

Our Ref: LM: lmc:DA/4940 AD2026/0004339

Your Ref: M7-25

29 July 2026

Aquatec Pty Ltd
C-/ U&I Town Plan
35 Sutherland Street
MAREEBA QLD 4880
E-mail: Ramon.samanes@gmail.com

Attention: Ramon Samanes

Dear Mr Samanes

Decision Notice - Approval
Given under section 63 of the *Planning Act 2016*

With reference to Development Application (DA/4940) please find attached the relevant Decision Notice, which was approved by Cook Shire Council in full, subject to conditions.

Details of the decision are as follows:

Decision Details

Date of Decision:	Council approved the Development Application at Council's Ordinary Meeting on 27 July 2026 .
Approval Details:	Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Application Details

Application Number:	DA/4940
Approval Sought:	Development Permit for a Material Change of Use
Description of the Development:	Tourist Park (up to 24 persons)
Category of Development:	Assessable Development
Category of Assessment:	Impact Assessment
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0

Premises Details

Location - Street Address: 349-351 Mulligan Highway, COOKTOWN 4895

Location - Real Property Description: Lot 4 on RP887249

All or part of above land: All

Local Government Area: Cook Shire

Assessment Manager Conditions

This approval is subject to the conditions in **Attachment 1**.

Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Development Permit for Operational Works

Properly Made Submissions

Properly made submissions were received from the following principal submitters:

Submitter Name	Submitter Residential or Business Address	Submitter Electronic Address
Riccardo Olivetto	123 Charlotte St. Cooktown 4895	rick2104@gmail.com

Referral Agencies

The referral agencies for the application are:

Referral Agency	Referral Matter
State Assessment and Referral Agency (SARA) Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: 07 4037 3214 E-mail: CairnsSARA@dsdilgp.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/	Schedule 10, part 9, division 4, subdivision 2, table 4 (<i>Planning Regulation 2017</i>)

Variation approval details

Not Applicable

Other requirements under section 43 of the *Planning Regulation 2017*

Not Applicable.

Approved Plans and Specifications

Copies of the approved plans, specifications and/or drawings are enclosed in **Attachment 2**.

Currency Period for the Approval

This approval lapses if the first change of use does not happen within *six (6) years*.

Lapsing of approval if development started but not completed

In accordance with section 88(1) of the *Planning Act 2016*, a development approval, other than a variation approval, for development lapses to the extent the development is not completed within any period or periods required under a development condition.

Rights of Appeal

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* are provided in Attachment 4 of this Decision Notice.

Other Details

Council relies on the accuracy of information included in the application documentation when assessing and deciding applications.

If you find an inaccuracy in any of the information provided above, have a query, or need to seek clarification about any of these details, please contact Cook Shire Council's Planning and Environment Department on 07 4082 0500 or E-mail: mail@cook.qld.gov.au.

Yours sincerely



Lisa Miller
Manager Planning and Environment
Cook Shire Council

cc: State Assessment and Referral Agency (SARA) CairnsSARA@dsdilgp.qld.gov.au

enc: **Attachment 1 (A)** Conditions Imposed by the Assessment Manager
Attachment 1 (B) Conditions Imposed by a Concurrence Agency (D26/12637)
Attachment 2 Approved Plans (D26/25374)
Attachment 3 Notice of Decision – Statement of Reasons (AD2026/0004337)
Attachment 4 Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

Attachment 1 (A) Conditions Imposed by the Assessment Manager

A. Assessment Manager (Council) Conditions

No.	Condition	Timing
1.	COMPLIANCE WITH CONDITIONS The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer.	At all times
2.	WORKS – DEVELOPER'S EXPENSE The cost of all works associated with the development and construction of the development, including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.	At all times
3.	WORKS – DAMAGE TO INFRASTRUCTURE The Developer must repair any damage to existing infrastructure (e.g. road pavement, table drains or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.	At all times
4.	WORKS – DESIGN & STANDARD Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.	At all times
5.	WORKS – SPECIFICATION & CONSTRUCTION All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).	At all times
6.	COMMENCEMENT OF USE The use must not commence until the conditions of the approval have been complied with.	At all times
7.	INFRASTRUCTURE CONDITIONS All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.	At all times

No.	Condition	Timing								
8.	APPROVED PLANS Undertake the approved development generally in accordance with the approved plans and documents listed below, including any amendments made in red on the approved plan(s) or document(s). <table><tr><th>Title</th><th>Ref.</th><th>Date</th><th>Prepared By</th></tr><tr><td>Proposed Tourist Park</td><td>Plan #2</td><td>09.04.26</td><td>U&i Town Plan</td></tr></table>	Title	Ref.	Date	Prepared By	Proposed Tourist Park	Plan #2	09.04.26	U&i Town Plan	At all times
Title	Ref.	Date	Prepared By							
Proposed Tourist Park	Plan #2	09.04.26	U&i Town Plan							
9.	CONDITIONS PREVAIL Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval take precedence.	At all times								
10.	SCALE OF DEVELOPMENT The Tourist Park must not accommodate more than twenty-four (24) persons (guests) on the subject site at any one time. The Tourist Park must be carried out within the approved site plan nominated area.	At all times								
11.	The maximum length of stay for any one self-contained vehicle	At all times								
12.	OPERATIONAL ASPECTS An Operational Plan must be developed, addressing all Operational aspects of the Tourist Park, including: • site access and parking; • site management and security; • emergency and evacuation plan; • communications and first aid; • bushfire and flood hazard management; • waste management; • safety guidelines concerning the Annan River and waterways; and standards of behaviour.	Prior to commencement of use and at all times								
13.	EFFLUENT DISPOSAL All vehicles must be fully self-contained with appropriate waste and wastewater holding tanks. No grey or black wastewater is permitted to be discharged on-site.	At all times								

