

DEV2011/137

15 July 2013

Brett Evans
Blackwater Properties
PO Box 1724
Sunshine Plaza Qld 4558

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

Dear Brett

**SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA
DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE BEING SHORT
TERM ACCOMMODATION (73 UNITS), FOOD PREMISES (127M²) AND SHOP OR
BUSINESS (151M²) WITH ASSOCIATED OPERATIONAL WORKS
(STORMWATER DRAINAGE WORKS, EROSION AND SEDIMENT CONTROL,
DRIVEWAY AND PAVEMENTS AND ADVERTISING DEVICES) AT 17 DOON
STREET DESCRIBED AS LOT 713-718 HT596**

On 15 July 2013 the Minister for Economic Development (MEDQ) approved the application to change the Priority Development Area (PDA) development approval pursuant to s.99 of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the change to the PDA development approval applied for subject to PDA development conditions set out in the attached PDA Development Approval Package.

The PDA development application and the decision notice can also be viewed in the MEDQ Development Approvals Register via the Department of State Development, Infrastructure and Planning website <http://edq.qld.gov.au/infrastructure-and-planning/priority-development-area-development-approvals.html>.

Should you have any queries in relation to the decision notice, please do not hesitate to contact Patrick Atkinson on 3024 4178.

Yours Sincerely



Patrick Atkinson
Director – Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	BLACKWATER	
Site address	17 DOON STREET	
Lot on plan description	Lot number	Lot description
	713 – 718	HT596
PDA development application details		
MEDQ reference number	DEV2011/137	
Lodgement date	21 May 2013	
Type of application	☐ Changing a PDA development approval	
Description of proposal applied for	Short Term Accommodation (73 units), Food Premises (127m ²) and Shop or Business (151m ²) with associated Operational Works (stormwater drainage works, erosion and sediment control, driveway and pavements and advertising devices)	

PDA development approval details	
Decision of the MEDQ [delete other than the applicable decision]	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
Original Decision date	17 February 2012
Change to approval date	15 July 2013
Currency period	4 years from Original Decision Date

Plans and specification

The plans and specifications approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.

Approved plans, reports and specifications		Number (if applicable)	Date (if applicable)
1.	Site Plan by LVO Architecture	SK01 Rev F	21-06-2012
2.	Commercial Precinct Floor Plans by LVO Architecture	SK02 Rev F	21-06-2012
3.	Commercial Precinct Elevations & Recreation Building by LVO Architecture	SK03 Rev F	21-06-2012
4.	Residential Precinct Floor Plans by LVO Architecture	SK04 Rev F	21-06-2012
5.	Site Elevations by LVO Architecture	SK05 Rev F	21-06-2012
6.	Commercial Precinct Floor Plans by LVO Architecture	SK02 Rev F	21-06-2012

CONDITIONS		TIMING
1.	Carry out the approved development Carry out the development generally in accordance with the approved plan/s, drawing/s and document/s.	Prior to the commencement of use and to be maintained
2.	Complete all Operational Works Complete all operational work associated with this development approval, including work required by any of the following conditions. Such operational work is to be carried out generally in accordance with the approved plans.	Prior to the commencement of use
3.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) in accordance with the approved drawing(s) and /or documents, and any relevant EDQ or other approval required by the conditions.	To be maintained
4.	Hours of Operation – Food Premise Central Highlands Regional Council (CHRC) as the nominated assessing authority a) The hours of operation of the Food Premises outdoor dining is to only occur only between the hours of 6am to 9pm Monday to Sunday. b) Submit to the CHRC as the nominated assessing authority for compliance endorsement a site based noise management plan detailing how noise that is emitted is to be mitigated and how any complaints received is to be managed.	 a) As indicated and to be maintained b) Prior to commencement of use and to be maintained

