

5 December 2025

**Enquiries:** Daniel Lamond  
**Our Ref:** OP 2025\_5862/1 (1338049)  
**Your Ref:** HIC944-00001

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G Arygrou  
C/- PO Box 5330  
CAIRNS QLD 4870

**Email:** [sangeetha.badya@sparke.com.au](mailto:sangeetha.badya@sparke.com.au)

Dear Madam

**INFORMATION REQUEST**  
**(Given under Section 12 of the Development Assessment Rules)**

Council refers to your development application that was received on 18 November 2025.

**Applicant Details**

Name: G Arygrou  
Postal Address: PO Box 5330  
CAIRNS QLD 4870  
Email: [sangeetha.badya@sparke.com.au](mailto:sangeetha.badya@sparke.com.au)

**Property Details**

Street Address: 16-22 Murphy Street PORT DOUGLAS  
Real Property Description: LOT: 5 RP: 747683  
Local Government Area: Douglas Shire Council

**Application Details**

Application Number: OP 2025\_5862/1  
Approval Sought: Development Permit  
Nature of Development Proposed: Operational Works  
Description of the Development Proposed: Operational Works (Earthworks undertaken to remediate the land & Landscaping undertaken to remediate the land)

## **Additional Information Requested**

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The following additional information is requested to complete an assessment of the application:

### **Proposal Clarification**

1. It is not clear what development activities the application is seeking to make lawful. The application description on DA form 1 states that the proposal is for 'Earthworks undertaken to remediate the land" and "landscaping undertaken to remediate the land". Confirm whether the landscaping component of the proposal is for a retrospective development permit for the vegetation damage that occurred on site. Provide an amended DA form 1 making this clear if this is the case.

### **Landscape Plantings**

2. The application claims that all landscaping works have been conducted in accordance with approved landscaping plans and in compliance with all relevant standards and requirements. Clarify which landscaping plans are referenced, who approved the works and which relevant standards and requirements the claim refers to. In addition, provide evidence by way of survey that the all plantings are in fact in accordance with the detail of the said plans.

### **Erosion and Sediment Control**

3. Provide an RPEQ certified Erosion and Sediment Control Plan in accordance with the IECA Best Practice Erosion and Sediment Control Document 2025.

### **Earthworks**

4. The application document (page 4 of 8) claims that the earthworks undertaken on site as part of remediation measures were carried out under the supervision of ETS Geo and Deo Design who confirmed that the site had a satisfactory slope stability on completion. Provide evidence that ETS Geo made this confirmation.
5. The ETS peer review document dated 20 November 2024 includes four recommendations. It is noted that the development application does not provide a cut and fill 'as constructed' plan or proposed earthworks plan. The response to the ETS peer review by GEO Design dated 1 December 2024 nominated as Appendix E of the development application included recommendations for further earthworks to be conducted under supervision and for further risk reassessment in accordance with the AGS guidelines. Provide this risk assessment if it was undertaken.
6. The GEO Design report also confirms that a slope stability assessment of the final slope geometry can be undertaken post remediation works. Provide evidence of compliance with this recommendation.
7. The GEO Design response dated 1 December 2024 also claims that the Detail Survey undertaken by RPS dated 21 October 2024 'clearly' details the extent of cut and fill. The RPS Detail Survey does not include annotation 'cut' or 'fill', only 'earthworks', 'top of bank' and 'toe of bank'. It is noted that the RPS drawing AU017397-105 in the application details the contours and earthworks surface post initial clearing and earthworks, but this is representative of the surface geometry before the 'remediation' works recommended by GEO Design were undertaken.

This does not clarify the areas of cut and fill and is not representative of the existing surface geometry post 'landscaping' completion by Hortulus or any other contractor. Provide a detailed cut and fill plan displaying the final site geometry to date

#### **Due Date**

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The due date for providing the requested information is 15 March 2026 accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and Council will continue with the assessment of the application.

#### **Other**

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Please quote Council's application number: OP 2025\_5862/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



**For**  
**Leonard Vogel**  
**Manager Environment & Planning**