



Our ref: 18-0765P

Your ref: DEV2021 / 1221 / 15

22 May 2024

EDQ Development Assessment Team

C/- Leila Torrens

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BRISBANE QLD 4001

Via email: [pdadevelopmentassessment@dsdmip.qld.gov.au](mailto:pdadevelopmentassessment@dsdmip.qld.gov.au) / [Leila.Torrens@dsdilgp.qld.gov.au](mailto:Leila.Torrens@dsdilgp.qld.gov.au)

Dear Leila,

**Re: Request to Change PDA Development Approval (s99 of Economic Development Act 2012)**

**Preliminary Approval for Material Change of Use in accordance with the Preliminary Approval Master Report and Development Permit for Reconfiguring a Lot (1 into 11 lots, easement and road)**

**70 Park Road, Yeronga QLD 4104 (Lot 3 on SP300888)**

## INTRODUCTION

In accordance with Section 99 of the Economic Development Act 2012 ('ED Act') and on behalf of the Minister of Economic Development Queensland ('Applicant'), Wolter Consulting Group Pty Ltd ('WCG') hereby requests to make a change to a PDA development approval on the above-described land.

The PDA development approval subject to this request grants a Preliminary Approval for Material Change of Use in accordance with the Preliminary Approval Master Report and Development Permit for Reconfiguring a Lot (1 into 11 lots, easement and road) (EDQ reference: DEV2021 / 1221 / 15) ('Development Approval').

The purpose of this amendment application is to change the configuration of approved Lot 1 for the dedication of land as new road for the purposes of pedestrian access. This dedication is intended to optimise the developability of approved Lot 1 while providing a more robust solution to the public thoroughfare access easement currently nominated in Stage 2B of the Yeronga PDA.

This amendment application is formalised through changes to the approved Plan of Reconfiguration and through the inclusion of two (2) additional conditions to decouple the Stage 2B road dedication plan sealing from the stairway works for the pedestrian accessway. Importantly, the proposed change is limited to the area comprising approved Lot 1 only.

It is acknowledged that while this application is changing the high level Reconfiguring a Lot approval to allocate road dedication, the preceding Material Change of Use development approval for Lot 1 (EDQ Ref: DEV2021 / 1257) will require variation to meet dedication outcomes set out in this change application.

The following are attached in support of the amendment application:

1. Development Application Form.
2. Signed owner's consent.
3. This Planning Application Report prepared by Wolter Consulting Group.
4. Attachment A – Plan of Reconfiguration, prepared by Wolter Consulting Group.
5. Attachment B – Pedestrian Accessway Landscape Concept Plan, prepared by Archipelago.

## BACKGROUND

### SITE DETAILS

The relevant site details are provided in Table A below for reference.

Table A: Site Details	
Address	70 Park Road, Yeronga (PDA Parent Address / address subject to minor change)
Property Description	Lot 1 on SP328496 (Lot subject to minor change)
Site Area	Yeronga PDA: 31,197m <sup>2</sup> Affected Area: 2,273m <sup>2</sup>
Local Government	Brisbane City Council
PDA Area	Yeronga PDA
PDA Development Scheme	Yeronga PDA Development Scheme

