

Department of
State Development,
Manufacturing,
Infrastructure and Planning

Our reference: 1906-11852 SPL

Your reference: B8857

5 July 2019

Optus Mobiles Pty Ltd C/- Metasite Pty Ltd PO Box 31 CROWS NEST NSW 1585 joel.stuart@metasite.com.au

Attention: Joel Stuart

Dear Sir/Madam

# Pre-lodgement advice

Thank you for your correspondence received on 25 June 2019 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

# Reference information

Departmental role: Referral agency (if applicable)

Departmental jurisdiction: Schedule 10, Part 20, Division 4, Table 3 – Material change of use of

premises in a wetland protection area (if applicable)

**Location details** 

Street address: 3910 Cape Tribulation Road, Cape Tribulation

Real property description: Lot 0 on SP219085

Local government area: Douglas Shire Council

Existing use: Common area adjacent to PK's Jungle Village hostel

**Details of proposal** 

Development type: Material change of use

Development description: Telecommunications Facility - 50m lattice tower

# **Supporting information**

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Request for pre-lodgement advice	Metasite Pty Ltd	25/06/2019	1906-11852 SPL	-
Draft Site Layout	Huawei Technologies	22/12/2017	B8857-P1	01
Draft Site Elevation	Huawei Technologies	22/12/2017	B8857-P2	01

The department has carried out a review of the information provided and the impacts of the proposal. The following advice outlines the matters of interest to the department and matters that should be addressed if you lodge your development application with the assessment manager.

Item	Advice		
Material change of use for telecommunications facility			
Propo	sal		
1.	The proposed development is for a material change of use to facilitate the construction of a 50-		

metre lattice telecommunications tower in the south-eastern area of the premises.

The lattice tower will be contained within a 187.5m<sup>2</sup> lease area which also includes an equipment shelter (4.5m<sup>2</sup>) and screening/fencing.

The volume of earthworks has not been identified in the pre-lodgement request material.

Site access is via an existing carpark entry via Cape Tribulation Road.

# Wetlands

2. The proposed site of development is not within the coastal management district or erosion prone area; however, the area is wholly within a wetland protection area.

Under Schedule 10, Part 20, Division 2, Section 34 of the Planning Regulation 2017, operational work in a wetland protection area is assessable development if the operational works is high impact earthworks.

Schedule 24 of the Planning Regulation 2017 defines high impact earthworks as operational work that changes the form of the land, or involves placing a structure on land, in a way that diverts water to or from a wetland in a wetland protection area and involves excavating or filling of more than 100m<sup>3</sup> (for development within 200m of the wetland).

If the proposal involves more than 100m3 of filling or excavation, referral will be required under Schedule 10, Part 20, Division 4, Table 3 of the Planning Regulation 2017. It is unclear from the information provided whether the proposal will involve high impact earthworks or not.

If required, referral agency assessment will be undertaken against State Code 9: Great Barrier Reef wetland protection areas of the State Development Assessment Provisions (SDAP).

Matters of State Environmental Significance (MSES) as defined in Schedule 2 of the Environmental Offsets Regulation 2014 have been identified within the subject site. To address performance outcome 9 (PO9) of State Code 9, the application must identify if there are any MSES on or adjacent to the proposed development site. Where MSES are identified the development application should:

- Provide a targeted assessment to ground truth any MSES identified;
- Demonstrate how the development avoids adverse impacts on each MSES to the greatest extent practicable;

#### Item | Advice

- Where the above is not reasonably possible, demonstrate how impacts on MSES have or will be minimised and/or mitigated to the greatest extent practicable;
- Demonstrate whether the development will have a Significant Residual Impact on any identified MSES using the <u>Significant Residual Impact Guideline</u>. An assessment will need to be undertaken for each MSES to determine whether the proposed development will result in a significant residual impact; and
- Identify any potential offset obligation as per PO9 (3) of State Code 9. Further
  advice on environmental offsets can be found on the <u>Queensland Government</u>
  website.

The Department of Environment and Science's <u>Guideline: State Development Assessment Provisions, State Code 9: Great Barrier Reef wetland protection areas</u> may be helpful when responding to State code 9.

The following tools may be helpful for a desktop analysis and assessment:

- Environmental Reports Online
- Request a property report and vegetation maps
- Map of Referable Wetlands
- WetlandInfo
- Protected Plants Flora Survey Trigger Map
- Request Species List
- Queensland Wetland Buffer Guideline

#### Native vegetation

3. As the premises is less than 5 hectares in area, referral agency assessment is not required for clearing native vegetation under Schedule 10, Part 3, Division 4, Table 3 of the Planning Regulation 2017.

# State Development Assessment Provisions

4. A development application requiring referral to the department will be assessed against the relevant State codes of the State Development Assessment Provisions (SDAP). For example, State Code 9: Great Barrier Reef wetland protection areas.

