



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: DEV2015/682/6

11 June 2018

Brookes JV Pty Ltd
C/- Mr. Andrew Crawford
Wolter Consulting Group
PO Box 436
NEW FARM QLD 4005

Dear Andrew

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE RESIDENTIAL (130 DWELLING UNITS), BUSINESS, OFFICE, FAST FOOD PREMISES, FOOD PREMISES, SHOP, SHOWROOM, STORAGE AND DISPLAY FACILITIES (207M²) AT 61 BROOKES STREET, BOWEN HILLS DESCRIBED AS LOT 3 ON RP910687

On 11 June 2018 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 be viewed in the MEDQ Development Approvals Register via the Department website www.dsdmip.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Matthew Brown on (07) 3452 7098.

Yours sincerely

Beatriz Gomez
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
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PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	61 Brookes Street, Bowen Hills QLD 4006	
Lot on plan description	Lot number	Plan description
	3	RP910687
PDA development application details		
DEV reference number	DEV2015/682/6	
'Properly made' date	28 May 2018	
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	Multiple Residential (130 dwelling units) and Business, Office, Fast Food Premises, Food Premises, Shop, Showroom, Storage and Display Facilities (207m ²)	

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: Amendment to the package of superior design outcomes.
Original Decision date	14 October 2015
Change to approval date	11 June 2018
Currency period	4 years from 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.

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Statement of Proposed Superior Design Outcomes – amended May 2018		
Plans and documents previously approved on 14 October 2015		Number (if applicable)	Date (if applicable)
1.	Site Plan	SD 1003, Issue 00	07/05/15
2.	Floor Plan – Ground floor	SD 2010, Issue 03	22/07/15
3.	Floor Plan – Ground floor mezzanine	SD 2010.M, Issue 03	22/07/15
4.	Floor Plan – Level 01 Podium Carparking	SD 2011, Issue 02	22/07/15
5.	Floor Plan – Level 02 Podium Carparking	SD 2012, Issue 02	22/07/15
6.	Floor Plan – Level 03 Podium Carparking	SD 2013, Issue 02	22/07/15
7.	Floor Plan – Level 04 Podium Carparking	SD2014, Issue 02	22/07/15
8.	Floor Plan – Level 05	SD 2015, Issue 02	22/07/15
9.	Floor Plan – Typical Level 06-11	SD 2016, Issue 02	22/07/15
10.	Floor Plan – Typical Level 12, 14, 16	SD 2017, Issue 02	22/07/15
11.	Floor Plan – Typical Levels 13, 15, 17	SD 2018, Issue 02	22/07/15
12.	Roof Plan – Level 18 – Roof Terrace	SD 2101, Issue 03	22/07/15
13.	Roof Plan	SD 2102, Issue 03	22/07/15
14.	GFA Diagrams	SD 2801, Issue 03	22/07/15
15.	PWD Plans	SD 2803, Issue 01	22/05/15

16.	Podium Elevation – East	SD 2807, Issue 00	22/07/15
17.	Elevation – North	SD 3001, Issue 01	22/07/15
18.	Elevation – East	SD 3002, Issue 02	07/10/15
19.	Elevation – South	SD 3003, Issue 01	22/07/15
20.	Elevation – West	SD 3004, Issue 01	22/07/15
21.	Section A	SD 3101, Issue 01	22/07/15
22.	Section B	SD 3102, Issue 01	22/07/15
23.	Section C	SD 3103, Issue 01	22/07/15
24.	Section D	SD 3104, Issue 01	22/07/15
25.	61 Brookes St, Fortitude Valley, prepared by Larc Collective	Revision B	05 May 2015
26.	Sustainable Design Initiatives Short Form Report, prepared by Energy Concepts Group	Revision C	06 May 2015
27.	Site Based Stormwater Management Plan – Quality, prepared by BG Group	Version 3	27 th July 2015
28.	Environmental Noise Assessment Report prepared by TTM	15BRA0015 R01	24/07/15
29.	Concept Bulk Earthworks Plan prepared by BG Group	C15-194 SK02 Rev B	08/05/15
30.	Concept Bulk Earthworks Sections prepared by BG Group	C15-194 SK03 Rev B	08/05/15

