



Department of
**State Development, Infrastructure,
Local Government and Planning**

Our ref: DEV2021/1249

17 March 2022

Walker Maroochydore Developments Pty Ltd
Att: Ms Sophie Williams
8 Market Lane
MAROOCHYDORE QLD 4558

Email: sophie.williams@walkercorp.com.au

Dear Ms Williams

S89(1)(a) Approval of PDA development application

PDA development application for Development Permit for a Material Change of Use for Office, Shop, Bar, and Food and Drink Outlet at 50 First Avenue, Maroochydore described as Lot 71 on SP308184

On 17 March 2022, pursuant to s.85(4)(b) of the *Economic Development Act 2012*, the Minister for Economic Development Queensland (MEDQ) decided to grant **all** of the PDA development application applied for, in accordance with the attached PDA decision notice.

The PDA decision notice and approved plans / documents can also be viewed in the MEDQ Development Approvals Register via the Department website at www.dsdilgp.qld.gov.au/pda-da-applications.

If you require any further information, please contact Leila Torrens, Principal Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7466 or at Leila.torrens@dsdilgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

Jeanine Stone
**Director
Development Assessment
Economic Development Queensland**

PDA Decision Notice

Site information		
Name of priority development area (PDA)	Maroochydore City Centre	
Site address	50 First Avenue, Maroochydore	
Lot on plan description	Lot number	Plan description
	71	SP308184
PDA development application details		
DEV reference number	DEV2021/1249	
'Properly made' date	10 December 2021	
Type of application	☒ PDA development application for: ☒ Material change of use ☐ Preliminary approval ☒ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit	
Proposed development	Office, Shop, Bar and Food and Drink Outlet	
PDA development approval details		
Decision of the MEDQ	The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions forming part of this decision notice • Office, shop, Bar and food and drink outlet	
Decision date	17 March 2022	
Currency period	6 years from the date of the decision	

Approved plans and documents

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

Approved plans and documents		Number	Date
1.	50 First Avenue – Ground Floor Plan – prepared by COX	3	1 March 2022
2.	50 First Avenue – Mezzanine Level Floor Plan – prepared by COX	4	1 March 2022
3.	50 First Avenue – Level 1 Floor Plan – prepared by COX	5	1 March 2022
4.	50 First Avenue – Level 2-3 Floor Plan – prepared by COX	6	1 March 2022
5.	50 First Avenue – Level 4 Floor Plan – prepared by COX	7	1 March 2022
6.	50 First Avenue – Level 5 Floor Plan – prepared by COX	8	1 March 2022
7.	50 First Avenue – Typical Town Plan (Levels 6-13) – prepared by COX	9	1 March 2022
8.	50 First Avenue – Level 14 Floor Plan – prepared by COX	10	1 March 2022
9.	50 First Avenue – Roof Plan – prepared by COX	11	1 March 2022
10.	50 First Avenue – East Elevation (First Avenue) – prepared by COX	12	1 March 2022
11.	50 First Avenue – South Elevation (South Sea Islander Way) – prepared by COX	13	1 March 2022
12.	50 First Avenue – West Elevation (Lightning Lane) – prepared by COX	14	1 March 2022
13.	50 First Avenue – North Elevation – prepared by COX	15	1 March 2022
14.	50 First Avenue – Section AA – prepared by COX	16	1 March 2022
Landscape Plans			
15.	50 First Avenue – Landscape Concept Report – prepared by Place Design Group	Issue B	2 March 2022
Engineering Plans			
16.	50 First Avenue – Traffic Engineering Report – prepared by TTM	21BRT0351	17 November 2021
17.	Lot 71 50 First Avenue – Civil Engineering Services and Site Based Stormwater Management Report – prepared by WSP (as amended in red)	PS125923	15 November 2021
18.	Site Services Plan prepared by WSP	Ref: 3000 rev E	2 March 2022

PREAMBLE AND ABBREVIATIONS

PREAMBLE

For the purpose of interpreting this approval, including the conditions, the following applies:

ABBREVIATIONS AND DEFINITIONS:

The following is a list of abbreviations utilised in this approval:

1. **BFP** means Building Format Plan.
2. **Basic (slow) chargers** means an electric vehicle charging facility on a dedicated electrical circuit, typically used in long park situations such as dwellings and workplaces. Basic (slow) EV chargers use AC (240 volts) power and require a minimum 20 Amps, as well as installation of an Electric Vehicle Supply Equipment (EVSE) unit capable of supplying up to 7kW of power.
3. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by EDQ, dated April 2020 (as amended from time to time).
4. **Council** means the relevant local government for the land the subject of this approval.
5. **DC (fast) chargers** means an electric vehicle charging facility capable of supplying a minimum of 50kW of power per parking bay. DC (fast) charging is used for short term parking situations up to 1 hour in duration and provides convenient fast charging. DC (fast) chargers, generally operated by third parties, are suited to developments providing services on highways and major roads.
6. **Destination (faster) chargers** means an electric vehicle charging facility capable of supplying up to 25kW of power. Destination (faster) charging is typically used for short term parking, up to 2 hours duration. Destination (faster) charging usually requires three-phase (415 volts) power with 20-32 Amps. However, if three-phase power is unavailable, single-phase power with 40 Amps is acceptable.
7. **DSDILGP** means the Department of State Development, Infrastructure Local Government and Planning.
8. **EDQ** means Economic Development Queensland.
9. **EDQ DA** means Economic Development Queensland's – Development Assessment team.
10. **EDQ TS** means Economic Development Queensland's – Technical Services team.
11. **EP Act** means the *Environmental Protection Act 1994*.
12. **IFF** means the Infrastructure Funding Framework, prepared by the Department of State Development, Tourism and Innovation, dated 1 July 2020 (as amended from time to time).
13. **MEDQ** means the Minister for Economic Development Queensland.
14. **PDA** means Priority Development Area.
15. **RPEQ** means Registered Professional Engineer of Queensland.

COMPLIANCE ASSESSMENT:

Where a condition of this approval requires Compliance Assessment, Compliance Assessment is required in accordance with the following:

- a) The applicant must:
 - 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 EDQ Development Assessment Fees and Charges Schedule¹ (as amended from time to time).
 - ii) submit to EDQ DA a duly completed Compliance Assessment form².
 - iii) submit to EDQ DA the documentation as required under the relevant condition.
- b) Where EDQ is satisfied the documentation submitted for Compliance Assessment meets the requirements of the relevant condition (or element of the condition), EDQ will endorse the documentation and advise by written notice.
- 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) applicant submits items required under a) above to EDQ DA for Compliance Assessment.
 - ii) **within 20 business days** – EDQ assesses the documentation and:
 - 1. if satisfied, endorses the documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.
 - iii) if the applicant is notified under ii.2. above, revised documentation must be submitted **within 20 business days** from the date of notification.
 - iv) **within 20 business days** – EDQ assesses the revised documentation and:
 - 1. if satisfied, endorses the revised documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.
 - v) where EDQ notifies the applicant as stated under iv.2. above, repeat steps iii. and iv. 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 v. above, the condition (or element of the condition) is determined to have been met only when EDQ endorses relevant documentation.

SUBMITTING DOCUMENTATION TO EDQ:

Where a condition of this approval requires documentation to be submitted to either EDQ DA or EDQ TS, submit the documentation to:

- a) EDQ DA at: pdadevelopmentassessment@dsdmip.qld.gov.au.
- b) EDQ TS at: EDQ_PrePostConstruction@dsdmip.qld.gov.au.

¹ The EDQ Development Assessment Fees and Charges Schedule is available at EDQ's website.

² The Compliance Assessment form is available at EDQ's website. It sets out how to submit documentation for Compliance Assessment and how to pay Compliance Assessment fees.

