

**YOUR REF:**

**OUR REF:** MCUC 1972/2017 (832411)

31 October 2017

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

Attention: Caitlin Spencer

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR OLD PORT ROAD PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 31 October 2017, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development Assessment and Coordination on telephone number 07 4099 9451.

Yours faithfully

Tracey Crouch  
Acting Manager Sustainable Communities

Att

**APPLICANT DETAILS**

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

**ADDRESS**

DTMR Road Reserve between Old Port Road and Port Douglas Road,  
Port Douglas

**REAL PROPERTY DESCRIPTION**

Site Coordinates: -16.523882 145.467985

**PROPOSAL**

Telecommunications Facilities

**DECISION**

Approved subject to conditions (refer to approval package below).

**DECISION DATE**

31 October 2017

**TYPE**

Material Change of Use (Development Permit)

**REFERRAL AGENCIES**

State Referral and Assessment Agency (Department of Transport and  
Main Roads)

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE  
DEVELOPMENT**

None

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)**

Not in conflict

**APPROVED DRAWING(S) AND / OR DOCUMENT(S)**

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
Site Layout and Access	Q113844 SHT S1	1 February 2017
Site Layout	Q113844 SHT S1-1	1 February 2017
Antenna Layout	Q113844 SHT S1-2	1 February 2017
North East Elevation	Q113844 SHT S3	1 February 2017

**ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

**Timing of Effect**

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

**Limited Approval**

3. The Development hereby approved lapses at the expiry of any license agreement with the Department of Transport and Main Roads or any renewal of it. Prior to the lapse of the life of the approval the telecommunications tower and all associated infrastructure, buildings, structures and fencing must be decommissioned and removed and the site reinstated to its original condition to the satisfaction of the Chief Executive Officer. All costs associated with the decommissioning and final removal shall be borne by the Applicant or entity that operates the tower at the time of removal.

**Health**

4. The facility must comply with all relevant State and National Standards in relation to emission of light, vibration, odour and radiation.

The telecommunications facility must be operated in accordance with Radio Communications (Electromagnetic Radiation – Human Exposure) Standard 2003 in relation to the limits for continuous exposure of the general public to radio-frequency electromagnetic energy or other Standard of the Commonwealth of Australia more relevant at the time.

**Construction Process**

5. All construction and use of the premises should occur with minimal damage to existing trees and particular attention to be given to the root systems. Attention should be paid not only to the canopy but also to potential root disturbance from fencing and tower foot excavation. Where necessary the assistance of an arborist should be retained to ensure the health of nearby trees.

All construction should occur with minimal damage to existing trees and particular attention be given to the root systems

**Colours**

6. The exterior finishes and colours of the facility must be non-reflective and must blend with the natural colours of the surrounding environment.

**Fencing and Signage**

7. Construct fencing for the perimeter of the facility with a minimum 1.8 metre high mesh security fence being of a dark colour. The facility is to be signed with appropriate hazard and warning signs.

**Acid Sulfate Soils – Basement / Pool Disturbance**

8. The footing excavation proposed may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' produced by the Department of Natural Resources and Mines (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRM 'Queensland Acid Sulfate Soil Technical Manual'.

**REFERRAL AGENCY CONDITIONS & REQUIREMENTS**

<b>Referral Agency</b>	<b>Referral Agency Reference</b>	<b>Date</b>	<b>Council Electronic Reference</b>
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0417-038878	7 June 2017	816729

**ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the *Sustainable Planning Act 2009*.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

**LAND USE DEFINITIONS\***

In accordance with the *Douglas Shire Planning Scheme 2006*, the approved land use of Telecommunications Facilities is defined as:

Means the use of premises for the provision of telecommunication services.

The use excludes Low Impact Telecommunications Facilities as defined by the Telecommunications (Low Impact Facilities Determination) 1997 under the Telecommunications Act.

