



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

Our ref: DEV2019/1051

24 September 2019

Minister for Economic Development Queensland
C/- Wolter Consulting Group
Att: Ms Hannah Tohill
Associate Town Planner
PO Box 436
NEW FARM QLD 4005

Via email: htohill@wolterconsulting.com.au

Dear Hannah

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 INTO 2 LOT MANAGEMENT SUBDIVISION) AND OPERATIONAL WORK (EXCAVATION AND FILLING; AND CLEARING OF SIGNIFICANT VEGETATION) AT 70 PARK ROAD, YERONGA DESCRIBED AS LOT 3 ON SP300888

On 23 September 2019 the Minister for Economic Development Queensland (MEDQ) approved the Priority Development Area (PDA) development application pursuant to s.85(4)(b) of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions set out in this 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 www.dsdmip.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Rachael Grimes on 3452 7098 or by email at rachael.grimes@dsdmip.qld.gov.au.

Yours sincerely

Jeanine Stone
Director
Development Assessment
Economic Development Queensland

Minister for Economic Development
Queensland
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PDA Decision Notice – Approval

Site information		
Name of Priority Development Area	Yeronga Priority Development Area	
Site address	70 Park Road, Yeronga	
Lot on plan description	Lot number	Plan description
	Lot 3	SP300888

PDA development application details	
DEV reference number	DEV2019/1051
'Properly made' date	15 July 2019
Type of application	☒ New development involving: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☒ Reconfiguring a lot ☐ Preliminary approval ☒ Development permit ☒ Operational work ☐ Preliminary approval ☒ Development permit ☐ Changing a PDA development approval ☐ Extending the currency period of a PDA approval
Description of proposal applied for	• Reconfiguring a lot (1 into 2 lot management subdivision); and • Operational work (excavation and filling; and clearing of significant vegetation) over part of the site, as nominated in the approved drawings and documents.

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.
Decision date	23 September 2019
Currency period	Reconfiguring a lot – Four (4) years Operational work – Two (2) years

Plans and documents			
The plans and documents approved by the MEDQ and referred to in the PDA development conditions are detailed in the table below.			
Approved plans and documents		Number	Date
1.	Plan of Proposed Lots – Lot 3 and 4, prepared by Statewide Survey Group	7534-400	00.00.2010 As amended in red
2.	Bulk Earthworks Plan, prepared by Protest Engineering	PTP/03196/EW01	No date
3.	Yeronga Tafe Vegetation Survey letter, prepared by Lambert & Rehbein	B19289EL001	14 June 2019
4.	Vegetation Removal Plan, prepared by Wolter Consulting Group	18-0765P P02 A	29 August 2019

ABBREVIATIONS AND DEFINITIONS

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

1. **Contaminated Land Register** has the meaning given in the *Environmental Protection Act 1994*.
2. **Council** means Brisbane City Council.
3. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
4. **EDQ** means Economic Development Queensland.
5. **MEDQ** means the Minister for Economic Development Queensland.
6. **PDA** means Priority Development Area.
7. **RPEQ** means Registered Professional Engineer of Queensland.
8. **DTMR** means Department of Transport and Main Roads

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 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 the MEDQ's development assessment fee schedule (as amended from time to time).
 - ii. submit to MEDQ a duly completed compliance assessment form.
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- b) Compliance assessment and endorsement by EDQ Development Assessment, DSDMIP is required prior to any work commencing.
- c) Compliance assessment and endorsement can be repeated where a different design or solution, to that already endorsed, is sought.
- d) The process and timeframes that apply to compliance assessment are as follows:
 - i. the applicant liaises with EDQ Development Assessment, DSDMIP to determine the relevant plans/supporting information required to be submitted.
 - ii. the applicant submits plans/supporting information as required under the relevant condition of approval for compliance assessment.
 - iii. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the plans/supporting information and:
 1. if satisfied with the plans/supporting information as submitted – endorses the plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly
 - iv. if the applicant is notified under iii.2. above, revised plans/supporting information are to be re-submitted to EDQ Development Assessment, DSDMIP **within 20 business days** from the date of the notice.
 - v. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the revised plans/supporting information and:
 1. if satisfied with the revised plans/supporting information – endorses the revised plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the revised plans/supporting information as submitted – notifies the applicant accordingly.

