



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

Our ref: DEV2016/760/14

22 March 2019

Brookfield Residential Properties
C/- Saunders Havill Group
Att: Ms Anna Havill
9 Thompson Street
BOWEN HILLS QLD 4006

Email: annahavill@saundershavill.com

Dear Anna

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A STAGED MATERIAL CHANGE OF USE – MULTIPLE RESIDENTIAL (UP TO 315 DWELLING UNITS), SHOP, FOOD PREMISES, INDOOR ENTERTAINMENT AND TOURIST FACILITY AT 11, 23, 221A, 1A, 39A AND 601/39 MACARTHUR AVENUE AND 39 HERCULES STREET, HAMILTON, FORMERLY DESCRIBED AS LOTS 61 AND 62 ON SP231794, LOT 1 ON SP224040, CTS 36242, LOT 904 ON SP231750, LOT 601 ON SP172640 AND LOT 919 ON SP236574

On 21 March 2019 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 of Infrastructure, Local Government and Planning website <https://www.dsdmip.qld.gov.au/edq/priority-development-area-development-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Rachael Grimes via email at rachael.grimes@dsdmip.qld.gov.au or on 3452 7098.

Yours sincerely

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

Minister for Economic Development
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ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	11, 23, 221A, 1A, 39A and 601/39 Macarthur Avenue and 39 Hercules Street, Hamilton	
Lot on plan description at original decision date	Lot number	Plan description
	Lots 61	SP231794
	Lots 62	SP231794
	Lot 1	SP224040
	Lot 904	SP231750
	Lot 601	SP172640
	Lot 919	SP236574
	CTS 36242	
PDA development application details		
DEV reference number	DEV2016/760	
'Properly made' date	24 January 2019	
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	PDA development permit for a Material Change of Use for Multiple Residential (Up to 315 Dwelling Units), Shop, Food Premises, Indoor Entertainment and Tourist Facility	

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: • reduction in the total number of approved dwelling units by 4 (now 315 dwelling units) • modified basement level to decrease approved car parks by 1 space and expansion of refuse area • modified ground level, site plan and ground floor details plans to: ○ reduce eastern podium setback for building 16B by 0.79m ○ reconfigure lobby entry to building 16A ○ include additional structural columns ○ remove 162m² of retail GFA • modified floor plans for building 16A (levels 13 and 15) and building 16B (levels 3 and 7) to amalgamate dwelling units • consequential updates to Condition 36 – Infrastructure Charges • new Condition 37 – Dwelling Unit Amalgamation – Compliance Assessment.
Original Decision date	17 June 2016
1 st Change to approval date	2 March 2017
2 nd Change to approval date	21 July 2017
3 rd Change to approval date	21 March 2019
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.	Location Plan	SD 1001 Issue 14	28/02/2019
2.	Site Plan: Ground	SD 1002 Issue 19	28/02/2019
3.	Floor Plan – Basement 01	SD 2003 Issue 23	11/12/2018
4.	Floor Plan – Ground Floor	SD 2004.0 Issue 28	28/02/2019
5.	Floor Plan – Mezzanine Level	SD 2005 Issue 20	11/12/2018
6.	Floor Plan – Podium 01	SD 2006 Issue 20	11/12/2018
7.	Floor Plan – Podium 02	SD 2007 Issue 15	11/12/2018
8.	Floor Plan – Level 03 Podium	SD 2008.0 Issue 18	11/12/2018
9.	Floor Plan – Level 03 – Enlarged 16A	SD 2008.1 Issue 07	11/12/2018
10.	Floor Plan – Level 03 – Enlarged 16B	SD 2008.2 Issue 07	11/12/2018
11.	Floor Plan – Level 04 to 09	SD 2009.0 Issue 08	11/12/2018
12.	Floor Plan – Level 04 to 09 – Enlarged 16A	SD 2009.1 Issue 09	11/12/2018
13.	Floor Plan – Level 04 to 13 – Enlarged 16B	SD 2009.2 Issue 07	11/12/2018
14.	Floor Plan – Level 10 to 13	SD 2010.0 Issue 15	11/12/2018
15.	Floor Plan – Level 10 to 14 – Enlarged 16A	SD 2010.1 Issue 16	11/12/2018
16.	Floor Plan – Level 14	SD 2011.0 Issue 38	11/12/2018
17.	Floor Plan – Level 14 to 16 – Enlarged 16B	SD 2011.1 Issue 05	11/12/2018
18.	Floor Plan – Level 15 to 16	SD 2012.0 Issue 16	11/12/2018
19.	Floor Plan – Level 15 to 17 – Enlarged 16A	SD 2012.1 Issue 06	11/12/2018
20.	Floor Plan – Level 17	SD 2013.0 Issue 13	11/12/2018
21.	Floor Plan – Level 17 – Penthouse – Enlarged 16B	SD 2013.1 Issue 07	11/12/2018
22.	Floor Plan – Level 18 – Penthouse	SD 2014.0 Issue 13	11/12/2018
23.	Floor Plan – Level 18 – Penthouse – Enlarged 16A	SD 2014.1 Issue 08	11/12/2018
24.	Floor Plan – Level 18 – Enlarged 16B	SD 2014.2 Issue 08	11/12/2018
25.	Floor Plan – Level 19	SD 2015.0 Issue 12	11/12/2018

