

## OSCAR President

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**From:** Cr Stephen Robinson <Stephen.Robinson@sunshinecoast.qld.gov.au>  
**Sent:** Tuesday, 3 July 2018 12:52  
**To:** president@oscar.org.au  
**Cc:** Cr Jason O'Pray; Division 9; Division 8; Cr Christian Dickson; Cr Greg Rogerson; Cr Jenny McKay; Cr John Connolly; Cr Mark Jamieson; Cr Peter Cox; Cr Rick Baberowski; Cr Ted Hungerford; Cr Tim Dwyer  
**Subject:** Conditions of Approval - Yaroomba Beach DA

Hi Greg,

Thank you for your email and questions. I have contacted council staff who have provided the following information in response to your questions.

I would like to ask a few clarifying questions in relation to the Conditions of Approval on behalf of OSCAR members:

- We assume that the Council is now negotiating the conditions published with the Special Meeting Agenda of 21 June 2018 (Item 4.1.1, Appendix A) with the applicant. Can you confirm that our understanding is correct?

The decision from the Special Council Meeting was for Council to provide delegated authority to the CEO to approve these applications for Yaroomba Beach. The draft conditions attached to the Special Council Meeting recommendation have now been approved by the Acting CEO on Friday 29 June and are now available for viewing on council's website via PDonline. No further negotiations were carried out with the applicant in relating to these conditions. Some minor format and administrative errors were corrected in the final approved conditions.

- How long will those negotiations take? Does this need to be finalised before letters of acknowledgement are sent to people and organisations that made a submission in relation to this DA?

As mentioned above, the Acting CEO approved the applications last Friday 29 June and the Decision Notice was sent to the applicant on the same day. Prior to any acknowledgement being sent out to properly made submitters, the applicant has 20 business days to decide whether to:

- a) Seek a negotiated decision notice by making representations;
- b) Advise council that they do not intend to make representations, and thereby waive their appeal rights;
- c) Lodge an appeal with the Planning and Environment Court.

At this time, council is not aware of the applicant's intentions. Letters to submitters cannot be issued until such time as the applicant has advised council of its intentions or the issue of a Negotiated Decision Notice. The request for representations, if received, will be available on PD Online.

- Will the community see any amendments to the approval conditions that are negotiated and if so how will those changes be publically notified?

Refer above

- What processes/systems/controls does the Council have in place, once the development proceeds, to ensure the applicant complies with all the agreed conditions of approval?

Council officers monitor and enforce the conditions of approval and can take enforcement action in the event that conditions are not complied with.

- How can ordinary members of the community ascertain whether conditions are in fact met as the development proceeds and what recourse do they have if the applicant fails to comply?

The local community can contact Council if and when they have any concerns with non-compliance with conditions of their approval and Council officers will investigate and provide a response to any reasonable community concerns. Council can take enforcement action in the event of non-compliance with their approval.

I trust the above addresses your queries. If you have any further questions we are happy to assist where possible.

Kind regards

**Cr Stephen Robinson**  
**Division 9**  
**Sunshine Coast Council**



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*For fast and efficient service and information, call the friendly staff at your local Council office on 5475 7272 or e-mail to [mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)*



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