



B0379128

Department of Environment
and Resource Management

Notice

Concurrence and Advice Agency Response

This notice is issued by the Department of Environment and Resource Management pursuant to section 3.3.16 of the Integrated Planning Act 1997 ("the Act").

Chief Executive Officer
Sunshine Coast Regional Council
Locked Bag 72
SUNSHINE COAST MAIL CENTRE QLD 4560

cc. Blue Care
C/- JB Goodwin Midson & Partners
1/12 Technology Drive
WARANA QLD 4575

Attention: Tracy Lynn Jones

Attention: Drew Westbrook



DERM reference: IC0708GYM0012_SC14120_379210
Assessment Manager ref.: 2008/1128
Applicant reference: 13011

1. Application details

Date properly referred to DERM: 18 July 2008

Development approval for: Development permit for a material change of use and reconfiguring a lot

Aspects of development:

- Material change of use - Clearing vegetation
Integrated Planning Regulation 1998 - Schedule 2, table 3, item 11
- Reconfiguring a lot - Clearing vegetation
Integrated Planning Regulation 1998 - Schedule 2, table 2, item 4
- Material change of use - Development in a koala conservation area or koala sustainability area, other than an SEQ urban footprint area
Integrated Planning Regulation 1998 - Schedule 2, table 3, item 18
- Reconfiguring a lot - Development in a koala conservation area or koala sustainability area, other than an SEQ urban footprint area
Integrated Planning Regulation 1998 - Schedule 2, table 2, item 33
- Material change of use - Land in or near a wetland
Integrated Planning Regulation 1998 - Schedule 2, table 3, item 20
- Reconfiguring a lot - Land in or near a wetland
Integrated Planning Regulation 1998 - Schedule 2, table 2, item 38
- Material change of use - Land in or near a conservation estate
Integrated Planning Regulation 1998 - Schedule 2, table 3, item 21
- Reconfiguring a lot - Land in or near a conservation estate
Integrated Planning Regulation 1998 - Schedule 2, table 2, item 39

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Concurrence and Advice Agency Response

- | | |
|--------------------------------|--|
| Development descriptions: | Material change of use for multiple housing (retirement and special needs), commercial business, medical and wellbeing (health); and Reconfiguring a lot (1 lot into 2 lots) |
| Property/Location description: | Lot 6 on RP901384 (Grasstree Court, Sunrise Beach Q 4567);
Lot 7 on RP890947 (Ben Lexcen Drive, Sunrise Beach Q 4567);
Lot 1 on SP177650 (Cooyar Street, Noosa Heads Q 4567); and
Lot 8 on RP901384 (2 Grasstree Court, Sunrise Beach Q 4567) |
2. Department of Environment and Resource Management (DERM) that Referral Agency Responses were previously issued by the former Environmental Protection Agency. As of 26 March 2009, the Environmental Protection Agency and Department of Natural Resources and Water combined to create the DERM. As such, this Referral Agency Response incorporates all DERM Referral Agency jurisdictions, and is taken to be DERM's whole-of-department response.

 3. The Chief Executive, DERM, concurrence agency response for the concurrence agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to tell the assessment manager as follows:
 - 3.1 Reconfiguring a lot and Material change of use - Clearing vegetation
Schedule 2, table 3, item 11 and Schedule 2, table 2, item 4 - *Integrated Planning Regulation 1998*
 - Conditions must attach to any development approval, and those conditions are attached to this Notice.
 - 3.2 Reconfiguring a lot and Material change of use - Development in a koala conservation area or koala sustainability area, other than an SEQ urban footprint area
Schedule 2, table 3, item 18 and Schedule 2, table 2, item 33 - *Integrated Planning Regulation 1998*
 - Conditions must attach to any development approval, and those conditions are attached to this Notice. The Environmental Protection Agency had previously issued a response for this aspect of the development dated 30 January 2009 (Referral Agency Response) and 27 March 2009 (Amended Referral Agency Response). A copy is attached to this notice.

 4. The Chief Executive, DERM, advice agency response for the advice agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to recommend to the assessment manager as follows:
 - 4.1 Reconfiguring a lot and Material change of use - Land in or near a wetland
Schedule 2, table 3, item 20 and Schedule 2, table 2, item 38 - *Integrated Planning Regulation 1998*
 - The advice agency has provided recommendations to the Assessment Manager and those recommendations are attached to this Notice.
 - 4.2 Reconfiguring a lot and Material change of use - Land in or near a conservation estate
Schedule 2, table 3, item 21 and Schedule 2, table 2, item 39 - *Integrated Planning Regulation 1998*
 - The advice agency has provided recommendations to the Assessment Manager and those recommendations are attached to this Notice.

5. **General advice to assessment manager**

Pursuant to sections 334 and 363 of the Act, a copy of a decision notice or negotiated decision notice issued by the assessment manager must be forwarded to DERM as a referral agency for the relevant application at PO Box 573, Nambour QLD 4560.

The State's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager. Therefore, DERM as a referral agency for the relevant application has not provided notification to native title parties.

6. **Additional information for applicants**

Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined in Schedule 3 and Schedule 4 of the *Environmental Protection Act 1994*) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the Department of Environment and Resource Management.

