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## REQUEST FOR SARA RESPONSE

### LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

We advise that we act on behalf of Krystal DeMenna, the applicant and landowner of property described as Part of Lot 2 on RP745166 and located at Lot 2, Captain Cook Highway, Port Douglas.

We note that this land is subject to a current Development Application with Douglas Shire Council and was referred to SARA on 14 April 2025. SARA issued a Referral Agency Response dated 16 May 2025 (SARA Reference: 2503-45404 SRA) (refer **Attachment A – SARA Referral Agency Response**).

This application is currently in the Information Response Period to respond to the Council Information Request dated 3 April 2025. We advise that the Applicant Response Period has been extended by agreement with Council to 28 November 2025. A copy of the Douglas Shire Council Information Request dated 3 April 2025 is attached as **Attachment B**.

To assist with the response to specific items raised in the Council Information Request, we seek SARA's advice on the following matters:-

#### a) Pedestrian and Cycleway Alignment

In response to Items 8 and 9 for the Pedestrian / Cycle Connectivity section of the Council Information Request (refer **Attachment B**), it is proposed to construct a pedestrian and cycle path within the State-controlled Road corridor from the subject site to the existing path located at the Captain Cook Highway and Port Douglas Road intersection to the south-east and adjacent to Lot 193 on RP747071. This pedestrian and cycle path will be located on the northern side of the highway.

The proposed alignment of the pedestrian and cycle path includes the construction of an extension to the existing culvert crossing over Crees Creek to enable pedestrian and cycle movement.

The proposed pedestrian and cycle path alignment between the subject site and the existing path adjacent to Lot 193 on RP747071 within the Captain Cook Highway road reserve is shown by Sheet 1 – Indicative Alignment for Pedestrian and Cycle Path Plan and Sheet 2 – Crees Creek Crossing and Site Access Plan attached as **Attachment C**.

In support of the proposed pedestrian and cycle connection between the subject site and Port Douglas Road, reference is also made to the following relevant Department of Transport and Main Roads (DTMR) documents:-

i) Far North Queensland Principal Cycle Network Plan (2016)

The section of the Captain Cook Highway adjacent to the subject site and representing the proposed pedestrian and cycle connection to Port Douglas Road is nominated as a "Principal Route".

ii) Priority Route Maps (Addendum to Principal Cycle Network Plan – 2021)

The section of the Captain Cook Highway adjacent to the subject site and representing the proposed pedestrian and cycle connection to Port Douglas Road is nominated as "Route Priority A".

These Mapping allocations are shown by **Attachment D**.

#### Response sought from SARA

Having regard to the Referral Agency Response dated 16 May 2025, written confirmation is sought from SARA that the proposed pedestrian and cycle path to be constructed in the State-controlled Road Corridor (Captain Cook Highway) is acceptable to SARA and DTMR and that in-principal approval can be provided by the Department of Transport and Main Roads.

In this regard, Item 3 of Attachment 2 – Advice to the Applicant in the SARA Referral Agency Response dated 16 May 2025 in relation ancillary works within the road reserve is noted as follows:-

*"Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters/structures, vegetation clearing, landscaping and planting."*

The Department's written advice will be provided to Council as part of the response to Council's Information Request.

## **b) Water and Sewer Infrastructure**

Council's Information Request (refer Item 4 and Item 5) has sought additional information for the provision of Water and Sewer Infrastructure for the development – refer **Attachment B**.

The proposed development will connect to Council's existing reticulated water supply within the State-controlled Road corridor (Captain Cook Highway) adjacent to the subject site.

The Development Application originally proposed to provide the sewer connection to Council's reticulated systems via the State-controlled Road corridor (Captain Cook Highway) to the existing networks located to the south-east in Port Douglas Road. This would require the construction of an extension to the existing network along the Captain Cook Highway.

As part of further investigations, it was determined that it would be more efficient and cost-effective to provide a connection to the existing sewer network in Endeavour Street to the north east – refer to **Attachment E – OSE Group Plan**.

To enable this connection, it is proposed to establish an on-site pump station and part of the sewer main within the "buffer area" of the subject site. This section is within the Erosion Prone Area allocation of the SARA Coastal Protection mapping.

The section of the proposed sewer main alignment located outside of the subject site and extending between the on-site pump station and the existing Council pump station adjacent to Endeavour Street is also located within the Erosion Prone Area allocation as shown by the SARA Coastal Protection mapping.

It is proposed to "underbore" the entire section of the sewer main connection from the on-site pump station to the existing Council pump station adjacent to Endeavour Street. This will minimise impacts on the existing waterway and vegetation.

The proposed sewer main alignment within the Erosion Prone Area is shown by **Attachment F – Erosion Prone Area Plan**.

The section of the proposed sewer main alignment located outside the subject site and to be underbored is located within the following lots:-

- a) Lot 3 on AP15871

This "Unallocated State Land" lot is owned by the State of Queensland (Represented by Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development) – refer **Attachment G - Title Searches**.

- b) the lot parcel containing Crees Creek

This lot parcel is owned by the State of Queensland.

- c) Lot 168 on RP747298

This lot is a reserve for "Park and Recreation" and Douglas Shire Council is nominated as the Trustee – refer **Attachment G - Title Searches**

The relevant tenure considerations for the proposed sewer alignment is shown by **Attachment H – Proposed Sewer Alignment – Tenure Considerations**.

### **Response sought from SARA**

Written advice is sought from SARA on the following matters:-

- a) it is acceptable to SARA that the proposed sewer main alignment from the Subject Site to the existing Council pump station in Endeavour Street can be established by "underboring" Lot 3 on AP15871, the lot parcel containing Crees Creek and Lot 168 on RP747298;
- b) further item a) above, the proposed sewer main alignment does not create any additional referral triggers for this application in relation to the establishment of the pump station and sewer main in the Erosion Prone Area allocation;
- c) there is in-principle support for the proposal; and
- d) given the nature of the works for infrastructure that landowner consent for the works is not required

The Department's written advice will be provided to Council as part of the response to items 4 and 5 of the Information Request.

**Request prepared by**  
**Nick Hardy**  
**Hardy Town Planning and Consulting**  
**3 October 2025**

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## **ATTACHMENT A**





SARA reference: 2503-45404 SRA  
Council reference: CA 2025\_5732/1  
Applicant reference: C1302

16 May 2025

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman QLD 4873  
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

## SARA referral agency response – Captain Cook Highway, Port Douglas

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 14 April 2025.

### Response

Outcome:	Referral agency response – with conditions
Date of response:	16 May 2025
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

Description:	Development permit	Material change of use for undefined use (workers' accommodation), tourist park, caretaker's accommodation and operational work for an advertising device
SARA role:	Referral agency	

SARA triggers: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on State transport infrastructure  
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Material change of use near a state transport corridor (road)

SARA reference: 2503-45404 SRA

Assessment manager: Douglas Shire Council

Street address: Captain Cook Highway, Port Douglas

Real property description: Part of Lot 2 on RP745166

Applicant name: Krystal Marie DeMenna

Applicant contact details: C/- Hardy Town Planning and Consulting  
PO Box 1256  
CAIRNS QLD 4870  
nick@hardyplanning.com.au

*Human Rights Act 2019* considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

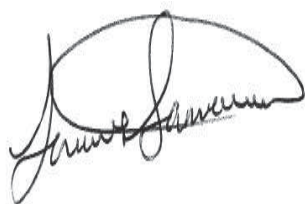
## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Charlton Best, A/Principal Planning Officer, on 07 4037 3200 or via email CairnsSARA@dasilgqld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes  
A/ Manager (Planning)

cc Krystal Marie DeMenna, nick@hardyplanning.com.au

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations about a referral agency response provisions

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 – Development impacting on State transport infrastructure and Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 – Material change of use near a state transport corridor (road) – The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:	
1.	Direct access is not permitted between the Captain Cook Highway and the subject site (Lot 2 on RP745166).	At all times.
2.	<p>(a) Provide road works comprising a Channelised Right-turn (CHR) treatment and an Auxiliary Left-turn (AUL) treatment, including Category V5 Lighting at the intersection of the unnamed local road and the Captain Cook Highway.</p> <p>(b) Design and construct the road works, required in part (a) of this condition in accordance with:</p> <ul style="list-style-type: none"> <li>• Austroads Guide to Road Design: Part 4A Unsignalised and Signalised Intersections, dated 2023. <ul style="list-style-type: none"> <li>o Figure 7.3: Channelised right-turn (CHR) on a two-lane rural road; and</li> <li>o Figure 8.4: Auxiliary left-turn treatment (AUL) on a rural road.</li> </ul> </li> <li>• Department of Transport and Main Roads' Road Planning and Design Manual, 2<sup>nd</sup> Edition, <ul style="list-style-type: none"> <li>o Volume 3 – Guide to Road Design, dated October 2024; and</li> <li>o Volume 6 – Lighting, dated March 2021.</li> </ul> </li> </ul>	(a) and (b) Prior to the commencement of use.

## Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.2). If a word remains undefined it has its ordinary meaning.
2.	<p><b>Road works approval</b></p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works.</p> <p>Please contact the Department of Transport and Main Roads on 4045 7144 or email <a href="mailto:cairns.office@tmr.qld.gov.au">cairns.office@tmr.qld.gov.au</a> to make an application for road works approval.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>
3.	<p><b>Road corridor permit</b></p> <p>An application for a Road Corridor Permit is required for any ancillary works and encroachments on a state-controlled road. Under section 50(2) and Schedule 6 of the <i>Transport Infrastructure Act 1994</i> (TIA) and Part 5 and Schedule 1 of the <i>Transport Infrastructure (State-Controlled Roads) Regulation 2006</i>, the applicant must obtain a Road Corridor Permit from the Department of Transport and Main Roads (DTMR) to carry out ancillary and encroachments works on a state-controlled road.</p> <p>The applicant is required to contact the Cairns district office of the Department of Transport and Main Roads on 4045 7144 to make an application for a Road Corridor Permit to carry out ancillary works and encroachments.</p> <p>Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters/structures, vegetation clearing, landscaping and planting.</p>

## Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

### The reasons for the SARA's decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 1 and State code 6 of the SDAP, in that:

- The proposed development is unlikely to compromise the safety, function, and efficiency of Captain Cook Highway, a state-controlled road, or the state-controlled road network.
- The proposed development will not impact on the ability or cost to plan, construct, maintain or operate state transport corridors.
- The development has been conditioned to ensure that vehicular access do not adversely impact upon a state-controlled road.
- The proposed development is unlikely to result in a notable flooding impact upon the nearby state transport corridor.
- Required connections to council services, essential utilities and infrastructure for the proposed development can be obtained without impacting on the state-controlled road.
- SARA has carried out an assessment of the development application against State code 1: Development in a state-controlled road environment and State code 6: Protection of state transport networks and has found that with conditions, the proposed development complies with relevant performance outcomes.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 3.2)
- The Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*

## **Attachment 4—Representations about a referral agency response provisions**

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## **ATTACHMENT B**

3 April 2025

**Enquiries:** Jenny Elphinstone  
**Our Ref:** CA 2025\_5732/1 (Doc ID 1283890)  
**Your Ref:** C1302

Administration Office  
64 - 66 Front St Mossman  
P 07 4099 9444  
F 07 4098 2902

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

**Email:** [nick@hardyplanning.com.au](mailto: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**

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

**Property Details**

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

**Application Details**

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



Nature of Development Proposed:	<p>A Combined Development for: -</p> <p>A. Material Change of Use For: -</p> <ol style="list-style-type: none"> <li>1. Undefined Use for Workers' Accommodation (Impact Assessment);</li> <li>2. Tourist Park (Impact Assessment); and</li> <li>3. A Caretaker's Accommodation (Code Assessment);</li> </ol> <p>And</p> <p>B. Operational Work for an Advertising Device (Not Being a Third Party Advertising Device) (Impact Assessment);</p> <p>With the Development to be undertaken in two Stages.</p>
Description of the Development Proposed:	<p>A Combined Development for: -</p> <p>A. Material Change of Use For: -</p> <ol style="list-style-type: none"> <li>1. Undefined Use for Workers' Accommodation (Impact Assessment);</li> <li>2. Tourist Park (Impact Assessment); and</li> <li>3. A Caretaker's Accommodation (Code Assessment);</li> </ol> <p>And</p> <p>B. Operational Work for an Advertising Device (Not Being a Third Party Advertising Device) (Impact Assessment);</p> <p>With the Development to be undertaken in two Stages.</p>

### Additional Information Requested

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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.

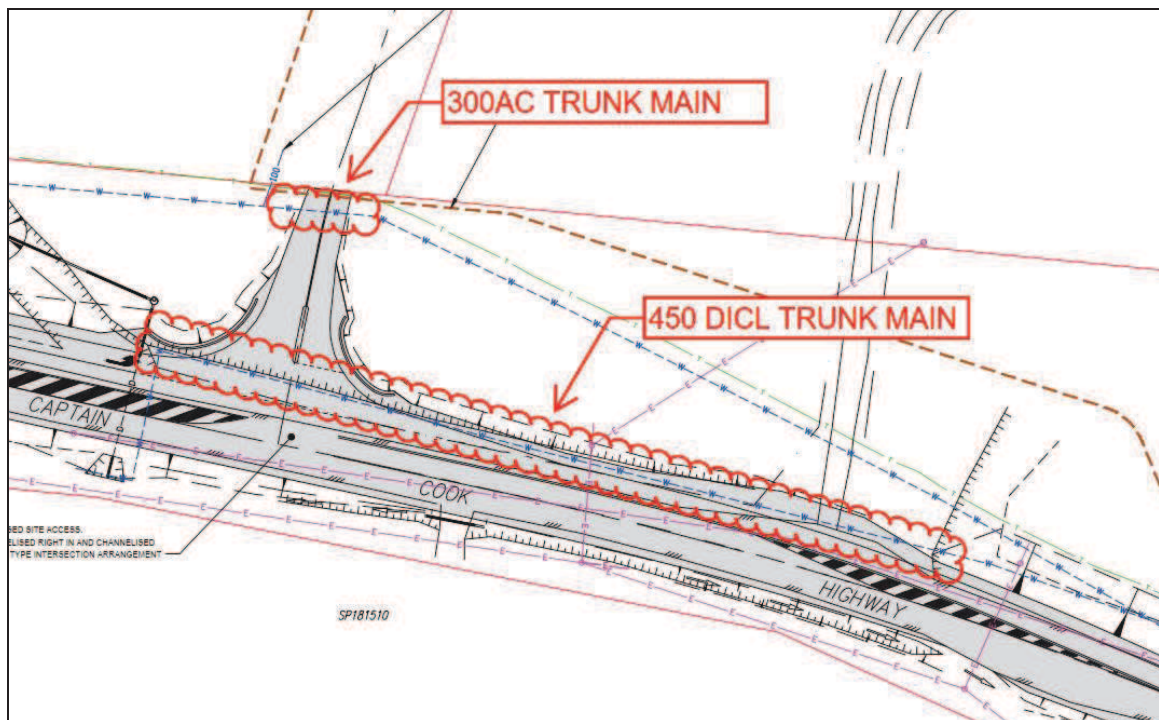
5. Please clarify the private pump station will be located on the applicant's land and will subject to the achievement of a separate ERA.

