



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

Our ref: DEV2021/1175

June 2021

Townsville City Council
Att: Mr Greg Bruce
143 Walker Street
TOWNSVILLE QLD 4810

Email: greg.bruce@townsville.qld.gov.au

Dear Mr Bruce

S89(1)(a) Approval of PDA development application
Operational work for Filling and Excavation (Tidal Works) at Ross River, Oonoonba described as Lot 9001 on SP306214

On 7 June 2021, 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 Ms Tammara Scott, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7097 or at tammara.scott@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)	Oonoonba Urban Development Area		
Site address	Ross River, Oonoonba		
Lot on plan description	Lot number	Plan description	
	Lot 9001	SP306214	
PDA development application details			
DEV reference number	DEV2021/1175		
'Properly made' date	11 March 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 ☐ Application to change PDA development approval ☐ Application to extend currency period		
Proposed development	Operational Works – Tidal works		
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 approval is for: Excavation and filling for flood restoration work		
Decision date	7 June 2021		
Currency period	Two (2) 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.	Preparatory Environmental Recover Works Ross River SiteRM2S1	-	Received 3 March 2021
2.	Strategic Site Management Plan, Prepared by Environmental Contractors David Coley and Jason Lange on behalf of Environmental Floodplain Recovery Group Townsville City Council	-	Received 3 March 2021

PDA development conditions

PREAMBLE AND ABBREVIATIONS

1. **Council** means Townsville City Council
2. **DSDILGP** means the Department of State Development, Infrastructure Local Government and Planning.
3. **EDQ** means Economic Development Queensland.
4. **EDQ DA** means Economic Development Queensland's – Development Assessment team.
5. **EDQ TS** means Economic Development Queensland's – Technical Services team.
6. **MEDQ** means the Minister for Economic Development Queensland.
7. **PDA** means Priority Development Area.
8. **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.

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.

- 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@dsmip.qld.gov.au.
- b) EDQ TS at: EDQ_PrePostConstruction@dsmip.qld.gov.au.

No.	Condition	Timing
1	Carry out the approved development Carry out the approved development generally in accordance with the approved plans.	Prior to expiration of the currency period
2	Maintain the approved development The development proponent is to maintain the approved development generally in accordance with the approved plans and documents.	At all times
3	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
4	Out of hours work - Compliance Assessment Where out of hours work is proposed, submit to EDQ DA, for Compliance Assessment, an out of hours work request. The out of hours work request must include a duly completed out of hours work request form ³ .	Minimum of 10 business days prior to proposed out of hours work commencement date
5	Certification of Operational Work Carry out all Operational Work under this approval in accordance with the <i>Certification Procedures Manual</i> .	At all times
6	Construction management plan a) Submit to EDQ TS a Construction Management Plan (CMP), prepared by the principal site contractor that manages the following items, including but not limited to:	a) Prior to commencement of works

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

	i) noise and dust generated from the site during and outside construction work hours to be minimised and in accordance with the <i>Environmental Protection Act 1994</i>. Adequate noise and dust mitigation measure shall be incorporated into all aspects of the development, including the works on site as well as works off-site, including during materials transportation ii) management of contaminated materials excavated, including removal, treatment and replacement if required in accordance with a compliance permit from an approved contaminated land auditor iii) measures to ensure all vehicles and machinery associated with the works within the river are cleaned down in accordance with the Department of Agriculture and Fisheries <i>Queensland Vehicle and machinery checklists Clean-down procedures 2014</i> iv) a complaints process procedure covering all aspects of the development on and off the site, to be established and maintained through the course of the development v) management of waste for all the works including where required, hazardous waste storage and transportation prepared by the Principal Site Contractor vi) measures to ensure any marine or dune vegetation within the development site is protected from vehicles, people, machinery and equipment vii) measures to ensure any material extracted under this approval is placed in a manner that does not adversely impact marine or dune vegetation and is dealt with in a manner that ensures that it cannot enter the waterway. viii) measures to ensure equipment and materials can be readily relocated if threatened by coastal erosion or tidal inundation. ix) measures to ensure that there will be no disruption to the safety and operational integrity of the state-controlled road corridor, including through the interference or damage to existing stormwater infrastructure on the state-controlled road or rail networks. x) measures to ensure that there will be no disruption to the safety and operational integrity of the railway corridor through the adherence to the Queensland Rail Technical Requirements CIVIL-SR-002 – Work in or about Queensland Rail Property.	
	b) A copy of the CMP submitted under part a) of this condition must be current and available on site.	b) Prior to commencement of works

