Queensland Government

Department of
State Development, Infrastructure and Planning

DEV2012/252

20 January 2014

BM Alliance Coal Operations Pty Ltd
c/- Mr Tom Salmon
RPS Group
PO Box 1559
FORTITUDE VALLEY QLD 4006

Dear Tom

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A RECONFIGURATION OF A LOT – 1 LOT INTO 58 RESIDENTIAL LOTS, PARK AND NEW ROAD WITH A PLAN OF DEVELOPMENT AT MILLS AVENUE, MORANBAH DESCRIBED AS LOT 508 ON SP256570

On 20 January 2014 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://www.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 Owen Haslam on 3024 4193.

Yours Sincerely

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Director – Development Assessment

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PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Moranbah	
Site address	Mills Avenue, Moranbah	
Lot on plan description	Lot number	Lot description
	Lot 508	SP256570
PDA development application details		
MEDQ reference number	DEV2012/252	
Lodgement date	15 January 2014	
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	Reconfiguration of Lot – 1 lot into 58, park, new road and a Plan of Development	

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.
Original Decision date	19 June 2012
Change to approval date	20 January 2014
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.

Plans, reports and specifications, previously approved on 23 September 2013		**Number** *(if applicable)*	**Date** *(if applicable)*
1.	Proposed Subdivision MOR- 3 (Isaac Views Stage 7) over Lot 507 on SP252764	108208 – 44 Rev G	22 August 2013
2.	Plan of Development MOR-3 (Isaac Views Stage 7) over Lot 507 on SP252764	108208 – 45 Rev G	22 August 2013
3.	Water Reticulation Layout Plan	41-24844-C735 Rev 3	31.07.13
4.	Sewerage Reticulation Layout Plan	41-24844-C730 Rev 4	31.07.13
5.	Stormwater Drainage Layout Plan	41-24844-C722 Rev 4	31.07.13
Plans, reports and specifications, previously approved on 27 March 2013		**Number** *(if applicable)*	**Date** *(if applicable)*
6.	Overall Plan Layout	41-24844-C702 Rev 0	18.02.13
7.	Typical Sections & Details	41-24844-C703 Rev 0	18.02.13
Plans, reports and specifications, previously approved on 19 June 2012		**Number** *(if applicable)*	**Date** *(if applicable)*
8.	Moranbah Stage 3 – Landscape Concept Plan	SD_L1.01_02	April 2012
9.	Moranbah Stage 3 – Plant Pallette/Materials Board	SD_L1.02_02	April 2012

PDA Development Conditions

1.	**Carry out the approved development** Carry out the approved development generally in accordance with the approved plans/drawing and/or documents	Prior to survey plan endorsement for the relevant stage
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	Prior to survey plan endorsement for the relevant stage

	carried out generally in accordance with the approved plans.	
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 approval required by the conditions.	To be maintained
4.	**Construction Management Plan** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division a Site Based Construction Management Plan that includes but is not limited to: • provision for the management of traffic around and through the site during and outside of construction work hours. • provision for parking and materials delivery during and outside of construction hours of work • management of dust generated from the site during and outside construction work hours; • management of sedimentation and erosion which complies with management of groundwater and surface water collection, treatment and disposal in accordance with Isaac Regional Council's standards; • management of contaminated soils (if required), including removal, treatment and replacement in accordance with site remediation plans prepared and approved specifically for this site. The construction management plan shall be prepared in consultation with the professionals responsible for individual site related management plans to ensure that all aspects of the construction and environmental management are included. The construction management plan shall be reviewed and approved by the principal consultant overseeing and certifying the construction works. b) All work shall be undertaken in accordance with the construction management plan which must be current and available on site at all times during the construction period.	a) Prior to commencement of site works for the relevant stage b) During site works
5.	**Water Supply Reticulation** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer detailed engineering design of the water supply infrastructure checked and certified by a Registered Professional Engineer Queensland (RPEQ- Civil) generally in	a) Prior to the commencement of site works for the relevant stage