No.	Condition	Timing
PDA Development Conditions – Material Change of Use		
Ref	Condition	Timing
General		
MCU 1.	Carry out the approved development Carry out the approved development generally in accordance with: a) the approved plans and documents; and b) any other documentation endorsed via Compliance Assessment as required by these conditions.	Prior to commencement of use
MCU 2.	Certification of Operational Work Carry out all Operational Work under this approval in accordance with the Certification Procedures Manual.	As required by the <i>Certification Procedures Manual</i>
MCU 3.	Maintain the approved development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with: a) the approved plans and documents; b) any other documentation endorsed via Compliance Assessment as required by these conditions c) Maroochydore City Centre Infrastructure Agreement 2017; d) Maroochydore City Centre Water Infrastructure Agreement 2017; and e) any other executed Infrastructure Agreement and f) any other approval or endorsement required by these conditions.	At all times following commencement of use
Construction management		
MCU 4.	Hours of work - construction Unless otherwise endorsed, via Compliance Assessment for out of hours work, construction hours for the approved development are limited to Monday to Saturday between 6:30am to 6:30pm, excluding public holidays.	During construction unless otherwise endorsed
MCU 5.	Out of hours work - Compliance Assessment a) Where out of hours work is proposed, submit to EDQ TS, for Compliance Assessment, an out of hours work request. The out of hours work request must include payment of the applicable fee and a duly completed out of hours work request form ³ . b) Undertake all Out-of-Hours Works in accordance with the approval obtained under part a) of this condition.	Minimum of 10 business days prior to proposed out of hours work commencement date
MCU 6.	Construction management plan a) Submit to EDQ TS a site-based Construction Management Plan (CMP), prepared by the principal site contractor and reviewed by a suitably qualified and experienced person responsible for overseeing the site works, to manage	a) Prior to commencing work

³ The out of hours work request form is available at EDQ's website.

	construction impacts during each stage of construction, including: i) noise and dust in accordance with the EP Act; ii) stormwater flows around and through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the EP Act), causing erosion, creating any ponding and causing any actionable nuisance to upstream and downstream properties. iii) contaminated land, where required under a site suitability statement prepared in accordance with section 389 of the EP Act; iv) complaints procedures; and v) site management: 1. for the provision of safe and functional alternative pedestrian routes, past, through or around the site; 2. to mitigate impacts to public sector entity assets, including street trees, external to the site; 3. for safe and functional temporary vehicular access points and frequency of use; 4. for the safe and functional loading and unloading of materials including the location of any remote loading sites. 5. for the location of materials, structures, plant and equipment. 6. of waste generated by construction activities. 7. detailing how materials are to be loaded/unloaded; 8. of proposed external hoardings and gantries (with clearances to street furniture and other public sector entity assets); 9. of employee and visitor parking areas. 10. of anticipated staging and programming. 11. for the provision of safe and functional emergency exit routes; and 12. any out of hours work as endorsed via Compliance Assessment. b) A copy of the CMP submitted under part a) of this condition must be current and available on site. c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.	b) During construction c) During construction
MCU 7.	Erosion and sediment management a) Submit to EDQ TS an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control, and prepared generally in accordance with the following: i) construction phase stormwater management design objectives of the <i>State Planning Policy 2017</i> (Appendix 2 Table A); ii) <i>Healthy Land and Water Technical Note: Complying with the SPP – Sediment Management on Construction Sites</i>. b) Implement the certified ESCP submitted under part a) of this condition.	a) Prior to commencing work b) During construction

MCU 8.	Traffic management plan a) Submit to EDQ TS a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification. The TMP must include the following: i) provision for the safe and functional management of traffic around and through the site during and outside of construction work hours; ii) provision for the safe and functional management of pedestrian traffic, including alternative pedestrian routes past, through or around the site; iii) provision of parking for workers and materials delivery. iv) risk identification, assessment and identification of mitigation measures; v) ongoing monitoring, management review and certified updates (as required); and vi) traffic control plans and/or traffic control diagrams, prepared in accordance with <i>Austroads Guide to Temporary Traffic Management</i>, for any temporary part or full road closures. b) Carry out all construction work generally in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site. <i>NOTE: Operational traffic changes, such as temporary and permanent lane modifications, relaxation of clearway zone hours or footpath closures may require authorisation from Council or DTMR as road manager. It is recommended that applicants engage directly with the applicable road manager.</i>	a) Prior to commencing work b) During construction
MCU 9.	Construction noise management plan a) Submit to EDQ TS a Construction Noise Management Plan (CNMP), certified by a suitably qualified acoustic engineer. At a minimum, the CNMP must address the following sections of <i>Australian Standard AS2436-2010</i> as they relate to the site and construction activities: (i) section 3.4 – Community Relations, including schedule of activities, community notification strategy, complaints reporting and response strategies (ii) section 4.4 – Post Approval/Construction Planning for Noise and Vibration, including strategies to minimise adverse impacts to proximate sensitive land uses/receptors (iii) section 4.5 – Control of Noise at Source, including strategies to control noise at source; (iv) section 4.6 – Controlling the Spread of Noise, including noise reduction measures; and (v) section 5.0 – Methods for Measurement of Noise and Vibration, including noise measurement and monitoring strategy. b) Carry out construction work generally in accordance with the certified CNMP required under part a) of this condition. c) Where requested by EDQ, submit to EDQ TS Noise Monitoring Reports, certified by a suitably qualified acoustic engineer, and evidence of compliance with the community	a) Prior to commencing work b) During construction c) As requested by EDQ

