

12 December 2012

ULDA Ref. No: DEV2009/007

Mr Cameron Leggatt
Australand Holdings Limited
3/154 Melbourne Street
SOUTH BRISBANE QLD 4101

Dear Cameron

**RE: SECTION 75(1) CHANGE TO A UDA DEVELOPMENT APPROVAL FOR A UDA DEVELOPMENT PERMIT
FOR A MATERIAL CHANGE OF USE FOR MIXED USE DEVELOPMENT AT MACARTHUR AVENUE,
EAGLE FARM DESCRIBED AS LOT 100 TO 114 ON SP224971**

On 10 December 2012 the ULDA approved the application to change the UDA development approval pursuant to s. 75 of the *Urban Land Development Authority Act 2007*. The Urban Land Development Authority (ULDA) has decided to grant all of the change to the UDA development approval applied for subject to UDA development conditions set out in the attached UDA Development Approval Package.

The UDA development application and the decision notice can also be viewed in the ULDA Development Approvals Register via the ULDA website www.ulda.qld.gov.au.

Should you have any queries in relation to the decision notice, please do not hesitate to contact myself on 07 3024 4166.

Yours sincerely



Matt Toon
PRINCIPAL PLANNER

UDA Decision Notice – Approval

Site information			
Name of urban development area (UDA)		Northshore Hamilton	
Site address		MacArthur Avenue, Eagle Farm	
Lot on plan description	Lot number		Lot description
	Lots 100-114		SP224971
UDA development application details			
ULDA reference number		DEV2009/007	
Lodgement date		21 November 2012	
Type of application		☒ Changing a UDA development approval	
Description of proposal applied for		Development Permit for Material Change of Use For Display Dwelling, Estate Sales Office, Home Office, Multi-unit Dwellings, House, Office, Community Centre, Recreational Club, Restaurant and Shop	
UDA development approval details			
Decision of the ULDA		The ULDA has decided to grant all of the UDA development approval applied for, subject to UDA development conditions forming part of this decision notice	
Original Decision date		27 April 2009	
Change to approval date		10 December 2012	
Currency period		7 Years from Decision Date	
Plans and specification			
The plans and specifications approved by the ULDA and referred to in the UDA development conditions concerning the UDA development approval are detailed below.			
Approved plans, reports and specifications		Number (if applicable)	Date (if applicable)
1.	Building Envelope Plan and Urban Design Principles	DA1-09 Issue B	14.04.09
UDA Development Conditions			
1	Carry Out the Approved Development	Prior to the commencement of	

[illegible]

	neighbourhood structure; and that climatic responsiveness is assisted by providing large shade trees and appropriate finishes. <i>Note: The process for the endorsement of the above mentioned documents and drawings is to be in accordance with the Letter of Agreement signed between the ULDA and the land owner.</i>	
5	Building Design Requirements a) Submit for endorsement by the ULDA plans and a development design report at the preliminary conceptual stage indicating the in-principle nature of the proposed building and related external spaces. <i>Note: The plans and report are to be submitted following the joint consideration of the content by the applicant and the ULDA Design Review Panel.</i> b) Upon endorsement from the ULDA of Part (A) of this condition. Submit for endorsement by the ULDA architectural design details of building elevations including, height, setbacks, façade materials, colours and finishes. The submission must also demonstrate and respond to: - the endorsed building design report from (A) of this condition; - residential development provides adequate private external space and privacy for residents; - buildings must be finished with high quality materials, selected for their durability and the contribution they make to the subtropical character of the area; - the architectural treatment of the external form of buildings avoids large blank walls, and uses openings, setbacks and other detailing to contribute positively to the streetscape; - buildings are designed and managed to contribute to a safe community consistent with CPTED principles; - development is designed, constructed and maintained to attenuate noise from external sources, to minimise the emission of noise, to mitigate environmental harm and to maintain environmental values for the end uses; and - height and setbacks requirements that generally comply with the approved Drawing No. DA1-09 Issue B. <i>Note: The process for the endorsement of the above mentioned documents and drawings is to be in accordance with the Letter of Agreement signed between the ULDA and the land owner.</i>	a) Prior to approval for building works for each precinct stage b) As Indicated
6	Shop & Restaurant <i>The total gross floor area for any use defined as a Shop and/or Restaurant is not to exceed 1,000m².</i>	As indicated
7	Public Access – 24 hours through site Upon completion of the works provide and maintain unimpeded and	Prior to the commencement of use and then to be maintained