\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

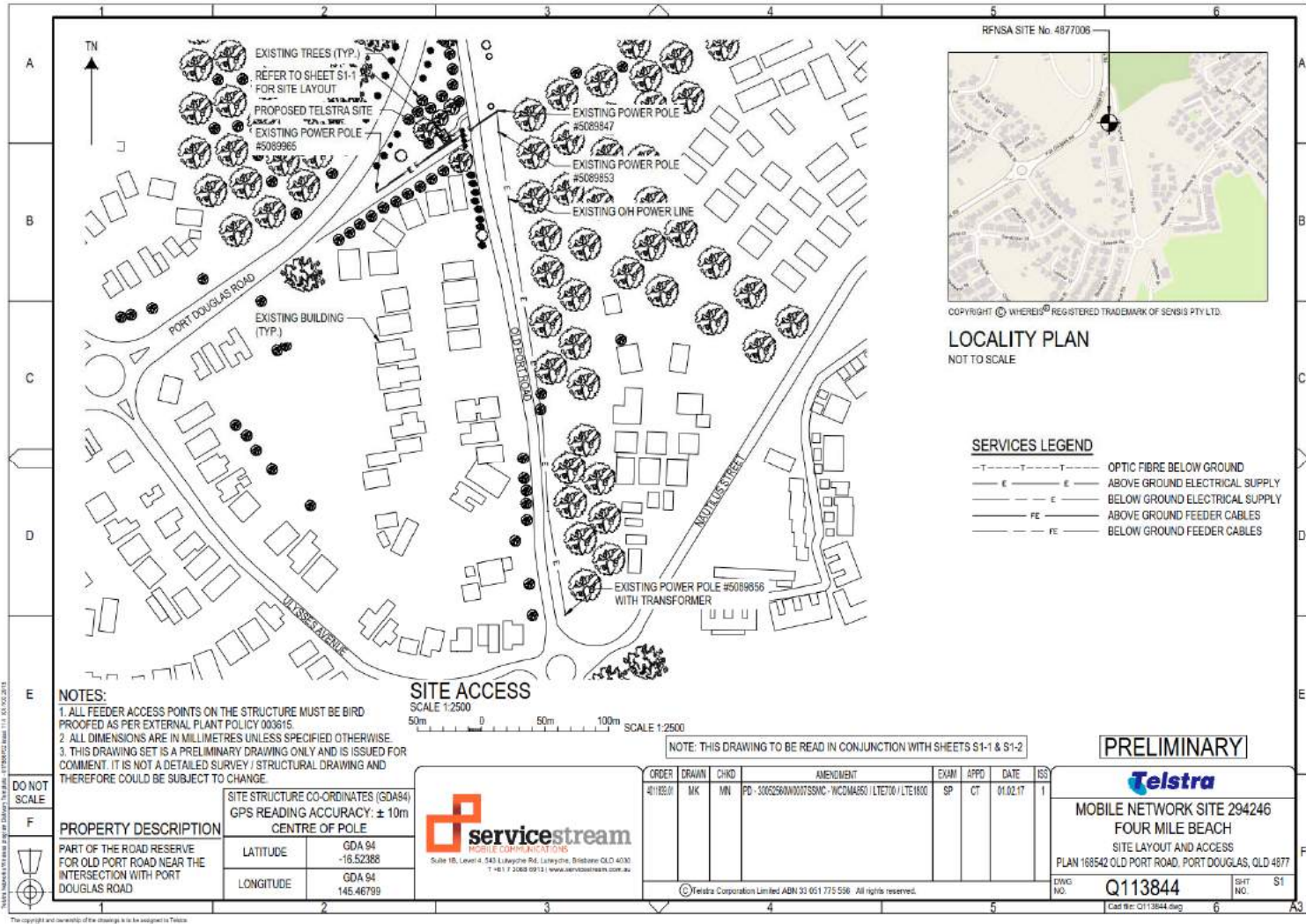
**RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**

