

YOUR REF:

OUR REF: MCUC 1972/2017 (810497)

6 April 2017

Telstra Corporation Limited
C/- Service Stream
PO Box 510
LUTWYCHE QLD 4030

Attention: Caitlin Spencer

Dear Madam

**ACKNOWLEDGEMENT NOTICE AND INFORMATION REQUEST
FOR MATERIAL CHANGE OF USE - TELECOMMUNICATION FACILITIES -
23L OLD PORT ROAD PORT DOUGLAS**

Receipt of the above application for an (Telecommunications Facilities) is acknowledged.

Please find attached an Acknowledgement Notice prepared in accordance with sections 267 and 268 of the *Sustainable Planning Act 2009*. The Acknowledgement Notice contains information relevant to the processing and assessment of the application.

It is indicated on the Acknowledgement Notice that the application requires referral to a referral agency. Accordingly you are required to forward a copy of the application and the attached Acknowledgement Notice to the State Assessment and Referral Agency within 20 business days (section 272). You must then advise Council in writing of the date that the application was referred to each agency (section 275). Should you be required to provide further information by the State Assessment and Referral Agency, then a copy of any response to such request must also be lodged with Council as the Assessment Manager (section 278(2)).

After a preliminary examination of the above application, the following information is required in order to complete an assessment of the proposal:

1. It is understood that Council has previously advised of a proposed Telecommunication Facility being pursued by Optus at 3 Escape Street Port Douglas being approximately 1.1 kilometres from this site. This application is currently lodged with Council and is undergoing referral to SARA.

As applicant, you are encouraged to rigorously pursue opportunities for co-location with this particular service provider. It is undesirable to have two independent communication facilities located so close to each other.

Evidence detailing this investigation, discussions and outcomes are to be provided to Council.

A link to the Development Application on Council's website is provided below for your convenience.

<https://douglas.qld.gov.au/development/planning-services/view-development-applications/3-escape-st-port-douglas/>

Please note you are advised to explore the opportunity of co-location prior to committing further resources to the application in addressing the further information request items below.

2. Undertake site survey locating the circumference and extent to canopy of each tree within the immediate vicinity of the proposed facility and details what vegetation is proposed to be removed or pruned to accommodate the facility. Please detail the location of the trees along the frontage of Old Port Road and the relationship with the proposed access.
3. Provide a contour plan detailing existing and proposed ground levels. In addition provide a detailed drainage plan detailing the drainage of the site and the existing swale drain. The drainage plan is required to illustrate the works necessary to avoid ponding water.
4. Provide an accurately located photo-montage of the proposed telecommunications facility with views from both Old Port Road and Port Douglas Road.
5. 'Application of the Industry Code C564.2011 Precautionary Approach to Radio Communication Infrastructure Placement and Design' is referenced within your planning application. Sub-clauses 4.1.5 (d) and (f) explicitly refer to avoiding community sensitive locations and require that the outcomes of community consultation with affected parties be taken into consideration. The response at 4.1.5 (f) which states '*The outcomes of the consultation processes with identified affected parties will be taken into considered (sic) during the development application process*' is an inadequate, and possibly premature statement. Please advise what consultation processes will be undertaken during the development application process and what outcomes from identified affected parties will be implemented as a consequence of this consultation.

In accordance with section 279 of the *Sustainable Planning Act 2009*, the application will lapse if no response to this information request is received within six (6) months.

Should you require any further information or assistance, please contact Neil Beck of Development Assessment and Coordination on telephone number 07 4099 9451.

Yours faithfully

Nick Wellwood
General Manager Operations

Att

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5 April 2017

**ACKNOWLEDGEMENT NOTICE PURSUANT TO S 267 & S 268
SUSTAINABLE PLANNING ACT 2009 FOR DEVELOPMENT APPLICATION
23L/ OLD PORT ROAD PORT DOUGLAS**

PROPOSAL: Telecommunications Facility

APPLICANT: Telstra Corporation Limited
C/- Service Stream
PO Box 510
LUTWYCHE QLD 4030

LOCATION OF SITE: 23L/ Old Port Road PORT DOUGLAS

REAL PROPERTY DESCRIPTION: Lot 23 on SP168542

TYPE OF DEVELOPMENT:

The application seeks development approval for

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Development of a material change of use made assessable under the planning scheme		<input checked="" type="checkbox"/>	<input type="checkbox"/>

REFERRAL AGENCIES

Based on the information provided in the application, referral is required to the State Assessment and Referral Agency (SARA), administered by the Department of Infrastructure, Local Government and Planning (DILGP).

DILGP prefers that referrals are made online at www.dilgp.qld.gov.au/MyDAS.

Alternatively, referrals can be posted or emailed as follows:

State Assessment and Referral Agency
 Department of Infrastructure, Local Government and Planning
 Far North Queensland Regional Office
 Postal: PO Box 2358, CAIRNS QLD 4870
 Email: CairnsSARA@dilgp.qld.gov.au

The triggers for the referral are listed in the following table:

For an application involving	Trigger (Schedule 7 Sustainable Planning Regulation 2009)	Name of technical agency	Advice or concurrence agency
State-controlled road	Table 3, Item 1	Department of Transport & Main Roads	Concurrence

This list is provided for your information only. It is the applicant's responsibility to identify any referral agencies for the application and give each referral agency a copy of:

- the application (including the application forms and supporting material)
- this acknowledgement notice, and
- any required application fee.

The above material must be given to all referral agencies within:

- 20 business days after the applicant receives this acknowledgement notice, or
- the further period agreed between the assessment manager and the applicant.

If you do not give the material mentioned above to all referral agencies within these timeframes, the application will lapse (see section 273 of the *Sustainable Planning Act 2009*).

CODE ASSESSMENT REQUIRED: Yes

Applicable Planning Area:

- Residential 1

Applicable Codes: Douglas Shire Planning Scheme 2006

- Port Douglas and Environs Locality Code
- Rural Areas and Rural Settlements Locality Code
- Residential 1 Planning Area Code
- Telecommunication Facilities Code

- Design and Siting of Advertising Devices Code
- Filling and Excavation Code
- Landscaping Code
- Natural Areas and Scenic Amenity Code
- Vehicle Parking and Access Code

IMPACT ASSESSMENT REQUIRED: No

**ASSESSMENT MANAGER INTENDS
TO MAKE AN INFORMATION
REQUEST:** Yes (See cover letter)