



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

Our ref: DEV2017/876/2

18 October 2018

Perpetual Corporate Trust Limited ATF 41G Investments Trust
C/- Mr Michael Cattoni
Urbis Pty Ltd
Level 7, 123 Albert Street
BRISBANE QLD 4000

Dear Michael

**SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA
DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – FOOD AND
DRINK OUTLETS AND EXTENSION TO EXISTING OFFICE AT 41 GEORGE
STREET, BRISBANE DESCRIBED AS LOT 1 ON RP159900**

On 18 October 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 Karina McGill on 3452 7518.

Yours sincerely

Jeanine Stone
**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)	Queens Wharf Brisbane	
Site address	41 George Street, Brisbane	
Lot on plan description	Lot number	Plan description
	Lot 1	RP159900
PDA development application details		
DEV reference number	DEV2017/876	
'Properly made' date	26 September 2018	
Type of application	☒ Changing a PDA development approval	
Description of proposal applied for	Material Change of Use – Food and Drink Outlets and extension to existing Office (Stages 1 & 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: ▪ Change to colour of podium batten screens from black to silver; ▪ New handrails, tactile and nosings to entry stairs off George and Margaret Street; ▪ Change to awning size and length along George Street; ▪ Realignment of fire egress to south-west of existing lift well; ▪ Correction of errors on Basement 1 car parking layout plan. ▪ Amended bicycle parking arrangements within the building basement. ▪ Provision of metal roof instead of rooftop terrace above podium.
Original Decision date	10 November 2017
Change to approval date	18 October 2018
Currency period	6 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.	GA Plan Basement 01	B3707_120 Issue 10	04.07.18
2.	GA Plan Ground Sheet 01	B3707_121 Issue 13	06.06.18
3.	GA Plan Ground Sheet 01	B3707_122 Issue 11	04.07.18
4.	GA Plan Level 01	B3707_123 Issue 9	06.08.18
5.	GA Plan Level 02	B3707_124 Issue 7	04.07.18
6.	Building Elevations	B3707_201 Issue 4	06.08.18 (As Amended in Red 10 October 2018)
7.	Building Sections	B3707_301 Issue 4	06.08.18

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, 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, DSMIP 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 State Development, Infrastructure and Planning, 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.

	strategies/measures; and v) a community engagement strategy and outcomes therefrom. b) Undertake all works generally in accordance with the approval obtained under part a) of this condition.	b) As indicated
5.	Bicycle Parking a) Provide bicycle parking facilities delineated and signed generally in accordance with the following approved plans: i. GA Plan Basement 01, B3707_120 Issue 10, dated 04.07.2018 b) Bicycle parking spaces are to be designed in accordance with AS2890.3 – 1993 <i>Bicycle parking facilities</i>.	a) Prior to commencement of use of the relevant stage and to be maintained b) Prior to commencement of use of the relevant stage and to be maintained
6.	Public Infrastructure - Damage, Repairs and Relocation Repair any damage to existing public infrastructure (including the original Brisbane tuff kerbing) that occurs 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 of the relevant stage
7.	Retaining Walls a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by an RPEQ, of all retaining walls 1.0m or greater in height. 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 by a RPEQ that all retaining wall works, 1.0m or greater in height, have been carried out generally in accordance with the certified plans.	a) Prior to commencement of site works b) Prior to commencement of use for each stage c) Prior to commencement of use for each stage
Public Realm, Built Form and Environment		
8.	Compliance Assessment – External Materials and Colours a) Submit to EDQ Development Assessment, DILGP for compliance assessment, a schedule of materials and accompanying plans illustrating the external materials, colours and finishes of the development (including the Margaret Street retaining wall), generally in accordance with the approved plans.	a) Prior to commencement of buildings works for the relevant stage

	The schedule of materials should address the following: i) the level of light reflectivity from the glazing incorporated in the approved development does not exceed 20% b) Carry out the works in accordance with the endorsed plans required by part a) of this condition.	Prior to the commencement of use for the relevant stage
9.	Compliance Assessment – Public Realm Works a) Submit to EDQ Development Assessment, DILGP for compliance assessment a detailed public realm plan, certified by an AILA, for improvement works, including landscape and streetscape works, within the proposed development. The detailed public realm plan should detail the following: i) Compliance with the relevant Brisbane City Council Planning Scheme Codes/Policies; ii) Lighting design for the public realm, including full street frontage of the development and under-awning lighting. Lighting design should comply with <i>AS 115.3.1 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and Design requirements</i>; iii) Proposed finished levels of the surface levels at the site/lot boundary; iv) Detailing the supply, installation and maintenance of artworks; v) Proposed ground floor levels; vi) Awnings including location, height and materials. A minimum clearance of 1.5m must be provided between any tree trunk and the awning; vii) Balustrades or any other structures; viii) Location and description of street furniture; ix) Hazard and/or directional tactile ground surface indicators; x) Reconstruction of kerb and channel; xi) Reconstruction of kerb ramps; xii) A landscape plan identifying: • Raised planters must have adequate width, depth and suitability of soil for the proposed planting; • Materials specifications; and • Proposed planting plan, including species, size (semi-advanced), spacing and location. b) Carry out the works in accordance with the endorsed plans required by part a) of this condition.	a) Prior to commencement of public realm works for the relevant stage b) Prior to the commencement of use for the relevant stage and to be maintained

	c) Submit to EDQ Development Assessment, DILGP certification by an AILA that the works have been constructed in accordance with the endorsed detailed public realm plan.	c) Prior to the commencement of use for the relevant stage
10.	Outdoor Lighting Outdoor lighting within the development shall be designed and installed 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
11.	Retain and Protect Existing Street Tree(s) Identify, retain and protect the existing street trees unless otherwise agreed in writing by EDQ Development Assessment, DILGP.	At all times during construction
12.	Erosion and Sediment Management a) Prepare 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 Council's <i>Erosion and Sediment Control Standard (Version 9 or later)</i> . 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
13.	Infrastructure Contributions Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF), dated 1 July 2017 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 ****