



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

Our ref: DEV2018/956/2

3 October 2019

Cintra Property Pty Ltd
C/- MacroPlan
Att: Mr Damian Delmanowicz
Level 15, 111 Eagle Street
BRISBANE QLD 4000

Dear Mr Delmanowicz

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE RESIDENTIAL (CO-HOUSING) AND VISITOR ACCOMMODATION AT 28 CINTRA ROAD, BOWEN HILLS DESCRIBED AS LOT 4 ON RP40430

On 3 October 2019 the Minister for Economic Development Queensland (MEDQ) decided to grant part 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 Sarah Hampstead on 3452 7097.

Yours sincerely

Jeanine Stone
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	28 Cintra Road, Bowen Hills	
Lot on plan description	Lot number	Plan description
	Lot 4	RP40430
PDA development application details		
DEV reference number	DEV2018/956	
'Properly made' date	9 August 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	Material Change of Use – Multiple Residential (Co-Housing) & Visitor Accommodation	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant part 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 minimum residential stay length for co-housing bedrooms (condition 3) stay length reduced from 3 months to 1 month ▪ Restriction of the bedrooms to be used as visitor accommodation (approved plans) Restriction removed on which rooms can be used for visitor accommodation. The total number of rooms used for visitor accommodation will not exceed 7 at any one time.
Original Decision date	18 June 2019
Change to approval date	3 October 2019
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.	Ground Level Plan prepared by Plus Architecture	Revision G	26/07/2019 (as Amended in Red - 01/10/2019)
2.	North Elevation prepared by Plus Architecture	Revision G	26/07/2019 (as Amended in Red - 01/10/2019)
3.	Level 03 Plan prepared by Plus Architecture	Revision G	26/07/2019 (as Amended in Red - 01/10/2019)
4.	South Elevation prepared by Plus Architecture	Revision G	26/07/2019 (as Amended in Red - 01/10/2019)
5.	East Elevation and West Elevation prepared by Plus Architecture	Revision G	26/07/2019 (as Amended in Red - 01/10/2019)

Plans and documents previously approved on 18 June 2019.		Number (if applicable)	Date (if applicable)
1.	Carpark Plan prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)
2.	Level 01 Plan prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)
3.	Level 02 Plan prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)
4.	Roof Plan prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)
5.	Long Section – Section A prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)
6.	Cross Section – Section B prepared by Plus Architecture	Revision F	22/03/2019
7.	Long Section – Section C, prepared by Plus Architecture	Revision F	22/03/2019 (Amended in Red 22/05/2019)

PREAMBLE

For interpreting this PDA Development Approval, including these PDA Development Conditions, the following applies:

Advice

The development must comply with the *Environmental Protection Act 1994* (Qld). To avoid doubt, nothing in this approval authorises any activity that would otherwise constitute environmental harm (including an environmental nuisance) under the *Environmental Protection Act 1994* (Qld), or that would otherwise result in a contravention of a noise standard under that Act.

Compliance assessment

If a condition of this PDA Development Approval requires compliance assessment, compliance assessment is required in accordance with the following:

- a) The applicant is to:
 - 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; and
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- 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 AND DEFINITIONS

For the purposes of interpreting these PDA Development Conditions, the following is a list of abbreviations utilised:

1. **AILA** means the Australian Institute of Landscape Architects.
2. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by the Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
3. **Common Areas** means areas such as lounge rooms, recreation rooms, verandas, and outdoor recreation areas that are for common use.
4. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a. **External Authority** means a public-sector entity external to the MEDQ;
 - b. **Parkland** means carrying out operational work related to the provision of parkland infrastructure
 - c. **Roadworks** means carrying out any operational work within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d. **Sewer Works** means carrying out any operational work related to the provision of waste water infrastructure;
 - e. **Streetscape Works** means carrying out any operational work within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f. **Stormwater Works** means carrying out any operational work related to the provision of stormwater infrastructure; and
 - g. **Water Works** means carrying out any operational work related to the provision of water infrastructure.
5. **Council** means Brisbane City Council
6. **DES** means the Department of Environment and Science.
7. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
8. **EDQ** means Economic Development Queensland.
9. **IFF** means the *Economic Development Queensland Infrastructure Funding Framework (November 2018)* as amended or replaced from time to time.
10. **MEDQ** means the Minister for Economic Development Queensland.
11. **Landscape Architect** means a Landscape Architect registered by the Australian Institute of Landscape Architects.