26.	Floor Plan – Level 19 – Penthouse – Enlarged 16A	SD 2015.1 Issue 16	11/12/2018
27.	Floor Plan – Level 19 – Rec Deck – Enlarged 16B	SD 2015.2 Issue 09	11/12/2018
28.	Floor Plan – Level 20 – Rec Deck 16A – Enlarged 16A	SD 2016 Issue 15	11/12/2018
29.	North Elevation	SD 3001 Issue 18	11/12/2018
30.	East Elevation	SD 3002 Issue 17	11/12/2018
31.	South Elevation	SD 3003 Issue 18	11/12/2018
32.	West Elevation	SD 3004 Issue 18	11/12/2018
33.	East Sectional Elevation	SD 3005 Issue 18	11/12/2018
34.	West Sectional Elevation	SD 3006 Issue 17	11/12/2018
35.	Proposed Renovation Elevations & Sections Flare Building / BCT	SD 3007 Issue 8	03/12/2018
36.	Section A	SD 3101 Issue 15	03/12/2018
37.	Section B	SD 3102 Issue 14	03/12/2018
38.	Accommodation Schedule Summary	6901.1 Issue AB	18/12/2018
39.	Schematic Design – Context Plan	1409100 SD-02 Issue Y	04/03/2019
40.	Schematic Design – Landscape Intent and Design Rational	1409100 SD-03 Issue Y	04/03/2019
41.	Schematic Design – Ground Landscape Plan	1409100 SD-04 Issue Y	04/03/2019 (amended in red on 20 March 2019)
42.	Schematic Design – Level 03 Podium Landscape Plan	1409100 SD-05 Issue Y	04/03/2019
43.	Schematic Design – Rec Deck Level 19 Landscape Plan	1409100 SD-06 Issue Y	04/03/2019
44.	Schematic Design – Rec Deck Level 20 Landscape Plan	1409100 SD-07 Issue Y	04/03/2019
45.	Schematic Design – Landscape Sections A and B	1409100 SD-08 Issue Y	04/03/2019
46.	Schematic Design – Landscape Sections C and D	1409100 SD-09 Issue Y	04/03/2019
47.	Schematic Design – Landscape Sections E	1409100 SD-10 Issue Y	04/03/2019
48.	Schematic Design – Indicative Hardscape Palette	1409100 SD-011 Issue Y	04/03/2019
49.	Schematic Design – Indicative Softscape Palette	1409100 SD-012 Issue Y	04/03/2019
50.	DA – Superior Design Outcomes Report, prepared by EMF Griffiths	S214712 Issue 6	13/12/2018

