



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

Our ref: DEV2018/960/2

15 July 2019

Maroochydore Spotlight 2 Pty Ltd
C/- Urbis Pty Ltd
Att: Mr Steve Buhmann
Level 7, 123 Albert Street
BRISBANE QLD 4000

Dear Steve

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (SHOWROOM, FOOD AND DRINK OUTLET, MARKET, INDOOR SPORT AND RECREATION) AT 53-91 DALTON DRIVE, MAROOCHYDORE DESCRIBED AS LOT 1 ON SP202103

On 11 July 2019 the Minister for Economic Development Queensland (MEDQ) decided to grant all of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can be viewed in the MEDQ Development Approvals Register via the Department website <http://www.dsdmip.qld.gov.au/economic-development-queensland/current-applications-and-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Leila Torrens on 3452 7466.

Yours sincerely

Jeanine Stone
Director
Development Assessment
Economic Development Queensland

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Maroochydore	
Site address	53-91 Dalton Drive, Maroochydore	
Lot on plan description	Lot number	Plan description
	Lot 1	SP202103
PDA development application details		
DEV reference number	DEV2018/960/2	
'Properly made' date	3 May 2019	
Type of application	☐ New development involving: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☒ Changing a PDA development approval ☐ Extending the currency period of a PDA approval	
Description of proposal applied for	Change to an approval - removal of underground parking, revised landscaping, new use (indoor sport and recreation).	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ▪ New use – Indoor sport and Recreation ▪ Removal of underground parking ▪ Minor internal changes
Original Decision date	20 November 2018
Change to approval date	11 July 2019
Currency period	6 years from original decision date

Plans and documents

The plans and documents approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Traffic Impact Assessment prepared by Cardno	V171339 Version 05	29 March 2019
2.	Stormwater Management Plan prepared by Cardno	V171462 Version 4	28 March 2019
3.	Acoustic Report prepared by Vipac Engineers & Scientists	70Q-17-0188-TRP-6950073-2-draft Revision 2	28 March 2019
4.	Infrastructure Services Report prepared by Cardno	V171462 Version 07	29 March 2019
5.	Landscape Concept - Site Analysis prepared by Urbis	LC-01 Rev G	25 June 2019
6.	Landscape Concept - Plan prepared by Urbis and amended in red	LC-02 Rev G	25 June 2019 (as amended in red 11 th July 2019)
7.	Landscape Concept - Section 1 prepared by Urbis	LC-03 Rev G	25 June 2019
8.	Landscape Concept - Section 2 prepared by Urbis	LC-04 Rev G	25 June 2019
9.	Landscape Concept - Section 3 prepared by Urbis	LC-05 Rev G	25 June 2019
10.	Landscape Concept - Section 4 prepared by Urbis	LC-06 Rev G	25 June 2019
11.	Landscape Concept – Planting Palette	LC-08 Rev H	25 June 2019
12.	Key Plan prepared by Buchan	A-DA-0001 Rev B	16 May 2019
13.	Master Plan prepared by Buchan	A-DA-0002 Rev B	28 March 2019

14.	Basement Plan prepared by Buchan	A-DA-0100 Rev B	28 March 2019
15.	Ground Plan prepared by Buchan	A-DA-0101 Rev B	28 March 2019
16.	Level 1 Plan prepared by Buchan	A-DA-0102 Rev B	28 March 2019
17.	Roof Plan prepared by Buchan	A-DA-0120 Rev B	28 March 2019
18.	Farmers Market prepared by Buchan	A-DA-0130 Rev B	28 March 2019
19.	Elevations prepared by Buchan	A-DA-0200 Rev B	28 March 2019
20.	Elevations prepared by Buchan	A-DA-0201 Rev B	28 March 2019
21.	Sections prepared by Buchan	A-DA-0300 Rev B	28 March 2019
22.	Sections prepared by Buchan	A-DA-0301 Rev B	28 March 2019
23.	Sections prepared by Buchan	A-DA-0302 Rev B	28 March 2019

PREAMBLE

For the purpose of interpreting this PDA Development Approval, including the PDA Development Conditions, the following applies:

Compliance assessment

Where a condition of this PDA Development Approval requires compliance assessment, compliance assessment is required in accordance with the following:

- a) The applicant is to:
 - i. pay to MEDQ at the time of submission the relevant fee for compliance assessment, including any third party peer review costs which will be charged on a 100% cost recovery basis. The compliance assessment fees are set out in the MEDQ's development assessment fee schedule (as amended from time to time).
 - ii. submit to MEDQ a duly completed compliance assessment form.
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- b) Compliance assessment and endorsement by EDQ Development Assessment, DSDMIP is required prior to any work commencing.
- c) Compliance assessment and endorsement can be repeated where a different design or solution, to that already endorsed, is sought.
- d) The process and timeframes that apply to compliance assessment are as follows:
 - i. the applicant liaises with EDQ Development Assessment, DSDMIP to determine the relevant plans/supporting information required to be submitted.

