



Department of
**State Development, Infrastructure,
Local Government and Planning**

Our ref: DEV2021/1229

13 April 2022

Old Pub Lane Pty Ltd
C/- Ethos Urban
Att: Renee Livingstone and Ben Haynes
GPO Box 1268
BRISBANE CITY QLD 4006

Email: RLivingstone@ethosurban.com

Dear Renee and Ben

S89(1)(a) Approval of PDA development application

Material change of use for health care service, office, and indoor sport and recreation at 43 – 44 Old Pub Lane, Greenbank described as Lot 1 on RP184067

On 13 April 2022, pursuant to s.85(4)(b) of the *Economic Development Act 2012*, the Minister for Economic Development Queensland (MEDQ) decided to grant **all** of the PDA development application applied for, in accordance with the attached PDA decision notice.

The PDA decision notice and approved plans / documents can also be viewed in the MEDQ Development Approvals Register via the Department website at www.dsdlgp.qld.gov.au/pda-da-applications.

If you require any further information, please contact Marissa Bais, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7344 or at Marissa.Bais@dsdlgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

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

PDA Decision Notice

Site information		
Name of priority development area (PDA)	Greater Flagstone	
Site address	43 – 44 Old Pub Lane, Greenbank	
Lot on plan description	Lot number	Plan description
	Lot 1	RP184067

PDA development application details	
DEV reference number	DEV2021/1229
'Properly made' date	3 November 2021
Type of application	☒ PDA development application for: ☒ Material change of use ☐ Preliminary approval ☒ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☐ Application to change PDA development approval ☐ Application to extend currency period
Proposed development	Health Care Service, Office, and Indoor Sport and Recreation

PDA development approval details	
Decision of the MEDQ	The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions forming part of this decision.
Decision date	13/04/2022
Currency period	6 years from the date of the decision

Approved plans and documents			
The plans and documents approved by the MEDQ and referred to in the PDA development conditions for the PDA development approval are detailed below.			
Approved plans and documents		Number	Date
1.	Master site plan prepared by Verve Building Design Co	19222 DA21 Rev E	12.01.22
2.	Prop. site plan – Stage 2 prepared by Verve Building Design Co	19222 DA22 Rev F	12.01.22
3.	Site elevations prepared by Verve Building Design Co	19222 DA23 Rev D	12.01.22
4.	Building elevations and perspectives prepared by Verve Building Design Co	19222 DA24 Rev D	12.01.22
5.	Building elevations and perspectives prepared by Verve Building Design Co	19222 DA25 Rev D	12.01.22

6.	Building elevations and perspectives prepared by Verve Building Design Co	19222 DA26 Rev B	12.01.22
7.	Landscape concept plan prepared by Andrew Gold Landscape Architecture	21.073 Sheet 1 Issue C	09/03/22
8.	Proposed planting schedule prepared by Andrew Gold Landscape Architecture	21.073 Sheet 2 Issue C	09/03/22
9.	Earthworks layout prepared by Bornhorst and Ward	DA-C010 Rev A	17/12/21
10.	Siteworks and drainage layout layout prepared by Bornhorst and Ward	DA-C030 Rev A	17/12/21
11.	Cross section and longitudinal section prepared by Bornhorst and Ward	DA-C031 Rev A	17/12/21

PDA development conditions

PREAMBLE

For the purpose of interpreting this approval, including the conditions, the following applies:

ABBREVIATIONS AND DEFINITIONS:

The following is a list of abbreviations utilised in this approval:

1. **AILA** means a Landscape Architect registered by the Australian Institute of Landscape Architects.
2. **BFP** means Building Format Plan.
3. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by EDQ, dated April 2020 (as amended from time to time).
4. **Contributed Asset** 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 definitions apply:
 - a. **External Authority** means a public-sector entity other than 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 or proposed road(s), 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 wastewater infrastructure;
 - e. **Streetscape Works** means carrying out any operational work within the verge of a road, including footpath surface treatments, street furniture, street lighting and landscaping;
 - 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 the relevant local government for the land the subject of this approval.
6. **DSDILGP** means the Department of State Development, Infrastructure Local Government and Planning.
7. **EDQ** means Economic Development Queensland.

8. **EDQ DA** means Economic Development Queensland's – Development Assessment team.
9. **EDQ TS** means Economic Development Queensland's – Technical Services team.
10. **EP Act** means the *Environmental Protection Act 1994*.
11. **IFF** means the Infrastructure Funding Framework, prepared by the Department of State Development, Tourism and Innovation, dated 1 July 2020 (as amended from time to time).
12. **MEDQ** means the Minister for Economic Development Queensland.
13. **PDA** means Priority Development Area.
14. **RPEQ** means Registered Professional Engineer of Queensland.