51.	Report for Acoustic Services, prepared by EMF Griffiths	S214712 Issue 7	13/12/2018
Plans and documents previously approved on 17 June 2016.		Number (if applicable)	Date (if applicable)
52.	Maritime Security Plan Drawing 1b	1409100 SD-05, Issue T	2016-03-11

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 State Development, Infrastructure and Planning, September 2013 (as amended from time to time).
3. **Council** means Brisbane City Council.
4. **DEHP** means The former Department of Environment and Heritage Protection.
5. **DSDMIP** means The Department of State Development, Manufacturing Infrastructure and Planning.
6. **EDQ** means Economic Development Queensland.
7. **MEDQ** means The Minister of Economic Development Queensland.
8. **PDA** means Priority Development Area.
9. **QUU** means Queensland Urban Utilities
10. **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 / endorsed plans and documents.	Prior to commencement of use of the relevant stage
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> .	As required by the <i>Certification Procedures Manual</i>
3.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	As indicated
Architecture & Urban Design		
4.	Compliance Assessment – External Materials and Colours a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment, a schedule of materials and accompanying plans illustrating the external materials, colours and finishes of the buildings, 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 for the relevant stage b) Prior to commencement of use for the relevant stage
5.	Podium Apartment Entry Detail – Compliance Assessment Submit to EDQ Development Assessment, DSDMIP, for compliance assessment, detail of the entry hallway for all apartments within the podium. The submitted detail is to demonstrate safe ingress and egress to each dwelling ensuring the dwelling is segregated from parking and vehicle manoeuvring areas by entries which allow for secure surveillance of the carpark from the entry hallway.	Prior to commencement of above ground building works for the relevant stage

Engineering		
6.	Construction Management Plan a) Submit to EDQ Development Assessment, DSDMIP, 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 upstream or downstream properties; and 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.	a) Prior to commencement of site works for the relevant stage b) At all times during construction for the relevant stage
7.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP 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; iii. planning including risk identification and assessment, staging, etc.; iv. ongoing monitoring, management review and certified updates (as required); v. 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 for the relevant stage b) At all times during construction for the relevant stage
8.	Wharf Demolition – Compliance Assessment a) Submit to EDQ Development Assessment, DSDMIP, for compliance assessment, a demolition and shoring strategy, prepared by an RPEQ, for the area of wharf adjoining the development. The strategy shall include but not necessarily be	a) Prior to commencement of wharf works

	limited to the following: i. Proposed staging of the wharf demolition works; ii. pre- and post-construction hydrographic surveys compliant with the Port of Brisbane requirements; iii. removal and disposal of any inadvertent in-situ demolition related and/or dredged material; iv. a stability analysis of the existing revetment wall and preliminary identification of any rectification and/or upgrade works required during or post-demolition; v. stability analysis of the adjoining wharf sections and preliminary identification of any rectification and/or upgrade works required during or post-demolition; vi. identification of any existing infrastructure services; vii. extent of pylon removal as required by the Regional Harbour Master; and viii. any other requirements of the Regional Harbour Master b) Submit to EDQ Development Assessment, DSDMIP detailed engineering plans, certified by an RPEQ for the demolition and shoring works, generally in accordance with the endorsed strategy required under part a) of this condition. c) Carry out and implement demolition and shoring works in accordance with the strategy endorsed under part a) of this condition and in accordance with the certified plans required under part c) of this condition. d) Submit to EDQ Development Assessment, DSDMIP, 'as-constructed' plans including completed side scan surveys, certified by a RPEQ in a format acceptable to the Regional Harbour Master, Maritime Safety Queensland of the works undertaken under part c) of this condition.	b) Prior to commencement of the relevant stage of wharf works as identified in the strategy endorsed in accordance with condition 9(a) c) Prior to survey plan endorsement for the first stage d) No later than 2 weeks after practical completion of the works.
9.	Demolition and Water Space Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Demolition and Water Space Management Plan (DWSMP) prepared by the principal site contractor that addresses 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 upstream or downstream	a) Prior to commencement of the relevant stage of wharf works as identified in the strategy endorsed in accordance with condition 9(a)