<u>SDAP</u> version 2.5 took effect on 1 July 2019. To assist applicants in preparing a development application, the department has prepared <u>SDAP</u> version 2.5 response templates.

Please note, the SDAP is continually amended to reflect updates to legislation and policies. It is recommended that you check the department's website to ensure you are addressing the current SDAP version when preparing your application.

An application that complies with all applicable acceptable outcomes is considered to satisfy the corresponding performance outcome. If an application does not comply with one or more of the applicable acceptable outcomes, compliance with the performance outcome should be demonstrated.

# Development assessment fees

- 5. The referral fee under the <u>Planning Regulation 2017</u> for a development application for a material change of use in a wetland protection area and involving high impact earthworks is:
  - Schedule 10, Part 20, Division 4, Table 3, Item 8: \$3,313.00

# Item Advice

# Matters outside SARA's jurisdiction

# Protected plants

In Queensland, all native plants are considered 'protected plants' under the *Nature Conservation Act 1992*. Anyone proposing to clear protected plants 'in the wild' for any reason may require a permit from the Department of Environment and Science (DES).

Prior to any clearing of protected plants, a person must check the flora survey trigger map to determine if the clearing is within a high-risk area. This trigger map is available as part of the Vegetation Management Report which can be accessed on Queensland Government's website.

In a high-risk area, a flora survey must be undertaken and a clearing permit may be required for clearing endangered, vulnerable and near threatened plants (EVNT plants) and their supporting habitat.

DES can be contacted via email at palm@des.qld.gov.au or by contacting 1300 130 372 for information regarding clearing requirements under the *Nature Conservation Act 1992* protected plant framework. Further information on protected plants can be found in DES's <a href="Operational policy">Operational policy</a>.

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal when a formal application has been lodged.

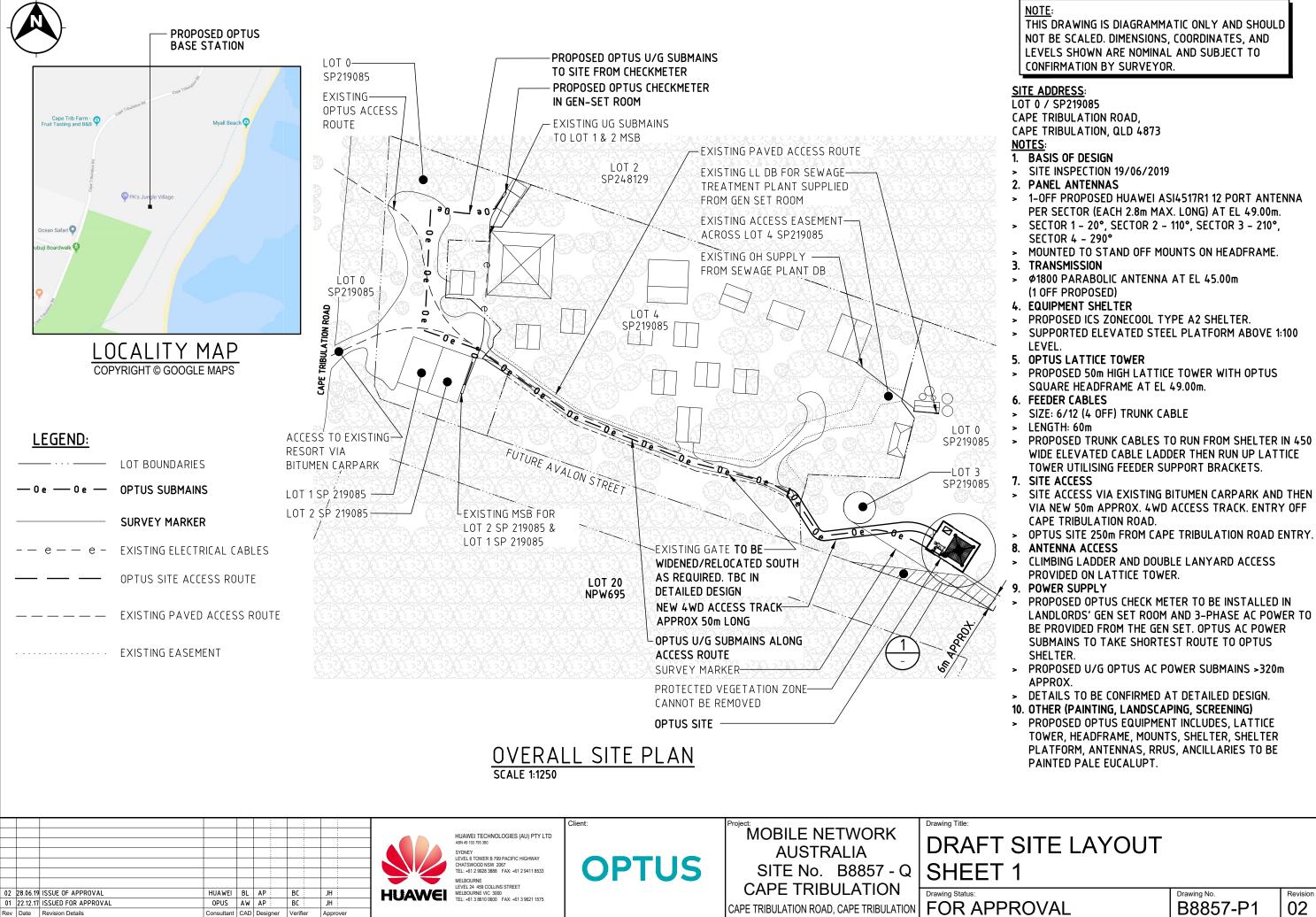
Should this proposal be amended in any way, this pre-lodgement advice may no longer be relevant, and the applicant is encouraged to seek further advice from the State Assessment and Referral Agency. This pre-lodgement advice is valid for a period of nine (9) months from date of issue, unless a change in legislation or policy occurs that would affect the pre-lodgement advice.