## 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 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.

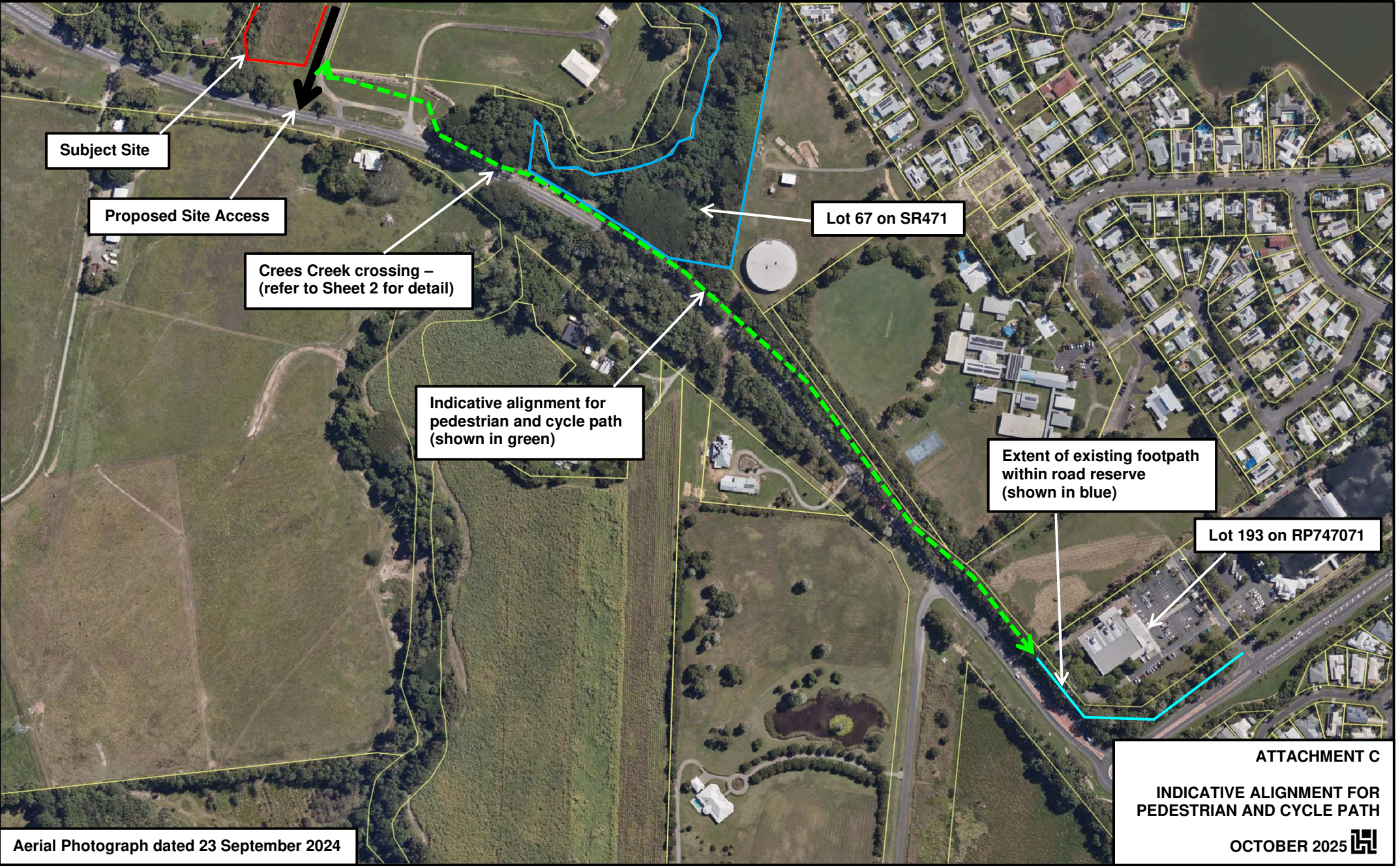
Yours faithfully

A handwritten signature in black ink, appearing to be 'Neil Beck', with a stylized, cursive-like script.

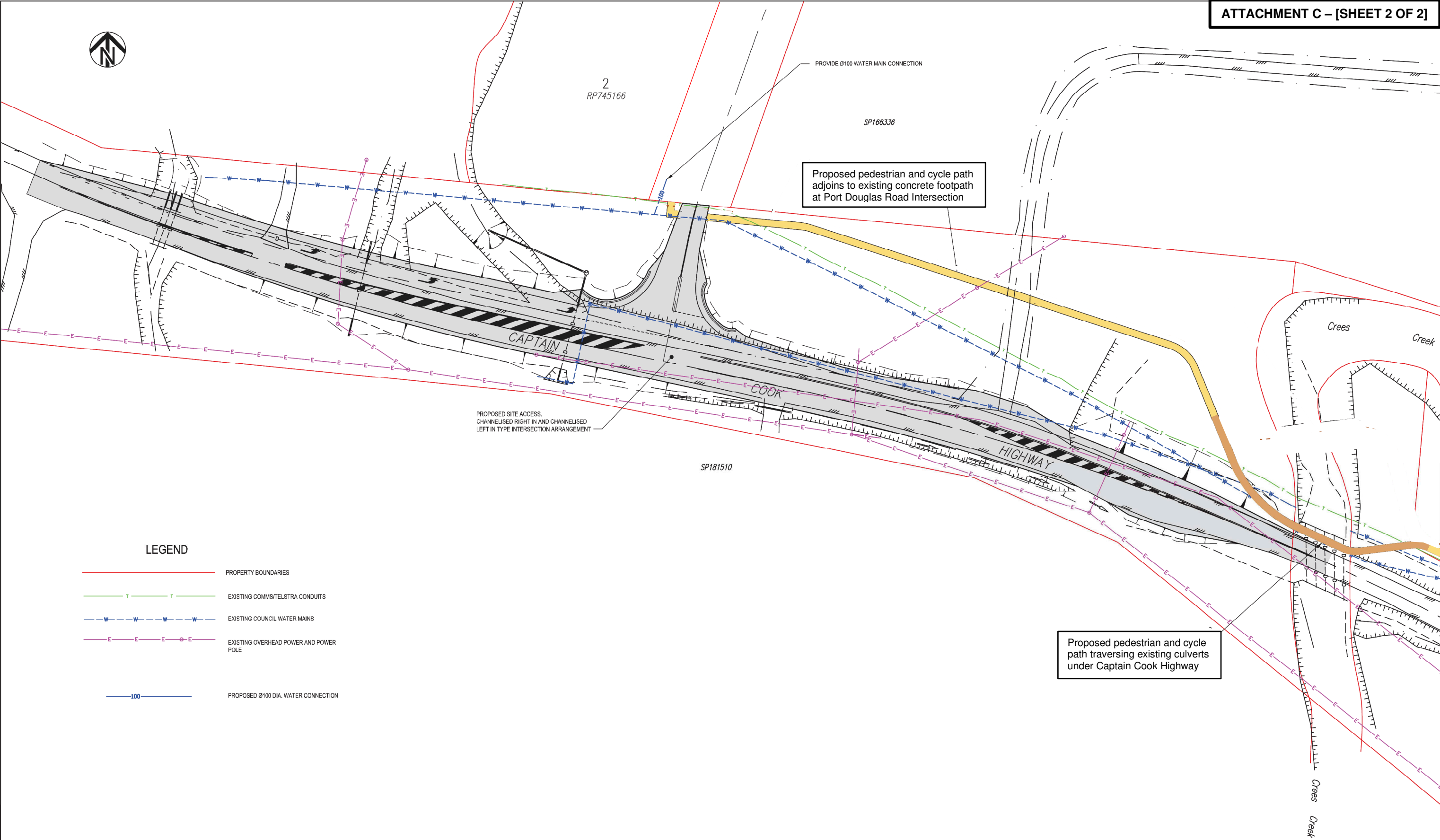
**Neil Beck**  
**A/Manager Environment & Planning**

