



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

Our reference: 1808-6846 SRA
 Your reference: MCU18/0165
 Applicant's reference: PR120074-1

26 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: Renee Saunders

Dear 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 21 August 2018.

Applicant details

Applicant name:	WindanSea Boardriders Incorporated "IA 19491" C/- RPS
Applicant contact details:	1 Innovation Parkway Birtinya QLD 4575 nick.anders@rpsgroup.com.au

Location details

Street address:	Buderim Street, Currimundi
Real property description:	Lot 708 on CG3862
Local government area:	Sunshine Coast Regional Council

Application details

Development permit	Material Change of Use – Club house
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Referral triggers

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

- 10.17.3.6.1 Tidal works or work in a coastal management district
- 10.3.4.3.1 Clearing native vegetation
- 10.4.3.1.1 Contaminated land (unexploded ordnance)

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—see Attachment 3.

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 Plan (TARP)	Department of Natural Resources, Mines and Energy	14 February 2019	TARP 1808-6846 SRA	1
Site Plan – Revised Siting	RG Design Studio	20 December 2019	N/A	Revision A

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

For further information please contact Jamaica Hewston, Principal Planning Officer, on (07) 5352 9718 or via email SEQNorthSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Caroline Plank
A/Manager (Planning)

cc WindanSea Boardriders Incorporated "IA 19491" C/- RPS, nick.anders@rpsgroup.com.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the applicant
Approved plans and specifications

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 conditions:		
1.	The clearing of vegetation under this development approval is limited to the area identified as Area A shown on attached Technical Agency Response Plan, TARP 1808-6846 SRA, dated 14 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
10.4.3.1.1/Unexploded ordnances—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of State Development, Manufacturing, Infrastructure and Planning 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:		
3.	Provide written confirmation to the Department of State Development, Manufacturing, Infrastructure and Planning by an approved contractor on the Australian Government, Department of Defence, Unexploded Ordnance (UXO) Panel that the subject site has been remediated and cleared of unexploded ordnances. The Unexploded Ordnance (UXO) Panel is found online at: http://www.defence.gov.au/estatemangement/support/dehp/WhoToEngage.asp	Prior to the commencement of works
10.17.3.6.1/Tidal works or work in a coastal management district—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Environment and Science 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):		
4.	The location and layout of the community club house must be carried out generally in accordance with the following plans: Site Plan – Revised siting prepared by RG Design Studio dated 20/12/18 revision DA – Revision A.	At all times
5.	For the proposed works, only use clean materials and ensure that the works do not cause contamination.	For the duration of the works
6.	Erosion and sediment control measures are to be installed and maintained to prevent the release of sediment to tidal waters.	For the duration of the works
7.	Should the community club house collapse, fail or otherwise suffer structural consequences which impact their integrity or ability to function as intended, the works must be: (a) reinstated in accordance with this development approval; or (b) removed and disposed of at an appropriately licensed facility.	As soon as reasonably practicable subsequent to the damage

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development avoids clearing, or where avoidance is not reasonably possible, minimises clearing.
- To ensure the development manages the land in a manner that protects human safety and the environment.
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
- To ensure property owners are aware they must take responsibility for their damaged property as they can impact on coastal resources and public safety.

Findings on material questions of fact

- The site is currently utilised as a park under the management of the Sunshine Coast Council and has a reserve tenure for recreation purposes.
- The development application is for a material change of use to establish a club house.
- Approval of the material change of use will result in a native clearing exemption which allows clearing for a 20m wide firebreak.
- The site is located within the coastal management district and the erosion prone area.
- The site is located in an area of substantial unexploded ordnance potential.

Evidence or other material on which the findings were based

- development application
- response to an information request and further advice letter
- *State Development Assessment Provisions*, version 2.4, published by the Department of State Development, Manufacturing, Infrastructure and Planning
- *Planning Act 2016*
- Planning Regulation 2017.

Attachment 3—Advice to the applicant

General advice	
1.	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 ' <i>Australian Standards for the Protection of Trees on Development Sites (AS4970-2009)</i> ' to avoid any consequential unauthorised clearing.
2.	<p>Provide the owner, occupier and any person employed to work on the subject site the following information:</p> <ul style="list-style-type: none"> (a) Residual UXO may still exist following remediation and all work should proceed with due caution (b) The procedure to be followed by any person finding an object suspected of being explosive ordnance or component thereof: <ul style="list-style-type: none"> i. Advise the Police immediately. ii. Do not disturb the object. iii. Take action, where appropriate, to prevent it being disturbed. iv. Note its approximate dimensions and general appearance. v. Note the route to its location. <p>Applicants wanting to find out more details of area management advice (AMA), current UXO investigations and remedial search contractors may use the following websites: Department of Environment and Science - https://www.des.qld.gov.au/ OR Commonwealth Department of Defence - http://www.defence.gov.au/uxo/</p>