

From: Emily Hart <ehart@acquirecomm.com.au>
Sent: Tuesday, 25 October 2022 2:55 PM
To: Enquiries
Cc: Emily Wardlaw; Melissa Farrell; Nicole Hutchings; Tegan Vanderheiden
Subject: Development Application for a Material Change of Use for a Telecommunications Facility at: 174 Buchanan Creek Road, Cow Bay QLD 4873
Attachments: Owner Consent - signed.pdf; Planning Report - ACQ RCP Cow Bay.pdf; DAForm1-Developmentapplicationdetails (1).docx

Planning Department
Douglas Shire Council

Dear Sir/Madam

Development Application for a Material Change of Use for a Telecommunications Facility at: 174 Buchanan Creek Road, Cow Bay QLD 4873; Lot 5 on Crown Plan BK157130 Title Reference 21117005

Amplitel Pty Ltd (Amplitel) are part of the Telstra Group and provide wireless infrastructure for Telstra across Australia. Acquirecomm Pty Ltd have been contracted by Amplitel to acquire the necessary planning and property approvals to support the Telstra network.

Please find a planning permit application relating to the proposed installation of a new Telecommunications Facility.

This application for a new Telecommunications Facility at Cow Bay is a driven by the Federal Government funded Regional Connectivity Program to ensure reliable coverage is provided to this region.

This application has been prepared in accordance with the State and Local Planning Schemes which apply to the subject site.

In addition, as a Licensed Carrier under the Commonwealth Telecommunications Act 1997, Telstra is also obliged to comply with the Industry Code; Communications Alliance Ltd C564:2011 Industry Code- Mobile Phone Base Station Deployment (referred to as the Deployment Code) in relation to the above proposal. Under the Deployment Code, sections 4.1 and 4.2 are relevant to the preparation of the above planning permit application.

Telstra has applied the Precautionary Approach in the Selection and Design of the proposed site in accordance with Sections 4.1 and 4.2 of this Code.

To assist in your assessment of the application please find enclosed:

- Completed Application Form
- Letter of consent from the landowner
- A recent copy of title
- A copy of the designs
- A report assessing the merits of the proposal
- A copy of the Precautionary Approach Assessment (4.1 & 4.2 of the Deployment Code)
- A copy of the EME (Electromagnetic Energy) Report

- A copy of the EPBC Report

Please provide the costs and invoice for the lodgement fees.

Please do not hesitate to contact me immediately should you require any further information.

Telstra are aware of the high priority the State and Federal Government has given this site and we are very keen to deploy the site as quickly as possible, pursuant to Council's granting of a planning permit.

Yours sincerely

Emily



Emily Hart

Land Access & Environment Coordinator

Acquirecomm Pty Ltd

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DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Amplitel Pty Ltd (C/o Acquirecomm Pty Ltd)
Contact name (only applicable for companies)	Emily Wardlaw
Postal address (P.O. Box or street address)	PO Box 586
Suburb	Elsternwick
State	VIC
Postcode	3185
Country	Australia
Contact number	0422 685 472
Email address (non-mandatory)	emily@acquirecomm.com.au
Mobile number (non-mandatory)	0422 685 472
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		174	Buchanan Creek Road	Cow Bay
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	5	Crown Plan BK157130	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- ☒ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
145.43086	-16.22639	<input type="checkbox"/> WGS84 <input checked="" type="checkbox"/> GDA94 <input type="checkbox"/> Other:	Douglas Shire Council

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

- ☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☒ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Installation of a 40m Lattice Tower accommodating four (4) Omni Antennas and one (1) Solid Parabolic Antenna. The installation of a solar panel array and reuse of the existing Telstra Exchange Shelter.

e) Relevant plans

Note: *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

Note: *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).*

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Telecommunications Facility	Utility		
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- ☐ Yes – provide details below or include details in a schedule to this development application
☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	



October 2022

PLANNING PERMIT APPLICATION

Proposed Telecommunications Facilities

Federal Government Regional Connectivity Program

174 Buchanan Creek Road, Cow Bay, QLD 4873

Site Ref: Cow Bay - TLS-RCP-017-A



Document Control

Prepared by Emily Wardlaw



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Date 24 October 2022

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1	06/09/2022	Emily Hart	Initial Draft
2	08/09/2022	Emily Wardlaw	Final Review
3	24/10/2022	Emily Hart	Minor updates
4			



Contents

Executive Summary	4
Site and Proposed Details	5
1. Introduction	6
2. Purpose and Demand	8
3. Site Selection Process	9
4. Proposed Development	9
5. Subject Site and Locality	10
6. Regulatory Framework	14
Conclusion	49
Appendix A Copy of Title	i
Appendix B Plans and Elevations	ii
Appendix C EME Report	iii
Appendix D Deployment Code	iv
Appendix E EPBC Report	v
Appendix F Cultural Heritage and Register Search Report	vi



Executive Summary

This report has been prepared by Acquirecomm Pty Ltd, on behalf of Amplitel Pty Ltd (part of the Telstra Group) in support of a planning permit application to install a 40m Lattice Tower at the existing Telstra Exchange Facility at 174 Buchanan Creek Road, Cow Bay, QLD 4873.

The site has been funded by Telstra, the Federal Government in Round 1 of the Federal Governments Regional Connectivity Program. Telstra have been awarded funding to deploy this site within the parameters of this project.

The site is legally described as Lot 5 Crown Plan BK157130, Title Reference 21117005.

Refer to copy of Title at Appendix A.

The proposal is Impact assessable under the Douglas Shire Planning Scheme.

This report outlines the purpose and demand for a telecommunications facility in Cow Bay and addresses the planning merits of the proposal and its consistency with the relevant planning controls and policies of the Douglas Shire Planning Scheme. It is supported by the accompanied plans which show the proposed layout and design of the facility.

The proposed development of the site represents the provision of essential telecommunications infrastructure to Cow Bay and its surrounds. The proposed facility will have an acceptable impact on the amenity of the area in terms of its use of materials and siting. The facility is designed to have regard to its surrounds and represents an appropriate balance between the net community benefit from the provision of essential telecommunications services and the protection of the environment from any adverse impacts.



Site and Proposal Details

Address of Site	174 Buchanan Creek Road, Cow Bay QLD 4873
Legal Property Description	Lot 5 Crown Plan BK157130 Title Reference 21117005
Local Authority	Douglas Shire Council
Use	Telecommunications Facility
Zoning	Conservation
Overlays / Codes	Cape Tribulation and Daintree Coast Local Plan Code Acid Sulfate Soils Overlay Landscapes Values Overlay Telecommunications Code Access, Parking and Servicing Code Environmental Performance Code Infrastructure Works Code
Owner	Dennis James Verri
Applicant	Amplitel Pty Ltd (part of the Telstra Group) ABN 15 648 133 073 C/- Acquirecomm Pty Ltd PO Box 586 Elsternwick, VIC, 3185
Contact Person	Emily Wardlaw Director Planning Services 0422685472 emily@acquirecomm.com.au
Our Reference	Cow Bay TLS-RCP-017-A



1 Introduction

Telstra is committed to providing improved mobile coverage to regional and remote Australia. Telstra has a long history of investing in regional Australia and in the five years to end June 2020, Telstra has invested \$3bn in building and improving our mobile network in regional areas.

As Andy Penn, Telstra CEO stated in May 2021:

As 3G ticks over to 4G and into 5G; or as copper ADSL transforms into fibre, satellite or mobile internet, we're always finding new solutions to solve old problems.

New technology will help us realise the goal of becoming a world-leading digital economy, and we need to make sure everyone can participate. That's why we have a new funding program to improve our network for regional, rural and remote customers.

Over the next four years, we will lead a co-investment fund aimed at enhancing and extending mobile coverage in rural and regional areas. We plan to stimulate infrastructure co-investment with governments, local councils and businesses in areas that would otherwise be difficult to justify on economic grounds.

We've done this before, and had great success in the last few years, investing over \$120 million ourselves in such projects in regional, rural and remote Australia. That's why we're doing it again.

We will also be investing a further \$150 million over the next 12 months to improve networks in regional, rural and remote Australia. We will be boosting coverage at popular destination spots; funding capacity upgrades; ensuring that 3G-only sites have access to 4G; building new 4G sites, and developing technology for long-range sites with small cells and satellite backhaul.

The \$200 million co-investment fund, paired with our additional \$150 million, is backed up by and in addition to a number of projects we have recently been awarded by the Federal Government.

We will be working with the Federal Government through their Regional Connectivity Program to help power \$55 million-worth of network upgrades, and we are the only major mobile provider to both win projects and commit funding to improve services.

<https://exchange.telstra.com.au/investing-millions-on-regional-rural-and-remote-coverage/>



The Regional Connectivity Program (the RCP)

The Regional Connectivity Program (the RCP) is a grants program funding the delivery of 'place-based' telecommunications infrastructure projects to improve digital connectivity across regional, rural and remote Australia.

Round 1

On 16 April 2021 the Australian Government announced an investment of \$90 million (GST inclusive) to support 81 communications infrastructure projects under Round 1 of the RCP.

On 10 June 2021, the Government announced that a further 51 meritorious Round 1 projects had been funded under the program.

Round 2

The Australian Government has progressively announced the outcomes of Round 2 of the Regional Connectivity Program (the RCP).

Round 2 of the RCP will provide \$140.0 million (GST inclusive) over the next two years to improve telecommunications infrastructure in regional and remote Australia. This funding will leverage a total investment of \$225 million for the delivery of projects across Australia.

Funded projects include new and improved mobile voice and data coverage, fixed wireless and fibre broadband services, and improved microwave and fibre backhaul capacity to locations across regional, rural and remote Australia. Improved connectivity through the RCP will allow regional communities and businesses to access essential online services, utilise new business tools and connect with the digital economy.

Further information on the Round 1 RCP application outcomes can be found at:

<https://www.grants.gov.au>

<https://www.infrastructure.gov.au/media-communications-arts/internet/regional-connectivity-program>

Amplitel Pty Ltd (Amplitel) are part of the Telstra Group and provide wireless infrastructure for Telstra across Australia. Acquirecomm Pty Ltd have been contracted by Amplitel to undertake the required environmental and planning approvals on each site.



2 Purpose and Demand

As part of the Federal Government's Regional Connectivity Program, Telstra will be delivering 95 new projects into regional and remote Australia. These projects include everything from new towers to improved high-speed broadband services in areas which need it the most.

The project includes significant investment in joint funding from Telstra, the Federal Government and state and local governments to help improve connectivity and communications around regional and remote Australian communities.

Nikos Katinakis, Group Executive, Networks & IT – Telstra, states:

It's partnerships like this and the significant investments we're making in regional areas that will help all Australians participate fully in the digital economy. Over the next few years, we'll be running upgrade projects as part of the RCP across the following locations:

<https://exchange.telstra.com.au/were-improving-mobile-connectivity-and-coverage/>

Funded Site at Cow Bay

The site at Cow Bay is funded by both the Federal and State Government. The RCP funded projects summary identifies that the project at Cow Bay will:

deploy a new Telstra 4GX macro cell base station in the Far North Queensland community of Cow Bay. located in the Daintree World Heritage Rainforest. The new base station will provide improved mobile connectivity to support the operations of tourism providers and local businesses in a popular tourist location. Increased mobile coverage will also enable efficiencies in council service delivery, access to telehealth and education services, and public safety communications in a cyclone and flood prone region.

<https://www.infrastructure.gov.au/department/media/publications/round-1-regional-connectivity-program-funded-projects>

The proposed facility at Cow Bay was supported by Douglas Shire Council during the Regional Connectivity Program bid process in 2020 and noted:

The importance of safety of both our community and the 500,000 visitors to this region every year, whom to date, have had unreliable and sporadic mobile telecommunications coverage.

Providing new voice and data coverage to Cow Bay and surrounding areas will further both economic and social benefits to the local community and businesses.



3 Site Selection Process

The site was essentially identified during the funding application process due to the presence of the Telstra Exchange in Cow Bay which provides efficiency in the deployment of a macro cell base station in this remote rural location due to the existing infrastructure that can be utilised, including the existing Telstra exchange shelter, solar power and generator. The site was assessed as an appropriate location that would provide essential coverage and to improve mobile communications performance across the region.

There are no tower co-location opportunities as the nearest site is over 2km to the south, and the next closest site located over 4km to the southwest. The Telstra Exchange offers the ability to co-locate Telstra's infrastructure by siting the 40m Lattice Tower at the existing site, capitalising on the existing shelter, solar and generator on site.

As there is no viable existing infrastructure within Cow Bay to achieve co-location, a new structure is required. The site is accessible, technically viable and will result in an acceptable impact on the amenity of the area, whilst also providing possible co-location opportunities for other carriers in the future.

The proposal will ensure the objectives of the Federal Government Regional Connectivity Program are met.

4 Proposed Development

The proposed development at the existing Telstra facility at, 174 Buchanan Creek Road, Cow Bay QLD 4873, comprises the following:

- The construction of a new 40m Triangular Lattice Tower.
- The attachment to the top of the tower of a Telstra headframe accommodating four (4) omni antennas, and two (2) tower mounted amplifiers, giving a total structure height of 44m.
- The antennas will provide 4G and 5G telecommunications via LTE700 and NR850 technologies.
- The installation of (1) FAINI THP08-177 UNI 0.8m Solid Parabolic Antenna at 35m.
- The installation of (1) Solar Panel Array.
- The reuse of the existing Telstra exchange shelter to house electrical equipment associated with the facility.
- The use of existing access conditions.

Refer to Plans attached at Appendix B.



5 Subject Site and Locality

The existing Telstra Exchange site is located within the Douglas Shire Council Area in the Far North Region of Queensland. Two World Heritage Areas, the Wet Tropics World Heritage Area and the Great Barrier Reef World Heritage Area, cover 80% of the Shire and are renowned for their natural beauty.

The subject site is located at 174 Buchanan Creek Road, Cow Bay, QLD 4873. Cow Bay is a small rural locality approximately 3km south east of Diwan and approximately 11km north of Wonga Beach.

The land is legally described as Lot 5 Crown Plan BK157130, Title Reference 21117005. The regular shaped land parcel has a land area of approximately 64.75 hectares and is privately owned.

The subject site currently accommodates Telstra's Cow Bay Exchange shelter, a (9m) Triad, (3) Solar Panel Arrays, and a Generator below a covered roof in a 20m x 40m fenced compound. Access to the site off Buchanan Creek Road is existing.

The land has largely been cleared of vegetation with tall thick vegetation in the south west corner (in particular) and a stand of vegetation running from the south boundary to the north east corner.

The subject land and surrounding land parcels are zone Conservation and are located with Precinct 5 of the Cape Tribulation / Daintree Coast Local Plan. The purpose of Precinct 5 is to recognise existing rural areas and permit their continued use as while encouraging low-impact tourism enterprise.

The surrounding land parcels are predominantly vegetated and accommodate dwellings on large rural land holdings. The tall mature vegetation on the adjoining land to the west and north and the natural undulation of the land provides screening to the facility allowing only limited views of the facility from public and private view sheds.

The nearest dwelling is located approx. 95m to the south west.