CONDITIONS	TIMING
5. Advertising Devices Submit to Economic Development Queensland (EDQ) for compliance endorsement the details, height and size of any proposed entry sign that minimises impact on the visual amenity of the surrounding residential area (for instance ensures the effects of any illumination are unobtrusive) and to be generally in accordance with <i>Central Highlands Regional Council's Duaringa Shire Planning Scheme's Division 8: Schedule A – Types of Advertising devices Consistent with the Code</i>.	Prior to approval for Building Works
6. Energy Efficiency a) Submit to Economic Development Queensland (EDQ) a report outlining the energy efficient features employed in the development which is to include but not limited to: ▪ energy efficient plant and equipment (ensure appliances are rated at the highest relevant National Minimum Energy Performance Standards (MEPS) ▪ use of gas, solar or heat pump hot water systems as standard with insulated pipes and ▪ energy efficient lighting. b) Submit to EDQ written certification that the completed building complies with part a) this condition.	a) Prior to approval for Building Works b) Prior to the commencement of use
7. Detailed Landscape Plan a) Submit to Economic Development Queensland (EDQ) for compliance endorsement a detailed Landscape Plan including all private open space and driveway treatments certified by a qualified (AILA) landscape architect. Landscape plan is to demonstrate: ▪ Selected species and fencing does not block visual surveillance to adjacent footpaths ▪ Fencing and treatments of private courtyards ▪ Trees and shrubs have a mature height of between 2m and 6m ▪ Selected species are drought tolerant and low maintenance ▪ Existing contours and proposed finished levels for earthwork ▪ Location of existing and proposed services ▪ The minimisation of hard and the maximisation of soft landscape treatments ▪ Location, species' botanical name, pot size, numbers and mature height of all proposed planting ▪ Driveway treatment minimises hardstand area and contributes positively to the development and minimises visual impact of driveway. b) On completion of the landscape works, submit to EDQ written certification from a qualified (AILA) landscape architect that the completed landscaping complies with part a) this condition.	a) Prior to the commencement of work b) Prior to the commencement of use
8. Street Trees a) Plant the Doon Street roadside verge with atleast five (5) street trees. The species must be fast growing with a dense crown, and sited in accordance with Ergon Energy's <i>Plant Smart</i> document for the Central Highlands Regional Council area. The plantings must not impact upon sewerage or water infrastructure. b) Maintain the street trees for a period of 12 months	a) Prior to commencement of use b) From date of planting

CONDITIONS		TIMING
9.	Fencing Any front boundary fencing is to be either 50% permeable with a 1.5m maximum height or not exceed 1.2m in height if solid.	Prior to commencement of use and to be maintained
10.	Soil Erosion and Sediment Control a) Submit to Economic Development Queensland (EDQ) an Erosion and Sediment Control (ESC) Plan in accordance with <i>Capricorn Municipal Development Guidelines</i> . Plan to be certified by Registered Professional Engineer Qld (RPEQ-Civil) or Certified Professional in Erosion and Sediment Control (CPESC). b) Implement the Erosion and Sediment Control Plan on site.	a) Prior to commencement of work b) At all times during construction works
11.	Stormwater Management a) Submit to Economic Development Queensland (EDQ) Principal Engineer for compliance endorsement detailed engineering plans and hydraulic calculations checked and certified by a Registered Professional Engineer Queensland (RPEQ- Civil) for stormwater reticulation. The submitted design shall include details regarding the measures to be implemented to: - ensure that there is no-worsening in terms of stormwater quantity or quality from on-site generated flows and - satisfactorily deal with external overland stormwater flows emanating from the properties to the south of the subject site. b) Construct stormwater infrastructure and connect to the lawful point of discharge in accordance with plans approved in condition part a). c) Upon completion of the works provide to EDQ in a format acceptable to the Central Highlands Regional Council "As Constructed" plans including an asset register, checked by a Registered Professional Engineer Queensland (RPEQ-Civil), certifying that the works have been completed in accordance with part b) of this condition.	a) Prior to commencement of work b) Prior to the commencement of use c) Prior to the commencement of use
12.	Finished floor level Construct the development to provide a minimum finished floor level of 300mm above the Top of Kerb Level or 300mm above the centreline of Doon Street, whichever is the higher.	Prior to the commencement of use
13.	Outdoor Lighting Design and install outdoor lighting to minimise light spill into the adjacent residential properties across Doon Street to be in accordance with <i>AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to the commencement of use and to be maintained
14.	Refuse Management Enter into an agreement with the Central Highlands Regional Council to provide a waste collection service to the development. Provide a screened bin storage area as shown on approved Site Plan by LVO Architecture SK01 Rev F dated 21-06-2012.	Prior to the commencement of use and to be maintained

