

Ref: WP23 040 JAB Council Ref: MCUI 2024_5572/1

1 May 2024

The Chief Executive Officer Douglas Shire Council PO Box 723 MOSSMAN QLD 4873

Attention: Jenny Elphinstone

Via email: mail@goldcoast.gld.gov.au

Dear Jenny,

RESPONSE TO REQUEST FOR FURTHER INFORMATION – REGARDING PROPOSED MATERIAL CHANGE OF USE DEVELOPMENT (CARETAKER'S ACCOMMODATION, ENVIRONMENT FACILITY, NATURE-BASED TOURISM AND OUTSTATION) ON LAND AT LOT 12 AND 172 ON SP219620 – CAPE TRIBULATION ROAD, CAPE TRIBULATION

We refer to the Information Request dated 7 February 2024 in relation to the above-mentioned development application.

Please find herein a full response to the matters contained within the Information Notice, pursuant to section 13.2(a) of the Development Assessment Rules ('the DA Rules'). For ease of reference, each item of the Information Notice is replicated below with a separate response provided following.

ITEM / RESPONSE

Outstation Use

1. Please provide full details of the outstation use including the extent of short-term and long-term camping, the location of camp sites and location of associated ablution facilities and any other structures.

RESPONSE:

The proposed 'Nature-based Tourism' and 'Outstation' land uses are proposed as interchangeable land uses, within the same 'accommodation unit' but for different purposes.

Nature-based Tourism means:

the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of—

- (a) an area of environmental, cultural or heritage value; or
- (b) a local ecosystem; or

¹ Refer Schedule 3 (Proposal Plans) in the Town Planning Report as lodged.

(c) the natural environment.

In our view, the Nature-based Tourism definition does not adequately capture the temporary accommodation of EKY Traditional Owner's undertaking Traditional Owner activities in the area, as Traditional Owner's cannot be considered tourists undertaking nature-based tourism activities i.e. the Nature-based Tourism land use definition is not appropriate in this circumstance.

Section 4 of the Town Planning Report is considered to adequately describe the relationship and differences between the two (2) land uses, including attendant infrastructure, noted to comprise the Back of House. However, we note that EKY Traditional Owner's may also use the fire pit and performing circle for the undertaking of customary duties when not in use for Nature-based Tourism and Environment Facility activities.

We refer to Council's preference that 'Outstation' development be removed from the development application on the basis that:

'...the use is considered one for remote locations and occupation by camping is usually on a seasonal basis in the Shire's locality given the usual wet season events. There is little detail in the application as to the extent of use for this purpose. The activities of cultural and/or recreational activities undertaken by Aboriginal and Torres Strait Islander people and for camping would appear to be able to be accommodated in the other listed uses.'

In response, we note that the 'Outstation' land use definition, nor the benchmarks within the Douglas Shire Planning Scheme require that 'Outstation' development be located in remote locations; moreover, Cape Tribulation may be considered remote, being accessible only by barge or 4WD, and having no reticulated power, sewer or water services.

We note that the definition for 'Outstation' also contemplates low-scale built infrastructure, such as that proposed in the form of accommodation units:

'Premises used for cultural and/or recreational activities undertaken by Aboriginal and Torres Strait Islander people. The use provides for intermittent short stay and/or long term camping. **Use may involve permanent low scale built infrastructure**. '

The proposed use of the 'accommodation units' under the 'Outstation' land use, will be seasonal and will predominantly involve specific Jabalbina led events and/or activities for EKY Traditional Owner's in the tourist off-season.

The development application states:

'It is anticipated that stays in the proposed accommodation under the Outstation land use definition will typically average between 2 and 3 nights, with an upper maximum of 2 weeks. Accordingly, the Applicant invites a condition of approval that enforces a maximum 2 week stay under the Outstation land use definition as it reinforces Jabalbina policy.'

To be clear, the proposed 'Outstation' land use is to occupy only the 'accommodation units' (when not in use for the accommodation of tourists under the Nature-based Tourism land use) and utilise the 'Back of House' building for laundry requirements. The proposed 'Outstation' land use will not involve the overnight accommodation of EKY Traditional Owner's on site in any other capacity i.e. no tents etc.