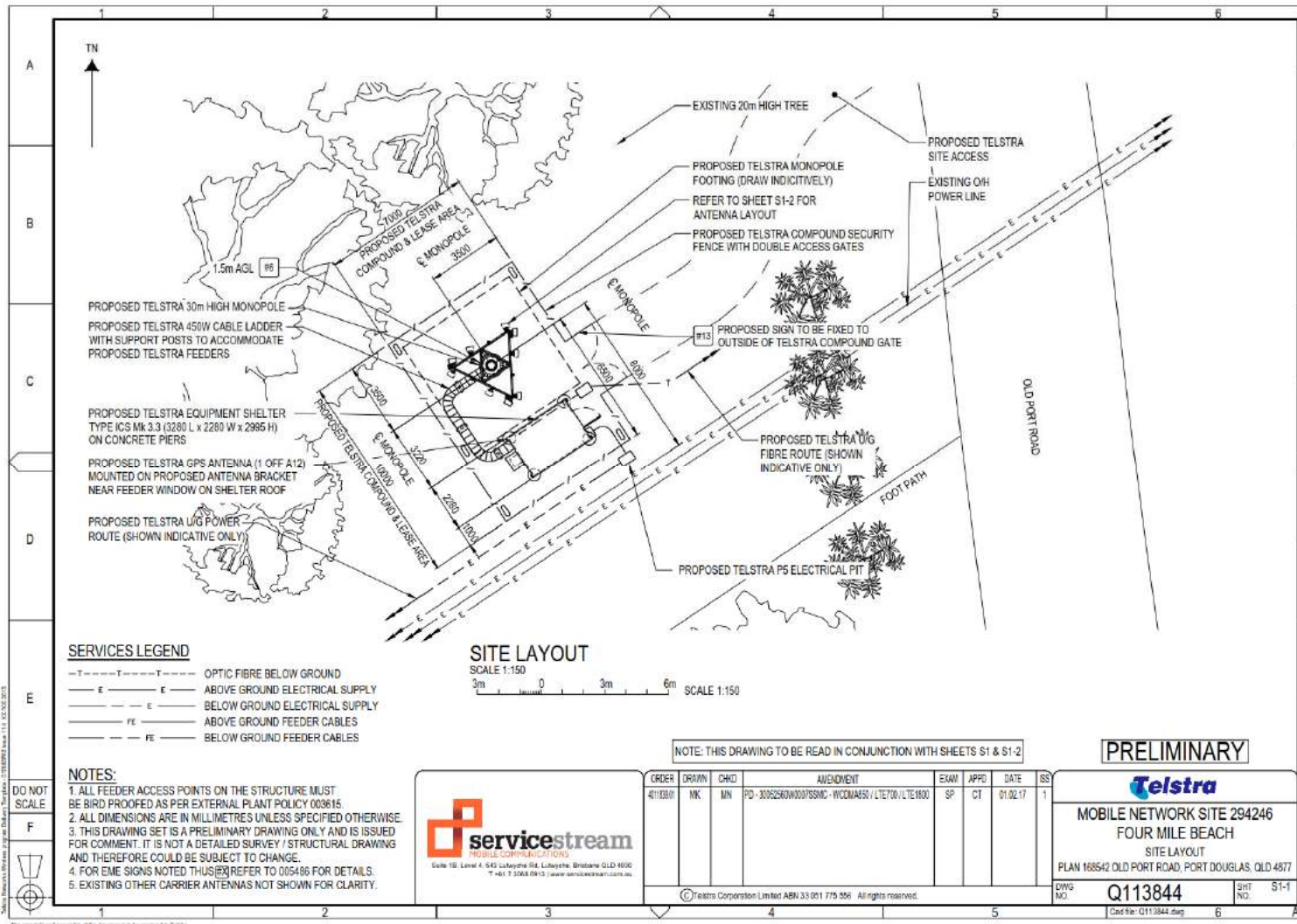
# APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)



