

5 May 2026

Enquiries: Kieren Nyko
Our Ref: CA 2025_5880/1 (1363256)
Your Ref: 2025-09-82 – Seymour Group

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Seymour Land Pty Ltd
C/- Daniel Favier (Aspire Town Planning and Project Services)
PO Box 1040
MOSSMAN QLD 4873

Email: admin@aspireqld.com

Dear Sir/Madam

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

Council refers to your development application that was received on 22 December 2025 and properly made on 16 April 2026.

Applicant Details

Name: Seymour Land Pty Ltd
Postal Address: C/- Daniel Favier (Aspire Town Planning and Project Services)
PO Box 1040
MOSSMAN QLD 4873
Email: admin@aspireqld.com

Property Details

Street Address: 71-85 Port Douglas Road, Port Douglas
Real Property Description: Lot 1 on SP150468
Local Government Area: Douglas Shire Council

Application Details

Application Number: CA 2025_5880/1
Approval Sought: Development Permit
Nature of Development Proposed: Reconfiguring a Lot and Material Change of Use (Variation Request)
Description of the Development Proposed: Combined Application – Preliminary Approval for use rights associated with the Low Medium Density Residential Zone and Development Permit for Reconfiguring a Lot (1 Lot into 40 Lots and Common Property)

Additional Information Requested

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

Plan of Development (Variation Request)

1. Provide a Plan of Development relating to the Preliminary Approval (Variation Request).

Advice Note: The application seeks to vary the affect of the Douglas Shire Planning Scheme 2018 to establish use rights consistent with the 'Low Medium Density Residential Zone' however a Plan of Development has not been provided to support the creation of a site specific development code over the land. A separate Plan of Development must be provided which relates to the Material Change of Use component of the development.

The Plan of Development should be consistent with the requested Development Code as outlined below in item 2.

Development Code (Variation Request)

2. Provide a Development Code relating to the 'Low Medium Density Residential Zone' type development which is intended to take place over the site. The Development Code should outline controls for future development, including categories of development and the relevant assessment benchmarks for each intended use. Based on the application material, the proposed future development for the site is not entirely consistent with the Low Medium Density Residential zone.

Advice Note: The Sanctuary Greens Port Douglas Design Guidelines will not form part of the approval package, if the development application is approved. Where the applicant intends to establish prescriptive design outcomes such as setbacks or site coverage then these outcomes should be incorporated into a site-specific Development Code.

Reconfiguration Plan (Lot Sizes)

3. Provide an updated Plan of Development which includes lots with a minimum area of 400m². Where the development application seeks to create lots with an area of less than 400m² it is an expectation that a Dwelling house or Multiple dwelling land use is designed, approved and partially constructed prior to the endorsement of the plan of subdivision.

Advice Note: The development application seeks a preliminary approval to vary the affect of the planning scheme for land uses consistent with the 'Low Medium Density Residential Zone' however the Reconfiguring a Lot component of the development application seeks to facilitate lots with a minimum area less than 450m². This outcome results in a direct non-compliance with Performance Outcome PO6 of the Low Medium Density Residential Zone code.

To facilitate this outcome, an additional component would need to be added to the current development application. This would involve Council Officers assessing the

designs which must demonstrate that lots less than 400m² are capable of accommodating future land uses with appropriate setbacks, site coverage, separation, landscaping and vehicle parking. By ensuring that the Dwelling/s are partially constructed prior to the endorsement of the plan of subdivision this removes the risk of the designs changing once the lots are released.

Council Officers believe that the development can comply with the purpose of the Low Medium Density Residential Code provided that the proposal can ensure development occurs on appropriately sized and shaped lots.

Reconfiguration Plan (Lot Configuration)

4. Provide an updated Plan of Development which considers the following elements of the Scenic Route Buffer overlay code. Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:
 - (d) minimises visual impacts on the setting and views in terms of:
 - (i) the scale, height and setback of buildings;
 - (ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways.

Advice Note: The frontage of the site is located within the scenic route buffer of the Landscape values overlay code. The current lot layout and reconfiguration plan proposes lots which will either have a side orientation or rear orientation fronting Port Douglas Road. Furthermore, the Sanctuary Greens Port Douglas Design Guidelines prescribes a height of 10.5 metres or two storeys. This would result in a design outcome where the second level of the front row of Dwellings would stand above the height of the proposed acoustic fence. The application material should consider how this outcome can be better managed as it would have a negative impact on the Scenic Route Buffer.

