

Our reference: COM/2025/129
Your reference: 49906548

Decision notice — approval (with conditions)

(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 29 May 2025

Applicant details

Applicant name: Clarendon Homes (Qld) Pty Ltd Abn 37 078 853 022
Applicant contact details: C/- Professional Certification Group
UNIT 14 / 11-13 Pearl St
KINGSCLIFF NSW 2487

Application details

Application number: COM/2025/129
Approval sought: Combined Application
Details of proposed development: Operational work for Vehicle Access Works (1 x Vehicle Crossing) and for Clearing Vegetation (1 x Tree Works)

Location details

Street address: 7 Calli Avenue, UPPER COOMERA QLD 4209
Real property description: Lot 101 SP313554

Decision

Date of decision: 28 May 2025
Decision details: Under Delegated Authority, the Senior Authorising Civil Engineer has resolved to approve the development application in full with conditions.

Referral agency(s) for the application

Not applicable – no part of the application required referral.

Details of the approval

Development approval: Operational Work – Vehicle Access Works (1 x Vehicle Crossing)
Operational Work – Vegetation Management (1 x Tree Works)

Conditions

The conditions that have been imposed by Council, as Assessment manager, are enclosed.

Properly made submissions

Not applicable—No part of the application required public notification.

Currency period for the approval (section 85 of the *Planning Act 2016*)

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of two years.

Approved plans and drawings

Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: • the refusal of part of the development application; or • a provision of the development approval; or • if a development permit was applied for, the decision to give a preliminary approval. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the <i>Planning Act 2016</i>, to a development tribunal. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.
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For further information please contact Ravi Adhikari, Civil Engineer on 07 5582 9407 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY



Nathan Seiler

Senior Authorising Civil Engineer

For the Chief Executive Officer

Council of the City of Gold Coast

Enc:

Conditions imposed by Council as Assessment manager

Attach:

Stamped approved plans and drawings

Appeal rights extracts

Conditions imposed by Council as Assessment manager**PART A - Operational work – Vehicle Access Works****General****1 Timing**

All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

2 Approved drawings

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Operational Works

Drawing Title	Author	Date	Drawing No.	Ver
Cover Sheet	Clarendon Homes (QLD) P/L	04 Mar 2025	1	B
Site Plan	Clarendon Homes (QLD) P/L	04 Mar 2025	2	B

And ensure that:

- i The concrete is 125mm thick having a minimum of N32 grade. The minimum steel reinforcement is SL72 mesh with a minimum 50 mm top cover.
- ii Stormwater kerb adaptors are clear from the crossing and entirely contained within the frontage of the subject site.
- iii The vehicular crossing is located clear from all utility services.
- iv Grades comply with IPWEAQ standard drawings RSD-100 & RSD-101.
- v Standard change in grade requirements in AS2890.1 is complied with.

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Engineering**3 Rectification of Council's infrastructure**

Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to the post pour inspection at no cost to Council.

4 Construction of vehicular crossing

Construct the vehicular crossing generally in accordance with the Driveways and vehicular crossing code of the City Plan and include in particular:

- Requirements of the Manual of Uniform Traffic Control Devices, Part 3 – Works on Roads:

5 Existing structures and services

Ensure removal of existing structures and services listed below prior to the post pour inspection at no cost to Council:

- i Redundant vehicular crossing.
- ii Redundant stormwater kerb adaptors, (including any associated pipework across the verge).

6 Existing structures and services within close proximity to vehicle crossing

- a Modify the level of any nearby services (communication pits, electrical pits, hydrants etc) where construction of the vehicle crossing creates a trip hazard (greater than a 1/4 batter

