

MCU19/0107

ASSESSMENT MANAGER CONDITIONS

PLANNING**When conditions must be complied with**

1. Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plan listed within this development approval.

Nature and Extent of Approved Use

3. The approved Indoor entertainment (gymnasium) use must have a maximum gross floor area of 250m².
4. The gymnasium must be located within one of the nominated tenancies identified on the approved plans.*
 (*Refer Advisory Notes)
5. The approved use must comply with Master Plan No.38 and Master Plan No.39 and any relevant conditions included in the associated Notice of Determination.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	Sara At Dsdmip South East Qld (North) Regional Office PO Box 1129 Maroochydore Qld 4558 Mydas2 At (https://prod2.dev-assess.qld.gov.au/suite/) Email: seqnorthsara@dilg.p.qld.gov.au	Contaminated Land – Unexploded ordnances	The agency provided its response on 18 June 2019 (reference No.1906-11482 SRA).

DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

Approved Plans

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Plan No.	Rev.	Plan Name	Date
2910/300	01	Staging Plan, prepared by Blackburne Jackson Design	Dec 12

REFERENCED DOCUMENTS

Not applicable.

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

Equitable Access and Facilities

- The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code - Building Code of Australia (Volume 1)* as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
 - the *Disability Discrimination Act 1992 (Commonwealth)*
 - the *Anti-Discrimination Act 1991 (Queensland)*
 - the *Disability (Access to Premises – Buildings) Standards*.

Aboriginal Cultural Heritage Act 2003

- There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 1300 378 401 to discuss any obligations under the *ACH Act*.

Other Laws and Requirements

- This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Nature and Extent of Approved Development

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4. The assessment of this development was based on a proposal having a gross floor area of 250m² to be located within the area identified on the approved plan.

PROPERTY NOTES

Not applicable.

VARIATION APPROVAL

Not applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not applicable.

SUBMISSIONS

Nil

INCONSISTENCY WITH EARLIER APPROVAL

Not applicable.

ENVIRONMENTAL AUTHORITY

Not applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at www.sunshinecoast.qld.gov.au, using the application number referenced herein.