

DEV2010/042

5 July 2013

Mr Stuart Lockhart
Blue Sky Private Real Estate Pty Ltd
PO Box 15515
BRISBANE QLD 4002

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

Dear Mr Lockhart

**SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA
DEVELOPMENT PERMIT FOR A MCU FOR MULTIPLE RESIDENTIAL (36
DWELLING UNITS) AND SHOP & FOOD PREMISES (30M²) AT 24 BROOKES
STREET, BOWEN HILLS DESCRIBED AS LOT 4 & 5 ON RP9985**

On 5 July 2013 the Minister for Economic Development (MEDQ) approved the application to change the Priority Development Area (PDA) development approval pursuant to s.99 of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the change to the PDA development approval applied for subject to PDA development conditions set out in the attached PDA Development Approval Package.

The PDA development application and the decision notice can also be viewed in the MEDQ Development Approvals Register via the Department of State Development, Infrastructure and Planning website <http://edq.qld.gov.au/infrastructure-and-planning/priority-development-area-development-approvals.html>.

Should you have any queries in relation to the decision notice, please do not hesitate to contact Peita McCulloch on 3024 4120.

Yours Sincerely



Patrick Atkinson
Manager – Development Assessment



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PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	24 Brookes Street, Bowen Hills	
Lot on plan description	Lot number	Lot description
	Lots 4 & 5	RP9985
PDA development application details		
MEDQ reference number	DEV2010/042	
Lodgement date	Request was lodged on 31 May 2013 and accepted as properly made on 11 June 2013	
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	Multiple Residential (36 Dwelling Units) and Shop and Food Premises (35.72m ²)	

PDA development approval details

Decision of the MEDQ [delete other than the applicable decision]	The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions forming part of this decision notice
Original Decision date	5 May 2011
Change to approval date	5 July 2013
Currency period	4 years

Plans and specification

The plans and specifications approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.

Approved plans, reports and specifications		Number (if applicable)	Date (if applicable)
1.	Development Summary	A-DA-01-02, Issue P1	16-04-2013
2.	Site Analysis	A-DA-01-03, Issue P1	16-04-2013
3.	Site Plan	A-DA-01-04, Issue P1	16-04-2013
4.	Ground Floor Plan	A-DA-02-01, Issue P7	16-04-2013
5.	Level 1 Floor Plan	A-DA-02-02, Issue P6	16-04-2013
6.	Level 2-3 Floor Plan	A-DA-02-03, Issue P6	16-04-2013
7.	Level 4 Floor Plan	A-DA-02-04, Issue P5	16-04-2013
8.	Level 5-8 Floor Plan	A-DA-02-05, Issue P5	16-04-2013
9.	Roof Terrace	A-DA-02-06, Issue P7	16-04-2013
10.	Roof Plan	A-DA-02-07, Issue P3	16-04-2013
11.	West and East Elevations	A-DA-03-01, Issue P4	16-04-2013
12.	North and South Elevations	A-DA-03-02, Issue P4	16-04-2013
13.	Material Board	A-DA-03-03, Issue P1	16-04-2013
14.	Sections	A-DA-04-01, Issue P2	16-04-2013
15.	3D 1	A-DA-10-04, Issue P5	16-04-2013
16.	3D 2	A-DA-10-05, Issue P5	16-04-2013
17.	Landscape Plan: Surface Treatments – Ground Floor	13-206-L-WD01, Rev 01	24.05.2013
18.	Landscape Plan: Surface Treatments – Roof Terrace	13-206-L-WD02, Rev 01	24.05.2013
19.	Landscape Plan: Planting Plan Ground Floor, Plan Schedule and Construction Notes	13-206-L-WD01, Rev 01	24.05.2013
20.	Landscape Plan: Details	13-206-L-WD04, Rev 01	24.05.2013
21.	ESD Report 24 Brookes Street Bowen Hills, prepared by Eco Lateral	5291, Issue A	30/05/2013
22.	Pavillion 24 Brookes Street, Bowen Hills Acoustic Report, prepared by Sound Matters TTM	13BRA0087_R01_0 DA	30/05/2013
23.	Proposed Residential Development 24 Brookes Street, Bowen Hills Traffic Engineering Report, prepared by TTM	13BRT0219	31/05/2013