Aboriginal Cultural Heritage Act 2003

DERM also takes this opportunity to advise the Assessment Manager of the responsibilities of applicants under the *Aboriginal Cultural Heritage Act 2003*. The Assessment Manager may wish to include this information as an Advisory Note on the Decision Notice issued for the application.

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$1,000,000 for a corporation and \$100,000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in accordance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM website www.derm.qld.gov.au/cultural_heritage

Delegate



Daniel Leo
Senior Planning Officer
Regional Planning and Coordination (Nambour)
Planning and Assessment – SEQ

16 June 2011

Enquiries:

Department of Environment and Resource Management
Centenary Square Building,
Currie Street, Nambour. QLD 4560
PO Box 573, Nambour. QLD 4560

Telephone + 61 7 5451 2256
Facsimile + 61 7 5451 2260
Email DACoordinationSEQNorth@derm.qld.gov.au
Website www.derm.qld.gov.au

Concurrence and Advice Agency Response

- Attachment**
- DERM Concurrence Referral Agency Response (Vegetation Management)
 - DERM Advice Referral Agency Response (Wetlands & Conservation Estate)
 - EPA Concurrence Referral Agency Response (Koala Conservation)

DERM Permit¹ number: **Trackjob:IC0708GYM0012 elvas: 2008/006268**

Assessment manager:	Sunshine Coast Regional Council
Assessment manager reference:	2008/1128
Date application received:	18 July 2008
Permit type:	concurrence agency response
Date of decision:	3 June 2011
Decision:	Conditions included in this Notice must attach to any development approval given by the Assessment Manager.
Relevant laws and policies:	<i>Integrated Planning Act 1997; Vegetation Management Act 1999; DERM Concurrence Agency Policy for Reconfiguring a Lot (RAL) - 23 August 2007. DERM Concurrence Agency Policy for Material Change of Use (MCU) 23 August 2007.</i>
Jurisdictions:	<i>Schedule 2, Table 2, Item 4 and Schedule 2, Table 3, Item 11 of Integrated Planning Regulation 1998.</i>

Development Description

Property/Location		Development
Grasstree Court and Ben Lexcen Drive, Sunrise Beach.	Lot 6 RP901384 Lot 1 SP177650 Lot 8 RP901384 Lot 7 RP890947	Reconfiguring a lot (RaL) Material Change of Use (MCU)

Reasons for inclusion of conditions

In accordance with section 3.3.18(8) of the *Integrated Planning Act 1997*, the reasons for inclusion of conditions in this concurrence agency response are as follows.

Lot 1 SP177650 supports areas of mapped remnant vegetation shown on the certified Regional Ecosystem Map. The clearing of vegetation within mapped remnant vegetation is regulated by DERM under the authority of the *Vegetation Management Act 1999*.

The northern part of this lot is zoned as community services and the southern part, open space conservation within the applicable planning scheme: the Noosa Plan. The northern part of the property is also bordered to

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

the west with an area zoned open space conservation. The areas identified as community services are considered to be urban areas while the areas identified as open space conservation are not considered to be urban areas. The zoning map: Eastern Beaches (Zone Map ZM4) in the Noosa Plan was amended on the 23 May 2011. Subsequently, DERM Vegetation Management (VM) have considered the amended map in the assessment of this application.

DERM VM have assessed the application against the *Concurrence Agency Policy for Reconfiguring a lot (RaL)- 23 August 2007 (RaL Policy)* / *Concurrence Agency Policy for Material Change of Use (MCU)- 23 August 2007 (MCU Policy)* and determined that the application meets the requirements of Criteria Table B because clearing of assessable vegetation as a result of the RaL / MCU will only occur in urban areas.

DERM has directed the assessment manager to include conditions in any development approval given for the application to ensure that assessable vegetation outside of urban areas will not be cleared and any development approval remains consistent with the RaL/ MCU Policies.

Delegate



Andrew Collins

Senior Vegetation Management Officer
Delegate, Chief Executive administering the *Vegetation Management Act 1999*,
Department of Environment and Resource Management