## **ATTACHMENT C**









LEGEND

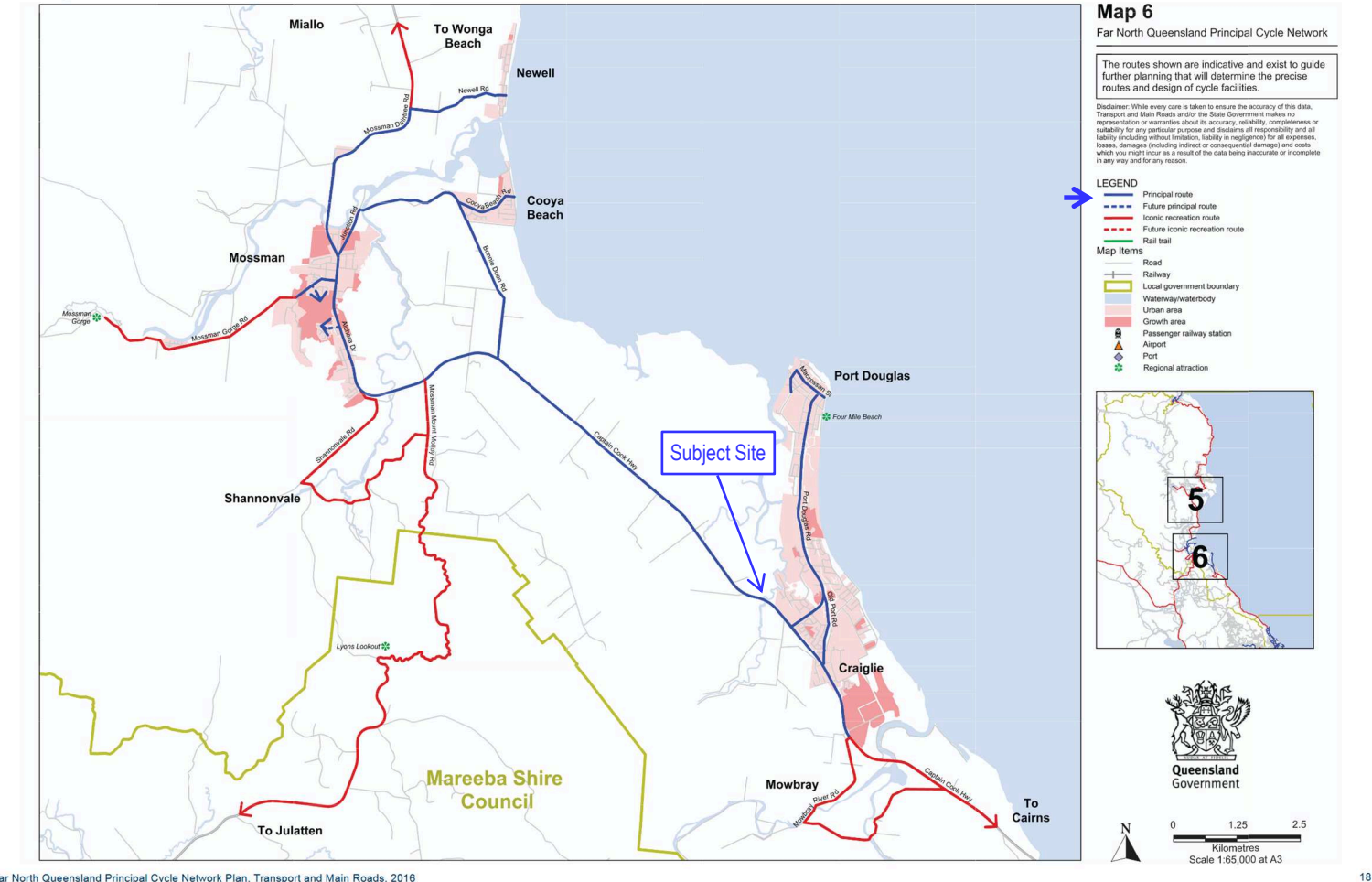
- PROPERTY BOUNDARIES
- EXISTING COMMS/TELSTRA CONDUITS
- EXISTING COUNCIL WATER MAINS
- EXISTING OVERHEAD POWER AND POWER POLE
- PROPOSED Ø100 DIA. WATER CONNECTION

ATTACHMENT C  
CREES CREEK CROSSING  
AND SITE ACCESS PLAN  
OCTOBER 2025

A 04.12.23 FOR APPROVAL		SCALE 1:500		Orig. Sheet A3		DESIGNER		CLIENT		PROJECT		TITLE	
DO NOT SCALE DRAWINGS		Scales Before Reduction		5 0 5 10 15 20 25 m		OSE GROUP		SUPERIOR STAYS		WORKERS ACCOMODATION COMPLEX - LOT 2 RP745166 CAPTAIN COOK HIGHWAY, PORT DOUGLAS		SITE ACCESS PLAN, SERVICES CONNECTIONS AND CYCLEWAY OPTIONS	
REV DATE REVISION NOTES						Address: 35 ARBOTT ST, CAIRNS 4870 Email: admin@osegroup.com.au				DRAWN DJM		DRAWING CHECK AMcP	
										DESIGNED DJM		DESIGN REVIEW AMcP	
										APPROVED		DATE	
										SCALE (Scale as shown)		DRAWING No 23070-C01	
												REV A	

## **ATTACHMENT D**

Douglas Shire Council

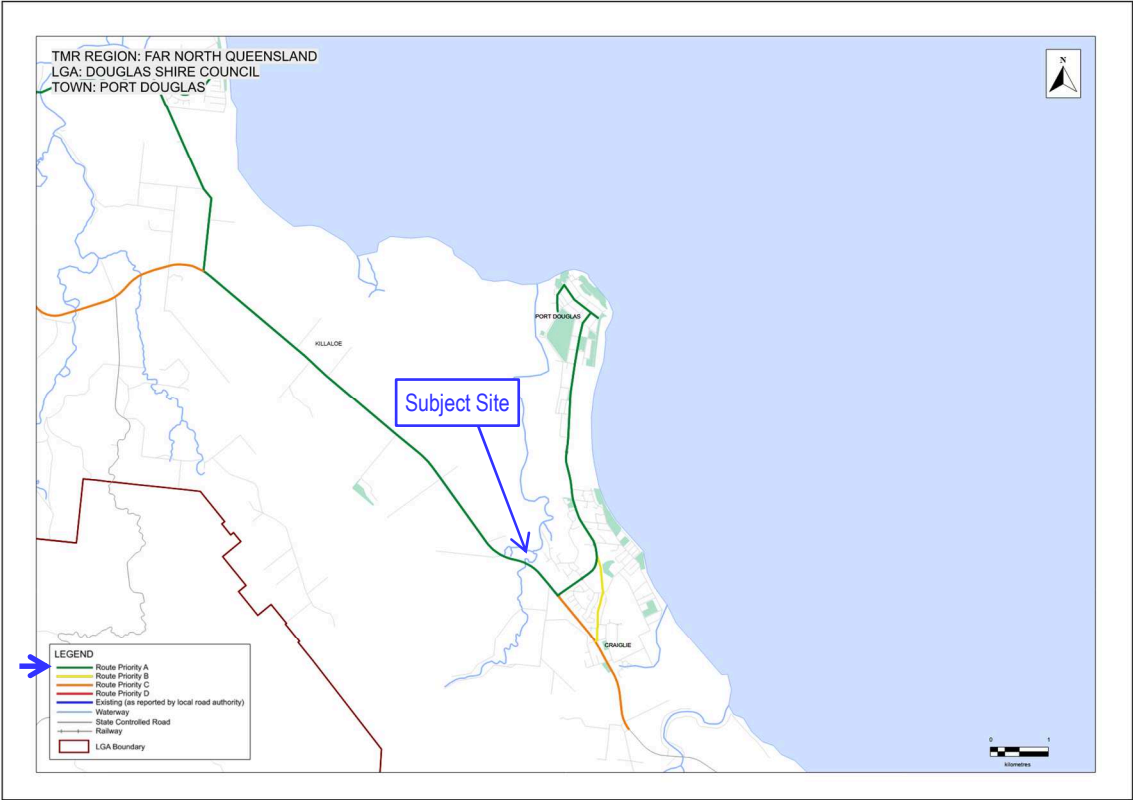


Far North Queensland Principal Cycle Network Plan, Transport and Main Roads, 2016

