Our Ref: LM: DA/4857:AD2025/0000195
Your Ref: PR22011.04

20 January 2025

Turtle Creek Ecolodge c/- Mallee Group
PO Box 27
BUDDINA QLD 4575
E-mail: ben@malleegroup.com.au

Attention: Ben Walsh (Mallee Group)

Dear Mr Walsh

Information Request
Given under section 12 of the Development Assessment Rules

Cook Shire Council has carried out a further review of your development application for the following premises.

Location Details

Street Address:	Lockhart River Road Iron Range 4892
Real Property Description:	Lot 53 on SP319523 Lot 61 on SP319523 Lot 62 on SP319523 Lot 63 on SP319523
Local Government Area:	Cook Shire

Application Details

Application Number:	DA/4857
Approval Sought:	Development Permit for a Material Change of Use
Description of Proposal:	Material Change of Use - Nature Based Tourism
Category of Development:	Assessable Development
Category of Assessment:	Code Assessment

Information Requested

Cook Shire Council has determined that the following additional information is needed to assess the application:

PLANNING

Land use definition

Upon reviewing the details of your submission, Council have noted the inclusion of a research laboratory as part of the proposed land use. To assist us in further assessing your application and its alignment with the *Cook Shire Council Planning Scheme 2017* (V2.0), Council seeks additional information on the following points:

1. Clarify how the inclusion of Building B - Research laboratory and workshop, aligns with the definition and intended land use of the "Nature-Based Tourism" as specified in *Table SC1.2 – Use definitions of the Cook Shire Planning Scheme 2017.*
2. Provide information on the size, scale, and operational requirements of the research laboratory, including any specialised equipment, staff requirements, or utilities needed.

Advisory Note: Officers note that the most appropriate land use definition for a research laboratory in the Cook Shire Council Planning Scheme 2017 is likely a 'Research and Technology Industry'. This definition encompasses: The use of premises for an innovative or emerging industry that involves designing, researching, assembling, manufacturing, maintaining, storing, or testing machinery or equipment. This definition aligns with the general activities of a research laboratory.

It is noted that 'Research and Technology Industry' is not a listed land use within the Rural zone as per Table 5.5.9 of the Cook Shire Planning Scheme 2017. If the proposed use is identified as such and is intended to remain part of this development proposal, the category of development will change to Impact Assessment in accordance with Section 5.3.2(1)(b) and Table 5.5.9 of the Cook Shire Planning Scheme 2017.

Bushfire Hazard Code

The subject site, Lot 63 SP319523 is affected by the Bushfire Hazard Overlay Code of the *Cook Shire Planning Scheme 2017.* The overall purpose of the code is to assess development suitability within the Bushfire Hazard Overlay area to ensure that risk to life, property, community, economic activity and the environment during bushfire events is minimised. Although the proposed building envelops are not within the area identified, the proposed land use includes 15km of scenic walking tracks but have not been identified on the proposed site plan as being excluded from this area.

3. Confirm whether the proposed scenic walking tracks included in this development are located within the bushfire hazard area as identified on the Bushfire Hazard Overlay Map for Lot 63 SP319523; and
4. Provide an assessment against the *Bushfire Hazard Overlay Code of the Cook Shire Planning Scheme 2017.*

Building Encroachment

According to Queensland Globe imagery, the main cabin (Building A) on Lot 63 SP319523 is within the acceptable 6m setback as outlined in *Table 6.9 of the Rural zone code of the Cook Shire Planning Scheme 2017* and is partially encroaching into the neighbouring property Lot 62 SP319523.

5. The applicant is request to address the encroachment of the main cabin (Building A) into the neighbouring property Lot 62 SP319523 and the building being within the acceptable boundary setback as outlined in the *Rural zone code of the Cook Shire Planning Scheme 2017.*

Site Details

Please provide an updated site plan reflect any changes as a result of the details outlined in this Information Request and to ensure it includes the following details:

6. All existing and proposed boundary lines;
7. All existing buildings and structures;
8. All existing and proposed driveways/vehicular crossings;
9. Dimensions detailing setbacks from all existing structures on site to the existing and proposed boundary lines.
10. The ecological zones identified in the approved site plan for Decision Notice DA/4117 in relation to the proposed development and building envelopes.

Advisory Note: Officers acknowledge that the various plans submitted contain some necessary information, but the absence of a comprehensive and consolidated site plan is required in order to make an informed assessment. In addition, the site plan forms part of the approved plan of development and must be consistent with the proposed development outcomes.

ENGINEERING

Water Supply

The Applicant indicates in the town planning report prepared by Mallee Group dated December 2024 that *"Water is sourced from a bore located within the primary building envelope, with water quality testing completed by Cairns Regional Council on 12/10/2023 returning potable results. Heavy minerals and sediment is removed from the bore water before being pumped to a Puretec SOL40-e3 water softener to remove hardness and ensure less wear on plumbing fittings. Water is then distributed via a manifold to puratec water filters in Buildings A and C. A second bore is located on Lot 53 SP319523 and 3000L water tank supplies Building B located on the same parcel, with an overall 8000 litres of rainwater collected by building roofs available for non-potable use."* However, the applicant has not provided records/evidence of the results prepared by Cairns Regional Council or indicated what the source of water supply is for Building D.

11. Please confirm records of water quality testing undertaken on 12/10/2023, as referenced by the Applicant.
12. Clarify the proposed source of water supply to be provided for Building D on Lot 53 SP319523.
13. The Applicant is requested to provide an amended Proposal Plan confirming the location of all existing and proposed bore locations to assist Officers in completing their assessment.

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On-Site Wastewater System

14. The Proposal Plan, detailed in Appendix C of the Town Planning Report, indicates that both the existing Building A and the proposed Building C are proposed to be serviced by a single on-site wastewater system. The Applicant is requested to provide clarification on this arrangement.
15. The Applicant is requested to provide further information including a revised Proposal Plan to clearly detail existing and proposed wastewater septic locations to assist Officers in completing their assessment.
16. The Applicant is requested to provide a plan demonstrating provision is made for each of the proposed on-site effluent disposal system(s) to be provided with sufficient setbacks in accordance with the Queensland Plumbing and Wastewater Code, AS/NZS 1547:2000 – 'On-site domestic wastewater management', and relevant standards.

Further details

The due date for providing the requested information is **three (3) months** from the date of this request, therefore you are required to respond no later than **21 April 2025.**

In accordance with section 13.2 of the Development Assessment Rules, you may respond by giving:

(a) all of the information requested; or
(b) part of the information requested; or
(c) a notice that none of the information will be provided.

As Cook Shire Council's assessment of your application will be based on the information provided, it is recommended that you provide all the information requested. In accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and the Cook Shire Council will continue the assessment of your application without the information requested.

Please note that Council may request further advice any time before the application is decided if other matters arise as a result of public notification or further assessment of the application.

For further information, if you have a query, or to seek clarification about any of these details, please contact 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