



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

Our ref: DEV2019/1033/3

22 November 2019

Lendlease Communities (Yarrabilba) Pty Ltd
Att: Kelly Pickering
GPO Box 2777
BRISBANE QLD 4001

Dear Kelly

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR AN ROL WITH POD (ONE INTO TWO LOTS) AT MCKINNON AND BASALT DRIVES, YARRABILBA FORMERLY DESCRIBED AS LOT 5017 ON SP296379

On 22 November 2019 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.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 Gabrielle Shepherd on 3452 7914 or gabrielle.shepherd@dsdmip.qld.gov.au.

Yours sincerely

Jeanine Stone
**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)	Yarrabilba	
Site address	Mckinnon and Basalt Drives, Yarrabilba	
Lot on plan description	Lot number	Plan description
	Lot 5071	SP296379
PDA development application details		
DEV reference number	DEV2019/1033/3	
'Properly made' date	22 October 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	Amend the POD to include Child Care Centre in Table 2 as an approved use	

PDA development approval details			
Decision of the MEDQ		The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice	
Original Decision date		20 June 2019	
Change to approval date		22 November 2019	
Currency period		4 years from original decision date	
Plans and documents			
The plans and documents approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.			
Approved plans and documents		Number	Date
1.	Precinct Three – Village 3A (Application Five) Plan of Development – Lot 7001 and 7002 prepared by Lendlease	YAR-P03A_P03A-POD5-7000CF-POD1909024	24 Sept 2019
Plans and documents previously approved on 20 June 2019		Number	Date
2.	Precinct Three – Village 3A (Application Five) Reconfiguration of a Lot – Lot 7000, prepared by Lendlease	YAR-P03A_P03A-POD5-7000CF-POD190430	30 April 2019

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.

ABBREVIATIONS AND DEFINITIONS

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

1. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by The Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
2. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a. **External Authority** means a public-sector entity external to the MEDQ;
 - b. **Parkland** means carrying out operational works related to the provision of parkland infrastructure

- c. **Roadworks** means carrying out any operational works within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d. **Sewer Works** means carrying out any operational works related to the provision of waste water infrastructure;
 - e. **Streetscape Works** means carrying out any operational works within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f. **Stormwater Works** means carrying out any operational works related to the provision of stormwater infrastructure; and
 - g. **Water Works** means carrying out any operational works related to the provision of water infrastructure.
3. **Council** means Logan City Council.
 4. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
 5. **DSRCIA** means the Yarrabilba PDA Developer Sub-Regional Charges Infrastructure Agreement
 6. **EDQ** means Economic Development Queensland.
 7. **ICID** means the Yarrabilba PDA Implementation Charge Infrastructure Deed.
 8. **IFF** means the Economic Development Queensland Infrastructure Funding Framework (November 2018) as amended or replaced from time to time.
 9. **MEDQ** means the Minister for Economic Development Queensland.
 10. **Municipal IA** means the Yarrabilba Infrastructure Agreement (Municipal)
 11. **PDA** means Priority Development Area.
 12. **RPEQ** means Registered Professional Engineer of Queensland.
 13. **SRIA** means the Yarrabilba & Greater Flagstone PDA Sub-regional Infrastructure Agreement in effect on 28 May 2019.
 14. **State Community Facilities IA** means the Yarrabilba Infrastructure Agreement (State Community Facilities)

PDA Development Conditions – Reconfiguring a Lot

[illegible]

PDA Development Conditions – Reconfiguring a Lot		
No.	Condition	Timing
	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 submitted under part a) of this condition which is to be current and available on site at all times.	b) At all times during construction
5.	Retaining Walls a) Submit to EDQ Development Assessment, DSDMIP detailed engineering plans, certified by a RPEQ, of all retaining walls on lot boundaries 1.0m or greater in height. Retaining walls are to be generally in accordance with <i>PDA Practice Note No. 10 – Plans of development</i> unless otherwise approved by EDQ Development Assessment, DSDMIP. b) Construct the works generally in accordance with the 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 certified plans submitted under part a) of this condition.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
6.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans, certified by a RPEQ, generally in accordance with <i>AS3798 – 2007 “Guidelines on Earthworks for Commercial and Residential Developments</i> and the approved plans. The certified earthworks plans are to: - include a geotechnical soils assessment of the site; - be consistent with the Erosion and Sediment Control plans submitted under condition x; - provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; and - provide full details of any areas where surplus soils are to be stockpiled. b) Carry out the earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from a RPEQ that all earthworks have been carried out generally in accordance with the certified plans 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) Prior to survey plan endorsement c) Prior to survey plan endorsement