	safe 24-hour public access through the public riverwalk, river links, lookout park and piazza areas, and ensuring that access ways are designed to cater for disabled persons in accordance with "Australian Standard AS1428.1".	
8	Community Management Statement Any and all Community Management Statements are to contain the following: a) The landscaping is to be maintained in accordance with the approved plans and maintenance regime. b) Internal collection of refuse and recyclables remains the responsibility of the Body Corporate / Tenants. c) A statement disclosing to purchasers that the site is located in proximity to Brisbane Airport and due to aircraft over-flights may not be afforded the same level of amenity compared with other residential areas.	Prior to the commencement of use for each precinct stage
9	Filling and Excavation Submit to the ULDA an earthworks plan, certified by a Registered Professional Engineer of Queensland (RPEQ), and in accordance with the latest version BCC Subdivision and Development Guidelines.	Prior to commencement of site works for each precinct stage
10	Flood Immunity Design and construct all proposed building levels, floor levels and ancillary structures to have the appropriate freeboard in accordance with Brisbane City Council's "Subdivision and Development Guidelines" (November 2000 version applicable at the date of the Decision Notice) so as not to be flooded during a 50 year ARI local flood event or a 100 year ARI creek or river flood event, whichever is the higher flood level.	Prior to approval for building works and then to be maintained
11	Repair Damage To Kerb, Footpath Or Road 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 drainlines) that may occur during any works carried out in association with the approved development.	Prior to commencement of use
12	Traffic & Transport (a) Detailed design for car-parking, site access, delivery vehicle movement (parking and loading), solid waste storage and removal, public transport and pedestrian and cyclist facilities shall be undertaken in accordance with the recommendations and assumptions made within the "Development Application – Planning Assessment Report" dated January 2009 and prepared by Buckley Vann Town Planning Consultants, and the supplementary information included in the "Northshore Australand ULDA Application – Traffic and Transport Assessment Response to PB Memorandum" dated 27 February 2009 and prepared by Cardno Eppell Olsen and with reference to BCC Transport, Access, Parking and Servicing Policy. Certification by a suitable qualified traffic and transport Registered Professional Engineer or Queensland (RPEQ - Traffic) is required prior to the submission of the building plans for approval. Onsite car parking is to be provided at the rates	As Indicated

	identified in table 1 of Section 3.8 (Transport, Access, On-site parking and Servicing) of the ULDA Northshore Hamilton Urban Development Area development Scheme unless otherwise agreed as part of the endorsement process pursuant to Condition 5 of this approval. (b) All internal roads must be designed in accordance with the latest version of AustRoads Design Guidelines, unless stated otherwise. These guidelines shall be utilised during the design phase through to post construction. On completion of works, the applicant must provide a letter from a Registered Professional Engineer of Queensland (RPEQ – Civil), that all internal roads have been constructed in accordance with relevant <i>AustRoads Design Guidelines</i>. (c) The development car parking must comply with the provisions of the <i>Australian Standard/New Zealand Standard for Off-street Car Parking (AS/NZ 2890.1-2004)</i> or <i>BCC Transport, Access, Parking and Servicing Policy</i> as determined above. On completion of works, the applicant must provide a letter from a Registered Professional Engineer of Queensland (RPEQ – Civil), that any car parking for this development has been constructed in accordance with <i>AS/NZ 2890.1-2004</i> or <i>BCC Transport, Access, Parking and Servicing Policy</i> as determined above.	
13	Construction Management Plan Prepare and implement a site based construction management plan that will include but not be limited to: a) provision for the management of traffic around and through the site during and outside of construction work hours; b) provision for parking and materials delivery during and outside of construction hours of work; c) Management of sedimentation, erosion and dust generated from the site during and outside construction work hours; d) Ensure that no material of any description to be deposited within the area of a waterway corridor; e) Practices employed to efficiently sort and minimise waste and maximise recycling opportunities; f) Management of groundwater and surface water collection, treatment and disposal to accepted environmental standards; g) Management of Acid Sulfate soils in accordance with management plans prepared specifically for this site; h) Management of rock anchors and other treatment systems used to ensure soil stability during excavation and foundation works in accordance with geotechnical reports prepared specifically for this site; and i) Management of contaminated soils, including removal, treatment and replacement in accordance with site remediation plans	Prior to commencement of site works for each precinct stage

