

Our reference: EMP/2019/90
Your reference: 17-209-20190920

Decision notice - Management Plan Approval

Date of decision notice: 4 November 2019

Applicant details

Applicant name: Ms Projects Pty Ltd
Applicant contact details: C/- Icubed Consulting
PO BOX 878
TOOWONG QLD 4066

Application details

Application number: EMP/2019/90
Approval sought: Approval of Management Plan in accordance with conditions of approval for Environmental Management Plan.
Details of proposed management plan: Fauna Management Plan

Location details

Street address: 84-160 Christensen Road South, STAPYLTON QLD 4207
Real property description: Lot 334 SP193431

Decision

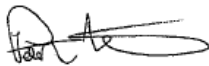
Date of decision: 4 November 2019
Decision details: Under Delegated Authority, the Supervisor Environmental Assessment of the City Development Branch of Council has resolved to Approve the management plan in with conditions

Conditions

This approval is subject to conditions as identified in attachment one of this decision notice.

For further information please contact Teharne Bowen, Senior Environmental Planner on 07 5582 8866 or via email tbowen@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY



Peter Joy
Supervisor Environmental Assessment
For the Chief Executive Officer
Council of the City of Gold Coast

enc:
Attachment one – conditions of approval

Attachment One – Conditions of approval

1	Approved Plans Undertake and maintain the development generally in accordance with the following plans. <table><tr><th>Plan Title</th><th>Author</th><th>Date</th><th>Plan Reference No.</th><th>Ver</th></tr><tr><td>Fauna management Plan</td><td>I3 Consulting pty Ltd</td><td>05.04.19</td><td>17-209-V300</td><td>C</td></tr></table>	Plan Title	Author	Date	Plan Reference No.	Ver	Fauna management Plan	I3 Consulting pty Ltd	05.04.19	17-209-V300	C				
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Fauna management Plan	I3 Consulting pty Ltd	05.04.19	17-209-V300	C											
2	Fauna Management Plan Implement the Fauna Management Plan generally in accordance with the Environmental significance overlay code of the City Plan, prior to any works commencing and during the vegetation clearing process at no cost to Council.														
3	Supervision of works During construction of any works the following professionals must be appointed to supervise the below described actions: <table><tr><th colspan="2">Environmental Assessment</th></tr><tr><th>Expertise required of the suitably qualified professional</th><th>Actions to be overseen by the professional</th></tr><tr><td>Minimum AQF Level 3 Arborist</td><td>Implementation of all tree works</td></tr><tr><td>Minimum AQF Level 5 Arborist</td><td>Construction and fencing works within the Tree Protection Zone (TPZ) of subject trees to be retained</td></tr></table> <table><tr><th colspan="2">Environmental Assessment</th></tr><tr><th>Expertise required of the suitably qualified professional</th><th>Actions to be overseen by the professional</th></tr><tr><td>DES approved spotter catcher must be present during: a The pre-start meeting b Damage to / removal of vegetation</td><td>Ensure identification of all fauna habitat trees prior to commencement of works. Ensure wildlife is suitably cared for during clearing work and at any time where damage to the vegetation is possible Identify replacement nest boxes or habitat creation (in retained trees) requirements, to replace lost hollow bearing habitat trees. Ensure actions / recommendations within the Fauna Management Plan are undertaken. Ensure actions / recommendations from the pre-clearance (fauna assessment) report are undertaken.</td></tr></table> <i>Note: A DES approved spotter catcher is a person who holds a rehabilitation permit with an extended authority issued by the Department of Environment and Science specifying the holder may take, keep or use an animal who habitat is about to be destroyed by human activity.</i>	Environmental Assessment		Expertise required of the suitably qualified professional	Actions to be overseen by the professional	Minimum AQF Level 3 Arborist	Implementation of all tree works	Minimum AQF Level 5 Arborist	Construction and fencing works within the Tree Protection Zone (TPZ) of subject trees to be retained	Environmental Assessment		Expertise required of the suitably qualified professional	Actions to be overseen by the professional	DES approved spotter catcher must be present during: a The pre-start meeting b Damage to / removal of vegetation	Ensure identification of all fauna habitat trees prior to commencement of works. Ensure wildlife is suitably cared for during clearing work and at any time where damage to the vegetation is possible Identify replacement nest boxes or habitat creation (in retained trees) requirements, to replace lost hollow bearing habitat trees. Ensure actions / recommendations within the Fauna Management Plan are undertaken. Ensure actions / recommendations from the pre-clearance (fauna assessment) report are undertaken.
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4	Pre-start inspection Arrange a pre-start inspection prior to the commencement of works to complete the														

	requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following:	
	Purpose	Council contact
	Undertake a pre-clearing meeting on site to discuss matters related to fauna assessment and tree protection fencing.	Environmental Assessment 07 55828866

Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.

Advice Notes
Compliance with conditions Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.
Indigenous cultural heritage legislation and duty of care requirement The <i>Aboriginal Cultural Heritage Act 2003</i> ('ACHA') is administered by the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: - a Is not negated by the issuing of this development approval; - b Applies on all land and water, including freehold land; - c Lies with the person or entity conducting an activity; and - d If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.
Applicant responsibilities The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of / reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for: - a Obtaining all other / further necessary approvals, licences, permits, resource entitlements etc. by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration; - b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environment Protection Act 1994</i> of environmental harm being caused / threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'); - c Securing tenure / permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);

- d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;
- e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed \$150,000. Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and
- f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.
- g Obtaining any necessary local government / state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.

Weeds, pest animals and ants

Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health.

All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.

Fire ant control

Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the *Biosecurity Act 2014* individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.