



Our ref: DEV2016/819

30 March 2023

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

Evolve Planning
Att: Ms Kate Evans
11 Staghorn Close
PALMVIEW QLD 4553

Email kate@evolveplanning.net.au

Dear Ms Evans

Section 99 Approval - application to change PDA development approval and Section 102 Approval to extend currency period

Reconfiguring a Lot – 1 lot into 13 residential lots, 1 retail lot, 1 open space lot and new road with a Plan of Development at Bellvista Boulevard, Caloundra West described as Lot 8001 on SP298729 (formerly Lot 8001 on SP245185)

On 30 March 2023 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 as well as approve the application to extend the currency period for PDA development approval number DEV2016/819. The currency period is now 8 years from the original approval date, being 17 May 2017.

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

If you require any further information, please contact Matthew Buchanan, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7835 or at matthew.buchanan@dsdilgp.qld.gov.au.

Yours sincerely

Leila Torrens
**A/Director
Development Assessment
Economic Development Queensland**

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Caloundra South	
Site address	Bellvista Boulevard, Caloundra West	
Lot on plan description	Lot number	Plan description
	8001	SP245185
PDA development application details		
DEV reference number	DEV2016/819/6	
'Properly made' date	14 February 2023	
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 ☒ Application to change PDA development approval ☒ Application to extend currency period	
Description of proposal applied for	Reconfiguring a Lot – 1 lot into 13 residential lots, 1 retail lot, 1 open space lot and new road with a Plan of Development	
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. The approved changes are summarised as follows: - Amendment to the approved Non-residential allotment Plan of Development to permit the development of a Indoor Sport & Recreation (Yoga or Pilates Studio) with limitations - Extension to the currency period by 2 years	
Original Decision date	17 May 2017	
1 st Change to approval date	30 June 2017	
2 nd Change to approval date	30 March 2023	
Currency period	8 years from the original decision date	

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.	Bells Reach Non-Residential Allotment – Plan of Development (Plan 3 of 3)	167633-139I	16 January 2023 (Amended in red on 22 March 2023)
Plans and documents previously approved on 17 May 2017		Number	Date
2.	Plan of Subdivision Cancelling Lot 8001 (Plan 1 of 3)	167633 - 137, Revision J	28 April 2017 (Amended in Red on 3 May 2017)
3.	Plan of Development for Residential lots (Plan 2 of 3)	167633 - 138, Revision J	28 April 2017 (Amended in Red on 3 May 2017)
4.	Site Locality and Drawing Index	16-002679-100 Issue D	28/04/2017
5.	Roadworks & Drainage Detail Plan	16-002679-101 Issue C	28/04/2017
6.	Survey Setout Plan	16-002679-102 Issue D	28/04/2017
7.	Sediment & Erosion Control Plan	16-002679-103 Issue C	28/04/2017
8.	Sediment & Erosion Control Typical Details	16-002679-104	11/11/2016
9.	Sediment & Erosion Control Typical Notes	16-002679-105 Issue A	20/04/2017
10.	Earthworks Detail Plan	16-002679-106 Issue C	28/04/2017
11.	Stormwater Catchment Plan	16-002679-107 Issue C	28/04/2017
12.	Stormwater Drainage Longitudinal Sections	16-002679-108 Issue A	01/03/2017
13.	Stormwater Drainage Q10 Calculations Table	16-002679-109	11/11/2016
14.	Bio Basin Detail Plan Sheet 1 of 2	16-002679-110 Issue B	19/04/2017
15.	Bio Basin Detail Plan Sheet 2 of 2	16-002679-111	11/11/2016
16.	Linemarking and Signage Detail Plan	16-002679-112 Issue B	19/04/2017
17.	Sewer Reticulation Detail Plan	16-002679-200 Issue C	28/04/2017
18.	Sewer Reticulation Longitudinal Sections	16-002679-201 Issue A	01/03/2017
19.	Water Reticulation Detail Plan	16-002679-300 Issue C	28/04/2017
20.	Driveway Egress Sight Distance	16-002679-SK05	10/02/2017 (Amended in Red on 4 May 2017)
21.	Landscape Concept Plan	LCP01 Issue C	08/11/2016 (Amended in red on 3 May 2017)
22.	Perspective Sketches	LCP02 Issue C	08/11/2016
23.	Local Centre Lot 8001, Bells Reach Subdivision, Caloundra South Noise Impact Assessment	6157R03V01.docx	25/10/2016

Preamble, abbreviations, and definitions

PREAMBLE

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

ABBREVIATIONS AND DEFINITIONS

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

AILA means a Landscape Architect registered by the Australian Institute of Landscape Architects.