No.	Condition	Timing
14.	WATER SUPPLY All vehicles must be self-contained with an adequate potable water supply. Any non-potable water provided on-site must be clearly labelled at each tap as 'Non-potable water - not safe for human consumption'.	At all times
15.	FIRE MANAGEMENT A Bushfire Management Plan, must be prepared and form part of the Operational Plan required in Condition 12, the plan must incorporate: • campfire guidelines; • evacuation procedures and emergency plan; • fire break/trail maintenance for the property; and • water supply details for firefighting purposes. The approved use must comply with the requirements of the Management Plan at all times.	As stated
16	The campgrounds must be maintained at all times to a standard so as not to create a fire hazard.	At all times
17.	The owner / operator must ensure that fire-fighting vehicles have acceptable access to the site for fire-fighting purposes.	At all times
18.	ACCESS Vehicle access to and from the subject site must not be taken via Lot 5 on SP127910 or via Prawn Farm Road at any time, including during construction and operation of the development.	At all times
19.	OPERATIONAL WORKS – INTERNAL DRIVEWAY AND WATERWAY CROSSING Prior to commencement of use, a Development Permit for Operational Works must be obtained for all works associated with the construction of the internal driveway, including any waterway crossing of the watercourse associated with the Keatings Lagoon waterway and Saltwater Creek. Or evidence from the State Assessment Referral Agency (SARA) that the works are accepted development.	Prior to commencement of use and access works commencing

No.	Condition	Timing
20.	WASTE MANAGEMENT Waste receptacles must be provided on site for the collection of general waste and recyclable materials. Waste must be collected and disposed of in accordance with Council's requirements and must not be stored or left on site in a manner that may create a public health or environmental nuisance.	At all times
21.	ENVIRONMENT At all times, existing creek and waterway systems must be left in their current state, including no channel alterations and no removal of vegetation, unless otherwise approved by the relevant authority.	At all times
22.	No state declared or environmental pest, plants and animals are to be introduced onto the property.	At all times
23.	The development shall have no adverse impact on the amenity of the surrounding area by way of light nuisance, dust or noise.	At all times
24.	STORMWATER All stormwater from the subject site must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development site, in accordance with the Queensland Urban Drainage Manual.	At all times
25.	EROSION & SEDIMENT CONTROL Soil and water management measures must be installed and implemented prior to the discharge of water from the site, such that no external stormwater flow adversely affects surrounding or downstream properties, in accordance with the requirements of the <i>Environmental Protection Act 1994</i> and the FNQROC Development Manual.	At all times
26.	SIGNAGE No more than (one) advertising sign for the approved development is permitted on the subject site. The sign must not exceed a maximum sign face area of 6sqm and must not move, revolve, strobe or flash.	At all times

No.	Condition	Timing
27.	The sign must be kept clean, in good order and safe repair for the life of the development. The sign must be removed when no longer required.	At all times
28.	The erection and use of the advertisement sign for the Tourist Park must comply with the Building Act, any other relevant Act, Regulation or Local Law, and these approval conditions	At all times

B. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Operational Works, including the construction of the internal driveway and any waterway crossing, prior to commencement of use.
2. The currency period for this approval is six (6) years from the date of the decision notice. Should the approved use not commence within this period, the approval shall lapse.
3. The applicant/owner must notify Council of their intention to commence the use after compliance with the conditions of approval and prior to the commencement of the use, to allow a compliance check to be carried out by Council officers.
4. Prior to the commencement of the use a Local Law Permit will be required to be obtained in accordance with Council's Local Law No.1 as a prescribed activity for Operation of a Camping Ground and be renewed annually.
5. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003* and in particular the 'duty of care' that it imposes on all landowners and developers.
6. **Removal of Protected Vegetation**
This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:
 - *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
 - *Nature Conservation Act 1999 (Qld)*;
 - *Vegetation Management Act 1999 (Qld)*.