The application may also need to consider how the design of the lots could be configured to create an outcome where lots do not turn their back on the road (Port Douglas Road).

Traffic and Access

5. Confirm how the proposed access will impact Council's existing designs for the Principal Cycle Network along the site frontage. The design alignment and location of the principal cycle network is to be shown on updated development layout plans to confirm any impacts.

Advice Note: Douglas Shire Council are currently in the process of designing the Port Douglas Road Principal Cycle Network Upgrade (Lakeland Avenue to Old Port Road). The current service road within the road corridor is a one-way road and does not appear to have sufficient width to support two-way traffic. The widening of the existing service road would likely conflict with the upgrade of the cycle network and would need to be taken into consideration in the design.

A copy of the design for the Port Douglas Road Principal Cycle Network Upgrade can be requested from Council.

The development application should consider whether the existing access location which provides direct access to Port Douglas Road is a more suitable option.

6. Provide advice on why the existing site access is not proposed to be used to service the development which would eliminate the impact on the adjoining development accesses and minimise vegetation clearing.

Advice Note: Officers hold concerns with impacts on the adjacent land uses in relation to the additional traffic on the service road and utilising the intersection. Council

Officers also note that the previous Fairmont Hotels and Resort Development included direct access from the Port Douglas Road which was approved by TMR layout plan, notwithstanding the overall development was refused by Council due to separate issues.

7. Provide an updated access design drawing which reflects the water supply network and drainage network located along the frontage of the property and within the proposed service road extension footprint.

Advice Note: The exact position of the above-mentioned services relative to the new road will need to be determined to identify where any realignment or upgrade to the Council network will be required.

8. The applicant is to provide a vegetation survey identifying all significant trees by species, diameter, and proximity to the works. The information must nominate the structural root zone (SRZ) and tree protection zone (TPZ) for all vegetation in the vicinity of the proposed access. The information must also nominate the vegetation proposed to be removed.

Advice Note: The proposed development access from the south (from the frontage of the adjacent the "Oaks" development site at 87-109 Port Douglas Road) appears to require the removal of significant existing vegetation. This includes mature trees in front of The Oaks, and established palm trees in front of the development site (71-85 Port Douglas Road).

9. Provide advice on why the internal road reserve and road carriageway widths are not consistent with the Planning Scheme guideline (FNQROC Development Manual).

Advice Note: Officers are not supportive of the reduced widths noting impacts on the ability to provide on-street parking and road function. Officers note that other private/body corporate developments have adopted FNQROC road width standards.

10. Provide turn path assessments for access to any lots using a common driveway for access. The assessment outputs must include vehicle clearance linework and must demonstrate that vehicles can enter and exit each lot in a forward gear.

The turn path assessment must be provided for Lots 1-2, 7-9, 17-19, and 38-39 maintaining all clearances required per AS/NZS 2890.1, and travelling in a forward direction on all common driveway sections.

A road safety audit or similar technical assessment is required to confirm the safe and efficient access arrangement for proposed Lots 38 and 39, having regard to the bend in the shared access driveway.

Advice Note: Officers are concerned that access to Lots 38 and 39 is required to negotiate a bend and does not have adequate line of sight for potential conflict with vehicles entering from the cul-de-sac.

11. Turn path assessments are to be provided demonstrating that safe ingress and egress to all lots is possible where on street parking is nominated on the opposite lane. This includes, but is not limited to, access and egress for Lots 22 and 23, where constrained by the nominated on-street parking locations.

Subject to the findings from these turn path assessments, confirm that the nominated on-street parking reflects an achievable number of parks without compromising road and access functionality;

Advice Note: With reference to the nominated on-street parking nominated on the Bourn Engineers drawings, Officers have significant concerns regarding the ability for properties opposite the nominated parking to enter and exit the sites.

12. Provide confirmation of support from adjoining landowners for the amendments to the intersection works proposed at Port Douglas Road in front of existing developments.
13. Provide an analysis of the existing intersection on Port Douglas Road and confirm that the existing level of service can be maintained with the additional traffic proposed to utilise this access point.

Any intersection upgrades must be identified on amended drawings. The upgrades must not reduce existing lane widths.

14. Turn path assessments (swept path diagrams) must be provided to support any upgrades to the external intersection, and the supporting information must include confirmation of the design vehicle(s) and check vehicle(s) used in the assessment.