Refer to photos of the site and surrounds below.



FIGURE 1 AERIAL IMAGE OF SUBJECT SITE (DOUGLAS SHIRE INTERACTIVE MAP SERVICE)



FIGURE 2 AERIAL VIEW SHOWING BROADER AREA AND SITE (YELLOW STAR) WITH THE CONSERVATION ZONE



FIGURE 3 INTERNAL VIEW OF SUBJECT SITE SHOWING EXCHANGE SHELTER, SOLAR PANELS, GENERATOR AND 9M TRIAD



FIGURE 4 INTERNAL VIEW OF SITE SHOWING TALL MATURE VEGETATION AND LAND RISE ON THE WEST BOUNDARY



FIGURE 5 VIEW OF SITE ACCESS OFF BUCHANAN CREEK ROAD



6 Regulatory Framework and Assessment

6.1 Federal Legislation

Telecommunications Act 1997

The Telecommunications Act 1997 (the Act) came into operation on 1st July 1997. The Act provides a system for regulating telecommunications and the activities of carriers and service providers.

Under the Act, telecommunications carriers are no longer exempt from State and Territory planning laws except in three limited instances:

- There are exemptions for inspection of land, maintenance of facilities, installation of “low impact facilities”, subscriber connections and temporary defence facilities. These exemptions are detailed in the *Telecommunications (Low Impact Facilities) Determination 2018* and *Telecommunications (Low Impact Facilities) Amendment Determination 2021* and these exceptions are subject to the *Telecommunications Code of Practice 1997*;
- A limited case-by-case appeals process exists to cover installation of facilities in situations of national significance; and
- There are some specific powers and immunities from the previous *Telecommunications Act 1991*.

Telecommunications (Low Impact Facilities) Determination 2018

The *Telecommunications (Low-impact Facilities) Determination* came into effect on 1st July 1997 and has been superseded by the *Telecommunications (Low-impact Facilities) Determination 2018*.

The Determination contains a list of Telecommunications (and Radiocommunications) Facilities that the Commonwealth will continue to regulate. These are facilities that are essential to maintaining telecommunications networks and are unlikely to cause significant community disruption during their installation or operation. These facilities are therefore considered to be ‘Low-impact’ and do not require planning approval under State or territory laws.

As the proposed works do not meet the provisions of the Telecommunications (Low-impact Facilities) Determination 2018 (as amended in 2021), a Development Application is therefore required to be assessed under the relevant state and local planning provisions.



Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act* commenced on 16th July 2000. It introduced a new role for the Commonwealth Government in the assessment and approval of development proposals where those proposals involve actions that have a significant impact on matters of National Environmental Significance, the environment of Commonwealth owned land and actions carried out by the Commonwealth Government.

This proposal is not of National Environmental Significance, as it will not impact on:

- World Heritage Areas;
- Wetlands protected by International Treaty (The RAMSAR Convention);
- Nationally listed threatened species and communities;
- Nationally listed migratory species;
- All nuclear actions; or
- The environment of Commonwealth Marine area.

The EPBC Protected Matters report identifies 1 threatened ecological community and 37 threatened species in the region. The proposed works are located on cleared rural land with existing access directly off Buchanan Road. The facility will be contained within the existing fenced compound accommodating the Telstra Cow Bay Exchange. The proposed works do not require the removal of native vegetation. Due to the limited nature of the proposed works in terms of ground disturbance and duration there is no undue threat to flora and fauna in the area.

Refer to EPBC Act Protected Matters Report at Appendix E.

Mobile Base Station Deployment Industry Code

The Communications Alliance Ltd. C564:2020 Industry Code – Mobile Phone Base Station Deployment (referred to as the Deployment Code) replaced the 2011 Revision.

The Deployment Code cannot change the existing regulatory regime for telecommunications at local, State or Federal level. However, it supplements the existing obligations on carriers, particularly in relation to community consultation and the consideration of exposure to radio signals, sometimes known as electromagnetic energy (EME or EMR).

The Code imposes mandatory levels of notification and community consultation for sites complying with the Telecommunications (Low-impact Facilities) Determination 2018. It identifies varying levels of notification and/or consultation depending on the type and location of the infrastructure proposed.

The subject proposal, not being designated a 'Low-impact' facility, is not subject to the notification or consultation requirements associated with the Deployment Code. These processes are handled within the relevant State and Local consent procedures.

Nevertheless, the intent of the Code, to ensure Carriers follow a 'precautionary approach' to the siting of infrastructure away from sensitive land uses, has been followed in the selection of this site as



demonstrated in the Deployment Code section 4.1 Precautionary Approach Checklist which is attached at **Appendix D**.

Included in the section 4.1 Checklist is a statement of how the public's exposure to EME from the site has been minimised. All emissions from the site will be well within the requirements of the relevant Australian Standard. Details of this standard are contained in the following section. Also attached at Appendix D is the Deployment Code section 4.2 Precautionary Approach Checklist which demonstrates how the proposal has been designed in accordance with the Code's 'precautionary approach'. This site has been selected and designed to comply with the requirements of the Deployment Code in so much as the precautionary approach has been adhered to and, as a result the best design solution has been achieved.

Electromagnetic Energy and Health

Telstra understands that some people have genuine concerns about the levels of Electromagnetic Fields (EMF) that the Proposed Facility will emit and is committed to addressing those concerns responsibly. EMF is sometimes known as electromagnetic radiation (EMR) or electromagnetic energy (EME). Electromagnetic fields are present everywhere in our environment – the earth, sun and ionosphere are all natural sources of EMF.

Telstra rely on the expert advice of international and national health authorities including the World Health Organization (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for overall assessments of health and safety impacts.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) has issued guidelines on levels of allowable public exposure to Radio Frequency (RF) fields, including guidelines on RF from mobile phones and base stations that Telstra adheres to. These guidelines have a large safety margin built into them.

In addition, further information is available at: www.telstra.com.au/eme and EMF Explained Series www.emfexplained.info.

It is Telstra's responsibility to comply with the mandated standard (RPS3) for EMF set by ARPANSA, which is based on the safety guidelines recommended by the WHO. The safety standard works by limiting the network signal to a level low enough to protect all people, in all environments, 24 hours a day. The safety limit itself has a significant safety margin built into it.

To demonstrate compliance with the safety standard, an Environmental EME Report is available via the RFNSA website: www.rfnsa.com.au/4873010 and is also attached at Appendix C.

This report predicts that the maximum signal strength from the Proposed Facility at 1.5m above ground level, is well within the allowable limit that it is permitted to transmit over a 24-hour period. This is typical of Telstra's responsible approach to network performance and environmental compliance.



“Health authorities around the world, including ARPANSA and the WHO have examined the scientific evidence regarding possible health effects from base stations. Current research indicates that there are no established health effects from the low exposure to the RF EME exposure from mobile phone base station antennas.”

ARPANSA FACT SHEET “MOBILE BASE STATIONS AND HEALTH” MARCH 2015

Further information about EMF can be sourced at:

- Commonwealth Department of Health (ARPANSA) www.arpansa.gov.au
- Australian Communications and Media Authority (ACMA) www.acma.gov.au
- World Health Organisation (WHO) www.who.int/en/

A copy of the EME Report is attached at Appendix C

Civil Aviation Safety Authority

Telstra take their obligations seriously in relation to the impact of their structures on aviation safety and have developed their own policies to ensure CASA standards are met when installing new facilities. Telstra are aware that structures over 30m in height are required to be reported in accordance with the CASA publication AC139.08 “Reporting Tall Structures”, and accordingly will report on the proposed site in accordance with this policy.

In the case of the new telecommunications facility at Cow Bay, Telstra have reviewed their policy and the CASA standards and also the particular characteristics of the site, and have assessed that no further measures, including aircraft warning lighting is warranted due to the following:

- The proposed site is approximately 900m kilometres southeast from Cow Bay Airstrip.
- The Obstacle limitation surface (OLS) protects the air space around airports from the intrusion of built structures that would adversely affect aircraft operation or safety. The site does not appear to be within an OLS boundary, however an email has been sent to AirServices Australia requesting confirmation of OLS compliance. Should the proposal be referred to an airport all requirements will be adopted.

Whilst it may be prudent in some locations to apply lighting or other applications on tall structures outside of OLS boundary areas, each structure should be assessed individually in the context of its location, proximity to an aerodrome and or proximity to areas where aircraft are prevalent. In relation to this site, Telstra has considered the criteria set out in paragraph 9.4.1.2 of the MOS, which include:

- Outside the obstacle limitation surfaces of an aerodrome, if the object is or will be more than 110 m above ground level. In this case, the Telstra facility is well below this at 44m.

Telstra has also considered other possibly relevant factors such as height and geographic features. The structure is a moderate height of 44m on cleared rural land within the rural area of Cow Bay. Telstra’s assessment is that the proposed facility is not affected by the CASA standard; MOS Part 139- Aerodromes. Telstra also concludes that aircraft warning lights are not warranted in this location.



6.2 State Planning Policies

State Planning Policy (SPP) commenced in July 2017 and is a key component to Queensland's land use planning system, which enables development to occur while protecting the natural environment and allows communities to grow and prosper.

The SPP outlines 17 state interests arranged under five broad themes which have been appropriately integrated into the Douglas Shire Planning Scheme 2018.

6.3 Douglas Shire Planning Scheme

The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.

The policy intent is guided by six themes:

- (i) Settlement Pattern
- (ii) Environment and landscape values
- (iii) Natural resource management
- (iv) Strong communities and identity
- (v) Economy
- (vi) Infrastructure and transport

The proposal is for an upgrade to Telstra's telecommunications infrastructure which will support the Shire of Douglas in being a prosperous, liveable and sustainable region through the provision of reliable mobile communications whilst conserving the Shire's natural environment and outstanding biodiversity values.

The proposed development supports the themes of the strategic framework via the provision of modern and reliable communications infrastructure which will:

- Support a diverse range of lifestyle choices in providing modern communications to residents, businesses and tourist in Cow Bay and the surrounding area.
- Will assist in supporting community activities in the areas of education, health, culture and recreation in the provision of reliable mobile communications.
- The proposed development takes the opportunity to upgrade the existing facility, rather than propose a new site. This limits any new impacts on the natural environment values.
- The installation of the proposed structure will not have any detrimental impact on the cultural heritage and natural values in the region.
- Support disaster management response capabilities in times of natural disaster.
- Be central to maintaining and supporting growth in the key economic sectors in the region.



6.4 Requirement for a planning permit

Pursuant to the *Douglas Shire Planning Scheme 2018*, the proposal is defined as a Telecommunications Facility. In accordance with the relevant table of assessment, the proposed Telecommunication Facility is Impact Assessable.

The site is located within the Conservation Zone and is subject to the provisions of the following Overlays and Codes:

- Acid Sulfate Soils Overlay
- Landscapes Values Overlay
- Telecommunications Code
- Cape Tribulation and Daintree Coast Local Plan Code

Conservation Zone

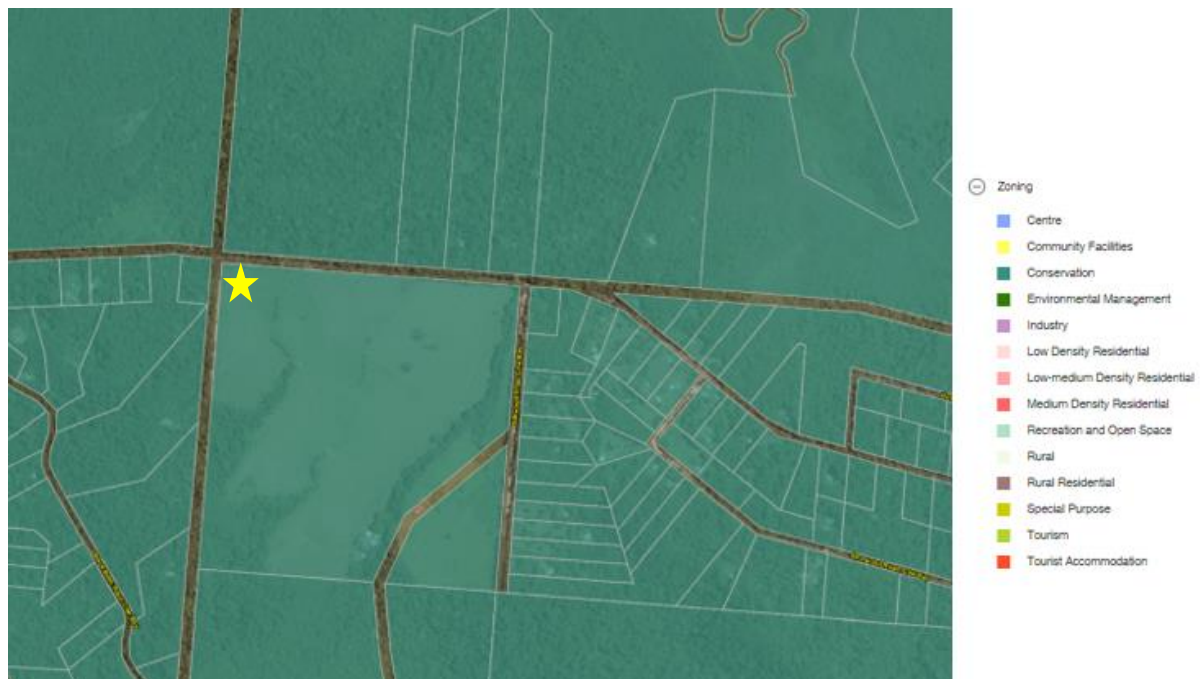


FIGURE 6 VIEW OF SITE (YELLOW STAR) IN THE CONSERVATION ZONE (SOURCE: DOUGLAS SHIRE INTERACTIVE MAP SERVICE)

The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.

The local government purpose of the code is to:

- (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environmental and landscape values, Element 3.5.2 – Aboriginal cultural heritage values, Element 3.5.3 – Biodiversity, Element 3.5.3 – Coastal zones.
 - (ii) Theme 3 – Natural resource management, Element 3.6.2 – Land and catchment management.