PDA Development Conditions – Reconfiguring a Lot		
No.	Condition	Timing
7.	Water – Internal a) Submit to EDQ Development Assessment, DSDMIP detailed water reticulation design plans, certified by an RPEQ, generally in accordance with <i>PDA Guideline No. 13 Engineering standards – water and sewer</i>, and the approved plans. b) Construct the works generally in accordance with the certified plans submitted under part b) of this condition. c) Submit to EDQ Development Assessment, DSDMIP ‘as constructed’ plans, asset register, pressure and bacterial test results in accordance with Logan City Council’s current adopted standards, of all water reticulation works constructed in accordance with this condition.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
8.	Sewer – Internal a) Submit to EDQ Development Assessment, DSDMIP detailed sewer reticulation design plans, certified by an RPEQ, generally in accordance with <i>PDA Guideline No. 13 Engineering standards – water and sewer</i>, and the approved plans. b) Construct the works generally in accordance with the certified plans submitted under part b) of this condition. c) Submit to EDQ Development Assessment, DSDMIP ‘as constructed’ plans, asset register, pressure and CCTV results in accordance with Logan City Council’s current adopted standards, of all sewer reticulation works constructed in accordance with this condition.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
9.	Stormwater Management (Quantity) a) Submit to EDQ Development Assessment, DSDMIP detailed design plans and hydraulic calculations, certified by a RPEQ, for the proposed stormwater drainage system generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i> and the approved plans. b) Construct the works in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP ‘as constructed’ plans including an asset register and test results, certified by a RPEQ, in a format acceptable to the Council.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
10.	Electricity Submit to EDQ Development Assessment, DSDMIP 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

PDA Development Conditions – Reconfiguring a Lot		
No.	Condition	Timing
11.	Telecommunications Submit to EDQ Development Assessment, DSDMIP 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
12.	Broadband Submit to EDQ Development Assessment, DSDMIP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the <i>Telecommunications Legislation Amendment (Fibre Deployment) Act 2011</i> can be provided in accordance with the Communications Alliance G645:2017 guideline, to accommodate services which are compliant with the Federal Government's National Broadband Network policy.	Prior to survey plan endorsement
13.	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		
14.	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.	a) Prior to commencement of or during site works b) Prior to survey plan endorsement
15.	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. The construction phase stormwater management design objectives of the State Planning Policy 2017 (Appendix 2 Table A); ii. Healthy Land and Water Technical Note: <i>Complying with the SPP - Sediment Management on Construction Sites</i> iii. Urban Stormwater Quality Planning Guidelines 2010 (DEHP); iv. Best Practice Erosion and Sediment Control (International Erosion Control Association). b) Implement the certified ESCP as required under part a) of this condition.	a) Prior to commencement of site works b) At all times during construction

PDA Development Conditions – Reconfiguring a Lot		
No.	Condition	Timing
Surveying, land transfers and easements		
16.	Land transfers – community facilities Transfer, in fee simple, to the Logan City Council as trustee, Lot 7002 for a community centre in accordance with the Municipal IA.	In accordance with the timing in the Municipal IA
Infrastructure Charges		
17.	Municipal and State Charge In lieu of paying the Municipal and State Charges, provide the infrastructure in accordance with the endorsed Infrastructure Master Plans and the Municipal IA and State Community Facilities IA.	In accordance with the Municipal IA & State Community Facilities IA and Infrastructure Master Plans.
18.	Implementation Charge Either: a) Pay to the MEDQ the relevant implementation charge in accordance with the ICID; OR: b) If the ICID is no longer in effect, pay to the MEDQ the relevant implementation charges calculated in accordance with the IFF and indexed to the date of payment.	a) In accordance with the ICID b) In accordance with the IFF
19.	Sub-Regional Charge Either: a) Submit to the MEDQ an acknowledgement from Council of the applicable sub-regional charges (calculated in accordance with the SRIA and DSRCIA) payable and confirmation that these charges have been paid to Council; OR b) If the SRIA and DSRCIA are no longer in effect, pay to the MEDQ the relevant charges calculated in accordance with the IFF and indexed to the date of payment.	a) In accordance with the SRIA and DSRCIA b) In accordance with the IFF

PDA Development Conditions – Plan of Development (POD)		
No.	Condition	Timing
General		
20.	Carry out the Approved Development – POD Carry out the approved development generally in accordance with the approved Plan of Development.	Prior to commencement of use and to be maintained
21.	Plans/supporting information – POD a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment plans/supporting information for Multiple Residential and Non-residential development, for assessment against the provisions of the approved Plan of Development.	Prior to commencement of building works

PDA Development Conditions – Plan of Development (POD)

	b) The plans and/supporting information are to detail the following: i. site location; ii. lot size and configuration; iii. building height; iv. plot ratio, gross floor area and site cover; v. number of dwelling units and bedrooms; vi. interface with adjoining dwellings; vii. building design including elevations and materials; viii. vehicle access controls, location and movement; ix. on-site parking and servicing arrangements; x. open space provision; and xi. noise mitigation measures for all residential uses on Lot 7001. This is to be in the form of an acoustic report prepared by a suitably qualified professional addressing the impacts and mitigation measures on the residential uses from the approved non-residential uses on Lots 7001 and 7002.	
Infrastructure Charges		
22.	Implementation Charge Either: a) Pay to the MEDQ the relevant implementation charge in accordance with the ICID; OR: b) If the ICID is no longer in effect, pay to the MEDQ the relevant implementation charges calculated in accordance with the IFF and indexed to the date of payment.	a) In accordance with the ICID b) In accordance with the IFF
23.	Sub-Regional Charge Either: a) Submit to the MEDQ an acknowledgement from Council of the applicable sub-regional charges (calculated in accordance with the SRIA and DSRCIA) payable and confirmation that these charges have been paid to Council; OR b) If the SRIA and DSRCIA are no longer in effect, pay to the MEDQ the relevant charges calculated in accordance with the IFF and indexed to the date of payment.	a) In accordance with the SRIA and DSRCIA b) In accordance with the IFF

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

**** End of Package ****