

3 April 2025

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Our Ref: CA 2025_5732/1 (Doc ID 1283890)
Your Ref: C1302

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

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

Council refers to your development application that was received on 3 March 2025.

Applicant Details

Name: Krystal DeMenna
Postal Address: C/- Hardy Town Planning and Consulting
PO Box 1256
Cairns Qld 4870
Email: nick@hardyplanning.com.au

Property Details

Street Address: Captain Cook Highway Port Douglas
Real Property Description: Part of Lot 2 on RP745166
Local Government Area: Douglas Shire Council

Application Details

Application Number: CA 2025_5732/1
Approval Sought: Development Permit

Nature of Development Proposed:

- A Combined Development for: -
- A. Material Change of Use For: -
1. Undefined Use for Workers' Accommodation (Impact Assessment);
 2. Tourist Park (Impact Assessment); and
 3. A Caretaker's Accommodation (Code Assessment);
- And
- B. Operational Work for an Advertising Device (Not Being a Third Party Advertising Device) (Impact Assessment);
- With the Development to be undertaken in two Stages.

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Additional Information Requested

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

Cut and Fill Plan

The application advises that cut and fill will occur on the land.

1. Please provide a cut and fill plan for the development. The plans should include pre-development conditions (pre 2022 fill) and required post development fill necessary to achieve immunity for a minimum of 1% AEP event.

Flood Study

The majority of the development area (part of Lot 2 as nominated on the submitted plans) is mapped as Floodplain Assessment and in the 1 in 100-year Flood Event for Port Douglas. Throughout the OSE Group Engineering report comment is made that a substantial number of residential occupants will not have private motor vehicle ownership and will rely on walking and bicycle (or similar) type of transport.

It is important that the land, including pedestrian and cycle routes within the site have sufficient immunity from flood events. While the cabins may be constructed to achieve a minimum floor height immunity, access to the shared facilities, onsite manager etc needs also achieve a sufficient immunity. That is, for a minimum of 1% AEP flood event for pedestrian access and sites within the development. It is important that flood immunity be provided to a minimum flood immunity suitable for a habitable room floor level for the ground where camping will be provided.

The Applicant's response in the Flood and Storm Tide Inundation Overlay Code to AO1.1, AO1.3, AO1.4 and PO1 is that buildings and structures will be established to provide suitable immunity. Similar responses are provided for other Acceptable Outcomes and Performance Outcomes under this Code, or alternatively, reference is made to compliance through the OSE Engineering Report. However, no specific detail is provided in either the OSE Report or other sections of the application.

It is not agreed that the flood considerations for the development can be suitably addressed without a localised flood study, nor that conditions of any approval can be determined prior to the flood study being provided. Given the extent of mapped flood over the land, the provision of a local flood study is essential for assessment of the application.

2. Please provide a copy of the flood study and flood modelling for the site. The Study must include modelling to confirm, hydraulic implications and confirm any drainage design necessary to mitigate hydraulic impact of the development. The flood study is to include at least the following matters:
 - a. The contributing catchment boundaries;
 - b. The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;
 - c. Primary and secondary flow paths for the 5, 20, 50 and 100 year ARI flood events;
 - d. Internal flow paths;
 - e. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development; and
 - f. Lawful point of discharge.

The design needs to clarify the development will not increase runoff or direct water into neighbouring properties and stormwater design to ensure no detrimental impacts to the Crees Creek waterway.

Storm Tide Inundation Considerations

For Storm Tide Inundation, Council's most recent study nominates a minimum habitable room level of 3.14m AHD. However, given the nature of the use connectivity with the shared facilities, managers and services should also achieve a suitable immunity.

3. Please provide detailed advice clarifying that the finished pad levels and connecting pedestrian access through the development achieves suitable storm tide immunity levels.

Water and Sewer infrastructure

Page 29 of the Town Planning Report states,

"7) The development will enable the extension of water and sewer infrastructure without compromising the "operational integrity" of this infrastructure."

A concept of potential layout is not acceptable.