- ii. the applicant submits plans/supporting information as required under the relevant condition of approval for compliance assessment.
- iii. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the plans/supporting information and:
 - 1. if satisfied with the plans/supporting information as submitted – endorses the plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 - 2. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly
- iv. if the applicant is notified under iii.2. above, revised plans/supporting information are to be re-submitted to EDQ Development Assessment, DSDMIP **within 20 business days** from the date of the notice.
- v. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the revised plans/supporting information and:
 - 1. if satisfied with the revised plans/supporting information – endorses the revised plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 - 2. if not satisfied with the revised plans/supporting information as submitted – notifies the applicant accordingly.
- vi. if EDQ Development Assessment, DSDMIP is not satisfied that compliance has been achieved within **20 business days** – repeat steps iv. and v. above. If either party is not satisfied by the outcome of this process, that party can elect to enter into a mediation process with an independent mediator agreed to by both parties.

Despite note vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DSDMIP endorses relevant plans/supporting information.

ABBREVIATIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

- 1. **AILA** means a Landscape Architect registered by the Australian Institute of Landscape Architects.
- 2. **Certification Procedures Manual** means Certification Procedures Manual, prepared by The Department of State Development, Infrastructure and Planning, September 2013 (as amended from time to time).
- 3. **Council** means Sunshine Coast Council
- 4. **DES** means The Department of Environment and Science.
- 5. **DSDMIP** means The Department of State Development, Manufacturing Infrastructure and Planning.
- 6. **EDQ** means Economic Development Queensland.
- 7. **MEDQ** means The Minister of Economic Development Queensland.
- 8. **PDA** means Priority Development Area.
- 9. **RPEQ** means Registered Professional Engineer of Queensland

No	Condition	Timing
General		
1.	Carry out the Approved Development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to commencement of use
2.	Certification of Operational Works All operational works, for contributed assets, undertaken in accordance with Condition 7 of this approval are to comply with all requirements of and fulfil all responsibilities outlined in the <i>Certification Procedures Manual</i> .	As required by the <i>Certification Procedures Manual</i>
3.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	At all times
Engineering		
4.	Construction Management Plan a) Submit to EDQ Development Assessment, DSDMIP a site based Construction Management Plan (CMP), prepared by the principal site contractor, that manages the following: i. noise and dust generated from the site during and outside construction work hours in accordance with the <i>Environmental Protection Act 1994</i> ; ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties; and iii. contaminated land (if required), including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated land auditor. b) Prior to submitting the CMP under part a), the CMP shall be reviewed and approved by a suitably qualified person responsible for overseeing the construction works. c) Undertake all works generally in accordance with the CMP submitted under part a) of this condition, which is to be current and available on site at all times during the construction period.	a) Prior to commencement of site works b) Prior to commencement of site works c) At all times during construction
5.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification or higher.	a) Prior to commencement of site works

No	Condition	Timing
	The TMP is to include the following: i. provision for the management of traffic around and through the site during and outside of construction work hours; ii. provision of parking for workers and materials delivery; iii. risk identification, assessment and identification of mitigation measures; iv. ongoing monitoring, management review and certified updates (as required); and v. traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s). b) Undertake all works generally in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site at all times.	b) At all times during construction
6.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans certified by a RPEQ, generally in accordance with AS3798 – 2007“<i>Guidelines on Earthworks for Commercial and Residential Developments</i>.” The certified earthworks plans are to: i. include a geotechnical soils assessment of the site; ii. be consistent with the Erosion and Sediment Control plans required under this development approval; iii. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; iv. provide full details of any areas where surplus soils are to be stockpiled. v. where temporary rock or ground anchors are required under adjoining road, provide evidence of consultation with the Council and the relevant service authorities. and vi. where temporary rock or ground anchors are required under adjoining private property, provide an approval from the relevant private land owner. b) Carry out the earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification by a RPEQ that all earthworks have been carried out in generally accordance with the certified plans submitted under part a) of this condition and any unsuitable material encountered has been treated or replaced with suitable material.	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use

7.	Compliance Assessment – Dalton Drive Signalised Vehicle Access a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment detailed engineering plans, certified by a RPEQ, of the modified traffic signals required for site access off Dalton Drive located in accordance with the approved plans and designed to Council standards. b) Construct the works generally in accordance with the endorsed plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP ‘as-constructed’ plans and signal test results in accordance with Council adopted standards.	a) Prior to commencement of works b) Prior to commencement of use c) Prior to commencement of use
8.	Vehicle Access Construct a vehicle crossover generally in accordance with the approved plans and designed and constructed in accordance with the relevant Council standards.	Prior to commencement of use and to be maintained
9.	Car Parking Provide car parking spaces, delineated and signed generally in accordance with AS2890 – Parking Facilities and the approved plans including endorsed Landscape Plans required under Condition 20.	Prior to commencement of use and to be maintained
10.	Bicycle Parking Provide bicycle parking facilities delineated and signed generally in accordance with AS2890.3 – 1993 Bicycle parking facilities and approved plans.	Prior to commencement of use and to be maintained
11.	Water Connection Connect the development to the existing water reticulation network in accordance with Unitywater’s current adopted standards.	Prior to commencement of use
12.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with Unitywater’s current adopted standards.	Prior to commencement of use
13.	Stormwater Connection Connect the development to a lawful point of discharge with ‘no-worsening’ to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability (AEP) in accordance with Council current adopted standards.	Prior to commencement of use
14.	Stormwater Management (Quality) a) Submit to EDQ Development Assessment, DSDMIP detailed engineering drawings, certified by a RPEQ for the proposed stormwater treatment devices designed generally in accordance	a) Prior to commencement of stormwater works

