



Our ref: DEV2022/1347/2
Your ref: 22177

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

22 June 2023

Ampol Australia Petroleum Pty Ltd
C/- TFA Project Group
Att: Mr Damien Mackay
PO Box 2339
FORTITUDE VALLEY QLD 4006

Email: Damien.mackay@tfa.com.au

Dear Mr Mackay

Section 99 Approval - application to change PDA development approval
Material Change of Use for Two Fast Food Premises at Cnr Yarrabilba Drive and Mill Street, Yarrabilba described as Lot 12 on SP304357

On 22 June 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.

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 Karina McGill, Senior Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7498 or at karina.mcgill@dsdilgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

Brandon Bouda
A/Director
Development Assessment
Economic Development Queensland

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Yarrabilba PDA	
Site address	Corner Yarrabilba Drive and Mill Street, Yarrabilba	
Lot on plan description	Lot number	Plan description
	Lot 12	SP30457
PDA development application details		
DEV reference number	DEV202/1347/2	
'Properly made' date	29 May 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	Material Change of Use - Two Fast Food Premises	
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: to accommodate staging of the development into two (2) stages	
Original Decision date	16 February 2023	
1 st Change to approval date	22 June 2023	
Currency period	6 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.	Existing Site Layout, prepared by TFA Project Group	22177 D01 Rev C	20/03/2023
2.	Site Locality & Existing Views, prepared by TFA Project Group	22177 D02 Rev C	20/03/2023
3.	Proposed Overall Site Layout – Stage 1, prepared by TFA Project Group	22177 D03-1 Rev A	20/03/2023
4.	Proposed Overall Site Layout – Stage 2, prepared by TFA Project Group	22177 D03-2 Rev A	20/03/2023
5.	Proposed Site Layout – Food & Drink Outlet 1 (KFC) – Stage 1, prepared by TFA Project Group	22177 D05 Rev F	20/03/2023
6.	Proposed Building Layout – Food & Drink Outlet 1 (KFC) – Stage 1, prepared by TFA Project Group	22177 D06 Rev E	20/03/2023
7.	Food & Drink Outlet 1 (KFC) – Elevations & Perspective – Stage 1 – Sheet 1, prepared by TFA Project Group	22177 D07 Rev F	20/03/2023
8.	Food & Drink Outlet 1 (KFC) – Elevations & Perspective – Stage 1 - Sheet 2, prepared by TFA Project Group	22177 D08 Rev E	20/03/2023
9.	Food & Drink Outlet 1 (KFC) – HRV Turning Path & Car Queuing – Stage 1, prepared by TFA Project Group	22177 D09 Rev D	20/03/2023
10.	Proposed Site Layout – Food & Drink Outlook 2 (TBC) – Stage 2, prepared by TFA Project Group	22177 D10 Rev E	20/03/2023
11.	Proposed Building Layout – Food & Drink Outlet 2 (TBC) – Stage 2, prepared by TFA Project Group	22177 D11 Rev E	20/03/2023
12.	Food & Drink Outlet 1 (TBC) – Elevations & Perspective – Stage 2 - Sheet 1, prepared by TFA Project Group	22177 D12 Rev E	20/03/2023
13.	Food & Drink Outlet 1 (TBC) – Elevations & Perspective – Stage 2 - Sheet 2, prepared by TFA Project Group	22177 D13 Rev E	20/03/2023
14.	Food & Drink Outlet 2 (TBC) – HRV Turning Path & Car Queuing – Stage 2, prepared by TFA Project Group	22177 D14 Rev D	20/12/2022
15.	Proposed Site Signage – Stage 1 & Stage 2, prepared by TFA Project Group	22177 D15 Rev E	20/03/2023
16.	Landscaping Concept Layout – Stage 1, prepared by TFA Project Group	22177 D16-1 Rev A	20/03/2023
17.	Landscaping Concept Layout – Stage 2, prepared by TFA Project Group	22177 D16-2 Rev A as amended in red 07/06/2023	20/03/2023
18.	Site Based Stormwater Management Plan, prepared by TFA Project Group	22177 Rev D	26 April 2023
Plans and documents previously approved on 16 February 2023		Number	Date
19.	Traffic Engineering Assessment, prepared by Pekol Traffic and Transport	22-729 Rev A	19 October 2022