12. **On-site building manager** means a person present on the site who is responsible for managing the day-to-day activities associated with the use of the land for multiple-residential (co-housing) and visitor accommodation.
13. **PDA** means Priority Development Area.
14. **Principal site contractor** means the person contractually obligated to and financially rewarded by the development proponent for—
 - a. managing the building and construction activities on the site, including subcontractors, and
 - b. ensuring compliance with all conditions of development approval relevant to the construction activities associated with the project.
15. **Architect** means an architect registered with The Board of Architects Queensland under the *Architects Act 2001*.
16. **RPEQ** means Registered Professional Engineer of Queensland

PDA Development Conditions		
No	Condition	Timing
On-going use of the site		
1.	Carry out the Approved Development Carry out the approved development in accordance with the approved plans and documents specified in the Decision Notice.	Prior to commencing use
2.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other outdoor spaces) in accordance with the approved plans and documents and any plans and documents endorsed or submitted under these conditions of approval.	At all times
3.	Restriction on the use This approval permits a maximum of 40 bedrooms with— • a maximum of 33 bedrooms available for co-housing and • a maximum of 7 bedrooms available for visitor accommodation. For the purpose of applying this condition— – Co-housing means housing that provides – i. for a minimum residential stay of 1 month ii. private sleeping, kitchen and bathroom facilities iii. access to all residential floors via an electric passenger lift iv. on-site laundry (washing and drying) facilities, which may be in a common area) v. common areas for social gathering on each residential floor vi. 24-hour, on-site building management. – Visitor accommodation as defined in the Bowen Hills Urban Development Area Development Scheme, effective 3 July 2009, last amended 1 April 2010.	At all times

PDA Development Conditions		
No	Condition	Timing
4.	Construction work hours No work of any kind associated with carrying out this development approval is to occur on the site— • on a business day or Saturday - before 6:30am or after 6:30pm • on any other day - at any time.	At all times during demolition, construction and all site works
5.	On-site construction manager - contact details Display clearly at the entrance point of the site 24-hour telephone contact details for the “principal site contractor”.	At all times during demolition, construction and all site works
6.	Use of common areas a) Common areas must not be used before 7am and after 10pm on any day. b) Signage, about the permitted use of the common areas, must be clearly visible in all common areas.	At all times
7.	On-site building management a) Provide 24-hour onsite building management to □ • manage the up-keep of the building, including landscaping and rubbish bins • manage the change-over of tenants • enforce restrictions on the use of common areas and servicing of the site by commercial vehicles and trucks and • managing complaints. b) Display clearly at the entrance point of the building a 24-hour telephone contact number for the on-site building management.	At all times
8.	Tenant change-over a) The change-over of tenants is restricted to between 7:00 am and 9:00 pm week days and 8:00am and 2:00pm Saturdays, unless permitted by a Building Management Plan that has been submitted for Compliance Assessment and Endorsement by EDQ Development Assessment, DSDMIP. c) The Plan is to identify strategies to manage potential nuisance to the adjoining residential neighbours cause by typical change-over activities including: i. vehicle movement ii. noise iii. light and iv. overlooking.	At all times