Sewer

The application does not demonstrate how the site will be connected to Council's sewerage system in accordance with FNQROC Development Manual and therefore does not comply with P04 of the 9.4.5 Infrastructure Works Code.

Establishing a connection would require a significant length of sewer pressure main, installation within the Department of Transport and Main Roads Corridor, and crossing private property. The application does not demonstrate the feasibility of this connection and, as a result, does not comply with P04.

The proposed alignment plan appears to nominate new main service connections beneath mounded landscaping in the adjacent road area.

The OSE Group Engineering Report states the site will be serviced by a private sewer pump station.

The premises is located outside the Priority Infrastructure Areas and therefore the lot is not considered in Council's Local Government Infrastructure Plan (LGIP) and the provision of infrastructure will be out of sequence and require an infrastructure agreement. In order for Council to condition an approval, Council needs to be fully informed as to the extent and requirements for the provision of infrastructure services, including any requirement for augmentation, ability and position to connect services and in turn requirements for an infrastructure agreement.

4. Please provide an Engineering Report, prepared by a suitably qualified RPEQ Engineer demonstrating how the site will be connected to Council's sewerage system in accordance with FNQROC Development Manual. The following information is requested:

- a. A concept level sewerage connection plan showing the alignment of the sewer from the site to the connection point with Council's system, specifying whether it will be pressure or a gravity system and indicate the pipe size.

In particular, the Report is to confirm the size of sewerage mains proposed to connect the site to Council's sewerage network having regard to the current constructed infrastructure and any proposed upgrades identified in the LGIP. The Report is to confirm the increased main sizes required to accommodate the sewerage generation loads for the development. Issues such as alignment and land tenure are to be resolved.

- b. Calculations of expected sewerage generated by the development must be in accordance with FNQROC unless substantiated by appropriate detailed studies.
- c. The Report is to include an internal sewerage service plan for the site including details of levels and capacities for internal gravity sewers.

Some of this work may be conditioned for later stages, however, appropriate clarity must be provided now to determine how the development will be connected to Council's reticulated network and the additional demand placed on the sewerage treatment plant.

- d. In-principle approval from the Department of Transport and Main Roads and evidence of consent from any private landowners for the proposed alignment;
- e. Engineering Assessment of the capacity of Council's sewer system to receive the sewer from the development at the proposed connection point and any upgrades required to Council's system as a result of the development.

It is recommended that the applicant arrange a meeting with Council Officers to discuss and confirm proposed alignment and connection point options before submitting the above details.

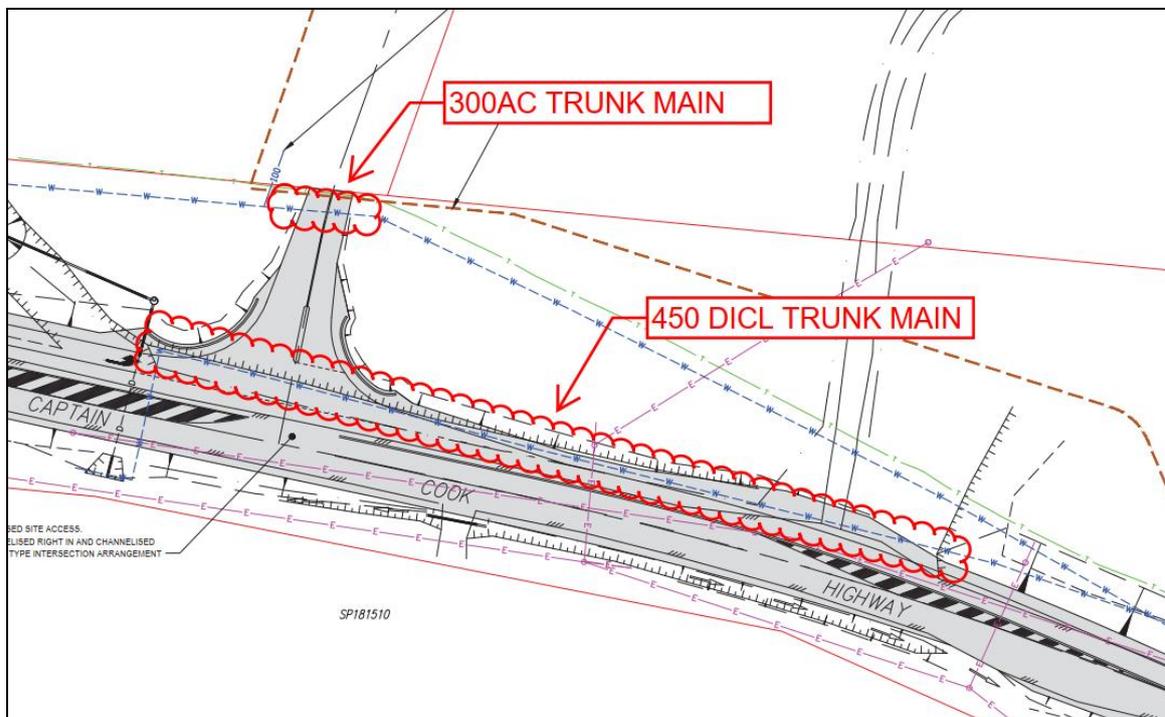
5. Please clarify the private pump station will be located on the applicant's land and will subject to the achievement of a separate ERA.