19

PRIORITY ROUTE MAPS – FAR NORTH QUEENSLAND  
– ADDENDUM TO PRINCIPAL CYCLE NETWORK PLAN (2021)

Douglas Shire Council – Port Douglas



Priority Route Map 9

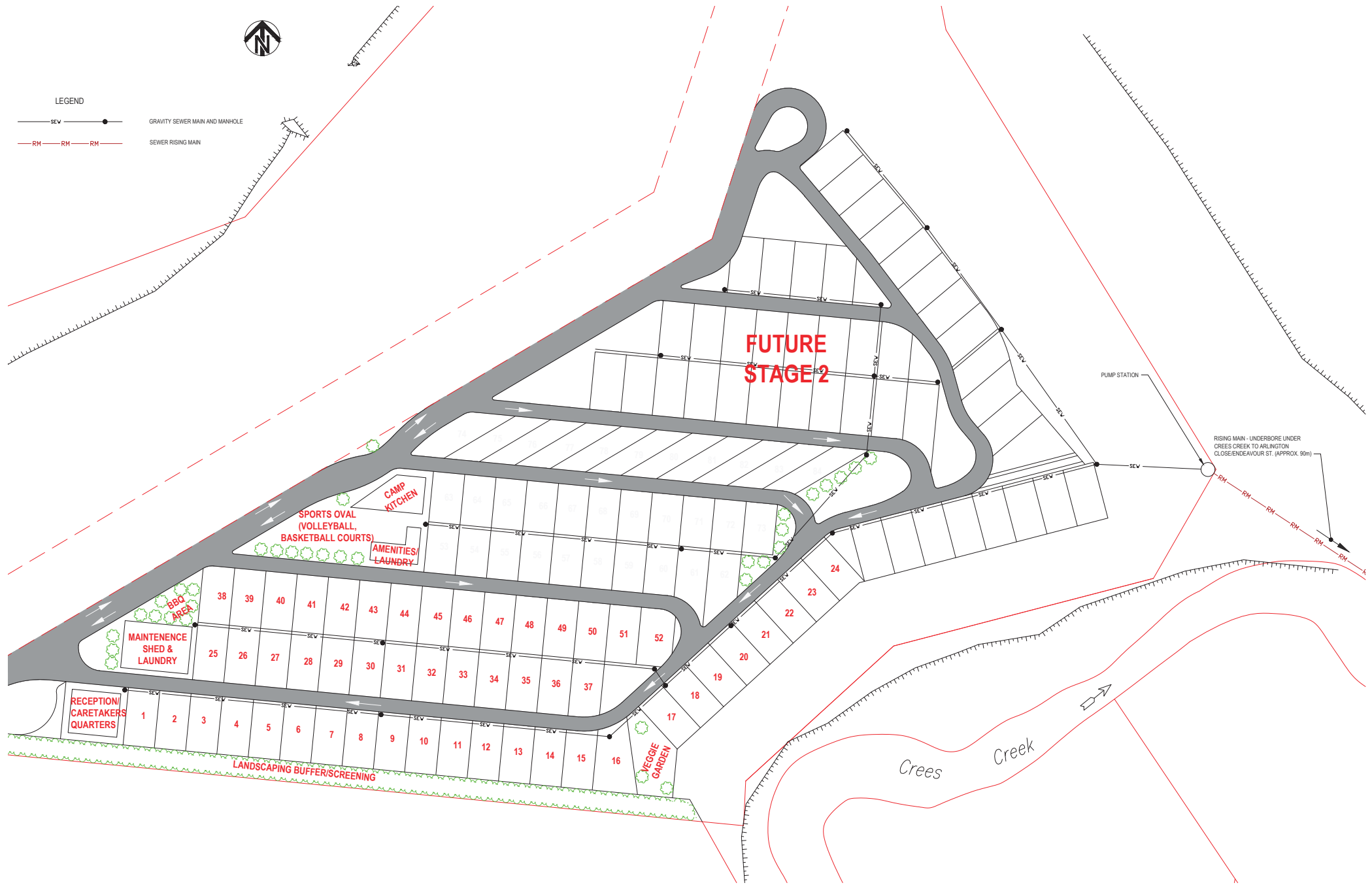
Far North Queensland Principal Cycle Network

The routes shown are indicative and exist to guide further planning that will determine the precise routes and design of cycle facilities.

Disclaimer: While every care is taken to ensure the accuracy of this data, Transport and Main Roads and/or the State Government makes no representation or warranty about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



## **ATTACHMENT E**





## **ATTACHMENT F**







## **ATTACHMENT G**

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>47033018</b>	<b>Search Date:</b>	07/07/2025 16:09
<b>Date State Tenure Created:</b>	23/04/2010	<b>Request No:</b>	52495406
<b>Creating Dealing:</b>			

**ESTATE**

Estate in Unallocated State Land

LOT 3 CROWN PLAN AP15871

Local Government: DOUGLAS

**OWNER**

Dealing No: 723768231 19/12/2024

THE STATE OF QUEENSLAND

(REPRESENTED BY DEPARTMENT OF NATURAL RESOURCES AND MINES,  
MANUFACTURING AND REGIONAL AND RURAL DEVELOPMENT)

**EASEMENTS AND ENCUMBRANCES**

NIL

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

\*\* End of Current State Tenure Search \*\*

Information provided under section 34 Land Title Act (1994) or section 281 Land Act (1994)

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>49019582</b>
<b>Date Reserve Gazetted:</b>	10/06/1989
<b>Page:</b>	866

<b>Search Date:</b>	07/07/2025 16:09
<b>Request No:</b>	52495406

**DETAILS**

Opening Ref: B 1854-2712  
Purpose: PARK AND RECREATION  
Sub-Purpose:  
Local Name:  
Address:  
County (R) No: R1253  
File Ref: RES 25502

**LAND DESCRIPTION**

LOT 168 REGISTERED PLAN 747298 GAZETTED ON 10/06/1989 PAGE 866  
Local Government: DOUGLAS  
Area: 0.709500 Ha. (SURVEYED)