### DEVELOPMENT APPROVAL HISTORY

#### Development Approval – DEV2021 / 1221 / 15

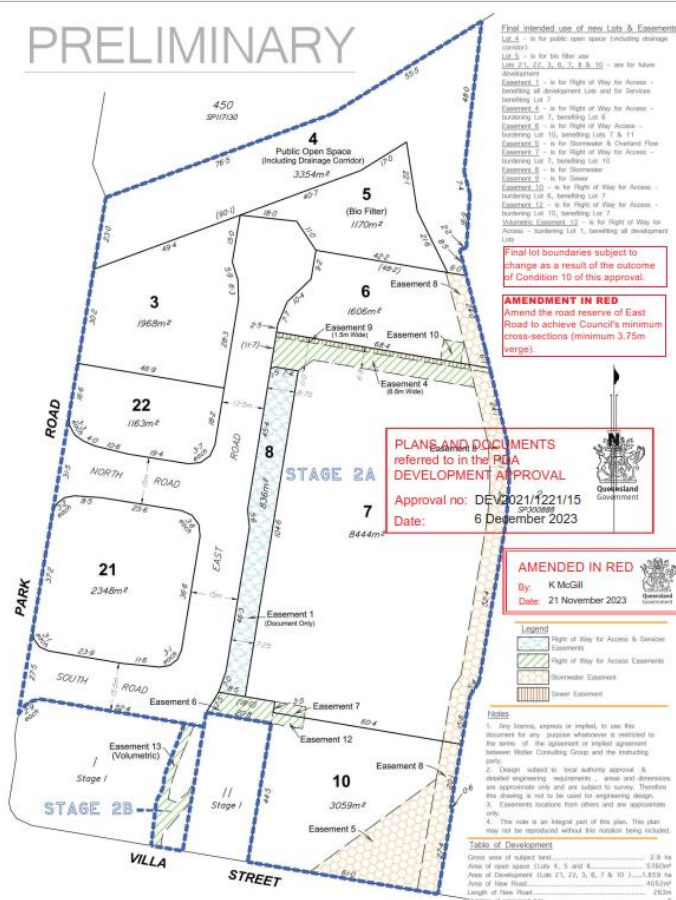
On 6 December 2023, the Minister for Economic Development Queensland (MEDQ), pursuant to Section 99 of the ED Act, granted an Application to Change PDA Development Approval over the site for a Preliminary Approval for Material Change of Use in accordance with the Preliminary Approval Master Report and Development Permit for Reconfiguring a Lot (1 into 11 lots, easements and road).

The approved development includes three (3) stages and establishes the following:

- Stage 1: 3 Lots plus access easements.
- Stage 2A: 8 Lots including drainage reserve plus road and access and service easements; and
- Stage 2B: Access easement.

Please refer to Figure 1 for an extract of the approved lot layout.

Figure 1: Extract of Approved Plan of Reconfiguration – Stages 2A & 2B



## Engagement with Brisbane City Council

The change proposes a transfer of private land to public land and triggers ongoing management by Brisbane City Council in lieu of the owner of Lot 1. Accordingly, the following advice of engagement and coordination is supplied as evidence that Council is aware and supportive of the proposed transition.

Table A: Engagement with Brisbane City Council

Meeting Date	Engagement and Outcomes
19 March 2024	1. Site walkthrough with EDQ Urban Development to inspect site and identify asset outcomes for handover to BCC
27 March 2024	2. Fortnightly meeting with BCC Partnership team to discuss streetscape asset outcomes and formally raise proposed public thoroughfare variation to road reserve 3. BCC did not raise any objection to proposal 4. BCC indicated that road reserve was the most logical asset title

	5. BCC suggested an equivalent scope to similar pedestrian thoroughfare at Yeerongpilly Green
27 March 2024	6. Follow up email advice to BCC confirming meeting outcomes and internal progression of designs in accordance with Yeerongpilly Green scope
10 April 2024	7. Fortnightly meeting with BCC Partnership team to discuss progress of public thoroughfare design variation and consistency with Yeerongpilly Green

## OWNER'S CONSENT & APPLICATION FEE

In accordance with Section 82(1)(b) of the ED Act, this amendment application is accompanied by the consent of the owner of the site identified as the Minister for Economic Development Queensland.

In this instance, considering the area subject to this minor change is limited to Stage 2B; and this is contained within the formally established Lot 1 on SP328496 (delivered with the plan sealing of Stage 1 of DEV2021/1221); it is determined that the relevant owner is limited to Lot 1; and required from the Minister for Economic Development Queensland only.

In accordance with Section 82(1)(c), the application fee applicable to the assessment of the amendment application, set by the MEDQ, will be managed internally by Economic Development Queensland Development Assessment and Urban Development Divisions.

## PROPOSED AMENDMENT

The purpose of this amendment application is to change the configuration of approved Lot 1 for the inclusion of a new land dedication for accessway from Villa Street. Amendments to Stage 2B of the development is also proposed through changes to the approved Plan of Reconfiguration and is limited to a reference change and an additional condition to separate the works for the accessway from the plan sealing of the road dedication. Importantly, the proposed change is limited to approved Lot 1 only.

Pursuant to the Preliminary Approval Master Plan Report, the illustrative master plan drawing seeks a public plaza be provided in association with the Commercial / Health Care lot. This outcome is facilitated as per the approved Plan of Reconfiguration – Stage 2A & 2B whereby approved Lot 1 incorporates a volumetric easement (Easement 13) for the purpose of pedestrian access.

