

12th of November 2014
Joel Lewis
City Development
(07) 5582 8866
PN184540/03/DA8
OPW201401758

Angrow Pty Ltd C/ Gassman Development Perspective
C/- Ian Stewart
PO BOX 392
BEENLEIGH QLD 4207

Dear Sir/Madam

DECISION NOTICE TO APPLICANT

Application type: Operational Works for Landscaping
Property description Lot 240 on W31320
Property location **82 Christensen Road, Stapylton**

I wish to advise that on 12th of November 2014 the issue of a development permit for Operational Works for Landscaping at the site described above, was approved subject to the conditions outlined in the attached document.

An extract from the [Sustainable Planning Act 2009](#), which details your appeal rights, is attached for your information.

If you do not appeal the decision, this decision notice is taken to be the development approval and has effect immediately.

Contacting us

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact the Planning Assessment on (07) 5582 8866.

Yours faithfully

Dr Shahadat Hossain
Executive Coordinator Engineering & Environmental Assessment
For the Chief Executive Officer
Council of the City of Gold Coast

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LANDSCAPE WORKS ON PRIVATE LAND

1 Approved landscape works

The landscape works must be constructed in accordance with the approved plan/s listed below, as amended in red, stamped and returned to the applicant with this decision notice.

Plan No.	Rev.	Title	Date	Prepared by
1292 L CD 000	B	Cover Page	30.10.2014	Grassman Development Perspectives
1292 L CD 100	B	Detailed Landscape Plan	30.10.2014	Grassman Development Perspectives
1292 L CD 200	B	Landscape Details	30.10.2014	Grassman Development Perspectives

2 Landscape construction

All plants, materials, hardscape and watering systems shown on the approved landscaping plan must be of acceptable quality and be installed and maintained to the satisfaction of the Chief Executive Officer.

Timing

Prior to the issue of a certificate of classification or the commencement of the use.

3 Final inspection

- a Completed landscape works must pass a final inspection by Council officers prior to the approved use commencing on site. Contact Council's Planning/Assessment Team to arrange this inspection.
- b A copy of the stamped approved Detailed Landscape Plan (to be supplied by the applicant) is required on site and will be used to assess the constructed landscape.
- c Inspections will only be undertaken upon practical completion of the landscape works including hardscape and structures.
- d A Final Landscape Approval will be issued upon completion of all landscape works to the satisfaction of Council requirements.

Timing

Prior to the commencement of the use.

RELATIONSHIP WITH OTHER APPROVALS/REQUIREMENTS

4 Consistency with MCU/ROL

This operational work application has been assessed having regard to the conditions of the MCU/ROL development approval as at the date of application. Should any change to the conditions of the MCU/ROL development approval be made, additional or amended plans must be submitted for approval as necessary to comply with such conditions.

Timing

At all times.

5 Compliance with Gold Coast City Council Planning Scheme Policy 11, 12 and 13 Where any perceived conflict exists between the stamped approved plans and Council's Planning Scheme Policy 11, 12 and 13, the requirements of the policy take precedence.	Timing At all times.
6 Compliance with related development approvals Conditions of all related development approvals and all approved documentation (including but not limited to plans, drawings and reports) for this site must be complied with.	Timing At all times.
7 Fire Ant control requirements The applicant must ensure: - a All landscape materials including but not limited to soils, mulch, gravel, potted or ex-ground plants, pavers, timber etc to be used in landscape treatments on this site are free of 'Fire Ants' and Fire Ant eggs. - b All landscape material being sourced from areas currently identified as potential Fire Ant risk areas must be checked by a suitably qualified professional and certified that: - i no risk of transportation of Fire Ants exists; and - ii all materials are free from Fire Ant contamination. - c A copy of the required certification must be provided to Council.	Timing Certification to be provided to Council prior to acceptance of the site 'On Maintenance'.
8 Materials to be free from 'Nut Grass' The applicant must ensure that: - a All landscape materials including but not limited to soils, mulch, gravel and potted or ex-ground plants are free from <i>Cyperus esculentus</i> and <i>Cyperus rotundus</i> (commonly known as 'Nut Grass'). - b Any existing Nut Grass present on site is fully controlled and shows no signs of active growth.	Timing Prior to the final landscape inspection.
9 Myrtle Rust control and reporting requirements The applicant must ensure the following Myrtle Rust control requirements are met: - a All plant stock and all mulch used in landscape treatments on the site are free of Myrtle Rust and Myrtle Rust propagates. - b All landscape materials must be checked by a suitably qualified professional and confirmed that: - i there is no risk of transportation of Myrtle Rust;	Timing At all times.

and ii all materials are free from Myrtle Rust contamination. c If Myrtle Rust is identified in or near the site such that it can be reasonably expected that the myrtle rust was imported by the landscape works to the site, then the applicant must take appropriate action to deal with the infestation. d All plants infected with myrtle rust must be removed using Myrtle Rust Hygiene Protocol and disposed of with the same. e All plants removed due to infection with myrtle rust must be replaced with an appropriate alternative species, where the species has been agreed with Council in writing. f It is the applicant's responsibility to report the infestation to Biosecurity Queensland on 13 25 23. g Where a myrtle rust infection has occurred, it is the applicant's responsibility to monitor the site and the surrounding area for signs of additional infestations and report these to both Biosecurity Queensland and Council.	
10 Nursery tree stock specification a The planting of tree stock must use quality nursery stock, grown according to latest 'best practice' and the principles of the NATSPEC specifications. b Each tree planted must display the correct form, structure, inter-node formation, calliper, stem taper, root development and height to root ball ratio of a tree grown in a container for the species specified. c Trees must be selected with a single main leader and be able to attain a clear trunk height and full canopy at maturity. d Any tree that is not grown in accordance with these conditions must be replaced and the new tree subjected to an 'Establishment Period' of a length determined by Council officers on site. <i>Advisory note:</i> <i>Landscape works on public land require separate approval</i> <i>This development approval provides for hard and soft landscape works to be undertaken only on private land not transferred to Council as public open space or public road reserve and does not cover landscape works undertaken on proposed/requested/existing public land.</i> <i>All landscape works to be undertaken on land that is not designated as to remain in private ownership requires a separate landscape operational works approval.</i>	Timing At the time of planting and as indicated within the wording of the condition.

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| <ul style="list-style-type: none">• <i>All landscape materials, plants, vegetation and watering systems shown on the approved landscaping plan must be of an acceptable quality and be installed and maintained to the satisfaction of the Chief Executive Officer.</i>• <i>The applicant is advised that nothing in this Decision Notice alleviates the need to observe all relevant legislation including standard requirements of the Building Code of Australia, Council's Planning Scheme and Local Laws.</i>• <i>Development (as defined) may commence <u>only</u> where an approval is given by Council by way of a Development Permit issued to allow specific development nominated in the permit to be carried out.</i> | |
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Sustainable Planning Act 2009

APPEAL RIGHTS FOR APPROVAL OR REFUSAL OF DEVELOPMENT APPLICATIONS FOR MATERIAL CHANGE OF USE, RECONFIGURATION OF A LOT OR OPERATIONAL WORKS APPLICATIONS.

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following:
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application;
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after:
 - (a) if a decision notice or negotiated decision notice is given - the day the decision notice or negotiated decision notice is given to the applicant;
 - (b) otherwise, the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day of a decision on the matter should have been made.