



Department of
State Development,
Tourism and Innovation

Our ref: DEV2019/1010/7

17 September 2020

Habitat Development Group Ltd
C/- Project Urban
Att: Mr Glen Wright
PO Box 6380
MAROOCHYDORE BC QLD 4558

Email: Glen.Wright@projecturban.com.au

Dear Glen

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS, FOOD AND DRINK OUTLET, OFFICE AND BAR AT FAIRWAY DRIVE, MAROOCHYDORE DESCRIBED AS LOT 130 ON SP305312.

On 17 September 2020 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 www.DSDTI.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Leila Torrens on 3452 7466 or at Leila.torrens@dsdmip.l.qld.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read "BG", followed by a comma.

Beatriz Gomez
Director
Branch
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 City Centre	
Site address	Fairway Drive, Maroochydore	
Lot on plan description	Lot number	Plan description
	Lot 130	SP305312
PDA development application details		
DEV reference number	DEV2019/1010	
'Properly made' date	28 August 2020	
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	S99 Change to PDA Development Permit for Material Change of Use - Multiple Dwellings, Food and Drink outlet, Office and Bar	

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: ▪ Insert out of hours condition in decision package.	
Original Decision date		30 June 2019	
1 st Change to approval date		17 March 2020	
2 nd Change to approval date		17 September 21020	
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 previously approved on 17 th March 2020		Number (if applicable)	Date (if applicable)
1.	Basement Level prepared by K Architecture Studio	SK04.1 Issue F	24/1/20
2.	Floor Plan Level 1- 1 of 2 prepared by K Architecture Studio	SK05 Issue F	24/1/20
3.	Floor Plan Level 1- 2 of 2 prepared by K Architecture Studio	SK06 Issue F	24/1/20
4.	Floor Plan Level 2 – 1 of 2 prepared by K Architecture Studio	SK07 Issue F	24/1/20
5.	Floor Plan Level 2 – 2 of 2 prepared by K Architecture Studio	SK08 Issue F	24/1/20
6.	Floor Plan Level 3 – 1 of 2 prepared by K Architecture Studio	SK09 Issue F	24/1/20
7.	Floor Plan Level 3 – 2 of 2 prepared by K Architecture Studio	SK10 Issue F	24/1/20
8.	Floor Plan Level 4 – 1 of 2 prepared by K Architecture Studio	SK11 Issue F	24/1/20
9.	Floor Plan Level 4 – 2 of 2 prepared by K Architecture Studio	Sk12 Issue F	24/1/20

10.	Floor Plan Level 5-11 prepared by K Architecture Studio	SK13 Issue F	24/1/20
11.	Floor Plan Level 12 prepared by K Architecture Studio	SK14 Issue F	24/1/20
12.	Floor Plan Level 13 prepared by K Architecture Studio	SK15 Issue F	24/1/20
13.	Floor Plan Level 14 prepared by K Architecture Studio	SK16 Issue F	24/1/20
14.	Floor Plan – Roof prepared by K Architecture Studio	SK17 Issue F	24/1/20
15.	Elevation 1 – North East Mungar Street prepared by K Architecture Studio	SK18 Issue F	24/1/20
16.	Elevation 2 – South East/Market Lane prepared by K Architecture Studio	SK19 Issues F	24/1/20
17	Elevation 3 – South West/South Sea Island Way prepared by K Architecture Studio	SK20 Issue F	24/1/20
18	Elevation 4 – North West/Mundoo Blv prepared by K Architecture Studio	SK21 Issue F	24/1/20
19	Elevation 1 – North East Mungar Street prepared by K Architecture Studio	SK22 Issue F	24/1/20
20	Elevation 4 – North West/Mundoo Blv prepared by K Architecture Studio	SK23 Issue F	24/1/20
21	Section S1 Market Lane Residences prepared by K Architecture Studio	SK24 Issue F	24/1/20
22	Section S2 Market Lane Residences prepared by K Architecture Studio	SK25 Issue F	24/1/20
23	Section S3 Market Lane Residences prepared by K Architecture Studio	SK26 Issue F	24/1/20
24	Section S4 Market Lane Residences prepared by K Architecture Studio	SK27 Issue F	24/1/20