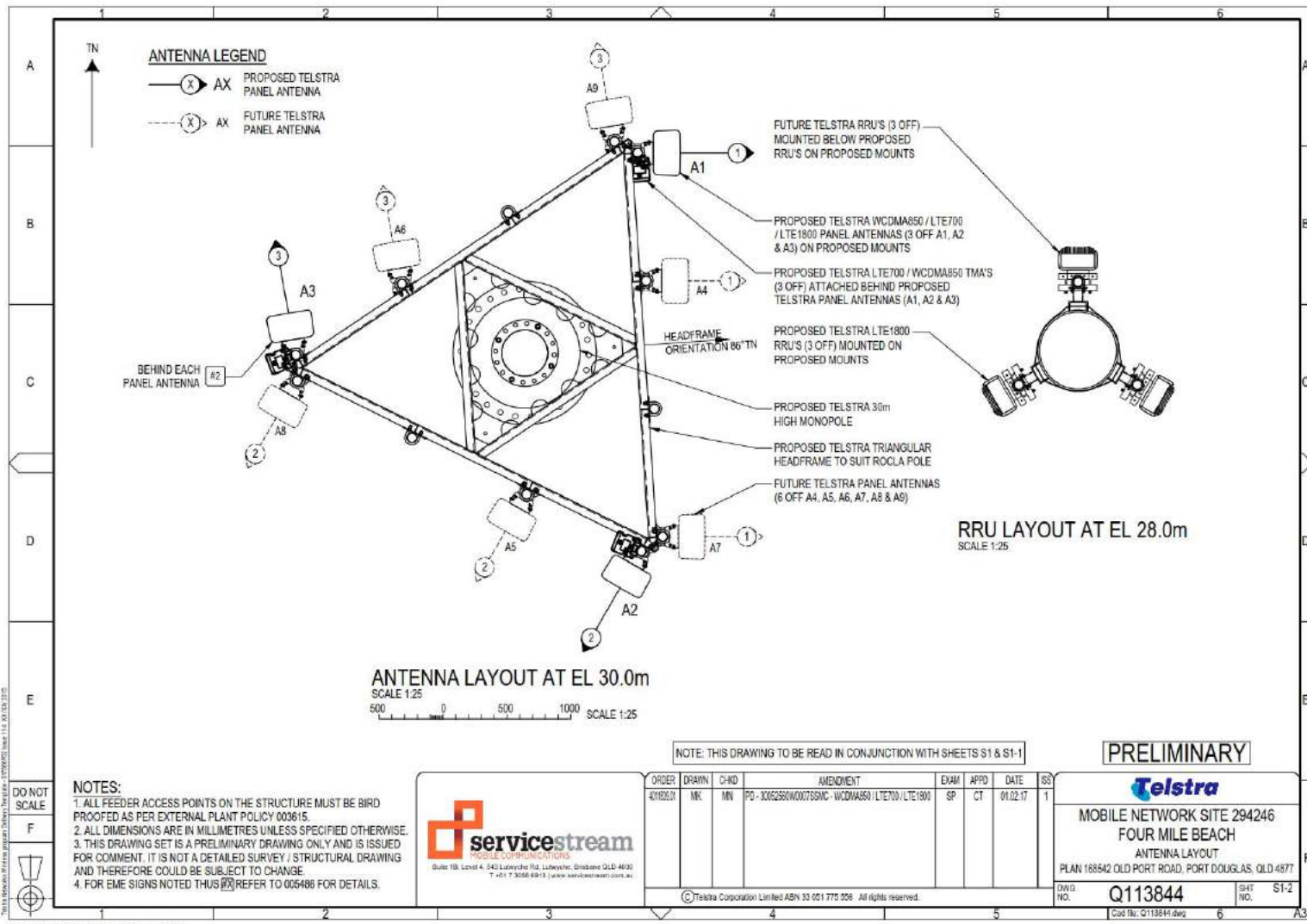
TELSTRA MOBILE NETWORKS IS A REGISTERED TRADEMARK OF TELSTRA CORPORATION. 17/11/17 03:50:20