Attachment 1 (B) Conditions Imposed by a Concurrence Agency (D26/12637)

SARA reference: 2507-47331 SRA
Council reference: DA/4940
Applicant reference: M7-25

24 April 2026

Chief Executive Officer
Cook Shire Council
PO Box 3
COOKTOWN QLD 4895
mail@cook.qld.gov.au

Attention: Lisa Miller

Dear Ms Miller

SARA referral agency response—349-351 Mulligan Highway, Cooktown

(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 25 July 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	24 April 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	Material change of use for Tourist Park (up to 24 people)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017)	
	Development near a State transport corridor	
SARA reference:	2507-47331 SRA	

Assessment manager: Cook Shire Council

Street address: 349-351 Mulligan Highway, Cooktown

Real property description: Lot 4 on RP887249

Applicant name: Aquatec Pty Ltd c/- U&i Town Plan

Applicant contact details: PO Box 426
Cooktown QLD 4895
ramon@uitownplan.com.au

Human Rights Act 2019 considerations: Consideration of the *Human Rights Act 2019* sections 15 to 35 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 Brittany Hughes, Senior Planning Officer, on (07) 4616 7332 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

cc Aquatec Pty Ltd c/- U&i Town Plan, ramon@uitownplan.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 5 - Documents referenced in conditions

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
	10.9.4.2.4.1 – Development near a state transport corridor—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 condition(s):	
1.	Road access must be via Brown Street generally in accordance with Proposed Tourist Park (up to 24 people) prepared by U&i Town Plan, dated 09.04.26, Plan#2.	Prior to the commencement of use and to be maintained at all times.
2.	(a) Provide road works comprising of a sealed Type B – Rural Property Access at the Mulligan Highway / Brown Street unsealed intersection. (b) Design and construct the road works, required in part (a) of this condition in accordance with TMR Standard Rural Property Access Drawing, Sheets 1 & 2, Drawing No. 1807, Type B – Rural Property Access, dated 3/2024 and Revision C.	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 3.5). If a word remains undefined it has its ordinary meaning.
2.	To assist travellers heading to the site who might not be familiar with the area, it is recommended that the applicant liaise with Cook Shire Council to install a road name sign at the Mulligan Highway / Brown Street intersection.
3.	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. Please contact the Department of Transport and Main Roads on 4045 7144 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 the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.
Further approvals	
4.	A development permit for operational works for the internal driveway will be required to be either lodged or referred to the Chief Executive administering the <i>Planning Act 2016</i> if any part of the operational work is not accepted development under the following sections of the Planning Regulation 2017: • schedule 7, part 3, section 6 - Operational work for waterway barrier works • schedule 7, part 3, section 7 - Operational work in a declared fish habitat area • schedule 7, part 3, section 8 - Operational work impacting on marine plants • schedule 7, part 3, section 10 - Operational work for tidal works or work within a coastal management district

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 development complies with State code 1: Development impacting on state transport infrastructure. Specifically, 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 efficiency of state-controlled roads or future state-controlled roads.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.5), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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Proposed Tourist Park (up to 24 people)

349-351 Mulligan Highway, Cooktown (Lot 4 on RP887249) Plan#2 dated 09.04.26, prepared by U&i Town Plan

15°30'11"S 145°13'48"E15°30'11"S 145°14'52"E

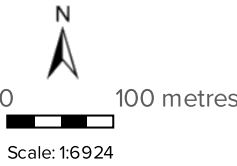


15°31'14"S 145°13'48"E15°31'14"S 145°14'52"E

A product of



Legend located on next page



Printed at: A3
Print date: 9/4/2026
Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)
For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