CONDITIONS		TIMING
15.	Car parking and access Internal driveway and car parking areas are to be constructed, sealed and line marked in accordance with <i>AS2890.1: Parking Facilities – Off Street Parking</i> and the <i>Capricorn Municipal Development Guidelines Std Dwg SD-R-041 Rev C</i> .	Prior to the commencement of use and to be maintained
16.	Water Connection Central Highlands Regional Council – Nominated Assessing Authority a) Submit for approval of the Chief Executive Officer, or delegate of the Central Highlands Regional Council's (CHRC) as the nominated assessing authority the water supply layout showing extension of the network to the site and connection to the site in accordance with CHRC current standards. Individual water meters with a 20mm diameter are to be provided to each unit with only one connection point to Council's main to CHRC standards. b) Construct works to CHRC requirements. c) Submit certified As-constructed drawings and information in accordance with EDQ & CHRC requirements, certifying that the works have been completed in accordance with the approved drawings and CHRC adopted standards, for approval by CHRC prior to 'On-maintenance' d) Connect to CHRC's reticulated water supply system. The connection is to be inspected and approved by the CHRC.	a) Prior to commencement of work b) Prior to commencement of use c) Prior to commencement of use d) Prior to commencement of use
17.	Sewer Connection Central Highlands Regional Council – Nominated Assessing Authority a) Submit for approval of the Chief Executive Officer, or delegate of the Central Highlands Regional Council's (CHRC) as the nominated assessing authority the sewer layout including the connection to the reticulated sewerage system in accordance with the CHRC's current standards. b) Construct works to CHRC requirements c) Submit certified As-constructed drawings and information in accordance with EDQ & CHRC requirements, certifying that the works have been completed in accordance with the approved drawings and CHRC adopted standards, for approval by CHRC prior to 'On-maintenance'.	a) Prior to commencement of work b) Prior to commencement of use c) Prior to commencement of use
18.	BOS (Build Over Sewer) – Central Highlands Regional Council (CHRC) nominated assessing authority Obtain written permission from the Engineering Delegate, Development Assessment of the CHRC as the nominated assessing authority to build over or near sewer infrastructure.	Prior to lodging an application for Building Works
19.	Easements over infrastructure Public utility easements must be provided, in favour of and at no cost to <i>Central Highlands Regional Council</i> for stormwater infrastructure located in private land that becomes contributed assets.	Prior to commencement of use

CONDITIONS		TIMING
20.	Service Conduits & Mains Supply and install all service conduits and meet the cost of any alterations to public utility mains, existing mains, services or installations required in connection with the approved development.	Prior to commencement of use
21.	Driveway Access Construct concrete driveway access off Doon Street in accordance with the requirements of the Capricornia Municipal Development Guidelines Standard Drawing <i>SD-R-041 Rev C</i> .	Prior to commencement of use
22.	Damage and Repairs Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drainlines) that may occur during any works carried out in association with the approved development.	Prior to commencement of use
23.	Footpath Construct for the full length of all frontages to the property, a 1.2 metre wide footpath within the Council road reserve in accordance with <i>Capricorn Municipal Development Guidelines</i> .	Prior to the commencement of the use
24.	Electricity Submit to Economic Development Queensland (EDQ) either: ▪ written evidence demonstrating that existing underground low-voltage electricity supply is available to the existing lot, or ▪ written evidence that the applicant has entered into an agreement with an authorised electricity supplier (e.g. Ergon) to provide underground electricity services.	Prior to commencement of use
25.	Telecommunications a) Submit to Economic Development Queensland (EDQ) documentation from an authorised telecommunications service provider to confirm that satisfactory agreements have been made for the provision of underground telecommunications to each new dwelling/lot within the proposed development. b) Where new infrastructure is to be installed to bring telecommunications to the site, install infrastructure to accommodate NBN services in accordance with NBN Co Ltd <i>'New Developments: Deployment of the NBN Co Conduit and Pipe Network – Guidelines for Developers'</i> (April 2011 or later) c) Install the infrastructure within the development to accommodate future Broadband services in accordance with Communications Alliance Ltd <i>"National Broadband Network End User Premises Handbook"</i> (August 2010 or later).	a) Prior to commencement of work b) Prior to commencement of use c) Prior to commencement of use

