



Our ref: DEV2010/102/8

17 June 2022

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

Voxson Pty Ltd
C/- Saunders Havill Group
Attn: Anna Havill
9 Thompson Street
BOWEN HILLS QLD 4066

annahavill@saundershavill.com

Dear Anna

Section 99 Approval - application to change PDA development application
Material Change of Use for Office (4,831m²) and Showroom (505m²) at 10 Theodore Street, Eagle Farm described as Lot 1 on SP228434

On 17 June 2022 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.dsdilgp.qld.gov.au/pda-da-applications.

If you require any further information, please contact Chris Hinton, Principal Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7494 or at chris.hinton@dsdilgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

Beatriz Gomez
Director
Development Assessment
Economic Development Queensland

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	10 Theodore Street, Eagle Farm	
Lot on plan description	Lot number	Plan description
	1	SP228434
PDA development application details		
DEV reference number	DEV20210/102/8	
'Properly made' date	11 April 2022	
Type of application	☒ Application to change PDA development approval	
Description of proposal applied for	Change of Approval (Amendments to facilitate future road widening): • Amendments to Architectural Plans: ○ Changes to the basement and ground floor levels to provide for a future 8.0m road widening along Theodore Street; and ○ Reinstatement of a second basement level of car parking. • Approval of replacement Safety & Risk Assessment	
PDA development approval details		
Decision of the MEDQ	The MEDQ has decided to grant <u>all</u> of the PDA development approval applied for, <u>subject to</u> PDA development conditions forming part of this decision notice	
Original Decision date	11 April 2011	
1 st Extension to Currency period	24 June 2015	
2 nd Extension to Currency period	7 November 2018	
3 rd Extension to Currency period	17 June 2022	
1 st Change to approval date	2 September 2015	
2 nd Change to approval date	17 June 2022	
Currency period	14 years from the original decision date	

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.	'Site Plan', prepared by Mode	09378BNE, DD002_E	21 March 2022
2.	'1:200 Site Plan', prepared by Mode	09378BNE, DD011_H	21 March 2022
3.	'Floor Plan, Basement Level 2', prepared by Mode	09378BNE, DD100_J	21 March 2022
4.	'Floor Plan, Basement Level 1', prepared by Mode	09378BNE, DD101_A	21 March 2022
5.	'Floor Plan, Ground Level', prepared by Mode	09378BNE, DD102_M	21 March 2022
6.	'Floor Plan, Level 2', prepared by Mode	09378BNE, DD103_H	21 March 2022
7.	'Typical Floor Plan, Office Level 3-5', prepared by Mode	09378BNE, DD104_G	21 March 2022
8.	'Floor Plan, Roof Terrace Level', prepared by Mode	09378BNE, DD107_E	21 March 2022
9.	'North Elevation', prepared by Mode	09378BNE, DD200_C	21 March 2022 (Amended in Red 2 June 2022)
10.	'South Elevation', prepared by Mode	09378BNE, DD201_C	21 March 2022 (Amended in Red 2 June 2022)
11.	'West Elevation', prepared by Mode	09378BNE, DD202_C	21 March 2022 (Amended in Red 2 June 2022)
12.	'East Elevation', prepared by Mode	09378BNE, DD203_C	21 March 2022 (Amended in Red 2 June 2022)
13.	'Section A', prepared by Mode	09378BNE, DD300_G	21 March 2022 (Amended in Red 2 June 2022)
14.	'Section B', prepared by Mode	09378BNE, DD301_G	21 March 2022 (Amended in Red 2 June 2022)
15.	'Section C', prepared by Mode	09378BNE, DD302_C	21 March 2022 (Amended in Red 2 June 2022)