COMPLIANCE ASSESSMENT:

Where a condition of this 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 EDQ Development Assessment Fees and Charges Schedule¹ (as amended from time to time).
 - ii) submit to EDQ DA a duly completed Compliance Assessment form².
 - iii) submit to EDQ DA the documentation as required under the relevant condition.
- b) Where EDQ is satisfied the documentation submitted for Compliance Assessment meets the requirements of the relevant condition (or element of the condition), EDQ will endorse the documentation and advise by written notice.
- 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) applicant submits items required under a) above to EDQ DA for Compliance Assessment.
 - ii) **within 20 business days** – EDQ assesses the documentation and:
 1. if satisfied, endorses the documentation; or
 2. if not satisfied, notifies the applicant accordingly.
 - iii) if the applicant is notified under ii.2. above, revised documentation must be submitted **within 20 business days** from the date of notification.
 - iv) **within 20 business days** – EDQ assesses the revised documentation and:
 1. if satisfied, endorses the revised documentation; or
 2. if not satisfied, notifies the applicant accordingly.

¹ The EDQ Development Assessment Fees and Charges Schedule is available at EDQ's website.

² The Compliance Assessment form is available at EDQ's website. It sets out how to submit documentation for Compliance Assessment and how to pay Compliance Assessment fees.

- v) where EDQ notifies the applicant as stated under iv)2. above, repeat steps iii. and iv. 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 v. above, the condition (or element of the condition) is determined to have been met only when EDQ endorses relevant documentation.

PDA Development Conditions – Material Change of Use

No.	Condition	Timing
General		
1.	Carry out the approved development Carry out the approved development generally in accordance with: a) the approved plans and documents; and b) any other documentation endorsed via Compliance Assessment as required by these conditions.	Prior to commencement of use or BFP endorsement, whichever occurs first
2.	Maintain the approved development Maintain the approved development generally in accordance with: a) the approved plans and documents; and b) any other documentation endorsed via Compliance Assessment as required by these conditions.	At all times following commencement of use
3.	Materials and finishes a) Submit to EDQ DA, a material and finishes schedule. Materials and finishes should not create glare / reflect light to surrounding properties. b) Construct the approved development in accordance with the plans as endorsed under part a) of this condition.	a) Prior to the commencement of site works b) Prior to the commencement of use
4.	Floor plans a) Submit to EDQ DA, detailed floor plans which show the location of plant equipment. Plant equipment should be located to ensure no reduction on the amount of glazing approved or impact opportunities for overlooking b) Construct the approved development in accordance with the plans as endorsed under part a) of this condition.	a) Prior to the commencement of site works b) Prior to the commencement of use
5.	Hours of operation – Indoor Sport and Recreation (Gym) and Indoor Sport and Recreation (Dance School) The hours of operation for the Indoor Sport and Recreation (Gym) and Indoor Sport and Recreation (Dance School) are as follows: a) Indoor Sport and Recreation (Gym) – 5am to 10pm b) Indoor Sport and Recreation (Dance School) – 7am to 10pm	As indicated
Construction management		
6.	Hours of work - construction Unless otherwise endorsed, via Compliance Assessment for out of hours work, construction hours for the approved development are limited to Monday to Saturday between 6:30am to 6:30pm, excluding public holidays.	During construction unless otherwise endorsed

	c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.	c) During construction
10.	Erosion and sediment management a) Submit to EDQ TS an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control, and prepared generally in accordance with the following: i) construction phase stormwater management design objectives of the <i>State Planning Policy 2017</i> (Appendix 2 Table A); ii) <i>Healthy Land and Water Technical Note: Complying with the SPP – Sediment Management on Construction Sites</i>. b) Implement the certified ESCP submitted under part a) of this condition.	a) Prior to commencing work b) During construction
11.	Traffic management plan a) Submit to EDQ TS a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Design qualification. The TMP must include the following: i) provision for the safe and functional management of traffic around and through the site during and outside of construction work hours; ii) provision for the safe and functional management of pedestrian traffic, including alternative pedestrian routes past, through or around the site; iii) provision of parking for workers and materials delivery; iv) risk identification, assessment and identification of mitigation measures; v) ongoing monitoring, management review and certified updates (as required); and vi) traffic control plans and/or traffic control diagrams, prepared in accordance with <i>Austroads Guide to Temporary Traffic Management</i>, for any temporary part or full road closures. b) Carry out all construction work generally in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site. <i>NOTE: Operational traffic changes, such as temporary and permanent lane modifications, relaxation of clearway zone hours or footpath closures may require authorisation from Council or DTMR as road manager. It is recommended that applicants engage directly with the applicable road manager.</i>	a) Prior to commencing work b) During construction
12.	Public infrastructure (damage, repairs and relocation) a) Repair any damage to existing public infrastructure caused by works carried out in association with the approved development. b) Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with	a) Prior to commencement of use or BFP endorsement, whichever occurs first b) Prior to commencement of use or BFP endorsement, whichever occurs first

