

APPLICATION DETAILS

Application No: MCU17/2007
Street Address: Old Peachester Rd PEACHESTER QLD 4519
Real Property Description: Road Reserve
Planning Scheme: Sunshine Coast Planning Scheme (3 July 2017)

APPROVAL DETAILS

Nature of Approval: Approved with conditions
Type of Approval: Development Permit for Material Change of Use of Premises
(Telecommunications Facility)

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is 6 years starting the day that this development approval first took effect (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*).

INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS**When conditions must be complied with**

1. Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval.

Building Height

3. The maximum height of the development must be in accordance with the approved plans.

4. No lights are permitted to be attached to the telecommunications facility, except where required for aircraft hazard lighting purposes or similar.

Health and Safety

5. The Telecommunications facility must at all times comply with licence conditions imposed by the Australian Communications and Media Authority relating to the limitation of radiofrequency electromagnetic energy emissions in accordance with the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz (2002)*, or as amended.
6. Warning information signs and security fencing must be provided on the site to prevent unauthorised entry.

Colours and Finishes

7. The monopole, associated headframe unit and attached equipment (e.g. antennas) must be of a non-reflective, painted finish colour which is visually equivalent to Colorbond 'Pale Eucalypt', or an alternative colour to Council's satisfaction, to reduce its visual recognition in the landscape.

Co-location

8. The structural elements of the Telecommunications facility must be designed to support co-masting or co-siting with other carriers.

Cessation of Use

9. The telecommunications tower and all above ground infrastructure and equipment must be removed from the site upon cessation of the use.

ECOLOGY & LANDSCAPING WORKS

10. The development site must be landscaped. The works must incorporate a 3 metre wide landscape buffer to the southern, eastern and northern aspects of the NBN compound. The buffer must be designed to provide a dense screen and incorporate the following species and densities:
 - a. *Corymbia intemedia* @ 3 metre spacing
 - b. *Acacia leiocalyx* @ 2 metre spacing
 - c. *Lomandra longifolia* @ 1 metre spacings
11. All native vegetation to be removed as part of this development must be offset in accordance with the vegetation management code offset ratio of 1.5:1. A minimum of 36 replacement trees must be provided within road reserve adjacent to the maintenance track and construction area.
12. 10 artificial nesting boxes must be installed within the Range Road reserve a minimum 50 metres from the facility compound. The nesting boxes must be a mix of bat, possum and bird boxes installed by a qualified person*

13. Landscape works must be supervised, undertaken and certified by qualified persons*. All works must be completed in accordance with this Decision Notice.
(* Refer to Advisory Note)
14. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.
15. All trees and vegetation identified for retention must be protected in accordance with AS 4970, Protection of trees on development sites.
16. Fauna and flora habitat relating to approved tree removal/clearing works must be managed by a qualified person*.
*(Refer to Advisory Note)
17. Removal of existing trees and vegetation must be undertaken by a qualified person* and must include:
 - (a) Stump grinding to below finished surface level.
 - (b) Rectification to the finished surface levels and materials.
 - (c) No damage to other vegetation for retention.
 - (d) Disposal of all removed vegetation and debris within the surrounding road reserve as habitat
18. Prior to commencement of use the following (prepared by respective qualified persons* and certifying compliance with approvals) must be submitted to council:
 - (a) Landscaping & vegetation offset certification confirming all works have been constructed in accordance with conditions of approval.
 - (b) Artificial nest box installation certification confirming all works have been completed in accordance with the conditions of approval.

ENVIRONMENTAL HEALTH**Acoustic Amenity**

19. Any fixed plant and equipment* that causes noise (e.g. from basement car-park exhausts, air conditioning units, or pool filtration units, refrigeration units, pumps and generators, kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the following sound pressure levels for a noise sensitive land use is achieved:

Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ($L_{Aeq,adj,T}$) to be achieved during the day, evening and night time periods			Maximum sound pressure level (L_{Amax}) to be achieved during the night time period
	Day 7am-6pm $L_{Aeq,adj,11hr}$	Evening 6pm-10pm $L_{Aeq,adj,4hr}$	Night 10pm-7am $L_{Aeq,adj,9hr}$	
Sleeping Areas	35 dB(A)	35 dB(A)	30 dB(A)	45 dB(A)
Other Habitable Rooms	35 dB(A)	35 dB(A)	35 dB(A)	N/A
Within the Designated Private open Space	50 dB(A)	50 dB(A)	N/A	N/A