The proposal ensures that the infrastructure assets on site are utilised throughout the year and ensures that the accommodation needs of the EKY Traditional Owners are met in undertaking the caring for country role of EKY Traditional Owners in the area, and is considered essential to maintaining a living culture for EKY peoples.

We also note that 'Outstation' development on the site is code assessable development; and complies with the requirements of the Douglas Shire Planning Scheme.

Environment Facility

2. Please provide details of the intended number of visitors at any one time and total visitors expected per day, including specific anticipated cultural events and daily attendance.

RESPONSE:

Please find following advices in respect to the proposed Environment Facility land use:

- A. Maximum of 50 visitors per day;
- B. Maximum of two (2) scheduled events per day; and
- C. Visitor groups up to a maximum of 30 persons, with an average of 25 persons.

No specific cultural events identified at this time.

3. Please provide details of operating times for the Environmental facility.

RESPONSE:

The proposed hours of operation for the Environment Facility are: 9am to 5pm daily, seven days a week. Excluding Christmas Day, New Years Day and Easter Friday.

4. Please provide details of any expected events and daily audience display shows including a noise acoustics report for amplified noise.

RESPONSE:

Please refer response to Information Request Item 2. No amplified noise is proposed at this time²

Nature-based tourism / Outstation

5. Please provide details of the intended number of visitors at any one time and total visitors expected per day, including specific anticipated cultural events and daily attendance.

RESPONSE:

Please find following advices:

- A. 11 accommodation units for Nature-based Tourism / Outstation with an average daily occupancy of 19 persons³; and
- B. Environment Facility visitors are in addition to the overnight accommodation of guests referred to at 'A.' above (refer response to Information Request Item 2); however, there will likely be cross utilisation between these land uses, with overnight guests attending Environment Facility performances.

Therefore, the anticipated maximum population on site in respect to all land uses⁴ is:

- A. A daily maximum population of 70 persons; and
- B. An expected maximum of 50 persons at any one time.

Car Parking

6. Please provide a detailed vehicle parking demand analysis and parking plan

² The Applicant understands that where amplified noise is contemplated at a future time this may require a Change Application.

³ Note – the Hydraulic Reporting allows for the following at any one time:

^{• 10} of the accommodation units occupied by 1.5 persons for Nature-based Tourism; and

^{• 1} of the accommodation units occupied by 4 persons under the Outstation land use.

⁴ Including Nature-Based Tourism, Outstation, Environment Facility and Caretaker's Accommodation.

including the ability for visitors to park adjacent at each of the accommodation units. The demand analysis should take into account all uses on the land including the expected demand for the Environmental Facility and the Outstation. Comparisons with similar developments should be included. Concern is raised with the extent of parking nominated on the land. Consideration should also be given to RV parking by visitors and attendees to the site.

RESPONSE:

The car parking demand is established in the Town Planning Report as follows:

- Environment Facility / Caretaker's Accommodation 36 car parks⁵; and
- Nature-based Tourism / Outstation 11 car parks.

The Master Plan identifies the proposed car parking, including a car park adjacent each accommodation unit. The Applicant requests a condition of approving requiring same.

It is relevant to note that the Applicant will operate buses for visitor groups and the provision of 47 car parks is anticipated to exceed the demand for visitor and employee parking associated with the proposed development.

Recreation Vehicles are utilised by free and independent travellers and the proposed development does not include Tourist Park land uses. Recreation Vehicle car parking is not proposed to be provided, nor required by the Access, Parking and Servicing Code of the Douglas Shire Planning Scheme.

Hydraulic Reporting

7. Please provide a detailed hydraulic report on the proposed water treatment and wastewater treatment for the total uses on the land. While it is acknowledged that separate ERA applications will be made for both water treatment and wastewater treatment, preliminary consideration is required in respect to consideration for total demand and suitability of treatment areas for onsite wastewater treatment and storage facilities suffice for potable water and fire fighting facilities.

RESPONSE:

Please refer **Schedule 1 – Hydraulic Reporting** that identifies that relevant water supply and waste-water infrastructure can be provided to meet the demands of the proposed development.