	d) Submit to EDQ Development Assessment, DSDMIP certification by a registered Architect confirming that the development has been carried out in accordance with the architectural drawings approved under part a) of this condition.	d) Prior to commencing use and then maintained
10.	Landscaping a) Submit for Compliance Assessment to EDQ Development Assessment, DSDMIP detailed landscape plans and documents, certified by the Australian Institute of Landscape Architects (AILA), for landscape works and planting within the proposed development in accordance with the approved plans. The plans and documents must detail— i. landscaping which will act as a visual buffer and screen between the development and adjoining properties as shown on the approved plans and documents ii. landscape treatment to the building entry point on Cintra Road iii. landscape treatment to the rooftop common area iv. a feeding, watering and general maintenance regime for all on-site planting v. planting species, pot size at the time of planting and height and width at maturity, having regard to the planting environment) b) Carry out the works in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencing building work b) Prior to commencing use and then maintained
11.	Noise Report (for the on-going use) a) Submit for Compliance Assessment to EDQ Development Assessment, DSMIP a revised noise report prepared by a suitably qualified professional. The revised report is to i. be based on the approved plans and documents ii. include recommendations for minimising noise emanating from the on-going use of (including all carparking and common areas) and heard at the adjoining residential dwellings iii. detail the design features, acoustic barriers, materials and other treatments that will be implemented to attenuate noise emanating from activities on the site, including noise from: • vehicles and other activities in the carparking area • activities in the common areas (including the roof top common area). b) Carry out the development in accordance with the recommendations in the endorsed, revised noise report. c) Submit to EDQ Development Assessment, DSDMIP certification by a suitably qualified professional confirming that all the works have been carried out in accordance with the recommendations in the endorsed, revised noise report.	a) Prior to commencing site works b) As indicated c) Prior to commencing use

	i. the complaint ii. the rectification action taken (or to be taken and the applicable timeframes), to address and respond to the complaint and iii. confirmation that the complainant has been advised of the rectification actions taken / to be taken. ADVICE: The development must comply with the Environmental Protection Act 1994 (Qld). To avoid doubt, nothing in this approval authorises any activity that would otherwise constitute environmental harm (including an environmental nuisance) under the Environmental Protection Act 1994 (Qld), or that would otherwise result in a contravention of a noise standard under that Act.	use
13.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification or higher. The TMP is to include details of— i. arrangements for the management of traffic around and on the site during construction; ii. arrangements for the parking of workers and the delivery of materials; iii. risk identification, assessment and mitigation measures; iv. ongoing monitoring, management review and certified updates (as required); and 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) Carry out the works in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site at all times. ADVICE: The site is in the Brisbane Central Regulated Parking Scheme Area. Between 7am and 6pm Monday-Friday and 7am-12 noon on Saturday a 2-hour parking time limit generally applies. Check specific time limits on street signs. Parking Permits are not available to contractors who do not reside at the address.	a) Prior to commencing site works b) At all times during construction
14.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans certified by a RPEQ and in accordance with AS3798 – 2007“Guidelines on Earthworks for Commercial and Residential Developments. The certified earthworks plans are to: i. include a geotechnical soils assessment of the site ii. be consistent with Erosion and Sediment Control plans as required by a condition of this development approval iii. provide full details of any areas where surplus soils are to be stockpiled	a) Prior to commencing site works

	iv. where temporary rock or ground anchors are required under adjoining road, provide written evidence of consultation with, and the advice of, the Council and the relevant service authorities and v. where temporary rock or ground anchors are required under adjoining private property, provide a letter of agreement to the anchors from the relevant private land owner. b) Carry out the earthworks in accordance with the certified plans submitted 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 accordance with the certified plans submitted under part a) of this condition.	b) Prior to commencing use c) Prior to commencing use
15. Electricity	a) Submit to EDQ Development Assessment, DSDMIP written evidence from Energex confirming – i. that existing underground (or overhead where agreed to by the Council) low-voltage electricity supply of adequate capacity is available to the development; or ii. the applicant has entered into an agreement with them to provide underground (or overhead where agreed to by the Council) electricity services b) Electricity supply must be provided prior to the use commencing.	Prior to commencing site works
16. Telecommunications	Submit to EDQ Development Assessment, DSDMIP documentation from an authorised telecommunication service provider confirming— a) an agreement has been entered into for the provision of underground telecommunication services to the proposed development b) the service will be provided prior to the commencement / occupancy of the use.	Prior to commencing site works
17. Broadband	Submit to EDQ Development Assessment, DSDMIP written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the <i>Telecommunications Legislation Amendment (Fibre Deployment) Act 2011</i> can be provided in accordance with the Communications Alliance G645:2017 guideline, to accommodate services which are compliant with the Federal Government's National Broadband Network policy.	Prior to commencing site works