- (iii) Theme 4 – Strong communities and identity, Element 3.7.8 – Strengthening indigenous communities.
- (b) conserve and maintain the integrity of biodiversity values, wildlife, habitats and other significant ecological assets and processes over time, across public and private lands.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Biological diversity, ecological integrity and scenic amenity are protected;
- (b) Any recreational or other uses of areas that are in the control of the Crown, or the Council, such as reserves, national parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that conservation and scenic values of these areas are not adversely affected;
- (c) Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area;
- (d) Any low intensity facilities based on the appreciation of the natural environment or nature based recreation only establish where there is a demonstrated need and provided they have a minimal impact on the environmental and scenic amenity values of the site or surrounding area.
- (e) The provisions of the Return to Country Local Plan facilitate economic and social opportunities on traditional Indigenous lands;
- (f) Further lot reconfigurations other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure, or to facilitate Return to Country outcomes do not occur

The following table provides an assessment against 6.2.3 Conservation Zone Code

Performance Outcomes	Acceptable Outcome	Applicant Response
For assessable development		
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone and protects the zone from the intrusion of inconsistent uses.	AO1 Uses identified in Table 6.2.3.3.b are not established in the Conservation zone	Complies. The Telstra facility is existing and there is an established use for telecommunications. A Telecommunications Facility is not identified as an inconsistent use.
PO2 The height of buildings is compatible with the character of the area and does not adversely affect the amenity of the area.	AO2 Buildings and structures are not more than 8.5 metres in height and two storeys. Note - Height is inclusive of roof height.	Complies. Telecommunications structures by their nature need to be at elevated heights. The proposed 40m lattice tower is at the minimum height required meet the coverage objectives of the Regional Connectivity Program. Tall mature



		vegetation and the natural undulation of the land provides screening to the facility ensuring there will be no significant impact on the amenity of the area.
PO3 Development is setback from site boundaries so they are screened from view from the boundaries of adjoining properties and adjoining roads to maintain the scenic values of the area.	A03 Buildings and structures are setback not less than: <ul style="list-style-type: none"> (a) 40 metres from the frontage of a State controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 25 metres from Cape Tribulation Road frontage; (c) 20 metres from any other road frontage (d) 10 metres from side and rear boundaries. 	Complies. The site is existing with established setbacks. The proposed structure will be sited in line with the existing telecommunication equipment within the Exchange compound.
PO4 The site coverage of all buildings and structures does not have an adverse effect on the conservation or scenic amenity values of the site and surrounding area and buildings are subservient to the natural environment.	A04 Development is sited in an existing cleared area or an area approved for clearing, but which is not yet cleared until a development permit to carry out Building Works is issued. Any clearing is limited to a maximum area of 700m ² and is sited clear of the high bank of any watercourse. Note – The 700m ² area of clearing does not include an access driveway	Complies. The proposed lattice tower will not significantly increase site coverage and will be located on an existing cleared area. It is not considered that there are any adverse issues arising from any exceedance of building coverage.
PO5 Development is consistent with the overall outcomes sought for the Conservation zone.	A05 No acceptable outcomes are prescribed	Complies. Telecommunications are an essential service that will assist in the protection of areas identified as supporting significant biological diversity and ecological integrity in times of emergency such as bushfires. The co-location of the proposed tower with the Cow Bay Exchange will



		<p>ensure there are no additional impacts to the natural environment.</p> <p>There is no removal of vegetation required ensuring the development will not adversely impact any biological or ecological values.</p>
<p>PO6</p> <p>Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area</p>	<p>A06</p> <p>The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation and view-shed.</p>	<p>Complies.</p> <p>The proposed structure is visually contained within a small area on a large privately owned land parcel.</p> <p>Tall mature vegetation and the topography of the land provide screening to the proposed structure ensuring it is not the dominant visual element in the area.</p> <p>The materials used will have a natural product finish ensuring a muted non-reflective appearance of predominantly grey colours which will absorb well against any skyline views.</p>
<p>PO7</p> <p>Development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which:</p> <ul style="list-style-type: none"> (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development. <p>Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.</p>	<p>A07.1</p> <p>For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved.</p> <p>A07.2</p> <p>Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern.</p>	<p>Complies.</p> <p>Existing tall mature vegetation on the surrounding land will provide adequate screening from public and private views. There is no removal of vegetation proposed.</p>
<p>P08</p> <p>Development is complementary to the surrounding environment.</p>	<p>A08.1</p>	<p>Complies.</p>



	<p>Development harmonises with the surrounding environment, for example, through suspended, light-weight construction on sloping sites, which requires minimal excavation or fill.</p> <p>AO8.2</p> <p>A driveway or parking areas are constructed and maintained to:</p> <ul style="list-style-type: none"> (a) minimise erosion, particularly in the wet season; (b) minimise cut and fill; (c) follow the natural contours of the site; (d) minimise vegetation clearing. <p>AO8.3</p> <p>Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%) or On land steeper than 1 in 6 (16.6%) gradient:</p> <ul style="list-style-type: none"> (a) A split level building form is utilised; (b) A single plane concrete slab is not utilised; (c) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping. <p>and</p> <ul style="list-style-type: none"> (d) is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage which includes certification that the site can be stabilised, followed by a certificate upon completion of works. <p>AO8.4</p> <p>Buildings and structures are sited below any ridgelines and are sited</p>	<p>The Telstra facility is existing and the use for telecommunications is established on the site. Due care was taken to design and position the proposed structure so as to minimise impacts on the surrounding area.</p> <p>The lattice tower will be co-located with the Telstra Exchange in the existing compound with tall mature vegetation on the surrounding land providing screening of public and private views toward the facility.</p> <p>The land within the existing compound is generally flat and cleared of vegetation to ensure the safe operation of the facility.</p> <p>A geotechnical report has been undertaken to certify that the land is stable and able to support the proposed structure.</p>
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	to avoid protrusion above the surrounding tree-level canopy.	
<p>PO9 Development is located to:</p> <ul style="list-style-type: none"> (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; (d) avoid areas that are vulnerable to natural hazards; (e) minimise to the greatest extent possible on site excavation and filling; (f) provide buffers to cultural, historical or ecological features; (g) minimise visibility from external sites or public viewing points; (h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat. 	<p>A09 No acceptable outcomes are prescribed.</p>	<p>(a) Complies. The proposed works will be contained within the existing cleared compound. There is no removal of vegetation required.</p> <p>(b) Complies. The proposed area of development is contained to a small area on a large private land parcel with surrounding tall mature vegetation providing to the facility.</p> <p>(c) Not applicable. The site is established, and setbacks are existing.</p> <p>(d) Not applicable. The site is existing, and the proposed infrastructure will assist in time of natural disaster.</p> <p>(e) Complies. Ground works will be limited a small area of approx. 7.2m x 7.2m required for the tower foundation.</p> <p>(f) Not applicable. The site is established, and setbacks are existing.</p> <p>(g) Complies. The proposed structure is at the lowest height required to provide reliable coverage and will utilise material with a natural non-reflective finish which will absorb well against any skylining. Existing vegetation surrounding the site minimise visibility from external sites and public viewing points.</p>



		(h) Complies. There is no removal of native vegetation required.
PO10 Development does not result in adverse impacts on: (a) ecological function or features; (b) on-site or surrounding waterways and wetlands	AO10 No acceptable outcomes are prescribed.	Complies. There is no removal of vegetation required ensuring the development will not result in adverse impacts on ecological functions, or any waterways and wetlands.
PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.	AO11 No acceptable outcomes are prescribed.	AO10 The existing compound is cleared of vegetation to allow for the safe and efficient operation of the facility ensuring reliable mobile communications to the area which will assist in the protection of the natural environment in times of disaster such as bushfire.
PO12 Fencing is designed to not impede the free movement of native fauna through the site.	AO12 No acceptable outcomes are prescribed.	Not applicable. Fencing around the site is existing.
PO13 New lots contain a minimum lot size of 200 hectares, unless: (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments); (b) the reconfiguration is limited to one additional lot to accommodate an existing or approved: (i) Telecommunications facility; (ii) Utility installation; (c) the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan. Note – Boundary realignments must result in an improved environmental outcome or resolve encroachments.	AO13 No acceptable outcomes are prescribed.	Not applicable. The proposal does not propose new lots.



Cape Tribulation and Daintree Coast Local Plan Code

The purpose of the Cape Tribulation and Daintree Coast local plan is to retain the attraction of the area as a very low-key, largely undeveloped nature-based recreation environment, based on the exploration and appreciation of the natural environment and to ensure that any development that does occur is appropriate and does not place additional pressures on the values of the area.

The purpose of the code will be achieved through the following overall outcomes:

- (a) areas within the local plan are appropriately managed to protect biological diversity, water catchment quality, ecological functioning, beach protection and coastal management, scenic amenity, and historical and cultural values;
- (b) the natural character of the locality is protected, and where degraded, restored or enhanced;
- (c) new development does not occur, with the exception of development located within, and consistent with the respective precinct intents for:
 - (i) Precinct 1 – Conservation precinct
 - (ii) Precinct 2 – Low impact residential precinct;
 - (iii) Precinct 3 – Low impact commercial precinct;
 - (iv) Precinct 4 – Low impact community purpose precinct;
 - (v) Precinct 5 – Low impact rural production and tourism enterprise precinct;
 - (vi) Precinct 6 – Low impact tourism accommodation precinct;
- (d) where development occurs it is:
 - (i) very low scale and remains within the limits imposed by the vehicular capacity of the Daintree River ferry crossing, the Alexandra Range road crossing and the local road network;
 - (ii) sensitive and sympathetic to its remote location in an area of unique biodiversity, ecological, conservation and scenic amenity value;
 - (iii) self-contained through the use of appropriate on-site or nearby rain water collection and storage, sewerage treatment and electricity generation;
- (e) adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents are provided

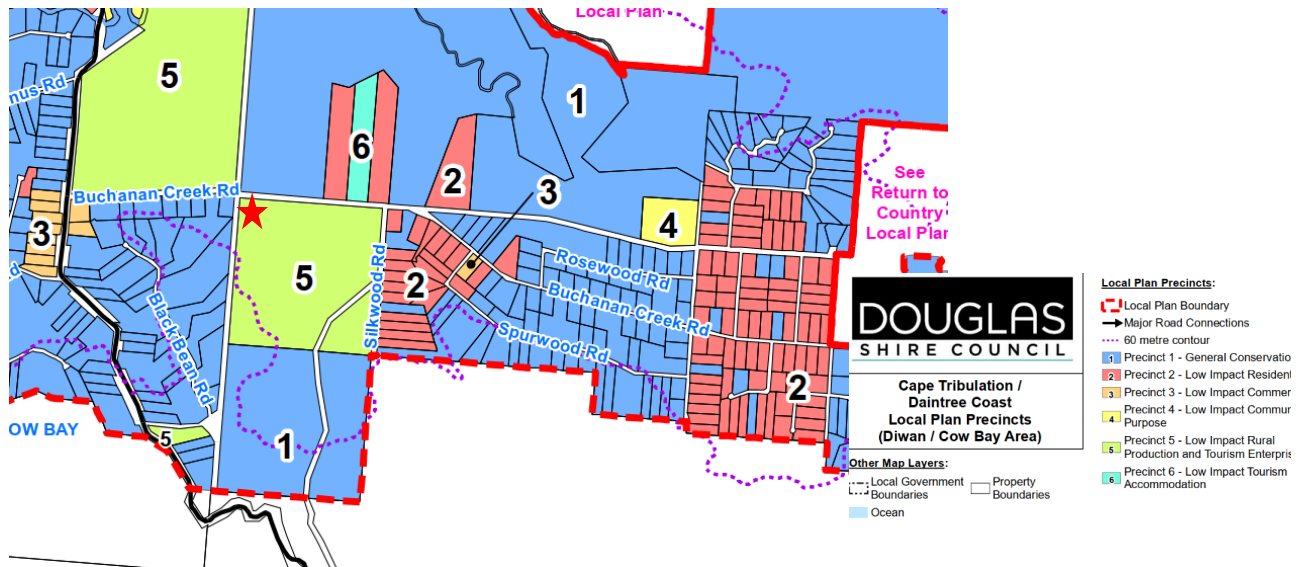


FIGURE 7 CAPE TRIBULATION AND DAINTREE COAST LOCAL PLAN CODE

The following table provides an assessment against 7.2.1 Cape Tribulation and Daintree Coast Local Plan Code

Performance Outcomes	Acceptable Outcome	Applicant Response
All Development in the Cape Tribulation and Daintree Coast local plan area		
PO1 Development does not result in a demand which exceeds the capacity of: (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network.	AO1 No acceptable outcomes are prescribed	Complies. The proposed telecommunication facility will be unmanned. Once operational and connected to the network the facility will require maintenance 1-2 per year.
PO2 Development provides a suitable standard of self-sufficient service for: (a) potable water; (b) water for fire fighting purposes; (c) electricity supply.	AO2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and access to the tank/s for fire trucks. Tank/s are to be: (a) fitted with a 50mm ball valve and camlock fitting; (b) installed and connected prior to occupation; (c) sited so as to be visually unobtrusive.	Not applicable. The telecommunication facility is existing and is unmanned. The site is solar powered with generator backup. There is no demand for potable water.



	<p>AO2.2</p> <p>Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects.</p> <p>AO2.3</p> <p>An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.</p>	
<p>PO3</p> <p>On-site waste water does not adversely impact on the environmental quality of the water and soil resources or amenity of residents, through the implementation of best environmental practice.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable.</p> <p>The telecommunication facility does not generate waste water.</p>
<p>PO4</p> <p>The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.</p>	<p>AO4.1</p> <p>If groundwater is to be used, development is limited to one bore per site and the bore is: not located within 100 metres of a septic disposal trench (on the site or adjoining sites); not located within 100 metres of another bore.</p> <p>AO4.2</p> <p>Surface water is to be used for domestic purposes only.</p>	<p>Complies.</p> <p>The proposed development will not impact on the natural water resources of the area.</p>
<p>PO5</p> <p>Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation.</p>	<p>AO5</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies</p> <p>The proposal does not require the removal of vegetation and will not impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation.</p>
<p>PO6</p> <p>Development is subservient to the surrounding natural environment in scale and intensity and is designed to</p>	<p>AO6.1</p> <p>The exterior finishes and colours of buildings are non-reflective and complement the colours of the</p>	<p>Complies</p> <p>Telecommunications structures by their nature need to be at elevated heights. The proposed 40m</p>



<p>be functional in a humid tropical rainforest environment.</p>	<p>surrounding vegetation and view shed.</p> <p>AO6.2</p> <p>The noise of generators is controlled by design, or the generator is enclosed within a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.</p> <p>AO6.3</p> <p>Any fuel storage associated with an on-site generator, with storage of 20 litres or more of fuel, is enclosed with a building and provided with a bund.</p>	<p>lattice tower is at the minimum height required to ensure reliable mobile communications to the surrounding area.</p> <p>The materials used will have a natural product finish ensuring a muted non-reflective appearance of predominantly grey colours which will absorb well against any skyline views.</p> <p>Tall mature vegetation and the topography of the land provide screening to the proposed structure.</p>
<p>P07</p> <p>Landscaping of the development ensures that the endemic character of the local area is dominant.</p>	<p>AO7.1</p> <p>Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping;</p> <p>AO7.2</p> <p>All of the existing landscaping to be retained and all of the proposed landscaping is 100% endemic or native species and the details are provided on a landscape plan.</p>	<p>Complies.</p> <p>The site has an established use for telecommunications and is located on clear land to ensure safe and efficient operation of the facility. There is no change proposed to the existing landscaping on site.</p>
<p>P08</p> <p>Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.</p>	<p>AO8.1</p> <p>Site access driveways and existing or proposed roads comply with the relevant requirements of Planning Scheme Policy 5 – FNQROC Development Manual and are maintained as low speed gravel roads to maintain the scenic drive experience and to discourage the use of roads by through-traffic;</p> <p>AO8.2</p> <p>Where existing roads/tracks are 4-wheel drive only, upgrading to facilitate conventional vehicles and</p>	<p>Complies.</p> <p>Site access of Buchanan Creek Road is existing.</p> <p>The proposed structure once installed will be unmanned and will not generate an increase in traffic.</p>



	an increase in through traffic does not occur.	
PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised	AO9.1 Filling and excavation is kept to a minimum and involves not more than 5% of the cleared area of the lot. AO9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation, or other permanent stabilisation, has occurred.	Complies. The proposal will not impact on natural flow regimes.
Additional requirements for Precinct 5 – Low impact rural production and tourism enterprise precinct		
PO25 Development complements, protects and enhances the environmental and scenic values of the site.	AO25.1 One dwelling house establishes per lot. AO25.2 Any other development is limited to existing cleared areas on the site. AO25.3 No development is to occur above the 60 metre contour line. AO25.4 Any new primary production activity or a change to a primary production activity has minimal impact on the existing natural values of the site and surrounding area.	Complies. The proposal is not for a dwelling. The proposed structure will be located on an existing cleared area. The development is located well below the 60 metre contour line at approx. 14.5m. The proposal is not for primary production activities.
PO26 Large cleared or partially cleared sites are revegetated and rehabilitated in association with suitably small scale environmentally sustainable development.	AO26 The balance area of the development, including any existing area/s not identified for development is/are revegetated / rehabilitated in accordance with a landscape plan.	Complies The structure will be located with the existing Telstra compound which covers a small area of 20m x 40m. The compound is cleared of vegetation to ensure the safe and efficient operation of the facility.
PO27	AO27	Complies



<p>Development is carried out in accordance with a site specific and development specific Environmental Management Plan.</p> <p>Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome</p>	<p>No acceptable outcomes are prescribed.</p>	<p>A site specific Environmental Plan is being developed and will be adhered to.</p>
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Overlays

The proposed Lattice Tower is located in the Acid Sulphate Soils (5-20m AHD) Overlay and the Landscape Values Overlay and is identified as being in proximity to a Flood Storm Overlay, Hillslopes Overlay, Landslide Hazard Overlay, and Natural Areas Overlay.

