

Department of Environment
and Resource Management

Sustainable Planning Act 2009

DERM Permit ¹ number: IC0108NAM0012

Assessment manager reference (if any):	--
Date application received:	13 October 2010
Decision:	Conditions that should attach to any development approval
Relevant laws and policies:	State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils
Jurisdiction(s):	Various aspects of development - Acid sulfate soils. <i>Sustainable Planning Regulation 2009</i> - Schedule 7, table 3, item 3

Development Description(s)

Property/Location		Development
Springs Drive, Meridian Plains	Lot 12 SP189346	Material Change of Use & Reconfiguring of a Lot

Reason(s) for inclusion of conditions

*State Planning Policy 2/02*² sets out the State's interests concerning development involving acid sulfate soils (ASS) in low-lying coastal areas. An assessment of the development application indicates that there are significant environmental risks associated with disturbing acid sulfate soil (ASS) at this site. To satisfy the requirements of the SPP 2/02², detailed knowledge on the location of ASS and site specific management strategies should be a precursor to any site disturbance. This may impact on the project design and financial viability of the project.

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.

² *State Planning Policy 2/02: Planning and Managing Development involving Acid Sulfate Soils*

DERM Permit number: IC0108NAM0012

The disturbance of ASS should be avoided wherever possible. Any negative environmental impact which occurs as a result of a development activity disturbing ASS and which does not comply with SPP 2/02² breaches the duty of care requirements as defined in the *Environmental Protection Act 1994*.

The obligation is on the developer to comply with SPP 2/02² and conditions of approval.



Delegate

A McDougall
Acting Principal Scientist
Resources Assessment & Information
Delegate, Chief Executive administering the Sustainable
Planning Act 2009
Department of Environment and Resource Management
20 December 2010

DERM Permit number: IC0108NAM0012

CONDITIONS

The Department recommends that the following conditions be attached to any development approval if SPP 2/02 is triggered:

1. Complete an ASS investigation in accordance with SPP 2/02 Guideline³.
2. Based on the results of the ASS investigation, formulate an ASS Environmental Management Plan (ASS EM Plan) consistent with Appendix 4 of the SPP2/02 Guideline and the Management Principles of the latest version of the *Queensland Acid Sulfate Soil Technical Manual, Soil Management Guidelines*⁴.
3. The development must comply with the ASS EM Plan required in 2.

The Department further recommends that the above conditions be addressed prior to development commencing and suggests that the compliance stage of IDAS provides a suitable process for ensuring the technical reports are in accordance with SPP 2/02¹.

END OF CONDITIONS

³ State Planning Policy 2/02 Guideline: *Planning and Managing Development Involving Acid Sulfate Soils*

⁴ Dear SE, Moore NG, Dobos SK, Watling KM and Ahern CR (2002). *Soil Management Guidelines*. In *Queensland Acid Sulfate Soils Technical Manual*. Department of Natural Resources and Mines, Indooroopilly

Department of Environment
and Resource Management

Sustainable Planning Act 2009

DERM Permit¹ number: IC0108NAM0012

Assessment manager reference:	2007/56-00019
Date application received:	13 October 2010
Permit type:	Advice Agency Response
Relevant laws and policies:	<i>Environmental Protection Act 1994</i> and any related statutory instruments and subordinate legislation; Operational Policy: Assessing applications for advice (wetlands, conservation estate and heritage places)
Jurisdiction(s):	Material Change of Use, other than for a domestic housing activity, if any part of the land is situated in a wetland management area <i>Sustainable Planning Regulation 2009</i> -Schedule 7, Table 3, Item 21

Development Description

Property/Location		Development description
Lot 12 SP189346	Springs Drive, Meridan Plains	Development Permit for Material Change of Use, Preliminary Approval for Material Change of Use and Preliminary Approval Overriding the Planning Scheme

Recommendation

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

The Assessment Manager must consider the potential impacts of the proposed development on the ecological values of the wetland management area; the wetland water quality; and the wetland water regime. Development should not be located within 100 m of a wetland or should be setback a sufficient distance to maintain the integrity and functioning of the wetland ecosystem and habitat values. The setback should be justified by information provided by a certified biologist or equivalent.

Development should ensure 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. Where a wetland management area is also mapped as a 'significant coastal wetland' under the *South-east Queensland Regional Coastal Management Plan 2006* it should also be assessed under policy 2.8.1, 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
- If the wetland contains mapped or likely to be present threatened species habitat, then the applicant is to provide a report prepared and certified by an appropriately qualified professional demonstrating to the

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 Permit ¹ number: IC0108NAM0012

satisfaction of the assessment manager that there will be no adverse impacts on the ecological values and functioning of the wetland. If loss to the wetland or adverse impacts are unavoidable, loss and impacts are minimised and offsets are provided in order to achieve an environmental outcome equal or better than the values lost

- **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 a 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 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:

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

The Assessment Manager should ensure that there is a sufficient buffer distance between any proposed works and the wetland management area in order to maintain the ecological functioning and integrity of the wetland. Buffer distances should be maximised in order to maintain existing biodiversity values and habitat connectivity and to minimise edge effects.