25	Section S5 Market Lane Residences prepared by K Architecture Studio	SK28 Issue F	24/1/20
26	Site Cover Plans Level 1 to Level 4 prepared by K Architecture Studio	SK29 Issue F	24/1/20
27	Site Cover Plans Level 4 to Roof Level prepared by K Architecture Studio	SK30 Issue F	24/1/20
28	Communal Space prepared by K Architecture Studio	SK31 Issue F	24/1/20
29	Landscape Deep Planting prepared by K Architecture Studio	SK32 Issue F	24/1/20
30	Materials Palette – Retail & Podium prepared by K Architecture Studio	SK33 Issue F	24/1/20
31	Materials Palette – Towers, SoHos & Roof Terrace prepared by K Architecture Studio	SK34 Issue F	24/1/20
32	Materials Palette – Pool Terrace prepared by K Architecture Studio	SK35 Issue F	24/1/20
33	Landscape Concept Design Package prepared by Place Design Group	Issue B	23/01/2020
34	Basement Waterproofing – engineering advice prepared by Barlow Shelly		25 th February 2020
35	Pure Building Approvals letter of advice		25 th February 2020
Plans and documents previously approved on 3 June 2019		Number (if applicable)	Date (if applicable)
1.	Operational Waste Management Plan prepared by TTM	18BRW0034 Rev 6	15/05/19
2.	Site-based Stormwater Management Plan prepared by Barlow Shelley	1814-SBSMP-01_version 1.0	November 2018

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, DSDTI 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, DSDTI 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, DSDTI 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, DSDTI **within 20 business days** from the date of the notice.
 - v. **within 20 business days** – EDQ Development Assessment, DSDTI 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, DSDTI 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, DSDTI endorses relevant plans/supporting information.

ABBREVIATIONS AND DEFINITIONS

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 the document titled *Certification Procedures Manual*, prepared by the Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
3. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a. **External Authority** means a public-sector entity external to the MEDQ;
 - b. **Parkland** means carrying out operational works related to the provision of parkland infrastructure
 - c. **Roadworks** means carrying out any operational works within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d. **Sewer Works** means carrying out any operational works related to the provision of waste water infrastructure;
 - e. **Streetscape Works** means carrying out any operational works within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f. **Stormwater Works** means carrying out any operational works related to the provision of stormwater infrastructure; and
 - g. **Water Works** means carrying out any operational works related to the provision of water infrastructure.
4. **Council** means Sunshine Coast Council
5. **DSDTI** means the Department of State Development, Tourism and Innovation
6. **EDQ** means Economic Development Queensland.

7. **IFF** means the Infrastructure Funding Framework, prepared by the Department of Infrastructure, Local Government and Planning, dated July 2017.
8. **MEDQ** means the Minister for Economic Development Queensland.
9. **PDA** means Priority Development Area.
10. **RPEQ** means Registered Professional Engineer of Queensland.

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5.	Construction Management Plan a) Submit to EDQ Development Assessment, DSDTI 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
6.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDTI a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Level 3 qualification or higher. 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.	a) Prior to commencement of site works b) At all times during construction

7.	Retaining Walls a) Submit to EDQ Development Assessment, DSDTI detailed engineering plans, certified by an RPEQ, of all retaining walls 1.0m or greater in height. Retaining walls are to be generally in accordance with PDA Practice Note No. 10 – Plans of development unless otherwise approved by EDQ Development Assessment, DSDTI. b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDTI certification by a RPEQ that all retaining wall works 1.0m or greater in height have been carried out generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use
8.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDTI detailed earthworks plans certified by a RPEQ, generally in accordance with AS3798 – 2007“Guidelines on Earthworks for Commercial and Residential Developments. 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 as required under this development approval; iii. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; and iv. provide full details of any areas where surplus soils are to be stockpiled. 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, DSDTI 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
9.	Vehicle Access a) Construct vehicle crossover{s} 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

