026

Enquiries: Jenny Elphinstone
Our Ref: CA 2025_5878/1(Doc ID 1399317)
Your Ref: 2025-0031 WONGA BEACH RESORT

18 Oasis Street Pty Ltd
C/ Kelly Reaston Development and Property Services
Unit 2
51 Sheridan Street
CAIRNS QLD 4870

Email: kelly@kellyreaston.com.au

Attention Ms Kelly Reaston

Dear Madam

Combined Application - Material Change of Use and Variation Request for a Resort Complex and inclusion in the Tourist Accommodation Zone
At 18 Oasis Drive Wonga Beach

Council refers to the development application that was received on 19 December 2025 and was properly made on 28 January 2026 pursuant to section 51(5) of the *Planning Act 2016*. An information request was issued on 4 February 2026 to which a response was received on 3 June 2026.

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 Decision Notice for a Development Permit. The following matters remain outstanding and are listed as follows.

Urban Character and Amenity

The suburb of Wonga Beach is identified as a residential community. The Planning Scheme's Coastal Communities Local Plan states, *"The purpose of the Coastal communities local plan code is to provide for attractive residential areas in the Shire as an alternative to Mossman and Port Douglas."* Wonga Beach is a coastal suburb that provides local residential housing. The character of Wonga Beach is reflected in the simple domestic form and pedestrian scale of housing. The previously approved development of the land anticipated seven residential house lots.

The proposed development is of significant height, bulk and mass with minimal setbacks in comparison to the existing built form of the suburb. The development proposes a significantly higher population density that what is envisaged by the Planning Scheme. The development includes 66 individual apartments, function centre, restaurant, interpretive centre, spa complex and lounge and poolside areas. The development proposes a significantly higher population density than what occurs in the local community. Insufficient setback and landscaping are provided to Oasis Drive and to neighbouring and surrounding residential properties. The extent and scale of the development is inconsistent with the character of the urban area into which it seeks to establish.

The Strategic Framework states, *"Areas identified for low density residential development provide predominantly low-rise detached dwelling houses to maintain the low density character of the area."*

1. The development needs to be of a scale, mass, bulk and form that is commensurate to the local community and suburb. Where larger mass, bulk and scale are proposed, the larger elements need to be located to the centre of the development and screened by more consistently scaled development. The development needs to be significantly setback from the boundaries and roadways.

The Strategic Framework states, *"Residential areas are used for residential purposes. Non-residential uses are provided, only where they support the local community, and where such uses do not detract from the residential amenity of the area."*

The Strategic Framework identifies Port Douglas as a premium tourism destination and that *"Major tourist accommodation and entertainment areas will continue to focus in the Port Douglas Town Centre."* For tourism development elsewhere the Framework states.

> *"Tourist development in the Daintree Village, Cape Tribulation and other parts of the Shire:*
>
> *(a) is of a scale appropriate to its location;*
>
> *(b) respects the environmental quality of its surrounds;*
>
> *(c) is limited in size and extent;*
>
> *(d) consists of low-intensity activities, generally based on the appreciation of the natural environment."*

The purpose of the Coastal Communities Local Plan specifically seeks the outcome, *"to protect residential communities from incursion by tourist accommodation and facilities."*

The Tourism Zone Code requires, *"Accommodation activities are provided at an appropriate scale and integrate with and enhance existing tourist attractions. … Development enhances and protects the unique local, scenic, cultural and historic character of the locality."*

The development is located on a highly visible site that is at the centre of the locality. The development is a major tourist accommodation land use. The development is inconsistent with the Strategic Framework and the Local Plan.

2. Identify planning reasons that support the variation against the Planning Scheme Framework, Local Plan and zone despite the conflicts.