16.	'Voxson Site PHA – 10 Theodore St', prepared by Icubed Environmental	22-032 – Voxson Site PHA.Docx, V 1.0	23 February 2022
Plans and documents previously approved on 24 June 2015		Number	Date
17.	'10 Theodore Street, Eagle Farm – Transport Impact Assessment', prepared by GTA Consultants	15B1226000, Issue A	22 June 2015
Plans and documents previously approved on 11 April 2011		Number	Date
18.	'Acoustic Assessment – 10 Theodore St, Eagle Farm' prepared by Air Noise Environment Pty Ltd	Version 01	30 November 2010
19.	'Stormwater Management Plan for the Proposed Showroom and Offices located at 10 Theodore Street, Eagle Farm', by Bornhorst & Ward	Project No. 10230, Revision A	October 2010

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 IS** means Economic Development Queensland's – Infrastructure Solutions 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. **LTA** means *Land Title Act 1994*.
13. **MEDQ** means the Minister for Economic Development Queensland.
14. **Municipal IA** means the Yarrabilba Infrastructure Agreement (Municipal) in effect on 19 May 2017 (as amended from time to time).
15. **PDA** means Priority Development Area.
16. **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.

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.

- 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.
 - 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.

SUBMITTING DOCUMENTATION TO EDQ:

Where a condition of this approval requires documentation to be submitted to either EDQ DA or EDQ IS, submit the documentation to:

- a) EDQ DA at: pdadevelopmentassessment@dsdmip.qld.gov.au.
- b) EDQ IS at: EDQ_PrePostConstruction@dsdmip.qld.gov.au.

No.	Condition	Timing
1.	Carry out the approved development Carry out the development generally in accordance with the approved plan/s, drawing/s and document/s.	Prior to the commencement of use
2.	Complete all Operational and Building Works Complete all operational and building work associated with this development approval, including work required by any of the following conditions. Such operational and building work is to be carried out generally in accordance with the approved plans.	Prior to the commencement of use
3.	Safety and Risk Management Submit to EDQ IS, DSDILGP, evidence that the engineering and design controls and proposed mitigation controls of emergency plans and procedures and staff and visitor inductions have been completed and implemented in accordance with the approved report 'Voxson Site PHA – 10 Theodore St', prepared by Icubed Environmental (22-032 – Voxson Site PHA.Docx, V 1.0, dated 23 February 2022).	Prior to commencement of use and to be maintained

4.	Acoustics Submit to EDQ IS, DSDILGP, certification from a RPEQ that the development has been constructed to meet the objectives for controlling intrusion into the building as specified and recommended in approved '<i>Acoustic Assessment – 10 Theodore St, Eagle Farm</i>' prepared by Air Noise Environment Pty Ltd (Version 01, dated 30 November 2010).	Prior to commencement of use
5.	Detailed landscape plan a) Submit to EDQ IS, DSDILGP, 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 following approved plans: i) '<i>1:200 Site Plan</i>', prepared by Mode (09378BNE, DD011_H, dated 21 March 2022); ii) '<i>Floor Plan, Ground Level</i>', prepared by Mode (09378BNE, DD102_M, dated 21 March 2022); and iii) '<i>Floor Plan, Roof Terrace Level</i>', prepared by Mode (09378BNE, DD107_E, dated 21 March 2022). b) Construct landscape works generally in accordance with the certified 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
6.	Traffic Engineering Submit to EDQ IS, DSDILGP, RPEQ certification that site access, delivery vehicle movement (parking and loading) and car park layouts has been constructed in accordance with the following: i) Brisbane City Council's <i>Transport Access Parking and Servicing Policy</i>; and ii) approved '<i>10 Theodore Street, Eagle Farm – Transport Impact Assessment</i>', prepared by GTA Consultants (15B1226000, Issue A, dated 22 June 2015)	Prior to commencement of use
7.	Flood immunity a) The level of the basement car park exit and entrance ramps shall be a minimum of 3.5m AHD as recommended in approved '<i>Stormwater Management Plan for the Proposed Showroom and Offices located at 10 Theodore Street, Eagle Farm</i>', prepared by Bornhorst & Ward (Project No. 10230 Revision A, dated October 2010).	Prior to commencement of use