	statutory requirements and the External Authority's design standards. <i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i>	
13.	Earthworks a) Submit to EDQ TS detailed earthworks plans, certified by a RPEQ, and designed generally in accordance with: i) <i>Australian Standard AS3798 – 2007 Guidelines on Earthworks for Commercial and Residential Developments</i> and ii) the approved Preliminary Earthworks Layout Plan, Prepared by Bornhorst and Ward and dated 17/12/21. The certified earthworks plans are to: i) include a geotechnical soils assessment of the site; ii) accord with the Erosion and Sediment Control Plans, as required by condition 10 – Erosion and sediment management; iii) include the location and finished surface levels of any cut and/or fill; iv) detail areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; v) provide details of any areas where surplus soils are to be stockpiled; vi) detail protection measures to: 1. ensure adjoining properties and roads are not impacted by ponding or nuisance stormwater resulting from earthworks associated with the approved development; 2. preserve all drainage structures from structural loading impacts resulting from earthworks associated with the approved development; and vii) where rock or ground anchors are required within adjoining road or land, include consents from relevant road manager(s) and/or landowner(s). b) Carry out earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ TS RPEQ certification that: i) all earthworks have been carried out generally in accordance with the certified plans submitted under part a) of this condition; and ii) any unsuitable material encountered has been treated or replaced with suitable material.	a) Prior to commencing earthworks b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first
14.	Retaining walls a) Submit to EDQ TS, detailed engineering plans, certified by a RPEQ, of all retaining walls 1m or greater in height. Retaining walls must be: i) certified to achieve a minimum 50 year design life;	a) Prior to commencing earthworks

	ii) designed generally in accordance with <i>Australian Standard AS4678 – Earth Retaining Structures</i> and relevant material standards (e.g. <i>AS3600 – Concrete Structures</i>); iii) located and designed generally in accordance with the approved plans. b) Construct retaining walls generally in accordance with the certified plans endorsed under part a) of this condition. c) Submit to EDQ TS certification from an RPEQ that all retaining wall works 1.0m or greater in height have been constructed generally in accordance with the certified plans endorsed under part a) of this condition.	b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first
15.	Building over/near Stormwater Infrastructure – Compliance Assessment a) Submit to EDQ DA for compliance assessment, detailed engineering plans, certified by a RPEQ, for the works required to protect and maintain access to the stormwater infrastructure on the frontage with Old Pub Lane. The plans shall demonstrate that: - the proposed retaining wall and associated earthworks will not adversely impact the stormwater pipe; and - the access to the stormwater manholes is adequately maintained. b) Construct works required to protect and maintain access to the stormwater infrastructure generally in accordance with the certified plans endorsed under part a) of this condition. c) Submit to EDQ TS certification from an RPEQ that works have been constructed generally in accordance with the certified plans endorsed under part a) of this condition.	a) Prior to commencing earthworks b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first
16.	Vehicle access a) Construct a vehicle crossover: - located generally in accordance with the approved plans; and - designed generally in accordance with Council's adopted standards for a commercial crossover. b) Submit to EDQ TS RPEQ certification that the crossover has been constructed in accordance with part a) of this condition.	a) Prior to commencement of use or BFP endorsement, whichever occurs first b) Prior to commencement of use or BFP endorsement, whichever occurs first

17.	Car parking Construct, sign and delineate car parking spaces generally in accordance with <i>Australian Standard AS2890 – Parking Facilities</i> and the approved plans.	Prior to commencement of use or BFP endorsement, whichever occurs first
18.	Bicycle parking Construct, sign and delineate bicycle parking facilities generally in accordance with <i>Australian Standard AS2890.3 – 1993 Bicycle parking facilities</i> and the approved plans.	Prior to commencement of use or BFP endorsement, whichever occurs first
19.	Water connection Connect the approved development to the existing water reticulation network generally in accordance with Council's current adopted standards.	Prior to commencement of use or BFP endorsement, whichever occurs first
20.	Sewer connection Connect the approved development to the existing sewer reticulation network generally in accordance with Council's current adopted standards.	Prior to commencement of use or BFP endorsement, whichever occurs first
21.	Stormwater connection Connect the approved development to a lawful point of discharge: i. with 'no-worsening' to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability and ii. generally in accordance with Council's current adopted standards.	Prior to commencement of use or BFP endorsement, whichever occurs first
22.	Stormwater management (quality) a) Submit to EDQ TS detailed engineering drawings, certified by a RPEQ, for stormwater treatment devices designed generally in accordance with: i) <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and; ii) Site Based Stormwater Management Plan, Prepared by Bornhorst and Ward and dated October 2021; and iii) Preliminary Siteworks and Drainage Layout Plan, Prepared by Bornhorst and Ward and dated 17/12/21. b) Construct stormwater works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ TS RPEQ certification confirming stormwater treatment devices have been constructed generally in accordance with the certified plans submitted under part a) of this condition.	a) Prior to commencement of stormwater works b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first