	relations elements of the CNMP required under part a) of this condition.	
MCU 10.	Public infrastructure (damage, repairs and relocation) a) Repair any damage to existing public infrastructure caused by works carried out in association with the approved development. b) Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and the External Authority's design standards. <i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i>	a) Prior to commencement of use b) Prior to commencement of use
MCU 11.	Earthworks a) Submit to EDQ TS detailed earthworks plans, certified by a RPEQ, and designed generally in accordance with: <i>Australian Standard AS3798 – 2007 Guidelines on Earthworks for Commercial and Residential Developments</i> and - the approved Preliminary Bulk Earthworks Plan prepared by WSP (Drawing 1000 rev B). The certified earthworks plans are to: - include a geotechnical soils assessment of the site; - accord with the Erosion and Sediment Control Plans, as required by condition 7 – Erosion and sediment management; - include the location and finished surface levels of any cut and/or fill; - detail protection measures to: - ensure adjoining properties and roads are not impacted by ponding or nuisance stormwater resulting from earthworks associated with the approved development; and - preserve all drainage structures from structural loading impacts resulting from earthworks associated with the approved development, b) Carry out earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ TS RPEQ certification that: - all earthworks have been carried out generally in 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 commencing earthworks b) Prior to commencement of use c) Prior to commencement of use

MCU 12.	Acid sulfate soils a) Where on-site ASS are encountered, submit to EDQ TS an ASS management plan, prepared in accordance with the <i>Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines v4.0 2014</i> (as amended from time to time). b) Excavate, remove and/or treat on site all disturbed ASS generally in accordance with the ASS management plan submitted under part a) of this condition. c) Submit to EDQ TS a validation report, certified by a suitably qualified environmental or soil scientist, confirming that all earthworks have been carried out in accordance with the ASS management plan submitted under part b) of this condition.	a) Prior to commencement of or during earthworks b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first
MCU 13.	Vehicle access a) Construct a vehicle crossover: i) located generally in accordance with the approved plans; and ii) designed generally in accordance with the relevant Council standards. b) Submit to EDQ TS RPEQ certification that the crossover has been constructed in accordance with part a) of this condition.	a) Prior to commencement of use b) Prior to commencement of use
MCU 14.	Car parking a) Construct, sign and delineate car parking spaces generally in accordance with <i>Australian Standard AS2890 – Parking Facilities</i> and the approved plans b) Submit to EDQ TS RPEQ certification that parking facilities have been constructed in accordance with part a) of this condition.	a) Prior to the commencement of works b) Prior to commencement of use
MCU 15.	Ensure electric vehicle readiness – commercial/retail Provide eight (8) electric vehicle charging stations, as well as the provisioning for future electric vehicle charging for the development, as follows: A. Short term parking i. Provision of electrical capacity for Destination AC or DC EV charging including dedicated conduits and circuits wired to parking bays, to allow electric vehicle chargers to be installed at a later stage; and ii. Electric vehicle charging should be capable of electrical load control to manage development peak demand.	For all parts of this condition, prior to commencement of the use