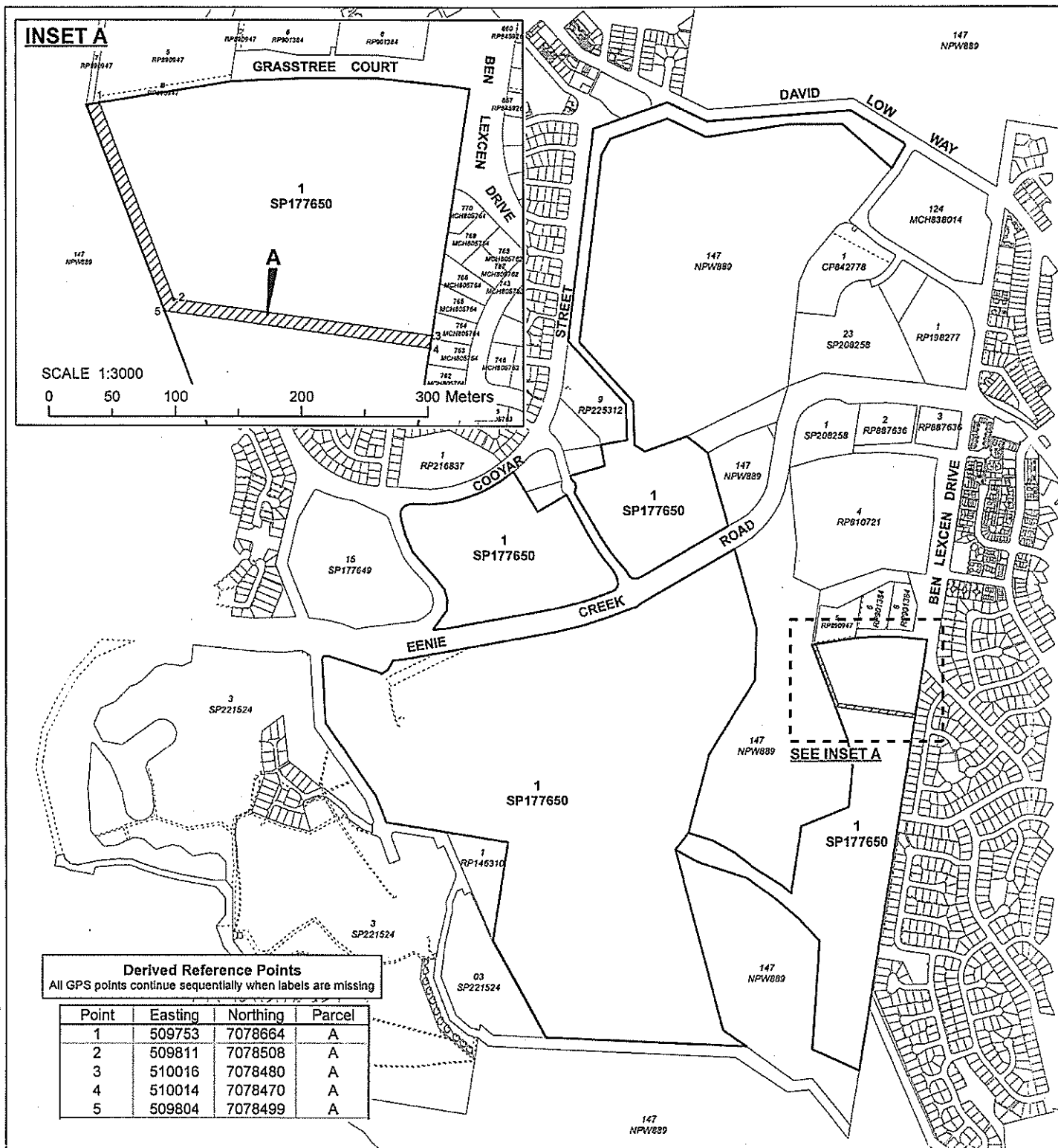
3 June 2011

Conditions

1. New Infrastructure other than a fence, road and underground services must not to be located in Area A on the attached Referral Agency Response (Vegetation) Plan RARP2008/006268.
2. New infrastructure must not be established as a result of the Material Change of Use and Reconfiguring a Lot development in the area identified as Open Space Conservation on Zone Map ZM4 Eastern Beaches, version amended 23 May 2011, The Noosa Plan.
3. Clearing of native vegetation must not occur as a result of the Material Change of Use and Reconfiguring a Lot development in the area identified as Open Space Conservation on Zone Map ZM4 Eastern Beaches, version amended 23 May 2011, The Noosa Plan.

End of Conditions

Attachment 1 – Referral Agency Response (Vegetation) Plan RARP2008/006268
Attachment 2 - Zone Map ZM4 Eastern Beaches, version amended 23 May 2011, The Noosa Plan.



LOCALITY SCALE 1:10000 @ A3 paper size

0 100 200 400 600 800 1,000 m

Projection: UTM (MGA Zone 56)

Datum: GDA94

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Note: This plan must be read in conjunction with Referral Agency Response 2008/006268

LEGEND

- Derived Reference Points for GPS

Subject Lot(s)

Area A - Specific conditions apply - see Referral Agency Response 2008/006268 for details

Referral Agency Response (Vegetation) Plan **Plan of Area A in Lot 1 on SP177650**