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, DSDMIP 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, DSDMIP 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, DSDMIP 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, DSDMIP **within 20 business days** from the date of the notice.
 - v. **within 20 business days** – EDQ Development Assessment, DSDMIP 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, DSDMIP 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, DSDMIP 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 Infrastructure, Local Government and Planning, effective 16 October 2017 (as amended from time to time)
3. **Council** means Brisbane City Council.
4. **DSDMIP** means The Department of State Development, Manufacturing, Infrastructure 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/or documents.	Prior to commencement of use
2.	Maintain the approved development Maintain the approved development (including landscaping, parking, driveways and other external spaces) in accordance with the approved drawing(s) and /or documents, and any relevant DSDMIP or other approval required by the conditions.	As indicated
3.	Community Management Statement Any Community Management Statement for the development must include the following requirements: a) Ensure evidence of adequate public liability insurance; b) Ensure the provision on-site for 7 visitor parking spaces remains available for use by all bona-fide visitors, guests or invitees of the site's tenants; c) Delineate and sign one (1) car share space to be provided at Ground Floor and accessible for use at all times; d) Maintain a directional visitor parking sign at the vehicle entrances to the site adjacent to, or clearly visible from, the vehicle entrance to the site; e) Maintain the acoustic damping of any metal grills, metal plates or similar subject to vehicular traffic to prevent environmental nuisance; f) Maintain all areas, including the collection of refuse, repair of infrastructure, reinstatement of damaged infrastructure etc; and g) Access for service authorities to enter the site to undertake all necessary work.	Prior to Building Format Plan endorsement

Engineering

4.	Construction Management Plan a) Submit to EDQ Development Assessment DSDMIP a Site Based Construction Management Plan prepared by the principal site contractor that includes but is not necessarily limited to the following: i. management of noise and dust generated from the site during and outside construction work hours; ii. Management of 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; and iii. management of 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 construction management plan 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.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP) prepared and certified by a person holding a current Traffic Management Level 3 qualification or higher. The TMP must ensure adverse traffic impacts are minimised during construction. The TMP must include: i. provision for the management of traffic around and through the site during and outside of construction work hours; ii. provision for worker parking and materials delivery during and outside of construction hours of work; iii. planning including risk identification and assessment, staging, etc.; iv. implementation; v. monitoring and measurement; vi. management review; and vii. traffic control plans or traffic control diagrams in accordance with Manual of	a) Prior to commencement of site works

Engineering		
	Uniform Traffic Control Devices (MUTCD) for any temporary part or full road closures of any Council road(s). b) Implement the certified TMP, which must be current and available on site at all times.	b) At all times during construction
6.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans certified by a RPEQ, generally in accordance with the approved concept plans. 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, DSDMIP certification by 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 commencement of use c) Prior to commencement of use
7.	Vehicle Access Construct vehicle crossovers generally in accordance with the approved plans and Council's adopted standards.	Prior to commencement of use and to be maintained
8.	Car Parking a) Provide car parking spaces, delineated and signed generally in accordance with the approved plans. b) Car parking spaces are to be designed in accordance with <i>AS2890 – Parking Facilities</i>. c) Demonstrate parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained
9.	Bicycle Parking a) Provide bicycle parking facilities delineated and signed generally in accordance with the approved plans. b) Bicycle parking spaces are to be designed in accordance with <i>AS2890.3 – 1993 Bicycle parking facilities</i>. c) Demonstrate bicycle parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained

Engineering		
10.	Water connection Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
11.	Sewer connection Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards. Advice Note <i>At the time of this approval, the downstream sewerage network did not have sufficient capacity to service the development. A trunk sewer augmentation from St Pauls Terrace to Ann Street is expected to be constructed by others and completed by the end of 2016. When completed, this trunk sewer augmentation will provide sufficient capacity to service the development.</i> <i>Where the commencement of use is prior to the completion of the Ann Street connection sewer works, and subject to QUUs approval, EDQ provides in principle support for a temporary solution such as an on-site storage tank and off-peak pump out system. Offsets may be available to cover the reasonable costs of the temporary solution.</i>	Prior to commencement of use
12.	Stormwater connection Connect the development to a lawful point of discharge with 'no-worsening' to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability (AEP) in accordance with Council's current adopted standards.	Prior to commencement of use
13.	Stormwater Quality Install stormwater treatment devices (first flush devices and filter baskets) generally in accordance with the recommendations in the approved Site Based Stormwater Management Plan – Quality C15-194 SBSMP Quality Version 3 dated April 2015 prepared by BG Civil.	Prior to commencement of use
14.	Outdoor Lighting Outdoor lighting within the development shall be designed and installed to minimise light spill in the adjacent residential properties in accordance with AS 4282:1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use and to be maintained