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).

Council means Sunshine Coast Council.

DILGP means The Department of Infrastructure, Local Government and Planning.

EDQ means Economic Development Queensland.

MEDQ means The Minister of Economic Development Queensland.

PDA means Priority Development Area.

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) Compliance assessment and endorsement by EDQ Development Assessment, DILGP 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.

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.

- d) The process and timeframes that apply to compliance assessment are as follows:
- i) the applicant liaises with EDQ Development Assessment, DILGP 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 assesses the documentation and:
 - 1. if satisfied, endorses the documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.
 - iv) if the applicant is notified under ii.2. above, revised documentation must be submitted **within 20 business days** from the date of notification.
 - v) **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.
 - vi) if EDQ Development Assessment, DILGP 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, DILGP endorses relevant plans/supporting information.

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 IS, use the following email addresses:

- a) EDQ DA: pdadevelopmentassessment@dsdilgp.qld.gov.au
- b) EDQ IS: EDQ_PrePostConstruction@dsdilgp.qld.gov.au

PDA development conditions

No.	Condition	Timing
1.	Carry out the approved development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to survey plan endorsement
2.	Certification of Operational Works All operational works for contributed assets undertaken in accordance with this approval must 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>

	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). Where subdivision plans are registered and a road reserve is created prior to the finalisation of the construction of the formed road, the road is permitted to remain physically closed to pedestrian and vehicular traffic in accordance with a certified TMP. b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.	b) At all times during construction
8.	Filling and Excavation a) Carry out the earthworks generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP certification from a RPEQ that all earthworks have been carried out generally in accordance with the certified plans required under part a) of this condition and that any unsuitable material encountered has been treated or replaced with suitable material.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
9.	Vehicle Access – Lot 8001 Construct vehicle crossovers generally in accordance with the approved plans and designed and constructed in accordance with Council adopted standards.	Prior to survey plan endorsement
10.	Roads – Internal a) Construct the works generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP ‘as-constructed’ drawings, asset register and test results, certified by a RPEQ, in a format acceptable to the Council of all road works constructed in accordance with this condition.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
11.	Sight Distance – New Road a) Submit a plan showing where the three (3) trees impeding sight distance, as shown on the following plan, will be relocated: Driveway Egress Sight Distance Plan, 16-002679-SK05, dated 10/02/2017 (Amended in Red on 4 May 2017). b) Relocate the three trees in accordance with the submitted plan from part a).	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
12.	Parking Restriction – New Road Provide signage and line marking within the new road reserve to restrict parking to the designated parking bays in accordance with the Department of Transport and Main Roads <i>Manual of Uniform Traffic Control Devices (MUTCD)</i>.	Prior to survey plan endorsement

13.	Car Parking a) Provide car parking spaces, delineated and signed generally in accordance with the approved plans. b) Car parking spaces are to be designed in accordance with AS2890 – Parking Facilities. c) Demonstrate parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained
14.	Bicycle Parking a) Provide bicycle parking facilities delineated and signed generally in accordance with the approved plans. b) Bicycle parking spaces are to be designed in accordance with AS2890.3 – 1993 Bicycle parking facilities. c) Demonstrate bicycle parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained
15.	Water – Internal a) Construct the works generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP ‘as–constructed’ plans, asset register, pressure and bacterial test results in accordance with Unitywater current adopted standards.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
16.	Sewer – Internal a) Construct the works generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP ‘as–constructed’ plans, asset register, pressure and CCTV results in accordance with Unitywater current adopted standards.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
17.	Stormwater Management (Quality) a) Construct the works generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP ‘as constructed’ drawings, including an asset register, certified by a RPEQ, in a format acceptable to the Council.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement
18.	Stormwater Management (Quantity) a) Construct the works generally in accordance with the approved plans. b) Submit to EDQ Development Assessment, DILGP "as constructed" plans including an asset register and test results, certified by a RPEQ, in a format acceptable to the Council.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement

19.	Street Lighting a) Design and install a <u>Rate 2</u> street lighting system certified by a RPEQ to all roads, including footpaths/bikeways within road reserves. The design of the street lighting system must: i. meet the relevant standards of Energex; ii. be acceptable to Energex as 'Rate 2 Public Lighting'; iii. be endorsed by Council as the Energex 'billable customer'; iv. be generally in accordance with Australian Standards AS1158 – '<i>Lighting for Roads and Public Spaces</i>'. OR b) Submit to EDQ Development Assessment, DILGP detailed engineering design plans certified by a RPEQ-electrical for <u>Rate 3</u> (Council owned) street lighting to all roads, including footpaths/bikeways within road reserves generally in accordance with Australian Standards AS1158 – '<i>Lighting for Roads and Public Spaces</i>' and AS3000 – '<i>SAA Wiring Rules</i>'. AND c) Install the lighting generally in accordance with the certified plans required under part b) of this condition. AND d) Submit to EDQ Development Assessment, DILGP 'as-constructed' plans and test documentation certified by a RPEQ-electrical in a format acceptable to Council.	a) Prior to survey plan endorsement b) Prior to commencement of works c) Prior to survey plan endorsement d) Prior to survey plan endorsement
20.	Outdoor Lighting Outdoor lighting within the development shall 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
21.	Electricity Submit to EDQ Development Assessment, DILGP either: a) Written evidence from Energex confirming that existing underground low-voltage electricity supply is available to the newly created lots; or b) Written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground electricity services.	Prior to survey plan endorsement
22.	Telecommunications Submit to EDQ Development Assessment, DILGP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to each new lot within the proposed subdivision.	Prior to survey plan endorsement

	b) Construct the works generally in accordance with the certified plans required under part a) of this condition.	b) Prior to commencement of use and to be maintained
27.	Compliance Assessment – Landscape Works (Parks and Open Space – Lot 9001) a) Submit to EDQ Development Assessment, DILGP for compliance assessment detailed landscape plans, including a schedule of proposed standard and non-standard assets to be transferred to Council, certified by an AILA, for improvement works within the proposed parkland and open space areas generally in accordance with <i>PDA Guideline No. 12 – Park planning and design</i> and the following plans/documents: i. Landscape Concept Plan, prepared by AECOM, LCP01 rev C, dated 8.11.2016 (amended in red on 3 May 217) ii. Perspective Sketches, prepared by AECOM, LCP02 rev C, dated 8.11.2016 and generally documenting the following: i. existing contours or site levels, services and features; ii. proposed finished levels, including sections across and through the open space at critical points (e.g. Interface with roads or water bodies, retaining walls or batters); iii. location of proposed drainage and stormwater works within open space, including cross-sections and descriptions; iv. locations of electricity and water connections to parks; v. location and details of vehicle barriers/bollards/landscaping along park frontages where required to prevent unauthorised vehicular access; vi. details and locations of any proposed building works, including: bridges, park furniture, picnic facilities and play equipment; vii. trees and plants, including species, size and location generally in accordance with Council's adopted planting schedules and guidelines; viii. public lighting in accordance with AS1158 –'Lighting for Roads and Public Spaces' . ix. design should ensure provision of universal access in accordance with the AS 1428 - Design for Access and Mobility b) Construct the works generally in accordance with the endorsed plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP, 'As Constructed' plans and asset register in a format acceptable to Council certified by an AILA.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
28.	Acid Sulfate Soils (ASS) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DILGP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP must be: i. prepared generally in accordance with the State Planning Policy, July 2014 (as amended from time to time) and relevant guidelines; and ii. certified by a suitably qualified professional in soils and/or erosion sediment control.	a) Prior to commencement of or during site works

	b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP.	b) Prior to survey plan endorsement
29.	Erosion and Sediment Management a) Implement the Erosion and Sediment Control Plan (ESCP) generally in accordance with the approved plans and the following guidelines: i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP); Best Practice Erosion and Sediment Control (International Erosion Control Association).	a) At all times during construction
30.	Acoustic treatments Undertake acoustic treatments to the development generally in accordance with the recommendations in the Local Centre Noise Impact Assessment prepared by ASK Consulting Engineers, reference 6157R03V01.docx, dated 25 October 2016.	Prior to commencement of use
31.	Acoustic Treatment – Noise Barrier a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by a RPEQ, for the proposed noise barrier(s) generally in accordance with <i>PDA Engineering Guideline No. 13 – Acoustic treatments</i> and the Local Centre Noise Impact Assessment prepared by ASK Consulting Engineers, reference 6157R03V01.docx, dated 25 October 2016. The acoustic barrier adjoining Lots 11, 12 and 13, as shown on Plan of Subdivision Cancelling Lot 8001 (Plan 1 of 3) 167633 - 137, Revision J dated 28 April 2017 (Amended in Red on 3 May 2017), is to be located wholly within these lots. b) Construct the noise barrier(s) generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP 'as-constructed' plans and an asset register, certified by a RPEQ, of the barrier(s).	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
32.	Refuse Collection – Lot 8001 future land uses Submit to EDQ Development Assessment, DILGP refuse collection approval from Council or a private waste contractor.	Prior to commencement of use
Surveying, land transfers and easements		
33.	Land Transfer – Park and open space Transfer, in fee simple, to Council as trustee Lot 9001 for park and open space purposes.	At the time works in these lots are accepted as off-maintenance
34.	Easements over infrastructure Public utility easements must be provided, in favour of and at no cost to the grantee, over infrastructure that becomes contributed assets.	Prior to survey plan endorsement