	accordance with the approved Water Reticulation Layout Plan no. 41-24844-C735 Rev 3 dated 31.07.13, *Water Services Association of Australia's (WSAA) Sewerage Code of Australia – WSA 02-2002* and *Isaac Regional Council's* standards. b) Construct the works in accordance with part a) of this condition c) Submit to DSDIP Principal Engineer "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 a) of this condition.	b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
6.	**Sewerage Reticulation** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer detailed engineering design of the sewer infrastructure checked and certified by a Registered Professional Engineer Queensland (RPEQ- Civil) generally in accordance with the approved Sewerage Reticulation Layout Plan no. 41-24844-C730 Rev 4 dated 31.07.13, *Water Services Association of Australia's (WSAA) Sewerage Code of Australia – WSA 02-2002* and *Isaac Regional Council's* standards. b) Construct the works in accordance with part a) of this condition. c) Submit to DSDIP Principal Engineer "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 a) of this condition.	a) Prior to the commencement of site works for the relevant stage b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
7.	**Stormwater Management (Quantity)** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer for compliance endorsement engineering designs and hydraulic calculations for the proposed stormwater drainage system, including the proposed outlet gross pollutant trap, swales and pipework, checked and certified by a Registered Professional Engineer Queensland (RPEQ) generally in accordance with the approved Stormwater Drainage Layout Plan no. 41-24844-C722 Rev 4 dated 31.07.13, QUDM and *Isaac Regional Council's* Standards and is to include: ▪ swale designed for the Q100 event; and ▪ catchment plan with the design calculations.	a) Prior to the commencement of site works for the relevant stage

	b) Construct the works in accordance with DSDIP endorsed plans from part a) of this condition c) Submit to DSDIP "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 the endorsed plans.	b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
8.	**Stormwater Management (Quality)** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer for compliance endorsement engineering designs and calculations for stormwater quality management checked and certified by a Registered Professional Engineer Queensland (RPEQ) demonstrating compliance with the *State Urban Stormwater Quality Planning Guidelines 2010* (Central Coast North - Table 2.2) b) Construct the works in accordance with DSDIP endorsed plans from part a) of this condition. c) Submit to DSDIP "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 the endorsed plans.	a) Prior to the commencement of site works for the relevant stage b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
9.	**Easements over Infrastructure** Public utility easements must be provided, in favour of and at no cost to Isaac Regional Council (IRC) over Council infrastructure that becomes contributed assets located in private land. The terms of the easements must be to the satisfaction of the IRC Chief Executive Officer.	Prior to survey plan endorsement for the relevant stage
10.	**Filling and Excavation** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division an Earthworks Management Plan certified by a RPEQ specialising in geotechnical engineering. The plan shall address but not be limited to, the following: ▪ the full extent of the cut and fill showing existing and finished contours ▪ how the retaining will not adversely impact on visual amenity (for instance, retaining walls over	a) Prior to the commencement of site works for the relevant stage

	1.5m should be stepped and landscaped) ▪ a geotechnical report showing borehole information for areas of cut and detailing the suitability of material for excavation and filling and ▪ geotechnical recommendations for the excavation, placement and control of the placement of fill. b) Submit certification by a RPEQ specialising in geotechnical engineering stating that: ▪ all constructed cut/fill batters and/or retaining structures have achieved adequate stability with a factor of safety greater than 1.5 ▪ all cut and fill operations have been carried out in accordance with AS3798 ▪ any unsuitable material encountered has been treated or replaced with suitable replacement material and ▪ no retaining wall straddles two or more lots and/or ownerships.	b) Prior to survey plan endorsement for the relevant stage
11.	**Roadworks** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer engineering design drawings, checked and certified by a Registered Professional Engineer of Queensland (RPEQ-Civil) generally in accordance with the approved Overall Layout Plan no. 41-24844-C702 Rev 0 dated 18.02.13, Typical Sections & Details Plan no. 41-24844-C703 Rev 0 dated 18.02.13 and Isaac Regional Council standards. b) Construct the works in accordance with the submitted drawings from part a) of this condition c) Submit to DSDIP "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 Isaac Regional Council's standards.	a) Prior to commencement of site works for the relevant stage b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
12.	**Electricity** Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division either written evidence: a) demonstrating that existing underground low-voltage electricity supply is available to the newly created lots or b) that the applicant has entered into an agreement with an authorised electricity supplier (e.g. Ergon) to	Prior to survey plan endorsement for the relevant stage

	provide underground electricity services.	
13.	**Telecommunications** Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division an agreement with a telecommunication carrier to provide underground telecommunication services to each new lot within and adjacent to the proposed development.	Prior to survey plan endorsement for the relevant stage
14.	**Repair damage to Kerb, Footpath or Road** Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footpaths, roads, kerb and channel and stormwater gullies and drain lines) that may occur during any works carried out in association with the approved development.	Prior to survey plan endorsement for the relevant stage
15.	**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 survey plan endorsement for the relevant stage
16.	**Footpaths** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division Principal Engineer engineering plans checked and certified by a Registered Professional Engineer of Queensland (RPEQ) showing the design of the pathways including any signs and traffic safety signs, markings and devices in the locations shown on approved Proposed Subdivision Plan MOR-3 (Isaac Views Stage 7) over Lot 507 on SP252764 number 108208-44 Rev G dated 22 August 2013 and in accordance with Isaac Regional Council standards. b) Construct the works in accordance with part a) of this condition c) Submit to DSDIP "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 Isaac Regional Council's standards.	a) Prior to commencement of site works for the relevant stage b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
17.	**Street Lighting** Design and install a street lighting system (including connections and energising) to all roads within and bounding the subdivision at no cost to Isaac Regional Council.	Prior to survey plan endorsement for the relevant stage