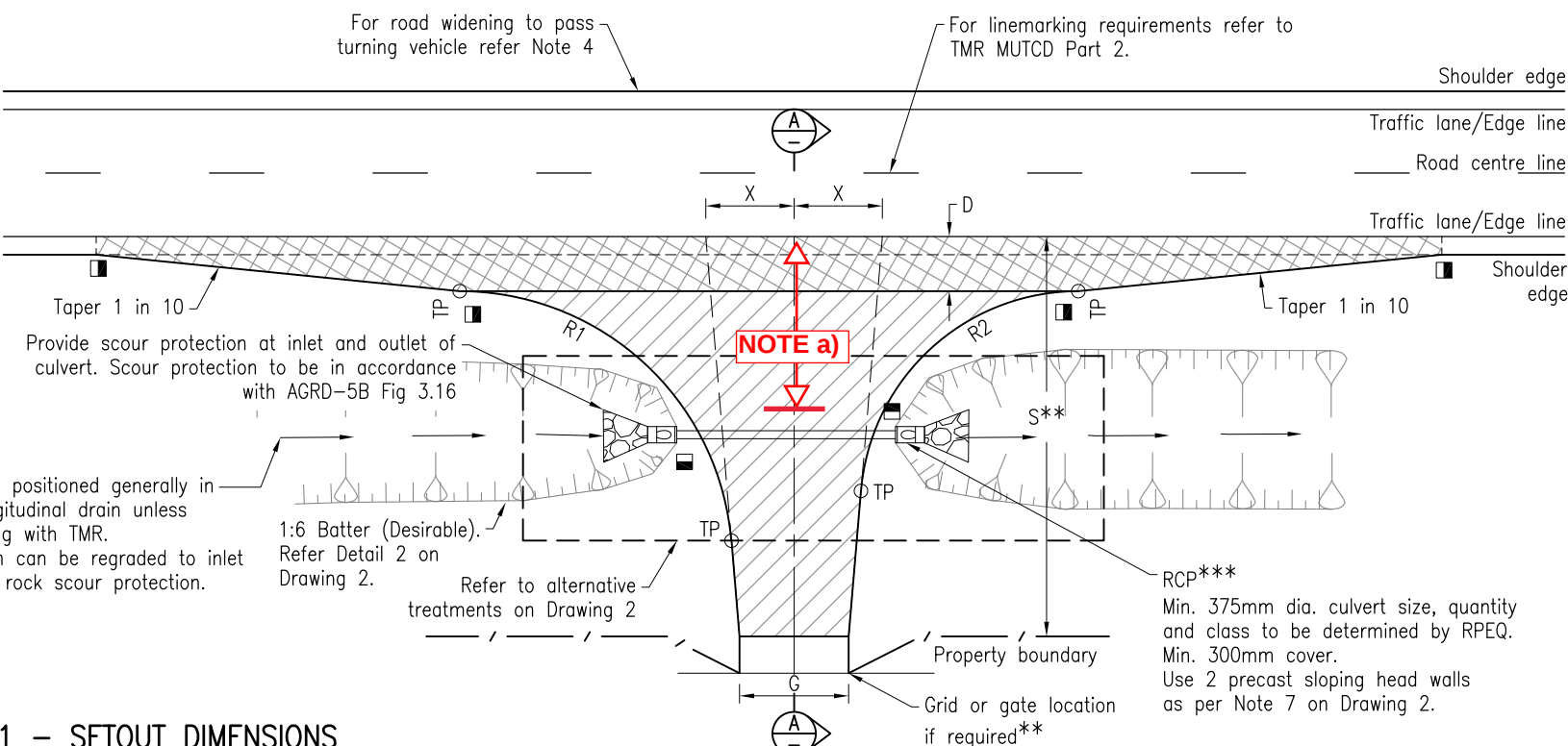
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Queensland Government

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



TYPE C and D
(Refer Table 1)

- ## NOTES:
1. Details shown on this drawing are the minimum layout requirements for a private rural property access. For additional requirements and other design considerations refer to the RPDM (2nd Edition) Volume 3 in conjunction with AGRD Part 4 Sections 7.2.1 and 7.2.3.
 2. For sight distance requirements refer to Section 3.4 of the RPDM (2nd Edition) Volume 3 Part 4A in conjunction with AGRD.
 3. Vertical clearance checks to be carried out for proposed vehicle in accordance with AS 2890.2 – Parking Facilities Off-Street Commercial Vehicle Facilities.
 4. RPEQ or designer to conduct Traffic Impact Assessment to determine if turning treatments are required. For rural right-turn treatments, refer to Section 7 of the RPDM (2nd Edition) Volume 3 Part 4A in conjunction with AGRD.
Note that Auxiliary Right Turns shall not be used. Pavement type to match existing or minimums specified in Table 2 of this drawing.
 5. This drawing is to be read in conjunction with Drawing 2 of 2.
 6. All dimensions in metres and are minimum unless specified.

 Pavement Type 1 – Bitumen surfacing, 2 coat bitumen seal.
Pavement depth and type to match existing or proposed through road pavement. Refer to Table 2 for minimum depths.

 Pavement Type 2 – Gravel, unbound pavement. Refer to Table 2 for depths.
Access may be required to be sealed for up to 10m width from edge line (to minimise gravel on through road) to be determined by the RPEQ.

* Maintain existing shoulder crossfall and superelevation.

** Length 'S' to property boundary by TMR. Where length 'S' is greater than the road reserve boundary, then fencing and grid/gate shall be recessed at the cost of owner from property boundary to ensure vehicle does not impede through lane.

*** RCBC (min. size 600x300) can be used instead of RCP, or invert option where table drain is of insufficient depth for a culvert.

 Denotes Road Edge Guide Post
The Filled in portion denotes a red reflector and the open portion a white reflector.

	TYPE A Residential (Car/Service Vehicle)	TYPE B Commercial (Single Unit Truck/Bus)	TYPE C & D Special (Articulated Vehicles)
Sealed Pavement Base Course	150mm(Min.) Type 2.2  or match existing	200mm(Min.) Type 2.2  or match existing	280mm(Min.) Type 2.2  or match existing
Unsealed Pavement Base Course	150mm(Min.) Type 2.4  or match existing	200mm(Min.) Type 2.4  or match existing	#