Trackjob No. IC0708GYM0012

CENTRE: GYMPIE REGION: SOUTH EAST
LOCALITY OF NOOSA HEADS, SUNRISE BEACH LOCAL GOVT: SUNSHINE COAST

Map Reference: 9545

Compiled from: DCDB, PVMP & VMO Notes

File Reference: 2008/006268

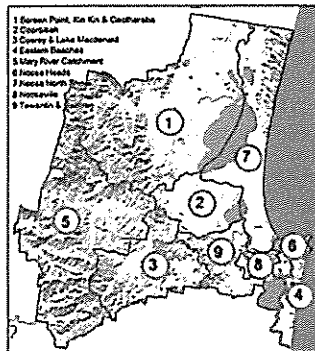
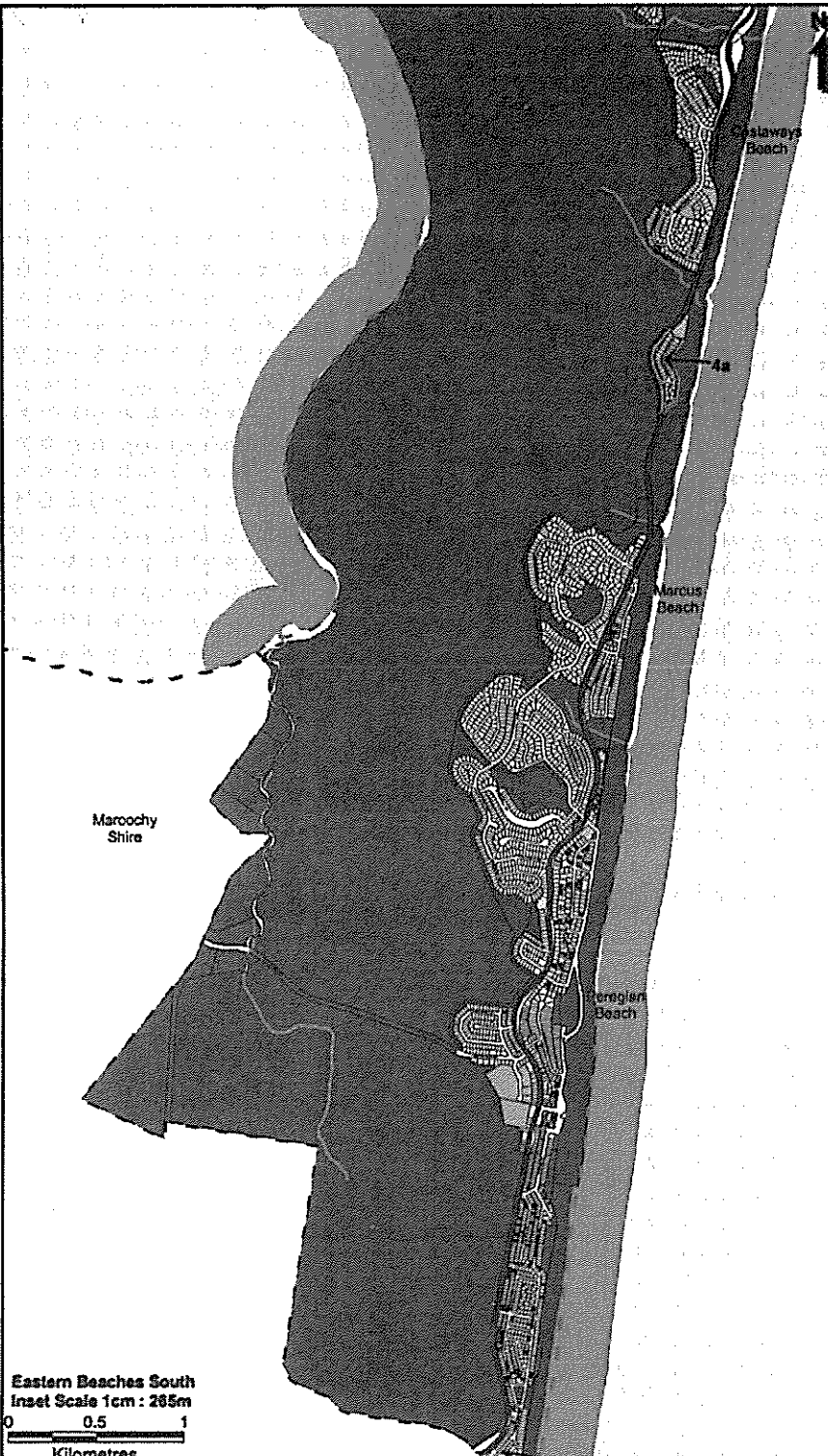
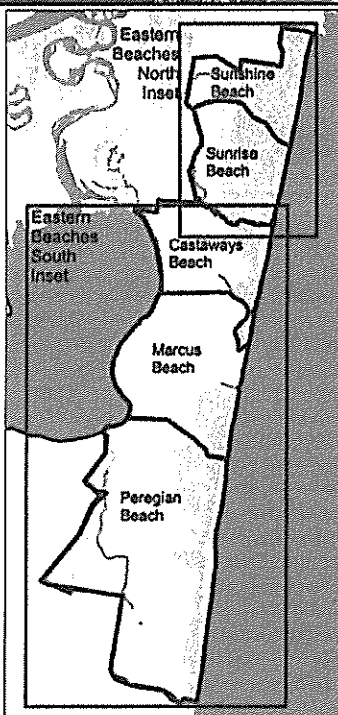
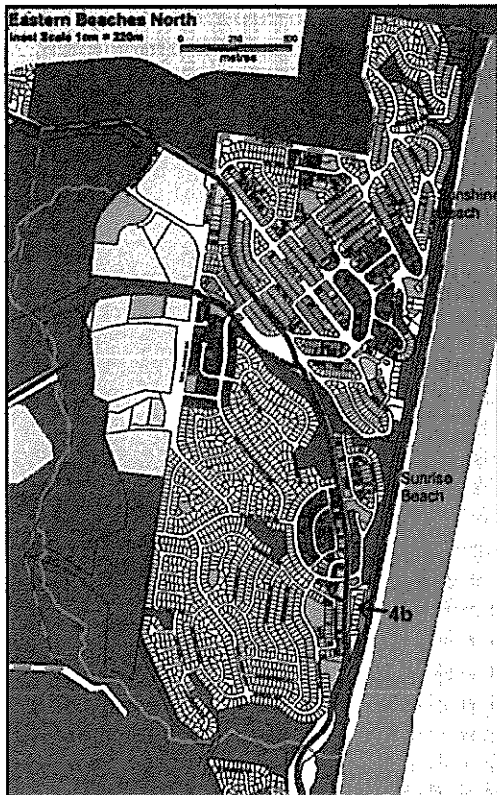
Prepared by: LMO