CONDITIONS		TIMING												
26.	Infrastructure Contributions Pay to Economic Development Queensland (EDQ) a monetary contribution towards the cost of the provision of essential infrastructure at the rate applicable at the time of payment. <i>The contribution, calculated in accordance with the Central Highlands Regional Council's "Duaringa" Planning Scheme Policy No.2 – Water and Sewer Headworks Contributions is as follows:</i> <table><tr><th>Headworks contribution</th><th>Methodology</th><th>Contribution</th></tr><tr><td>Sewerage</td><td>Tw x Cw Tw = equivalent tenements Cw = contribution applicable per ET 73 accommodation units at 0.5ETs 36.5 x \$1848 = \$67,452.00 + 1 ET per 70m² GFA 278/70 = 4 ETs 4ETs x \$1,848 = \$7,392</td><td>\$74,844.00</td></tr><tr><td>Water</td><td>Tw x Cw Tw = equivalent tenements Cw – contribution applicable per ET 73 accommodation units at 0.5ETs 36.5 x \$1,691 = \$61,721.50 + 1 ET per 70m² GFA 278/70 = 4 ETs 4ETs x \$1,691 = \$6,764</td><td>\$68,485.50</td></tr><tr><td>TOTAL</td><td></td><td>\$143,329.50*</td></tr></table> *The developer contributions will be adjusted each financial year for three year rolling average of the Queensland Roads and Bridges Index.	Headworks contribution	Methodology	Contribution	Sewerage	Tw x Cw Tw = equivalent tenements Cw = contribution applicable per ET 73 accommodation units at 0.5ETs 36.5 x \$1848 = \$67,452.00 + 1 ET per 70m ² GFA 278/70 = 4 ETs 4ETs x \$1,848 = \$7,392	\$74,844.00	Water	Tw x Cw Tw = equivalent tenements Cw – contribution applicable per ET 73 accommodation units at 0.5ETs 36.5 x \$1,691 = \$61,721.50 + 1 ET per 70m ² GFA 278/70 = 4 ETs 4ETs x \$1,691 = \$6,764	\$68,485.50	TOTAL		\$143,329.50*	Prior to commencement of use
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ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Economic Development Act 2012* as well as the *Sustainable Planning Act 2009* (e.g. for building work), the *Plumbing and Drainage Act 2002* and the Commonwealth *Environmental Protection and Biodiversity Act 1999*. Carrying out development may also be subject to 'duty of care' legislation such as the *Aboriginal Cultural Heritage Act 2003*. For advice on other approvals that may be necessary in relation to your proposal, please seek professional advice.

Central Highlands Regional Council

For any conditions in this package that require the consideration of Central Highlands Regional Council (CHRC), you will need to submit the relevant forms, plans and/or reports and fee to the entity nominated in the condition/s. When satisfied that the condition has been met, the applicable entity will issue a response in the manner required by the condition/s (e.g. a letter of endorsement or authorisation or a permit). No costs will be incurred by EDQ or CHRC.

Please note: The above information has been provided to the applicant as an advice only, and does not form part of the development approval conditions. This advice has been provided to the applicant to inform them of other obligations they may have to comply with (under state legislation or local laws) prior to their activity commencing.

**** End of Package ****