

12 September 2008
Phillip Ware
Implementation & Assessment Branch, Nerang
(07) 5582 8866

PN137697/03/DA1
Application No: OPW2801464

Stephen and Kim Wilson
79 Courtney Drive
UPPER COOMERA QLD 4209

Dear Sir/Madam

DECISION NOTICE TO APPLICANT

APPLICATION TYPE: OPERATIONAL WORKS VEGETATION CLEARING

PROPERTY DESCRIPTION: LOT 188 ON RP173728

PROPERTY SITUATED AT: 79 COURTNEY DRIVE, UPPER COOMERA

I wish to advise that on 11 September 2008 the above application was resolved as outlined in the attached document.

An extract from the Integrated Planning Act 1997, which details your appeal rights, is attached for your information.

As identified with the attached conditions of approval this development approval will lapse if the approved aspect of development is not completed before 12 September 2009.

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact the Planning Assessment area on telephone (07) 5582 8866.

Yours faithfully

Dr Shahadat Hossain
COORDINATOR ENGINEERING & ENVIRONMENTAL ASSESSMENT
For the Chief Executive Officer

DA

Attach

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
Trees 1, 2	2 x <i>Acacia sp.</i> (Wattles)	Total removal.	Dead/declining health.

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.

PRE-START REQUIREMENTS

3 Instructions to contractors

Contractors undertaking approved works, including tree removal or tree relocations, must be directly provided with a copy of these conditions and instructed as to the need to comply with them prior to those works commencing.

4 Display of approved plans and conditions

A copy of all approved plans and these conditions must be retained and displayed on-site at all times during the vegetation clearing.

5 Compliance with directions as a result of site inspections

The applicant must comply with any directions given by Council officers as a result of 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.

MANNER IN WHICH WORKS ARE TO BE CONDUCTED

6 Compliance with AS 4373

All work carried out on the trunk, foliage or root systems of the tree(s) is to be in consultation with a qualified arborist or horticulturalist and must comply with AS 4373 – 1996 *Pruning of amenity trees*.

7 No topping, lopping, spur or spike climbing

Where works limit tree works to pruning only, no topping, lopping or spur or spike climbing of any tree is permitted.

8 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.

9 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.

10 Open burning prohibited

No open burning is permitted on-site.

COMPLETION DATE

11 Completion date

The operational work of this approval must be completed by **12 September 2009**. Pursuant to section 3.5.21A of the *Integrated Planning Act 1997*, this development approval lapses if the operational work is not completed by this date.

Integrated Planning Act 1997

**APPEAL RIGHTS FOR APPROVAL OR REFUSAL OF DEVELOPMENT APPLICATIONS
FOR MATERIAL CHANGE OF USE, RECONFIGURATION OF A LOT OR OPERATIONAL
WORKS APPLICATIONS.**

Appeals by applicants

- 4.1.27 (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 a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6; **
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a currency period;
 - (e) a deemed refusal.
- (2)** An appeal under subsection (1)(a) to (d) must be started within 20 business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.
- (3)** An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.