10.	Car Parking a) Provide car parking spaces, delineated and signed generally in accordance with AS2890 – Parking Facilities and the following approved plans: i. SK05 Rev F, SK07 Rev F, SK09 Rev F. ii. All PWD spaces not associated with a residential use are required to be available at all times to bona fide visitors to the approved development. b) Submit to EDQ Development Assessment, DSDTI certification by a RPEQ demonstrating that the parking facilities have been provided in accordance with part a) of this condition.	a) Prior to commencement of use and to be maintained b) Prior to commencement of use
11.	Bicycle Parking a) Provide bicycle parking facilities delineated and signed generally in accordance with AS2890.3 – 2015 Bicycle parking facilities and the following approved plans: i. SK05 Rev F, SK07 Rev F, SK09 Rev F b) Submit to EDQ Development Assessment, DSDTI written evidence demonstrating bicycle parking facilities have been provided in accordance with part a) of this condition.	a) Prior to commencement of use and to be maintained b) Prior to commencement of use
12.	Water Connection Connect the development to the existing water reticulation network in accordance with Unitywater’s current adopted standards.	Prior to commencement of use
13.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with Unitywater’s current adopted standards.	Prior to commencement of use
14.	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’s current adopted standards.	Prior to commencement of use
15.	Stormwater Management (Quality) a) Submit to EDQ Development Assessment, DSDTI detailed engineering drawings, certified by a RPEQ for the proposed stormwater treatment devices designed generally in accordance with PDA Guideline No. 13 Engineering standards – Stormwater quality and the following documents: i. Site based stormwater management Plan prepared by Barlow Shelly Consulting Engineers Ref 1814-SBSMP-01_version 1.0 November 2018 ii. Basement Waterproofing – Engineering Advice dated 25th February 2020 prepared by Barlow Shelly iii. Letter provided by Pure Building Approvals dated 25th February 2020.	a) Prior to commencement of stormwater works

	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
16.	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
17.	Electricity Submit to EDQ Development Assessment, DSDTI either: 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.	Prior to commencement of use
18.	Telecommunications Submit to EDQ Development Assessment, DSDTI 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 use
19.	Broadband Submit to EDQ Development Assessment, DSDTI 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
20.	Gas Submit to EDQ Development Assessment, DSDTI documentation from an authorised gas service provider confirming that an agreement has been entered into for the provision of underground gas services to the proposed development.	Prior to commencement of site works
21.	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		
22.	Compliance Assessment - Landscape Works a) Submit to EDQ Development Assessment, DSDTI detailed landscape plans for compliance assessment, certified by an AILA, for landscape works within the proposed development generally in accordance with the following plans: i. Landscape Concept Design Package prepared by Place Design Group dated 23.01.2020 Issue B b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of building works above ground level b) Prior to commencement of use and to be maintained
23.	Compliance Assessment – Final External Detailing of Building(s) a) Submit to EDQ Development Assessment, DSDTI for compliance assessment, architectural drawings certified by a Registered Architect showing the final development details of the façade treatment, the ground interface and the rooftop/building capping elements which depict a higher level of documentation than shown on the approved plans and documents including: i. Elevation and façade treatment drawings for all ground, podium and typical tower floor levels that demonstrate the final design outcome for all elevations of the built form including: a. Detailed plans, sections and elevations at 1:50 or 1:20 scale for elements of the façade including structural elements and fixed and operable elements such as balustrades, screens, doors, windows, projecting fins and planter beds/trellises b. Roof top or building capping elements, awnings and soffits c. One rendered perspective showing the intended built form d. Glazing. The architectural drawings must: – Include dimensions for the extent of projecting elements, balustrade height, door and window/glazing configurations – Nominate materials, colours and finishes – Have titles blocks and be cross references to larger scale drawings. b) Construct the development in accordance with the approved architectural drawings pursuant to this condition.	a) Prior to building works commencing b) Prior to commencement of sales

	c) Submit to EDQ Development Assessment, DSDTI certification by a Registered Architect confirming that the building has been constructed in accordance with the approved drawings under part a) of this condition.	c) To be maintained
24.	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DSDTI an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be prepared certified by a suitably qualified professional in soils and/or erosion sediment control. 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
25.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDTI 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. Urban Stormwater Quality Planning Guidelines, dated 2010, prepared by the former Department of Environment and Heritage Protection; and ii. 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
26.	Waste Collection System a) Submit to EDQ Development Assessment, DSDTI, a copy of the Prescribed Waste Infrastructure Consent given by the Council for the establishment of the internal waste collection system. b) Establish the internal waste collection system in accordance with the Council's Prescribed Waste Infrastructure Consent. c) Manage the internal waste collection system in accordance with the Prescribed Waste Infrastructure Consents.	a) Prior to commencement of building works. b) Prior to commencement of use c) At all times.

Surveying, land transfers and easements		
27.	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		
28.	Infrastructure Charges Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows: – where a plan of subdivision or 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 (November 2018); or – where a plan of subdivision or 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 ****