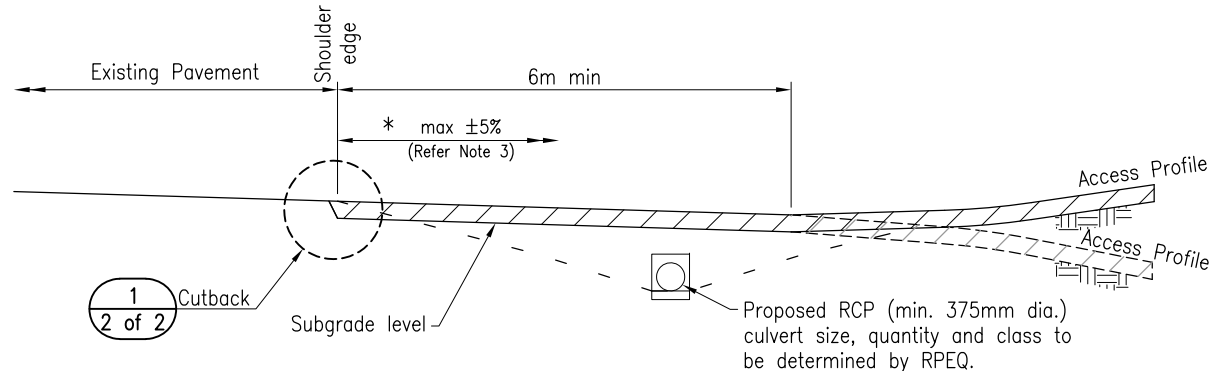
NOTE:

1. **Refer to additional notes on drawing 2 of 2**
2. Where access is located on curves, intersections or is Type C, or excessive screwing motion will occur, pavement seal to extend to property boundary at the owner's cost to the engineer's/designer's discretion.

Bitumen sealed pavement only.

◆ Type 3.1 or 4.3 or match existing is permissible if Type 2.2/2.4 is unable to be used.

	TYPE A Residential (Car/Service Vehicle)	TYPE B Commercial (Single Unit Truck/Bus)	TYPE C Special (Articulated Vehicles)	TYPE D Special (Road Train Type 1)
R1	10m	10m	15m	20m
R2	10m	10m	12m	12m
D	2m	2m	3m	3m
X	3m	5m	4m	5m
S	12m	15m	22m	30m**
G	4-6m $\emptyset$	4-6m $\emptyset$	6m	6m
$\emptyset$ 6m Minimum width for two-way two-lane access.				



Existing Pavement

Shoulder edge

6m min

max $\pm 5\%$
(Refer Note 3)

Access Profile

Access Profile

1
2 of 2

Cutback

PLANS AND SPECIFICATIONS

SECTION A
—

Department of Transport and Main Roads note:
Site specific requirements may not reflect this example in its entirety. Drawing details must reflect site specific conditions for Road Works / Road Access Works.

SARA ref: 2507-47331 SRA
Date: 24 April 2026

REFERENCED DOCUMENTS:

Departmental Standard Drawings:

- 1243 Precast Culvert Headwalls – Headwall Connections for Culverts
1305 Pipe Culverts – Headwall and Apron for Pipe Diameter 375 to 675
1359 Culverts – Installation, Bedding and Filling/Backfilling Against/Over Culverts

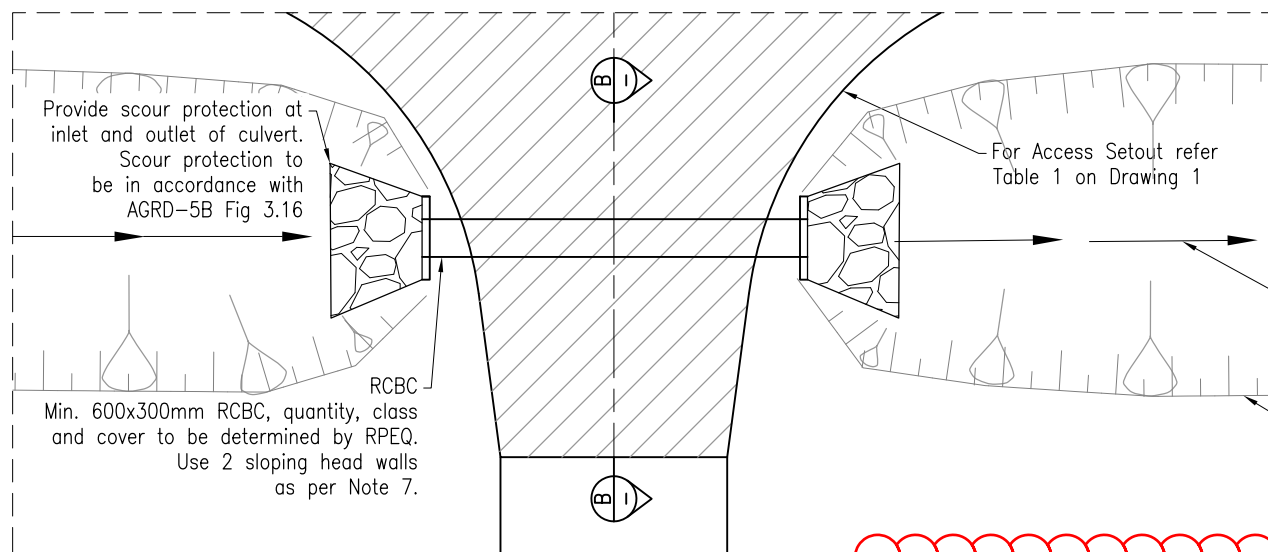
Departmental Documents:

- RPDM Road Planning and Design Manual (2nd Edition) Volume 3.
MRTS03 Drainage Structures, Retaining Structures and Embankment Slope Protections

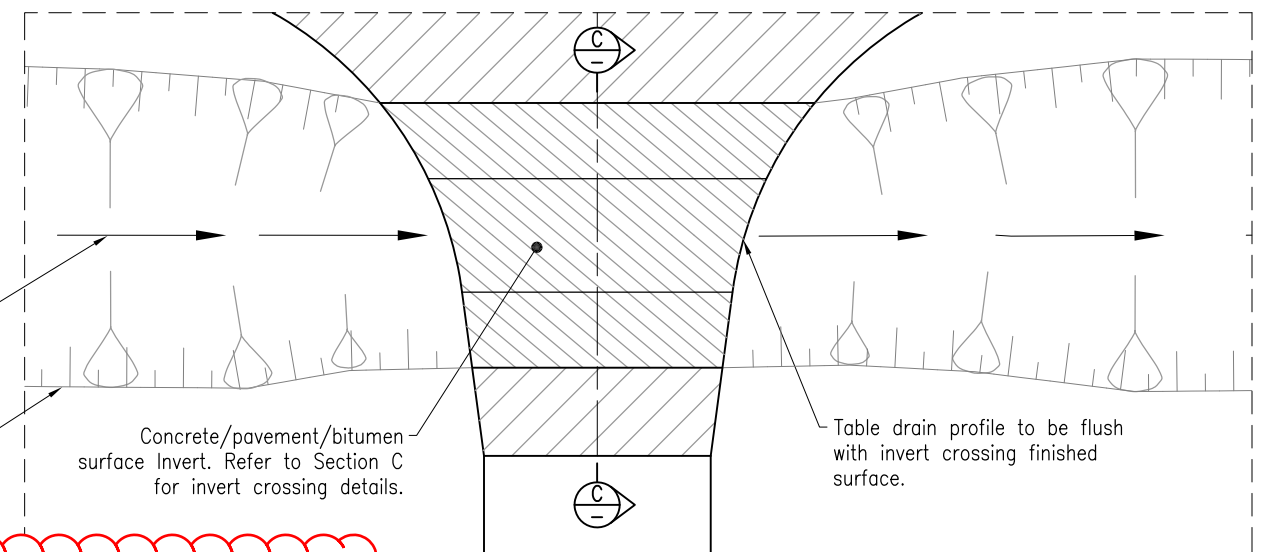
Austroads Guide to Road Design:

- | | |
|----------------|--|
| AGRD-4 (2023) | Part 4: Intersections and Crossings – General |
| AGRD-4A (2023) | Part 4A: Unsignalised and Signalised Intersections |
| AGRD-5B (2023) | Part 5B: Drainage – Open Channels, Culverts and Floodway Crossings |
| AGRD-6 (2022) | Part 6: Roadside Design, Safety and Barriers |

Department of Transport and Main Roads		 	
PROPERTY ACCESS		© The State of Queensland (Department of Transport and Main Roads) 2024 http://creativecommons.org/licenses/by/4.0/	
RURAL PROPERTY ACCESS DRAWING 1 OF 2		A3 Not to Scale	Standard Drawing No 1807 Date 3/2024
		A B C	[] [] [] [] [] []

