



Department of
State Development,
Tourism and Innovation

Our ref: DEV2018/993/6

21 October 2020

TF Sun Central Pty Ltd
C/- Adams + Sparkes Town Planning
Att: Mr Cameron Adams
PO Box 1000
BUDDINA QLD 4575

Email: admin@astpd.com.au

Dear Cameron

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (OFFICE, SHOP, FOOD AND DRINK OUTLET, HOTEL, INDOOR SPORT AND RECREATION) AT SOUTH SEA ISLANDER WAY, MAROOCHYDORE DESCRIBED AS LOT 120 ON SP305312.

On 21 October 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@DSDTI.qld.gov.au

Yours sincerely

Kylie Williams
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 City Centre	
Site address	South Sea Islander Way, Maroochydore	
Lot on plan description	Lot number	Plan description
	Lot 120	SP305312
PDA development application details		
DEV reference number	DEV2018/993	
'Properly made' date	29 September 2020	
Type of application	<input type="checkbox"/> New development involving: <ul style="list-style-type: none"> <input type="checkbox"/> Material change of use <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input type="checkbox"/> Reconfiguring a lot <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input type="checkbox"/> Operational work <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input checked="" type="checkbox"/> Changing a PDA development approval <input type="checkbox"/> Extending the currency period of a PDA approval	
Description of proposal applied for	Change to an approval by: <ul style="list-style-type: none"> • Extending the balcony at Level 4 along the eastern and western facades; • Including 2 doors to access external balcony at level 4; • Increasing the extent of glass balustrading at roof level; • Adding a roof top arbour structure at roof level; and • Adding a door to one of three ground floor tenancy. 	

PDA development approval details	
Decision of the MEDQ	<p>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.</p> <p>The approved changes are summarised as follows:</p> <ul style="list-style-type: none"> • Extending the balcony at Level 4 along the eastern and western facades; • Including 2 doors to access external balcony at level 4; • Increasing the extent of glass balustrading at roof level; • Adding a roof top arbour structure at roof level; and • Adding a door to one of three ground floor tenancy.
Original Decision date	14 February 2019
1st Change to approval date	24 July 2019
2 nd Change to approval date	5 September 2020
3 rd Change to Approval date	21 October 2020
Currency period	6 years from original decision date

Approved plans and documents			
Approved Plans and Documents		Number	Date
The following plans identify in red the extent of changes approved by this s99 Change to an approval.			
1	West Elevation Issue V	WD3004	26.05.20
2.	East Elevation Issue V	WD3003	10.08.20
3.	Floor Plan Level 4 Issue Q	WD2005	10.08.20
Other than the changes identified in red on the plans and documents listed above, the plans listed below identify the scope of approved development.			
Plans and documents previously approved		Number (if applicable)	Date (if applicable)
1.	Floor Plan – Ground prepared by Cottee Parker	DD2001 Issue J	11 July 2019
2.	Stormwater Engineering Report & Site Based Stormwater Management Plan prepared by Infinitec Pty Ltd	18529 Rev B	22 January 2019
3.	Landscape Concepts prepared by Element Design	ED18182 SK-01 Rev A	07.07.18
4.	Floor Plan – Mezzanine prepared by CotteeParker	SD2008 Issue 4	15.11.2018
5.	Floor Plan – Podium Level 01 prepared by CotteeParker	SD2009 Issue 4	15.11.2018
6.	Floor Plan – Podium Level 02 prepared by CotteeParker	SD2010 Issue 4	15.11.2018

Approved plans and documents			
7.	Floor Plan – Level 01 prepared by CotteeParker	SD2011 Issue 4	15.11.2018
8.	Floor Plan – Level 02 prepared by CotteeParker	SD2012 Issue 4	15.11.2018
9.	Floor Plan – Level 03 prepared by CotteeParker	SD2013 Issue 5	15.11.2018
10.	Floor Plan – Level 04 prepared by CotteeParker	SD2014 Issue 3	15.11.2018
11.	Floor Plan – Level 05 prepared by CotteeParker	SD2015 Issue 5	15.11.2018
12.	Floor Plan – Level 06 prepared by CotteeParker	SD2016 Issue 6	15.11.2018
13.	Floor Plan – Roof Plan prepared by CotteeParker	SD2017 Issue 4	15.11.2018
14.	Elevations prepared by CotteeParker	SD3001 Issue 3	15.11.2018
15.	Elevations prepared by CotteeParker	SD3002 Issue 3	15.11.2018
16.	Elevations prepared by CotteeParker	SD3003 Issue 3	15.11.2018
17.	Sections prepared by CotteeParker	SD3101 Issue 3	15.11.2018
18.	Sections prepared by CotteeParker	SD3102 Issue 5	15.11.2018
19.	Glazing Percentages prepared by CotteeParker	SD2810 Issue 1	15.11.2018
20.	Podium Section prepared by CotteeParker	SD10001 Issue 2	15.11.2018

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. **Council** means Sunshine Coast Council
- 2. **DSDTI** means the Department of State Development, Tourism and Innovation
- 3. **EDQ** means Economic Development Queensland.
- 4. **MEDQ** means the Minister for Economic Development Queensland.
- 5. **PDA** means Priority Development Area.
- 6. **RPEQ** means Registered Professional