Preamble, abbreviations, and definitions

PREAMBLE

For the purpose of interpreting this approval, including the 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 the document titled *Certification Procedures Manual*, prepared by EDQ, dated April 2020 (as amended from time to time).

CONTRIBUTED ASSET 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 definitions apply:

- a) **External Authority** means a public-sector entity other than the MEDQ;
- b) **Parkland** means carrying out operational work related to the provision of parkland infrastructure;
- c) **Roadworks** means carrying out any operational work within existing or proposed road(s), to a depth of 1.5m measured from the top of kerb, and includes Streetscape Works;
- d) **Sewer Works** means carrying out any operational work related to the provision of wastewater infrastructure;
- e) **Streetscape Works** means carrying out any operational work within the verge of a road, including footpath surface treatments, street furniture, street lighting and landscaping;
- f) **Stormwater Works** means carrying out any operational work related to the provision of stormwater infrastructure; and
- g) **Water Works** means carrying out any operational work related to the provision of water infrastructure.

COUNCIL means the relevant local government for the land the subject of this approval.

DSDILGP means the Department of State Development, Infrastructure Local Government and Planning.

EDQ means Economic Development Queensland.

EDQ DA means Economic Development Queensland's – Development Assessment team.

EDQ IS means Economic Development Queensland's – Infrastructure Solutions team.

EP Act means the *Environmental Protection Act 1994*.

IFF means the Infrastructure Funding Framework, prepared by the Department of State Development, Tourism and Innovation, dated 1 July 2020 (as amended from time to time).

MEDQ means the Minister for 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) 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.
 - 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 IS, use the following email addresses:

- a) EDQ DA: pddevelopmentassessment@dasilgp.qld.gov.au
- b) EDQ IS: EDQ_PrePostConstruction@dasilgp.qld.gov.au

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.

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
General		
1.	Carry out the approved development Carry out the approved development generally in accordance with: a) the approved plans and documents; and b) any other documentation endorsed via Compliance Assessment as required by these conditions.	Prior to commencement of use or BFP endorsement, whichever occurs first
2.	Maintain the approved development Maintain the approved development generally in accordance with the approved plans and documents	At all times following commencement of use
Construction management		
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 IS a site-based Construction Management Plan (CMP), prepared by the principal site contractor and reviewed by a suitably qualified and experienced person responsible for overseeing the site works, to manage construction impacts, including: i) noise and dust in accordance with the EP Act; ii) stormwater flows around and through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the EP Act), causing erosion, creating any ponding and causing any actionable nuisance to upstream and downstream properties; iii) contaminated land, where required under a site suitability statement prepared in accordance with section 389 of the EP Act; iv) complaints procedures; v) site management: 1. for the provision of safe and functional alternative pedestrian routes, past, through or around the site; 2. to mitigate impacts to public sector entity assets, including street trees, on or external to the site; 3. for safe and functional temporary vehicular access points and frequency of use; 4. for the safe and functional loading and unloading of materials including the location of any remote loading sites; 5. for the location of materials, structures, plant and equipment; 6. of waste generated by construction activities; 7. detailing how materials are to be loaded/unloaded; 8. of proposed external hoardings and gantries (with clearances to street furniture and other public sector entity assets);	a) Prior to commencing work for the relevant stage