	properties; iii. removal and disposal of any obstructions and debris encountered during demolition as required by the Regional Harbour Master; iv. maintaining uninhibited access to the adjacent Swing Basin by ensuring berths Hamilton 1, 2 and 3 are unoccupied when a vessel is scheduled to be arriving/departing alongside Brisbane Cruise Terminal/Hamilton 1, Hamilton 4 or Maritime 1; v. works interfering with vessels approaching and departing Brisbane Cruise Terminals, Hamilton 4 or Maritime 1; vi. barge anchors remaining inside the 35m berth pocket when conducting demolition works. Preference would be to use a 'spudded' barge secured to the shore; vii. allowance for a high degree of turbulence produced in the area by passing vessels including tugs, ships and ferries; viii. publishing of any notices required by the Regional Harbour Master; and ix. supply, installation and maintenance of any navigation lights, buoys, marks or signs deemed necessary by the Regional Harbour Master, in accordance with Maritime Safety Queensland's requirements. b) Undertake all works generally in accordance with the DWSMP which must be current and available on site at all times during the construction period	b) At all times during construction
10.	Retaining Walls a) Submit to EDQ Development Assessment, DSDMIP 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, DSDMIP 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 for the relevant stage b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage
11.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDMIP 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:	a) Prior to commencement of site works for the relevant stage

	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.	b) At all times during construction for the relevant stage
12.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans certified by a RPEQ, generally in accordance with AS3798 – 1996 <i>“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 required under condition 9 of this permit; 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, DSDMIP certification by a RPEQ that all earthworks have been carried out in generally 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 for the relevant stage b) Prior to commencement of use for the relevant stage c) Prior to commencement of use for the relevant stage
13.	Vehicle Access Design and construct vehicle crossovers located generally in accordance with the approved plans and in accordance with Council adopted standards.	Prior to commencement of use and to be maintained for the relevant stage
14.	Car Parking Provide car parking spaces, designed in accordance with AS2890 – <i>Parking Facilities</i>, delineated and signed generally in accordance with the approved plans.	Prior to commencement of use and to be maintained for the relevant stage

15.	Bicycle Parking – Residential Provide parking facilities, delineated and signed in accordance with AS2890.3 – 1993 <i>Bicycle parking facilities</i> at a rate of 1 space per dwelling for residents and 1 space per 400m ² of residential GFA for visitors	Prior to commencement of use and to be maintained for the relevant stage
16.	Bicycle Parking – Non-Residential Provide parking facilities, delineated and signed in accordance with AS2890.3 – 1993 <i>Bicycle parking facilities</i> at a rate of 1 space per 200m ² of NLA for workers and 1 space per 1000m ² of NLA for visitors	Prior to commencement of use and to be maintained for the relevant stage
17.	Water Connection Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use for the relevant stage
18.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use for the relevant stage
19.	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 for the relevant stage
20.	Stormwater Quality Construct the proposed stormwater treatment devices designed and certified by a RPEQ in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and generally located in accordance with the approved plans.	Prior to commencement of use and to be maintained for the relevant stage
21.	Build Over or Near Stormwater Where the approved development proposes to build over or near stormwater infrastructure, submit to EDQ Development Assessment, DSDMIP, a Council approval to build over or near stormwater.	Prior to commencement of site works for the relevant stage

