



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2015/725

7 October 2016

Economic Development Queensland
C/- Mr Neil Bennett
Brazier Motti Pty Ltd
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 3 LOTS) AND OPERATIONAL WORKS (FILLING AND EXCAVATION, ROADWORKS, STORMWATER DRAINAGE, WATER AND SEWER RETICULATION, ELECTRICAL AND TELECOMMUNICATIONS) AT 18 DARTER STREET, OONOONBA DESCRIBED AS LOT 6000 ON SP243806

On 6 October 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 Laura Shobbrook on 3452 7196.

Yours sincerely

Jeanine Stone
Director – EDQ Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Oonoonba	
Site address	18 Darter Street, Oonoonba	
Lot on plan description	Lot number	Plan description
	Lot 6000	SP243806
PDA development application details		
DEV reference number	DEV2015/725	
'Properly made' date	18 November 2015	
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 into 3 lots) Operational Works (Filling And Excavation, Roadworks, Stormwater Drainage, Water And Sewer Reticulation, Electrical And Telecommunications)	

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	6 October 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 Proposed Reconfiguration	29060/439 B	22/10/2015
2.	Combined Services Layout Plan, prepared by Calibre Consulting	15003077-SK03	29/09/2016, amended in red 20 September 2016
3.	Roadworks and Drainage Layout Plan, prepared by Calibre Consulting	15-003077-501	14/03/2016, amended in red 20 September 2016

PREAMBLE

The information contained in this preamble is provided as advice only. It does not form part of the PDA Development Conditions. It has been provided for the purpose of interpreting this PDA Development Approval, including the PDA Development Conditions.

1. STANDARD ADVICE

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 the proposal, it is recommended that you seek professional advice.

2. WORKS EXTERNAL TO THE PDA

When a condition of this PDA development approval requires works external to the PDA, as identified under the heading "Engineering – External to the Priority Development Area" the following information is relevant:

a) Definition of PDA-associated development

"PDA-associated development, for a priority development area, means development that is –

- (a) declared to be PDA-associated development for the area under section 40C(1);*
or
- (b) identified as PDA-associated development for the area in the relevant development instrument for the area."*

(see schedule 1 of the Economic Development Act 2012)

b) Development external to the PDA that is not PDA-associated development

Where a condition of a PDA Development Approval states that works external to the PDA are required as a result of the proposed development and:

- i. the works are not identified as PDA-associated development in the relevant development instrument; and
- ii. the works are not exempt works under the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*; then
- iii. there are two options to obtain approval to undertake work outside the PDA:
 - 1. **Declaration** of PDA-associated development by the MEDQ, by the process detailed in sections 40B and 40C of the *Economic Development Act 2012*; or
 - 2. **Development Approval** under the *Sustainable Planning Act 2009* through the relevant local government authority or planning body.

3. COMPLIANCE ASSESSMENT

Where a condition of this PDA Development Approval requires compliance assessment, then 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 Townsville 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
General		
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> . This applies to following conditions of this approval: • Condition 6 – Retaining Walls • Condition 7 – Filling and Excavation • Condition 8 – Water Main Relocation • Condition 9 – Sewer Reticulation • Condition 10 – Compliance Assessment – Stormwater Management (Quantity) • Condition 16 – Acid Sulfate Soils (ASS) (if required) • Condition 17 – Erosion and Sediment Control	As required by the <i>Certification Procedures Manual</i>
3.	Entry walls or features The provision of entry walls or features is prohibited on roads and open space unless otherwise approved by EDQ Development Assessment, DILGP.	As indicated
Engineering – Internal to the Priority Development Area		
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 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	a) Prior to commencement of works

PDA Development Conditions		
No.	Condition	Timing
	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. 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
5.	Traffic Management Plan a) Submit to EDQ Development Assessment, DILGP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Level 3 qualification or higher. The TMP must include the following: i. provision for the management of traffic around and through the site during and outside of construction work hours; ii. provision of parking for workers and materials delivery during and outside of construction hours of work; planning including risk identification and assessment, staging, etc; iii. ongoing monitoring, management review and certified updates (as required); iv. traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s). b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.	a) Prior to commencement of site works b) At all times during construction
6.	Retaining Walls a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by a RPEQ, of all retaining walls on lot boundaries 1.0m or greater in height. Retaining walls shall be generally in accordance with <i>PDA Practice Note No. 10 – Plans of development</i> unless otherwise approved by EDQ Development Assessment, DILGP.	a) Prior to commencement of site works

