

[REDACTED]

From: [REDACTED]
Sent: Saturday, 22 August 2026 2:54 PM
To: Enquiries
Cc: [REDACTED]
Subject: Submission – Development Application CA 2025_5732/1
Attachments: [REDACTED] Submission – Objection to Development Applicat.pdf

Dear Assessment Manager,

Please find attached our submission objecting to Development Application **CA 2025_5732/1**.

We are [REDACTED] landowners and have reviewed the application and supporting material in detail. Our submission sets out our concerns regarding flooding and fill, sewer infrastructure, traffic and pedestrian safety, the nearby primary school, residential amenity, electric-ant biosecurity, acid sulfate soils and the suitability of the proposed development on this site.

Could you please acknowledge receipt and confirm that our submission has been accepted as a **properly made submission** under the Planning Act 2016.

I would also appreciate being notified of Council's decision on the application.

Warm regards,

[REDACTED]

Properly Made Submission – Objection to Development Application CA 2025_5732/1

To: Assessment Manager, Douglas Shire Council

Email: enquiries@douglas.qld.gov.au

Development Application: CA 2025_5732/1

Development: Material Change of Use – Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities; Operational Work for Advertising Device

Site: Lot 2 Captain Cook Highway and associated land at Captain Cook Highway, Crees Creek and Lot 168 Endeavour Street, Port Douglas

Submitter: [REDACTED]

Residential address: [REDACTED]

Email/address for service: [REDACTED]

Telephone: [REDACTED]

Date: 22 August 2026

Dear Assessment Manager,

We make this submission objecting to Development Application CA 2025_5732/1.

I [REDACTED] and [REDACTED] are [REDACTED] landowners and received formal notification of this application on 17 August 2026. We acknowledge the genuine need for suitable worker accommodation in Port Douglas and the wider Douglas Shire. Our objection is not to worker accommodation as such. It concerns whether this particular development, at the scale proposed and on this particular flood-affected site, has demonstrated that it can operate without unacceptable impacts on surrounding properties, infrastructure, environmental systems and the existing community.

[REDACTED] also a researcher with a PhD in regional development and planning, and [REDACTED] professional work includes regional planning, community impacts and place-based development. I have therefore reviewed the application both as an [REDACTED] resident directly affected by the proposal and from a planning and regional-development perspective. Having reviewed the application, Council's Information Request dated 3 April 2025, the applicant's subsequent response and amended plans, we do not consider that the present material adequately resolves several matters that go directly to the suitability of the proposed use.

1. Flood risk, filling and unresolved off-site hydraulic impacts

Flooding is our principal concern.

Council's Information Request records that the majority of the development area is mapped within the Floodplain Assessment area and the 1% AEP flood event. Importantly, Council expressly stated that it did not agree that the flood considerations could appropriately be addressed without a localised flood study, or that conditions of approval could be determined before that study was provided. Council described the local flood study as essential to assessment of the application.

The applicant has subsequently provided a draft Crees Creek flood assessment. However, the response does not, in our view, resolve Council's original concern.

The applicant states that:

- the current cut-and-fill plan remains subject to final review of the flood study;
- final levels will be determined at Operational Works stage;
- the final flood study will also be completed at Operational Works stage after the cut-and-fill design has been modelled; and
- that later modelling is intended to determine whether the proposed fill causes afflux in surrounding areas and what measures may be required to reduce those effects.

This is particularly concerning because the draft modelling has already identified off-site afflux and expressly concludes that additional flood mitigation measures will be required.

This is not merely a question of detailed construction design. Whether filling and development of this flood-affected land will increase flood levels, redirect flows or increase flood damage on adjoining and nearby land is fundamental to determining whether the material change of use is suitable in the first place.

PO5 of the Flood and Storm Tide Hazard Overlay Code requires development, directly, indirectly and cumulatively, to avoid increases in water-flow velocity or flood level and not increase potential flood damage on the site or other properties. AO5.3 similarly contemplates hydraulic and hydrological evidence demonstrating maintenance of flood-storage capacity and no increase in relevant off-site flood effects.