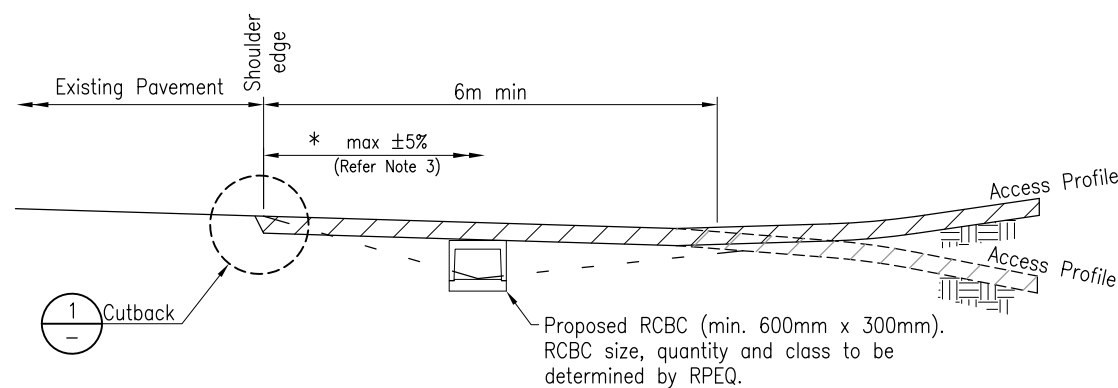


RC BOX CULVERT PLAN VIEW

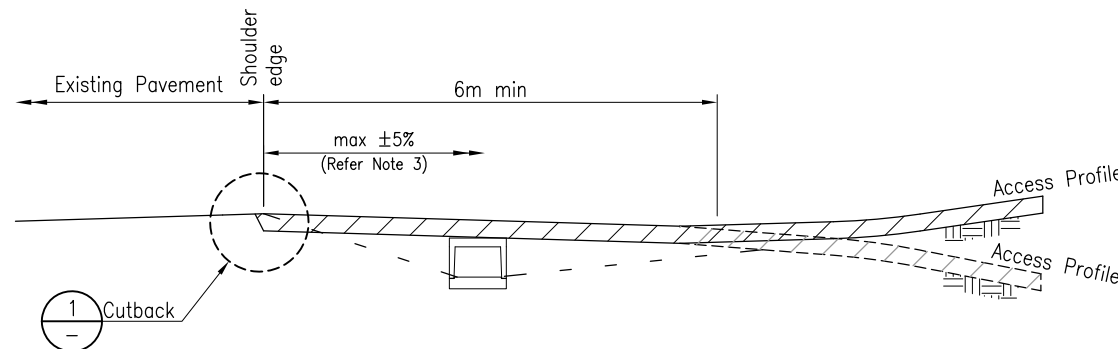


INVERT CROSSING PLAN VIEW

ADDITIONAL NOTES:
a) In all cases, bitumen seal to extend a minimum of 10m from road edge.
b) Annexure to construction drawings is to be read in conjunction with standard drawing 1807.

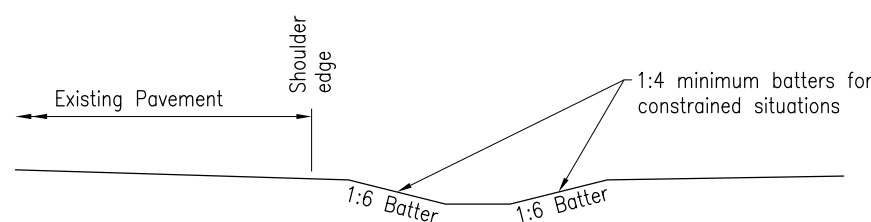


ON STRAIGHTS AND INSIDE OF CURVES



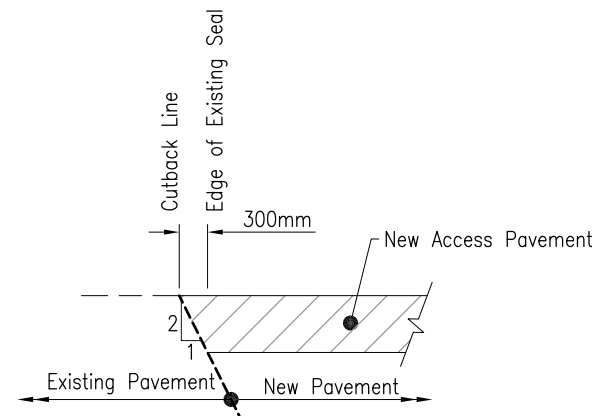
ON OUTSIDE OF SUPERELEVATED CURVES

SECTION B



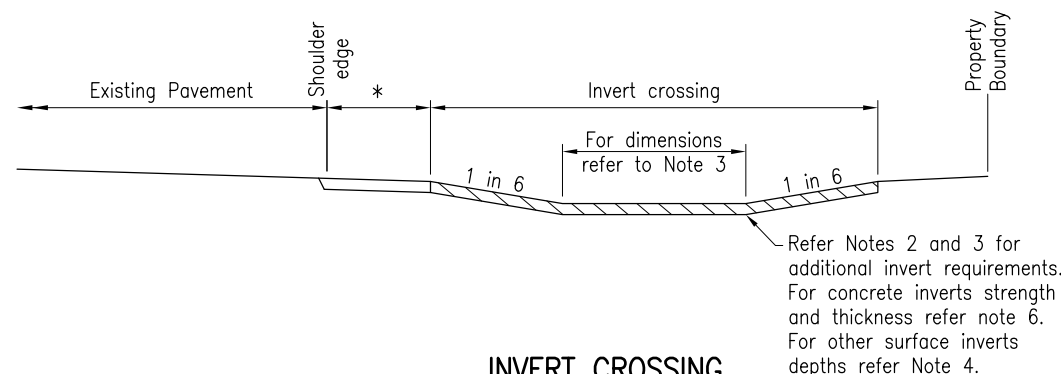
BATTER DETAIL

DETAIL 2



CUTBACK DETAIL

DETAIL 1



INVERT CROSSING

SECTION C

LEGEND

Pavement Type 2 – Gravel, unbound pavement. Refer to Table 2 of Drawing 1 for depths. Access may be required to be sealed for up to 10m width from edge line (to minimize gravel on through road) to be determined by the RPEQ.

Invert crossing surface

* Maintain existing shoulder crossfall and superelevation.