23.	Stormwater management (quantity) a) Submit to EDQ TS detailed engineering drawings and hydraulic calculations, certified by a RPEQ, for the stormwater drainage system designed generally in accordance with: i) <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i>; ii) Site Based Stormwater Management Plan, Prepared by Bornhorst and Ward and dated October 2021; and iii) Preliminary Siteworks and Drainage Layout Plan, Prepared by Bornhorst and Ward and dated 17/12/21. b) Construct stormwater works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ TS "as constructed" plans, certified by a RPEQ including an asset register in a format acceptable to Council.	a) Prior to commencement of stormwater works b) Prior to commencement of use or BFP endorsement, whichever occurs first c) Prior to commencement of use or BFP endorsement, whichever occurs first
24.	Electricity a) Submit to EDQ TS a Certificate of Electricity Supply from Energex for the provision of electricity supply to the approved development. b) Connect the approved development in accordance with the Certificate of Electricity Supply submitted under part a) of this condition.	a) Prior to commencement of use or BFP endorsement, whichever occurs first b) Prior to commencement of use or BFP endorsement, whichever occurs first
25.	Telecommunications a) Submit to EDQ TS documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the approved development. b) Connect the approved development in accordance with the documentation submitted under part a) of this condition.	a) Prior to commencement of use or BFP endorsement, whichever occurs first b) Prior to commencement of use or BFP endorsement, whichever occurs first
26.	Broadband a) Submit to EDQ TS written agreement, from an authorised telecommunications service provider, confirming that fibre-ready pit and pipe infrastructure designed to service the approved development can accommodate services compliant with <i>Industry Guideline G645:2017 Fibre-Ready Pit and Pipe Specification for Real Estate Development Projects</i>.	a) Prior to commencement of use or BFP endorsement, whichever occurs first

	b) Construct the fibre-ready pit and pipe infrastructure specified in the agreement submitted under part a) of this condition.	b) Prior to commencement of use or BFP endorsement, whichever occurs first
27.	Landscape works – compliance assessment a) Submit to EDQ DA for compliance assessment updated detailed landscape plans, certified by an AILA, for the development's landscape works. The detailed landscape plans must be: - designed generally in accordance with the Landscape Concept Plan prepared by Andrew Gold Landscape Architect and dated 9/3/22 (rev. C) - demonstrate how the species and locations of the proposed screen planting on the frontage with Old Pub Lane will not adversely impacting the integrity and access of the water main within the property. b) Construct landscape works generally in accordance with the endorsed plans submitted under part a) of this condition.	a) Prior to commencement of ground level building work b) Prior to commencement of use or BFP endorsement, whichever occurs first
28.	Refuse collection a) Submit to EDQ TS evidence of approved refuse collection arrangements, from Council or a private waste contractor, for the approved development. b) Implement the refuse collection arrangements submitted under part a) of this condition.	a) Prior to commencement of use or BFP endorsement, whichever occurs first b) At all times following commencement of use
29.	Outdoor lighting Outdoor lighting within the site is to be designed and constructed in accordance with <i>Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i>.	Prior to commencement of use or BFP endorsement, whichever occurs first
30.	Easements over infrastructure Provide public utility easements, in favour of and at no cost to the grantee, over infrastructure located in land (other than road) for Contributed Assets. The terms of public utility easements are to be to the satisfaction of the Chief Executive Officer of the authority which is to accept and maintain the Contributed Assets.	Prior to commencement of use or registration of a Building Format Plan, whichever occurs first
Infrastructure contributions		
31.	Infrastructure Charges Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows:	In accordance with the IFF

	- where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced on or before 6 years from the original decision date – in accordance with the IFF in force at the time of the original decision date; or - where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced more than 6 years from the original decision date – in accordance with the IFF in force at the time of the payment. - Where the application is a MCU, certified construction plans detailing the GFA must also be provided to the MEDQ prior to commencement of use for calculation of final charges.	
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STANDARD ADVICE

Please note that 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 ****