Date: 01 June 2011



Queensland
Government

RARP
2008/006268
Sheet 1 of 1



Eastern Beaches (Zone Map ZM4)



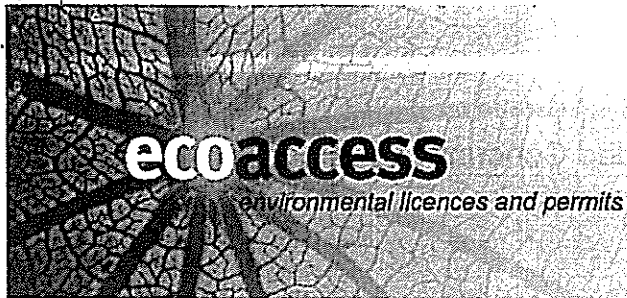
Version: May 2014
Part 12, Appendix 2 (May 2014)
This map is a reproduction from Council's GIS. It has a scale of accuracy of 1:25,000 as shown on the map. It is based on the most up-to-date data available. The map is for reference only. The map is not to be used for any other purpose. The map is not to be used for any other purpose. The map is not to be used for any other purpose.

Workspace Location: Zone_4_East-Beaches.wor

- Locality
- Boundaries
- Property
- Boundaries
- Major Water Bodies
- Town/Village Boundaries
- Plans of Development (Refer to Schedule 6)
- Major Road Network
- Railway Line
- Noosa Shire Boundary
- Streams and Rivers
- Inset

- Detached Housing
- Semi-Attached Housing
- Attached Housing
- Visitor Mixed Use
- Neighbourhood Centre
- Community Services
- Rural Settlement
- Open Space Recreation
- Open Space Conservation

Notes:
Levels of assessment may be altered by the Overlay Development Assessment Tables in Part 12.
Division 2 or 3 of the regulatory provisions of the SEQ Regional Plan may also apply to development applications for urban settlements, rural residential purposes and reconfiguring of a lot on land outside the Urban Footprint of the SEQ Regional Plan.
Under Division 2, of the regulatory provisions of the SEQ Regional Plan an application to reconfigure a lot for rural residential purposes on land in the Regional Landscape and Rural Production Area of the SEQ Regional Plan and Rural Settlement must be properly made before 27 October 2008.



Notice

Amended Concurrence Agency Response

This notice is issued by the Department of Environment and Resource management pursuant to Sections 3.3.17 and 3.3.18 of the Integrated Planning Act 1997 to advise of a decision or action.

The Uniting Church in Australia Property Trust (Qld)
Blue Care
C/- JB Goodwin Midson & Partners
1/12 Technology Drive
WARANA QLD 4575

CC: Sunshine Coast Regional Council
PO Box 117
CALOUNDRA QLD 4551

Our reference: 328052

Dear Sir/Madam

Re: Amendment to Concurrence Agency Response

The Department of Environment and Resource Management (DERM) wishes to advise that the referral for a concurrence agency response relating to the *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016* (the Koala Plan), received on 21 July 2008 and decided on 22 January 2009 has been amended on 27 March 2009.

Property/Location:

Street address: Grasstree Court SUNRISE BEACH QLD 4567

Lot/Plan: Lot 1 on SP177650, Lot 6 & 8 on RP901384, Lot 7 on RP890947

Details of the recommendation

Aspect of Development

- MCU of land in or within 100m of a conservation estate
- MCU on land in or within 100m of a wetland
- Reconfiguration of a lot on land in or within 100m of a conservation estate
- Reconfiguration of a lot on land in or within 100m of a wetland
- Concurrence Response for Development in a Koala Habitat Area
- A material change of use of premises in a koala conservation area
- Concurrence Response for Development in a Koala Habitat Area
- Reconfiguring a lot in a koala conservation area that will result in an increased number of lots; or the clearing of native vegetation over an area greater than 2500m²

Recommendation

Approve in full with conditions

The approved plans

The approved plans and/or documents for this approval are:

Plan/Document No.	Plan/Document Name	Date
	Response to Information Request Blue Care Sunrise Beach Development <i>Prepared by: Place Planning Design Environment</i>	27 November 2008
Job No.13011	Town Planning Assessment Report – Retirement Village and Aged Persons Home, Grasstree Court, Sunrise Beach QLD 4567 <i>Prepared by: JB Goodwin Midson & Partners</i>	June 2008
Attachment 4	Ecological Assessment Report for Proposed Age Care Facility, Grasstree Court, Sunrise Beach <i>Prepared by Place Planning Design Environment</i>	25 November 2008
	Bushfire Hazard Management Plan 2 Grasstree Court, Sunrise Beach <i>Prepared by: Land Graphics Landscape architects</i>	29 September 2008

DERM Concurrence Conditions of Approval

The following conditions are to be placed on the final decision notice which pertain to fulfilling the requirements of the Koala Plan for committed development in a Koala Conservation Area.

