

SARA reference: 2607-53400 SRA
Council reference: CA 2025_5732/1
Applicant reference: C1302

4 August 2026

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 and Endeavour Street, 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 9 July 2026.

Response

Outcome:	Referral agency response – with conditions
Date of response:	4 August 2026
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Change Application (Other) to a Material change of use for Undefined use (Workers' accommodation), Tourist park, Caretaker's accommodation and associated ancillary facilities combined with Operational work for an Advertising device (not being a third party advertising device)
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Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

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 of premises near a State transport corridor

SARA reference: 2607-53400 SRA

Assessment manager: Douglas Shire Council

Street address: Captain Cook Highway and Endeavour Street, Port Douglas

Real property description: Part of 168 on RP747298, Part of Lot 2 on RP745166 and Part of Lot 3 on AP15871

Applicant name: Krystal Marie DeMenna

Applicant contact details: C/- Hardy Town Planning and Consulting
PO Box 1256
CAIRNS CITY QLD 4870
steve@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.

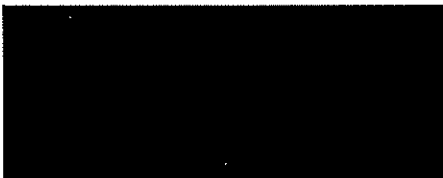
Representations

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, Senior Planning Officer, on [REDACTED] or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Krystal Marie DeMenna, steve@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) (Copies of the documents referenced below are found at Attachment 5)

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, Item 1 – 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 (DTMR) 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 Lot 2 on RP745166.	At all times.
2.	(a) Provide road works comprising a Channelised Right-turn (CHR) treatment and an Auxiliary Left-turn (AUL) treatment, including Category V5 Lighting at the Captain Cook Highway / Unnamed Road intersection. (b) Design and construct the road works, required in part (a) of this condition in accordance with: • Austroads Guide to Road Design: Part 4A Unsignalised and Signalised Intersections, dated 2026. - o Figure 7.3: Channelised right-turn (CHR) on a two-lane rural road; and - o Figure 8.4: Auxiliary left-turn treatment (AUL) on a rural road. • Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition, - o Volume 3 – Guide to Road Design, dated September 2025; and - o Volume 6 – Lighting, dated March 2021.	(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 3.6). If a word remains undefined it has its ordinary meaning.
2.	Road works approval Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from DTMR to carry out road works within a state-controlled road. Please contact DTMR on 4045 7144 or email cairns.office@tmr.qld.gov.au to make an application for road works approval. 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). Please contact DTMR as soon as possible to ensure that gaining approval does not delay construction.
3.	Road corridor permit 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 Transport Infrastructure (State-Controlled Roads) Regulation 2006, the applicant must obtain a Road Corridor Permit from DTMR to carry out ancillary and encroachments works on a state-controlled road. The applicant is required to contact the Cairns district office of DTMR on 4045 7144 to make an application for a Road Corridor Permit to carry out ancillary works and encroachments. 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.

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:

SARA assessed the development against the following codes of the State Development Assessment Provisions (SDAP), version 3.6:

- State code 1: Development in a state-controlled road environment (State code 1).
- State code 6: Protection of state transport networks (State code 6).

The development can be conditioned to comply with the assessment benchmarks of State code 1 of SDAP in that the development:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
- does not adversely impact the function and efficiency of state-controlled roads or future state-controlled roads
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads
- does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads.

The development can be conditioned to comply with the assessment benchmarks of State code 6 of SDAP in that the development:

- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure
- does not result in a worsening of the physical condition or operating performance of the state transport network.

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 3.6)
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*.

Attachment 4—Representations about a referral agency response provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. 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.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.