15. For the detention basins access, provide the following updated information:

- (i) An updated turn path assessment to demonstrate that clearances can be achieved in accordance with the Australian Standards.
- (ii) Confirmation that an imperviously sealed, all-weather access is proposed to the detention basin inclusive of turning facility.
- (iii) Confirmation that the design vehicle size is consistent with maintenance requirements for detention basins.

Advice Note: The turn path assessment for the vehicle access in the detention basin, appears to require the vehicle to drive off the roadway and up the batter slope of the detention basin. Adequate clearance to the adjacent wall/fence is not achieved in submitted information currently before Council.

Refuse Collection

16. Provide an updated Plan of Development which provides an appropriate outcome for kerbside refuse collection.

Advice Note: A total of 18 on-street parallel vehicle parking spaces are proposed within the road pavement area. Furthermore, the frontage of proposed Lots 04, 05, 11, 12, 13, 14, 15, 28, 29, 30, 31 are entirely constrained by a parallel vehicle park or

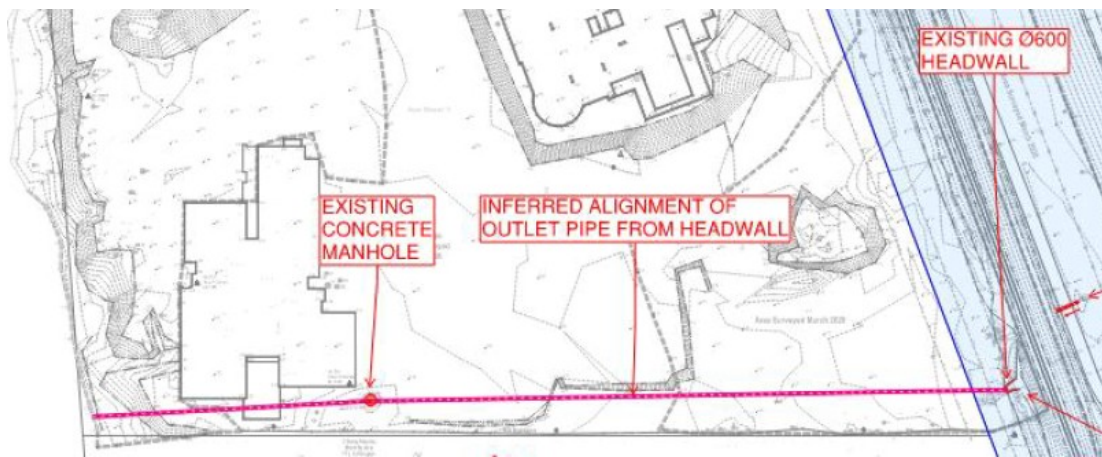
driveway, Officers consider that the development has not given due consideration to kerb-side waste collection for these proposed lots.

Additionally, no measurements have been provided on the proposed plan of development to show the dimensions of the vehicle parking spaces or the separation between the on-street parallel parking spaces and the indicative driveway locations.

Drainage (Stormwater Quality and Quantity)

17. Provide a local drainage study confirming how the external road reserve drainage will be managed in the proposed development layout. The development layout must be amended to reflect existing stormwater piped drainage and overland flow paths through the site. Additional information is required to demonstrate how the existing drainage will be maintained and accommodated within the development layout.

Advice Note: Previous development proposals for this site included drainage corridors from Port Douglas Road through the site to the west. The lot layout must demonstrate external stormwater from within in Port Douglas Road is conveyed through the site and not directed onto third-party landowners.



Extract of existing drainage from site Drainage Report 31/08/2020

18. Provide confirmation that the existing surface levels within the road reserve will be regarded to maintain free draining conditions between the site and the road carriageway for Port Douglas Road;
19. Provide calculations on the detention basin sizing and confirm that the proposed basin volume can mitigate the development impacts of the site to pre-development conditions.

