



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2015/718

22 January 2016

Economic Development Queensland
C/- Mr Neil Bennett
Brazier Motti Pty Ltd
595 Flinders Street
TOWNSVILLE QLD 4810

Dear Neil

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR RECONFIGURING A LOT - 1 LOT INTO 2 LOTS, BALANCE LOT AND NEW ROAD AT 46 RIVEREDGE BOULEVARD, OONOONBA DESCRIBED AS PART OF LOT 9001 ON SP275839

On 22 January 2016, 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 also be viewed in the MEDQ Development Approvals Register via the Department of Infrastructure, Local Government and Planning website <http://dilgp.qld.gov.au/planning/development-assessment/priority-development-area-development-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Karina McGill on 3452 7518.

Yours sincerely

Jeanine Stone
Director – EDQ Development Assessment

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PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Oonoonba PDA	
Site address	46 Riveredge Boulevard, Oonoonba	
Lot on plan description	Lot number	Plan description
	Part of Lot 9001	SP275839
PDA development application details		
DEV reference number	DEV2015/718	
'Properly made' date	19 January 2016	
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	Subdivision of 1 lot into 2 lots, balance lot and new road	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ▪ Changes to the wording of PDA Development Condition 16.
Original Decision date	15 December 2015
Change to approval date	22 January 2016
Currency period	4 years from the Original Decision date

Plans and documents

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

Plans and documents previously approved on 15 December 2015		Number	Date
1.	Proposed Reconfiguration	29060/441 Rev A	22 October 2015
2.	Bulk Earthworks Layout Plan	15-003077-SK02	29.09.15
3.	Conceptual Wastewater Reticulation	15-000745-GIS02 Rev B	06.10.15

PREAMBLE

For the purpose of interpreting this PDA Development Approval, including the PDA Development Conditions, the following applies:

Compliance assessment

Where a condition of this PDA Development Approval requires compliance assessment, compliance assessment is required in accordance with the following:

- a) The applicant must 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 the MEDQ's development assessment fee schedule (as amended from time to time).
- b) Compliance assessment and endorsement by EDQ Development Assessment, DILGP is required prior to any work commencing.
- 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. the applicant liaises with EDQ Development Assessment, DILGP to determine the relevant plans/supporting information required to be submitted.
 - ii. the applicant submits plans/supporting information as required under the relevant condition of approval for compliance assessment.
 - iii. **within 20 business days** – EDQ Development Assessment, DILGP assesses the plans/supporting information and:
 1. if satisfied with the plans/supporting information as submitted - endorses the plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly
 - iv. if the applicant is notified under iii.2. above, revised plans/supporting information are to be re-submitted to EDQ Development Assessment, DILGP **within 20 business days** from the date of the notice.
 - v. **within 20 business days** – EDQ Development Assessment, DILGP assesses the revised plans/supporting information and:
 1. if satisfied with the revised plans/supporting information - endorses the revised plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the revised plans/supporting information as submitted – notifies the applicant accordingly.

- vi. if EDQ Development Assessment, DILGP is not satisfied that compliance has been achieved within **20 business days** - repeat steps iv. and v. 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 vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DILGP endorses relevant plans/supporting information.

ABBREVIATIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

1. **AILA** means a Landscape Architect registered by the Australian Institute of Landscape Architects.
2. **Certification Procedures Manual** means Certification Procedures Manual, prepared by The Department of State Development, Infrastructure and Planning, September 2013 (as amended from time to time).
3. **Council** means Brisbane City Council.
4. **DEHP** means The Department of Environment and Heritage Protection.
5. **DILGP** means The Department of Infrastructure, Local Government and Planning.
6. **EDQ** means Economic Development Queensland.
7. **MEDQ** means The Minister of Economic Development Queensland.
8. **PDA** means Priority Development Area.
9. **RPEQ** means Registered Professional Engineer of Queensland.

PDA Development Conditions

No.	Condition	Timing
1.	Carry out the approved development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to survey plan endorsement
2.	Certification of Operational Works All operational works, for contributed assets, undertaken in accordance with this approval must comply with all requirements of and fulfil all responsibilities outlined in the <i>Certification Procedures Manual</i>.	As required by the <i>Certification Procedures Manual</i>

Engineering

3.	Construction Management Plan	
a)	Submit to EDQ Development Assessment, DILGP a Site Based Construction Management Plan (CMP), prepared by the principal site contractor, that manages the following: i. noise and dust generated from the site during and outside construction work hours in accordance with the <i>Environmental Protection Act 1994</i>; ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties; iii. contaminated land (if required), including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated land auditor; iv. provision for the management of traffic around and through the site during and outside of construction work hours; v. provision of parking for workers and materials delivery during and outside of construction hours of work; vi. traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD) and certified by a person holding a current Traffic Management Level 3 qualification or higher, for any temporary part or full road closures of any Council or State road(s).	a) Prior to commencement of works
b)	Undertake all works generally in accordance with the CMP which must be current and available on site at all times during the construction period.	b) At all times during construction