- vi. if EDQ Development Assessment, DSDMIP is not satisfied that compliance has been achieved within **20 business days** – repeat steps iv. and v. above. If either party is not satisfied by the outcome of this process, that party can elect to enter into a mediation process with an independent mediator agreed to by both parties.

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

PDA Development Conditions		
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 survey plan endorsement
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, and any other approval or endorsement required by these conditions.	At all times
Engineering		
3.	Rail Corridor No assessable excavation and filling works, or clearing of significant vegetation works, are to be carried out within 25m of the rail corridor boundary on proposed Lot 4.	At all times
4.	Construction Management Plan a) Submit to EDQ Development Assessment, DSDMIP a site-based Construction Management Plan (CMP), prepared by the principal site contractor, that manages the following: i. noise and dust generated from the site during and outside construction work hours in accordance with the <i>Environmental Protection Act 1994</i> ; ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties; iii. where relevant to contaminated land, including removal, treatment and replacement, the CMP is to be in accordance with a compliance permit from an approved contaminated land auditor; iv. details a complaints management process to manage	a) Prior to commencement of site works

PDA Development Conditions		
No.	Condition	Timing
	on-site related complaints. The complaints management process is to nominate an on-site person who will implement the process. Any complaints received are to be recorded, including: • name, address and contact number of the complainant • time and date of the complaint • reasons for the complaint • investigations undertaken • conclusions formed • actions taken to resolve the complaint • any abatement measures implemented; and • name of person responsible for resolving the complaint. b) Undertake all works generally in accordance with the CMP submitted under part a) of this condition which is to be available on site at all times during the construction period.	b) At all times during construction
5.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Level 3 qualification or higher. The TMP is to address the following: i. the management of traffic around and through the site during and outside of construction work hours; ii. parking for workers and materials delivery during and outside of construction hours of work; iii. risk identification, assessment and mitigation measures; iv. 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); v. haulage routes, in consideration of the low clearance height of 3.4m under the grade separated rail crossing on Park Road; and vi. how the implementation of the TMP is to be monitored, reviewed and certified updates to be re-submitted to EDQ Development Assessment, DSDMIP (as required). 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

PDA Development Conditions		
No.	Condition	Timing
6.	Construction Hours Unless otherwise agreed to in writing by EDQ Development Assessment, DSDMIP, construction hours for works will be limited to Monday to Saturday 6:30am to 6:30pm, excluding public holidays.	At all times during construction
7.	Compliance Assessment – Out of Hours a) Submit to EDQ Development Assessment, DSDMIP for Compliance Assessment all requests for out of hours works. Requests must be in writing on the EDQ Application for out of hours works approval form and must be accompanied by the following information: i. reason for the request; ii. site plan(s); iii. reasons that the proposed works can not reasonably or safely be undertaken within normal construction hours; iv. potential adverse impacts and proposed mitigation strategies/measures; v. community engagement strategy and outcomes therefrom; and vi. all permits relating to other authorities (e.g. Council, DTMR or Queensland Police Service) for the proposed works. b) Undertake all out of hours works in accordance with the approval obtained under part a) of this condition.	a) No less than 10 business days prior to the proposed Works b) As indicated
8.	Compliance Assessment – Retaining Walls a) Where retaining wall(s) are proposed greater than 1.0m in height, submit to EDQ Development Assessment, DSDMIP for Compliance Assessment detailed engineering plans, certified by a RPEQ, and written justification demonstrating that the impacts of the retaining wall on the surrounding properties and infrastructure are acceptable. b) Construct the works generally in accordance with the approved and certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from an RPEQ that all retaining wall works 1.0m or greater in height have been constructed generally in accordance with the approved and certified plans required under part a) of this condition.	a) Prior to commencement of site works for retaining walls b) At all times during construction c) Prior to survey plan endorsement