Water Supply

The Strategic Framework states, *"the Wonga Beach, Newell and Cooya Beach and various other small towns, villages and rural residential land, including the land north of the Daintree River, are not intended to grow or increase in density over and above existing zoned land and what current approvals provide. These communities generally have low levels of infrastructure and significant coastal or environmental constraints."*

The development is in a designated water supply area. Council is obliged to provide connection and ensure sufficient supply. This capacity and required flow rate would require significant upgrade and augmentation of Council's infrastructure and network delivery. It is understood that firefighting standards for the development would require significant loads and supply rate.

3. Provide further detail that clearly determines the capacity and flow rate necessary and that such augmentation can be provided, together with an agreed method of supply for the delivery of this infrastructure.

4. Confirm how fire fighting supply will be provided to the development in accordance with the FNQROC Development Manual Guidelines. In particular, the requirement to provide 30L/s fire flows for 4-hour duration.

5. Provide the drawings and area take offs relied on in determining the water harvesting area in the calculations.

6. Provide advice and details on how the water will be harvested from the solar panels given the typical nature of panels is that they are discrete panels with no guttering or collection system.

   The advice should confirm how the 90% efficiency adopted in the calculations will be achieved having regard to the individual elements associated with panels.

Onsite Wastewater Treatment

The local area experiences significantly high rainfall events over an extended period of the year and rainfall events can also occur through the dry season. The Wonga Beach urban area is developed over a series of sand dune swales, running parallel to the foreshore. The usual form of disposal of treated wastewater is dispersal at ground.

The proposed dispersal areas for the onsite wastewater treatments are to the sealed roofed roadway and unit roof areas and elevated gardens, that will have a maximum capacity of saturation due to the design of these elements. The co-location of capture of rainwater, adjacent to the wastewater dispersal gives rise to significant concerns of contamination. Council is not satisfied the dispersal design that it will remain compliant at times of peak saturation. It is recommended the dispersal of wastewater needs to utilise conventional onsite wastewater methods.

Where the proposed treatment is pursued further consideration could be given where the following further advice is provided.

The on-site disposal report does not appear to consider the sewage generated from any non-residential uses, including but not limited to:

a. pool backwash and servicing wastewater;

b. restaurant (kitchen and staff uses);

c. resort staff;

d. conference facility guests and staff; and

e. day spa uses.

7. Provide an updated sewage disposal assessment that includes the non-residential sewage generated from the development and confirm any implications for the proposed infrastructure sizing.

The on-site disposal report indicates a reliance on disposing depths of 2mm per day to all disposal areas during the wet season and 4mm per day during the dry season. Officers are concerned that these disposal rates may not represent realistic/achievable disposal rates having regard to monsoonal weather events and extreme saturation of disposal areas during these periods. Even within the dry period, inclement wet weather can occur over multiday periods resulting in unfavourable saturation conditions in the disposal areas.

Further advice is required on the implications to the on-site disposal during prolonged periods with unsuitable ground moisture conditions. The advice should consider alternative disposal options during these periods.

8. Provide the drawings and area take offs relied on in determining the disposal area metrics in the calculations.

   The advice should confirm that the water harvesting areas (solar panels) are not included in the sewage disposal area figures.

   The advice should also confirm the adopted disposal areas are achievable and include all setbacks and separation distances required under the Australian Standards. In particular, confirm that disposal is permitted near roof garden edges and adjacent water harvesting areas where contamination risks exist.

Traffic

The Scheme states, *"The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development."* More specifically the code states,

> *"Access points are designed and constructed:*
>
> *(a) to operate safely and efficiently;*
>
> *(b) to accommodate the anticipated type and volume of vehicles …"*