The copyright and ownership of the drawings is to be assigned to Telstra

# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



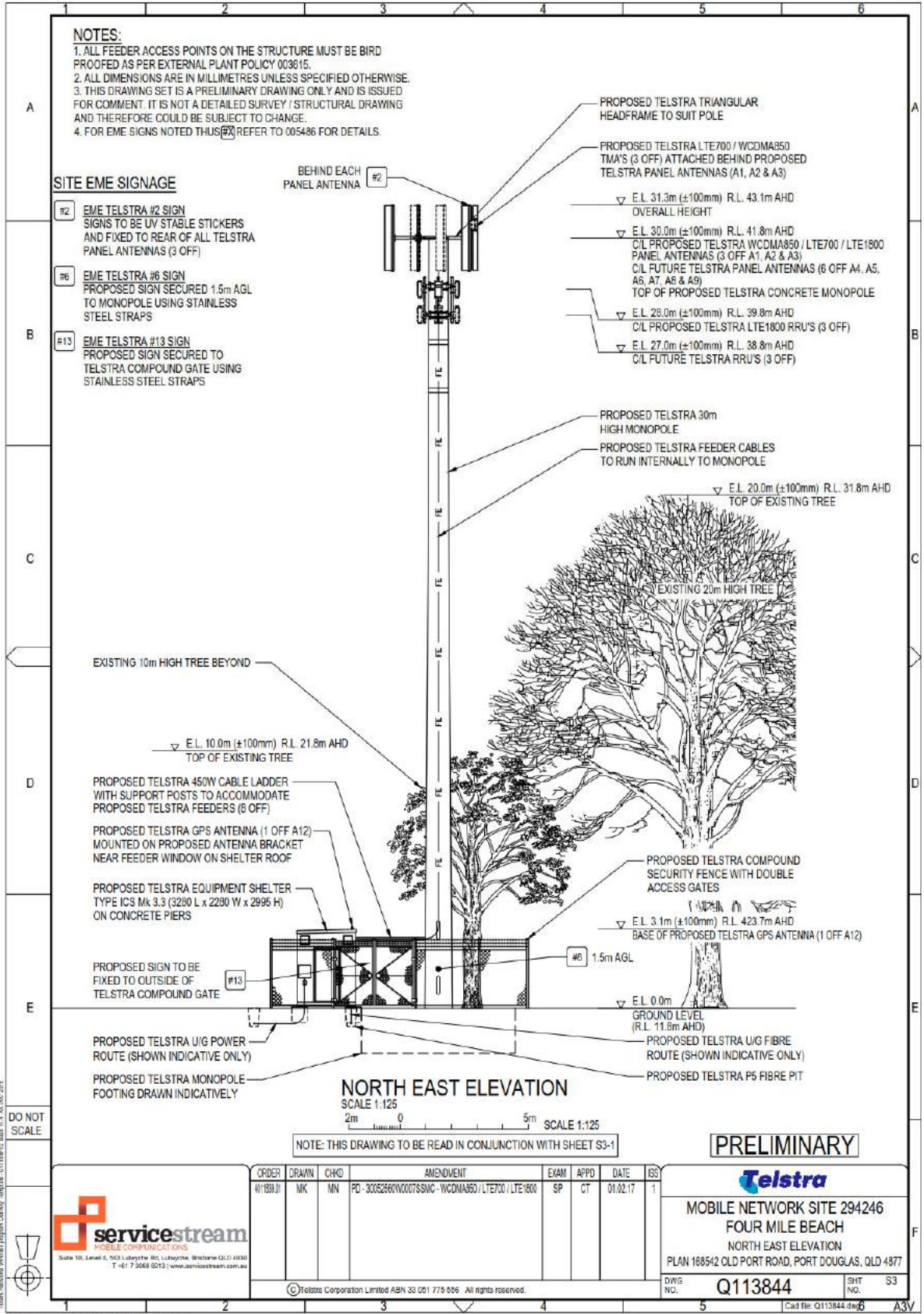


**NOTES:**

1. ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.
3. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.
4. FOR EME SIGNS NOTED THUS **#2** REFER TO 005486 FOR DETAILS.

**SITE EME SIGNAGE**

- #2** EME TELSTRA #2 SIGN  
SIGNS TO BE UV STABLE STICKERS AND FIXED TO REAR OF ALL TELSTRA PANEL ANTENNAS (3 OFF)
- #6** EME TELSTRA #6 SIGN  
PROPOSED SIGN SECURED 1.5m AGL TO MONOPOLE USING STAINLESS STEEL STRAPS
- #13** EME TELSTRA #13 SIGN  
PROPOSED SIGN SECURED TO TELSTRA COMPOUND GATE USING STAINLESS STEEL STRAPS



**NORTH EAST ELEVATION**

SCALE 1:125



NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEET S3-1

**PRELIMINARY**

**servicestream**  
MOBILE COMMUNICATIONS  
Suite 101, Level 4, 903 Lakeshore Bldg, Lakeshore, Brisbane QLD 4033  
T +61 7 3668 6013 | www.servicestream.com.au

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
001838.01	MK	MN	PD - 30052660WCDMA850 - WCDMA850 / LTE700 / LTE1800	SP	CT	01.02.17	1

**Telstra**  
MOBILE NETWORK SITE 294246  
FOUR MILE BEACH  
NORTH EAST ELEVATION  
PLAN 188542 OLD PORT ROAD, PORT DOUGLAS, QLD 4877

DWG NO. **Q113844** SHT NO. S3

Title: Network (White) - Port Douglas - 294246 - 0113844.dwg, T.A. 001201

The copyright and ownership of the drawings is to be assigned to Telstra

Card file: Q113844.dwg

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**APPENDIX 2: REFERRAL AGENCY REQUIREMENTS**



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0417-038878  
Applicant reference: 4011839.01 - Four Mile Beach  
Council reference: MCUC 1972/2017

07 June 2017

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman QLD 4873  
enquiries@douglas.qld.gov.au

Dear Madam / Sir

**Concurrence agency response—with conditions**

Material Change of Use for a telecommunications facility within the road reserve adjacent to 24L Old Port Road, Port Douglas, QLD 4877 – Lot 24 on SP168542  
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 3 May 2017.

**Applicant details**

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Applicant name: Telstra Corporation Ltd  
Applicant contact details: C/- Service Stream  
PO Box 510  
Lutwyche QLD 4030  
caitlin.spencer@servicestream.com.au

**Site details**

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Street address: Road Reserve adjacent to Old Port Road and Port Douglas Road, Port Douglas QLD 4877  
Adjacent to 24L Old Port Road, Port Douglas QLD 4877  
Lot on plan: Adjacent to Lot 24 on SP168542  
Site Coordinates: -16.523882, 145.467985  
Local government area: Douglas Shire

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Far North Queensland Regional Office  
Ground Floor, Cairns Port Authority  
PO Box 2358  
Cairns QLD 4870

**DECISION NOTICE DETAILS**  
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SDA-0417-038878

**Application details**

Proposed development: Development application for material change of use for telecommunications facility (30m high monopole, frame and antennas, ancillary equipment within a shelter, a security fence and access gates)

**Aspects of development and type of approval being sought**

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Telecommunications Facility	Code Assessment

**Referral triggers**

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger                      Schedule 7, Table 3, Item 1 – State-controlled road