	or a sudden level difference greater than 5mm) prior to the post pour inspection at no cost to Council.									
b	Seek any necessary approvals for the modifications prior to undertaking the work.									
Construction Management										
7	Availability of approved plans, drawings and reports Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.									
8	Hold point inspection Arrange a hold point inspection to complete the requirements identified in SC.6.12 City Plan Policy – Land development guidelines of the City Plan for the following: <table><tr><th>Purpose</th><th>Hold Point</th><th>Council contact</th></tr><tr><td>Undertake a vehicular crossing pre-pour inspection to ensure work is in accordance with the Operational works approval inclusive of any necessary footpath tie ins.</td><td>Prior to placement of concrete</td><td>Development Compliance 07 5582 8184</td></tr><tr><td>Undertake a vehicular crossing post-pour inspection to ensure work is in accordance with the Operational works approval</td><td>After placement of concrete</td><td>Development Compliance 07 5582 8184</td></tr></table> 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.	Purpose	Hold Point	Council contact	Undertake a vehicular crossing pre-pour inspection to ensure work is in accordance with the Operational works approval inclusive of any necessary footpath tie ins.	Prior to placement of concrete	Development Compliance 07 5582 8184	Undertake a vehicular crossing post-pour inspection to ensure work is in accordance with the Operational works approval	After placement of concrete	Development Compliance 07 5582 8184
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Advice Notes										
A	Scope of VXO approval The approval endorses the VXO (Crossing from the kerb to the property boundary) and does not include the driveway or any other work shown on the drawings.									
B	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.									
C	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 and Multicultural Affairs (DATSIMA). 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 DATSIMA's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.
D	Encroachment of works If any operational works, the subject of this approval encroaches on adjoining land, a letter from the adjoining owner must be submitted to Council consenting to the carrying out of these works.
E	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: - 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; - 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'); - 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); - 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; - 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 - Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. - 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.
F	Connections to, alteration or realignment of Council infrastructure Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g., telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.
G	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 <i>Biosecurity Act 2014</i> 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 .												
H	Restoration works for Council activities Where Council is required to perform work to any asset located within the VXO, reinstatement may only be with plain concrete.												
PART B - Operational work – Vegetation Clearing													
General													
1	Approved drawings Undertake and maintain the development generally in accordance with the following drawings <table border="1"><thead><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr></thead><tbody><tr><td>Site Plan</td><td>Clarendon Homes</td><td>04/03/25</td><td>49906548</td><td>B</td></tr></tbody></table> The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.	Drawing Title	Author	Date	Drawing No.	Ver	Site Plan	Clarendon Homes	04/03/25	49906548	B		
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2	Scope of works Undertake the vegetation clearing in accordance with the following scope of works: <table border="1"><thead><tr><th>Vegetation ID No.</th><th>Quantity and species</th><th>Approved works</th><th>Justification of works</th></tr></thead><tbody><tr><td>Tree 1</td><td>1 x <i>Harpullia pendula</i> (Tulipwood)</td><td>Total removal with replanting conditions.</td><td>To allow construction of an approved VXO and associated works.</td></tr><tr><td>Tree 2</td><td>1 x <i>Harpullia pendula</i> (Tulipwood)</td><td>To be retained and protected during construction.</td><td>Trees form part of the streetscape. Trees to be managed and protected as described by Condition 5.</td></tr></tbody></table> The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.	Vegetation ID No.	Quantity and species	Approved works	Justification of works	Tree 1	1 x <i>Harpullia pendula</i> (Tulipwood)	Total removal with replanting conditions.	To allow construction of an approved VXO and associated works.	Tree 2	1 x <i>Harpullia pendula</i> (Tulipwood)	To be retained and protected during construction.	Trees form part of the streetscape. Trees to be managed and protected as described by Condition 5.
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Environmental and Landscaping													
3	Vegetation management Undertake works generally in accordance with an operational works approval and the Vegetation management code of the City Plan Policy SC6.13.12.1 – Landscape work at no cost to Council and ensure: a Tree 1 is relocated or replaced within the adjoining road verge in front of the subject site as per the stamped approved plan (marked blue). b Replanting is carried out in accordance with City Plan Policy SC6.12.10 Standard drawing 05-102 – Street Tree Planting Detail Mulch & Cultivation and 05-103 – Street Tree Planting Setout Guidelines for Roadworks. c Trees are maintained for a minimum of 6 months to ensure healthy establishment, if the relocated trees decline, replacement trees of the same species and a minimum rootstock container of 100 litre pots or bags will need to be reinstated at no cost to Council.												
4	Landscape installation and maintenance												