The intent of this amendment application is to separate the public plaza from approved Lot 1 to optimise the developability of approved Lot 1. A new accessway road dedication is sought in place of the public plaza / volumetric easement to deliver the functional and operational outcomes set out in the Preliminary Approval, being a public thoroughfare and access to the green spine. The accessway remains consistent with the DDA compliant route requirements under the Preliminary Approval Framework Report.

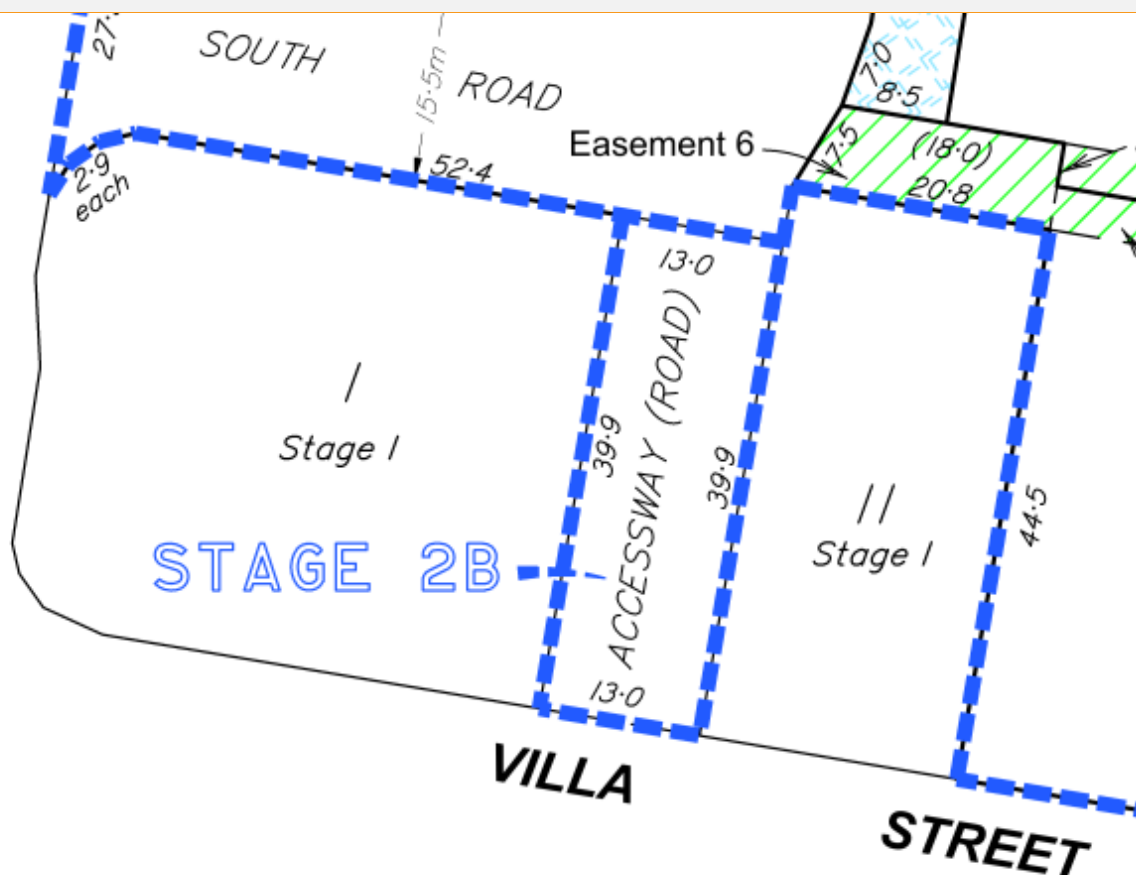
The proposed amendments will result in the slight realignment of approved lot 1, and will result in a:

1. Decrease to the area of approved lot 1 from 2,273m<sup>2</sup> to 1,754.3m<sup>2</sup>.
2. Addition of a new road / accessway, comprising a total area of 518.7m<sup>2</sup> and a width of 13m.
3. Removal of approved Easement 13 (Volumetric) to facilitate the new road.

Please refer to **Attachment A** for the Plan of Reconfiguration, and **Figure 2** for an extract of the amended lot layout. Importantly, there are no changes to the balance of the site, development infrastructure or sequencing of development.

To support the proposed change and amended lot layout, a Landscape Concept Plan, prepared by Archipelago has been prepared and included at **Attachment B**.