**Conditions**

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

**Reasons for decision to impose conditions**

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**Further advice**

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

**Approved plans and specifications**

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
<b>Aspect of development: material change of use – telecommunications facility</b>				
Telstra - Mobile Network Site 294246 Four Mile Beach - Site Layout and Access	ServiceStream - Mobile Communications	01.02.17	Q113844 S1	1
Telstra - Mobile Network Site 294246 Four Mile Beach - Site Layout	ServiceStream - Mobile Communications	01.02.17	Q113844 S1-1	1
TMR Layout Plan – Old Port Road	Queensland Government Transport and Main	18/05/2017	TMR17-21216 (500-146)	B

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	Roads			
Rural Allotment Accesses	FNQROC	26/11/14	Standard Drawing S1105	E

A copy of this response has been sent to the applicant for their information.

For further information, please contact Tony Croke, Principal Planning Officer, SARA Far North QLD on 4037 3205, or email [tony.croke@dilgp.qld.gov.au](mailto:tony.croke@dilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



**Brett Nancarrow**  
Manager (Planning)

cc: Telstra Corporation Ltd C/- Service Stream, [cailin.spencer@servicestream.com.au](mailto:cailin.spencer@servicestream.com.au)

enc: Attachment 1—Conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Attachment 3—Further advice  
Attachment 4—Approved Plans and Specifications

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

SDA-0417-038878

Our reference: SDA-0417-038878  
Applicant reference: 4011839.01 - Four Mile Beach  
Council reference: MCUC 1972/2017

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
<b>Aspect of development: material change of use – telecommunications facility</b>		
Schedule 7, Table 3, Item 1 – State-controlled road —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
<b>In accordance with approved plans</b>		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• Telstra - Mobile Network Site 294246 Four Mile Beach - Site Layout and Access prepared by ServiceStream - Mobile Communications, dated 01.02.17, DWG No. Q113844, SHT No 1, Issue 1.</li> <li>• Telstra - Mobile Network Site 294246 Four Mile Beach - Site Layout prepared by ServiceStream - Mobile Communications, dated 01.02.17, DWG No. Q113844, SHT No 1-1, Issue 1.</li> <li>• TMR Layout Plan – Old Port Road prepared by Queensland Government Transport and Main Roads, dated 18/05/2017, Reference TMR17-21216 (500-146), Issue B.</li> </ul>	<p>Prior to the commencement of use and to be maintained at all times.</p>
<b>Vehicular access to the state-controlled road</b>		
2.	<p>(a) The road access location is to be located at approximately 113m from Port Douglas Road generally in accordance with TMR Layout Plan prepared by Queensland Government Transport and Main Roads, dated 18/05/2017, Reference TMR17-21216 (500-146), Issue B.</p> <p>(b) Road access works comprising of a sealed rural access must be provided at the road access location.</p> <p>(c) The road access works must be designed and constructed in accordance with Far North Queensland Regional Organisation of Councils (FNQROC), Standard Drawing S1105 - Rural Allotment Accesses, dated 26/11/14, Issue E.</p>	<p>(a) At all times.</p> <p>(b) and (c): Prior to the commencement of use and to be maintained at all times.</p>
<b>Design vehicle and traffic volume</b>		
3.	<p>The permitted road access location is restricted to vehicles not exceeding a single body truck as detailed in TMR Layout Plan prepared by Queensland Government Transport and Main Roads, dated 18/05/2017, Reference TMR17-21216 (500-146), Issue B.</p>	<p>At all times.</p>

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SDA-0417-038878

Our reference: SDA-0417-038878  
Your reference: 4011839.01 - Four Mile Beach  
Council reference: MCUC 1972/2017

**Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.
- To ensure the turning movements of vehicles entering and exiting the premises via the road access maintains the safety and efficiency of the state-controlled road.

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Our reference: SDA-0417-038878  
Your reference: 4011839.01 - Four Mile Beach  
Council reference: MCUC 1972/2017

**Attachment 3—Further advice**

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<b>General advice</b>	
<b>Ref.</b>	<b>Co-location opportunities</b>
1.	The applicant should seek and pursue opportunities for co-location with another telecommunication provider in the general vicinity. Co-location would facilitate in the consolidation of access locations and traffic movements.
<b>Further development permits, compliance permits or compliance certificates</b>	
<b>Ref.</b>	<b>Road access works approval</b>
2.	<p>Under sections 62 and 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 that are road access works (including driveways) on a state-controlled road. Please contact the Cairns district office of 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).</p> <p><b>The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</b></p>

