



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

Our ref: DEV2019/1051/2
Your ref: 18-0765P

29 November 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 99 CHANGE TO A PDA DEVELOPMENT APPROVAL 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 29 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 Marisa Graetz on 3452 7525.

Yours sincerely

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

Minister for Economic Development
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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	DEV2019/1051/2
'Properly made' date	28 November 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	Change to a PDA development approval 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 application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ▪ Amendment to the operational work aspects of development as follows: ○ Minor increase to the land area for excavation and filling; and ○ Minor increase to the extent of clearing of significant vegetation.
Original Decision date	23 September 2019
Change to approval date	29 November 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 concerning the PDA development approval are detailed below.

Approved plans and documents		Number	Date
1.	Bulk Earthworks Plan – Existing to cut level, prepared by Protest Engineering	PTP/03196/EW01 Rev. A	20 November 2019
2.	Bulk Earthworks Plan – Cut to fill level, prepared by Protest Engineering	PTP/03196/EWF02 Rev. C	20 November 2019
3.	Proposed fill levels, prepared by Protest Engineering	PTP/03196/EWF01 Rev. C	20 November 2019
4.	Proposed fill levels – Sections, prepared by Protest Engineering	PTP/03196/EWF03 Rev. B	20 November 2019
5.	Yeronga Tafe Vegetation Survey letter, prepared by Lambert & Rehbein	B19289EL001 Revised	22 November 2019
Plans and documents previously approved on 23 September 2019, and remain 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.	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 on-site related complaints. The complaints management	a) Prior to commencement of site works

PDA Development Conditions		
No.	Condition	Timing
	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: - the management of traffic around and through the site during and outside of construction work hours; - parking for workers and materials delivery during and outside of construction hours of work; - risk identification, assessment and mitigation measures; - 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); - haulage routes, in consideration of the low clearance height of 3.4m under the grade separated rail crossing on Park Road; and - 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
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

PDA Development Conditions		
No.	Condition	Timing
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 plans prepared by Protest Engineering (reference PTP/03196). The detailed earthworks plans are to be supported by written documentation addressing items a) i. to iv. set out below.	a) Prior to commencement of site works

PDA Development Conditions		
No.	Condition	Timing
	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.	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

PDA Development Conditions		
No.	Condition	Timing
	proposed Lot 4 has been entered on the Contaminated Land Register.	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 ****