Compliance with the relevant code provisions has been demonstrated below.

Acid Sulfate Soils Overlay Code

The purpose of the acid sulfate soils overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (b) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
- (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.



FIGURE 8 ACID SULPHATE SOILS (5-20M AHD) OVERLAY

The following table provides an assessment against 8.2.1 Acid Sulfate Soils Overlay Code

Performance Outcomes	Acceptable Outcome	Applicant Response
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation	Minor foundation works are proposed for the installation of the proposed lattice tower. A geotechnical assessment undertaken at the proposed development site has identified the presence of acid sulfate soils. A site specific Environmental Plan is being developed and mitigation strategies to prevent disturbance of acid soils and harm to the environment will be implemented.
PO2	AO2.1	



<p>Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated <p>or</p> <p>A02.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; 	<p>Minor foundation works are proposed for the installation of the proposed lattice tower.</p> <p>A geotechnical assessment undertaken at the proposed development site has identified the presence of acid sulfate soils. A site specific Environmental Plan is being developed and mitigation strategies to prevent disturbance of acid soils and harm to the environment will be implemented.</p>
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	<p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>A03</p> <p>No acceptable outcomes are prescribed</p>	<p>Minor foundation works are proposed for the installation of the proposed lattice tower.</p> <p>A geotechnical assessment undertaken at the proposed development site has identified the presence of acid sulfate soils. A site specific Environmental Plan is being developed and mitigation strategies to prevent disturbance of acid soils and harm to the environment will be implemented.</p>

Landscape Values Overlay Code

The purpose of the Landscape values overlay code is to:

- (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
- (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories

The purpose of the code will be achieved through the following overall outcomes:

- (a) areas of High landscape value are protected, retained and enhanced;
- (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
- (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
- (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
- (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;



- (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
 - (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

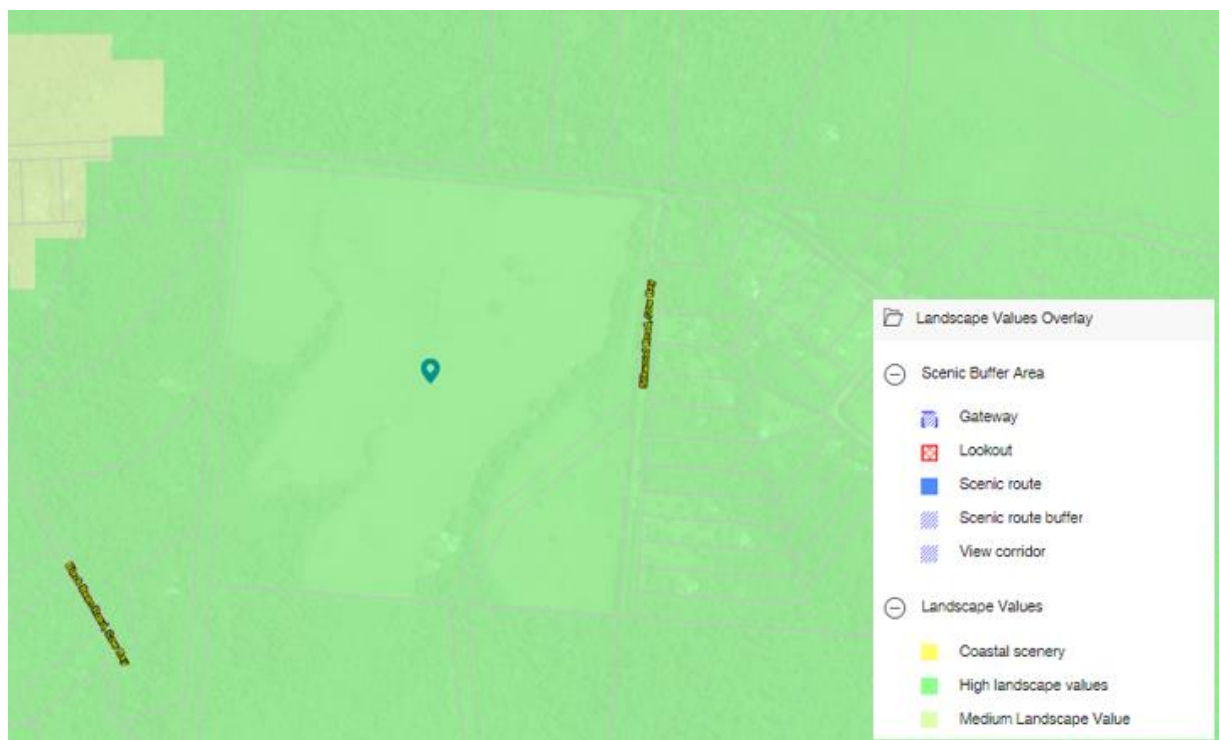


FIGURE 9 LANDSCAPE VALUES OVERLAY CODE

The following table provides an assessment against 8.2.6 Landscape Values Overlay Code

Performance Outcomes	Acceptable Outcome	Applicant Response
For assessable development – Development within the High landscape value area		



<p>PO1</p> <p>Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and 	<p>AO1.1</p> <p>Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height.</p> <p>AO1.2</p> <p>Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p> <p>AO1.3</p> <p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO1.4</p> <p>Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO1.5</p> <p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO1.6</p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p>AO1.7</p> <p>Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p>	<p>(a) Complies</p> <p>The proposal does not require the removal of vegetation.</p> <p>(b) Complies</p> <p>Existing tall and dense roadside vegetation provides screening to the facility when travelling in both directions on Buchanan Creek Road. A steep land rise to the west of the compound will limit public view toward the facility from the West. View from the south and east will largely be limited to the large private land parcel on which the lattice tower will be located.</p> <p>(c) Complies</p> <p>The proposal does not require the removal of vegetation. The existing site has been cleared to allow the safe and efficient operation of the facility.</p> <p>(d) Complies</p> <p>The proposed 40m lattice tower will be co-located with the existing Telstra Exchange and is at the minimum height required to ensure reliable mobile communications to the surrounding area.</p> <p>The materials used will have a natural product finish ensuring a muted non-reflective appearance of predominantly grey colours which will absorb well against any skyline views.</p> <p>(e) Complies</p> <p>Minor ground works proposed to install the foundation for the tower, access is existing. The works will not result in any excessive changes to the natural landform.</p>
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<p>lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	<p>(f) Complies</p> <p>The structure has been carefully sited and designed to minimise impacts on the environment and visual amenity of the surrounding area. Tall mature vegetation surrounding the site will screen the facility from public viewsheds and will allow only limited view of the upper portion of the structure.</p> <p>The co-location of the proposed structure with the Cow Bay exchange in the existing cleared compound will mitigate the need for communications structures in other areas of high landscape value.</p> <p>(g) Not applicable</p>
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Telecommunications Facilities Code

The purpose of the Telecommunications facility code is to assess the suitability of a telecommunications facility, where not a broadcasting station or television station.

The purpose of the code will be achieved through the following overall outcomes:

- (a) development is provided in a safe manner;
- (b) development provides for the siting or co-location of facilities to minimise adverse impacts on community well-being, visual amenity and the environment.

Performance Outcomes	Acceptable Outcome	Applicant Response
For assessable development		
<p>PO1</p> <p>Development does not cause human exposure to electromagnetic radiation beyond limits outlined in the 'Radio Communications (Electromagnetic Radiation – Human Exposure Standard 2003' and 'Radio Protection Standard for Maximum</p>	<p>AO1</p> <p>Development is designed and operated to restrict human exposure to electromagnetic radiation in accordance with:</p> <p>(a) 'Radio Communications (Electromagnetic Radiation – Human Exposure Standard 2003';</p>	<p>Complies</p> <p>The proposed equipment will operate in accordance with the health and safety mandated standard (RPS-S1) for EMF set by ARPANSA.</p>



Exposure Levels to Radio Frequency Fields' – 3kHz to 300Ghz.	(b) 'Radio Protection Standard for Maximum Exposure Levels to Radio Frequency Fields'.	
If for a telecommunications tower		
PO2 Telecommunication towers are limited to a reasonable height to achieve their coverage objectives while minimising impacts on visual amenity and the character of the area.	AO2.1 The maximum height of the tower is 30 metres; AO2.2 The tower is a colour and width that minimises visual recognition in the landscape	Complies Telecommunications facilities need to be in elevated positions and at heights to ensure reliable coverage. In this instance the proposed 40m structure is at the minimum height required to meet the coverage objectives of the Regional Connectivity Program. The proposal has been carefully sited to reduce skyline intrusion as much as possible. Tall mature vegetation in the surrounding area and the natural topography of the land will provide screening of the facility from public and private views. Residential dwellings are over 90m from the site, and the works will not have an unreasonable impact on these areas.
PO3 Telecommunication towers and associated structures are setback from property boundaries to maintain clear separation to neighbouring properties and roads.	AO3.1 Where telecommunication towers are located near to a sensitive land use, they are setback a minimum of 1:1 (height to the setback of the common boundary). AO3.2 Where telecommunication towers are not located near to a sensitive land use, they are setback a minimum of 6 metres to the common boundary. AO3.3 Telecommunication towers and associated structures are setback from a road frontage to align with the setbacks provided on the adjoining land (if no setback on adjoining land, a minimum of least 6 metres).	Complies. The proposed lattice tower will be adequately distanced from the sensitive uses with a setback of over 90m to the nearest dwelling and will be set back over 6m from the road frontage.
PO4 Development ensures:	AO4.1	Complies. Site fencing to prevent public access is existing and warning



(a) the facility is inaccessible to the general public; and (b) safety and warning signage are displayed where necessary.	To discourage public access, the site is enclosed by a 1.8 metre high black security fence. A04.2 The site is appropriately signed with warning signs	signs will be displayed where necessary.
PO5 Development that is a new telecommunications facility is designed to facilitate co-location.	A05 Development ensures the design facilitates co-masting or co-siting with other carriers.	Complies. The selected site will allow co-siting of the proposed lattice mast with the Telstra Exchange and will have sufficient capacity for other carriers if required in the future.
PO6 Development ensures that the telecommunications facility and associated buildings are adequately screened from the view of any adjoining land use or street.	A06 Development provides a vegetative buffer between buildings and structures and adjoining land uses and the street, consisting of a minimum of two tier planting.	Complies. Tall mature vegetation and the natural topography of the land will provide adequate screening of the facility.
PO7 Adequate access and a vehicle standing area are provided to facilitate the required level of servicing and maintenance.	A07.1 A vehicular driveway of no more than 4 metres in width is provided, which is constructed to provide an all-weather surface and designed to accommodate drainage. A07.2 A vehicle standing area is provided within the fenced site of the facility	Complies. Site access off Buchanan Creek Road is existing and there are adequate stand areas on site. The proposed facility will be unmanned and once installed with require maintenance visits 1-2 timer per year.

Access, Parking and Servicing Code

Performance Outcomes	Acceptable Outcome	Applicant Response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale;	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the	Not applicable. The proposed structure and existing Telstra Exchange Facility is unmanned. Once operation and connected to the network the proposed structure will only require maintenance 1-2 times per year. As such, vehicle parking spaces are not required.



<p>(c) the number of employees and the likely number of visitors to the site;</p> <p>(d) the level of local accessibility;</p> <p>(e) the nature and frequency of any public transport serving the area;</p> <p>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</p> <p>(g) whether or not the use involves a heritage building or place of local significance;</p> <p>(h) whether or not the proposed use involves the retention of significant vegetation.</p>	<p>display of products or rented/sub-leased.</p> <p>AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p>AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking</p>	
<p>PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p>AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.</p>	<p>Not applicable. The proposed structure and existing Telstra Exchange Facility is unmanned. Once operation and connected to the network the proposed structure will only require maintenance 1-2 times per year. As such, vehicle parking spaces are not required.</p>
<p>PO3 Access points are designed and constructed:</p> <p>(a) to operate safely and efficiently;</p> <p>(b) to accommodate the anticipated type and volume of vehicles</p> <p>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</p> <p>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</p> <p>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>(f) so that they do not adversely impact current and future on-street parking arrangements;</p>	<p>AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</p> <p>AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath;</p>	<p>Not applicable. Access to the site off Buchanan Creek Road is existing.</p>



<p>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p> <p>A03.3 Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p>A03.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	
<p>PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>A04 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.</p>
<p>PO5 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>A05 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and</p>



		will only require visits for maintenance 1-2 per year. There is no public access
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	A06 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.
PO7 Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site. 	A07.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); A07.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. A07.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.
PO8 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	A08 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (a) in accordance with relevant standards; (b) so that they do not interfere with the amenity of the surrounding area; 	A09.1 Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2. A09.2 Service and loading areas are contained fully within the site. A09.3	Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.



(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drivethrough facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable. The proposed structure and existing Telstra Exchange Facility are unmanned and will only require visits for maintenance 1-2 per year. There is no public access.

Environmental Performance Code

Performance Outcomes	Acceptable Outcome	Applicant Response
Lighting		
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting. AO1.2	Not applicable. There is no lighting proposed.