We trust that the above provides additional information required for Council's continued assessment. Please do not hesitate to contact the undersigned, should you wish to discuss the subject application.

Yours sincerely,

DOMINIC HAMMERSLEY

DIECTOR / PRINCIPAL PLANNER

wildPLAN Pty Ltd | ABN 26 629 367 933

PO Box 8028, Cairns QLD 4870

E dominic@wildplan.com.au | M 0487 967 533

⁵ Note – per response to Information Request Item 2, visitor groups are not anticipated to exceed 30 persons at any one time; and a degree of cross utilisation is anticipated between the Nature-Based Tourism, Environment Facility and Outstation land uses.

SCHEDULE 1 HYDRAULIC REPORTING



Cairns: 07 4032 1468 | 15/38-42 Pease Street, Cairns, Qld 4870

Townsville: 07 4426 1826 | 4/1 Kalynda Parade, Townsville, Qld 4817

Email: admin@h2oconsultants.com.au

www.h2oconsultants.com.au

29th April 2024

Jabalbina Yalanji Aboriginal Corporation c/- Hunt Architects 291 Mowbray River Rd, Mowbray QLD 4877

Att: Sam Drummond

Re: PROPOSED Cultural and Tourism Hub

LOT 12 and 172 on SP21960,

Cape Tribulation Road, CAPE TRIBULATION

SEWER:

Attached please find a copy of our 'On-Site Sewerage Facility - Site and Soil Evaluation Report' dated 13th March 2024 for the above property, for your information and submission for a Development Approval to Douglas Shire Council.

The findings from the site inspection and the results from the percolation and soil texture tests have proved that disposing of Effluent is viable for this site for the Proposed Development.

A wastewater treatment system producing Advanced Secondary effluent and evapotranspiration / absorption trench disposal or Sub Surface Irrigation will satisfy the requirements of AS 1547:2012 as well as meeting current codes and local authority regulations.

Results of our calculations for sizing of disposal areas using Australian Standard 1547-2012 equations are attached for your information.

Further detailing of the Waste Water System would be required prior to lodging for a Plumbing Permit.

Due to the maximum demand of 5400 litres exceeding the daily allowable without the requirement of an ERA63 License, our proposal would be to install a buffer tank prior to the waste water plant to distribute the quantity of Effluent over a week cycle, in lieu of daily peak demands.

WATER:

There is no Council Water main to the proposed Development.

Our proposal would be to source water from the Bore nominated on the Architectural Site Masterplan and Rainwater Harvesting.

Bore Water would be obtained from a registered bore, treated by Appropriate methods of Water Filtration including Microfiltration and Ultra Violet Sterilisation. This would be reticulated throughout the proposed Development to Potable Water Fixtures, including Basins, Showers, Sinks and Laundry Tubs.

Rainwater Harvesting would be collected from roofs and reticulate through the proposed Development to Non Drinking water fixtures, including Hose Taps, Toilets and Washing Machines.

A total combined water storage volume of 150,000 litres will be adequate to supply both potable water and firefighting capacities.

Prior to any of the works being carried out, notification and approval is required by the Douglas Shire Council Plumbing and/or Engineering Department.

For further information or clarification on the above, please do not hesitate to contact the undersigned on 40321468.

Yours Faithfully

Shane Barnes



Townsville: 07 4426 1826 | 4/1 Kalynda Parade, Townsville, Qld 4817

Email: admin@h2oconsultants.com.au

www.h2oconsultants.com.au

ON SITE SEWERAGE FACILITY SITE AND SOIL EVALUATION REPORT

A: SITE EVALUATO	OR			
Name:	Shane Barne	s		
Signature:		<u> </u>		
Date:	13.03.2024			
B: SITE INFORM	ATION (desk-to	p evaluation)		
Location Details,				
	Tribulation Roa BINA YALANJI AB			
Survey Plan Details:	SP21960		Proposed Lot No: Lo	t 12 and 172
Local Government:	Parish:		County:	
Site Plan Details Attac	ched, Ref. No. c	or Description:	Proposed Cultural an Refer to Site Plan	d Tourism Hub
Soil Type from Soil Mo	aps etc:	N/A		
Climate				
Annual Rainfall: 3864	mm	Annual Potential Evapotranspiration: 2239 mm		
Existing Water Supply	Source:			
Town Water Supply		Rainwater (Ro	of Collection)	
Dam		Bore/Well		
Other				