	B. Medium to long term parking¹ i. provisioning for Basic AC EV Charging to 40% of the total medium to long-term parking bays, including dedicated conduits and circuits to be wired to parking bays, to allow electric vehicle chargers to be installed at a later stage; and ii. electric vehicle charging should be capable of electrical load control to manage development peak demand; and iii. Submit to EDQ TS, certified evidence from an electrical engineer which demonstrates the electric vehicle charging facilities and / or provisioning has been provided in compliance with all parts of this condition. <i>NOTE:</i> Short term parking for the purposes of electric vehicle charging means land uses where parking is generally for a period of less than 2 hours. Medium to long term parking means any other parking that is not short term.	
MCU 16.	Bicycle parking a) Submit to EDQ TS plans certified by a RPEQ showing the provision of bicycle parking facilities generally in accordance with: i) Australian Standard AS2890.3-1993 Bicycle parking facilities; and ii) the approved plans. b) Construct, sign and delineate bicycle parking facilities generally in accordance with part a) of this condition. c) Submit to EDQ TS evidence demonstrating bicycle parking facilities have been constructed in accordance with part a) of this condition.	a) Prior to commencement of works b) Prior to commencement of use c) Prior to commencement of use
MCU 17.	End of trip facilities a) Submit to EDQ TS plans certified by a RPEQ showing the provision of end of trip facilities generally in accordance with: i) <i>Queensland Development Code MP4.1 - Sustainable Buildings</i>; and ii) the approved plans b) Construct, sign and delineate end of trip facilities generally in accordance with part a) of this condition. c) Submit to EDQ TS evidence demonstrating end-of-trip facilities have been constructed in accordance with part a) of this condition	a) Prior to commencement of works b) Prior to commencement of use c) Prior to commencement of use
MCU 18.	Water connection Connect the approved development to the existing water reticulation network generally in accordance with Unitywater's adopted standards.	Prior to commencement of use

MCU 19.	Sewer connection Connect the approved development to the existing sewer reticulation network generally in accordance with Unitywater's current adopted standards.	Prior to commencement of use
MCU 20.	Stormwater connection Connect the approved development to the existing stormwater network as indicated in the following approved documents: • LOT 71 50 First Avenue - Civil Engineering Services and Site Based Stormwater Management Report (as amended in red) prepared by WSP, Rev PS125923, dated 15 November 2021 ; • Site Services Plan (drawing number 3000 Rev E) prepared by WSP, dated 2 March 2022; With 'no-worsening' to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability; and generally in accordance with Council's current adopted standards.	Prior to commencement of use
MCU 21.	Stormwater management (quality & quantity) – Compliance Assessment a) Submit to EDQ TS for Compliance Assessment, detailed engineering drawings and calculations, certified by a RPEQ, for all stormwater conveyance and treatment devices demonstrating that water quality objectives are met for each Stage of the Development. The works are to be designed generally in accordance with: i) <i>PDA Guideline No. 13 Engineering standards – Stormwater quality & Stormwater quantity,</i> ii) LOT 71 50 First Avenue - Civil Engineering Services and Site Based Stormwater Management Report (as amended in red) prepared by WSP, Rev PS125923, dated 15 November 2021; and iii) the Site Services Plan Ref: 3000, Rev E, dated 2 March 2022. b) Construct stormwater works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ TS RPEQ certification confirming stormwater treatment devices have been constructed 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 c) Prior to commencement of use
MCU 22.	Electricity a) Submit to EDQ TS a Certificate of Electricity Supply from Energex for the provision of electricity supply to the approved development.	a) Prior to commencement of use