For further information please contact Tony Croke, Principal Planning Officer, on 40373205 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

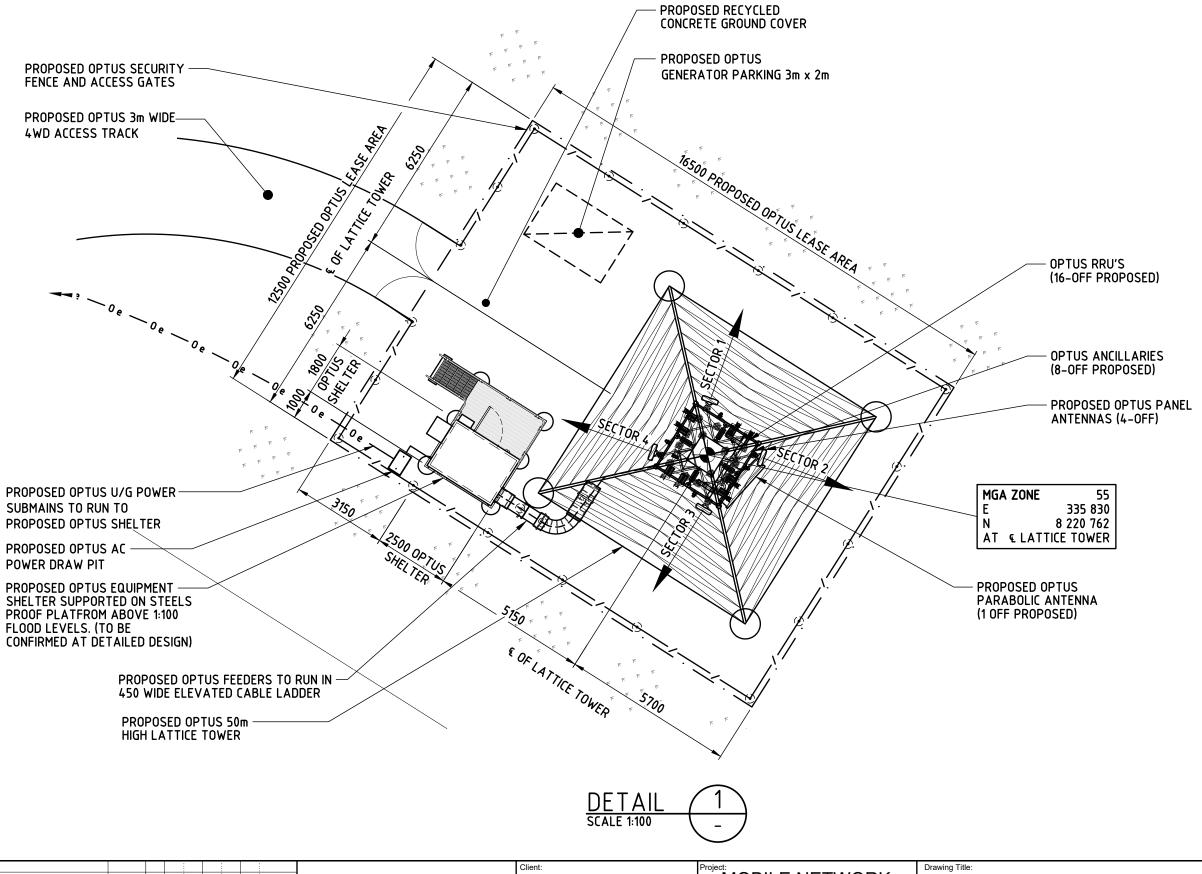
Yours sincerely

Brett Nancarrow Manager (Planning)

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MOBILE NETWORK
AUSTRALIA
SITE No. B8857 - Q
CAPE TRIBULATION

Drawing Title.	
DRAFT	SITE LAYOUT
SHEET	1

CAPE TRIBULATION Drawing Status:

CAPE TRIBULATION FOR APPROVAL

Drawing No. Revision 02

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