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

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
	9. of employee and visitor parking areas; 10. of anticipated staging and programming; 11. for the provision of safe and functional emergency exit routes; and 12. any out of hours work as endorsed via Compliance Assessment. b) A copy of the CMP submitted under part a) of this condition must be current and available on site. c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.	b) During construction c) During construction
7.	Erosion and sediment management a) Submit to EDQ IS 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>. b) Implement the certified ESCP submitted under part a) of this condition.	a) Prior to commencing work for the relevant stage b) During construction
8.	Traffic management plan a) Submit to EDQ IS a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification. The TMP must include the following: i) provision for the safe and functional management of traffic around and through the site during and outside of construction work hours; ii) provision for the safe and functional management of pedestrian traffic, including alternative pedestrian routes past, through or around the site; iii) provision of parking for workers and materials delivery; iv) risk identification, assessment and identification of mitigation measures; v) ongoing monitoring, management review and certified updates (as required); and vi) traffic control plans and/or traffic control diagrams, prepared in accordance with <i>Austroads Guide to Temporary Traffic Management</i>, for any temporary part or full road closures. b) Carry out all construction work generally in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site. NOTE: Operational traffic changes, such as temporary and permanent lane modifications, relaxation of clearway zone hours or footpath closures may require authorisation from Council or DTMR as road manager. It is recommended that applicants engage directly with the applicable road manager.	a) Prior to commencing work for the relevant stage b) During construction
9.	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) Where 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 the External Authority's design standards.	a) Prior to commencement of use for the relevant stage b) Prior to commencement of use for the relevant stage

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
	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.	
10.	Earthworks a) Submit to EDQ IS 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 6 – 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: 1. ensure adjoining properties and roads are not impacted by ponding or nuisance stormwater resulting from earthworks associated with the approved development; 2. preserve all drainage structures from structural loading impacts resulting from earthworks associated with the approved development; and vii) where rock or ground anchors are required within adjoining road or land, include consents from relevant road manager(s) and/or landowner(s). b) Carry out earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ IS 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.	a) Prior to commencing earthworks for the relevant stage b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage
11.	Acid sulfate soils a) Where on-site ASS are encountered, submit to EDQ IS an ASS management plan, prepared in accordance with the <i>Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines v4.0 2014</i> (as amended from time to time). b) Excavate, remove and/or treat on site all disturbed ASS generally in accordance with the ASS management plan submitted under part a) of this condition. c) Submit to EDQ IS a validation report, certified by a suitably qualified environmental or soil scientist, confirming that all earthworks have been carried out in accordance with the ASS management plan submitted under part b) of this condition.	a) Prior to commencement of or during earthworks for the relevant stage b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage
12.	Retaining walls a) Submit to EDQ IS detailed engineering plans, certified by a RPEQ, of all retaining walls 1m or greater in height. Retaining walls must be: i) certified to achieve a minimum 50 year design life;	a) Prior to commencing earthworks for the relevant stage