The applicant is to provide a report prepared and certified by a biologist or equivalent that demonstrates to the satisfaction of the assessment manager that there are no adverse impacts on the ecological values and functioning of the area of significance.

Revegetation of the buffer is recommended using locally native species that reflect the pre-clearing regional ecosystem, with preference given to endemic species. Plants should be of local provenance where possible. A Rehabilitation/ Revegetation Management Plan should stipulate a weed management strategy including weed control and plant maintenance over a minimum one year period. 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*.

Delegate



Daniel Leo
A/Senior Officer
Regional Planning and Coordination (Nambour)
Planning and Assessment – SEQ Region
Delegate of the Department of Environment and Resource Management
21 December 2010

Department of Environment
and Resource Management

Integrated Planning Act 1997

DERM Permit¹ number: elvas: 2008/000555 – Trackjob: IC0108NAM0012

Assessment manager:	Sunshine Coast Regional Council
Assessment manager reference:	2007/56-00019
Date application received:	13 October 2010
Permit type:	Concurrence Agency Response
Date of decision:	24 November 2010
Decision:	Conditions included in this Notice must attach to any development approval given by the Assessment Manager.
Relevant laws and policies:	<i>Vegetation Management Act 1999, Integrated Planning Act 1997, SEQ Regional Vegetation Management Code, Concurrence Agency Policy for Material Change of Use (MCU) 21 October 2009 (MCU Policy) and Concurrence Agency Policy for Reconfiguring a Lot (RaL) 21 October 2009 (RaL Policy).</i>
Jurisdiction:	<i>Integrated Planning Regulation 1998 - Schedule 2, table 3, item 11 & Schedule 2, table 2, item 4.</i>

Development Description(s)

Property/Location		Development
Springs Drive, Meridan Springs	12 SP189346	MCU and RaL

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 12 on SP189346 is partly zoned urban (Emerging Community) and partly zoned non-urban (Rural).

DERM has assessed the part of the application occurring in the urban area against the *Concurrence Agency Policy for Material Change of Use (MCU) 21 October 2009* and the *Concurrence Agency Policy for Reconfiguring a Lot (RaL) 21 October 2009* (RaL Policy), and has determined that this part of the application meets the requirements of Criteria Table B, because any clearing as a result of the MCU and clearing as a result of the RaL will only occur:

- for an urban purpose in an urban area on freehold land
- in remnant vegetation that does not contain an *endangered* regional ecosystem, where there is no PMAV for the area subject to the clearing.

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 Permit number: **Trackjob # IC0108NAM0012**

DERM has assessed the part of the application occurring in the non-urban area against the MCU and RaL Policies and has determined that this part of the application meets the requirements of Criteria Table A, because clearing as a result of the MCU and RaL will not occur within assessable vegetation in this location. To ensure the application complies with Criteria Table A of the policies, appropriate conditions are to apply to any approval given by the assessment manager.

Delegate



Andrew Collins
Senior Vegetation Management Officer
Delegate, Chief Executive administering the *Vegetation Management Act 1999*

Department of Environment and Resource Management

24 November 2010

DERM Permit number: Trackjob # IC0108NAM0012

CONDITIONS

The chief executive of DERM directs the assessment manager to include the following condition in any development approval given for the application:

- I.1. No clearing of vegetation is to occur within the areas shown as area 12 on the submitted plan (*Jiren Pty Ltd Proposed Subdivision of Lot 12 on SP189346 Parish of Bribie* – Drawn on 11 June 2009 – Ken Hicks and Associates – 051033.3), unless the clearing is—
 - i. By fire under the *Fire and Service Rescue Service Act 1990* to reduce hazardous fuel loads or an activity under the *Fire Service and Rescue Act 1990*, section 53, 68 or 69; or
 - ii. Where it is necessary to remove or reduce the imminent risk that the vegetation poses to serious personal injury or damage to property; or
 - iii. To give effect to any subsequent development approvals for operational works that is the clearing of native vegetation.
- I.2. No infrastructure—including, but not limited to, buildings, roads, and fences—is to be established in the areas shown as area 12 on the submitted plan (*Jiren Pty Ltd Proposed Subdivision of Lot 12 on SP189346 Parish of Bribie* – Drawn on 11 June 2009 – Ken Hicks and Associates – 051033.3).
- I.3. No allotment boundaries are to be located or established within the area shown as area 12 on the submitted plan (*Jiren Pty Ltd Proposed Subdivision of Lot 12 on SP189346 Parish of Bribie* – Drawn on 11 June 2009 – Ken Hicks and Associates – 051033.3).

END OF CONDITIONS