Figure 2: Extract of Amended Lot Layout



## PLANNING ASSESSMENT

The ED Act provides the statutory planning framework for areas declared to be a Priority Development Area (PDA). This amendment application will be assessed in accordance with the ED Act.

Section 87 of the ED Act sets out a range of matters that must be considered in the assessment of a PDA development application. The following matters are to be considered:

- the main purpose of the ED Act.
- any relevant State interest.
- any submission made during the submission period.
- the Development Scheme.

The above matters, except for submissions, are considered in the following sections. Submissions can be considered should they arise during the assessment of the amendment application.

## PURPOSE OF ED ACT

Section 3 of the ED Act states:

*“The main purpose of this Act is to facilitate economic development, and development for community purposes, in the State”.*

The proposed amendments do not impact on the development’s ability to meet the above purpose; the proposed amendments will continue to facilitate development for uses consistent with the endorsed Parkside Yeronga Master Plan subject to obtaining subsequent PDA development approvals.

## STATE INTEREST

The Yeronga PDA Development Scheme (‘Development Scheme’) is the regulatory document applicable to the assessment of development on the site. The State interests the MEDQ can consider are very broad and are adequately addressed in the Development Scheme.

The proposed amendments do not impact on the development’s ability to meet the relevant provisions of the Development Scheme, and therefore the relevant State interests. Further discussion on the development’s compliance with the Development Scheme is provided in subsequent sections of this amendment application.

It is noted:

- the Queensland Government’s Development Assessment Mapping System (‘DAMS’) identifies the following State interests for the site:
  - SEQ Regional Plan: SEQ Regional Plan land use categories, Urban Footprint.
  - Native vegetation clearing: Category X on the regulated vegetation management map.
  - State Transport: Areas within 25m of a Rail Corridor.
  - Infrastructure Designation.

the Queensland Government’s State Planning Policy (SPP) Interactive Mapping identifies the following State interests for the site:

Natural Hazards Risk and Resilience:

Flood hazard area – Local Government flood mapping area.

Strategic Airports and Aviation Facilities:

Obstacle limitation surface area.

Lighting area buffer 6km.

Wildlife hazard buffer zone.

For completeness, the following comments are provided in relation to the proposed amendments and the above State interests:

- the proposed amendments are limited to approved Lot 1 and will not impact on the development’s ability to be developed but rather improve the ability of approved Lot 1 to be developed.
- The proposed amendments are consistent with the overall intent of the Development Approval, specifically the Preliminary Approval Master Plan Report and Preliminary Approval Framework. The

proposed new road seeks to facilitate a pedestrian route from Villa Street to the public open space via the green spine.

- There is no change to approved Stage 2B or sequencing of the development. The amendment to Stage 2B is limited to a reference change.
- The proposed amendments will not result in significant changes to the State transport corridor.

## YERONGA PDA DEVELOPMENT SCHEME

### Level of Assessment

Pursuant to Table 5 of the Development Scheme, development other than development specified in Schedule 1 is permissible development. Reconfiguring a Lot, the subject of this amendment application is not mentioned in Schedule 1 and is therefore PDA assessable development – Permissible development.

The proposed amendments to the Development Approval do not comprise substantially different development (as demonstrated in subsequent sections of the amendment application). The proposed amendments will maintain the overall intent of the Development Approval, which is to deliver three (3) stages comprised of 11 lots, easements and road.

### CHANGES TO DEVELOPMENT APPROVAL

It is requested that the Approved Plans and Documents of the Development Approval are updated to include the Amended 'Plan of Reconfiguration – Stage 2A & 2B' as provided in **Attachment B**.

With regard to the accessway works and their relationship with the endorsement of a road dedication survey plan for Stage 2B; this would generally oblige completion of works prior to survey plan sealing. While Stage 2B is already identified as a separate survey plan deliverable associated with the Master ROL for the Yeronga PDA, to optimise developability of Lot 1 while safeguarding the delivery of the pedestrian accessway, the following condition is proposed to be included in the development approval package.