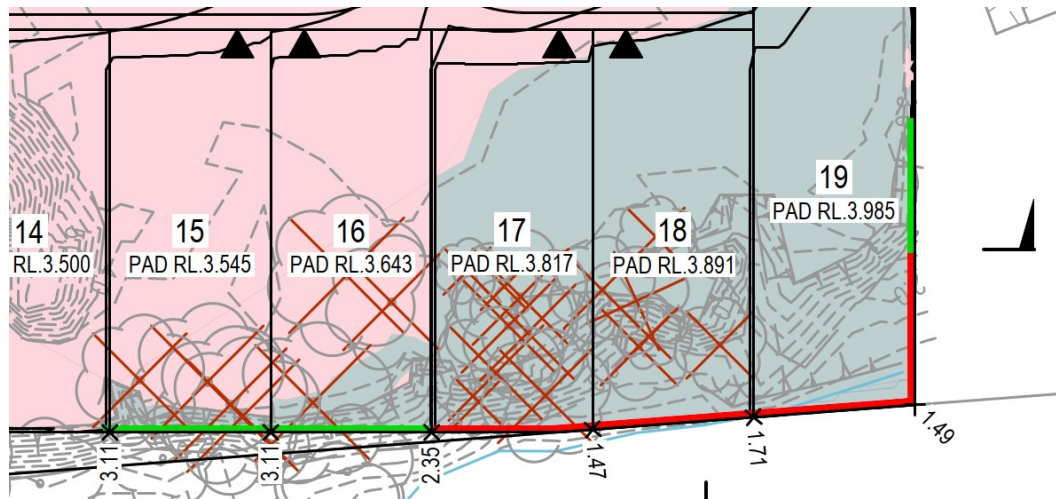
The advice must demonstrate that the basin sizing and outlet arrangements can mitigate the development impacts for various annual exceedance probability events from 50% AEP through to the 1% AEP rainfall events.

20. Provide the location and size for the gross pollutant trap (GPT) or stormwater quality improvement device to demonstrate compliance can be achieved with the stormwater quality standards.
21. Provide an updated lot layout and revised development footprint to avoid encroaching into the existing drainage path along the western boundary of the site.

In particular, but not limited to, amendments as required to Lots 15 to 19 so that these lots do not extend beyond the top of bank to avoid impacting the existing drainage path within and adjacent the site boundary.

Advice Note: Previous development options and drainage assessments of the site confirmed stormwater drainage flow paths through the southwestern corner of the land within the existing swale.

The proposed development layout shows encroachment and filling of the existing drainage flow path, (reference is made to the existing contours on Lots 15 to 19 as an example of the proposed filling into drainage areas).



22. Provide advice on how suitable maintenance machinery and/or excavating equipment can access the drainage reserve to undertake maintenance.

Water Supply

23. Provide a water network analysis to demonstrate that there is sufficient capacity in the existing water network at the proposed connection point (DN300 water main) to service the development.

Advice Note: The analysis is to identify whether any upgrades to existing Council water mains are required.

24. Provide information on the horizontal and vertical position of the existing DN450 DICL and DN300 PVC water main relative to works within the road reserve now proposed for the access road.

The information must confirm the clearances to the mains and/or the proposed treatments in the event that the proposed access is required to cross Council watermains.

The location of the water mains must be verified with potholing to confirm alignment and depth to enable the appropriate treatment of these mains within the roadway to be determined.

Sewerage

25. Provide a sewer network analysis to demonstrate that there is sufficient capacity in the existing sewer network to service the development.

The analysis is to identify whether any upgrades are required to the existing pump stations that also discharge to the DN300AC rising main.

Land Tenure

26. Provide an updated Plan of Development which clearly defines areas of Common Property, Private Land and Proposed Easements.

Advice Note: The development application material does not clearly indicate how the internal road, sewer pump station, entry statements and the drainage reserve will be maintained and structured from a land tenure perspective.

Landscaping Plan

27. Provide an updated Concept Landscaping Plan which includes the following elements:

- a. A 2-metre-wide landscape planting area along the full frontage of the site fronting Port Douglas Road to visually screen and soften the acoustic fence. The 2 metre landscape planting area should be designed to accommodate existing infrastructure (stormwater, footpath, electricity, telecommunications ect) and the proposed footpaths and concrete driveways.
- b. Where services are located below ground, appropriate landscape species should be selected as to not damage underground infrastructure.
- c. Remove 'New Road' from the drawings titled: Proposed Landscape Plan and Proposed Entry and Plan List. The road should be shown as 'Common Property' or 'Private Road' to remove ambiguity.

Advice Note: The application may need to consider offsetting the acoustic fence from the front boundary in order to achieve a suitable landscape solution along the frontage of the property.

Due Date

The due date for providing the requested information is 5 August 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

Please quote Council's application number: CA 2025_5880/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'L. Vogel', written in a cursive style.

For
Leonard Vogel
Manager Environment & Planning