	<p>Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.</p> <p>A01.3</p> <p>Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.</p>	
Noise		
<p>P02</p> <p>Potential noise generated from the development is avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>A02.1</p> <p>Development does not involve activities that would cause noise related environmental harm or nuisance;</p> <p>Or</p> <p>A02.2</p> <p>Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p> <p>A02.3</p> <p>The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <ul style="list-style-type: none"> (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. <p>Editor's note - The Environmental Protection (Noise) Policy 2008, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>Complies.</p> <p>There will be no significant noise generated from the proposed lattice tower and associated equipment. The installation works are to be concluded in a timely manner and are well distance from any sensitive uses.</p>
Airborne particles and other emissions		
<p>P03</p> <p>Potential airborne particles and emissions generated from the</p>	<p>A03.1</p> <p>Development does not involve activities that will result in airborne</p>	<p>Not applicable.</p> <p>The proposed structure and associated equipment will</p>



<p>development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>particles or emissions being generated; or A03.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The Environmental Protection (Air) Policy 2008, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>not admit any airborne particles or emissions.</p>
Odours		
<p>PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>A04.1 The development does not involve activities that create odorous emissions; or A04.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Not applicable. The proposed structure and associated equipment will not create odorous emissions.</p>
Waste and recyclable material storage		
<p>PO5 Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code</p>	<p>A05.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p>A05.2 Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; 	<p>Not applicable. No waste or recyclable material will be stored on the site.</p>



	<p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the Environmental Protection (Waste Management) Policy 2008 provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
Sensitive land use activities		
<p>PO6</p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p>AO6.1</p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p>AO6.2</p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p>Not applicable.</p> <p>The proposal is not for a sensitive use.</p>
Stormwater quality		
<p>PO7</p> <p>The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <p>(a) the amount and type of pollutants borne from the activity;</p> <p>(b) maintaining natural stream flows;</p> <p>(c) the amount and type of site disturbance;</p> <p>(d) site management and control measures.</p>	<p>AO7.3</p> <p>Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the Environmental Protection Act 1994. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Not applicable.</p> <p>The proposed structure will not generate any significant stormwater runoff and does not require connection to the stormwater network.</p>
Pest plants (for material change of use on vacant land over 1,000m²)		
PO8	AO8.1	Complies.



<p>Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p>The land is free of declared pest plants before development establishes new buildings, structures and practices; or</p> <p>AO8.2</p> <p>Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants</p>	<p>The site has been cleared of vegetation to allow for the safe and efficient operation of the facility and is well maintained.</p>
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Infrastructure Works Code

Performance Outcomes	Acceptable Outcome	Applicant Response
For assessable development		
Highspeed telecommunication infrastructure		
<p>PO17</p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable.</p> <p>The proposal is for a telecommunications lattice tower and will provide mobile coverage to the area.</p>
Trade waste		
<p>PO18</p> <p>Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:</p> <ul style="list-style-type: none"> (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk. 	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable.</p> <p>The Telstra Exchange facility is existing and there is no storage of trade waste onsite.</p>
Fire services in developments accessed by a common private title		
<p>PO19</p>	<p>AO19.1</p>	<p>Not applicable.</p>



Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground. AO19.2 Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	The proposal is for a lattice tower structure on an existing site used for communications and does not require a fire hydrant.
PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	AO20 No acceptable outcomes are prescribed	Not applicable. The proposal is for a lattice tower structure on an existing site used for communications and does not require a fire hydrant.



7 Conclusion

The proposed 40m Lattice Tower and macro cell base station at Cow Bay will form an integral component in Telstra's national 4G/5G network. The new 4G/5G base station will provide improved mobile connectivity to support the operation of tourism providers and local businesses in a popular tourist location. Increased mobile coverage will also enable efficiencies in council service delivery, access to telehealth and education services, and public safety communications in a cyclone and flood prone region.

The provision of reliable telecommunications to the region is supported by the Federal Government with funding from the State and Federal Governments provided through the Regional Connectivity Program. The proposal will ensure that customers in Cow Bay will have access to reliable mobile phone and mobile broadband services. Better mobile coverage will improve safety and improve day-to-day safety at home and at work.

The design responds to the policy objectives and requirements of the State Planning Policy (SPP) and the Douglas Shire Planning Scheme 2018.

Acquirecomm on behalf of Amplitel, have undertaken an assessment of the relevant matters as required by the *Telecommunications Act 1997*, the *Environment Protection and Biodiversity Conservation Act 1999*, and the *Douglas Shire Planning Scheme 2018*. The proposal is considered appropriate considering the relevant legislative, environmental, technical, radio coverage and public safety requirements.

This assessment demonstrates that the proposal achieves a reasonable balance between the provision of essential telecommunication services and the need to protect the environment from adverse impacts from such development. It is respectfully requested that permission is granted for this permit application.



Appendix A Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21117005	Search Date:	30/08/2022 14:42
Date Title Created:	16/05/1980	Request No:	42122233
Previous Title:	20183080		

ESTATE AND LAND

Estate in Fee Simple

LOT 5 CROWN PLAN BK157130

Local Government: DOUGLAS

For exclusions / reservations for public purposes refer to Plan CP BK157130

REGISTERED OWNER

Dealing No: 700321219 02/11/1994

DENNIS JAMES VERRI

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20183080 (POR 5V)
2. LEASE No 718868327 13/07/2018 at 10:04
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE A ON SP298142
TERM: 01/05/2017 TO 30/04/2027 OPTION NIL
3. LEASE No 718868330 13/07/2018 at 10:05
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE A ON SP298142
TERM: 01/05/2027 TO 30/04/2037 OPTION NIL
4. CAVEAT No 720607787 23/02/2021 at 12:08
VOLT ADVISORY GROUP PTY LTD A.C.N. 637 282 047

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

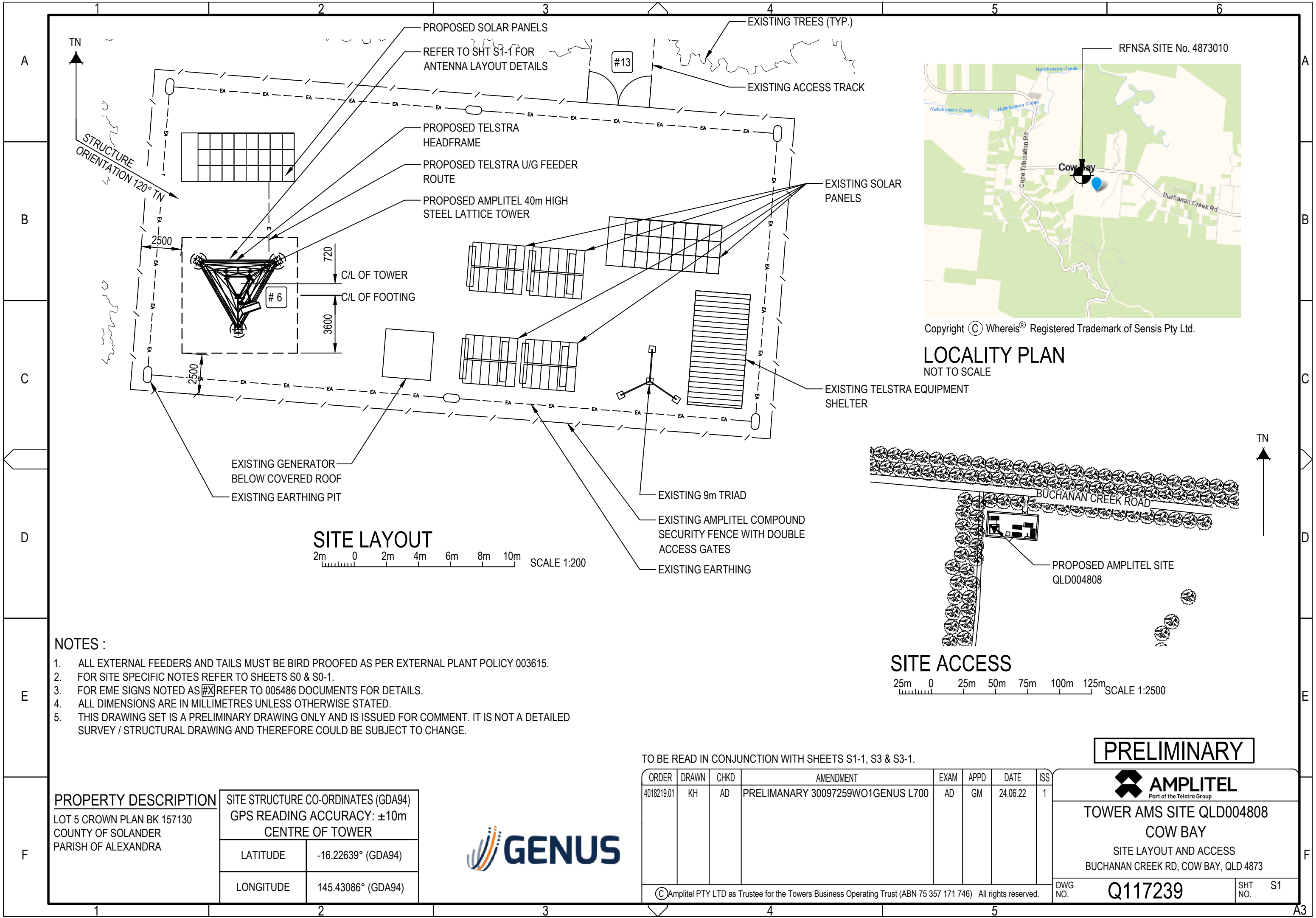
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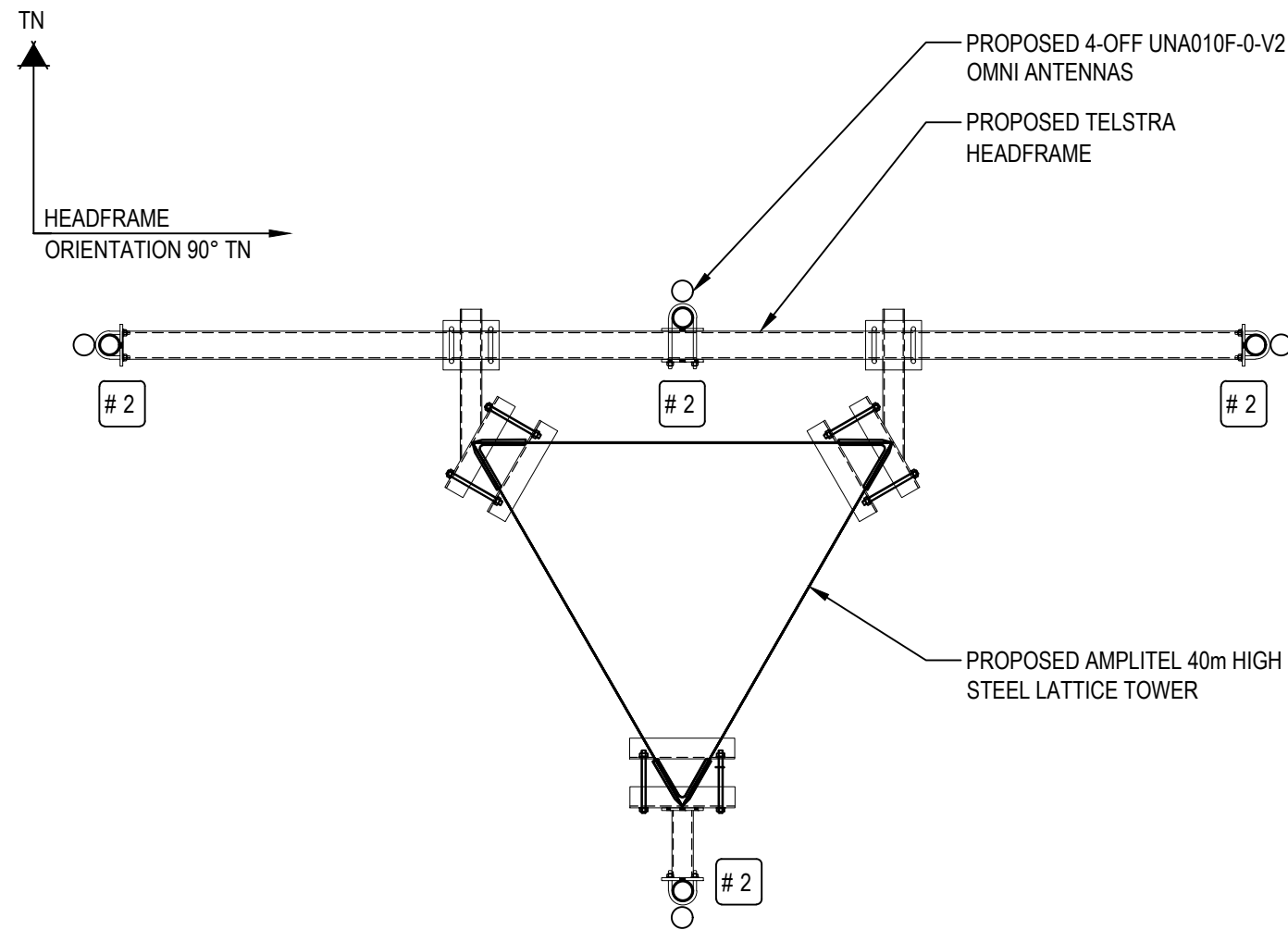
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

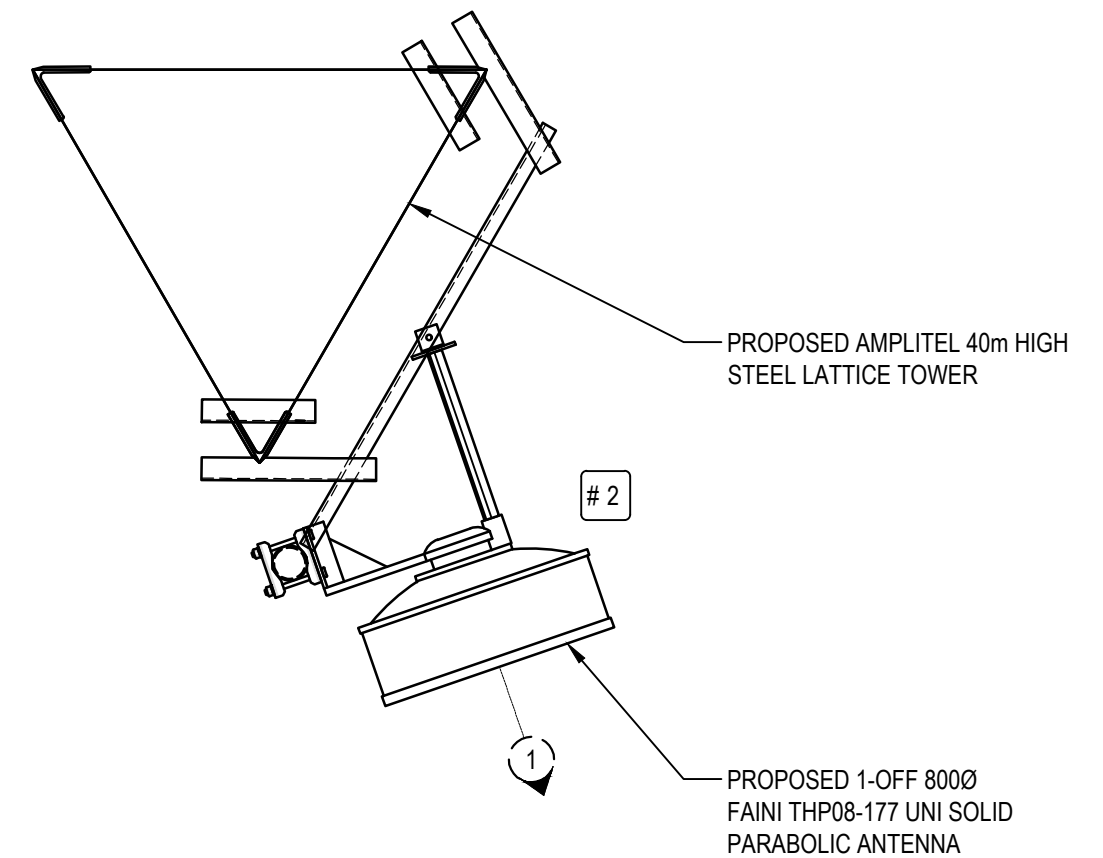
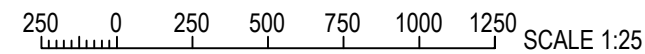


Appendix B Plans and Elevations

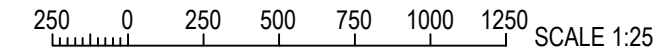




ANTENNA LAYOUT AT 40m



ANTENNA LAYOUT AT 35m



NOTES :

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR SITE SPECIFIC NOTES REFER TO SHEETS S0 & S0-1.
3. FOR EME SIGNS NOTED AS ~~#X~~ REFER TO 005486 DOCUMENTS FOR DETAILS.
4. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
5. 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.