Table B: Proposed Additional Condition of Development		
Condition	Timing	Comment
<p>a) <i>Submit to EDQ IS detailed landscape plans, certified by an AILA, for landscape works in the pedestrian accessway. The detailed landscape plans must be designed generally in accordance with the approved "Yeronga Accessway Landscape DA Report", comply with the relevant Council standards; and be supported by Brisbane City Council. The plans shall include:</i></p> <p>(i) <i>a schedule of Contributed Assets (standard and non-standard) to be transferred to Council</i></p> <p>(ii) <i>footpath treatments and tactile paver treatments at the pram ramps</i></p>	<p>a) <i>Prior to the commencement of pedestrian accessway works</i></p>	<p>Plans are already generally supported by Brisbane City Council to allow progression to detail design following DA approval. EDQ detail design submission is nominated as advice only considering the asset will become Council owned and</p>

<p>(iii) <i>location and specifications of existing and proposed streetscape furniture; and</i></p> <p>(iv) <i>locations of trees and understory planting in accordance with Council's relevant schedules.</i></p>		managed on an ongoing basis.
<p>b) <i>Construct the pedestrian accessway works generally in accordance with the plans prepared under part a) of this condition.</i></p>	<p>b) <i>Prior to commencement of any subsequent use established over Lot 1</i></p>	<p>Condition timing is nominated to allow for works to commence both prior to, or after dedication of road reserve on a survey plan for Stage 2B while ensuring the pedestrian accessway is formally established before a use commences on the reconfigured Lot 1</p>
<p>c) <i>Submit to EDQ IS 'as constructed' plans, certified by an AILA, and an asset register in the format acceptable to Council.</i></p>	<p>c) <i>Prior to commencement of any subsequent use established over Lot 1</i></p>	<p>Condition timing is nominated ensure certification and acceptance occurs prior to, or after dedication of road reserve on a survey plan for Stage 2B while ensuring the pedestrian accessway is formally established before a use commences on the reconfigured Lot 1</p>

## SUBSTANTIALLY DIFFERENT DEVELOPMENT

**Table C** below provides a response to the criteria for substantially different development and demonstrates that the proposed amendments to the Development Approval do not result in the development being substantially different. It can be determined that the proposed amendments are made in accordance with Section 99(2) of the ED Act.



Table C: Substantially Different Development		
Substantially different development – do the changes:	Y/N	Comments
Involve a new use?	N	The proposed amendments to the Development Approval will not introduce a new land use, the proposed amendments relate to the configuration of approved lot 1 only.
Result in the application applying to a new parcel of land?	N	The proposed amendments to the Development Approval will not result in the application applying to a new parcel of land.
Dramatically change the built form in terms of scale, bulk and appearance?	N	The proposed amendments to the Development Approval do not involve built form, the proposed amendments relate to development for reconfiguring a lot. Notwithstanding, the size of the lot remains consistent with the intent of the Development Scheme and anticipated built form outcomes.
Change the ability for the use to operation as intended?	N	The proposed amendments to the Development Approval do not change the ability for the use to operate as intended. The proposed new road is sought to provide pedestrian access / public plaza and connection to the green spine as per the Preliminary Approval.
Remove a component that is integral to the operation of the development?	N	The proposed amendments to the Development Approval do not remove a component that is integral to the operation of the development. The proposed amendments will continue to enable the necessary public infrastructure (e.g public plaza) be provided as per the Preliminary Approval.
Significantly impacts on traffic flow or the transport network?	N	The proposed amendments do not significantly impact on traffic flow or the transport network. The proposed amendments seek to facilitate a new road for the purpose of pedestrian access (active transport) from Villa Street as per the Preliminary Approval.

Introduce new impacts or increase the severity of known impacts?	N	The proposed amendments do not introduce new impacts or increase the severity of known impacts. The amendment is limited to approved lot 1 only and the balance of the site will remain consistent with the Development Approval (EDQ reference: DEV2021 / 1221 / 15).
Remove an incentive or offset component that would have balanced a negative impact of the development?	N	The proposed amendments do not remove an incentive or offset component that would have balanced a negative impact of the development.
Impact on infrastructure provisions?	N	The proposed amendments do not impact on infrastructure provisions on the site or within the locality.

## CONCLUSION

In conclusion, and based on the facts and circumstances presented herein, it is recommended that the proposed amendments be approved by the MEDQ. Importantly, the proposed amendments will maintain the overall intent of the Development Approval, which is to deliver three (3) stages comprised of 11 lots, easements and road.

Thank you for considering the proposed amendments to the abovementioned Development Approval. Should you have any queries regarding this matter, please do not hesitate to contact the undersigned on (07) 3666 5200.

Yours sincerely,



Waimana Kingi

Director of Project Delivery

Wolter Consulting Group