**TRUSTEES**

DOUGLAS SHIRE COUNCIL GAZETTED ON 10/06/1989 PAGE 866

**EASEMENTS AND ENCUMBRANCES**

NIL

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

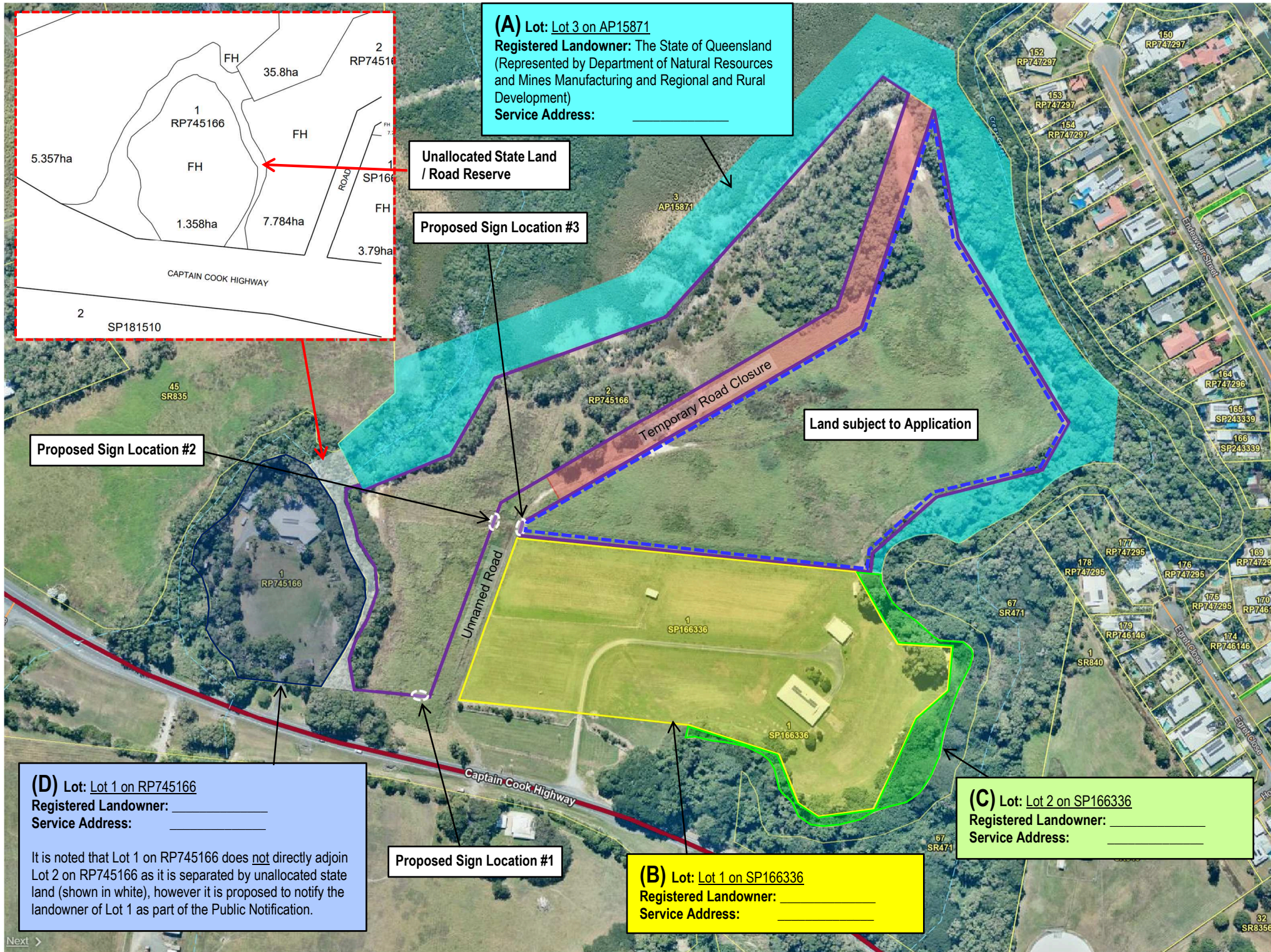
\*\* End of Current Reserve Search \*\*

## **ATTACHMENT H**











**Subject:** Lot 2, Captain Cook Highway, Port Douglas [C1302] [Council Ref: CA 2025\_5732/1]  
**From:** Hardy Town Planning and Consulting <Nick@HardyPlanning.com.au>  
**Date:** 18/11/2025, 1:27 pm  
**To:** Jenny Elphinstone <jenny.elphinstone@douglas.qld.gov.au>  
**CC:** Stephen Walker - Hardy Town Planning and Consulting <steve@hardyplanning.com.au>

Good Afternoon Jenny,

We refer to the Information Request dated 3 April 2025 issued by Council in relation to the Development Application for land described as Lot 2 on RP745166 (Council Ref: CA 2025\_5732/1).

Reference is also made to the meeting with Council on 14 May 2025 to "narrow" the issues in relation to the information to be submitted to Council.

The Project Team is progressing with the completion of the response, however we provide the **attached** summary of findings for our investigations on two (2) matters.

We seek Council's response on these matters prior to submitting the formal response to Council's Information Request.

We await Council's further response.

Regards

**Nick Hardy**

Director

**Hardy Town Planning and Consulting**

Level 1, 127 Abbott Street, CAIRNS QLD, 4870

PO Box 1256 CAIRNS QLD 4870

Telephone 07 4031 3663

Mobile 0412 756 622

nick@hardyplanning.com.au

www.hardyplanning.com.au

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— Attachments:

251118 C1302 File Note.pdf	2.6 MB
251003 C1302 Request for Advice (FINAL).pdf	10.8 MB

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## SUMMARY OF INVESTIGATIONS

### DEVELOPMENT APPLICATION FOR

### MATERIAL CHANGE OF USE FOR

- A. UNDEFINED USE FOR WORKERS' ACCOMMODATION (IMPACT ASSESSMENT)  
TOURIST PARK (IMPACT ASSESSMENT); AND  
CARETAKER'S ACCOMMODATION (CODE ASSESSMENT)**

**AND**

- B. OPERATIONAL WORKS FOR AN ADVERTISING DEVICE (NOT BEING A THIRD PARTY ADVERTISING  
DEVICE) (IMPACT ASSESSMENT)**

### LOCATED AT LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

Specific reference is made to items 4 and 5 in Council's Information Request dated 3 April 2025.

#### **1.00 Sewer Connection**

We note that it was originally proposed to establish a new connection to Council's reticulated system via the Captain Cook Highway.

However, based on advice and recommendations provided by the Consulting Engineer acting on behalf of Council, a further (preferred) option to connect with an existing pump station located in Endeavour Street located approximately 150m to the east of the site has been identified.

This option will require the underboring of the following:-

- a) Lot 3 on AP15871 - owned by the State of Queensland (Represented by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development);
- b) Lot 168 on RP747298 – Douglas Shire Council as the Trustee for the purpose of Park and Recreation; and
- c) Crees Creek

The indicative location of the alignment and ownership arrangements is shown in **Figure 1**.

Investigations were undertaken with SARA and the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (DNRMMRRD) in relation to this proposal with emphasis on the need for landowner consent and further Referrals.

In this regard, we **attach** the following responses:-

- a) email advice dated 14 October 2025 from SARA;
- b) email advice dated 30 October 2025 from DNRMMRRD

We note that the advices are supportive of the proposal and it is submitted:-

- a) the proposal to underbore the proposed sewer connection can be dealt with by an Operational Works Application as a consequence of the proposal and can be conditioned as part of the Development Approval for the proposal;
- b) the emails provide in-principle support for the proposal and identify options that can be determined in the future based on mutual agreement between Council, proponent and the State.

## **2.00 Cycleway and Pedestrian Connection**

An alignment for the cycleway and pedestrian connection has been identified within the section of the Captain Cook Highway road corridor extending from the subject site to the corner of the Captain Cook Highway and Port Douglas Road intersection.

The proposal will also include an extension to the existing culverts over Crees Creek to remove the need to construct a new bridge over the Creek.

In this regard, we provide SARA email advice dated 14 October 2025 providing in-principle support for the proposal.

These works can be approved via Section 50 approval as a consequence of a Development Approval.

The following documents are attached for Council's consideration:-

- i) email advice dated 14 October 2025 from SARA;
- ii) email advice dated 30 October 2025 from DNRMMRRD;
- iii) our Request for SARA Response dated 3 October 2025 providing the basis for the responses i) and ii) above.

We confirm that this submission does not represent a response to Council's Information Request.

Council's response and comment on the suitability of these responses to address these matters is sought.