PDA Development Conditions

General/ Planning Requirements		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 and then to be maintained
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.	General Development Works Repair any damage to existing kerb and channel, footpath, roadway or other infrastructure that may occur during any works carried out in association with the development.	Prior to commencement of use
4.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) in accordance with the approved drawing(s) and/or documents.	To be maintained
5.	Accessible Housing Submit written confirmation to EDQ's Manager – Development Assessment that 4 accessible apartments (Type C) as illustrated on Drawing No. A-DA-01-02, Issue P1 have been constructed in accordance with the following stamped approved plans: Type C, A-DA-02-02, Issue P6, dated 16-04-2013	Prior to survey plan endorsement
6.	Affordable Housing - Deliver a minimum of 19 units, being 39% of the residential GFA for affordable housing. - Submit written confirmation to EDQ's Manager – Development Assessment that the development has delivered 39% of the total development GFA as dwelling units that are affordable to rent by households on the median household income for the Brisbane City Council local government area.	Prior to survey plan endorsement
7.	Sustainable Design - Ensure that the development is carried out in accordance with the sustainable design measures outlined in the stamped endorsed ESD Report prepared by Ecolateral, Issue A, dated 30/05/2013. - Ensure the development achieves an average of 7 stars NatHERs rating across all apartments and a minimum of 5 stars for each individual dwelling unit. - Submit written confirmation from a suitably qualified sustainability professional to EDQ's Manager – Development Assessment certifying that the development has been constructed in accordance with part a) of this condition.	- Prior to commencement of building works - Prior to commencement of building works - Prior to survey plan endorsement

8.	Shop and/or Food Premises Use and Design a) This approval allows the 30m² ground floor retail tenancy to be as either a Shop or Food Premises as defined under the <i>Bowen Hills Urban Development Area Development Scheme</i>. b) Window sill on retail tenancy is to be within 100-300mm above the corresponding footpath level with the use of reflective glass is not appropriate.	a) At all times b) Prior to commencement of use and to be maintained
9.	Shop and/or Food Premises Hours of Operation The hours of operation for the 30m² Shop and/or Food Premises located at the ground level are to be sympathetic to the surrounding residential environment and are limited to: - Sunday – Wednesday 6.30am – 9pm - Thursday – Saturday 6:30am – 10pm	At all times
10.	Landscape plan a) Construct all landscape areas including roof top terrace and ground floor retail tenancy generally in accordance with the following stamped approved plans prepared by inSITE EM LA. - Landscape Drawing Schedule, dated May 28th 2013; - Landscape Plan: Surface Treatments – Ground Floor, drawing no. 13-206-L-WD01, dated 24.05.2013; - Landscape Plan: Surface Treatments – Roof Terrace, drawing no. 13-206-L-WD02, dated 24.05.2013; - Landscape Plan: Planting Plan Ground Floor, Plant Schedule and Construction Notes, drawing no. 13-206-L-WD01, dated 24.05.2013; and - Landscape Plan: Details, drawing no. 13-206-L-WD04, dated 24.05.2013 b) Submit to EDQ's Manager – Development Assessment certification of the above listed works by a suitably qualified landscape architect professional. c) On completion, provide written certification to EDQ from a licensed and experienced Landscape Architect or Landscape Contractor that the completed landscaping complies with the approved detailed landscape plan.	a) Prior to commencement of site works b) Prior to commencement of landscape works c) Prior to commencement of use
11.	Footpath and Streetscape Improvements a) Construct proposed streetscape and footpath works including planting, footpath treatment and any streetscape furniture. The proposed streetscape improvements along Brookes Street are to be generally in accordance with Brisbane City Council's <i>Centre Detailing Design Manuel (CDDM)</i>. b) Provide 12 months maintenance to the street trees, commencing on receipt of written confirmation from EDQ's Principal Engineer that planting is satisfactory.	a) Prior to commencement of use and to be maintained b) As indicated

12.	Traffic Engineering a) Submit certification to EDQ's Principal Engineer from a Registered Professional Engineer Qld (RPEQ) that site access, delivery vehicle movement (parking and loading) has been constructed in generally in accordance with the following stamped approved report. <i>Proposed Residential Development 24 Brookes I Street Bowen Hills TTM Group Traffic Engineering Report Ref No.13BRT0219 dated 31.05/2013.</i> b) Submit to EDQ as-constructed plans verified by a Registered Professional Engineer of QLD (RPEQ) confirming all works have been completed in accordance with part (a) of this condition	a) Prior to commencement of use b) Prior to commencement of use
13.	Ground Level Shop/Food Premises On site Servicing Submit to EDQ for endorsement details of the proposed servicing arrangement for the ground level Shop/Food Premises, outlining the following: - Proposed hours for servicing and deliveries - Proposed days for servicing and deliveries	Prior to the commencement of site works
14.	Bicycle Parking Provide bicycle spaces and end of trip facilities in accordance with the stamped approved plans and the Bowen Hills Urban Development Area Development Scheme.	Prior to the commencement of use and to be maintained
15.	Public Lighting Install and maintain a suitable system of lighting to operate from dusk to dawn within all areas where the public will be given access. Ensure that all external lighting areas lights the buildings, particularly entrances and vegetated areas but does not overspill into other buildings or the sky. Ensure external materials do not cause unreasonable glare.	Prior to commencement of use and to be maintained
16.	Filling and Excavation a) Submit to EDQ's Principal Engineer an earthworks plan and cross sections, checked and certified by a Registered Professional Engineer of Queensland (RPEQ-Civil). This is to be in accordance with Brisbane City Council's <i>Filling and Excavation Code</i> and <i>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's Principal Engineer 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 <i>AS3798</i> and any unsuitable material encountered has been treated or replaced with suitable replacement material.	a) Prior to the commencement of works b) Prior to the commencement of use
17.	Construction management a) Prepare and submit to EDQ a site based construction management plan (CMP), certified by a Registered Professional Engineer of QLD	a) Prior to commencement