22.	Outdoor Lighting – Compliance Assessment a) Submit to EDQ Development Assessment, DSDMIP, for compliance assessment, a conceptual lighting plan for the public realm. The lighting plan is to demonstrate adequate lighting of the public realm and assist in wayfinding through the site. b) Install outdoor lighting, generally in accordance with the plan endorsed under part a) of this condition.	a) Prior to approval of building works for the relevant stage b) Prior to commencement of use and to be maintained for the relevant stage
23.	Outdoor Lighting Outdoor lighting within the development shall be designed and installed in accordance with <i>AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use and to be maintained for the relevant stage
24.	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 for the relevant stage
25.	Telecommunications Submit to EDQ Development Assessment, DSDMIP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the proposed development.	Prior to Building Format Plan endorsement. for the relevant stage
26.	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 (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 for the relevant stage

Landscape and Environment		
27.	Landscape Works a) Submit to EDQ Development Assessment, DSDMIP detailed landscape plans, certified by an AILA, 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 site works for the relevant stage b) Prior to commencement of use and to be maintained for the relevant stage
28.	Acid Sulfate Soils (ASS) a) Where acid sulfate soils are found on site, submit to EDQ Development assessment, DSDMIP, an Acid Sulfate Management Plan (ASSMP). The ASSMP must be: i. Prepared generally in accordance with the <i>State Planning Policy July 2014</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. b) 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 for the relevant stage b) Prior to commencement of use for the relevant stage
29.	Waste Management Submit to EDQ Development Assessment, DSDMIP a waste management plan approved by Council's Waste and Resource Recovery Services and/or a private waste contractor.	Prior to commencement of site works for the relevant stage
30.	Acoustic Treatments Undertake acoustic treatments to the development generally in accordance with the Section 6 Recommendations of the approved Report for Acoustic Services, prepared by EMF Griffiths, Issue, 7 dated 13/12/2018.	Prior to commencement of use for the relevant stage
31.	Energy Efficiency a) Construct the development to individually achieve an energy rating of not less than 5 stars and collectively achieve an average energy rating of not less than 6 stars, generally in accordance with the recommendations in the approved <i>DA – Superior Design Outcomes Report</i> prepared by EMF Griffiths, number S214712, dated 13/12/2018.	Prior to commencement of use for the relevant stage

	b) Submit to EDQ Development Assessment, DSDMIP, evidence from a suitably qualified professional that the requirements of part a) of this condition have been carried out.	
Surveying, land transfers and easements		
32.	Access to Adjoining Development Sites a) Submit to EDQ Development Assessment, DSDMIP, for compliance assessment, proposed access arrangements for ensuring permanent unfettered access from Wharf Close is provided to all Lots/ development sites within Parcel A of the endorsed <i>Sub-Precinct 3(d) River Park Precinct Plan Northshore Hamilton, 151130 SPP Issue W, Dated 30 November 2015</i> . b) Formalize the endorsed arrangement under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP, evidence, including copies of the registered documents, that endorsed access arrangements have been established.	a) Prior to endorsement of the Building Format Plan for the first stage b) Upon registration of the Building Format Plan for the first stage c) Prior to commencement of use for the first stage
33.	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, or other lawfully binding access arrangements, 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 for the relevant stage, whichever occurs first
Affordable and Accessible Housing		
34.	Affordable Housing Submit to EDQ Development Assessment, DSDMIP, evidence that the approved development delivers 8 affordable units in Building 16a and 7 affordable units in Building 16b accordance with the <i>PDA Guideline no. 16 Housing, January 2016</i> .	Prior to commencement of use for the relevant stage
35.	Accessible Housing a) Submit to EDQ Development Assessment, DSDMIP for compliance assessment accessible unit layout plans for 31 units. The plans are to be prepared in accordance with <i>PDA Guideline no. 2 Accessible Housing, May 2015</i> . b) Submit to EDQ Development Assessment, DSDMIP evidence that the approved development delivers 17 accessible units in Building 16a and 14 accessible units in Building 16b, generally in accordance with the approved plans.	a) Prior to approval of building works for the relevant stage b) Prior to commencement of use for the relevant stage

Infrastructure Charges

36. Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) July 2017, indexed to the date of payment.