NOTES:

- This drawing is to be read in conjunction with Drawing 1 of 2.
- Minimum longitudinal fall for concrete or bitumen invert is 0.3%.
- 1 in 6 grade can be further levelled for larger design vehicles. Ensure sufficient area for drainage remains. Dimensions to be based on stormwater flow rate for appropriate design ARI event to ensure invert crossing can meet required capacity. Type 22 and Type 28 inverts can be used if drainage design criteria is met.
- Vertical clearance checks to be carried out for small rigid vehicle to ensure adequate transition between change in grade. Refer to AS 2890.2.
- For pavement or bitumen surfacing inverts, refer Table 2 on Drawing 1 for minimum depths.
- Concrete access to have minimum N32 concrete, 100mm thick on 100mm thick sub-base gravel. Concrete access to be reinforced with SL72 mesh with minimum 40mm top cover.
- Refer to RPDM (2nd Edition) Volume 3 in conjunction with AGRD Part 5B and Part 6 for application of sloping headwalls.

REFERENCED DOCUMENTS:

Departmental Standard Drawings:

1260 R C Box Culverts and Slab Link Box Culverts – Culverts Height = 375 To 600

1033 Kerb and Channel – Profiles

Australian Standards Documents:

AS2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2507-47331 SRA

Date: 24 April 2026



Department of Transport and Main Roads note:
Site specific requirements may not reflect this example in its entirety. Drawing details must reflect site specific conditions for Road Works / Road Access Works.

Department of Transport and Main Roads					
PROPERTY ACCESS		Standard Drawing No		1807	
RURAL PROPERTY ACCESS		Date		3/2024	
DRAWING 2 OF 2		A3		Not to Scale	
		A		B	

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.

Attachment 2 **Approved Plans (D26/25374)**

Proposed Tourist Park (up to 24 people)

349-351 Mulligan Highway, Cooktown (Lot 4 on RP887249) Plan#2 dated 09.04.26, prepared by U&i Town Plan

15°30'11"S 145°13'48"E15°30'11"S 145°14'52"E



15°31'14"S 145°13'48"E15°31'14"S 145°14'52"E

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Legend located on next page

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COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

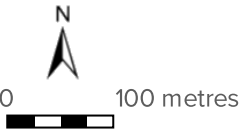
Development Application: Development Permit for a Material Change of Use for a Tourist Park (up to 24 Persons)

Lot: 4 RP887249

Referred to in Cook Shire Council's Decision Notice (AD2026/0004339)

Approval Date: 27 July 2026

Application Number: DA/4940



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Queensland Government

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

Attachment 3 **Notice of Decision – Statement of Reasons (AD2026/0004337)**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	DA/4940
Applicant:	Aquatec Pty Ltd c/- U&I Town Plan
Proposal:	Development Permit for a Material Change of Use
Description of the Development:	Tourist Park (up to 24 persons)
Street Address:	349-351 Mulligan Highway, Cooktown 4895
Real Property Description:	Lot 4 on RP887249
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Rural Zone
Assessment Type:	Impact Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Material Change of Use - Tourist Park (up to 24 persons)
Date of Decision:	27 July 2026

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Assessment Benchmarks	Comment
<i>Planning Regulation 2017</i> (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act.
<i>Planning Regulation 2017</i> (Schedule 10)	The application required referral under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the Planning Regulation (Development near a State transport corridor). On 24 April 2026, SARA provided its referral agency response with conditions (SARA ref: 2507-47331 SRA).
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy (SPP), Part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the State Planning Policy is integrated in the Planning Scheme. A review of the current version of the SPP (July 2017) and applicable Part E mapping has determined that the state interests are reflected in the Planning Scheme and no additional assessment provisions are applicable requiring further assessment.
Temporary State Planning Policy	There are no Temporary State Planning Policies.

Local Categorising Instrument (Cook Shire Council Planning Scheme 2017):

- Rural Zone Code.
- Biodiversity Overlay Code.
- Bushfire Hazard Overlay Code.
- Residential Use Code
- Parking and Access Code.
- Works, Services and Infrastructure Code.

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

A review of Council's records determined 1 submission was received.

REASONS FOR THE DECISION

The application is approved on the following grounds:

- a. An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
- b. The proposed development for a Tourist Park (up to 24 Persons) is an appropriate use to be located on the site and will not have an adverse impact on the amenity of the locality or adjoining lots, subject to conditions.
- c. The properly made submission received during the public notification period has been considered and addressed through the conditions of approval.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable

OTHER MATTERS PRESCRIBED BY THE *PLANNING REGULATION 2017*

Not Applicable

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to Council's webpage.

Attachment 4 Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and

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- (iii) who is a co-respondent in an appeal of the matter; and
- (iv) who may elect to be a co-respondent in an appeal of the matter.

Note—

For limitations on appeal rights in relation to a development approval for development requiring social impact assessment, see section 106ZJ.

- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and*

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Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
- (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
- (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—

- (i) the establishment cost of trunk infrastructure identified in a LGIP; or
- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.

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- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and

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- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and

- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.