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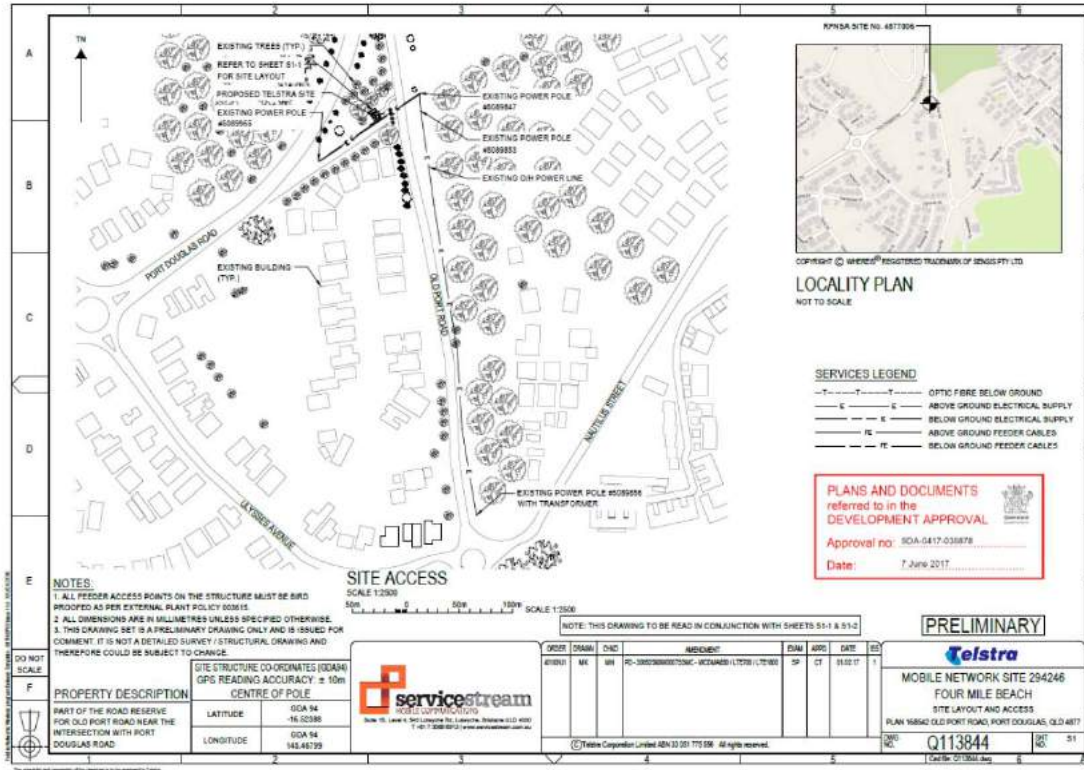
SDA-0417-038878

Our reference: SDA-0417-038878  
Your reference: 4011839.01 - Four Mile Beach  
Council reference: MCUC 1972/2017