	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. 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.	
14	Soil Erosion and Sediment Control Sediment, erosion and dust control measures must be implemented in accordance with the <i>Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites</i> (The Institution of Engineers, Australia Queensland Division June 1996) as a minimum standard. Sediment control structures (eg sediment fence) must be placed at the base of all materials imported on-site to trap any sediment runoff. The following inspection program must be carried out until the site is fully rehabilitated: - Regular inspections to ensure that adequate erosion control measures are in place and in good condition both during and after construction; and - Inspections after each storm event to assess the adequacy of the erosion control measures. The developer must rectify any damage or non-performing erosion control devices and clean up any sediment that has left the site or is on the roads within and external to the site.	While site works are occurring and then to be maintained for each precinct stage
15	Water, Sewerage and Stormwater infrastructure. - The applicant shall seek and obtain approval from the relevant infrastructure owner to connect to water and sewerage, prior to the commencement of any water or sewerage infrastructure work on site. - The detail design of the water, sewerage and stormwater infrastructure shall be undertaken by a suitably qualified and experienced professional engineer and the design checked and certified by a Registered Professional Engineer Queensland (RPEQ- Civil), certify that all works have been inspected and been constructed in accordance with their design and is fit for purpose when considered against the commonly accepted and appropriate AUS/NZ standards and relevant Brisbane City Council policies and guidelines. - Upon completion and certification of the works the developer shall prepare and provide to the ULDA "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 commonly accepted and appropriate AUS/NZ standards, Brisbane City Council guidelines and relevant legislation.	Prior to commencement of use for each precinct stage

16	Public utility easements Where necessary, public utility easements must be provided, in favour of and at no cost to Brisbane City Council, over Council only infrastructure (ie. Drainage, infrastructure that becomes contributed assets) located in private land. The terms of the easements must be to the satisfaction of the Chief Executive Officer, and the easement documents must be executed prior to the earlier of the endorsement of survey plans or the commencement of the use of the premises.	Prior to commencement of use for each precinct stage
17	Geotechnical Obtain a full geotechnical investigation and report, further to the reports "<i>Proposed Northshore Development, Eagle Farm</i>" by Soil Surveys dated 26 April, 2007 and "<i>Preliminary Geotechnical Investigation Lots 1 & 3 Hamilton Northshore Macarthur Avenue, Eagle Farm</i>" by Butler Partners Pty Ltd dated 25 August, 2008. The report must incorporate a gap analysis to ensure sufficient data and analysis is obtained including field survey and testing, associated laboratory investigation and geotechnical analysis to support the detailed structural design for the proposed development in consideration of groundwater and acid sulfate soils. The Geotechnical report shall reference both previous reports referred to above and be prepared by suitably qualified and experienced professionals and checked by a Registered Professional Engineer Queensland who will certify that it is appropriate and provides sufficient information to support detailed design. The report shall address but not be limited to: • River Bank and boardwalk slope stability including survey of the river bed profile. As part of the gap analysis for the slope stability a consideration must include the need for further test bores and geotechnical strength parameters. • Compaction of existing and imported fill, pavement and foundation design and settlement. Further testing of the soils is required to confirm settlement parameters and the degree of consolidation that has occurred in the past. • Nomination of optimal foundation types and founding depths for each structure. The gap analysis should consider what further drilling at these structures is needed. • Develop relevant and specific site earthworks, groundwater and erosion controls for all structures. Existing generalised report data to be extended to include site and building specific methodologies.	Prior to site works commencing for each precinct stage Prior to commencement of use for each precinct stage
18	Acid Sulfate Soils Obtain an Acid Sulfate and Groundwater investigation and report, further to the report "<i>Proposed Northshore Development, Eagle Farm</i>" by Soil Surveys dated 26 April, 2007. The report must include sufficient field survey and testing, and associated laboratory investigation and modelling to support the detailed structural design and site management for the proposed development. The Acid Sulfate and Groundwater management report shall be prepared by suitably qualified and experienced professionals, checked and certified that it is appropriate and provides sufficient	Prior to site works commencing for each precinct stage Prior to commencement of use for each precinct stage