TO BE READ IN CONJUNCTION WITH SHEETS S1, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018219.01	KH	AD	PRELIMINARY	AD	GM	XX.XX.XX	REV
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PRELIMINARY



MOBILE NETWORK SITE 56279
COW BAY
ANTENNA LAYOUT
BUCHANAN CREEK RD, COW BAY, QLD 4873

DWG	NO.
-----	-----

Q117239

SHT NO.	S1
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NOTES :

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR SITE SPECIFIC NOTES REFER TO SHEETS S0 & S0-1.
3. FOR EME SIGNS NOTED AS #X REFER TO 005486 DOCUMENTS FOR DETAILS.
4. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
5. 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.

▽ E.L. 44.00m (±100mm) 66.0m AHD
TOP OF ANTENNA

▽ E.L. 40.50m (±100mm) 62.5m AHD
BASE OF PROPOSED TELSTRA 4-OFF UNA010F-0-V2 OMNI ANTENNAS
C/L PROPOSED TELSTRA 2-OFF TMA2158

▽ E.L. 35.00m (±100mm) 57.0m AHD
C/L PROPOSED TELSTRA 1-OFF 800Ø FAINI THP08-177 UNI SOLID PARABOLIC ANTENNA

PROPOSED INSTALL 4-OFF LCF78-50JA
FEEDER IN CABLE LADDER

PROPOSED SOLAR PANELS

EXISTING TREES (TYP.)

PROPOSED TELSTRA CABINET
AND BATTERY CUBES

PROPOSED TOWER FOOTING
(INDICATIVE ONLY)

PROPOSED AMPLITEL 40m HIGH
STEEL LATTICE TOWER

EXISTING 9m TRIAD (BEHIND)

EXISTING SOLAR
PANELS (BEHIND)

EXISTING EQUIPMENT SHELTER
(BEHIND)

▽ E.L. 0.00m (±100mm) 22.0m AHD
GROUND LEVEL

WEST ELEVATION

2m 0 2m 4m 6m 8m 10m SCALE 1:200



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018219.01	KH	AD	PRELIMINARY 30097259WO1GENUS L700	AD	GM	24.06.22	1

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PRELIMINARY



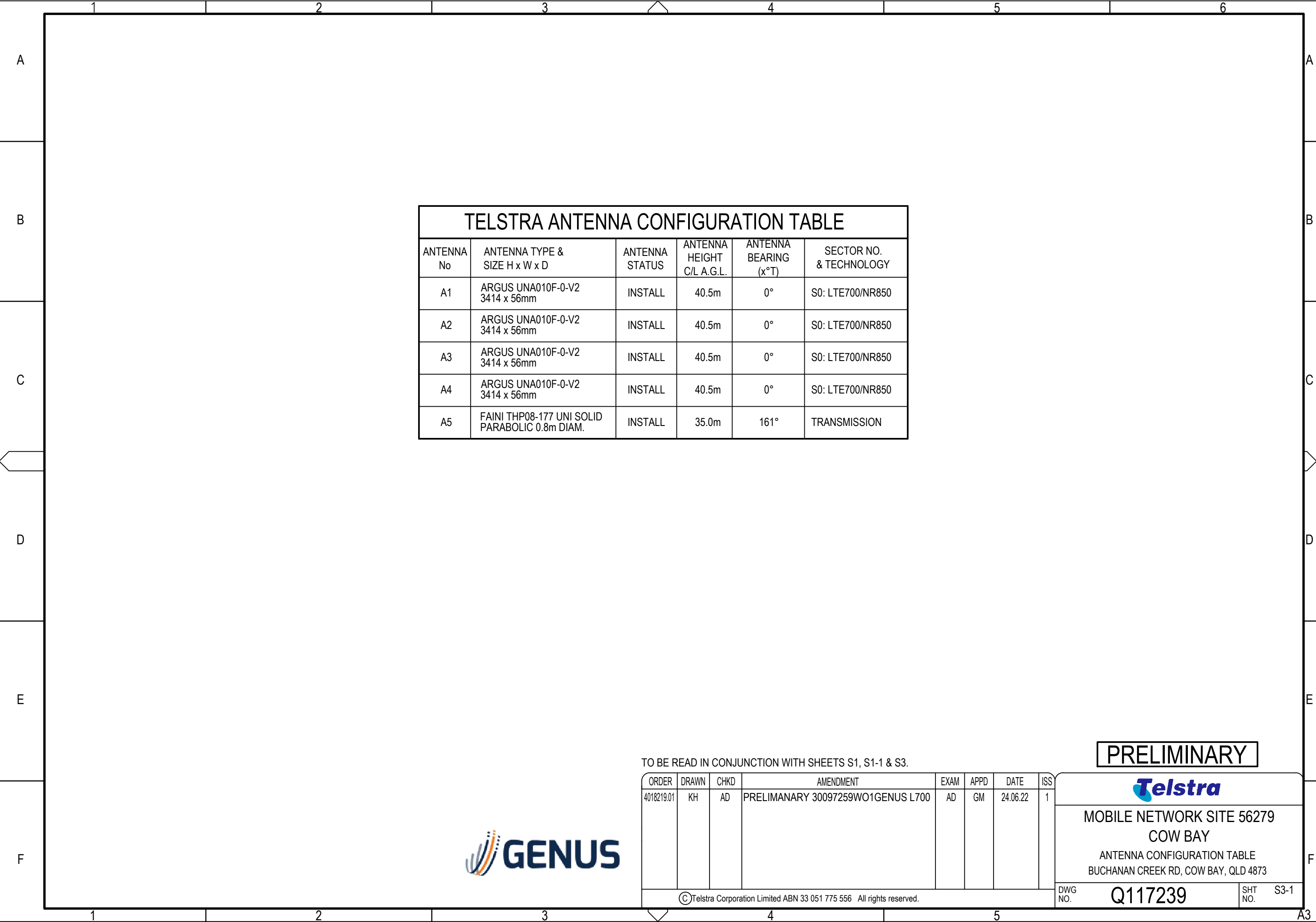
TOWER AMS SITE QLD004808
COW BAY
SITE ELEVATION
BUCHANAN CREEK RD, COW BAY, QLD 4873

DWG
NO.

Q117239

SHT
NO.

S3



TELSTRA ANTENNA CONFIGURATION TABLE					
ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA STATUS	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	ARGUS UNA010F-0-V2 3414 x 56mm	INSTALL	40.5m	0°	S0: LTE700/NR850
A2	ARGUS UNA010F-0-V2 3414 x 56mm	INSTALL	40.5m	0°	S0: LTE700/NR850
A3	ARGUS UNA010F-0-V2 3414 x 56mm	INSTALL	40.5m	0°	S0: LTE700/NR850
A4	ARGUS UNA010F-0-V2 3414 x 56mm	INSTALL	40.5m	0°	S0: LTE700/NR850
A5	FAINI THP08-177 UNI SOLID PARABOLIC 0.8m DIAM.	INSTALL	35.0m	161°	TRANSMISSION



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018219.01	KH	AD	PRELIMINARY 30097259WO1GENUS L700	AD	GM	24.06.22	1

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PRELIMINARY



MOBILE NETWORK SITE 56279
COW BAY
ANTENNA CONFIGURATION TABLE
BUCHANAN CREEK RD, COW BAY, QLD 4873

DWG NO.

Q117239

SHT NO.

S3-1



Appendix C EME Report

Environmental EME Report

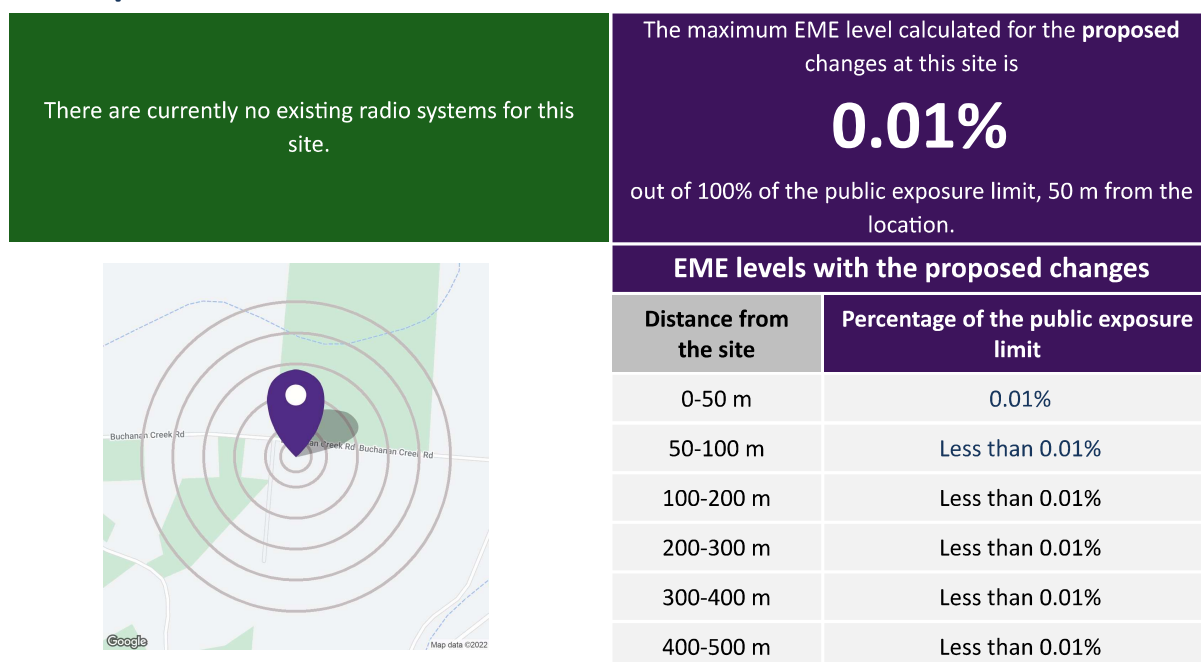
Location	LOT Plan 157130 BUCHANAN CREEK RD, COW BAY QLD 4873		
Date	08/08/2022	RFNSA No.	4873010

How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at LOT Plan 157130 BUCHANAN CREEK RD, COW BAY QLD 4873. These levels have been calculated by Ericsson using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). A document describing how to interpret this report is available at ARPANSA's website:

[A Guide to the Environmental Report.](#)

A snapshot of calculated EME levels at this site



For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/4873010>.

Radio systems at the site

This base station currently has equipment for transmitting the services listed under the existing configuration. The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
Telstra			4G, 5G	LTE700 (proposed), NR850 (proposed)

An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
0-50m				0.41	0.45	0.01%
50-100m				0.39	0.40	Less than 0.01%
100-200m				0.20	0.11	Less than 0.01%
200-300m				0.13	0.05	Less than 0.01%
300-400m				0.27	0.19	Less than 0.01%
400-500m				0.31	0.25	Less than 0.01%

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2020](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
Daintree Crocodylus	1-3 m	0.35	0.33	Less than 0.01%



Appendix D Deployment Code

Issue Date	24/10/2022	Carrier	Telstra	Site Name	Cow Bay 174 Buchanan Creek Road, Cow Bay QLD 4873	RFNSA No.	4873010
Description of Infrastructure	<p>The proposed development at 174 Buchanan Creek Road, Cow Bay QLD 4873 is driven by the Federal Government funded Regional Connectivity Program and comprises the following:</p> <ul style="list-style-type: none"> ➤ The construction of a new 40m Triangular Lattice Tower. ➤ The attachment to the top of the tower of a Telstra headframe accommodating four (4) omni antennas, and two (2) tower mounted amplifiers, giving a total structure height of 44m. ➤ The antennas will provide 4G and 5G telecommunications via LTE700 and NR850 technologies. ➤ The installation of (1) FAINI THP08-177 UNI 0.8m Solid Parabolic Antenna at 35m. ➤ The installation of (1) Solar Panel Array. ➤ The reuse of the existing Telstra exchange shelter to house electrical equipment associated with the facility. ➤ The use of existing access conditions. 						
Section No.	Industry Code C564:2020 Requirement		Carrier Comments				
	For each site the Carrier must have regard to:						

4.1.3	For new sites, once the preferred option has been selected, the Carrier must make available to the public on request the summary of the sites considered and the reasons for the selection of the preferred option.	In this instance, the preferred option is a new site. A summary of all the sites considered is included in the planning assessment report and this summary is available to all members of the public on request.
4.1.5 (a)	The reasonable service objectives of the carrier including (i) the area the planned service must cover (ii) power levels needed to provide quality of service (iii) the amount of usage the planned service must handle	<p>i) The area to be covered is the area of Cow Bay and surrounding area.</p> <p>ii) The transmit power settings at this facility will be set to accomplish the desired coverage, capacity and call quality within the areas listed above. The specifications provide for the ability for the facility to reduce the transmitting power to each user based on the radio environment.</p> <p>iii) This site is a regional site providing improved coverage, call quality and capacity. The proposed facility will offer enhanced service to the region, particularly during peak holiday periods and times of emergency.</p>
4.1.5 (b)	Minimisation of EMR exposure to public	<p>This facility is designed and will be installed in accordance with relevant regulations relating to exposure to EME.</p> <p>The environmental EME level is minimised through radio network design. Adaptive power control is the network feature that automatically adjusts the power and hence minimises EME from both the base station and the handset. Another feature, called discontinuous transmission, reduces EME emissions by automatically switching the transmitter off when no speech or data is sent.</p> <p>The site has been designed to restrict public access to any areas that exceed the general public exposure limits.</p>