	The terms of the easements must be to the satisfaction of the Chief Executive Officer of the authority which ultimately is to takeover and maintain the contributed assets.	
35.	Small lot development easements for lots $\leq 300\text{m}^2$ For standard format lot sub-divisions where a lot is 300m^2 or less and the lot adjoins another lot 300m^2 or less and the proposed construction of adjacent proposed walls will be a circumstance mentioned in section 94(2)(a) of the <i>Land Title Act 1994</i> (LTA) to permit the application and registration of high density development easements, provide high-density development easements under Part 6 Division 4AA of the LTA in registrable form in respect of each affected lot to allow reciprocal rights for 1 or more of the following purposes (but only where those relevant circumstances will exist): - support; - shelter; - projections; - maintenance; - roof water drainage *; or provide reciprocal easements created under Part 6 Division 4 LTA in registrable form for 1 or more of the above purposes (but only where those relevant circumstances will exist). *High-density development easements created under Part 6 Division 4AA of the <i>Land Title Act 1994</i> are not required to be identified on a plan of survey.	At or prior to survey plan endorsement
36.	For sub regional (roads), municipal and state charge In lieu of paying the sub regional (roads), municipal and state infrastructure charges, the applicant will provide the infrastructure in accordance with the following conditions of approval: • Condition 10 – Roads – Internal • Condition 15 – Water – Internal • Condition 16 – Sewer – Internal • Condition 17 – Stormwater Management (Quality) • Condition 18 – Stormwater Management (Quantity) • Condition 19 – Street Lighting	As required by the relevant conditions
37.	Sub-regional Charge (water and sewer) The applicant is to provide a notice to the MEDQ from Unitywater confirming that the applicant has: - paid to Unitywater for sub-regional water and sewer: \$9,379.67 for Lot 8001 (as per the Bells Reach Non-Residential Allotment Plan of Development, number 167633-139I) \$6,253.11 per lot for residential lots - paid to Unitywater for sub-regional water and sewer: \$3,821.35 per 100m^2 GFA for Business Use (as at 1 July 2017)	A notice confirming the payment of charges is to be provided: For payments made in accordance with part (a), prior to endorsement of a Plan of Subdivision For payments made in accordance b) prior to the earlier of:

	ii. \$6,947.90 per 100m² GFA for Shop Use (as at 1 July 2017) iii. \$16,327.57 per 100m² GFA for Food Premises Use (as at 1 July 2017) iv. \$7,295.30 per 100m² GFA for Health Care Services Use (as at 1 July 2017) v. \$4,900.00 per 100m² GFA for Indoor Sport and Recreation (as at 1 July 2022) <i>Advisory Notes: The charges and credits in a) and b) are to be indexed on 1 July each year in accordance with the 3 year rolling average of the producer price index number 3101 – Road and Bridge construction Queensland (PPI) (using the March quarter data).</i> <i>A credit of \$9,828.94 is applicable for Lot 8001 SP245185 at the time of payment of part (a) above.</i> <i>A credit of \$9,379.67 is applicable at the time of payment of part (b) on Lot 8001 (as per the Bells Reach Non-Residential Allotment Plan of Development, number 167633-139I).</i> <i>A credit of \$6,253.11 is applicable at the time of payment of part (b) for any lot created in accordance with (a)(ii).</i> <i>All credits are to be indexed on 1 July each year in accordance with the 3 year rolling average of the PPI (using March quarter data).</i>	i) Unitywater issuing a meter connection approval or ii) Prior to commencement of use
38.	Implementation Charge The applicant must pay to the MEDQ the Implementation Charge calculated in accordance with the IFF and indexed to the date of payment. <i>Advisory Note: The MEDQ is prepared to accept the lodgement of bonds to cover the infrastructure charges calculated in accordance with the above. This bond would be returned upon the endorsement of an Overarching Site Strategy or Infrastructure Agreement.</i>	As required by the IFF

STANDARD ADVICE

Please note that 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 ****