SITE AND SOIL EVALUATION REPORT

C: SITE ASSESSMENT Topography Slope: Gentle Sloping Site across the Site, West to East Flat Shape: Ground Cover: Grass / Rainforest Exposure: Medium / Great Drainage Patterns: Refer Site Plan Available Clearances: (Site Plan details attached) Boundaries: 4 Meters minimum from All Boundaries Detention Basins: Nil Embankments: Nil accounted during inspection Stands of Trees, Shrubs: 20 Meters Available 4 Meters minimum from All Buildings Buildings: Other: Site History (Land Use): Agriculture **Environmental Concerns:** Nil Site Stability: Is expert Evaluation Necessary? Yes / No If Yes, attach stability report and give details here of: Designation: Author: Company: Date: Drainage Controls Depth of Seasonal water table: WINTER: N/A SUMMER: N/A Need for groundwater cut-off drains? Yes / No Need for surface water collection / cut-off drains? Yes / No Availability of Reserve / Setback Areas Reserve Area available for disposal: 100% of design area: Yes / No (Available if required) Evaluator's Photographs attached

SITE AND SOIL EVALUATION REPORT

D: SUBSOIL INVESTIGATION

Soil Profile Determination

Soil classification has been determined from site investigations carried out by H2O Consultants on site Permeameter test.

Soil Description: Clay Loam

Soil Category: 4

Structure: Moderate

Coarse Fragments: Nil

Measured Permeability P1 = 0.84

Indicative permeability: 0.9

Average K sat:

Design Irrigation Rate:

Design Loading Rate:

0.5 to 1.5 m/day

3.5mm/day

15 mm/day

Estimated Soil Category:

Soil Category	Description	Tick One
1.	Gravels and Sand	
2.	Loamy Sand	
3.	Sandy Loams	
4.	Loams	
5.	Clay Loams	✓ 0.2m – 2.4m
6.	Light Clays	
7.	Medium to Heavy Clays	
Reasons for placing in Stated Soil Category:		On Site Test/Assessment

Reasons for Design Loading Rate (DLR) recommendation:

Based on Test and have assumed DLR of 15 to AS 1547:2012 - Table L1

General Comments

Type of Land Application Facility considered best suited to site:

Advanced Secondary Treatment with Absorption Trench /Irrigation as disposal areas

Evaluator's preliminary assessment of minimum Land Application Area for the site:

180m² of Absorption Area or 1500 m² of landscaped irrigation area

Estimated Daily Peak Flow: 5,400 Litres

10 Accommodation Cabins x 1.5 People x 200 Litres = 3000 litres

1 x Caretakers Accommodation = 300 Litres

Outstation x 4 Persons = 600 Litres

Tourism (Seasonal) 50 Persons x 30 Litres = 1,500 Litres

PRIMARY TREATMENT EFFLUENT AND ABSORPTION BED DISPOSAL

DISPOSAL SYSTEMS for EFFLUENT DOMESTIC PREMISES A.S 1547-2012 SIZING OF DISPOSAL AREA CALCULATIONS

1. ABSORPTION AREA OR TRENCH

Aw = Q / LTAR Aw = wetted area in square meters

Q = daily flow in litres

DLR = Design Loading Rate in mm per day

Aw = 5400 / 15

 $Aw = 360m^2$ of wetted area required

2. LENGTH OF TRENCH

L = Aw / B L = trench length in meters

Aw = wetted area in square meters

B = trench width in meters

L = 360/0.6

600 meters of

600mm wide x 600mm deep absorption trench.

Or

5 x 20 meters long x 4.0m wide x 600mm deep Absorption Bed.