Section No.	Industry Code C564:2020 Requirement For each site the Carrier must have regard to:	Prompt/Question
4.1.5 (c)	The likelihood of an area being a community sensitive location.	<p>A review of community sensitive locations both at and surrounding the site has been undertaken as part of the site selection process. This assessment takes into account the environmental and community issues that have been identified.</p> <p>The likelihood of the area being a community sensitive location is considered low. The site is in a conservation, tourist area. The closest dwellings will receive the benefit from the facility and are adequately distanced from the site.</p>
4.1.5 (d)	The objective of avoiding community sensitive locations	<p>Telstra seeks to avoid community sensitive locations when siting new telecommunications facilities.</p> <p>Telstra has selected a site that is located on an existing site currently used for telecommunications with visual mitigation from surrounding vegetation.</p>
4.1.5 (e)	Relevant state and local government telecommunications planning policies	The proposed facility requires a planning permit pursuant to the Douglas Shire Planning Scheme. All relevant state and local planning policies have been considered and addressed as part of the permit submission to Council.
4.1.5 (f)	The outcomes of consultation processes with Councils and Interested and Affected parties as set out in Section 6.7	Assessment will be conducted by Douglas Shire Council in accordance with the Planning and Environment Act 1987. Telstra will also undertake consultation and notification with surrounding landowners.
4.1.5 (g)	The heritage significance (built, cultural and natural)	<p>A review of the heritage significance both at and around the site has been undertaken as part of the site assessment process. This assessment has taken in to account any built, cultural and natural factors that have been identified.</p> <p>The proposed site is not located in a heritage precinct and is not heritage listed.</p>

		The site is not in an area of aboriginal cultural sensitivity.
4.1.5 (h)	The physical characteristics of the locality including elevation and terrain	<p>The physical characteristics of the proposed site have been considered including the elevation and terrain.</p> <ul style="list-style-type: none"> • The terrain is undulating and at a modest elevation. • This site maximises the RF performance by utilising a 40m Lattice Tower with Omni Antennas, which will ensure coverage objectives are met. • The facility requires the installation of an underground electrical feed route approx. 5m from the solar panels array to the lattice tower.
4.1.5 (i)	The availability of land and public utilities	There are no appropriate public utilities within the area and as such, a new tower site is required in this area. There are no low-impact solutions.
4.1.5 (j)	The availability of transmission to connect the radiocommunications infrastructure with the rest of the network, e.g. line of sight for microwave transmission	The proposed site will utilise radio transmission.
4.1.5 (k)	The radiofrequency interference the planned service may cause to other services	<p>Radio propagation analysis has been used to select appropriate antenna tilts to meet the requirements for coverage from the facility, while minimising interference to the existing network.</p> <p>Due consideration has been given to control interference to other services, for example:</p> <ul style="list-style-type: none"> - Transmitters are designed to comply with ACMA regulations which minimise spurious interference to other services. - Sufficient antenna separation is maintained at co-located sites. - Detailed RF modelling has been performed to ensure that

		interference into other services (such as domestic electrical equipment, medical equipment and fuel/explosive stores etc) is within acceptable limits.
4.1.5 (l)	The radiofrequency interference the planned service could experience at that location from other services or sources of radio emissions	Radio propagation analysis has been used to ensure the new facility can be integrated with the existing network while minimising the interference to the new facility.
4.1.5 (m)	Any obligations, and opportunities, to co-locate facilities	Desktop studies of the area and an actual site assessment has been undertaken. All existing infrastructure were considered as part of this study. However, no suitable opportunities for colocation were identified.
4.1.5 (n)	Cost factors	Preliminary costing of the proposed facility has been undertaken. The costs are considered to be reasonable.

Precautionary Approach Checklist – Infrastructure Design (Code Ref 4.2)



Issue Date	24/10/2022	Carrier	Telstra	Location	Cow Bay 174 Buchanan Creek Road, Cow Bay QLD 4873
Description of Infrastructure	<p>The proposed development at 174 Buchanan Creek Road, Cow Bay QLD 4873 is driven by the Federal Government funded Regional Connectivity Program and comprises the following:</p> <ul style="list-style-type: none"> ➤ The construction of a new 40m Triangular Lattice Tower. ➤ The attachment to the top of the tower of a Telstra headframe accommodating four (4) omni antennas, and two (2) tower mounted amplifiers, giving a total structure height of 44m. ➤ The antennas will provide 4G and 5G telecommunications via LTE700 and NR850 technologies. ➤ The installation of (1) FAINI THP08-177 UNI 0.8m Solid Parabolic Antenna at 35m. ➤ The installation of (1) Solar Panel Array. ➤ The reuse of the existing Telstra exchange shelter to house electrical equipment associated with the facility. ➤ The use of existing access conditions. 				

4.2 Application of Precautionary Approach to Infrastructure Design

Section No.	Industry Code C564:2020 Requirement	Comments on how the Carrier has had regard to each item
	For each site the Carrier must have regard to:	
4.2.3 (a)	the reason for the installation of the infrastructure considering – coverage, capacity and quality	This facility is intended to improve mobile network depth of coverage and service quality to Cow Bay and the surrounding area.
4.2.3 (b)	the positioning of antennas to minimise obstruction of radio signals	The antennas will be located at the most appropriate location to minimize the obstruction of radio signals and to also meet the objectives outlined in Section No 4.2.3 (a)
4.2.3 (c)	the objective of restricting access to areas where	This facility is designed and will be installed in accordance

Precautionary Approach Checklist – Infrastructure Design (Code Ref 4.2)



	RF exposure may exceed limits of the EMR standard	with Telstra document 005486_to restrict public access to any areas that exceed the general public EME exposure limits.
4.2.3 (d)	the type and features of the infrastructure that are required to meet service needs including: (i) the need for macro, micro or pico cells; and (ii) the need for directional or non-directional antennas	This utility consists of a macro cell utilizing omni antennas to meet the objectives outlined in Section No 4.2.3 (a)
4.2.3 (e)	the objective of minimising power whilst meeting service objectives	The transmit power settings at this facility will be set to accomplish the desired coverage, capacity and call quality within the area listed in 4.2.3 (a). The Over the Air specifications provide for the ability for the facility to reduce the transmitting power to each user based on the radio environment.
4.2.3 (f)	whether the costs of achieving this objective are reasonable	Telstra has undertaken preliminary costing of this proposed facility and are of the opinion that the costs involved are reasonable.
4.2.5	Site EMR assessments for Mobile Phone Radiocommunication Infrastructure must be made in accordance with the ARPANSA prediction methodology and report format (see Appendix B – Additional Design Information and Appendix C – ARPANSA EME Report Format)	EMR assessment in accordance with ARPANSA has been completed and is held within the MCF National Site Archive.



Appendix E EPBC Report



EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 13/01/22 14:01:42

[Summary](#)

[Details](#)

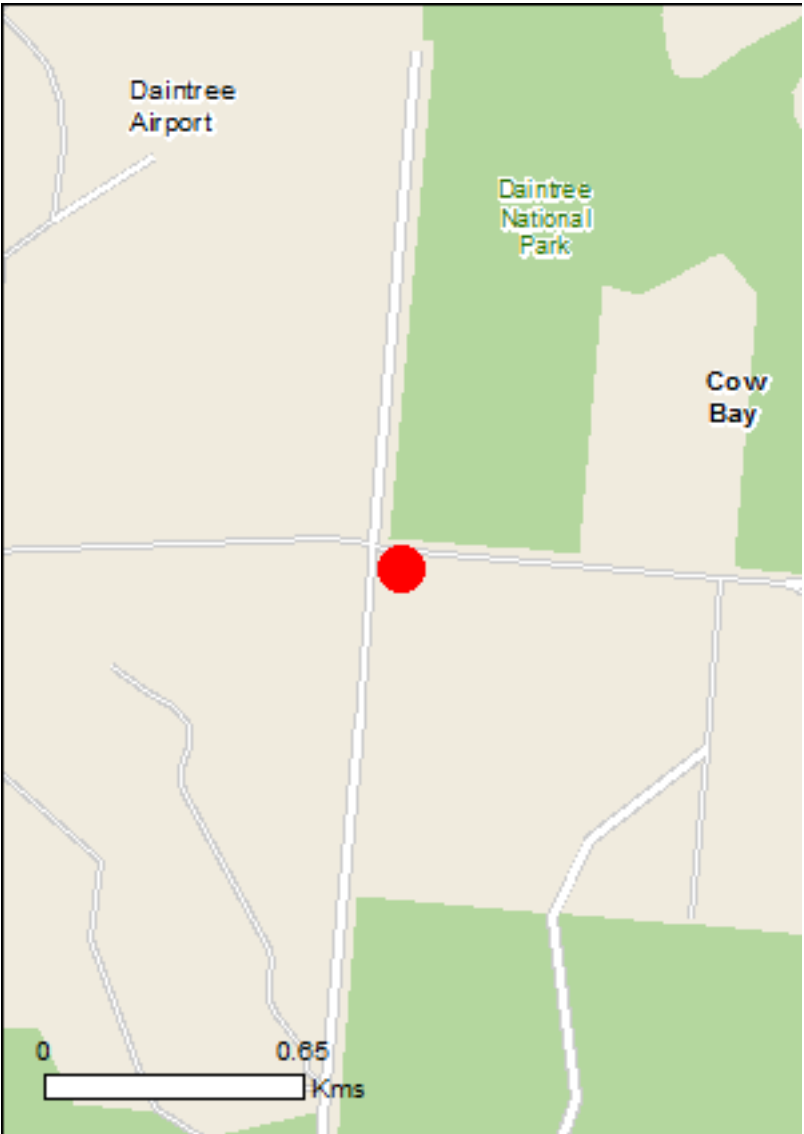
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

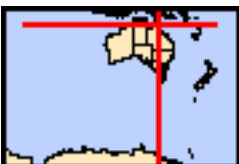
[Acknowledgements](#)



This map may contain data which are
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[Coordinates](#)

[Buffer: 0.0Km](#)



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	1
Listed Threatened Species:	37
Listed Migratory Species:	20

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	None
Commonwealth Heritage Places:	None
Listed Marine Species:	25
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	None
Regional Forest Agreements:	None
Invasive Species:	21
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Listed Threatened Ecological Communities

[Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Lowland tropical rainforest of the Wet Tropics	Endangered	Community likely to occur within area

Listed Threatened Species

[Resource Information]

Name	Status	Type of Presence
Birds		

Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
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Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
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Casuarius casuarius johnsonii Southern Cassowary, Australian Cassowary, Double-wattled Cassowary [25986]	Endangered	Species or species habitat known to occur within area
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Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area
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Erythrotriorchis radiatus Red Goshawk [942]	Vulnerable	Species or species habitat likely to occur within area
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Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species habitat may occur within area
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Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
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Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
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Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
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Tyto novaehollandiae kimberli Masked Owl (northern) [26048]	Vulnerable	Species or species habitat likely to occur within area
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Fish		
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Name	Status	Type of Presence
Stiphodon semoni Opal Cling Goby [83909]	Critically Endangered	Species or species habitat may occur within area
Frogs		
Litoria dayi Australian Lace-lid, Lace-eyed Tree Frog, Day's Big-eyed Treefrog [86707]	Vulnerable	Species or species habitat likely to occur within area
Mammals		
Dasyurus hallucatus Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu] [331]	Endangered	Species or species habitat likely to occur within area
Dasyurus maculatus gracilis Spotted-tailed Quoll (North Queensland), Yarri [64475]	Endangered	Species or species habitat may occur within area
Hipposideros semoni Semon's Leaf-nosed Bat, Greater Wart-nosed Horseshoe-bat [180]	Vulnerable	Species or species habitat may occur within area
Macroderma gigas Ghost Bat [174]	Vulnerable	Species or species habitat likely to occur within area
Mesembriomys gouldii rattoides Black-footed Tree-rat (north Queensland), Shaggy Rabbit-rat [87620]	Vulnerable	Species or species habitat may occur within area
Phascolarctos cinereus (combined populations of Qld, NSW and the ACT) Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat may occur within area
Pteropus conspicillatus Spectacled Flying-fox [185]	Endangered	Species or species habitat known to occur within area
Rhinolophus robertsi Large-eared Horseshoe Bat, Greater Large-eared Horseshoe Bat [87639]	Vulnerable	Species or species habitat likely to occur within area
Saccolaimus saccolaimus nudicluniatus Bare-rumped Sheath-tailed Bat, Bare-rumped Sheathtail Bat [66889]	Vulnerable	Species or species habitat likely to occur within area
Plants		
Acriopsis emarginata Pale Chandelier Orchid [83928]	Vulnerable	Species or species habitat likely to occur within area
Actephila foetida [12078]	Vulnerable	Species or species habitat likely to occur within area
Asplenium wildii [19154]	Vulnerable	Species or species habitat likely to occur within area
Carronia pedicellata [24178]	Endangered	Species or species habitat likely to occur within area
Chingia australis [24603]	Endangered	Species or species habitat likely to occur within area
Cyclophyllum costatum a shrub [82770]	Vulnerable	Species or species habitat may occur within area
Dendrobium nindii an orchid [11289]	Endangered	Species or species

Name	Status	Type of Presence
		habitat may occur within area
Endiandra cooperana [52889]	Endangered	Species or species habitat may occur within area
Myrmecodia beccarii Ant Plant [11852]	Vulnerable	Species or species habitat likely to occur within area
Phaius australis Lesser Swamp-orchid [5872]	Endangered	Species or species habitat may occur within area
Phaius pictus [22564]	Vulnerable	Species or species habitat likely to occur within area
Phlegmariurus dalhousieanus BlueTassel-fern [86550]	Endangered	Species or species habitat likely to occur within area
Polyphlebium endlicherianum Middle Filmy Fern [87494]	Endangered	Species or species habitat likely to occur within area
Ristantia gouldii [18776]	Vulnerable	Species or species habitat likely to occur within area
Vappodes phalaenopsis Cooktown Orchid [78894]	Vulnerable	Species or species habitat may occur within area

Reptiles		
Egernia rugosa Yakka Skink [1420]	Vulnerable	Species or species habitat may occur within area

Listed Migratory Species

[Resource Information]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Marine Species		
Crocodylus porosus Salt-water Crocodile, Estuarine Crocodile [1774]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
Cecropis daurica Red-rumped Swallow [80610]		Species or species habitat known to occur within area
Cuculus optatus Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat known to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Hirundo rustica Barn Swallow [662]		Species or species habitat known to occur within area
Monarcha frater Black-winged Monarch [607]		Species or species

Name	Threatened	Type of Presence
Monarcha melanopsis Black-faced Monarch [609]		habitat may occur within area Species or species habitat likely to occur within area
Monarcha trivirgatus Spectacled Monarch [610]		Species or species habitat known to occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat likely to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area

Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area

Other Matters Protected by the EPBC Act

Listed Marine Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Anseranas semipalmata Magpie Goose [978]		Species or species

Name	Threatened	Type of Presence
Apus pacificus Fork-tailed Swift [678]		habitat may occur within area
Ardea ibis Cattle Egret [59542]		Species or species habitat likely to occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]		Species or species habitat likely to occur within area
Chrysococcyx osculans Black-eared Cuckoo [705]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat likely to occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat likely to occur within area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat known to occur within area
Hirundo daurica Red-rumped Swallow [59480]	Vulnerable	Species or species habitat known to occur within area
Hirundo rustica Barn Swallow [662]		Species or species habitat known to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Monarcha frater Black-winged Monarch [607]		Species or species habitat may occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat likely to occur within area
Monarcha trivirgatus Spectacled Monarch [610]		Species or species habitat known to occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat likely to occur

Name	Threatened	Type of Presence
		within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat likely to occur within area

Reptiles	
Crocodylus porosus	
Salt-water Crocodile, Estuarine Crocodile [1774]	Species or species habitat likely to occur within area

Extra Information

Invasive Species	[Resource Information]
Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resouces Audit, 2001.	

Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Lonchura punctulata Nutmeg Mannikin [399]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area

Frogs

Name	Status	Type of Presence
Rhinella marina Cane Toad [83218]		Species or species habitat known to occur within area
Mammals		
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Plants		
Annona glabra Pond Apple, Pond-apple Tree, Alligator Apple, Bullock's Heart, Cherimoya, Monkey Apple, Bobwood, Corkwood [6311] Cenchrus ciliaris Buffel-grass, Black Buffel-grass [20213]		Species or species habitat likely to occur within area
Cryptostegia grandiflora Rubber Vine, Rubbervine, India Rubber Vine, India Rubbervine, Palay Rubbervine, Purple Allamanda [18913] Hymenachne amplexicaulis Hymenachne, Olive Hymenachne, Water Stargrass, West Indian Grass, West Indian Marsh Grass [31754]		Species or species habitat likely to occur within area
Lantana camara Lantana, Common Lantana, Kamara Lantana, Large-leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892] Parthenium hysterophorus Parthenium Weed, Bitter Weed, Carrot Grass, False Ragweed [19566]		Species or species habitat likely to occur within area
Salvinia molesta Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]		Species or species habitat likely to occur within area
Reptiles		
Hemidactylus frenatus Asian House Gecko [1708]		Species or species habitat likely to occur within area
Ramphotyphlops braminus Flowerpot Blind Snake, Brahminy Blind Snake, Cacing Besi [1258]		Species or species habitat may occur within area

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-16.22638 145.43086

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [-Museum Victoria](#)
- [-Australian Museum](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-Royal Botanic Gardens and National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

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Appendix F Cultural Heritage and Register Search Report

Cultural Heritage Database and Register Search Report

Search report reference number: 119212

The Aboriginal and Torres Strait Islander Cultural Heritage Database (cultural heritage database) and Aboriginal and Torres Strait Islander Cultural Heritage Register (cultural heritage register) have been searched in accordance with the location description provided, and the results are set out in this report.

The cultural heritage database is intended to be a research and planning tool to help Aboriginal and Torres Strait Islander parties, researchers, and other persons in their consideration of the cultural heritage values of particular areas.

The cultural heritage register is intended to be a depository for information for consideration for land use and land use planning, and a research and planning tool to help people in their consideration of the Aboriginal cultural heritage values of particular objects and areas.

Aboriginal or Torres Strait Islander cultural heritage which may exist within the search area is protected under the [Aboriginal Cultural Heritage Act 2003](#) and the [Torres Strait Islander Cultural Heritage Act 2003](#) (the Cultural Heritage Acts), even if the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (the Department) has no records relating to it.

The placing of information on the database is not intended to be conclusive about whether the information is up-to-date, comprehensive or otherwise accurate.

Under the Cultural Heritage Acts, a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal or Torres Strait Islander cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located on private land.

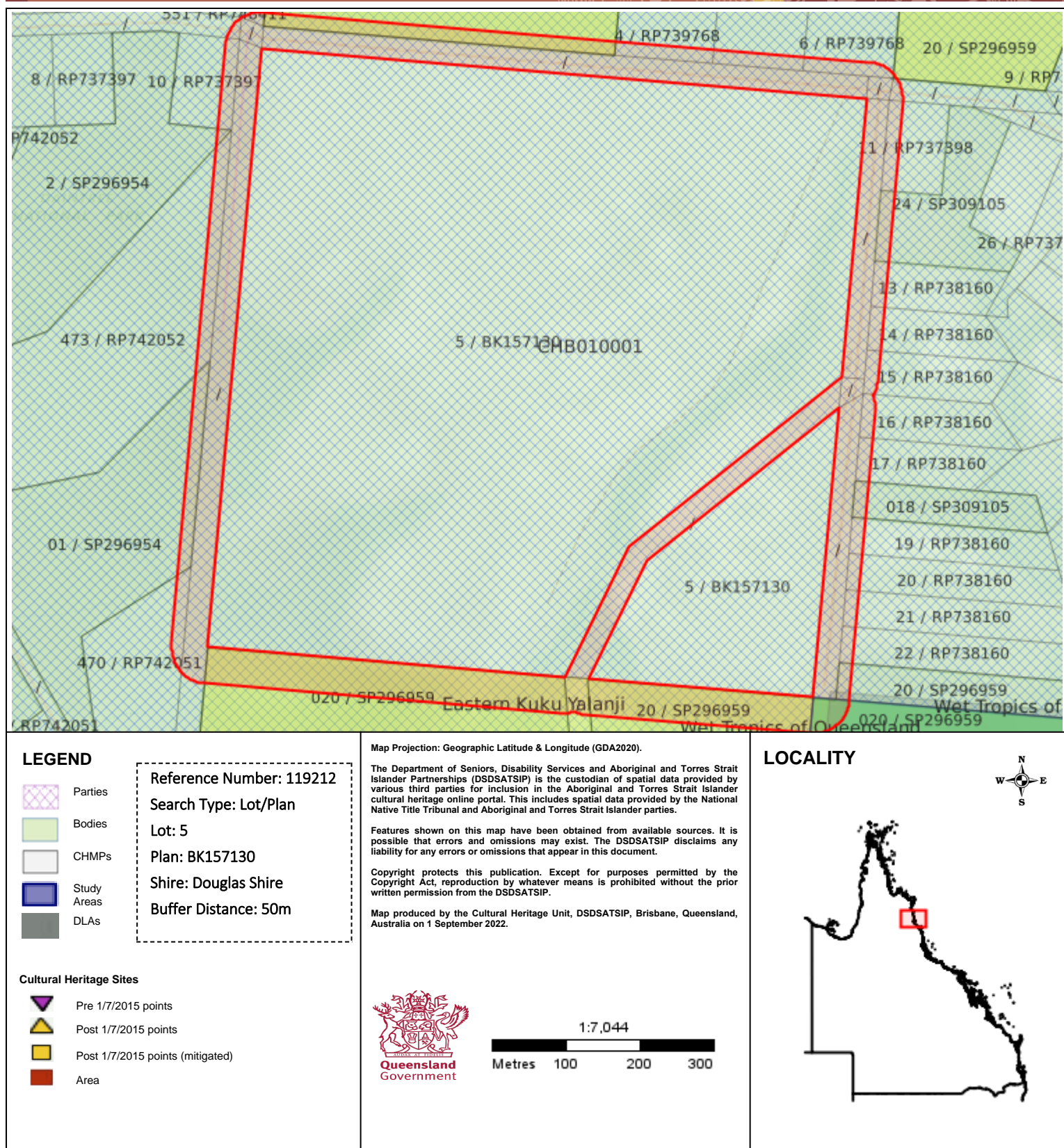
Please refer to the Department website <https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care> to obtain a copy of the gazetted Cultural Heritage Duty of Care Guidelines, which set out reasonable and practicable measure for meeting the cultural heritage duty of care.

In order to meet your duty of care, any land-use activity within the vicinity of recorded cultural heritage should not proceed without the agreement of the Aboriginal or Torres Strait Islander Party for the area, or by developing a Cultural Heritage Management Plan under Part 7 of the Cultural Heritage Acts.

The extent to which the person has complied with Cultural Heritage Duty of Care Guidelines and the extent the person consulted Aboriginal or Torres Strait Islander Parties about carrying out the activity – and the results of the consultation – are factors a court may consider when determining if a land user has complied with the cultural heritage duty of care.

Should you have any further queries, please do not hesitate to contact the department via email: cultural.heritage@dssdsatsip.qld.gov.au or telephone: 1300 378 401.

Cultural Heritage Database and Register Search Report



Cultural Heritage Database and Register Search Report

There are no Aboriginal or Torres Strait Islander cultural heritage site points recorded in your specific search area.

There are no Aboriginal or Torres Strait Islander cultural heritage site polygons recorded in your specific search area.

Cultural Heritage Party/ies for the area:

Reference No.	Federal Court No.	Party Name	Contact Details
QC2014/008	QUD673/2014	Cape York United Number 1 Claim	Cape York United Number 1 Claim c/ - Cape York Land Council PO Box 2496 CAIRNS QLD 4870 Phone: (07) 4053 9222 Freecall: 1800 623 548 Email: info@cylc.org.au

Cultural Heritage Body/ies for the area:

Departmental Reference No.	Body Name	Contact Details	Registration Date
CHB010001	Jabalbina Yalanji Aboriginal Corporation RNTBC	Jabalbina Yalanji Aboriginal Corporation RNTBC PO Box 463 MOSSMAN QLD 4873 Phone: (07) 4098 3552 Email: admin@jabalbina.com.au	No Date

There are no Cultural Heritage Management Plans recorded in your specific search area.

There are no Designated Landscape Areas (DLA) recorded in your specific search area.

There are no Registered Cultural Heritage Study Areas recorded in your specific search area.

National Heritage Areas (Indigenous values) for the area:

Place ID	Name
106008	Wet Tropics World Heritage Area (Indigenous Values)

Cultural Heritage Database and Register Search Report

Heritage Related Areas (QLD Subset) for the area:

Data Source	Name
Indigenous Protected Areas	Eastern Kuku Yalanji
National Heritage Areas	Wet Tropics of Queensland
World Heritage Areas	Wet Tropics of Queensland

Indigenous Protected Areas: Areas of land and sea managed by Indigenous groups as protected areas for biodiversity conservation through voluntary agreements with the Australian Government. For further information about IPAs visit <https://www.environment.gov.au/land/indigenous-protected-areas>

National Heritage Areas(Indigenous values): Places listed on the National Heritage areas (Indigenous values) are recognised for their outstanding indigenous cultural heritage significance to Australia and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. These areas are now included in the cultural heritage register.

World Heritage Areas: Places inscribed on the World Heritage List pursuant to the World Heritage Convention adopted by the United Nations Education, Scientific and Cultural Organisation (UNESCO) and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. For further information about World Heritage places in Queensland visit <https://parks.des.qld.gov.au/management/managed-areas/world-heritage-areas>

Cultural Heritage Database and Register Search Report

Glossary

Cultural Heritage Body: An entity registered under Part 4 of the Cultural Heritage Acts as an Aboriginal or Torres Strait Islander cultural heritage body for an area. The purpose of a cultural heritage body is to:

- identify the Aboriginal or Torres Strait Islander parties for an area
- serve as the first point of contact for cultural heritage matters.

Cultural Heritage Management Plan (CHMP): An agreement between a land user (sponsor) and Traditional Owners (endorsed party) developed under Part 7 of the Cultural Heritage Acts. The CHMP explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage.

Cultural Heritage Party: Refers to a native title party for an area. A native title party is defined as:

- Registered native title holders (where native title has been recognised by the Federal Court of Australia).
- Registered native title claimants (whose native title claims are currently before the Federal Court of Australia).
- Previously registered native title claimants (the 'last claim standing') are native title claims that are no longer active and have been removed from the Register of Native Title Claims administered by the National Native Title Tribunal. Previously registered native title claimants will continue to be the native title party for that area providing:
 - o there is no other registered native title claimant for the area; and
 - o there is not, and never has been, a registered native title holder for the area.

The native title party maintains this status within the external boundaries of the claim even if native title has been extinguished.

Cultural heritage site points (pre 2015): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **before** 1 July 2015.

Cultural heritage site points (post 2015): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **after** 1 July 2015.

Cultural heritage site points (post 2015 mitigated): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data after 1 July 2015 where the recorder has advised the department that the site has been mitigated.

Cultural heritage site polygons: Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as a polygon.

Designated Landscape Areas (DLA): Under the repealed *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, an area was declared a 'designated landscape area' (DLA) if it was deemed necessary or desirable for it to be preserved or to regulate access.

Indigenous Protected Areas (IPA): Areas of land and sea managed by Indigenous groups as protected areas for biodiversity conservation through voluntary agreements with the Australian Government. For further information about IPAs visit <https://www.environment.gov.au/land/indigenous-protected-areas>

National Heritage Areas (Indigenous values): Places listed on the National Heritage List for their outstanding heritage significance to Australia and are protected under the Environment Protection and Biodiversity Conservation Act 1999. For further information about the National Heritage List visit <https://www.environment.gov.au/heritage/about/national>

Registered Cultural Heritage Study Areas: Comprehensive studies of Aboriginal and or Torres Strait Islander cultural heritage in an area conducted under Part 6 of the Cultural Heritage Acts for the purpose of recording the findings of

Cultural Heritage Database and Register Search Report

the study on the register.

Traditional Use of Marine Resources Agreement (TUMRA): Areas subject to agreement between Great Barrier Reef Traditional Owners and the Australian and Queensland governments on the management of traditional use activities on their sea country. For further information about TUMRAs visit <https://www.gbrmpa.gov.au/our-partners/traditional-owners/traditional-use-of-marine-resources-agreements>

World Heritage Areas: Places inscribed on the World Heritage List pursuant to the World Heritage Convention adopted by the United Nations Education, Scientific and Cultural Organisation (UNESCO) and are protected under the [Environment Protection and Biodiversity Conservation Act 1999](#). For further information about World Heritage places in Queensland visit <https://parks.des.qld.gov.au/management/managed-areas/world-heritage-areas>

Disclaimer: *The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is the custodian of spatial data and information provided by various third parties for inclusion in the Aboriginal and Torres Strait Islander cultural heritage online portal. This includes spatial data provided by the National Native Title Tribunal and Aboriginal and Torres Strait Islander parties. Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is not responsible for the accuracy of information provided by third parties or any errors in this search report arising from such information.*

24th October, 2022

Emily Wardlaw
Acquirecomm Pty Ltd
PO Box 586
ELSTERNWICK VIC 3185

Via email: emily@acquirecomm.com.au

Dear Ms Wardlaw,

RE: Written consent to lodge a planning permit application in relation to upgrade works to the existing Telecommunications Facility at Lot 5 Crown Plan BK157130, Buchanan Creek Road, Cow Bay QLD 4873.

In relation to your request for written consent to lodge a planning permit application at the above-mentioned address, I confirm the following:

- I am the land owner of the property.
- I consent to the application being made by Amplitel Pty Ltd C/- Acquirecomm Pty Ltd on the premises described above for the purpose of a Material Change of Use for a Telecommunications Facility.

Yours sincerely,



Dennis James Verri,
Land Owner.

Mobile: 0419 966 115

Email: dandcverri@bigpond.com