	with PDA Guideline No. 13 Engineering standards – Stormwater quality and the approved Stormwater Management Plan prepared by Cardno dated 28th March 2019. b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition. c) Provide evidence from a RPEQ that the works have been constructed generally in accordance with the certified plans submitted under part a) of this condition.	b) Prior to commencement of use c) Prior to commencement of use
15.	Outdoor Lighting Outdoor lighting within the development is to be designed and installed in accordance with AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.	Prior to commencement of use and to be maintained
16.	Electricity Submit to EDQ Development Assessment, DSDMIP either: a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the development; or b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.	Prior to commencement of site works
17.	Telecommunications Submit to EDQ Development Assessment, DSDMIP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the proposed development.	Prior to commencement of site works
18.	Broadband Submit to EDQ Development Assessment, DSDMIP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the Telecommunications Legislation Amendment (Fibre Deployment) Act 2011) can be provided in accordance with the Communications Alliance G645:2017 guideline, to accommodate services which are compliant with the Federal Government's National Broadband Network policy.	Prior to commencement of site works
19.	Public Infrastructure – Damage, Repairs and Relocation Repair any damage to existing public infrastructure that occurred during works carried out in association with the approved development. Should existing public infrastructure require relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory requirements.	Prior to commencement of use

Landscape and Environment		
20.	Compliance Assessment - Landscape Works a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment detailed landscape plans, prepared and certified by an AILA, for landscape works within the proposed development generally in accordance with the approved Landscape Concept Design prepared by Urbis dated 25th June 2019 and amended in red, with inclusion of the following: (i) Additional shade trees within the carpark area. (ii) Frontage to Dalton Drive to provide shade trees and plant trees that are well-matched to the required function. (iii) Bicycle parking (iv) Appropriate landscaping along the acoustic fence to provide visual screening to the fence. (v) Mature trees or vegetation are to be used. b) Construct the works generally in accordance with the certified streetscape plans approved under part a) of this condition.	a) Prior to commencement of building works above ground b) Prior to commencement of use and to be maintained
21.	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DSDMIP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be prepared in accordance with the <i>Queensland Acid Sulfate Soil Technical Manual</i> and certified by a suitably qualified professional. b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP submitted under part a) of this condition.	a) Prior to commencement of or during site works b) Prior to commencement of use
22.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDMIP an Erosion and Sediment Control Plan (ESCP) certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC) generally in accordance with the following guidelines: i. The construction phase stormwater management design objectives of the State Planning Policy 2017 (Appendix 2 Table A); ii. Healthy Land and Water Technical Note: <i>Complying with the SPP – Sediment Management on Construction Sites</i>; iii. Urban Stormwater Quality Planning Guidelines, dated 2010, prepared by the former Department of Environment and Heritage Protection; and iv. Best Practice Erosion and Sediment Control, dated November 2008, prepared by the International Erosion Control Association Australasia (as amended from time to time). b) Implement the certified ESCP as submitted under part a) of this condition.	a) Prior to commencement of site works b) At all times during construction

23.	Refuse Collection Submit to EDQ Development Assessment, DSDMIP a refuse collection management approval from Council or documentation indicating that a refuse collection contract has been established with a private waste contractor.	Prior to commencement of use
24.	Compliance Assessment - Acoustic treatments a) Submit to MEDQ, DSDMIP, detailed architectural plans for screening treatments addressing the overlooking and noise impacts between the service and loading areas and the nearby residential dwellings. b) Design and construct all other acoustic treatments to the development in accordance with the recommendations in the acoustic report prepared by Vipac Engineers, dated 28 th March 2019.	a) Prior to commencement of building works b) Prior to commencement of building works
25.	Delivery, Service and Forklift Vehicles Any vehicle deliveries and servicing of the development (including refuse collection) and the operation of forklifts shall only occur between the following hours: • 7am to 10pm Monday to Friday; and • 8am to 7pm Saturday, Sunday and Public Holidays	As indicated
Surveying, land transfers and easements		
26.	Easements over Infrastructure Public utility easements are to be provided, in favour of and at no cost to the grantee, over infrastructure located in land that becomes contributed assets. The terms of the easements are to be to the satisfaction of the Chief Executive Officer of the authority which ultimately is to takeover and maintain the contributed assets.	Prior to commencement of use or endorsement of a Building Format Plan, whichever occurs first
Infrastructure Charges		
27.	Infrastructure Charges Unless an Infrastructure Agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows: – where a building format plan is submitted for endorsement or the use has commenced on or before six (6) years from the original decision date – in accordance with the IFF in force at the time of the original decision date (July 2018); or – where a building format plan is submitted for endorsement or the use has commenced more than six (6) years from the original decision date – in accordance with the IFF in force at the time of the payment.	In accordance with the IFF

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

**** End of Package ****