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
	ii) designed generally in accordance with <i>Australian Standard AS4678 – Earth Retaining Structures</i> and relevant material standards (e.g. <i>AS3600 – Concrete Structures</i>); b) Construct retaining walls generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ IS 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.	b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage
13.	Car parking a) Construct, sign and delineate car parking spaces generally in accordance with <i>Australian Standard AS2890 – Parking Facilities</i> and the approved plans.	a) Prior to commencement of use for the relevant stage
14.	Bicycle parking Construct, sign and delineate bicycle parking facilities generally in accordance with <i>Australian Standard AS2890.3 – 1993 Bicycle parking facilities</i> and the approved plans.	Prior to commencement of use for the relevant stage
15.	Water connection Connect the approved development to the existing water reticulation network generally in accordance with Councils current adopted standards.	Prior to commencement of use for the relevant stage
16.	Sewer connection Connect the approved development to the existing sewer reticulation network generally in accordance with Councils current adopted standards.	Prior to commencement of use for the relevant stage
17.	Stormwater connection Connect the approved development to a lawful point of discharge: a) with ‘no-worsening’ to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability; and b) generally in accordance with Council’s current adopted standards.	Prior to commencement of use for the relevant stage
18.	Stormwater management (quality) a) Submit to EDQ IS detailed engineering drawings, certified by a RPEQ, for stormwater treatment devices designed generally in accordance with: i) <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and; ii) Site Based Stormwater Management Plan, revision D, Prepared by TFA Project Group, dated 26 April 2023. b) Construct stormwater works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ IS RPEQ certification confirming stormwater treatment devices have been constructed generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of stormwater works for the relevant stage b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
19.	Stormwater management (quantity) a) Submit to EDQ IS detailed engineering drawings and hydraulic calculations, certified by a RPEQ, for the stormwater drainage system designed generally in accordance with: i) <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i> and; ii) Site Based Stormwater Management Plan, Revision D, prepared by TFA Project Group, Dated 26 April 2023 b) Construct stormwater works generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of stormwater works for Stage 1 b) Prior to commencement of use for the relevant stage
20.	Electricity a) Submit to EDQ IS a Certificate of Electricity Supply from Energex for the provision of electricity supply to the approved development. b) Connect the approved development in accordance with the Certificate of Electricity Supply submitted under part a) of this condition.	a) Prior to commencement of use for the relevant stage b) Prior to commencement of use for the relevant stage
21.	Telecommunications a) Submit to EDQ IS documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the approved development. b) Connect the approved development in accordance with the documentation submitted under part a) of this condition.	a) Prior to commencement of use for the relevant stage b) Prior to commencement of use for the relevant stage
22.	Broadband a) Submit to EDQ IS written agreement, from an authorised telecommunications service provider, confirming that fibre-ready pit and pipe infrastructure designed to service the approved development can accommodate services compliant with <i>Industry Guideline G645:2017 Fibre-Ready Pit and Pipe Specification for Real Estate Development Projects</i>. b) Construct the fibre-ready pit and pipe infrastructure specified in the agreement submitted under part a) of this condition.	a) Prior to commencement of use for the relevant stage b) Prior to commencement of use for the relevant stage
23.	Landscape works a) Submit to EDQ IS detailed landscape plans, certified by an AILA, for the development's landscape works. The detailed landscape plans must be designed generally in accordance with the following approved plans: i) Landscaping Concept Layout – Stage 1, drawing number 22177 - D16-1 - Rev A, prepared by TFA Project Group and dated 20 March 2023; and ii) Landscaping Concept Layout – Stage 2, drawing number 22177 - D16-2 - Rev A, prepared by TFA Project Group and dated 20 March 2023 as amended in red 7 June 2023. b) Construct landscape works generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of ground level building work for each relevant stage b) Prior to commencement of use or BFP endorsement, whichever occurs first

PDA Development Conditions – Material Change of Use		
No	Condition	Timing
24.	Refuse collection a) Submit to EDQ IS evidence of approved refuse collection arrangements, from Council or a private waste contractor, for the approved development. b) Implement the refuse collection arrangements submitted under part a) of this condition.	a) Prior to commencement of use for the relevant stage b) At all times following commencement of use
25.	Outdoor lighting Outdoor lighting within the site is to be designed and constructed in accordance with <i>Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use for the relevant stage
26.	Signage All signage is to be generally in accordance with the following approved plans: Proposed Site Signage – Stage 1 & Stage 2, drawing number 22177 - D15 - Rev E, prepared by TFA Project Group and dated 20 March 2023.	At all times
Infrastructure contributions		
27.	Sub-regional infrastructure charge Pay to the MEDQ the Sub-Regional Infrastructure charge in accordance with the IFF, indexed to the date of payment. Where the application is a MCU, certified and submitted plans to council detailing the GFA must also be provided at the time of payment	Prior to commencement of use for the relevant stage

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.

All EDQ practice notes, guidelines and forms, such as those for Compliance Assessment, Plan Sealing, Out of Hours Work Requests, can be accessed at the EDQ website.

**** End of Package ****