9.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans, certified by a RPEQ, generally in accordance with AS3798 – 2007 <i>“Guidelines on Earthworks for Commercial and Residential Developments</i>. The detailed earthworks plans are to be generally in accordance with the extent of earthworks nominated on approved Bulk Earthworks Plan prepared by Protest Engineering, drawing number PTP/03196/EW01 (no date). The detailed earthworks plans are to be supported by written documentation addressing items a) i. to iv. set out below. The certified earthworks plans and written documentation are to: i. be in accordance with the Tree Clearance and Remediation Methodology report prepared by Butler Partners dated 6 June 2019; ii. be consistent with the Erosion and Sediment Control plans submitted under condition 12 of this approval; iii. ensure the filling and excavation finish levels match in with the existing levels of the site; and iv. ensure the protection of adjoining properties, roads and rail corridor from ponding or nuisance stormwater. b) Carry out the earthworks generally in accordance with the certified plans and supporting written documentation submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from a RPEQ that all earthworks have been carried out generally in accordance with the certified plans and supporting documentation submitted under part a) of this condition and that any unsuitable material encountered has been treated or replaced with suitable material.	a) Prior to commencement of site works b) At all times during construction c) Prior to survey plan endorsement
10.	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 survey plan endorsement

Landscape and Environment		
11.	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DSDMIP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be 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. c) Submit to EDQ Development Assessment, DSDMIP certification from a suitably qualified professional in soils and/or erosion sediment control stating that all removal and/or treatment of acid sulfate soils have been carried out generally in accordance with the certified ASSMP submitted under part a) of this condition	a) Prior to commencement of or during site works b) Where relevant, at all times during construction c) Where relevant, prior to survey plan endorsement
12.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDMIP an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC), generally in accordance with the following guidelines: i. 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
13.	Vegetation management Only clear vegetation that is nominated in: Figure 1, of the approved Yeronga Tafe Vegetation Survey letter, prepared by Lambert & Rehbein, dated 14 June 2019; and Vegetation Removal Plan, prepared by Wolter Consulting Group, dated 29 August 2019; including vegetation in close proximity to that identified in Figure 1 and the Vegetation Removal Plan where less than 4.0m in height and less than 10cm diameter at breast height.	At all times

	The vegetation nominated to be cleared is to be cut back to approximate ground level, and the resulting tree branches and trunks may be reused by way of mulching or other reuse. The tree root balls and surrounding soils are to be disposed of to landfill as they are within soils identified to be contaminated. <i>Note—As the vegetation to be cleared is significant vegetation required to be unavoidably cleared due to contamination, any future redevelopment of the site may incur the need to provide more established vegetation to compensate the removed original vegetation. The suitability of the replacement vegetation is to be determined in conjunction with a separate future development application for the redevelopment proposal.</i>	
Surveying, easements and registration		
14.	Contaminated Land Register Registration a) Submit to EDQ Development Assessment, DSDMIP a copy of the notification under the <i>Environmental Protection Act 1994</i> for registration of proposed Lot 4 on the Contaminated Land Register. b) Submit to EDQ Development Assessment, DSDMIP a copy of the Contaminated Land Register search confirming proposed Lot 4 has been entered on the Contaminated Land Register.	a) Within 30 business days of survey plan endorsement b) Within 10 business days of the lot being registered on the Contaminated Land Register
15.	Easements over infrastructure Where public utilities exist on site, public utility easements are to be provided, in favour of and at no cost to the grantee, over infrastructure that is a contributed asset. 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 asset(s).	Prior to survey plan endorsement

ADVICE NOTES	
1.	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.
2.	Further Advice Please note that future development applications seeking approval for reconfiguring a lot, material change of use or operational work will trigger the need to provide essential services to the land.
3.	Proximity to Railway Corridor Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations. The construction of the development may require relevant approvals to be obtained from the railway manager such as for— • works that will change or interfere with the existing authorised access track(s) to the railway corridor required for emergency and maintenance access; • interference in the railway corridor such as from flooding and stormwater impacts; • service or utility connections on the railway corridor; or • any other works in, above, under or likely to interfere with the railway corridor or its operations. This response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i>. Please contact the railway manager (Queensland Rail) at developmentenquiries@qr.com.au or on telephone number 3072 1229 in relation to this matter.

**** End of Package ****