	b) Connect the approved development in accordance with the Certificate of Electricity Supply submitted under part a) of this condition.	b) Prior to commencement of use
MCU 23.	Telecommunications a) Submit to EDQ TS documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the approved development. b) Connect the approved development in accordance with the documentation submitted under part a) of this condition.	a) Prior to commencement of use b) Prior to commencement of use
MCU 24.	Broadband a) Submit to EDQ TS written agreement, from an authorised telecommunications service provider, confirming that fibre-ready pit and pipe infrastructure designed to service the approved development can accommodate services compliant with <i>Industry Guideline G645:2017 Fibre-Ready Pit and Pipe Specification for Real Estate Development Projects</i>. b) Construct the fibre-ready pit and pipe infrastructure specified in the agreement submitted under part a) of this condition.	a) Prior to commencement of use b) Prior to commencement of use
MCU 25.	Landscape works a) Submit to EDQ TS detailed landscape plans, certified by an AILA, for the development's landscape works. The detailed landscape plans must be designed generally in accordance with the following approved plans: i) 50 First Avenue Landscape Concept Report 02/03/2022 Issue B prepared by Place Design Group. b) Construct landscape works generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of building work b) Prior to commencement of use
MCU 26.	Level 5 terrace – Compliance Assessment a) Submit to EDQ DA for compliance assessment, detailed landscape plans for the Level 5 terrace. The detailed plans are to include: i. Detailed planting palette; ii. Furniture specifications; and iii. Maintenance schedule. b) Construct the Level 5 terrace in accordance with the plans approved under part a) of this condition.	a) Prior to commencement of building work b) Prior to commencement of use.
MCU 27.	Waste Collection System a) Submit to EDQ DA, a copy of the Prescribed Waste Infrastructure Consent given by the Council for the establishment of the internal waste collection system.	a) Prior to commencement of building works.

	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.	b) Prior to commencement of use c) At all times																								
MCU 28.	Outdoor lighting Outdoor lighting within the site is to be designed and constructed in accordance with <i>Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i>.	Prior to commencement of use																								
MCU 29.	Acoustic treatments a) Ensure any fixed plant and equipment that causes noise (e.g. from basement car-park exhausts, air conditioning or pool filtration units, refrigeration units, pumps and generators, kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the following sound pressure levels for a noise sensitive land use is achieved: <table><tr><td rowspan="2">Location where criteria applies at a noise sensitive land use</td><td colspan="3">Adjusted equivalent continuous sound pressure level ($L_{Aeq,adj,T}$) to be achieved during the day, evening and night time periods</td><td>Maximum sound pressure level (L_{Amax}) to be achieved during the night time period</td></tr><tr><td>Day 7am-6pm $L_{Aeq,adj,11hr}$</td><td>Evening 6pm- 10pm $L_{Aeq,adj,4hr}$</td><td>Night 10pm- 7am $L_{Aeq,adj,9hr}$</td><td>Night 10pm- 7am</td></tr><tr><td>Sleeping Areas</td><td>35 dB(A)</td><td>35 dB(A)</td><td>30 dB(A)</td><td>45 dB(A)</td></tr><tr><td>Other Habitable Rooms</td><td>35 dB(A)</td><td>35 dB(A)</td><td>35 dB(A)</td><td>N/A</td></tr><tr><td>Within the Designated Private open space</td><td>50 dB(A)</td><td>50 dB(A)</td><td>N/A</td><td>N/A</td></tr></table> Noise measurements must be in accordance with AS1055 – Acoustics – Description and measurement of environmental noise – General procedures. b) The development must be constructed with reticulated ducting inside the building to exhaust heat and odours from the approved food outlet to a discharge point on the roof of the development. The commercial kitchen and heat odour discharge points on the roof must be located and managed in accordance with AS1668.2 – the use of ventilation and air conditioning in buildings (section 3.10 – air discharges).	Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ($L_{Aeq,adj,T}$) to be achieved during the day, evening and night time periods			Maximum sound pressure level (L_{Amax}) to be achieved during the night time period	Day 7am-6pm $L_{Aeq,adj,11hr}$	Evening 6pm- 10pm $L_{Aeq,adj,4hr}$	Night 10pm- 7am $L_{Aeq,adj,9hr}$	Night 10pm- 7am	Sleeping Areas	35 dB(A)	35 dB(A)	30 dB(A)	45 dB(A)	Other Habitable Rooms	35 dB(A)	35 dB(A)	35 dB(A)	N/A	Within the Designated Private open space	50 dB(A)	50 dB(A)	N/A	N/A	a) Prior to commencement of use b) Prior to commencement of use
Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ($L_{Aeq,adj,T}$) to be achieved during the day, evening and night time periods			Maximum sound pressure level (L_{Amax}) to be achieved during the night time period																						
	Day 7am-6pm $L_{Aeq,adj,11hr}$	Evening 6pm- 10pm $L_{Aeq,adj,4hr}$	Night 10pm- 7am $L_{Aeq,adj,9hr}$	Night 10pm- 7am																						
Sleeping Areas	35 dB(A)	35 dB(A)	30 dB(A)	45 dB(A)																						
Other Habitable Rooms	35 dB(A)	35 dB(A)	35 dB(A)	N/A																						
Within the Designated Private open space	50 dB(A)	50 dB(A)	N/A	N/A																						