Community Infrastructure Footprint

1. Development must be wholly contained within the portion of the lot zoned for community infrastructure. Building envelopes and associated infrastructure must be placed in the location as shown on the Blue Care Development Master Plan.
2. The Vegetation Management Plan and Fauna Management Plan are to be submitted to the DERM prior to the commencement of operational works.

Retention of Koala Habitat Trees

3. All koala habitat trees with a height of 4m or greater or a diameter of 10cm or greater at 1.3m above the ground outside of the approved development zone, which is bound by the fire trail to the south and west boundaries and the existing lot boundaries to the north and east, will be retained with the following exceptions:
 - (a) Koala habitat trees identified within the proposed western (southern most) detention/bio-retention basin site (Plan No.238301-SK020);
 - (b) Koala habitat trees identified within the proposed northern detention/bio-retention basin site (Plan No.238301-SK020); and

Amended Concurrence Agency Response

- (c) Koala habitat trees identified within the building areas which extend into to the western conservation buffer zone.

Rehabilitation of Koala Habitat

4. Rehabilitation of koala habitat is to be undertaken in accordance with the current Landscape Plan, Vegetation Management Plan and Bushfire Assessment Report to be submitted to the DERM and Sunshine Coast Regional Council prior to commencement of operational works.
- a) Plant species assemblage, density and distribution including the understorey should resemble the surrounding regional ecosystem.
 - b) Depending on availability, all koala habitat tree species are to be derived from local seed stock. Alternative stock (preference given to 'native to area' species) can be used if prior approval is given by the DERM.
 - c) Suitable protective measures are required to be installed around the rehabilitation area(s) at the time of planting and remain in place until the maintenance period has finished.
 - d) All revegetation must be completed within one (1) year of the date an operational works approval is issued by Sunshine Coast Regional Council.
 - e) Maintenance of all completed revegetation is to be undertaken by the applicant over a period of two (2) years, commencing from the date revegetation is completed. Maintenance actions are to address the following:
 - stabilisation of soil structure;
 - replacement of dead or diseased tree plantings;
 - regular watering, taking into consideration current water restrictions; and
 - removal and management of noxious plant and environmental weed species.

Construction in a Koala Habitat Area

- 5. Clearing and construction on the subject site must be limited to the hours between 6am and 6pm.
- 6. During construction, the driving and parking of vehicles, as well as stockpiling of soil and other materials, must be carried out away from the root zone of trees to be retained.
- 7. The applicant shall ensure that all employees, contractors, subcontractors, agents or any other person engaged or employed to carry out building works under this Development Permit comply at all times with the requirements of this Development Permit and do not clear any vegetation that is not approved to be cleared under this Development Permit or in a manner that is inconsistent with it.
- 8. The applicant shall notify the DERM Customer Service Centre on phone (07) 3227 8185 or email at koala.plan@epa.qld.gov.au at least 5 business days prior to the commencement of any clearing of koala habitat trees on the subject site of the date clearing is to commence and the koala spotter to be used.
- 9. Domestic dogs are not permitted on the site during construction.

Traffic

- 10. Traffic entering and exiting the site should be kept to a minimum between the hours of 6pm and 6am.
- 11. Signage depicting a koala and a maximum speed limit of 30km/h should be erected at the entrance to the site to inform visitors that koalas may be present on the site.

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Fencing

12. The fence to be erected along the western boundary of the conservation buffer zone is to be built with the intentions of the proposed design plan (Figure 4. Koala Fence Detail, project BCR09).
13. The barrier fence to be erected on the eastern boundary (along Ben Lexen Drive) is to be designed as a 'koala exclusion' fence to prevent eastward movement of fauna.
14. Any future fencing along the southern and northern boundary is to be endorsed by the DERM and Sunshine Coast Regional Council prior to construction.

Landscaping

15. Any landscaping to be undertaken on the subject site must consist of at least 70% Australian plants, of which, 50% are native to the area including koala habitat trees native to the area.

Lighting

16. Artificial lighting on the subject site must be operated to ensure it is directed away from adjacent native vegetation and minimises impacts to koalas and other wildlife inhabiting or moving through the adjacent vegetation.

Definitions

"Koala friendly fencing" is defined as a fence that:

- a. allows koalas to easily climb through or over the fence by choosing materials such as post and rail and leaving at least a 30cm gap between ground level and the first rail or strand; or
- b. Provide a means for koalas to get over a fence that cannot be easily climbed by:
 - i. installing a timber post leaning against the fence at a 45 degree angle on either side;
 - ii. planting vegetation within close proximity on either side of the fence to provide a natural ladder;
 - iii. installing planks or panels horizontally along the top of the fence to provide a walkway; and
 - iv. building the fence around existing trees and vegetation.

"Koala habitat trees" are defined in the Nature Conservation (Koala) Conservation Plan 2006. They include tree species of the Angophora, Corymbia, Eucalyptus, Lophostemon and Melaleuca genera.