On the information presently available, I do not consider that this outcome has been demonstrated.

We request that Council not approve the MCU on the assumption that these fundamental impacts can be satisfactorily resolved after approval through Operational Works. A final flood-impact assessment should establish the completed development geometry, fill levels, pre- and post-

development flood behaviour, off-site afflux and all proposed mitigation before Council determines whether the use is appropriate.

2. Scale and compatibility with the Rural Zone

The current public-notification plan is a substantial accommodation development. It shows 52 Stage 1 cabin sites, a further 42 cabin sites in Stage 2, 21 camp sites and 11 drive-through sites, together with internal roads, communal facilities and associated infrastructure.

The site is within the Rural Zone.

The Rural Zone Code seeks to protect rural land and environmental and landscape values and requires adverse impacts on adjoining areas to be avoided or minimised. PO4 requires the zone to be protected from the intrusion of inconsistent uses, while PO5 contemplates rural activities, low-impact tourist activities related to rural character, or development compatible with rural activities.

We recognise that the application characterises the proposed Workers' Accommodation as an "Undefined Use", rather than the defined "Non-resident workforce accommodation" use. Nevertheless, Table 6.2.10.3.b identifies Non-resident workforce accommodation and Relocatable home park among uses regarded as inconsistent with the Rural Zone.

We therefore ask Council to assess the actual character, intensity and effects of this development carefully rather than its nomenclature alone. In our view, the scale of the proposed accommodation, associated infrastructure and operational activity warrants close scrutiny against the purpose and performance outcomes of the Rural Zone.

The demonstrated demand for worker accommodation is relevant, but planning need does not establish that every proposed location is suitable for that use.

3. Sewer capacity, design population and infrastructure uncertainty

The amended sewer solution also raises significant concerns.

The applicant now proposes a private sewer pump station and a pressure main underbored beneath Crees Creek, connecting to Council infrastructure around Arlington Court/Endeavour Street. The amended application consequently includes part of Crees Creek and part of Lot 168 Endeavour Street.

Council's Information Request originally stated that the application had not demonstrated a compliant sewer connection and noted that the premises is outside the Priority Infrastructure Area. Council specifically requested an engineering assessment of the capacity of Council's sewer

system to receive the additional load and any upgrades required, stating that appropriate clarity was required at the assessment stage.

The applicant's December 2025 response states that initial sewer calculations have been based on a population of **198 persons**. It also states that sewer discharge and pipe sizes will be finalised at Operational Works stage and that the flow and capacity of the downstream pump station will be checked and may require the pumps to be upgraded.

We do not consider that this provides sufficient certainty about the infrastructure consequences of the proposed MCU.

There should be a clear and internally consistent relationship between:

1. the number and type of accommodation sites approved;
2. the maximum lawful occupancy of those sites;
3. the design population used for sewer and water infrastructure;
4. expected peak and average sewage flows;
5. downstream network and pump-station capacity; and
6. any augmentation required as a consequence of the development.

The current notified plan shows 94 cabin sites plus 32 camp/drive-through sites, while earlier engineering material refers to 96 cabins and the sewer design calculation uses 198 persons. Council should require these assumptions to be reconciled and a clear maximum occupancy established.

We also request that Council be satisfied regarding pump failure, power failure, emergency storage, wet-weather operation and maintenance arrangements before approving a use dependent upon privately pumped sewerage crossing Crees Creek and connecting into the existing network.

4. Safe pedestrian and cycling access, particularly in the context of the nearby primary school

The applicant's own Town Planning Report identifies residential development around Endeavour Street and a primary school, church and shopping centre to the south-east of the site.

This makes safe pedestrian and cycling connectivity a substantive planning issue.

Council's Information Request was particularly clear on this point. Council noted the expectation that a significant proportion of workers accommodated at the development may rely on bicycles or similar transport and concluded that appropriate and safe pedestrian and bicycle connectivity must accompany the development. Council considered that the absence of such connectivity

would be inconsistent with the Strategic Framework and Planning Scheme Codes and could compromise the safety and functionality of the adjacent State-controlled road.