	b) The minimum floor level shall be RL 3.5m AHD as recommended in approved '<i>Stormwater Management Plan for the Proposed Showroom and Offices located at 10 Theodore Street, Eagle Farm</i>', prepared by Bornhorst & Ward (Project No. 10230 Revision A, dated October 2010).	
8.	Filling and Excavation a) Submit to EDQ IS, DSDILGP, an earthworks plan and cross sections certified by a RPEQ-Civil. This is to be in accordance with Brisbane City Council's <i>Filling and Excavation Code and Subdivision and Development Guidelines</i>. The plan is to demonstrate that the ground floor level of the development is at least the ARI 100 flood level plus 300mm. b) Submit to EDQ IS, DSDILGP, certification from a RPEQ specialising in geotechnical engineering stating that all constructed cut/fill batters and/or retaining structures have achieved adequate stability with a factor of safety greater than 1.5 and that all cut and fill operations have been carried out in accordance with AS3798 and any unsuitable material encountered has been treated or replaced with suitable replacement material.	a) Prior to the commencement of works b) Prior to commencement of use
9.	Construction management a) Prepare and submit to EDQ IS, DSDILGP, a site-based construction management plan that includes but is not limited to: • provision for the management of traffic around and through the site during and outside of construction work hours • provision for parking and materials delivery during and outside of construction hours of work • management of dust generated from the site during and outside construction work hours; • management of sedimentation and erosion which complies with Brisbane City Council's Erosion and Sediment Control Standard (Version 9 or later). • management of groundwater and surface water collection, treatment and disposal. The construction management plan shall be prepared in consultation with the professionals responsible for individual site related management plans to ensure that all aspects of the construction and environmental management are included. The construction management plan shall be reviewed and approved by the principal consultant overseeing and certifying the construction works.	a) Prior to commencement of site works

	b) All work shall be undertaken in accordance with the construction management plan which must be current and available on site at all times during the construction period.	b) At all times during site works
10.	Sewer & Water Connection <u>QUU – Nominated Assessing Authority</u> a) Seek and obtain approval from Queensland Urban Utilities (QUU) to connect into the existing water and sewerage infrastructure. Submit for approval to the QUU engineering plans showing the design of any sewer property connections to serve the development. A Registered Professional Engineer of QLD (RPEQ) is to verify the plan and ensure the design is in accordance with current Water and Sewerage Standards. b) Construct the water and sewer connection in accordance with the approved plans required in part (a) of this condition. Submit to the QUU and the ULDA as-constructed plans verified by a Registered Professional Engineer of QLD (RPEQ) confirming all works have been completed in accordance with the approved plans c) Provide to EDQ IS, DSDILGP, all approval correspondence from QUU relating to part (a) of this condition.	a) Prior to the commencement of site works b) Prior to commencement of use c) Prior to commencement of use
11.	Service, meter assembly & meter box Provide a water service, approved meter assembly and meter box to the boundary of proposed development in accordance with the WSA 03- 2002 Water Supply Code of Australia V2.3 and Brisbane City Council's <i>Supplementary Manual</i>.	Prior to commencement of use
12.	Stormwater System a) Submit to EDQ IS, DSDILGP, a Stormwater Drainage Plan detailing: • how the internal drainage is collected and discharged to the external drainage system and • stormwater quality devices to be incorporated into the development. A RPEQ is to certify the plan is in accordance with: • Brisbane City Council's current Standards; and • approved '<i>Stormwater Management Plan for the Proposed Showroom and Offices located at 10 Theodore Street, Eagle Farm</i>', prepared by Bornhorst & Ward (Project No. 10230 Revision A, dated October 2010).	a) Prior to the commencement of site work