4.	Filling and Excavation a) Submit to EDQ Development Assessment, DILGP detailed earthworks plans, certified by a RPEQ, generally in accordance with AS3798 – 2007 <i>“Guidelines on Earthworks for Commercial and Residential Developments</i> and the following approved plan: i. <i>Bulk Earthworks Layout Plan</i>, drawing number 15-003077-SK02, dated 29.09.15 The certified earthworks plans shall: 1. include a geotechnical soils assessment of the site; 2. be consistent with the Erosion and Sediment Control plans; 3. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; 4. provide full details of any areas where surplus soils are to be stockpiled. b) Carry out the earthworks generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP certification from a RPEQ that all earthworks have been carried out generally accordance with the certified plans required under part a) of this condition and that any unsuitable material encountered has been treated or replaced with suitable material.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
5.	Compliance Assessment – Road Widening – Holyoak Avenue a) Submit to EDQ Development Assessment, DILGP, for compliance assessment conceptual engineering drawings, certified by a RPEQ, for the widening of Holyoak Avenue, including parking bays, traffic devices and pedestrian footpaths. b) Submit to EDQ Development Assessment, DILGP engineering design/construction drawings, certified by a RPEQ, for the widening of Holyoak Avenue generally in accordance with the endorsed plans required under part a) of this condition. c) Construct the works generally in accordance with the certified plans as required under part a) of this condition. d) Submit to EDQ Development Assessment, DILGP ‘as-constructed’ drawings, asset register and test results, certified by a RPEQ, in a format acceptable to the Council of all road works constructed in accordance with this condition.	a) Prior to commencement of works b) Prior to commencement of works c) Prior to survey plan endorsement d) Prior to survey plan endorsement

6.	Water Connect each lot to the existing water reticulation network in accordance with Council current adopted standards.	Prior to survey plan endorsement
7.	Sewer a) Submit to EDQ Development Assessment, DILGP detailed sewer reticulation design plans, certified by a RPEQ, generally in accordance with the approved Conceptual Wastewater Reticulation plan. b) Construct the works generally in accordance with the certified plans required under part b) of this condition. c) Submit to EDQ Development Assessment, DILGP 'as-constructed' plans, asset register, pressure and CCTV results in accordance with Council current adopted standards.	a) Prior to the commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
8.	Electricity Submit to EDQ Development Assessment, DILGP either: a) written evidence from Ergon confirming that existing underground low-voltage electricity supply is available to the newly created lots; or b) written evidence from Ergon confirming that the applicant has entered into an agreement with it to provide underground electricity services.	Prior to survey plan endorsement
9.	Telecommunications Submit to EDQ Development Assessment, DILGP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to each new lot within the proposed subdivision.	Prior to survey plan endorsement
10.	Broadband Submit to EDQ Development Assessment, DILGP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the <i>Telecommunications Act (Fibre Deployment Bill 2011)</i> can be provided in accordance with the Communications Alliance G645:2011 guideline, to accommodate services which are compliant with the Federal Government's National Broadband Network policy.	Prior to survey plan endorsement
11.	Public Infrastructure - Damage, Repairs and Relocation Repair any damage to existing public infrastructure that occurred during works carried out in association with the approved development. Should existing public infrastructure require relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory	Prior to survey plan endorsement

	requirements.	
Landscape and Environment		
12.	Streetscape Works a) Submit to EDQ Development Assessment, DILGP, detailed streetscape works drawings for the widening of Holyoak Avenue, including a schedule of any proposed non-standard assets to be transferred to Council, certified by an AILA. The detailed streetscape plans are to include where applicable: 1. location and type of street lighting in accordance with Australian Standard AS1158 –<i>‘Lighting for Roads and Public Spaces’</i>; 2. footpath treatments; 3. location and types of streetscape furniture; 4. location and size of stormwater treatment devices; and 5. street trees, including species, size and location generally in accordance with the Council adopted planting schedules and guidelines. b) Construct the works generally in accordance with the endorsed streetscape plans as required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP ‘As Constructed’ plans and asset register in a format acceptable to Council certified by an AILA.	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
13.	Acid Sulfate Soils (ASS) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DILGP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP must be: i. prepared generally in accordance with the <i>State Planning Policy</i>, July 2014 (as amended from time to time) and relevant guidelines; and ii. certified by a suitably qualified professional in soils and/or erosion sediment control. b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP.	a) Prior to commencement of or during site works b) Prior to survey plan endorsement
14.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DILGP an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC), generally in accordance with the following guidelines: i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP); ii. Best Practice Erosion and Sediment Control (International Erosion Control Association).	a) Prior to commencement of site works

	b) Implement the certified ESCP as required under part a) of this condition.	b) At all times during construction
15.	Easements over infrastructure Public utility easements must be provided, in favour of and at no cost to the grantee, over infrastructure that becomes contributed assets. The terms of the easements must be to the satisfaction of the Chief Executive Officer of the authority which ultimately is to takeover and maintain the contributed assets.	Prior to survey plan endorsement
Infrastructure Charges		
16.	Infrastructure Contributions Pay to MEDQ infrastructure charges in accordance with the Oonoonba UDA Development Scheme.	Prior to survey plan endorsement

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.

**** End of Package ****