3. CONCLUSION

Areas are available on-site for this amount of absorption trenches plus 100% replacement

THIS METHOD OF TREATMENT IS NOT VIABLE SETBACK DISTANCES MUST BE MAINTAINED, REFER TO OVERALL SITE PLAN

SECONDARY/ADVANCE SECONDARY TREATMENT AND DISPOSAL WASTE WATER TREATMENT PLANT USING IRRIGATION AS DISPOSAL

DISPOSAL SYSTEMS for EFFLUENT from DOMESTIC PREMISES A.S 1547-2012 SIZING OF DISPOSAL AREA CALCULATIONS

1. IRRIGATION AREA

Ai = Qd / DIR Ai = Irrigation Area required

Qd = quantity of effluent generated per day in litres DIR = Design Irrigation Rate in millimetres per week

Ai = 5400 / 3.5

 $Ai = 1500 \text{ m}^2$ of landscaped irrigation area.

2. CONCLUSION

Areas are available on-site for this amount of irrigation plus 100% replacement

THIS METHOD OF TREATMENT IS VIABLE
SETBACK DISTANCES MUST BE MAINTAINED, REFER TO OVERALL SITE
PLAN

SECONDARY/ADVANCE SECONDARY TREATMENT AND DISPOSAL WASTE WATER TREATMENT PLANT USING ABSORPTION BED AS DISPOSAL

DISPOSAL SYSTEMS for EFFLUENT from DOMESTIC PREMISES A.S 1547-2012 SIZING OF DISPOSAL AREA CALCULATIONS

1. ABSORPTION AREA OR TRENCH

Aw = Q / LTAR Aw = wetted area in square meters

Q = daily flow in litres

DLR = Design Loading Rate in mm per day

Aw = 5400 / 30

 $Aw = 180m^2$ of wetted area required

2. LENGTH OF TRENCH

L = Aw / B L = trench length in meters

Aw = wetted area in square meters

B = trench width in meters

L = 180 / 0.6

L = 300 meters of 600mm wide x 600mm deep absorption trench.

Or

3 x 20 meters long x 3.0m wide x 600mm deep Absorption Bed.

3. CONCLUSION

Areas are available on-site for this amount of absorption trenches plus 100% replacement

THIS METHOD OF TREATMENT IS VIABLE SETBACK DISTANCES MUST BE MAINTAINED, REFER TO OVERALL SITE PLAN

SEWERAGE TREATMENT PLANT

All sewerage treatment plants installed must have Chief Executive Approval from Queensland Department of Infrastructure and Planning. A list of approved treatment plants is available on their website. Due to the many systems available, we have indicated below the minimum requirements the treatment plant is to meet. The selection of brand and type of unit is up to the owner. However, the plant must be approved to supply the quality of effluent as required by this report.

Secondary Treated Effluent

Secondary quality effluent must meet the following effluent compliance characteristics:

- (a) 90% of the samples taken over the test period must have a BOD5 less than or equal to 20 g/m3 with no sample greater than 30g/m3
- (b) 90% of the samples taken over the test period must have a total suspended solid less or equal to 30 g/m3 with no sample greater than 45 g/m3
- (c) Where disinfection is provided 90% of the samples taken over the test period must have a thermotolerant coliform count (determined by either the most probable number or membrane filter technique) not exceeding 200 organisms per 100 ml with no sample exceeding 1000 organisms per 100 ml.
- (d) Where chlorination is the disinfection process, the total chlorine concentration must be greater than or equal to 0.5 g/m3 and less than 2.0 g/m3 in four out of five samples taken.

Advanced SecondaryTreated Effluent

Advanced Secondary quality effluent must meet the following effluent compliance characteristics:

- (a) 90% of the samples taken over the test period must have a BOD5 less than or equal to 10 g/m3 with no sample greater than 20g/m3
- (b) 90% of the samples taken over the test period must have a total suspended solid less or equal to 10 g/m3 with no sample greater than 20 g/m3
- (c) Where disinfection is provided 90% of the samples taken over the test period must have a thermotolerant coliform count (determined by either the most probable number or membrane filter technique) not exceeding 10 organisms per 100 ml with no sample exceeding 200 organisms per 100 ml.
- (d) Where chlorination is the disinfection process, the total chlorine concentration must be greater than or equal to 0.5 g/m3 and less than 2.0 g/m3 in four out of five samples taken.
- (e) Where the manufacturer has included nitrogen and/or phosphorous reduction in the treatment process, the effluent compliance criteria must be able to meet in addition to the above the following nutrient criteria:
 - (i) 90% of the samples, with 95% confidence limits taken over the test period shall have a total nitrogen concentration less than or equal to 10 mg/litre
 - (ii) 90% of the samples, with 95% confidence limits taken over the test period shall have a total phosphorous concentration less than or equal to 5 mg/litre