**Request prepared by  
Nick Hardy  
Hardy Town Planning and Consulting  
18 November 2025**

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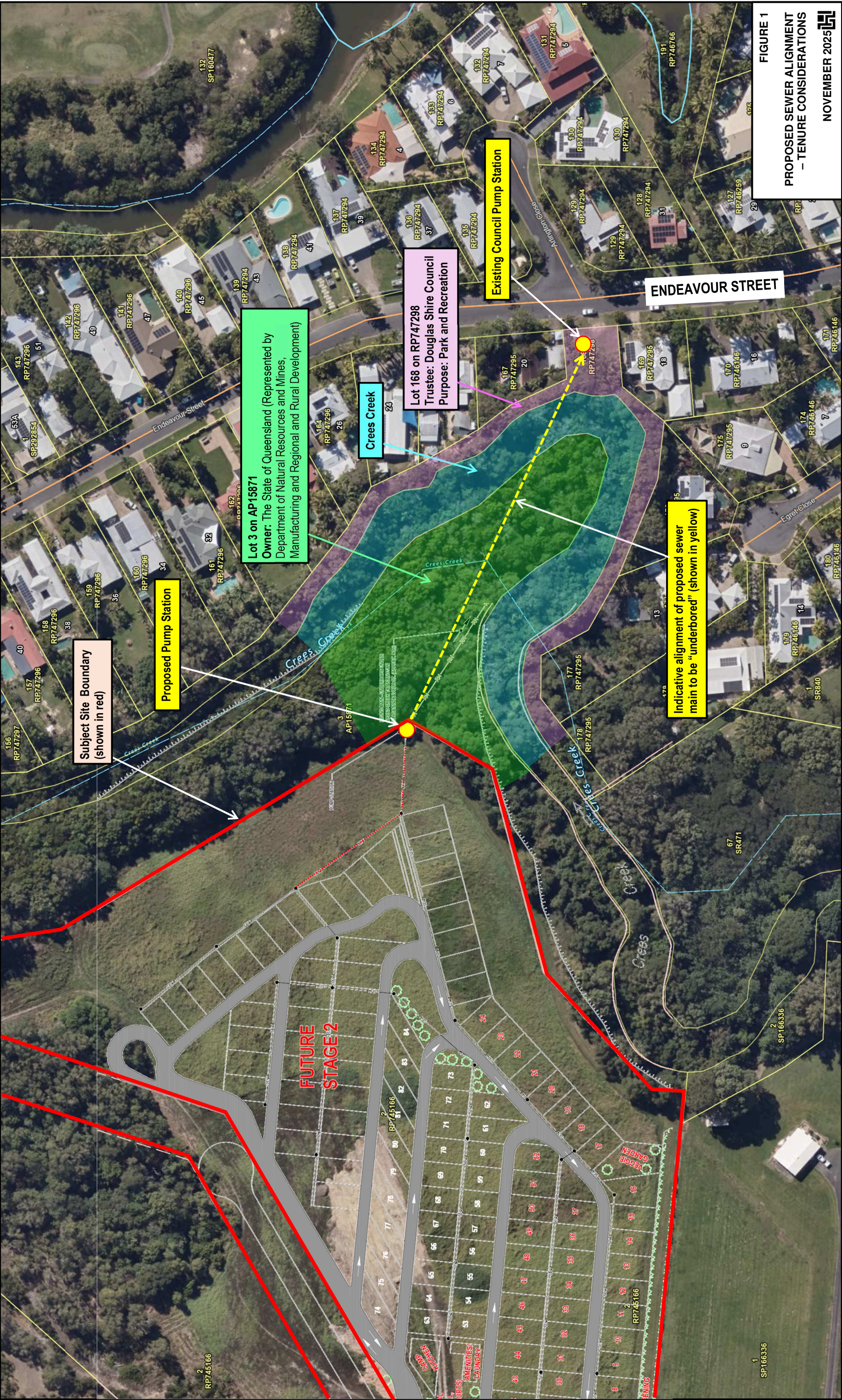


FIGURE 1  
PROPOSED SEWER ALIGNMENT  
– TENURE CONSIDERATIONS  
NOVEMBER 2025



**Subject:** FW: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]  
**From:** Charlton Best <charlton.best@dsdip.qld.gov.au>  
**Date:** 14/10/2025, 4:11 pm  
**To:** Hardy Town Planning and Consulting <nick@hardyplanning.com.au>  
**CC:** Javier SAMANES <Javier.Samanes@dsdip.qld.gov.au>

Hi Nick

Thank you for your request seeking SARA advice in relation to matters pertaining to the proposed mixed-use development lodged over part of Lot 2 on RP745166.

I wish to provide the following responses to the 2 items raised within the document (dated 3 October 2025) you have provided (as attached):

- a. Pedestrian and cycleway alignment – I can confirm that the Department of Transport and Main Roads (DTMR) have provided in-principal support to the intended pedestrian and cycle path alignment shown on plans provided at Attachment C. I refer to advice items 2 and 3 of the attached SARA referral agency response in relation to further approvals required from DTMR for ancillary works (i.e. paths or bikeways) that are to be undertaken within a state-controlled road corridor.

DTMR provides additional advice indicating that appropriate and detailed design drawings/supporting information will be required when seeking a s50 approval to illustrate that the pedestrian and cycle path can be safely established along the Captain Cook Highway corridor.

- b. Sewer infrastructure – It is understood that a future operational works application will be lodged with the Douglas Shire Council to facilitate the intended sewer infrastructure that will be necessary to service the proposed development as shown on the plans provided at Attachments E & F. Given the extent of works to install the sewer main located outside of the subject land parcel (Lot 2 on RP745166) are intended to be carried out via the practice of 'underboring', this is not considered as being assessable development under Schedule 10, Part 17 of the Planning Regulation 2017.

In relation to whether landowner's consent under the *Land Act 1994* is required for future operational works to facilitate the sewer main installation that are to be undertaken outside of the subject land parcel, please liaise with the land services unit as part of the Department of Natural Resources and Mines, Manufacturing, Regional and Rural Development for confirmation.

Please let me know if you have any further questions in relation to the matters raised.

Regards

**Charlton Best**  
Senior Planning Officer – Far North Queensland  
**Planning Services | Planning Group**  
Department of State Development, Infrastructure and Planning  
P 4037 3200  
Ground Floor, Ports North Building  
Cnr Grafton and Hartley Streets, Cairns  
PO Box 2358, Cairns QLD 4870



---

**From:** Hardy Town Planning and Consulting <Nick@HardyPlanning.com.au>  
**Sent:** Friday, 3 October 2025 5:41 PM  
**To:** Javier SAMANES <Javier.Samanes@dsdip.qld.gov.au>  
**Subject:** Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]

Good Afternoon Javier,

We refer to the application for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages and Operational Work for Advertising Device on land described as Part of Lot 2 on RP745166. [SARA Ref: 2053-45404 SRA]

We note that SARA has provided advice on this matter and issued a SARA Response dated 16 May 2025 in relation to access to the Captain Cook Highway (a State-controlled Road).

In response to the Council Information Request, further responses are required by Council in relation to a pedestrian / cycle connection and a new sewer connection.

In this regard, we **attach** our Request for Advice dated 3 October 2025.

Could you please advise on your availability next week for a Teams or in-person meeting to discuss the matters raised in the Request for Advice.

We look forward to your further advice.

Regards

**Nick Hardy**  
Director  
**Hardy Town Planning and Consulting**

Level 1, 127 Abbott Street, CAIRNS QLD, 4870  
PO Box 1256 CAIRNS QLD 4870  
Telephone 07 4031 3663  
Mobile 0412 756 622  
[nick@hardyplanning.com.au](mailto:nick@hardyplanning.com.au)  
[www.hardyplanning.com.au](http://www.hardyplanning.com.au)

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— Attachments:		
251003 C1302 Request for Advice (FINAL).pdf		10.8 MB
2503-45404 SRA - Response with conditions.pdf		240 KB

**Subject:** RE: FW: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]  
**From:** Deanna Holder <Deanna.Holder@nrmmrd.qld.gov.au>  
**Date:** 30/10/2025, 11:50 am  
**To:** Hardy Town Planning and Consulting <Nick@HardyPlanning.com.au>  
**CC:** Stephen Walker - Hardy Town Planning <steve@hardyplanning.com.au>

OFFICIAL

Hi Nick,

Lot 3 on AP16871 (Lot 3) should read Lot 3 on AP15871.

My apologies for the error.