PDA Development Conditions		
No.	Condition	Timing
	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 certification from an RPEQ that all retaining wall works 1.0m or greater in height have been constructed generally in accordance with the certified plans required under part a) of this condition.	b) Prior to survey plan endorsement c) Prior to survey plan endorsement
7.	Compliance Assessment - Retaining Walls a) Submit to EDQ Development Assessment, DILGP for compliance assessment, detailed design drawing/s identifying the presentation and construction materials of the retaining wall. b) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by a RPEQ, of all retaining walls on lot boundaries 1.0m or greater in height. Retaining walls shall be generally in accordance with PDA Practice Note No. 10 – Plans of development unless otherwise approved by EDQ Development Assessment, DILGP c) Construct the works generally in accordance with the certified plans required under part a) of this condition. d) Submit to EDQ Development Assessment, DILGP certification from an RPEQ that all retaining wall works 1.0m or greater in height have been constructed generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of site works b) Prior to commencement of site works c) Prior to survey plan endorsement d) Prior to survey plan endorsement
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: - include a geotechnical soils assessment of the site; - be consistent with the Erosion and Sediment Control plans;	a) Prior to commencement of site works

PDA Development Conditions

No.	Condition	Timing
	iii. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; 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.	b) Prior to survey plan endorsement c) Prior to survey plan endorsement
9.	Water Main Relocation a) Submit to EDQ Development Assessment, DILGP detailed water reticulation design plans, certified by a RPEQ, generally in accordance with Council's current adopted standards and the approved plan: • Combined Services Layout Plan prepared by Calibre Consulting, 15003077-SK03, dated 29/09/2016, amended in red 20 September 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 bacterial test results in accordance with Council's current adopted standards.	a) Prior to commencement of works b) Prior to survey plan endorsement c) Prior to survey plan endorsement
10.	Sewer Reticulation a) Submit to EDQ Development Assessment, DILGP detailed sewer reticulation design plans, certified by a RPEQ, generally in accordance with Council's current adopted standards and the approved plan: • Roadworks and Drainage Layout Plan prepared by Calibre Consulting, 15-003077-501, dated 14/03/2016, amended in red 20 September 2016	a) Prior to commencement of works

PDA Development Conditions		
No.	Condition	Timing
	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's current adopted standards.	b) Prior to survey plan endorsement c) Prior to survey plan endorsement
11.	Compliance Assessment – Stormwater Management (Quantity) a) Submit for compliance assessment to EDQ Development Assessment, DILGP, a Site-Based Stormwater Management Plan (SMP), certified by a RPEQ, detailing the pre and post-development stormwater scenarios, including hydraulic calculations for events up to 100 year ARI. The SMP should demonstrate how the pre-existing flow conditions and operation of the state transport corridor will be maintained or improved. b) Submit to EDQ Development Assessment, DILGP detailed design plans and hydraulic calculations, certified by a RPEQ, for the proposed stormwater drainage system generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i> and the endorsed SMP required under part a) of this condition. c) Construct the works in accordance with the certified plans as required under part b) of this condition. d) Submit to EDQ Development Assessment, DILGP "as constructed" plans including an asset register and test results, certified by a RPEQ, in a format acceptable to the Council.	a) Prior to commencement of works b) Prior to commencement of works c) Prior to survey plan endorsement d) Prior to survey plan endorsement
12.	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	Prior to survey plan endorsement

PDA Development Conditions		
No.	Condition	Timing
	to provide underground electricity services.	
13.	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
14.	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
15.	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
Engineering – External to the Priority Development Area		
16.	Stormwater Outlet Works a) Deliver the proposed stormwater outlet works (scour protection and flow path formalisation) that are external to the PDA, to a lawful point of discharge, as generally shown on Roadworks and Drainage Layout Plan, 15-003077-501, amended in red 20 September 2016. b) Submit to EDQ Development Assessment, DILGP "as constructed" plans including an asset register and test results, certified by a RPEQ, in a format acceptable to Council.	a) Prior to survey plan endorsement b) Prior to survey plan endorsement

Landscape and Environment		
17.	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> (as amended from time to time) and relevant guidelines; and ii. certified by a suitably qualified professional in soils and/or erosion sediment control. a) 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
18.	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). 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
Surveying, land transfers and easements		
19.	Land Dedication – Road Dedicate, at no cost, to Council, Lot 5001 as road.	At registration of survey plan
20.	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		
21.	Infrastructure Contributions Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) July 2016 indexed to the date of payment.	In accordance with the IFF

**** End of Package ****