	c) Submit evidence to EDQ TS that the development has been constructed in accordance with part a) of this condition.	c) Prior to commencement of use
MCU 30.	Substation – Compliance Assessment a) Submit to EDQ DA for compliance assessment a concept design for the visual treatment of the substation on First Avenue and within the development site. The concept design is to address: I. The visual prominence of the location of the substation II. The requirement for the First Avenue frontage to be integrated with the street: and III. avoid the use of materials that hide the substation; b) Submit evidence to EDQ DA that the concept design approved under part a) of this condition has been implemented.	a) Prior to commencement of building works b) Prior to commencement of use
MCU 31.	First Avenue Frontage – Compliance Assessment a) Submit to EDA DA for compliance assessment, amended architectural plans for the ground floor tenancies that demonstrate increased permeability at ground level to the First Avenue frontage.	a) Prior to commencement of use
MCU 32.	Thermal Comfort a) Submit to EDQ DA tenancy fit out guidelines that ensure thermal comfort for users of each tenancy is optimised. The Guideline is to demonstrate the requirement for each tenancy to install the following: I. Internal blinds to windows that achieve minimum shading co-efficient II. The use of high performance glazing systems	a) Prior to commencement of use
MCU 33.	Sustainability and efficiency a) Submit to EDQ TS the following to demonstrate that the building design and construction planning phase is consistent with the achievement of a 5 Star rating under the Green Building Council of Australia (GBCA) Green Star for New Buildings rating tool (or equivalent GBCA tool as agreed by EDQ TS): i. Green Star submission package prepared by a Green Star Accredited Professional (GSAP) demonstrating that the building design achieves a minimum projected 5 Star Green Star rating, with suitable rating points buffer and contingency measures to address rating risk areas. ii. Evidence of submission of the above documentation to the GBCA for certification. iii. Contractual agreement(s) between the applicant and the building construction contractor(s), evidencing that the building construction is	a) Prior to the commencement of works

	contractually required to achieve a 5 Star Green Star As-Built rating. It is acceptable for the contractual agreement(s) to be appropriately redacted to protect commercially sensitive information. b) Submit to EDQ TS “Design Review” certification from the GBCA certifying that the documentation submitted under a) i) is projected to achieve a 5 Star rating under the Green Star for New Buildings tool (or tool approved under part a)). Should changes to the documentation submitted under a) i. be required in response to GBCA Design Review feedback (to achieve a 5 Star rating), the final documentation must be submitted to EDQ TS. Any changes relevant to the approved plans or conditions of approval must be approved by EDQ TS. c) Design, construct and operate the approved development generally in accordance with the final submission certified to achieve a 5 Star Design Review rating by the GBCA under b). d) Submit to EDQ TS evidence that the requirements of part c) of this condition have been met, including submission of 5 Star “As-Built” rating certification from the GBCA.	b) Prior to commencement of use c) Prior to commencement of use d) Within 12 months of commencement of use
Infrastructure contributions		
MCU 34.	Infrastructure Contributions Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the Infrastructure Funding Framework (IFF) calculated as follows: • where the application is a Material change of Use (MCU), certified construction plans detailing the Gross Floor Area (GFA) must also be provided to the MEDQ prior to commencement of use for calculation of final charges • where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced on or before 6 years from the original decision date – in accordance with the IFF in force at the time of the original decision date • where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced more than 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.

All EDQ practice notes, guidelines and forms, such as those for Compliance Assessment, Plan Sealing, Out of Hours Work Requests, can be accessed at the EDQ website.

**** End of Package ****