15.	Electricity Submit to EDQ Development Assessment DSDMIP either: a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the development; or b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.	Prior to commencement of site works
16.	Telecommunications Submit to EDQ Development Assessment DSDMIP documentation from an authorised telecommunication service provider confirming that satisfactory agreements have been made for the provision of underground telecommunication services to the proposed development.	Prior to commencement of site works
17.	Broadband Submit to EDQ Development Assessment DSDMIP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the <i>Telecommunications Act 1997 (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 site works
18.	Gas If required, submit to EDQ Development Assessment, DSDMIP documentation from an authorised gas service provider confirming that an agreement has been entered into for the provision of underground gas services to the proposed development.	Prior to commencement of use
19.	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 commencement of use

Landscape and Environment		
20.	Landscape Works a) Submit to EDQ Development Assessment, DSDMIP detailed landscape plans certified by an AILA registered Landscape Architect for improvement works within the proposed development generally in accordance with the approved plans. b) Construct the works generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of works b) Prior to commencement of use and to be maintained
21.	Compliance Assessment – Public Streetscape Improvements a) Submit for compliance assessment to EDQ Development Assessment, DSDMIP detailed landscape plans for all proposed public streetscape works, certified by an AILA registered Landscape Architect and generally in accordance with Council's <i>Schedule 6 Planning Scheme Policy SC6.16 Infrastructure design planning scheme policy</i>. Where applicable, the detailed streetscape plans are to include: i. a schedule of proposed standard and non-standard assets to be transferred to Council; ii. location and type of street lighting in accordance with Australian Standard AS1158 – '<i>Lighting for Roads and Public Spaces</i>'; iii. footpath treatments; iv. location and types of streetscape furniture; v. location and size of stormwater treatment devices; and vi. street trees, including species, size (semi-advanced), spacing and location generally in accordance with the Council's adopted planting schedules and guidelines. b) Construct the works generally in accordance with the endorsed plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP 'As Constructed' plans and asset register, in a format acceptable to Council, certified by an AILA registered Landscape Architect.	a) Prior to commencement of streetscape works b) Prior to commencement of use c) Prior to commencement of use

Landscape and Environment		
	and dated 6 May 2015.	
Surveying, land transfers and easements		
27.	Easements over Infrastructure Public utility easements must be provided, in favour of and at no cost to the grantee, over infrastructure located in land 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 commencement of use or endorsement of a Building Format Plan, whichever occurs first
Architecture and Design		
28.	Window sill treatments Window sills on all ground floor and Shop tenancies are to be within 0-300mm above the corresponding footpath level. The use of reflective glass for all Shops on the Ground level is not appropriate.	Prior to commencement of use
29.	Compliance Assessment – External materials and colours a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment, drawings illustrating the facades, external materials, colours and finishes, generally in accordance with the approved plans. b) Carry out the works in accordance with the endorsed plans required by part a) of this condition.	a) Prior to commencement of building works b) Prior to commencement of use
30.	Compliance Assessment – Artwork a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment, drawings illustrating the artwork proposed along the Brookes Street frontage, identified on the approved plans. b) Carry out the works in accordance with the endorsed plans required by part a) of this condition.	a) Prior to commencement of building works b) Prior to commencement of use
Affordable and Accessible Housing		
31.	Affordable Housing Submit to EDQ Development Assessment, DSDMIP evidence that the approved development delivers 7 affordable units in accordance with the <i>PDA (ULDA) Guideline no. 16 Housing</i> .	Prior to commencement of use

32.	Accessible Housing Submit to EDQ Development Assessment, DSDMIP evidence that the approved development delivers 14 accessible units, generally in accordance with the approved plans.	Prior to commencement of use
Infrastructure Charges		
33.	Infrastructure Contributions Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) July 2015 indexed to the date of payment.	In accordance with the IFF

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 ****