We acknowledge that the proposal has subsequently changed and DTMR has provided in-principle support for a proposed pedestrian/cycle path alignment. However, the State's advice also says that appropriate detailed design and supporting information will still be required to demonstrate that the path can safely be established along the Captain Cook Highway corridor.

PO8 of the Access, Parking and Servicing Code specifically requires walking and cycling routes to link with external networks and destinations **such as schools**, shopping centres and public transport along the safest, most direct and convenient routes, while ensuring pedestrian and cyclist safety.

Given the scale of the proposed development, the expected reliance on active transport and the presence of an established primary school in the surrounding area, we consider that the safe and practical operation of this connection is fundamental to the suitability of the use rather than a minor matter of later detailed design.

Council should therefore be satisfied, before approval, that a safe, continuous and constructible pedestrian/cycle connection can in fact be delivered.

5. Noise, lighting and residential amenity

The application is immediately relevant to existing residential amenity.

Council's Information Request noted that the original application simply asserted compliance with the Environmental Performance Code without providing sufficient information about lighting, expected operational noise, attenuation or resulting noise levels at nearby sensitive uses. Council specifically requested this material and asked for an Operational Management Plan where management measures were relied upon.

The applicant's subsequent response proposes landscape buffers, an onsite manager and a future Operational Management Plan dealing with quiet hours, equipment, common facilities, guest behaviour and complaints. However, that Management Plan is proposed to be supplied in response to a future condition of approval.

wE have not identified in the current material a project-specific acoustic assessment demonstrating the expected operational noise environment at the surrounding sensitive receptors.

For a development containing a substantial number of cabins and camping sites, communal facilities, internal vehicle movements and associated activity, we consider that Council should understand the likely operational impacts before determining whether those impacts can actually be managed.

We request that Council require appropriate acoustic evidence, a lighting assessment where necessary, and the substantive Operational Management Plan before determination rather than relying principally on future management controls.

6. Acid sulfate soils, Crees Creek and environmental risk

The applicant's engineering material acknowledges the possibility that acid sulfate soils are present but states that no acid sulfate soil testing has been carried out. The same material acknowledges that disturbance may occur during construction of the internal gravity sewer system and pump station.

The Acid Sulfate Soils Overlay Code seeks accurate identification of the extent and location of potential or actual acid sulfate soils and requires disturbance to be avoided or appropriately managed.

Given the proposed sewer and pump infrastructure, the proximity of Crees Creek, and the environmental sensitivity of the surrounding receiving environment, we consider that an appropriate investigation should precede works capable of disturbing these soils rather than relying solely on a future management plan without baseline testing.

The applicant's own planning material also records that a small part of the northern edge of the site is associated with the Great Barrier Reef Coast Marine Park. We do not suggest that this fact alone determines whether any Commonwealth referral is required. We do, however, ask Council to ensure that all relevant State and Commonwealth environmental requirements associated with the waterway and adjoining marine environment have been properly identified and satisfied.

7. Electric ant biosecurity risk

The development site is located within the **Electric Ant Restricted Zone (Appendix 1)**.

This is particularly relevant to a development of this nature because construction will involve earthworks, movement of fill and soil, vegetation disturbance, trenching and underboring for sewer infrastructure, movement of construction equipment and machinery, and potentially the transport of other materials capable of carrying electric ants.

Electric ants (*Wasmannia auropunctata*) are regulated under Queensland's **Biosecurity Act 2014**, and specific movement controls apply within the Electric Ant Biosecurity Zone. Queensland Government requirements identify soil, vegetation, mulch and material or objects that have been in contact with the ground as potential electric ant carriers. Movement of electric ant carriers from properties within the Restricted Zone is subject to legislated controls and, in relevant circumstances, requires a Biosecurity Instrument Permit.

This is therefore not simply a general environmental concern. It is an existing and site-specific biosecurity constraint that needs to be incorporated into the planning, construction and operation of the development.

