

Our reference: 2507-47331 SRA
Your reference: M7-25
Council reference: DA/4940

12 August 2025

Aquatec Pty Ltd
C/- U&i Town Plan
PO Box 426
COOKTOWN QLD 4895
ramon@uitownplan.com.au

Attention: Roman Samanes

Dear Mr Samanes

SARA information request & further advice – 349-351 Mulligan Highway, Cooktown

(Given under section 12 of the Development Assessment Rules)

This notice has been issued because the State Assessment and Referral Agency (SARA) has identified that information necessary to assess your application against the relevant provisions of the State Development Assessment Provisions (SDAP) has not been provided.

State-controlled road – access	
1.	<u>Issue:</u> Insufficient information has been submitted to demonstrate compliance with PO25 – PO26 in State Code 1: Development in a state-controlled road environment (State code 1) of the SDAP. The proposed tourist park (up to 74 people) is seeking to maintain the existing vehicular access to Lot 4 on RP887249 via an unsealed access road (referred to in mapping as Prawn Farm Road) from the Mulligan Highway, as illustrated by the Proposed Tourist Park (up to 74 people) development plan prepared by U&i Town Plan, dated 10 July 2025. The use of this existing access arrangement is not supported for the following reasons: • The existing road access junction is unsealed, located within a 100km/h speed environment and situated on a bend, whereby vehicle sight visibility from the access road is significantly reduced in both directions along the Mulligan Highway. The existing road access junction is therefore considered unsafe and should be relocated. • The existing unsealed access road between Lot 4 on RP887249 and the Mulligan Highway traverses over Lot 5 on SP127910, which is third party freehold land not subject to this development. There is no evidence that an access easement has

	been created over Lot 5 on SP127910 to legally allow a vehicle to enter and leave between Lot 4 on RP887249 and the Mulligan Highway via the existing unsealed access road. • An existing approved development permit (Council reference: DA/4158) for a material change of use for aquaculture, caretaker's accommodation and rural worker's accommodation includes conditions that require the provision of formal access to Lot 4 on RP887249 via a new intersection and new access road via the existing gazetted road corridor. Based on SARA's records the existing approved development permit is dated 20 May 2020 and is therefore still current in accordance with the <i>Planning Act 2016</i>. It is recommended that access to Lot 4 on RP887249 to service the proposed tourist park should be acquired via the new intersection location as per existing approved development permit DA/4158 as it is considered the safest and most appropriate outcome. Vehicular access to Lot 4 on RP887249 to service both the approved aquaculture development and the proposed tourist park development should be via a single access location via the Mulligan Highway. Action: The applicant is requested to provide additional information to demonstrate compliance with PO25 – PO26 of State code 1 of the SDAP. This is to include: a) A revised proposal plan demonstrating access between Lot 4 on RP887249 and the Mulligan Highway via the existing gazetted road corridor with a new intersection at the junction of the existing gazetted road corridor and the Mulligan Highway, generally in accordance with existing approved development permit DA/4158. <i>Note: once access is established via the new intersection location, the existing access via the Mulligan Highway would be considered redundant and would be required to be closed and removed.</i> If any portion of the access road traversing third party land, being Lot 5 on SP127910, is proposed to be retained, provide additional supporting information to demonstrate how the portion of road traversing Lot 5 on SP127910 will be lawfully provided i.e. through the creation of access easements, provision of consent to apply over this land etc.
Traffic impact assessment	
2.	Issue: The proposed development for a tourist park (up to 74 people) has not adequately addressed performance outcomes PO25 – PO26 in State code 1 of the SDAP. The existing approved development permit (Council reference: DA/4158) for a material change of use for aquaculture, caretaker's accommodation and rural worker's accommodation includes a State imposed condition requiring the provision a new sealed intersection with a basic right turn (BAR) and rural basic left turn (BAL) treatment. Given the proposed tourist park is to accommodate up to 74 people, a BAR treatment is considered insufficient to accommodate vehicle movements associated with the approved aquaculture development and the proposed tourist park development. A Traffic Impact Assessment (TIA) is required to be provided to demonstrate and confirm that increased traffic generation from the proposed tourist park will not worsen the safety, function and efficiency of the Mulligan Highway.

	<u>Action:</u> Provide detailed traffic information via a TIA prepared in accordance with the DTMR Guide to Traffic Impact Assessment and prepared by a registered and suitably qualified traffic professional. The TIA should demonstrate that increased traffic generation from the tourist park development, including background traffic generated by the approved aquaculture, caretaker's and rural workers accommodation (Council reference: DA/4158) will not impact on the safety or worsen the operating performance of the Mulligan Highway. The TIA assessment should: • Provide and confirm traffic generation rates for the proposed tourist park development. - o Traffic generation rates for the fully operational tourist park development should include background traffic movements, projected visitor numbers, the number, and the type and size of all vehicles, including the largest vehicle to access the subject site via the new Mulligan Highway intersection on a daily and weekly basis. • Provide an assessment based on the calculated traffic generation rates for the tourist park development, utilising Figure 3.25 'warrants for turn treatments on major roads at unsignalised intersections' of section 3.3.6 of the <i>Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings Management 2020</i> and section 4.3 of the <i>Supplement to Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections 2024</i>. • Be based on the assessment of the 'warrants for turn treatments on major roads at unsignalised intersections', demonstrate and provide mitigation measures to ensure that traffic generation from the proposed tourist park development including background traffic does not compromise the performance outcomes of PO25 – PO26 in State code 1 of the SDAP.
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In addition to the items above, SARA has also identified issues with the development application that will need to be addressed / resolved. These issues are outlined in the further advice provided below.

Vehicular Access via third party land	
1.	<u>Issue:</u> The submitted material indicates that the existing access road between Lot 4 on RP887249 (the subject site) and the Mulligan Highway traverses over Lot 5 on SP127910, which is third party freehold land not subject to this development application. There is no evidence that an access easement has been created over Lot 5 on SP127910 to legally allow a vehicle accessing Lot 4 on RP887249 to traverse Lot 5 on SP127910; and this land has not been included as part of the development application. <u>Action:</u> Provide either of the following: • An amended proposal plan demonstrating the access road has been entirely removed from Lot 5 on SP127910; or • Amended application material demonstrating any portion of the access road traversing Lot 5 on SP127910 proposed to be retained is captured within an access

	easement and amend the application accordingly to include this land as part of the development application along with the landowner's consent.
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How to respond

You have three months to respond to this request and the due date to SARA is 12 November 2025.

You may respond by providing either: (a) all of the information requested; (b) part of the information requested; or (c) a notice that none of the information will be provided. Further guidance on responding to an information request is provided in section 13 of the [Development Assessment Rules](#) (DA Rules).

It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

You are requested to upload your response and complete the relevant tasks in [MyDAS2](#).

As SARA is a referral agency for this application, a copy of this information request will be provided to the assessment manager in accordance with section 12.4 of the DA Rules.

If you require further information or have any questions about the above, please contact Geoff Broadbent, Principal Planning Officer, on (07) 4616 7302 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Rodney O'Brien
Principal Planning Officer

cc Cook Shire Council, mail@cook.qld.gov.au

Development details	
Description:	Development permit Material change of use for Tourist Park (up to 74 people)
SARA role:	Referral agency
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017) - Development near a State transport corridor
SARA reference:	2507-47331 SRA
Assessment criteria:	SDAP State code 1: Development in a state-controlled road environment