	information to support detailed design. The proposed development shall not result in any adverse impact on the surrounding properties and receiving environment as a consequence of the exposure of acid sulfate soils or the removal of groundwater. The development construction shall proceed in accordance with the certified Acid Sulfate and Groundwater Management Plan which will be integrated with the site based construction management plan.	
19	Acoustics Submit to the ULDA certification from a suitability qualified RPEQ that appropriate noise attenuation measures have been incorporated into building construction to minimise noise impacts and achieve an acceptable level of indoor acoustic amenity for future residents generally in accordance with Australian Standard AS2021 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.	Prior to commencement of use for each precinct stage
20	Public Lighting Install and maintain a suitable system of lighting to operate from dusk to dawn within all areas where the public will be given access. Enter into an agreement with an electricity supplier to provide a lighting system in accordance with the above approved lighting design plans.	Prior to commencement of use for each precinct stage
21	Telecommunications Telecommunication services within and adjacent to the proposed development are not to be visually obtrusive with no overhead wiring permitted.	Prior to commencement of use for each precinct stage
22	Electricity (Underground Supply Area) Provide underground electricity services in accordance with an approved electricity reticulation plan and the BCC's "Subdivision and Development Guidelines".	Prior to commencement of use for each precinct stage
23	Service Conduits & Mains Supply and install all service conduits and meet the cost of any alterations to public or private utility mains, existing mains, services or installations required in connection with the approved development in accordance with the BCC's "Subdivision and Development Guidelines".	Prior to commencement of use for each precinct stage
24	Public Realm Works Undertake high quality public realm works within the areas shown on the approved Drawing No. DA1-09 Issue B as follows: • public piazza; • riverwalk; • lookout park; and • mangrove walk. The completion of the works will be undertaken prior to the commencement of any use of the stage of development referred to for each area above. These works are to include: • footpath and public pedestrian areas; • public lighting; • awning treatment and lighting;	Prior to commencement of use and to be maintained for each precinct stage

	• shade structures; • driveway materials and finishes; and • street trees to enhance the subtropical riverside character of the area. This work is to be carried out in accordance with the following standards: • AS1428.1 <i>Design of Access and Mobility</i>; • AS1428.4 Tactile Ground Surface Indicators; • Best Trade Practice (Part B of the Compliance Certificate – Landscape Works); • AS/NZS 1158.3.1, 1999 Pedestrian Area Lighting. This work is to be certified by a suitably qualified urban design/landscape architect professional in accordance with the <i>ULDA Certification Procedures Manual</i>. On completion of this work submit written certification and “as constructed” plans to the ULDA demonstrating compliance with this condition.	
25	Building Sustainability Requirements a) Integrated Water Management Plan Submit to the ULDA a site based Integrated Water Management Plan incorporating Water Sensitive Urban Design which details building specific water saving, storage and reuse practices. b) Energy Conservation Submit to the ULDA certification from a suitably qualified professional that the following have been achieved or investigated: • climate responsive building and site design to maximise air circulation and to minimise the need for artificial heating and cooling; • use of energy and thermo-efficient building materials; • use and re-use of renewable construction materials; • use of available renewable energy sources; • provision of energy efficient appliances, and • enhancement of community awareness of personal contribution in reducing greenhouse gas emissions. c) Waste Management Plan Submit to the ULDA a Waste Management Plan which details building specific waste management and recycling programs.	Prior to commencement of use for each precinct stage
26	Detailed Landscape Plan Prepare a detailed Landscape Plan for each building’s private property landscape area. This work is to be certified by a suitably qualified landscape architect professional. On completion, provide written certification from a licensed and experienced Landscape Architect or Landscape Contractor that the completed landscaping complies with the detailed landscape plan.	Prior to commencement of use for each precinct stage
27	Pre-Construction Certification	Prior to commencement of site