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.	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, Maroochydore City Centre Infrastructure Agreement 2017, Maroochydore city Centre Water Infrastructure Agreement 2017 and any other executed Infrastructure Agreement and any other approval or endorsement required by these conditions.	At all times
Engineering		
3.	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
4.	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;	a) Prior to commencement of site works

No	Condition	Timing
	<ul style="list-style-type: none"> 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). <p>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.</p>	<p>b) At all times during construction</p>
5.	<p>Filling and Excavation</p> <p>a) Submit to EDQ Development Assessment, DSDTI detailed earthworks plans certified by a RPEQ, generally in accordance with AS3798 – 2007 <i>“Guidelines on Earthworks for Commercial and Residential Developments”</i>.</p> <p>The certified earthworks plans are to:</p> <ul style="list-style-type: none"> 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. <p>b) Carry out the earthworks generally in accordance with the certified plans submitted under part a) of this condition.</p> <p>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.</p>	<p>a) Prior to commencement of site works</p> <p>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>
6.	<p>Vehicle Access</p> <p>Construct vehicle crossovers generally in accordance with the approved plans and designed and constructed in accordance with the relevant Council standards.</p>	<p>Prior to commencement of use and to be maintained</p>
7.	<p>Car Parking</p> <p>Provide 78 car parking spaces, delineated and signed generally in accordance with AS2890 – <i>Parking Facilities</i> and the following approved plans:</p> <ul style="list-style-type: none"> • Floor Plan – Podium Level 01, SD2009 Issue 4 • Floor Plan – Podium Level 02, SD2010 Issue 4 <p>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.</p>	<p>Prior to commencement of use and to be maintained</p>

No	Condition	Timing
8.	Bicycle Parking Provide bicycle parking facilities delineated and signed generally in accordance with AS2890.3 – 1993 <i>Bicycle parking facilities</i> and the following approved plan: <ul style="list-style-type: none"> Floor Plan – Ground Floor, SD2007 Issue 5. 	Prior to commencement of use and to be maintained
9.	Water Connection Connect the development to the existing water reticulation network in accordance with Unitywater's current adopted standards.	Prior to commencement of use
10.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with Unitywater's current adopted standards.	Prior to commencement of use
11.	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
12.	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 <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and the approved Stormwater Management Plan prepared by Infinitec Solutions Pty Ltd dated 19 th November 2018. b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of stormwater works b) Prior to commencement of use
13.	Outdoor Lighting Outdoor lighting within the development is to be designed and installed in accordance with AS 4282:1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use and to be maintained
14.	Electricity Connect the development to the existing electrical reticulation network in accordance with Energex's current adopted standards.	Prior to commencement of use
15.	Telecommunications Connect the development to the existing telecommunication network in accordance with the relevant service provider's current adopted standards.	Prior to commencement of use
16.	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	Prior to commencement of use

No	Condition	Timing
	relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory requirements.	
Landscape and Environment		
17.	Landscape Works– Compliance Assessment <p>a) Submit to EDQ Development Assessment, DSDMIP detailed landscape plans, certified by an AILA, for landscape works within the proposed development generally in accordance with the following approved plan:</p> <ul style="list-style-type: none"> • Landscape Concepts, ED18182 SK-01 Rev A <p>b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition.</p>	<p>a) Prior to commencement of building works above ground level</p> <p>b) Prior to commencement of use and to be maintained</p>
18.	Acid Sulfate Soils (ASSMP) <p>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 certified by a suitably qualified professional in soils and/or erosion sediment control.</p> <p>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.</p>	<p>a) Prior to commencement of or during site works</p> <p>b) Prior to commencement of use</p>
19.	Erosion and Sediment Management <p>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:</p> <ol style="list-style-type: none"> The construction phase stormwater management design objectives of the State Planning Policy 2017 (Appendix 2 Table A); Healthy Land and Water Technical Note: <i>Complying with the SPP – Sediment Management on Construction Sites</i>; Urban Stormwater Quality Planning Guidelines, dated 2010, prepared by the former Department of Environment and Heritage Protection; and Best Practice Erosion and Sediment Control, dated November 2008, prepared by the International Erosion Control Association Australasia (as amended from time to time). <p>b) Implement the certified ESCP as submitted under part a) of this condition.</p>	<p>a) Prior to commencement of site works</p> <p>b) At all times during construction</p>
20.	Waste Collection System <p>a) Submit to EDQ Development Assessment, DSDMIP, a copy of the Prescribed Waste Infrastructure Consent given by the Council</p>	<p>a) Prior to the commencement</p>

No	Condition	Timing
	for the establishment of the internal waste collection system.	of building works above ground
	b) Establish the internal waste collection system in accordance with the Council's Prescribed Waste Infrastructure Consent.	b) Prior to the commencement of use.
	c) Manage the internal waste collection system in accordance with the Prescribed Waste Infrastructure Consents.	c) At all times
Surveying, land transfers and easements		
21.	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		
22.	Infrastructure Contributions Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows: <ul style="list-style-type: none"> – 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 (July 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

Note: for the purpose of this approval a 'Hotel' use is permitted for the sale of liquor for consumption on and off the premises, together with the provision of functions and meals as required by the license only.

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 ****