



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2016/792

26 August 2016

Economic Development Queensland
Attention: Mr Kalon Harding
GPO Box 2202
BRISBANE QLD 4001

Dear Kalon

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – 1 LOT INTO 8 LOTS AND PLAN OF DEVELOPMENT AT 2 HARVEY ROAD, CLINTON DESCRIBED AS LOT 896 ON SP261771

On 25 August 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://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 Brianna Fyfe on 3452 7167.

Yours sincerely

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Director, EDQ Development Assessment

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PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Clinton	
Site address	2 Harvey Road, Clinton	
Lot on plan description	Lot number	Plan description
	Lot 896	SP261771
PDA development application details		
DEV reference number	DEV2016/792	
'Properly made' date	4 August 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	Reconfiguring a lot – 1 lot into 8 lots and a Plan of Development (Stage 4A)	

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	25 August 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.	Plan of Development Stage 4A Allotment Layout	102361-62, Rev B	08 July 2016, Amended in red 24/8/2016
2.	Plan of Subdivision Stage 4A Allotment Layout	102361-61, Rev B	08 July 2016
3.	Stage 4A – Hill Close DA Concepts – Concept Plan, prepared by Mondo Architects	P-101	1 May 2013, Amended in Red 22 August 2016
4.	Stage 4A – Hill Close DA Concepts – Elevations, prepared by Mondo Architects	P-201	1 May 2013, Amended in Red 22 August 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:
 - i. 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).
 - ii. submit to MEDQ a duly completed compliance assessment form.
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- 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 Gladstone Regional Council.
4. **DILGP** 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 / Planning		Timing
1.	Carry out the approved development Carry out the approved development generally in accordance with the approved plans and Plan of Development.	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> . This condition applies to the following conditions: • 5. Water • 6. Sewerage • 7. Stormwater Management • 8. Filling and Excavation • 9. Roads • 17. Streetscape Works	As required by the <i>Certification Procedures Manual</i>
3.	Affordable Housing Submit to EDQ Development Assessment, DILGP an estimate of how across the entire PDA: a) a minimum of 60% of all dwellings, available for purchase at or below the medium house price for Gladstone, will be delivered; and b) minimum of 50% of all dwellings, available to purchase or rent to low to moderate income households for Gladstone, will be delivered.	Prior to survey plan endorsement
Engineering		Timing
4.	Construction Management Plan a) Submit to EDQ Development Assessment, DILGP, a site based construction management plan, prepared by the principal site contractor, that will include but is not limited to: • the management of traffic around and through the site during and outside of construction work hours; • parking and materials delivery during and outside of construction work hours; • management of contaminated soils, including removal, treatment and replacement in accordance with site remediation plans prepared and approved specifically for this site, if needed.	a) Prior to commencement of site 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.	b) At all times during site works
5.	Water a) Submit to EDQ Development Assessment, DILGP water reticulation plans certified by a RPEQ generally designed in accordance with <i>Gladstone City Council – Water Supply Standard – 2006</i> and <i>WSAA Water Supply Code of Australia – 2002</i>. b) Construct the works in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP in a format acceptable to Council, RPEQ certified as-constructed plans, an asset register and bacterial test results for the works constructed under part b) of this condition.	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
6.	Sewerage a) Submit to EDQ Development Assessment, DILGP sewer reticulation plans certified by RPEQ, generally designed in accordance with <i>Gladstone City Council – Water Supply Standard – 2006</i> and <i>WSAA Water Supply Code of Australia – 2002</i>. b) Construct the works in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP in a format acceptable to Council, RPEQ certified as-constructed plans, an asset register and pressure test results for the works constructed under part b) of this condition.	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
7.	Stormwater Management a) Submit to EDQ Development Assessment, DILGP detailed stormwater design and hydraulic calculations for both quantity and quality, checked and certified by a RPEQ, generally in accordance with <i>QUDM 2013</i> and the <i>Queensland Urban Stormwater Quality Planning Guidelines 2010 Water Quality Objectives – Central Coast (South)</i>. b) Construct the works in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DILGP in a format acceptable to Council, RPEQ certified as-constructed plans, an asset register and test results for the works constructed under part b) of this	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement

	condition.	
8.	Filling and Excavation a) Submit to EDQ Development Assessment, DILGP detailed earthworks plans, certified by a RPEQ, generally in accordance with <i>AS3798 – 2007 Guidelines on Earthworks for Commercial and Residential Developments</i>. The certified earthworks plans shall: i. include a geotechnical soils assessment of the site; ii. be consistent with the Erosion and Sediment Control plans; iii. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; and iv. 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 in 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
9.	Roads a) Submit to EDQ Development Assessment, DILGP detailed engineering design/construction drawings for road pavements, on-street parking areas, stormwater drainage, kerb and channel, concrete footpaths, traffic islands and signage, including laneway treatment certified by a RPEQ generally in accordance with Council's <i>Roads and Transport Standard – 2005</i> and <i>Standard Conditions for Reconfiguring a Lot</i> and <i>PDA Practice Note No. 12 Rear Lanes: design and development</i>. 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 in a format acceptable to Council, RPEQ certified as-constructed plans, an asset register and test results for the works constructed under part b) of this condition	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement

10.	Street Lighting Design and install a street lighting system, certified by a RPEQ, to all roads, including footpaths/bikeways within road reserves. The design of the street lighting system must: a) meet the relevant standards of the electricity supplier; b) be acceptable to the electricity supplier as 'Rate 2 Public Lighting'; c) be endorsed by Council as the Ergon 'billable customer'; d) be generally in accordance with Australian Standard AS1158 –<i>Lighting for Roads and Public Spaces</i>.	Prior to survey plan endorsement
11.	Electricity Submit to EDQ Development Assessment, DILGP, either: a) written evidence demonstrating that existing underground low-voltage electricity supply is available to the newly created lots; or b) written evidence that the applicant has entered into an agreement with the authorised electricity supplier Ergon to provide underground electricity services to the newly created lots.	Prior to commencement of works
12.	Telecommunications Services Submit to EDQ Development Assessment, DILGP documentation from an authorised telecommunications 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 commencement of works
13.	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 commencement of works

14.	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 requirements.	Prior to survey plan endorsement
15.	Acoustic Treatments – Lots 525-529 a) All dwellings constructed on proposed lots 525-529, adjacent Harvey Road, shall be designed and constructed to comply with Australian Standard AS 2107:2000 <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> and Australian Standard AS 3671:1989 <i>Acoustics – Road traffic noise intrusion – Building siting and construction</i> for category 2 buildings. b) Submit to EDQ Development Assessment, DILGP written confirmation that the dwellings, on proposed lots 525-529, have been constructed generally in accordance with the Australian Standards identified in part a) of this condition.	Prior to commencement of use
Landscape and Environment		Timing
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 certified professional in erosion and sediment control (CPESC), generally in accordance with the following guidelines: i. <i>Urban Stormwater Quality Planning Guidelines 2010</i> (DEHP); ii. <i>Best Practice Erosion and Sediment Control</i> (International Erosion Control Association). b) Implement the certified ESCP as required under part a) of this condition.	a) Prior to commencement of site works b) At all times during construction
17.	Streetscape Works a) Submit to EDQ Development Assessment DILGP detailed streetscape plans certified by an AILA registered Landscape Architect. The detailed streetscape plans are to include where applicable: i. location and type of street lighting in accordance with Australian Standard AS1158 – <i>Lighting for Roads and Public Spaces</i> ;	a) Prior to commencement of works

	ii. footpath treatments; iii. location and types of streetscape furniture; iv. location and size of stormwater treatment devices; and v. street trees, including species, size and location generally in accordance with the Council adopted planting schedules and guidelines. b) Construct the works in accordance with the certified plans required under part a) of this condition c) Submit to EDQ Development Assessment, DILGP certified by an AILA registered Landscape Architect, as-constructed plans and an asset register in a format acceptable to Council.	b) Prior to survey plan endorsement c) Prior to survey plan endorsement
Surveying, land transfer and easements		Timing
18.	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
19.	Small lot development easements for lots $\leq 300\text{m}^2$ For standard format lot subdivisions where a lot is 300m^2 or less and the lot adjoins another lot 300m^2 or less and the proposed construction of adjacent proposed walls will be a circumstance mentioned in section 94(2)(a) of the <i>Land Title Act 1994</i> (LTA), to permit the application and registration of high density development easements, provide either: a) high-density development easements under Part 6 Division 4AA of the LTA in registrable form in respect of each affected lot to allow reciprocal rights for 1 or more of the following purposes (but only where those relevant circumstances will exist): i. support; ii. shelter; iii. projections; iv. maintenance; v. roof water drainage*; or b) provide reciprocal easements created under Part 6 Division 4 LTA in registrable form for 1 or more of the above purposes (but only where those relevant circumstances will exist).	Prior to survey plan endorsement

	*High-density development easements created under Part 6 Division 4AA of the LTA are not required to be identified on a plan of survey.	
Infrastructure Charges		Timing
20.	Infrastructure Contributions a) The applicant must pay MEDQ infrastructure charges at the rate applicable at the time of payment, in accordance with Council's Adopted Infrastructure Charges Resolution current at the time of payment. b) Submit to the MEDQ, written confirmation from Council confirming the charges payable.	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 ****