	The street lighting system must; • be designed generally in accordance with AS1158 Category P3(min) for Roads 01 and 02 and P4(min) for all other local streets • meet the relevant requirements of the electricity supplier • be acceptable to the electricity supplier as 'Rate 2 Public Lighting'	
18.	**Public Landscape and Streetscape Works** a) Submit to the Department of State Development, Infrastructure and Planning (DSDIP) – Development Assessment Division for compliance endorsement detailed landscape plans certified by a suitably qualified landscape professional for improvement works within proposed road reserves and parkland Lots 993, 994, 995 and 996, generally in accordance with the approved Moranbah Stage 3 – Landscape Concept Plan no. SD_L1.01_02 dated April 2012 and Moranbah Stage 3 – Plant Pallette/Materials Board Dwg No SD_L1.02_02 dated April 2012 and to *Isaac Regional Council* standards. The plans must, as appropriate, document the following. ▪ Location of proposed drainage and stormwater works within the park, including cross-sections and descriptions. ▪ Provision of electricity and water connections to the park. ▪ Construction of vehicle barriers/bollards along park frontages to prevent unauthorised vehicular access. ▪ Provision of a lock-rail access point (positioned at a level and logical point) and associated vehicular crossover to each road frontage to parkland. ▪ Details and locations of any proposed building works or planting, including: bridges, park furniture, picnic facilities and play equipment. ▪ Surface treatments, including the preparation of all open ground within the proposed parkland to ensure that it is topsoiled, grassed and suitable for mowing. ▪ Provision of plant schedule listing all proposed plants by botanical name, quantity and size at time of planting. b) Complete public landscape works including street tree planting and landscaping generally in accordance with the endorsed plans from part a) of this condition. c) Provide 12 months maintenance to the landscaping	a) Prior to commencement of landscape works b) Prior to survey plan endorsement for the relevant stage

	and street trees commencing on receipt of written confirmation from DSDIP that planting is satisfactory. d) Obtain from DSDIP written confirmation that the landscaping has been maintained to a satisfactory standard.	c) As indicated d) At the conclusion of the 12 months maintenance period
19.	**Dedicate Land** Dedication at no cost to the Isaac Regional Council park and stormwater drainage areas identified as proposed Lots 993, 994, 995 and 996 on approved Proposed Subdivision Plan MOR-3 (Isaac Views Stage 7) over Lot 507 on SP252764 number 108208-44 Rev G dated 22 August 2013.	Prior to survey plan endorsement for the relevant stage
20.	**Soil Erosion and Sediment Control** a) Submit to DSDIP Principal Engineer an Erosion and Sediment Control (ESC) Plan prepared by a Registered Professional Engineer Queensland (RPEQ) in accordance with *Capricorn Municipal Development Guidelines*. b) Implement the certified Erosion and Sediment Control Plan on site	a) Prior to commencement of site works for the relevant stage b) At all times during construction works for the relevant stage
21.	**Pre-Construction Self Certification** No work shall commence until DSDIP acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with DSDIP Certification Procedures Manual.	Prior to commencement of site works for the relevant stage
22.	**Post-Construction Self Certification** Submit Post-Construction (Practical Completion) Certification, approved forms and "as Constructed" plans including an asset register, certified by a Registered Professional Engineer Queensland (RPEQ), that the plans are a true record of the works "as constructed" are in accordance with the approved plans.	Prior to survey plan endorsement for the relevant stage
23.	**Infrastructure Contributions** Pay to Economic Development Queensland (EDQ) a monetary contribution towards the cost of the provision of essential infrastructure. The contribution will be calculated in accordance with the Isaac Regional Council's *Infrastructure Contributions Subsidisation Policy*. *Notes:*	Prior to survey plan endorsement for the relevant stage

	This charge will be adjusted each financial year in accordance with the: • *Infrastructure Contributions Subsidisation Policy* and • *The above Infrastructure Charges (IC) calculations may be subject to offsets where approved in writing by EDQ.*	

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.

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 ****