	Ensure all plants, materials, hardscape and watering systems identified on the approved drawings are installed in a manner consistent with <i>Australian Standard AS2303 - 2015 – Tree Stock for Landscape Use</i> and <i>AS4419 - 2003 – Soils for Landscaping and Garden Use</i> and maintained at all times.											
5	No damage to retained vegetation Ensure all other existing vegetation is retained and not disturbed or damaged during implementation of the approved works and construction works, and that all tree protection management procedures are carried out in accordance with the following guidelines below: a Undertake works generally in accordance with <i>Australian Standard AS4970-2009 Protection of Trees on Development Sites</i> and Vegetation Management Code, and include in particular: i No construction related activities (such as construction vehicle parking, liquid disposal, stockpiling etc. as Council considers appropriate) are to occur within the structural root zone (SRZ) of retained vegetation. ii Vegetation is managed during construction activities to avoid structural damage to the trees/compaction of the root plate/filling of soil within the drip zone/long term harm to the health of the tree etc. iii Should tree roots be unearthed during excavation works, contact Arboricultural Planning on 55 828 866 and appoint a minimum AQF Level 5 Arborist to supervise further activities within the Tree Protection Zone (TPZ) to provide management strategies and a final Arborist report.											
Construction Management												
6	Supervision of works During construction of any works the following professionals must be appointed to supervise the below described actions: <table><tr><td colspan="3">Environmental Assessment</td></tr><tr><td>Expertise required of the suitably qualified professional</td><td colspan="2">Actions to be overseen by the professional</td></tr><tr><td>Minimum AQF Level 3 Arborist</td><td colspan="2">Implementation of all tree removal</td></tr></table>			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 removal	
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7	Pre-start inspection Arrange a pre-start inspection prior to the commencement of works to complete the requirements identified in City Plan Policy SC6.12.7.3 – Land development guidelines for the following: <table><tr><td>Purpose</td><td colspan="2">Council contact</td></tr><tr><td>Review and discuss approved detailed landscape plans for public open space</td><td colspan="2">Contributed Assets 07 5582 9034</td></tr></table> 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.			Purpose	Council contact		Review and discuss approved detailed landscape plans for public open space	Contributed Assets 07 5582 9034				
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8	Hold point inspection Arrange a hold point inspection to complete the requirements identified in SC6. 13 City Plan Policy – Landscape work for the following: <table><tr><td>Purpose</td><td>Hold Point</td><td>Council contact</td></tr><tr><td>Confirm the healthy establishment of the replacement trees identified in the</td><td>Six (6) months from the date of</td><td>Contributed Assets</td></tr></table>			Purpose	Hold Point	Council contact	Confirm the healthy establishment of the replacement trees identified in the	Six (6) months from the date of	Contributed Assets			
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	Vegetation management condition.	replacement plantings.	07 5582 9034
	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.		
9	On maintenance Arrange an on maintenance meeting to complete the requirements identified in City Plan Policy SC6.11.7.3 – Land development guidelines for the following:		
	Purpose	Hold Point	Council contact
	Confirm street trees have been established in accordance with the Operational works - tree works approval	Prior to commencement of the on-maintenance period	Contributed Assets 07 5582 9034
	Submit as constructed drawings as identified in City Plan Policy SC 6.11.8.5 – Land development guidelines	Prior to commencement of the on-maintenance period	Contributed Assets 07 5582 9034
	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.		
10	Off maintenance Arrange an off maintenance meeting to complete the requirements identified in City Plan Policy SC6.11.7.3 – Land development guidelines for the following:		
	Purpose	Hold Point	Council contact
	Confirm satisfactory completion of on - maintenance requirements for street trees in accordance with the Operational works - landscape works approval and commence Asset handover.	Prior to Asset handover / conclusion of on maintenance period	Contributed Assets 07 55829034
	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.		