Minimum Setback Distances

Boundaries Available Clearances: 2m $\sqrt{}$ **Building Footings** \checkmark 2m Recreation Areas 4m $\sqrt{}$ Inground Swimming Pools $\overline{\mathbf{V}}$ 6m Inground Water Tank 6m n/a

Setback distances for subsurface land application area					
Feature	Horizontal separation distance (meters)				
Distance from the edge of trench / bed excavation or subsurface irrigation distribution pipework to the nearest point of the feature	Up Slope	Down Slope	Level		
Property boundaries, pedestrian paths, footings of buildings, walkways, recreation areas, retaining wall footings.	2	4	2		
In ground swimming pools	6	6	6		
In ground potable water tank	6	6	6		

Setback distances for onsite sewerage facilities					
Feature	Primary	Secondary	Advanced		
	Effluent	Effluent	Secondary		
			Effluent		
Top of bank of permanent water course.	50m	30m	10m		
Top of bank of intermittent water					
course. Top of bank of a lake.					
Top water level of a surface water source					
used for agriculture, aquaculture or stock					
purposes. Easement boundary of unlined					
open stormwater drainage channel or drain.					
Bore or dam used or likely to be used for human					
and or domestic consumption.					
Unsaturated soil depth to a permanent water table	1.2m	0.6m	0.3m		
(vertically)					

NOTICE TO LAND OWNER

OPERATION AND MAINTENANCE: GENERALLY

On-site sewerage treatment plants and the associated land application facilities are complex systems that are prone to failure if operated and maintained incorrectly. All on-site sewerage facilities require a high degree of user dedication in terms of operation and maintenance to ensure that the design performance of the facility is achieved for the expected life of the facility.

All on-site sewerage facilities or components of the facility have a finite life. For instance, septic tanks may have an expected life of 25 years, whilst the associated land application facility may have an expected life of 5 to 15 years depending on the nature of the specific site.

OPERATION & MAINTENANCE PROCEDURES

Operation and maintenance procedures are undertaken to a regular schedule appropriate to the nature and type of treatment and land application facility and in accordance with any manufacturer's instructions; and

Continuity of operation and maintenance is achieved throughout changes of ownership and\or changes in use or development of the site.