In accordance with the IFF

Noting the potential for dwelling unit amalgamations under Condition 37, a request for confirmation of infrastructure charge amounts must be made to EDQ prior to payment.

The charge includes a value uplift component. Where a building does not take up the full development area of a site, it is EDQ's policy to levy value uplift charges according to the development area that a building occupies. Under this PDA Development Approval, two buildings are proposed on the site. The site area has been apportioned as follows:

- Building 16A Portside East, Hamilton - 3,431m²
- Building 16B Portside East, Hamilton - 5,198m²

For the purpose of calculating the value uplift component, a base plot ratio of 2.7 will be adopted in accordance with the transitional provisions under 3.5.5 of the Northshore Hamilton PDA Development Scheme.

For convenience, the applicable infrastructure charges have been calculated for each of the approved buildings, in 2018/19 FY dollars, as below:

16A Portside East, Hamilton				
General Infrastructure Charges				
Use	Unit Rate	Attributable	Quantity	Value
<i>Residential</i>				
Small Dwelling Unit	\$13,575	per dwelling unit	69	\$936,675
Medium Dwelling Unit	\$18,949	per dwelling unit	53	\$1,004,297
Large Dwelling Unit	\$31,366	per dwelling unit	46	\$1,442,836
<i>Non-Residential</i>				
Retail	\$16,260	per 100 m ² GFA	12	\$195,120
SUBTOTAL				\$3,578,928
Value Uplift Charges				
Use	Unit Rate	Attributable	Quantity	Value
<i>Residential</i>				
Small Dwelling Unit	\$13,058	per dwelling unit	34	\$443,972
Medium Dwelling Unit	\$19,588	per dwelling unit	26	\$509,288
Large Dwelling Unit	\$34,821	per dwelling unit	23	\$800,883
SUBTOTAL				\$1,754,143
Total Charges				\$5,333,071

16B Portside East, Hamilton				
General Infrastructure Charges				
Use	Unit Rate	Attributable	Quantity	Value
Residential				
Small Dwelling Unit	\$13,575	per dwelling unit	22	\$298,650
Medium Dwelling Unit	\$18,949	per dwelling unit	86	\$1,629,614
Large Dwelling Unit	\$31,366,	per dwelling unit	41	\$1,286,006
Non-Residential				
Retail	\$16,260	per 100 m² GFA	10	\$162,600
SUBTOTAL				\$3,376,870
Value Uplift Charges Value Uplift Charges				
Use	Unit Rate	Attributable	Quantity	Value
Residential				
Small Dwelling Unit	\$13,058	per dwelling unit	3	\$39,174
Medium Dwelling Unit	\$19,588	per dwelling unit	13	\$254,644
Large Dwelling Unit	\$34,821	per dwelling unit	6	\$208,926
SUBTOTAL				\$502,744
Total Charges				\$3,879,614

Dwelling Unit Amalgamation		
37.	Compliance Assessment – Dwelling Unit Amalgamation a) Where dwelling unit amalgamation is sought, submit to EDQ Development Assessment, DSDMIP, for compliance assessment, updated floor plans detailing the new internal configuration of dwelling units. The updated floor plans must: i. not change the extent or area of balconies shown on the approved plans ii. be accompanied by a schedule detailing current and proposed dwelling unit mix (i.e. number and percentage of small, medium and large dwelling units relative to each approved building) iii. not result in a dwelling unit mix, for each approved building, comprising less than: • 10% small dwelling units • 10% medium dwelling units • 10% large dwelling units. b) Carry out the works in accordance with the endorsed plans submitted under part a) of this condition. Note: For the purposes of interpreting this condition, small dwelling units = <60m² of GFA, medium dwelling units = 60m² to 100m² of GFA, large dwelling units = .100m2 of GFA	a) Prior to Building Format Plan endorsement for the relevant stage b) Prior to commencement of use for the relevant stage

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 ****