Queensland Government

Department of Infrastructure,
Local Government and Planning

Our ref: DEV2016/754

3 May 2016

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

Dear Neil

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – 1 INTO 1 LOT, NEW ROAD AND 1 BALANCE LOT AT 46 RIVEREDGE BOULEVARD, OONOONBA DESCRIBED AS LOT 9001 ON SP280605

On 29 April 2016 the Minister for Economic Development Queensland (MEDQ) approved the Priority Development Area (PDA) development application pursuant to s.85(4)(b) of the *Economic Development Act 2012*. MEDQ has decided to grant all of the PDA development approval 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://www.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 Brandon Bouda on 3452 7422.

Yours sincerely

for Jeanine Stone
Director, EDQ Development Assessment

Executive Building
100 George Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Website www.dilgp.qld.gov.au
ABN 25 166 523 889

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Oonoonba	
Site address	46 Riveredge Boulevard, Oonoonba	
Lot on plan description	Lot number	Plan description
	9001	SP280605
PDA development application details		
DEV reference number	DEV2016/754	
'Properly made' date	23 February 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	1 into 1 Lot, New Road and Balance Lot	

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.
Decision date	29 April 2016
Currency period	4 years from decision date

Plans and documents

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

Approved plans and documents		**Number** *(if applicable)*	**Date** *(if applicable)*
1.	Proposed Reconfiguration Lots 291 & 9001 Cancelling Lot 9001 on SP275839	29060/516 B	15th January, 2016
2.	Proposed Plan of Development Lots 291 & 9001 Cancelling Lot 9001 on SP280605	29060/515 E	21st March, 2016 (as amended in red dated 29 Apr 2016)
3.	Combined Services Layout Plan	15-003077.1-SK05	22.01.16
4.	Bulk Earthworks Layout Plan	15-003077.1-SK06	08.01.2016

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 Australian Institute Landscape Architect.

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 Townsville City Council.

4. **DILPG** means The Department of Infrastructure, Local Government and Planning.

5. **EDQ** means Economic Development Queensland

6. **MEDQ** means The Minister of Economic Development Queensland.

7. **PDA** means Priority Development Area.

8. **RPEQ** means Registered Professional Engineer of Queensland.

PDA Development Conditions		
No	**Condition**	**Timing**
General		
1.	**Carry out the approved development** Carry out the approved development generally in accordance with the approved plans, drawings and documents.	Prior to survey plan endorsement
2.	**Certification of Operational Works** All operational works undertaken in accordance with this approval must comply with all requirements of and fulfil all responsibilities outlined in the *Certification Procedures Manual.*	As required by the *Certification Procedures Manual*
3.	**Affordable Housing** Submit to EDQ Development Assessment, DILGP an estimate of how across the PDA will deliver for Townsville:	Prior to survey plan endorsement

PDA Development Conditions		
	a) a minimum of 50% of all dwellings available for rent by households on or below the median annual income price; and b) a minimum of 40% of all dwellings available for rent by households on a low to moderate income.	
Engineering		
4.	**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, dust generated from the site during and outside construction work hours in accordance with the *Environmental Protection Act 1994*; ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the *Environmental Protection Act 1994*), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties; iii. contaminated soils (if required), including removal, treatment and replacement in accordance with site remediation plans prepared and approved specifically for this site. 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.	a) Prior to commencement of site works b) At all times during construction
5.	**Filling and Excavation** a) Submit to EDQ Development Assessment, DILGP detailed earthworks plans certified by a RPEQ, generally in accordance with *AS3798 – 2007 "Guidelines on Earthworks for Commercial and Residential Developments* and the following approved plans/documents: i. Bulk Earthworks Layout Plan, drawing no. 15-003077.1-SK06, dated 08.01.16. b) Carry out the filling and excavation 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 in accordance with the certified plans required under part a) of this condition and 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

6.	**Roads Widening – Holyoak Avenue** a) Submit to EDQ Development Assessment, DILGP engineering design/construction drawings certified by a RPEQ for widening of Holyoak Avenue, including parking bays, traffic devices and pedestrian footpaths generally in accordance with the following approved plans/documents: i. Combined Services Layout Plan, drawing no. 15-003077.1-SK05, dated 22.01.2016. b) Construct the works generally in accordance with the certified plans as required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP 'as-constructed' drawings, asset register and test results certified by a RPEQ, in a format acceptable to Council of all road works constructed in accordance with this condition.	a) Prior to commencement of site works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
7.	**Water** a) Submit to EDQ Development Assessment, DILGP detailed water reticulation design plans, certified by a RPEQ, generally in accordance with the approved Combined Services Layout Plan, drawing no. 15-003077.1-SK05, dated 22.01.2016 b) Construct the works generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP 'as-constructed' plans, asset register and test 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.	**Sewer** a) Submit to EDQ Development Assessment, DILGP detailed sewer reticulation design plans, certified by a RPEQ, generally in accordance with the approved Combined Services Layout Plan, drawing no. 15-003077.1-SK05, dated 22.01.2016 b) Construct the works generally in accordance with the certified plans required under part a) 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

9.	**Street Lighting** Design and install a street lighting system certified by a RPEQ to all roads, including footpaths/bikeways within road reserves. The street lighting must comply with one of the following: i. meet the relevant standards of the electricity supplier; ii. be acceptable to the electricity supplier as 'Rate 2 Public Lighting'; iii. be endorsed by Council as the Ergon billable customer; iv. be generally in accordance with Australian Standard AS1158 – *'Lighting for Roads and Public Spaces'*	Prior to survey plan endorsement
10.	**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
11.	**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
12.	**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 *Telecommunications Act (Fibre Deployment Bill 2011)* 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
13.	**Public Infrastructure – Damage, Repairs and Relocation** 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 drainage lines) and other public infrastructure that may occur during any works carried out in association with the approved development.	Prior to survey plan endorsement

Landscaping and Environment		
14.	**Compliance Assessment - 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 –*'Lighting for Roads and Public Spaces";* 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
15.	**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 *State Planning Policy*, 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
16.	**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); and (ii) Best Practice Erosion and Sediment Control	a) Prior to commencement of site works

	(International Erosion Control Association). b) Implement the certified ESCP as required under part a) of this condition.	b) At all times during construction
Surveying, land dedications and easements		
17.	**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 located in private land. The widths and 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		
18.	**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.