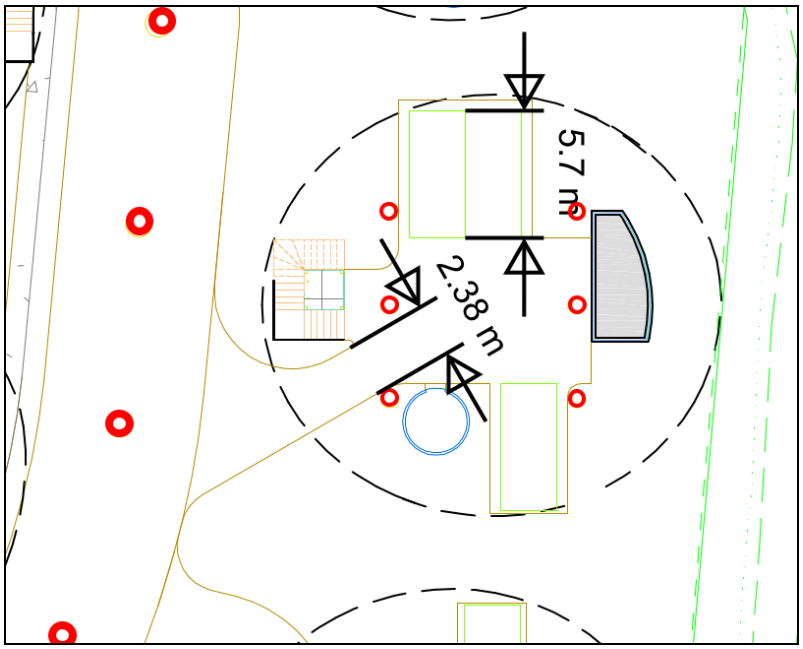
The existing alignment of Oasis Drive includes a part cul-de-sac head enabling drivers to turn around and consideration for the pedestrian and cycle pathway. The proposed design assumes this road area and pushes the impacts of the development, essentially a private roadway, onto the public road.

There is insufficient design to mitigate vehicle conflict with the existing and proposed traffic movements, especially at the existing cul-de-sac head in Oasis Drive.

The development has a single entry/egress point for which all movements must utilise. For a development of the proposed scale this is a considerable number of movements, as reported in the application, with variety of types of movements: private vehicles, tourists, buses, commercial delivery vehicles, rubbish trucks, employees, service and maintenance vehicles as well as general visitors. The current end of the pavement of Oasis Drive is of insufficient scale and size to address the expected demands.

Council is not satisfied in the design that the development will not result in conflict of movements within site, nor that the number of trips will not detrimentally impact on the character and amenity of the surrounding area, nor that the use will not detrimentally impact on the safety of the local roads, including the pedestrian and cycle pathway between the southern part of Wonga Beach that connects to the local school and shops to the north.

The aisle widths, turning radii, clearances to columns and orientation for the off-street parking circulation roadways and aisles areas do not appear to be in accordance with AS2890.1 which is inconsistent with statements made by Clive Steele Partners Pty Ltd Engineering Report. Refer example below.



9. Provide turn path assessments for access to on-site parking spaces and for circulation within the site. The turn path assessment must include appropriate clearances to columns and structures.

The central pillars within the circulating roadways appear to create site distance and safety hazards for vehicles turning into villa parking modules from opposing lanes.

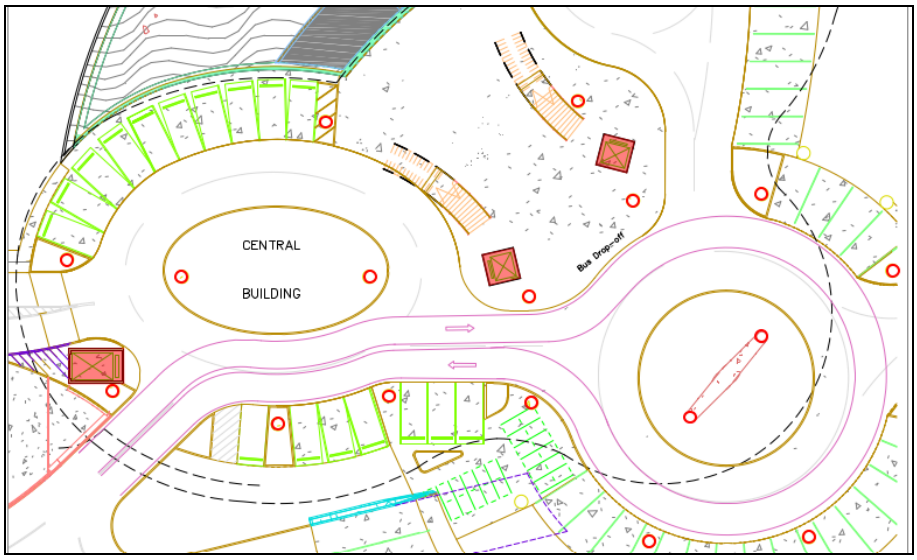
10. Provide site distance assessments and commentary on safety for the roadway with central pillars.