Given the scale of the proposed earthworks and infrastructure construction, we request that Council establish before approval:

- the precise electric-ant restrictions applying to the development land and all land affected by associated infrastructure works;
- whether electric ants have been detected on the site and the current treatment or surveillance status of the land;
- how excavation, fill, vegetation and other electric-ant carriers will be managed;
- where imported fill will originate and where excavated soil or vegetation will be taken;
- what Biosecurity Instrument Permits or other approvals will be required for movement of regulated material;
- how construction vehicles, earthmoving equipment and machinery will be inspected and cleaned to minimise the risk of transferring electric ants from the site;
- how compliance with the applicable biosecurity requirements will be documented and monitored during construction; and
- whether the proposed staging of development creates additional pathways for movement of electric ants between disturbed and undisturbed areas.

The development involves substantially greater movement of people, vehicles, soil, equipment and other material through this site than occurs under its existing use. In our view, Council should not simply leave this matter to general legislative compliance after development approval. The application should demonstrate that the biosecurity constraint has been properly identified and that the proposed development can be undertaken consistently with the applicable electric-ant movement controls.

We therefore request that a site-specific **Electric Ant Biosecurity Management Plan**, prepared in consultation with or to the satisfaction of Biosecurity Queensland where appropriate, be required before any vegetation clearing, earthworks, excavation, movement of soil or commencement of construction.

8. Matters deferred until after approval

Our broader concern is the cumulative amount of material still proposed to be finalised after the MCU decision.

Detailed design is appropriately dealt with at Operational Works stage in many developments. However, there is an important distinction between refining an already demonstrated solution and determining later whether a fundamental planning impact can be satisfactorily resolved.

In this application, matters remaining for later resolution include elements of:

- final flood modelling;
- final fill levels;
- mitigation of identified off-site afflux;
- sewer discharge and pipe sizing;
- downstream sewer-pump capacity and possible augmentation;
- pump-station levels and layout;
- detailed pedestrian/cycle path design; and
- the Operational Management Plan relied upon to control noise.

Taken together, these matters affect the site's suitability, impacts on surrounding properties, infrastructure capacity and safety. In our submission, they should not all be treated merely as matters of post-approval detail.

Requested decision

For the reasons above, we respectfully request that Douglas Shire Council **refuse Development Application CA 2025_5732/1 in its present form**, because the information currently before Council does not adequately demonstrate that the proposed development can satisfy the relevant planning outcomes without unacceptable off-site impacts.

If Council is not minded to refuse the application, we request that it not determine the application favourably unless and until it is satisfied, on adequate technical evidence, that:

- the final development and fill configuration will not cause unacceptable off-site flood impacts;
- all identified afflux is appropriately resolved;
- the sewer network has demonstrated capacity for an expressly defined maximum development population, including any necessary augmentation;
- safe and continuous pedestrian/cycle infrastructure can be delivered;
- operational noise and lighting impacts on nearby sensitive uses have been adequately assessed and addressed;
- potential acid sulfate soils and waterway impacts have been properly investigated; and
- all necessary environmental and infrastructure approvals can be obtained.

We also request that any approval, if granted, impose clear and enforceable limits on the maximum number of accommodation sites and occupants and require the necessary infrastructure and mitigation measures to be delivered before occupation.

Please acknowledge receipt of this submission and confirm that it is a properly made submission.
Please also provide us with notice of Council's decision in accordance with the Planning Act 2016.

Yours sincerely,



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Documents referred to

- Douglas Shire Council, Information Request, CA 2025_5732/1, 3 April 2025
- Applicant Response to Information Request, 15 December 2025
- Corrected Confirmation Notice for Change Application, 15 July 2026
- Current public-notification plans for CA 2025_5732/1
- Douglas Shire Planning Scheme 2018, including Rural Zone Code; Flood and Storm Tide Hazard Overlay Code; Acid Sulfate Soils Overlay Code; Access, Parking and Servicing Code; Environmental Performance Code; Infrastructure Works Code

Appendix 1.

Electric Ant Biosecurity Zone Map provided by Queensland's Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development

Source: <https://douglas.qld.gov.au/pest-animals/>