Water

The proposed water connection arrangement is generally acceptable. However, no detail has been provided on the expected water demand for the development and assessment of Council's reticulated water supply system's ability to supply this demand. While the proposed connection to Council's trunk main may have a low risk that the development will impact Council's network, the applicant needs to undertake an assessment to confirm this risk level.

The proposed the intersection upgrade shown on Drawing C01, shows that a 140m length of the 450 DICL trunk main will be located beneath the road pavement (figure below). This is undesirable for maintenance and repair of the watermain. Relocation of the main to be outside of the road pavement or a protection measure (e.g. concrete encasement) may be warranted depending on the alignment and cover depth of the pipe relative to the finished surface.

The driveway access leg of the intersection crosses a 10m length of the 300 AC trunk main (figure below). Replacement of the main in DICL or protection measures (e.g. concrete encasement) may be warranted depending on the alignment and cover depth of the pipe relative to the finished surface.



6. Please provide an Engineering Report, prepared by a suitably qualified RPEQ Engineer detailing a network analysis of Council's reticulated water supply system. The following information is to be included in the report:
 - a. Calculations of expected water demand of the development by the development. The demand is to include requirements to achieve firefighting requirements for the development having regard to volume required, pressures and flowrate for this class of development throughout the site, any booster requirements and whether a storage retention supply is required on the site. The demand must be in accordance with FNQROC unless substantiated by appropriate detailed studies.
 - b. An Engineering assessment of the capacity of Council's water reticulated supply system to supply the development demand at the required pressure and identify any augmentation required to Council's system as a result of the development.

- c. Undertake potholing of the existing 450 DICL and 300 AC water mains to confirm their alignment in relation to the proposed roadworks and the likely depth of cover to the finished surface. Submit the potholing results to Council to review and decide in relocation or protection is required.
- d. The report needs to confirm the level of risk associated with the impact on Council's network, of the proposed connection to Council's trunk main and advise on the acceptability of such risk. The report is to provide advice on how the level of risk can be reduced or mitigated.

Access Road Upgrade

The application plans and report advise that the development will access the land via the adjacent unnamed, gazetted road. The unnamed gazetted road intersects with the Captain Cook Highway, a State-controlled Road. A design plan for the intersection upgrade has been developed and is included in the application. No detail has been provided as to the design for the unnamed, gazetted road.

7. Please provide a Not for Construction design plan for the unnamed, gazetted road, consistent with the general FNQROC Development Manual Standards and have regard to the intended development and need for two-way vehicle traffic and turn-around within the road.

Pedestrian / Cycle Connectivity

Page 35-36 of the Town Planning Report states as follows.

“ii. Transport

A specific outcome identified that “development is designed, located, maintained and where necessary improved to facility pedestrian, cycle and transport functions.

