

Item 8.14 Development application for a Preliminary Approval for a Material Change of Use (Variation request to vary the effect of the Sunshine Coast Planning Scheme 2014 for Dual Occupancies on 23 future residential lots) at 50 Abbotts Road, Palmwoods

Attachment 3 Concurrence agency response

RA6-N



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

SARA reference: 1901-9198 SRA
Council reference: MCU18/0345
Applicant reference: Dual Occ – Habitat

25 February 2019

The Chief Executive Officer
Sunshine Coast Regional Council
Locked Bag 72
Sunshine Coast Mail Centre Qld 4560
mail@sunshinecoast.qld.gov.au

Attention: Tim Mumford

Dear Sir/Madam

Referral agency response—with conditions

(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 11 January 2019.

Applicant details

Applicant name:	Sunshine Beach Constructions c/ Pivotal Perspective Pty Ltd
Applicant contact details:	Jack Lewis 4/59 Mary St Noosaville QLD 4566 jack@pivotalperspective.com.au

Location details

Street address:	50 Abbotts Road, Palmwoods
Real property description:	4RP849406
Local government area:	Sunshine Coast Regional Council

Application details

Preliminary approval that includes a variation request	Preliminary Approval for a Material Change of Use (Variation request to vary the effect of the Sunshine Coast Planning Scheme 2014 for Dual Occupancies on 23 lots)
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South East Queensland (North) regional
office
Mike Ahern Building, Level 3, 12 First
Avenue, Maroochydore
PO Box 1129, Maroochydore QLD 4558

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Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.3.4.3.1 Clearing native vegetation
- 10.9.4.2.4.1 State transport corridors and future State transport corridors

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the applicant

The department offers advice about the application to the applicant as follows:

General Advice

Clearing of vegetation has the potential to disturb the roots of the trees of proposed retained vegetation thereby resulting in the death of trees not approved to be cleared under this development approval. It is recommended clearing and excavation activities be undertaken in accordance with the *'Australian Standards for the Protection of Trees on Development Sites (AS4970-2009)'* to avoid any consequential unauthorised clearing.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use				
Technical Agency Response (Vegetation) Plan	Queensland Government	5 February 2019	TARP 1901-9198 SRA	

A copy of this response has been sent to the applicant for their information.

For further information please contact Luke Farrelly, Senior Planning Officer, on 0753529774 or via email SEQNorthSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Caroline Plank
A/Manager (Planning)

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cc Sunshine Beach Constructions Pty Ltd, jack@pivotalperspective.com.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Approved plans and specifications

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Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use		
10.3.4.3.1 Clearing native vegetation —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	No clearing of vegetation is to occur within the area identified as Area A shown on attached Technical Agency Response (Vegetation) Plan (TARP) 1901-9198 SRA, prepared by the Queensland Government, dated 5 February 2019.	At all times
2.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of clearing authorised by this development approval.	Prior to clearing

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Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure that any development is consistent with the current RaL approval and complies with State Development Assessment Provisions (SDAP) – State Code 16: Native vegetation clearing.

Findings on material questions of fact

DSDMIP as referral agency (concurrence):

- Requires conditions to attach to any development approval as detailed in the referral agency response (concurrence). (*Planning Act 2016* section 56(1)(b)(i))
- Provides advice to the applicant about details in the referral agency response (concurrence).
- Include references to the plans and specifications relied upon for the referral agency response (concurrence).

Evidence or other material on which the findings were based

- development application material uploaded to MyDAS2.
- State Development Assessment Provisions, version 2.4, published by the Department of State Development, Manufacturing, Infrastructure and Planning
- *Planning Act 2016*
- Planning Regulation 2017