11. Provide further detail to address the following specific traffic concerns.

    a. The layout proposes a single-entry point for all traffic from Oasis Drive into the site. Initial interactions with reception appear to be via level 1. The layout appears to funnel all traffic, including return traffic from reception, into the central building ground floor. The traffic report does not address how separation of guests from staff, service vehicles, delivery vehicles and buses will be managed.

    b. The single entry road arrangement does not provide any layoff areas for service vehicles or delivery vehicles in the event of conflict or queueing. Further advice on these operational issues is required as this appears to require layout considerations to an already constrained internal circulation geometry that is configured around columns.

    c. Significant conflict appears to occur within the proposed circulation layout at the access into the central building ground floor including the bus movements, which the turn path assessment indicates will conflict with traffic flow around the central building roundabout, as detailed below.



    d. In addition, the turn radii appear off the central roundabout appear very tight for manoeuvring traffic. Noting this it is unclear how legible the correct vehicle path will be to visitors. This is a further concern for traffic conflict and the safe and efficient functionality of the main access point.

    e. Support columns in adjacent median areas and behind kerbs (or lane lines), plus structures including lift wells are noted as constraints to the access circulation layout. It remains unclear how the above geometry concerns and traffic conflicts could be resolved in detail design.

Parking

There is no public transport available to the site. There is no employee accommodation provided on the land. There is limited available on-street parking in the surrounding neighbourhood. This area is insufficient to accommodate the expected overspill of parking.

All employees would therefore need to live locally and walk to the site or would need to have private transport. The consumption of the adjacent road into the design also limits roadside parking.

The impacts of the development need to be contained to the land. The development should not adversely impact on the functionality of the surrounding road network. Sufficient onsite parking needs to be provided for all employees, for changeover higher demands and for service vehicles.

Council is not satisfied the existing provision complies with the Scheme.

12. Clearly define the location and number of on-site parking provided within the site layout for at least the following user categories, having regard to the level of service expected for the proposed resort facility including;
    a. Check-in parking for resort guests;
    b. Check in parking for villa guests;
    c. Staff parking for 74 staff (as identified in the submitted Traffic report);
    d. Sufficient visitor parking for the conference centre, restaurant and any day visitors to the resort;
    d. On site bus parking (shuttle and coach);
    e. Coach bus loading and unloading area;
    f. Service vehicle parking; and
    g. Delivery vehicles (including restaurant, hotel, back of house supplies).

The Traffic Generation Assessment in the Engineering report makes a number of assumptions in nominating generation rates for each type of traffic. The Traffic report does not provide technical reference or background research to support or substantiate the traffic generation assumptions.

13. Undertake a sensitivity analysis that adopts more conventional traffic generation rates to understand the potential impacts to the external network or provide origin of traffic assumptions.

The suitability of the intended relocation of occupant and ground level vehicle on the upper deck in time of flood is unclear. The locality has experienced flood events that occur suddenly and with little warning. Occupants may not necessarily be onsite (for example on assisted tours elsewhere) and not available to move their vehicles.

14. Clarify how the internal roadway, and vehicle movements, are accommodated around the supporting columns that are centred in the roadway area. In particular, how the roadway operates during times of flood when the upper-level road is nominated to provide for guest and other parking (as stated in the applicant's report).

The Concurrence Agency conditions prohibit the construction of buildings in the Coastal Management District. Council considers the upper level, covered road / walkway to be part of the building.