"Subject site" Lot 6 on RP901384 and Lot 1 on SP177650 and Lot 7 on RP890947 and Lot 8 RP901384

Advice to Applicant and Council

The clearing of koala habitat trees must be undertaken in accordance with sections 15 and 16 of the *Nature Conservation (Koala) Conservation Plan 2006*. The applicant shall notify the Department of Environment and Resource Management (DERM) Customer Service Centre on phone (07) 3227 8185 or email at koala.plan@epa.qld.gov.au at least 2 business days prior to the commencement of any clearing of koala habitat trees on the subject site of the date clearing is to commence and the koala spotter to be used.

Koalas that are identified on the site during construction are not to be captured and relocated. Translocation is prohibited under the *Nature Conservation Act 1992*. Should a koala be found sick or injured the fauna spotter must either take it to the nearest treatment facility or contact QPW hotline on 1300 130 372.

The above DERM concurrence conditions are the full responsibility of the applicant and new landholders. The DERM recommends that Sunshine Coast Regional Council place a notation on the proposed allotments which alerts potential landowners when conducting a property search to the development conditions on the property, in particular, koala sensitive dog ownership.

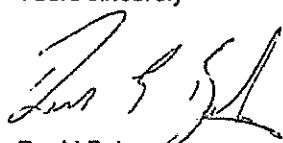
Amended Concurrence Agency Response

Assessment Manager Responsibilities

Please note that it is a requirement under Sections 3.5.15 and 3.5.17 of the *Integrated Planning Act 1997* that a copy of the final Decision Notice (which includes the DERM's concurrence response) for this application issued by the Sunshine Coast Regional Council, be forwarded to each referral agency. Therefore could you please send a signed hardcopy to the DERM's Ecoaccess Customer Service Unit, PO Box 15155 CITY EAST 4002 and an electronic copy to eco.access@epa.qld.gov.au.

If you require more information, please contact Brett Manning, the Project Manager, on the telephone number listed below.

Yours sincerely



David Baker
Manager
Koala Conservation Unit
Threatened Species
Sustainable Communities
Department of Environment and Resource Management

Enquiries:

Brett Manning
Project Manager
Koala Conservation Unit
Level 8, 160 Ann Street
CITY EAST QLD 4002
Phone: (07) 3227 8487
Fax: (07) 3227 6386
Email: brett.manning@epa.qld.gov.au

27 March 2009

DERM Wetlands & Conservation Estate Referral Agency Response

Assessment manager reference:	2008/1128
Date application received:	18 July 2008
Permit ¹ type:	Advice Agency Response
Decision:	Recommendations
Relevant laws and policies:	Coastal Protection and Management Act 1995, Environmental Protection Act 1994, and Nature Conservation Act 1992
Jurisdiction(s):	<ul style="list-style-type: none">– Material change of use - Land in or near a wetland (<i>Integrated Planning Regulation 1998</i> - Schedule 2, table 3, item 20)– Reconfiguring a lot - Land in or near a wetland (<i>Integrated Planning Regulation 1998</i> - Schedule 2, table 2, item 38)– Material change of use - Land in or near a conservation estate (<i>Integrated Planning Regulation 1998</i> - Schedule 2, table 3, item 21)– Reconfiguring a lot - Land in or near a conservation estate (<i>Integrated Planning Regulation 1998</i> - Schedule 2, table 2, item 39)

Development Description(s)

Property/Location		Development
Grasstree Court, Sunrise Beach QLD 4567	Lot 6 on RP901384;	Material Change of Use, other than for a domestic activity, if any part of the lot is situated in, or within 100m of, a wetland
Ben Lexcen Drive, Sunrise Beach QLD 4567	Lot 7 on RP890947;	
Cooyar Street, Noosa Heads QLD 4567	Lot 1 on SP177650; and	Reconfiguring a Lot if— (a) any part of the lot is situated in, or within 100m of, a wetland; and (b) the reconfiguration results in more than 10 lots, or any lot created is less than 5ha
2 Grasstree Court,	Lot 8 on	

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

DERM Wetlands & Conservation Estate Referral Agency Response

Sunrise Beach QLD 4567	RP901384	<p>Material Change of Use for urban purposes if any part of the lot is situated in, or within 100m of, any of the following—</p> <p>(a) protected area, forest reserve, critical habitat or area of major interest under the <i>Nature Conservation Act 1992</i></p> <p>Reconfiguring a Lot if—</p> <p>(a) any part of the lot is situated in, or within 100m of, any of the following—</p> <p>(i) a protected area, forest reserve, critical habitat or area of major interest under the <i>Nature Conservation Act 1992</i>; and</p> <p>(b) the reconfiguration results in more than 10 lots, or any lot created is less than 5ha</p>
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Recommendation

The Chief Executive, Department of Environment and Resource Management (DERM), makes the following recommendation to the assessment manager:

Wetland:

The Assessment Manager should consider the potential impacts of the proposed development on wetland values, including the water quality, natural hydrological flows and ecological functioning of the wetland. Development should meet the following outcomes:

- **Maintain ecological values of the wetland.** There is no loss of wetland habitat and adverse impacts on the functioning and integrity of a wetland from development are avoided. A report prepared and certified by an appropriately qualified professional may assist the Assessment Manager to consider the impacts of the development on the ecological values and functioning of the wetland. If adverse impacts are unavoidable, the Assessment Manager is encouraged to ensure that the values lost are offset in order to achieve an environmental outcome equal or better than the wetland values that are impacted.