*Note: Measurements must be in accordance with AS 1055.1 - Acoustics – Description and measurement of environmental noise – General procedures. Measurements must be adjusted for tonality and impulsiveness where required, where attenuation is applied for inside to outside calculations, a maximum of 5 dB(A) only is to be applied (i.e. assumed windows fully open) *(Refer to Advisory Note)*

20. Certification must be submitted to Council from a qualified person* that the development has been constructed in accordance with the Acoustic Amenity conditions of this development approval.

*(Refer to Advisory Note)

ENGINEERING**Property Access and Driveways**

21. An all-weather access driveway must be provided from Range Road to the development site. The works must include in particular a sealed driveway crossover in accordance with RS-056.
22. Provide advanced warning signs for the driveway (DTMR TC1590 and TC1511).

Earthworks and Retaining Walls

23. All fill and associated batters must be contained entirely within the subject site, in accordance with the *Works, services and infrastructure code*. All earthworks must be undertaken in accordance with the provisions of *AS 3798 - Guidelines on earthworks for commercial and residential developments*.

Damage to Services and Assets

24. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
- where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
 - where otherwise, upon completion of the works associated with the development.
- Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

REFERRAL AGENCIES

Not applicable.

DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
4BRW-51-05-PEAH-C2	03	<i>Overall Site Plan</i> , prepared by Aurecon Australia Pty Ltd	20/09/17
4BRW-51-05-PEAH-C3	03	<i>Site Setout Plan</i> , prepared by Aurecon Australia Pty Ltd	20/09/17
4BRW-51-05-PEAH-C4	02	<i>Site Elevation and Details</i> , prepared by Aurecon Australia Pty Ltd	01/06/15
4BRW-51-05-PEAH-A	02	<i>NBN Antenna Configuration & Setout Plan</i> , prepared by Aurecon Australia Pty Ltd	20/09/17
Figure 1: Trees to be removed (DBH > 10cm)	02	<i>NBN Co Tree Survey Plot - Peachester, Road Reserve (Near Range Road), Peachester QLD 4519</i> , prepared by Aurecon Australia Pty Ltd	30/10/17

REFERENCED DOCUMENTS

Not applicable.

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

Qualified Person

1. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ);
 - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.

2. Qualified Person, for the purpose of:
 - a. Supervising landscape works and preparing a landscape certification, is considered to be a landscape architect, landscape designer or horticulturist with a minimum of three years current experience in the field of landscape design.
 - b. Undertaking landscape construction and establishment works is considered to be a person with five years current experience in commercial landscape construction projects.
 - c. Managing Fauna protection is considered to be a certified Fauna Spotter Catcher.

Noise – Fixed Plant and Equipment

3. For the building design and construction of the approved use, the direction of a qualified acoustic consultant will ensure the installation of fixed plant and equipment (e.g. air-conditioning condenser units, refrigeration plant and mechanical exhaust discharge) is suitably located and/or shielded to avoid nuisance being caused by any noise from the plant and equipment.

Environmental Harm

4. *The Environmental Protection Act 1994* requires that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Contact Council or the Department of Environment & Heritage Protection for further information with respect to *Environmental Protection Act 1994* requirements.

Other Laws and Requirements

5. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Aboriginal Cultural Heritage Act 2003

6. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the *ACH Act*.

PROPERTY NOTES

Not applicable.

VARIATION APPROVAL

Not applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not applicable.

SUBMISSIONS

There were 245 properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided and attached.

INCONSISTENCY WITH EARLIER APPROVAL

Not applicable.

ENVIRONMENTAL AUTHORITY

Not applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

Item 8.1.1 Development Application for a Material Change of Use
(Telecommunications Facility) at Old Peachester Road, Peachester

Appendix A Recommended Conditions of Approval

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's PD Online webpage at www.sunshinecoast.qld.gov.au, using the application number referenced herein.