**Attachment 4—Approved plans and specifications**

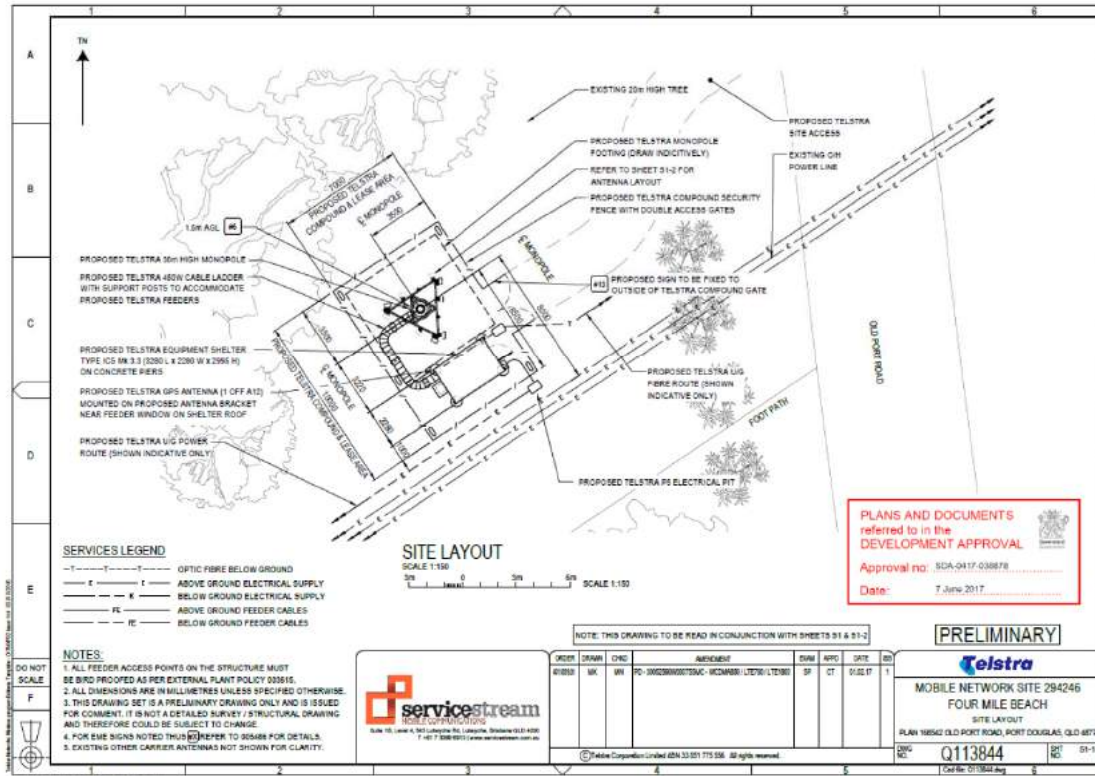
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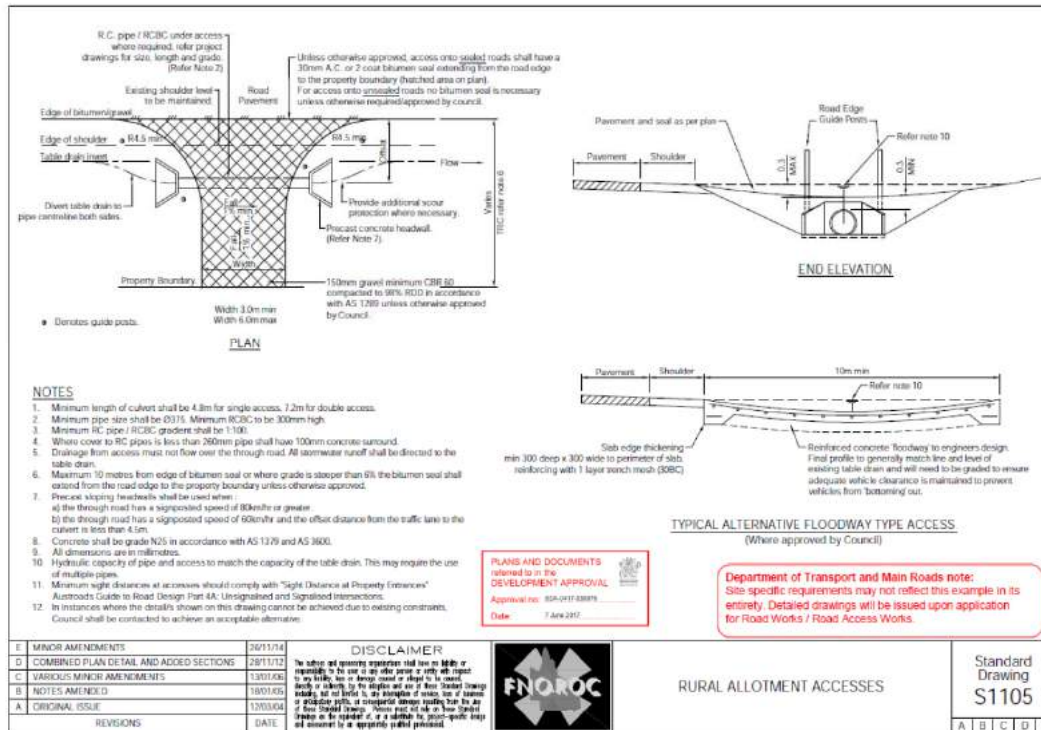
# DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009

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**PROPOSED TELECOMMUNICATIONS FACILITY**

**Road Access Junction**  
 Old Port Road - Approx 113m from the Port Douglas Road Intersection (0.92km RHS)  
**Access Restrictions**  
 - Vehicles of maximum one axle load truck

24SP168542

**PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL**  
 Approval no: 2016/017-08879  
 Date: 7 June 2017

<p>GENUINEY Corridor Management/Far North Region</p>	<p><b>TMR Layout Plan</b> <b>Old Port Road</b></p>	<p>Queensland Government Transport and Main Roads</p>
<p>Proposed/Date: Queensland Datum of Australia (QDA) 1984</p>		
<p>PROPERTY BOUNDARY</p>	<p>STATE CONTROLLED ROAD BOUNDARY</p>	<p>Drawn by: BMM File ref: TMR17-21216 (800-446)</p>
<p>SUBJECT LAND</p>		<p>Scale: 1:1000</p>