	b) Construct the stormwater connection/s in accordance with the approved plans required in part (a) of this condition. Submit to EDQ IS, DSDILGP, as-constructed plans verified by a RPEQ confirming all works have been completed in accordance with the approved plans	b) Prior to commencement of use
13.	Telecommunications a) Enter into an agreement with a telecommunication carrier to provide underground telecommunication services within and adjacent to the proposed development in accordance with Brisbane City Council's <i>Subdivision and Development Guidelines</i>. b) Construct the services in accordance with the agreement.	Prior to commencement of use
14.	Electricity (Underground Supply Area) Provide underground electricity services in accordance with the Brisbane City Council's <i>Subdivision and Development Guidelines</i>.	Prior to commencement of use
15.	Service conduits and mains Supply and install all service conduits and meet the cost of any alterations to public utility mains, existing mains, services or installations required in connection with the approved development in accordance with the Brisbane City Council's <i>Subdivision and Development Guidelines</i>.	Prior to commencement of use
16.	Repair damage to Kerb, Footpath or Road Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footpaths, roads, kerb and channel and stormwater gullies and drain lines) that may occur during any works carried out in association with the approved development.	Prior to commencement of use
17.	Acid Sulphate Soils – Management Plan a) Submit to EDQ IS, DSDILGP, an Acid Sulphate Management Plan for the proposed works in accordance with <i>State Planning Policy 2/02</i> prepared and certified by an RPEQ. b) Implement and maintain the provisions of the submitted '<i>Acid Sulphate Soil Management Plan</i>' on-site in accordance with the <i>State Planning Policy 2/02 - Planning and Managing Development Involving Acid Sulphate Soils</i> and associated guidelines and technical documents.	a) Prior to commencement of construction b) At all times during construction works

18.	Future Road dedication The development must not prejudice the future widening of the road reserve along the site's Theodore Street frontage and must keep the area identified clear of improvements and structures. The extent of the land to be set aside for a future road reserve widening is identified for 'resumption' on the following approved plans: i) 'Floor Plan, Ground Level', prepared by Mode (09378BNE, DD102_M, dated 21 March 2022) ii) 'Section C', prepared by Mode (09378BNE, DD302_C, dated 21 March 2022 (Amended in Red 2 June 2022))	At all times, unless otherwise agreed in writing by the MEDQ									
19.	Infrastructure Contributions Pay to the MEDQ, a monetary contribution towards the cost of the provision of essential infrastructure. The contribution has been calculated in accordance with the ULDA's Interim Infrastructure Framework (The Framework) which will apply for all development approvals issued prior to 30 June 2011. The Framework specifies that the charge will be adjusted each July in accordance with the 5-year rolling average of the Road and Bridge Construction Queensland Index. The current applicable general infrastructure charge is: <table border="1"> <tr> <td>5,335m² Retail / Commercial GFA</td><td>\$ 13,460 / 100m² GFA</td><td>\$726,840.00</td></tr> </table> Value uplift component (applying only to the GFA exceeding City Plan): <table border="1"> <tr> <td>4,260m² Retail / Commercial GFA</td><td>\$20,345 / 100m² GFA</td><td>\$874,835.00</td></tr> <tr> <td colspan="2">TOTAL</td><td>\$1,601,675.00*</td></tr> </table> <i>* Charge will be adjusted each July in accordance with the 5-year rolling average of the Road and Bridge Construction Queensland Index.</i>	5,335m ² Retail / Commercial GFA	\$ 13,460 / 100m ² GFA	\$726,840.00	4,260m ² Retail / Commercial GFA	\$20,345 / 100m ² GFA	\$874,835.00	TOTAL		\$1,601,675.00*	Prior to commencement of use
5,335m ² Retail / Commercial GFA	\$ 13,460 / 100m ² GFA	\$726,840.00									
4,260m ² Retail / Commercial GFA	\$20,345 / 100m ² GFA	\$874,835.00									
TOTAL		\$1,601,675.00*									

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 ****