15. Provide the design for the internal roadway system that incorporates the requirement from the Concurrence Agency that no building be constructed in the Coastal Management District.

Design Plans

Current State mapping includes the whole of the land in the Coastal Management District. It is understood from the State Agency Concurrence Response that for the consideration of the application, the State is prepared to alter the mapped Coastal Management District to exclude part of the site and conditioned the response whereby no buildings are to be constructed in the Coastal Management District.

Council considers the double storied roofed roadway to be part of the building. The double storey roofed roadway crosses through the Coastal Management District. The double storey roofed roadway would appear to be integral to the design and functioning of the development and cannot be removed with considerable change to the design plans. Council has not been

made aware of any representations by the Applicant to the Concurrence Agency regarding the condition.

16. Provide Council with certainty that the development can meet the Concurrence Agency requirement by way of amended plans

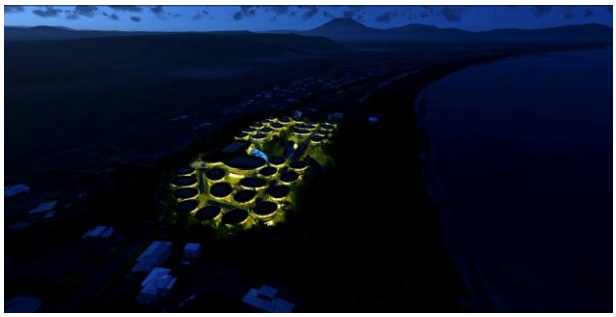
The land is located within the heart of the Wonga Beach area and adjacent to a roadway that provides pedestrian and cycle connectivity between what is known as Old Wonga and New Wonga. The development is adjacent to the foreshore. The Local Plan requires public access is achieved through the site, to the foreshore, in any redevelopment of the land.

17. Clarify the availability and the extent of public access through the development that achieves the Local Plan requirement.

The Natural Areas Overlay Code states as a purpose, *"the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development; ."*

The character of Wonga Beach is of low rise, pedestrian scale locally populated residential suburb with expected limited facilities (shops, service station and caravan park) and services (State (Primary) School) and local parks. From the foreshore, and from the adjacent coast, the Wonga Beach suburb is generally hidden. During evening periods, illumination from the suburb is from a low level upwards, sheltered by the foreshore trees.

The proposed development will have a considerable height difference to that currently occurring at Wonga Beach. The height of the proposed building will project lighting from a higher level that currently occurs in the area and project this lighting and visibility of the premises out beyond the foreshore trees. This spill lighting and impact is identified in the Architect's drawings, as the example below.





There are insufficient setbacks to reduce this impact of scale, bulk, mass and environmental impact from lighting from land and public areas external to the site. There is insufficient setbacks from within the development, together with the nature of the design of elevated buildings on tall piers, to reflect the character of the area. The elevated height of the first floor, having a clearance of 4m, pushes the buildings higher than other buildings and developments in the Wonga Beach area.

The development proposes multi story structures (including continuous walkways) with limited setback to the property boundary. The limited setback areas include, but are not limited to:

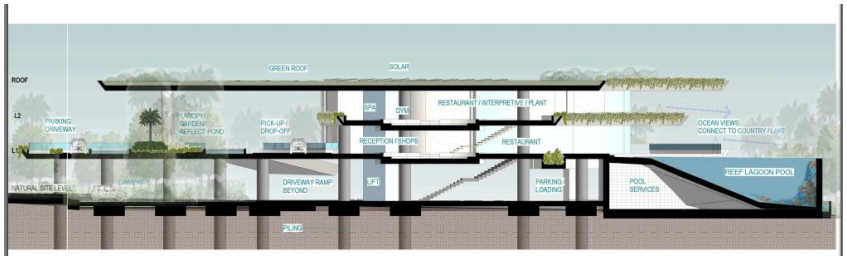
i. approximately 2m to the villa on the northeast boundary;

