

Date: 23 May 2016
Contact: Tony Cockram
Location: City Development
Telephone: (07) 5582 8866
Your reference:
Our reference: PN265841/03/DA4
OPW201600757

The Gold Coast Hindu Cultural Association
72 The Peninsula
HELENSVALE QLD 4212

Dear Sir/Madam

DECISION NOTICE TO APPLICANT

Application type: Operational works for Vegetation Management
Property description Lot 9 on SP161040
Property location 9 Dunkirk Close, Arundel

I wish to advise that on 20 May 2016 the above application 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

TC:SC

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SCOPE OF APPROVED VEGETATION CLEARING

1 Approved scope of works

Approved works are limited to those works specified within the table below. All other existing vegetation must be retained and must not be disturbed or damaged during the implementation of the approved works or any other development on the site.

ID No.	Quantity & species	Approved works	Purpose for which works approved
Lot 9 SP161040	Various <i>Eucalyptus</i> , <i>Corymbia</i> , <i>Casuarina</i> and <i>Acacia species</i> across entire site	Total removal with conditions	<ul style="list-style-type: none"> To facilitate approved MCU201401468 development layout.

2 No damage to retained vegetation

All work in areas adjacent to vegetation to be retained must be carried out without causing damage to the vegetation.

Timing

At all times while works are occurring.

COMPENSATORY MEASURES

3 Compensatory planting

Replacement trees must be planted within the site boundaries to compensate for the loss of vegetation from the site, in accordance with the following:

- The replacement trees must be planted within **12 months** of the approval date.
- The species for planting are to be as per council approved landscape plans.
- The trees must be subsequently maintained for a minimum of **6 months** to ensure healthy establishment.
- The compensatory planting may be subject to an inspection by Council officers within a 12-month period from the planting deadline date in (a) above. If the inspection finds that any trees have not achieved healthy establishment, the applicant must replace the tree/s and the maintenance and inspection requirements of this condition will apply to the replaced tree/s.

Timing

As indicated within the wording of the condition.

PRE-START REQUIREMENTS

4 Instructions to contractors

Contractors undertaking approved works, including tree removal or tree relocations, must be directly provided with a

Timing

Prior to the commencement of

	copy of these conditions and instructed as to the need to comply with them.	works.
5	<p>Display of approved plans and conditions</p> <p>A copy of all approved plans and these conditions must be retained and displayed on-site at all times during the vegetation clearing.</p>	<p>Timing</p> <p>At all times during site works occurring.</p>
6	<p>Pre-start meeting</p> <p>The applicant must arrange and attend an on-site pre-start meeting with relevant Council officers. The contact officer is Tony Cockram (5582 8308).</p>	<p>Timing</p> <p>Prior to the commencement of any works.</p>
7	<p>Compliance with directions as a result of pre-start meeting/site inspections</p> <p>The applicant must comply with any directions given by Council officers as a result of the pre-start meeting and other site inspections in respect of measures to be employed on-site to minimise any adverse environmental impacts, including any directions as to sediment, erosion and dust control measures to be employed on-site.</p>	<p>Timing</p> <p>At all times.</p>
8	<p>Pre-clearing fauna assessment</p> <p>The applicant must submit a pre-clearing fauna assessment to be undertaken by a DEHP-approved spotter catcher.</p>	<p>Timing</p> <p>Prior to the booking of the pre-start meeting.</p>
9	<p>Post-clearing fauna summary</p> <p>A post-clearing fauna summary must be submitted to Council. The post-clearing fauna summary is to be undertaken by the DEHP-approved spotter catcher on site during the clearing works.</p>	<p>Timing</p> <p>To be submitted within five (5) business days of tree works being finalised.</p>
10	<p>DEHP-approved spotter-catcher</p> <p>A DEHP-approved spotter-catcher must be present during:</p> <ul style="list-style-type: none"> a The pre-start meeting to identify all fauna habitat trees prior to commencement of works; and b Damage to any such trees, to ensure that wildlife is unharmed. <p>For this condition a 'DEHP-approved spotter-catcher' is a person who holds a rehabilitation permit with an extended authority issued by the Department of Environment and Heritage Protection specifying that the holder may take, keep or use an animal whose habitat is about to be destroyed by human activity.</p>	<p>Timing</p> <p>As indicated within the wording of the condition.</p>