	c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.	c) During construction
7	Traffic Management Plan a) Submit to the EDQ TS a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification or higher, which includes where applicable the following: i) provision for the management of construction vehicles and traffic around and through the site as well as any traffic management measures to control vehicle movements or traffic if required, during and outside of construction work hours. ii) provision of parking for workers and materials delivery. iii) haulage routes, truck types, and frequency of movement. 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). 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. <i>Note: Where access is to be obtained through or works are to be undertaken on private land, approval from the landholder will need to be sought.</i>	a) Prior to commencement of works b) During construction
8	Earthworks a) Submit to EDQ TS detailed earthworks plans, certified by a RPEQ, and designed generally in accordance with: i) <i>Australian Standard AS3798 – 2007 Guidelines on Earthworks for Commercial and Residential Developments</i> and The certified earthworks plans are to: i) include a geotechnical soils assessment of the site ii) accord with the Erosion and Sediment Control Plans, as required by condition 7 – Erosion and sediment management iii) include the location and finished surface levels of any cut and/or fill iv) detail areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation v) provide details of any areas where surplus soils are to be stockpiled vi) detail protection measures to:	a) Prior to commencing earthworks

	1. ensure the continued integrity of the state controlled road and/or railway corridor as a result of any filling and/or excavations 2. ensure adjoining properties and roads/railways are not impacted by ponding or nuisance stormwater resulting from earthworks associated with the approved development, including through the creation of any new discharge points on the state-controlled road and/or rail networks 3. not impede or interfere with hydraulic conveyance or overland flow paths on the site 4. not reduce the flood storage capacity 5. provide a slope stability analysis and detailed construction methodologies that demonstrate that the works will have no impact to the rail corridor 6. preserve all drainage structures from structural loading impacts resulting from earthworks associated with the approved development. vii) For any importation of fill, use only clean materials that do not cause any contamination. 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: i) all earthworks have been carried out generally in accordance with the certified plans submitted under part a) of this condition; and ii) any unsuitable material encountered has been treated or replaced with suitable material. Advice Note: Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures, batters and other works involving ground disturbance must not encroach upon or de-stabilise the state controlled road or railway corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	b) Prior to survey plan endorsement c) Prior to survey plan endorsement
9	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>	a) Prior to commencement of works

	b) Implement the certified ESCP submitted under part a) of this condition.	b) During construction
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) Should 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 adopted 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 practical completion b) Prior to practical completion
11	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DSDILGP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be prepared certified by a suitably qualified professional in soils and/or erosion sediment control. b) Excavate, remove and/or treat on-site acid sulfate soils generally in accordance with the certified ASSMP submitted under part a) of this condition.	a) Prior to commencement of works b) Prior to completion of the excavation works
12	Vegetation management Unless otherwise agreed by EDQ DA, cleared vegetation (excluding marine plants) shall be removed from the site and processed through an approved processing facility. Revegetation of the site to stabilise the river bank and extended terraces to be completed in accordance with the approved documents: i) <i>Preparatory Environmental Recovery Works – Ross River Site RM2S1 – DRFA Stage 1 Site #2</i>	As indicated

STANDARD ADVICE

Works on a railway corridor

Pursuant to section 255 of the *Transport Infrastructure Act 1994*, 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.

Stormwater and flooding mitigation works should not be located in or otherwise interfere with the railway corridor.

Please be advised that this development approval does not constitute an approval under section 255 of the *Transport Infrastructure Act 1994* and that such approvals need to be separately obtained from the relevant railway manager.

Over-dimensional road loads (Queensland Rail)

Under the *Transport Infrastructure (Rail) Regulation 2006* permission from the Railway Manager (Queensland Rail) is required to take over dimensional road loads across Queensland Rail infrastructure (e.g. rail level crossings and rail bridges).

Further information can be obtained from Queensland Rail's website at:

<http://www.queenslandrail.com.au/forbusiness/overdimensionalloads>

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 ****