Regards

Deanna Holder  
Manager

---

**Land Services | Land and Surveying Services**

Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development

P: (07) 4016 1903 | M: 0436 698 052

A: Canegrowers Building, 88 Rankin Street, Innisfail Q 4860 | P O Box 94, Innisfail Q 4860

E: [deanna.holder@nrmmrd.qld.gov.au](mailto:deanna.holder@nrmmrd.qld.gov.au)

W: [www.nrmmrd.qld.gov.au](http://www.nrmmrd.qld.gov.au)



---

**From:** Hardy Town Planning and Consulting <Nick@HardyPlanning.com.au>  
**Sent:** Thursday, 30 October 2025 11:00 AM  
**To:** Deanna Holder  
**Cc:** Stephen Walker - Hardy Town Planning; Dianne Camilleri; Laura Harris  
**Subject:** Re: FW: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]

Hi Deanna ,  
Many thanks for this advice .  
Regards  
Nick Hardy

On 30/10/2025 10:17 am, Deanna Holder wrote:

OFFICIAL

Hi Nick,

Thank you for meeting to discuss the proposal. I confirm the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (department) has no objections to the proposal proceeding subject to:

**Lot 3 on AP16871 (Lot 3) – Unallocated state land**

The department considers an easement is required over the alignment of the proposed sewer main to be located within Lot 3.

**Option 1 - Preferred Option**

1. Douglas Shire Council enter into a public utility easement with the department over the proposed alignment within Lot 3.
2. Native title can be addressed in accordance with section 24KA of the *Native Title Act 1993* (cth) and Module K of the Queensland Government Native Title work procedures.

**Option 2 – not preferred**

1. The landholder of Lot 2 on RP745166 (Lot 2) enter into an easement with the department over the proposed alignment within Lot 3 for the private infrastructure.
2. Native title will be required to be addressed by negotiation and registration of an Indigenous Land Use Agreement.

**Lot 168 on RP747298 (Lot 168) – Reserve for Park and Recreation purposes (Reserve)**

1. If Option 1 is proposed, Douglas Shire Council (council) as trustee of the reserve can decide whether to enter into a public utility easement with the department over part of the reserve.
2. If an easement is proposed, native title can be addressed as stated in Option 1 above.
3. If Option 2 is proposed and subject to prior consent of council as trustee, the landholder of Lot 2 will be required to enter into an easement with the department over the proposed alignment within the reserve.
4. If an easement is proposed, native title can be addressed as stated in Option 2 above.

**Additional information**

5. Survey of the proposed easement/s will be required to be undertaken.
6. The department may be prepared to provide in principle approval to the easement/s subject to 'as constructed' easement plan/s being provided following construction noting the alignment may vary once construction has commenced.
7. Compensation for the diminution in the value of the land will be required to be paid to the department should the easement/s proceed.

If you require any further information, please contact me.

Regards

Deanna Holder  
Manager

---

**Land Services | Land and Surveying Services**

Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development

P: (07) 4016 1903 | M: 0436 698 052

A: Canegrowers Building, 88 Rankin Street, Innisfail Q 4860 | P O Box 94, Innisfail Q 4860

E: [deanna.holder@nrmmrd.qld.gov.au](mailto:deanna.holder@nrmmrd.qld.gov.au)

W: [www.nrmmrd.qld.gov.au](http://www.nrmmrd.qld.gov.au)



---

**From:** Hardy Town Planning and Consulting <[Nick@HardyPlanning.com.au](mailto:Nick@HardyPlanning.com.au)>  
**Sent:** Friday, 17 October 2025 9:55 AM  
**To:** Deanna Holder  
**Cc:** Stephen Walker - Hardy Town Planning and Consulting  
**Subject:** Fwd: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]

Hi Deanna,

Would it be possible to make a time to have a Teams meeting ( max 30 min ) early next week to discuss this matter?

Some suggested times:-

Monday 20th - 10am  
Monday 20th - 4pm

Tuesday 21st - 9am  
Tuesday 21st - 1pm

Look forward to your advice.

Regards,  
Nick Hardy

----- Forwarded Message -----

**Subject:** Fwd: FW: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]  
**Date:** Tue, 14 Oct 2025 16:17:30 +1000  
**From:** Hardy Town Planning and Consulting <[Nick@HardyPlanning.com.au](mailto:Nick@HardyPlanning.com.au)>  
**To:** HOLDER Deanna <[Deanna.Holder@resources.qld.gov.au](mailto:Deanna.Holder@resources.qld.gov.au)>  
**CC:** Stephen Walker - Hardy Town Planning and Consulting <[steve@hardyplanning.com.au](mailto:steve@hardyplanning.com.au)>

Hi Deanna ,  
Further to our previous email on this matter please also see below the advice provided by the Planning Group .  
Regards  
Nick Hardy

----- Forwarded Message -----

**Subject:** FW: Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]  
**Date:** Tue, 14 Oct 2025 06:11:21 +0000  
**From:** Charlton Best <[charlton.best@dsdip.qld.gov.au](mailto:charlton.best@dsdip.qld.gov.au)>  
**To:** Hardy Town Planning and Consulting <[nick@hardyplanning.com.au](mailto:nick@hardyplanning.com.au)>  
**CC:** Javier SAMANES <[Javier.Samanes@dsdip.qld.gov.au](mailto:Javier.Samanes@dsdip.qld.gov.au)>



Hi Nick

Thank you for your request seeking SARA advice in relation to matters pertaining to the proposed mixed-use development lodged over part of Lot 2 on RP745166.

I wish to provide the following responses to the 2 items raised within the document (dated 3 October 2025) you have provided (as attached):

1. Pedestrian and cycleway alignment – I can confirm that the Department of Transport and Main Roads (DTMR) have provided in-principal support to the intended pedestrian and cycle path alignment shown on plans provided at Attachment C. I refer to advice items 2 and 3 of the attached SARA referral agency response in relation to further approvals required from DTMR for ancillary works (i.e. paths or bikeways) that are to be undertaken within a state-controlled road corridor.

DTMR provides additional advice indicating that appropriate and detailed design drawings/supporting information will be required when seeking a s50 approval to illustrate that the pedestrian and cycle path can be safely established along the Captain Cook Highway corridor.

2. Sewer infrastructure – It is understood that a future operational works application will be lodged with the Douglas Shire Council to facilitate the intended sewer infrastructure that will be necessary to service the proposed development as shown on the plans provided at Attachments E & F. Given the extent of works to install the sewer main located outside of the subject land parcel (Lot 2 on RP745166) are intended to be carried out via the practice of 'underboring', this is not considered as being assessable development under Schedule 10, Part 17 of the Planning Regulation 2017.

In relation to whether landowner's consent under the *Land Act 1994* is required for future operational works to facilitate the sewer main installation that are to be undertaken outside of the subject land parcel, please liaise with the land services unit as part of the Department of Natural Resources and Mines, Manufacturing, Regional and Rural Development for confirmation.

Please let me know if you have any further questions in relation to the matters raised.

Regards

**Charlton Best**

Senior Planning Officer – Far North Queensland

**Planning Services | Planning Group**

Department of State Development, Infrastructure and Planning

P 4037 3200

Ground Floor, Ports North Building

Cnr Grafton and Hartley Streets, Cairns

PO Box 2358, Cairns QLD 4870



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**From:** Hardy Town Planning and Consulting <Nick@HardyPlanning.com.au>

**Sent:** Friday, 3 October 2025 5:41 PM

**To:** Javier SAMANES <Javier.Samanes@dsdip.qld.gov.au>

**Subject:** Captain Cook Highway, Port Douglas [C1302] [SARA Ref: 2503-45404 SRA] [Council Ref: CA 2025\_5732/1]

Good Afternoon Javier,

We refer to the application for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages and Operational Work for Advertising Device on land described as Part of Lot 2 on RP745166. [SARA Ref: 2053-45404 SRA]

We note that SARA has provided advice on this matter and issued a SARA Response dated 16 May 2025 in relation to access to the Captain Cook Highway (a State-controlled Road).

In response to the Council Information Request, further responses are required by Council in relation to a pedestrian / cycle connection and a new sewer connection.

In this regard, we **attach** our Request for Advice dated 3 October 2025.

Could you please advise on your availability next week for a Teams or in-person meeting to discuss the matters raised in the Request for Advice.

We look forward to your further advice.

Regards

**Nick Hardy**

Director

**Hardy Town Planning and Consulting**

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