It is proposed that a mini bus service will be provided as part of the operation of the use.

It is submitted that the proposal complies with the planning intent of the Strategic framework.”

The Applicant's response to the Port Douglas and Craiglie Local Plan AO1 and PO1, in respect to pedestrian and bicycle movement, refers to the OSE Engineering report. The OSE Report does not make any specific reference to this assessment outcome.

The OSE Engineering Report provides details on traffic demands. Page 2 of the OSE Group Report states, any occupants will use bicycles or similar transport to travel to work in Port Douglas as it is only 5km ride to the town centre.”

Page 7 of the Town Planning Report stated the previous approval on the land (now lapsed) required, “the construction of a pedestrian /cycle path from the access of the site to the intersection of the Captain Cook Highway and Port Douglas Road.

Page 35 of the Town Planning Report states.

“ii) the proposal will include “in-house” mini bus service for residents and connecting with the main employee locations within the township and surrounding rural areas and businesses.”

The Applicant's response to AO6.1-AO6.2, specifically states,

“It is not proposed to provide a pedestrian / cycleway due to construction constraints of the Crees Creek bridge, the adjacent land and the Captain Cook Highway (a State controlled Road).”

The above response is contrary to the findings of the OSE Engineer's Report and the Applicant's response to AO8 of the Access, Parking and Servicing Code being,

"Complies -the proposed development will comply with the relevant standards,"

The land is beyond the urban footprint. The need and merit of the development is based on the provision of worker accommodation that would predominantly provide for tourism and hospitality businesses in the urban footprint of the Port Douglas/Craiglie area. Many of these employees are transient, are generally from a low socio-economic group and do not have a high private vehicle ownership. Council Officers concur with the OSE Group report that many of the workers accommodated in the proposed development will utilise bicycles or similar transport vehicles.

It is important that appropriate and safe pedestrian and bicycle connectivity accompany the development. In this instance, pedestrian and bicycle access needs to be provided to the intersection of the Captain Cook Highway and Port Douglas Road, where the local IGA Shopping complex is located. Without appropriate and safe pedestrian and bicycle connectivity the development is considered inconsistent with the Strategic Framework and the Planning Scheme Codes. The lack of suitable and safe pedestrian / bicycle connectivity is also considered to compromise the safety and functionality of the adjacent State-controlled Road.

8. Please clarify whether these traffic demands rely on the provision of a bicycle / pedestrian network connection being provided.
9. Does this statement infer that no pedestrian / bicycle network connection will be provided from the access point of the site to the intersection of Captain Cook Highway and Port Douglas Road?

Mini Bus Service

Page 2 of the OSE Engineering Report states,

"A shuttle bus service to port Douglas is available.

Farms and resorts relying on labour will provide 14-seater minibuses to provide transport to and from accommodation."

The provision of minibuses by others is not considered to be an acceptable solution when these operate from land beyond the scope of the application before Council.

10. Please advise whether the "in-house" mini bus service will be provided at a cost or provided free to residents. Please provide detail of extent of service provision within the Shire and a detailed timetable.

Internal Road Network

11. Please provide detail of the proposed finished surface and cross profile for the internal road network. The design needs to have regard to the FNQROC Development Manual or reference to an alternative suitable standard. Where an alternative standard is used, professional advice needs to substantiate the suitability of the alternative. Please clarify that this is shared vehicle / pedestrian / cycle low speed infrastructure. Where the internal road network is not to be sealed, please provide detail as to how the AO3.1, AO3.2 and PO3 of the Environmental Performance Code are achieved.

Environmental Performance and Buffer to Sensitive Uses

The development is to be setback from the common property boundary by distance and buffers. The Applicant's response to AO1.1-AO1.3 and PO1 (for Lighting) and AO2.1-AO2.4 and AO2 (for Noise) for the Environmental Performance Code simply advise "Complies – the proposal can show compliance with the relevant standard." However, no further details are provided either in the application or in the OSE Engineering Report.