MANNER IN WHICH WORKS ARE TO BE CONDUCTED	
11 Compliance with Australian standards All work carried out on the trunk, foliage or root systems of the tree(s) specified is to be in consultation with a qualified arborist or horticulturalist and must comply with AS 4373 – 2007 <i>Pruning of amenity trees</i> .	Timing At all times.
12 No topping, lopping, spur or spike climbing Where tree works limits works to pruning only, no topping, lopping or spur or spike climbing of any tree is permitted.	Timing At all times.
13 Felled timber to be recycled All felled timber must be recycled (milled, chipped or mulched) and where possible incorporated into the landscape features, batter stabilisation techniques or other approved site works.	Timing At all times.
14 Disposal of non-recyclable debris Non-recyclable debris must be transported from the site and disposed of at a green waste facility, unless an alternative method is approved by Council.	Timing At all times.
15 Open burning prohibited No open burning is permitted on-site.	Timing At all times.
16 Relevant period The relevant period after which the approval will lapse if the works are not substantially started is one year from the date the approval takes effect in accordance with section 341(3)(b) of the <i>Sustainable Planning Act 2009</i> .	Timing As indicated within the wording of the condition.

Advice Note –The Protected Plants Regulatory Framework establishes the triggers and process for clearing of protected plants in Queensland. The subject site is identified as a 'High Risk Area' on the Protected Plants Flora Survey Trigger Map. The Protected Plants Flora Survey Trigger Map shows areas where particular provisions of the Nature Conservation Act 1992 apply to the clearing of protected plants, and is used to determine flora survey and clearing permit requirements. Areas shown as high risk are subject to particular requirements under legislation. For further information about clearing of protected plants please email palm@ehp.qld.gov.au.

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.



**GOLD COAST CITY COUNCIL
OPW TREE WORKS SITE PLAN**

SUBJECT TO AMENDMENTS MARKED IN RED TO
CORRESPOND WITH LETTER OPW/201600757

SIGNATURE *[Signature]* DATE *20.5.16*

THE COPYRIGHT OF THIS DRAWING IS VESTED SOLELY AND ENTIRELY IN KVT3 ARCHITECTS.

ARCHITECT'S SITE INSTRUCTION TAKES PRECEDENCE OVER DRAWINGS. ALL DIMENSIONS ARE IN MILLIMETRE UNLESS SPECIFIED.

FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED WORK. CHECK ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS.

ANY DISCREPANCIES SHALL BE REFERRED TO THE ARCHITECT BEFORE WORK PROCEEDS. TO BE READ IN CONJUNCTION WITH RELEVANT ARCHITECTURAL AND STRUCTURAL DRAWINGS.

ALL MATERIALS, APPLIANCES, FITTINGS AND FINISHES ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS. ALL WORKS MUST CONFORM TO AUSTRALIAN STANDARDS, REGULATIONS, THE DRAWINGS & SPECIFICATION.

AMENDMENTS		
No	DATE	DESCRIPTION
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DRAWING TITLE

SITE AND NEIGHBOURHOOD PLAN

PROJECT TITLE

PROPOSED HINDU EDUCATION AND CULTURAL PRECINCT AT BYTH STREET/ DUNKIRK CLOSE, ARUNDEL (LOT 9, SP 161040)

Member of Architects

AITA

DESIGNED **KVT3 ARCHITECTS**

DRAWN **YAY**

RK

APPROVED **YAY**

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PO BOX 7838

DAWDENONG VIC 3176

DATE 28 Jan 14

SCALE 1:500

SHEET No 1 of 8

DRAWING No 123113/AS7/TP01