	No work shall commence until the ULDA acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with <i>ULDA Certification Procedures Manual</i> .	works for each precinct stage
28	Post-Construction 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 endorsed plans, approved modifications.	Prior to commencement of use for each precinct stage
29	Dedicate as Road Dedicate as road the areas shown as Macarthur Avenue and Macarthur Link as indicated the approved drawings and documents. A copy of the survey plan together with a written request for the preparation of legal documentation is to be lodged with the Urban Land Development Authority: - In respect of Macarthur Avenue – prior to the issue of a building approval for the first stage of construction and - In respect of Macarthur Link – prior to the issue of a building approval for any development proposed to be undertaken in the Mixed Use Precinct Part A or B as indicated on the approved Building Envelope Plan and Urban Design Principles number DA1-09 Issue B dated 14.04.09 .	As indicated
30	Provide 3D Computer Model Submit to the Urban Land Development Authority a three dimensional computer model at each construction stage of the development at a time and in a format and level of detail to be advised by the Authority.	Prior to commencement of use of the final precinct stage
31	Hamilton Rock Training Wall Prepare a statement of significance and if necessary provide recommendation on preservation, protection and on-going maintenance of the Hamilton rock training walls along the Brisbane River frontage of the site.	Prior to commencement of site works
32	Submit Marine Vegetation Management Plan Submit and implement a certified Marine Vegetation Management Plan (MVMP) showing: - The extent of the MVMP is to include evaluation of all areas including, proposed road reserves, walkways, external works and development areas; - The location and extent of all site works including all proposed infrastructure, walkways and areas of earthworks; - Detail design of all civil works is to be cognisant of marine environmental values. Alternative solutions may be required in some instances, to protect significant marine vegetation; and - A description of all measures to be used to protect marine vegetation and habitat features to be retained during construction, including protective fencing.	Prior to commencement of site works

	The MVMP is to be certified by a suitability qualified ecologist or environmental specialist.	
33	Riverwalk Construct a public riverwalk along the full river frontage as indicated on the Drawing No. DA1-09 Issue B. The design, construction and quality of the Riverwalk should be generally consistent with Brisbane City Council's Public Riverside Facilities Design Manual and AUSTROADS Standards parts 13 and 14. A Right of Way easement for Public access over the riverwalk is to be granted in favour of Brisbane City Council on terms and conditions acceptable to the BCC including such terms that the developer will be responsible for all maintenance lighting, safety, public risk and insurance, disabled access and all liabilities that Council may incur under section 366 of the Land Act and its successors and will provide unobstructed public access at all times.	Prior to commencement of use for the first precinct stage
34	Infrastructure Contributions <i>Pay to the Urban Land Development Authority a monetary contribution towards the cost of infrastructure as specified by the Brisbane City Council Infrastructure Contributions Planning Scheme Policy for each stage at the rates applicable at the time of payment.</i> No development may be occupied or use commenced until the infrastructure contributions have been paid to the ULDA or an agreement has been entered into about infrastructure contributions.	Prior to commencement of use for each precinct stage

STANDARD ADVICE

Food Hygiene

All development involving the preparation, packing, storing, handling, serving, selling or carrying of food requires that its design, installation and operation be approved pursuant to the *Food Hygiene Regulations of 1989*. The premises are required to be registered and the operator is to hold a licence with Brisbane City Council to operate the business under the above regulations.

Licences can be obtained from Brisbane City Council-Licensing & Compliance. To obtain a Licence Information Kit contact their call centre on 3403 8888.

Prior to building works plans and specifications are to be lodged for approval to Brisbane City Council-Licensing & Compliance.

Equitable Access

Ensure that there is equitable access for disabled persons to and within the site in accordance with the Queensland Anti-Discrimination Act 1991, the Federal Disability Discrimination Act 1992 and Australian Standard AS1428 Parts 1-4 Australian Standard for Access and Mobility.

You are notified of your responsibility to ensure that access is appropriately designed and constructed for all users as required by relevant legislation and standards. This development approval does not indicate that the proposal complies with these requirements. Determination of compliance with these requirements is the sole responsibility of the owner/builder/developer of the proposal.