Where a wetland management area is mapped as a 'significant coastal wetland' under a *Regional Coastal Management Plan* it should be assessed against the policy for areas of state significance (natural resources). An Implementation Guideline should be consulted:

http://www.derm.qld.gov.au/services_resources/item_details.php?item_id=202304&topic_id=54.

For areas where a regional coastal management plan does not exist, where the wetland management area is also defined as a 'significant coastal wetland' under the *State Coastal Management Plan – Queensland's Coastal Policy 2001 (SCMP)*, any approval is consistent with SCMP policy 2.8.1, Areas of state significance (natural resources).

- **Maintain wetland water quality.** The water quality of any waters in and linked to the wetland is maintained and managed to protect the environmental values of the wetland, and to ensure that the water quality objectives listed under Schedule 1 of the *Environmental Protection (Water) Policy 2009* are achieved.
- **Maintain wetland water regime.** The existing water regime (including surface and groundwater) within and linked to the wetland is maintained and managed to protect existing natural hydrological processes within the wetland ecosystem. This includes safeguarding natural fluctuations in size and location of the wetland, and retaining and allowing for regeneration of native vegetation.

To ensure that the proposed development is able to meet the above outcomes, the Assessment Manager is encouraged to consider the requirement for a buffer area between any proposed works and the wetland. A wetland buffer has two components:

DERM Wetlands & Conservation Estate Referral Agency Response

- a support area adjacent to the wetland that maintains and supports the environmental values of the wetland; and
- a separation area around the support area that protects the wetland from external threats such as sediment and nutrient discharge from surrounding landuse.

Buffer distances should be maximised in order to maintain existing biodiversity values, habitat connectivity and to minimise edge effects. Unless otherwise determined by a suitably qualified professional, the following buffer widths are accepted by DERM as precautionary buffer widths likely to absorb impacts from external uses.

- within urban areas, a minimum 50m buffer to wetland
- outside of urban areas a minimum 200m buffer to wetland
- for 'significant coastal wetlands', a buffer width of 200m to wetland

Where required, revegetation of the buffer is recommended using native species representative of the pre-clearing regional ecosystem, with preference given to endemic species. Plants should be of local provenance where possible. A rehabilitation / revegetation management plan including weed management strategies may assist in determining the rehabilitation requirements for the development. Conditioning of any approval with building or development envelope(s) may also be a useful way to give formal effect to any required buffer area.

The Assessment Manager should consider requiring applicants to provide a Stormwater Management Plan to demonstrate how stormwater, sediment and other run-off from the site (associated with the construction and operational phases of development) will be effectively managed to prevent adverse impacts on wetland values. Potential impacts are to be addressed through water sensitive urban design including compliance with *South East Queensland Regional Plan 2009-2031 Implementation Guideline No. 7: Water sensitive urban design – design objectives for urban stormwater management*. For areas outside of the South-east Queensland Regional Plan area any approval should recognise the requirements of the *Draft Urban Stormwater – Queensland Best Practice Environmental Management Guidelines 2009*².

Conservation Estate:

The Assessment Manager should consider the potential impacts of the proposed development on both the habitats and environmental values contained within the conservation estate, as well as to the management intent of the conservation estate. Development should ensure the following outcomes:

- **Maintain habitat and biodiversity values:** development avoids or minimises and mitigates adverse impacts on the functioning and integrity of habitats and environmental values contained within the conservation estate
- Development demonstrates there will be **no adverse impacts on the ecological values** and functioning of the conservation estate. An ecological report prepared by a suitably qualified professional may be one way that the Assessment Manager may choose to assess this outcome.
- Development **maintains, conserves and enhances the current extent and connectivity** within and between conservation estate areas
- Development **does not compromise the management intent** of the conservation estate.

The Assessment Manager should ensure that there is a sufficient buffer distance between any proposed works including access tracks and roads and the conservation estate boundary in order to maintain the ecological functioning and integrity of the conservation estate. Buffer distances should be maximised in order to maintain existing biodiversity values, habitat connectivity and to avoid edge effects. The buffer may also assist in

² The Draft Urban Stormwater –Queensland Best Practice Environmental Management Guidelines 2009, is available at: http://www.derm.qld.gov.au/environmental_management/water/environmental_values_environmental_protection_water_policy/draft_urban_stormwater_qbpem_guideline_2009.html

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ensuring that stormwater, wastewater, dust and erosion from the development site can be appropriately managed to avoid adverse impacts on the conservation estate. A stormwater and wastewater management plan may be one way the assessment manager may choose to ensure off-site impacts of development are ameliorated. Revegetation of buffer zones using native species representative of the pre-clearing regional ecosystem is recommended.

Establishing building or development envelope(s) may also be a useful way to give formal effect to any required buffer area.

Neighbours to the conservation estate have a responsibility to keep dwellings and other infrastructure near Queensland Parks and Wildlife Service (QPWS) managed lands in a condition that minimises fire risk to themselves and their property as well as the protected estate and to appropriately ameliorate light and noise issues. Consultation with QPWS officers is recommended to ensure management objectives of the conservation estate including fire management, emergency services access and pest controls are met. A QPWS 'Good Neighbour Policy' may be of assistance and is available on the web at:

<http://www.derm.qld.gov.au/register/p01658aa.pdf>

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