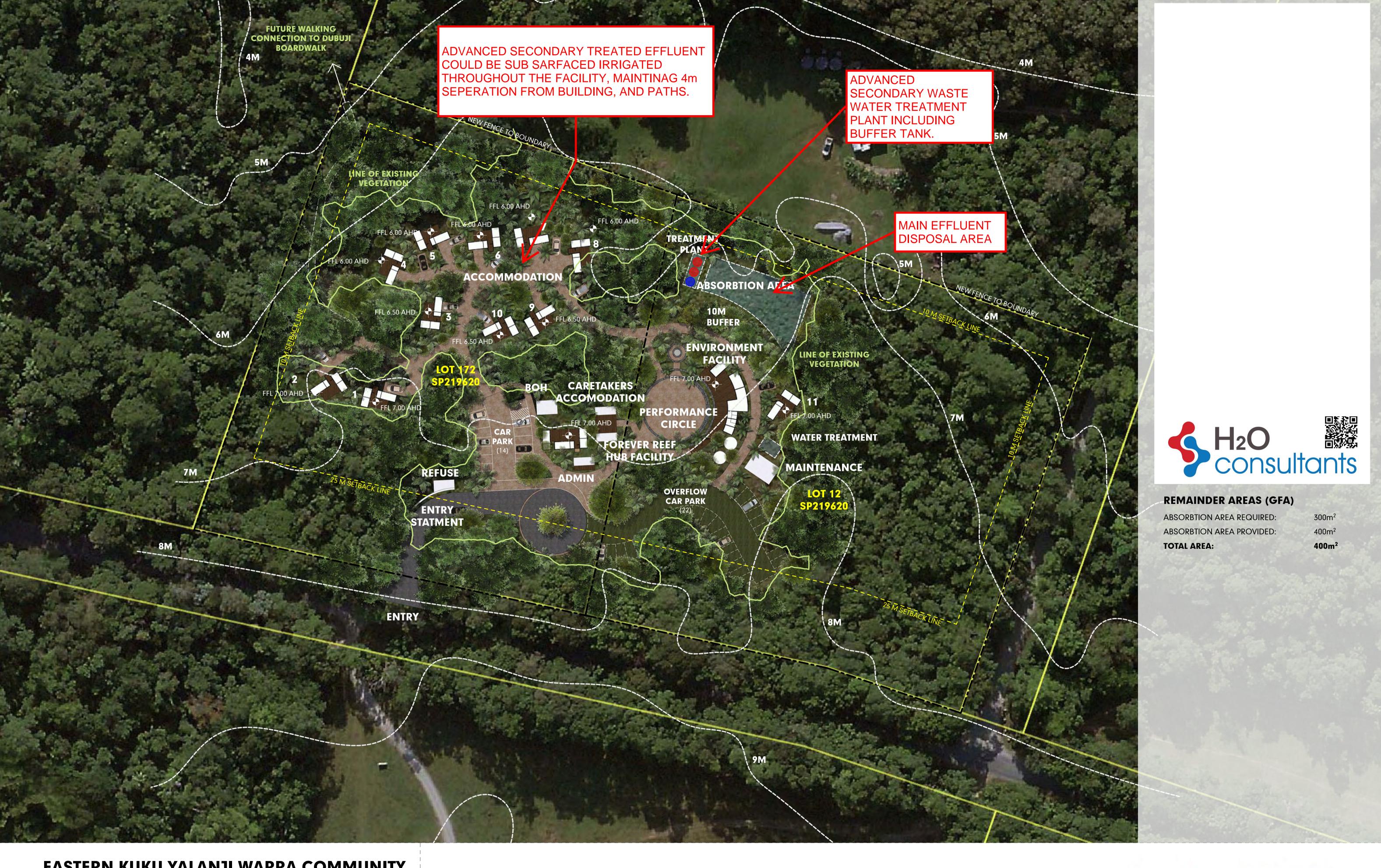
OPERATION

- Practice water conservation and avoid exceeding the hydraulic capacity of the facility.
- Minimise the input of cleaning agents, detergents, disinfectants, bleaches, alkalis, oil, petrol, acids, degreasers, photography chemicals, cosmetics, lotions, pesticides and herbicides into the facility.
- Not place materials such as disposal nappies, female napkins, paper towels, cigarette butts, bones and coffee grounds into the facility.
- Be observant regarding signs of unsatisfactory performance, including unusual odours, leaks from the facility or choking.
- Contact the service agent following observation of unsatisfactory performance or breakdown.
- Protect facility components from structural damage, such as from vehicles.
- Be familiar with safety procedures.
- Establish a time pattern of desludging.
- Keep the area in the vicinity of the on-site sewerage facility tidy to facilitate ease of operation and maintenance.
- Where appropriate, or required by a condition of approval, enter into an annual service contract with a service agent
- Retain copies of all service reports.

LAND APPLICATION SYSTEMS

Regular visual checking of correct system operation by households, and an annual inspection by service contractors should be undertaken. Signs of system failure include:

- Surface ponding and run-off of treated effluent;
- Degrading of soil structure (Sheet or Rill erosion, surface crusts, hard surface)
- Poor Vegetation growth; and
- Unusual odours



EASTERN KUKU YALANJI WARRA COMMUNITY TOURISM PARK

CULTURE AND TOURISM HUB FOR: JABALBINA YALANJI ABORIGINAL CORPORATION **DA ISSUE**

MASTER PLAN

SCALE 1:500 @A1

PROJECT NO. JABALBINA001 DRAWING NO. DA.03 REVISION NO. 01 24/1/2024

DATE