18. 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) in accordance with the following guidelines— i. the construction phase stormwater management design objectives of the State Planning Policy 2017 (Appendix 2 Table A); ii. Healthy Land and Water Technical Note: <i>Complying with the SPP – Sediment Management on Construction Sites</i>; iii. Urban Stormwater Quality Planning Guidelines, dated 2010, prepared by the former Department of Environment and Heritage Protection; and iv. Best Practice Erosion and Sediment Control, dated November 2008, prepared by the International Erosion Control Association Australasia (as amended from time to time). b) Implement the certified ESCP as submitted under part a) of this condition.	a) Prior to commencing site works b) At all times during construction
19. Refuse Collection	Submit to EDQ Development Assessment, DSDMIP - i. a refuse collection approval from Council or ii. a written undertaking, from a private waste contractor, to collect refuse from the site on a regular and on-going basis.	Prior to commencing use
Infrastructure and servicing		
20. Vehicle movements	Servicing of the site by commercial trucks and vehicles (including a private waste contractor) must not occur before 7am and after 7pm Monday to Saturday.	To be maintained
21. Vehicle Access	Construct a vehicle crossover - i. in the location identified on the approved plans and designed and ii. in accordance with the relevant Council standards.	Prior to commencing use and then maintained

22.	Car Parking a) Construct, delineate and sign the on-site car parking spaces in accordance with the approved plans and AS2890 – Parking Facilities. b) All Person with a Disability (PWD) spaces must be signed accordingly and remain available at all times to bona fide people with a disability visiting to the site. <i>ADVICE: The site is in the Brisbane Central Regulated Parking Scheme Area. Between 7am and 6pm Monday-Friday and 7am-12 noon on Saturday a 2-hour parking time limit generally applies. Check specific time limits on street signs. Parking Permits are not available to residents who live in a multi-unit dwelling approved by a development approval lodged after 31 March 2015.</i>	Prior to commencing use and then maintained
23.	Bicycle provision Make available on the site a minimum of 2 bicycles (and appropriate bicycle helmets) for use by occupants of the visitor accommodation.	Prior to commencing use and then maintained
24.	Bicycle Parking Delineate and sign sufficient space within the garage area to accommodate the parking/storage of a minimum of 23 bicycles in accordance with— i. AS2890.3 – 1993 <i>Bicycle parking facilities</i> and ii. approved Carpark Plan 22/03/2019, Revision F, Prepared by Plus Architecture, as Amended in Red on 22/05/2019.	Prior to commencing use and then maintained
25.	Water Connection Connect the development to the existing water reticulation network in accordance with the relevant QUU standards.	Prior to commencing use
26.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with the relevant QUU standards.	Prior to commencing use
27.	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 the relevant Council standards.	Prior to commencing use and then maintained

28.	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 commencing use
29.	Easements over Infrastructure Provide public utility easements, in favour of and at no cost to the grantee, over infrastructure located in land that becomes contributed assets. The terms of the easements are to be to the satisfaction of the Chief Executive Officer of the authority which ultimately is to takeover and maintain the contributed assets.	Prior to commencing use or endorsement of a Building Format Plan, whichever occurs first
Privacy and amenity		
30.	Side boundary windows and openings All side boundary facing windows and other openings to areas that can be accessed by residents of and visitors to the site must have— i. a minimum sill height of 1.75 metres or ii. frosted glass up to a minimum height of 1.75 metres measured from finished floor level. The frosting must be enough to obscure outwards views while allowing adequate light into the spaces.	Prior to commencing building works
31.	Outdoor and Carpark Lighting All outdoor and carpark lighting on the site is to be designed, installed and maintained in accordance with AS 4282:1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i>.	Prior to commencing use and then maintained
32.	Carpark Lighting Before 6:00am and after 10:00pm daily, lighting in the carpark is to be controlled by motion sensors, set to remain on for up to a maximum of 3 minutes after movement ceases.	Prior to commencing use and then maintained
33.	Grates, covers and other fixtures To prevent clanging and other noise impacts, design and fix into position all grates, covers and other fixtures in driveway and garage areas that may cause noise due to vehicle movements.	Prior to commencing use and then maintained

Infrastructure Charges		
34.	Infrastructure Contributions Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows— i. where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced on or before six (6) years from the original decision date – in accordance with the IFF in force at the time of the original decision date (July 2018); or ii. where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced more than six (6) years from the original decision date – in accordance with the IFF in force at the time of the 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 ****