12. Please provide details as to how lighting will be provided throughout the premises to ensure the safety of residents and mitigate spill lighting impacts.
13. Please provide detail as to expected noise emissions from the development, detail of an attenuation elements in the design and the resultant noise outcomes to nearby sensitive uses. Where an operational management plan is to mitigate this issue, please provide such operational management plan.

Bushfire Hazard

Page 3 of the OSE Engineering Report states this matter is addressed by the buffer that will be provided between the existing vegetation and building lines.

Page 10 of 15 of the Applicant's response to PO41 of the State Infrastructure Code nominates that a landscape buffer will be provided to the Southern boundary with Lot 1 on SP166336.

14. Please provide advice as to what is the form of the buffer to enable bushfire protection and provide a landscape buffer? Alternatively, please clarify the points of discrepancy.

Page 4 of the OSE Engineering Report states a fully reticulated water supply, including a ring main and hydrants, will be provided and water can be supplied at adequate pressure and volume for firefighting purposes. Concern is raised with the intended adequacy of the ring main and hydrants to supply sufficient pressure.

15. Please provide advice as to any augmentation of Council's services or additional infrastructure (such as holding tanks on site) to achieve and maintain sufficient pressure.

Landscaping

The AO4 and PO4 for the Local Plan, requires the site to be suitably landscaped, advises the proposal will contain suitable landscaping that complements the existing tropical character Port Douglas and Craiglie. The AO seeks screening of the development. The Applicant's response states the development will contain landscaping that complements the existing tropical character of Port Douglas and Craiglie, without providing any further detail.

Similarly, the response to AO1.1 – AO1.8 and PO1 of the Landscape Values Overlay Code indicate the buffer areas will be landscaped and will provide screening.

Conversely, the Applicant's advice regarding the Bushfire requirements indicate the buffer area will address the bushfire separation need, rather than tropical landscaping.

Species should reflect those as nominated in the Planning Scheme Policy.

16. Please provide general scope of landscape design for the areas to be landscaped. The scope needs to nominate the areas to be landscaped, details (including height and width) of any mounding, the general range of species and anticipated height at commencement and after five years growth.

Cabin Site Layout

For the Relocatable home park and tourist park code, AO2 nominates outcomes for particular uses, with none specified for cabins, as opposed to relocatable homes. The Applicant's response notes the design and siting features are suitable for the Worker's Accommodation and Tourist Park use with floor plans provided and allocation of site areas for cabins.

17. Please provide a typical layout for a group of cabins on the intended lot plan layout to clarify each is capable of providing a car parking space, sufficient private open space, sufficient setback from the internal road network and from other adjacent cabins etc.

Waste Management

18. Please provide advice as to the location and extent of the waste storage facility. The advice needs to clarify the basis on which the facility is of sufficient capacity to accommodate all general waste and the number of recycle bins necessary for the extent of the proposed use. The advice also needs to clarify details of the anticipated collection and how odours will be mitigated.

Please note Council's standard requirements usually include the following conditions:

- a. *Storage facilities for general waste and recycling bins must be designed and appropriately located to ensure that leachate generated from waste products or wastewater from bin washing is captured and diverted to sewer. For example, a sealed base falling toward a sewer disposal point.*
- b. *Storage facilities for waste receptacles must be appropriately screened to minimise impacts to the amenity of the site.*
- c. *Storage facilities for waste receptacles must be roofed to minimise stormwater ingress into the sewerage network.*
- d. *Storage facilities for waste receptacles must be of a sufficient size to accommodate all general waste and recycle bins for the premises.*

Freestanding Advertising Device

Little detail is provided regarding the proposed advertising device. Note, third party advertising can result in a different level of assessment

19. Please provide scaled design drawings for the advertising device including dimensions, (height, width, depth), sign face(s) including content and colours / logos (if known); nature of illumination (internally or externally illuminated), intensity of illumination and extent of any spill lighting and nature of any animation.

Due Date

The due date for providing the requested information is **3 July 2025** 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_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

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

Neil Beck
A/Manager Environment & Planning