ii. approximately 2m for the walkway along the northern boundary adjacent residential zoned land;

iii. approximately 3m to the Oasis drive cul-de-sac; and

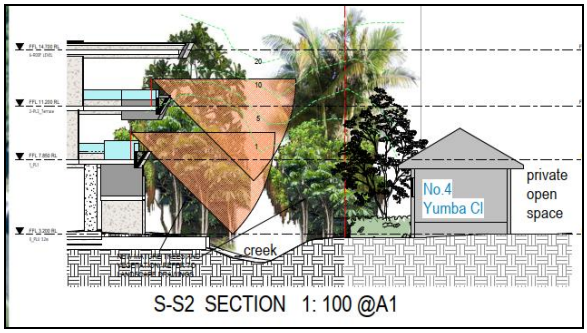
iv. less than 1m to the villa adjacent Oasis Drive boundary on the entry road.

The impacts of proposed height, mass and impact of the development, adjacent to the road and the boundaries are significantly greater than the zoning and Local Plan seek. Where a scheme variation is sought, the development should not detrimentally impact on public areas, nor existing and future residential development. The central building is to be located adjacent to Council's road with insufficient setback from the road to provide a landscaped buffer, as detailed in the plans below.





There is insufficient setback to Council's road to provide sufficient landscaping for the impact and need for pedestrian scale to the road. There is a reliance on landscaping immediately adjacent to the drain to achieve privacy and a suitable scale of the buildings for surrounding residential properties. Refer to the sketch below.



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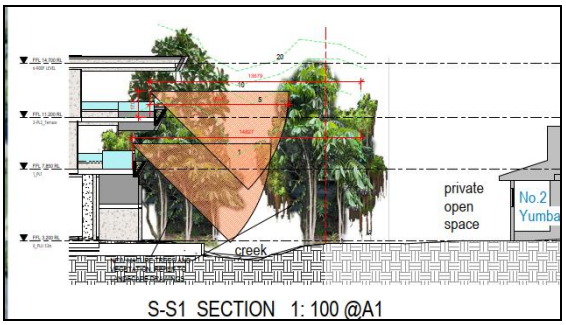

S-S1 SECTION 1: 100 @A1

The above design examples do not permit the maintainenance the drain. Maintenance usually requires clearing of the drain and opening of the swales to the foreshore, for which Council holds an approval.

18. Provide an amended design that reduce the height, scale and impact to be commensurate with existing and expected development in the locality and the need for a pedestrian scale of the development adjacent to Oasis Drive. The amended design and associated landscaping need to include the required maintenance accesses for the existing drain on the land.

Drainage corridor and maintenance access

The original application did not adequately detail of the impacts of stormwater and provided limited comment on flood. Council's information request explicitly sought detailed advice on these matters. The information response is limited does not address these matters. Council is not satisfied the development will provide for the impacts of stormwater and flood, nor sufficiently consider the onsite drain and need for its maintenance.

Maintenance access must be provided to ensure the drain remains functional. The layout and design must address the risks of flooding to the development. The current layout and design response does not mitigate the flooding risk to the development. Council has previously identified a minimum 5m maintenance corridor is required along the northern bank of the drain.

19. Provide a minimum 5m maintenance corridor along the northern bank of the drain corridor to ensure maintenance can be undertaken to minimise risks to the site. Alternatively, provide a suitable design that suitably relocates the east-west alignment of the drain on the land.

20. Provide advice of the proposed tenure for the drain.

Other - Piling viability and impact;

Concern is raised with the impact of the development on the surrounding area, specifically impact of piling.

21. Provide advice on the viability of piling and potential impacts of the piling on adjacent residents. This should include expected duration of piling.

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 can consider issuing a Preliminary Approval with requirements to address these outstanding matters. If so issued, the applicant can seek a Development Permit through a request for a negotiated decision provided the outstanding matters are suitably addressed.

Other

Please quote Council's application number CA 2025 5878/1 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