

Our Ref: LM: DA/4673:AD2024/0000136

Your Ref:

16 January 2024

Telstra Corporation Ltd
c/- Liz Mansell
Downer EDI Engineering Pty Ltd
Level 11, 135 Coronation Drive
MILTON QLD 4870
E-mail: Liz.Mansell@downergroup.com

Attention: Liz Mansell

Dear Ms Mansell

Information Request

Given under section 12 of the Development Assessment Rules

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

Location Details

Street Address:	Peninsula Developmental Road, YARRADEN QLD 4892
Real Property Description:	Lot 1 on SP314593
Local Government Area:	Cook Shire Council

Application Details

Application Number:	DA/4673
Approval Sought:	Development Permit for Material Change of Use
Description of Proposal:	Material Change of Use – Telecommunications Facility
Category of Development:	Assessable Development
Category of Assessment:	Impact Assessment

Information Requested

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

Site Details

Please provide an updated site plan to show:

1. All existing boundary lines;
2. All existing buildings and structures to be identified and notated;
3. All existing and proposed driveways/vehicular crossings to be identified and notated;
4. Dimensions detailing setbacks from all proposed structures on site to the existing boundary lines.

Advisory Note: Officers acknowledge that the various plans submitted contain some necessary information, but the absence of a comprehensive and consolidated site plan makes it challenging to evaluate the application without the requested accompanying details. Please note that it is important that a comprehensive consolidated site plan be included as it will form part of the documents of approval.

Character Overlay Code

The purpose of the Character Overlay Code is to ensure development protects heritage places and areas of local or state heritage value. Part of the Overlay Outcomes of the Code is to ensure that development on or adjacent to a Heritage Place will not have an adverse impact in terms of visibility, public accessibility, physical change, damage or removal.

The site is identified as being within a State Heritage Place – (former) Musgrave Telegraph Station (State Heritage Registration number 600431). It is noted that the planning assessment report submitted with the development application indicates that an application to the Department of Environment and Science (DES) (Heritage) has recently been lodged seeking an exemption certificate. However, until such time the proposal is subject to the Character Overlay Code.

5. Please amend the planning report to include an assessment against the relevant sections of the code. In particular, a detailed response must be provided to the following performance outcomes (PO's):
 - a. PO2 - Buildings and structure do not diminish the amenity of the area or create an adverse impact on the historic character of the precinct due to excessive scale and bulk.
 - b. PO7 - Development involving a Heritage Place must provide for the conservation and management of cultural heritage values.
 - c. PO9 - Development does not adversely affect the archaeological significance of a place.
6. Alternatively, please submit to Council an Exemption Certificate under the Heritage Act issued by the Department of Environment and Science (DES) (Heritage).

Flood and Other Coastal Hazards Overlay Code

The Flood and Coastal Hazards Overlay Code aims to oversee and regulate development within recognised flood-prone and erosion-prone areas. Its primary objective is to reduce the risks to human life, property, the community, and the environment posed by natural hazards.

Additionally, it ensures that development activities do not exacerbate the potential for on-site flood damage or adversely affect neighbouring properties while effectively managing their impacts on coastal processes.

The site is located within Potential Flood Hazard area as identified in the Flood and Coastal Hazards Overlay map. It is noted that the application does not address the Flood and Other Coastal Hazards Code in the planning report submitted to council.

7. Please amend the planning report to include an assessment against the relevant sections of the Code. In particular, a detailed response must be provided to the following performance outcomes (PO's):
 - a. PO1 - Development is sited in a Flood or Erosion hazard area only where there is no reasonable opportunity to avoid the area and where the extent of development in the Flood or Erosion hazard area has been minimised.
 - b. PO2 - Development provides flood immunity to ensure the safety of people and protection of property.
 - c. PO3 - The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.
 - d. PO4 - Development is able to function effectively during and immediately after a flood event.

Further details

The due date for providing the requested information is **three (3) months** from the date of this request, therefore you are required to respond no later than **16 April 2024**.

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

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

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

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



Cook Shire COUNCIL

For further information, if you have a query, or to seek clarification about any of these details, please contact Council's Planning and Environment Department on (07) 4082 0500 or E-mail: mail@cook.qld.gov.au.

Yours sincerely

Lisa Miller
Manager Planning and Environment
Cook Shire Council