	(RPEQ) that specifies the practices that will be employed to manage the impacts that will result during construction. The plan must include, but is not limited to: i) Manage traffic flow and parking around and through the site during and outside of construction work hours ii) Manage the delivery of materials during and outside of construction hours of work iii) Manage of sedimentation, erosion and dust generated from the site during and outside construction work hours iv) Management of sedimentation and erosion which complies with Brisbane City Council's Erosion and Sediment Control Standard (Version 9 or later). v) Management of groundwater and surface water collection, treatment and disposal. vi) Where appropriate manage Acid Sulphate soils in accordance with management plans prepared specifically for this site. vii) Efficiently sort and minimise waste and maximise recycling opportunities. viii) Manage contaminated soils, including removal, treatment, disposal and/or replacement in accordance with site remediation plans prepared and approved specifically for this site. b) The CMP 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. c) 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.	of site works b) Prior to commencement of site works and to be maintained during site works c) At all times during site works
18.	Soil Erosion and Sediment Control Prior to plans being endorsed the applicant shall submit an Erosion and Sediment Control Plan (ESCP) which complies with Brisbane City Council's Erosion and Sediment Control Standard (Version 9 or later).	Prior to commencement of works on site
19.	Sewer & Water Connection Queensland Urban Utilities (QUU) – Nominated Assessing Authority 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 Brisbane City Council's 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 EDQ 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 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

20.	Service, meter assembly & meter box Brisbane City Council – Nominated Assessing Authority Provide a water service, approved meter assembly and meter box to the boundary of proposed development in accordance with the <i>WSA 03-2002 Water Supply Code of Australia V2.3</i> and Brisbane City Council's <i>Supplementary Manual</i>.	Prior to commencement of use
21.	Stormwater system a) Submit to EDQ's Principal Engineer a Stormwater Drainage Plan detailing how the internal drainage is collected and discharged to a lawful point of discharge. The plan shall include full calculations to confirm that the existing system has sufficient capacity to cater for the proposed development. A Registered Professional Engineer of QLD (RPEQ) is to certify the plan and ensure the design is in accordance with Brisbane City Council's current Standards. b) Construct the stormwater connection/s in accordance with the approved plans required in part (a) of this condition. Submit to EDQ as-constructed plans verified by a Registered Professional Engineer of QLD (RPEQ) confirming all works have been completed in accordance with the approved plans.	a) Prior to commencement of site works b) Prior to commencement of use
22.	Easements over infrastructure – water supply, sewerage, drainage Queensland Urban Utilities (QUU) – Nominated Assessing Authority Where public utilities are located on private land, public utility easements must be provided in favour and at no cost to Brisbane City Council. The terms of the easements must be to the satisfaction of the Chief Executive Officer	Prior to commencement of use
23.	Acoustics Submit written confirmation to EDQ's Principal Engineer from a Registered Professional Engineer of Queensland (RPEQ) that the development has been constructed to meet the objectives for controlling intrusion into the residential buildings as specified and recommended in the approved Sound Matters TTM <i>Pavillion 24 Brookes Street, Bowen Hills Acoustic Report</i>, ref no. 13BRA0087_R01_ODA, dated May 2013	Prior to the commencement of use
24.	Telecommunications Enter into an agreement with a telecommunication carrier to provide underground telecommunication services to each new lot within and adjacent to the proposed development in accordance with Brisbane City Council's <i>Subdivision and Development Guidelines</i>.	Prior to commencement of use
25.	Electricity (Underground Supply Area) Provide underground electricity services in accordance with an approved electricity reticulation plan and the Brisbane City Council's <i>Subdivision and Development Guidelines</i>.	Prior to commencement of use
26.	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

27.	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 drainlines) that may occur during any works carried out in association with the approved development	Prior to the commencement of use									
28.	Community Management Statement Submit to EDQ's Principal Engineer a copy of the Community Management Statement (CMS) with a copy of the survey plan. The CMS shall contain the following requirements/information - Landscaping is to be maintained in accordance with the approved plans and maintenance regime. - Internal collection of refuse and recyclables remains the responsibility of the Body Corporate/ Tenants. - A statement disclosing to purchasers that the site is located in proximity to the RNA Showgrounds and as a consequence of its activities may not be afforded the same level of noise amenity compared with other residential areas.	Prior to the commencement of use and to be maintained									
29.	Refuse Collection Signoff Submit to EDQ's DA Assessment Manager refuse collection approval from Mr John Love of City Waste Services, BCC	Prior to the approval of building works									
30.	Pre-Construction Self Certification No work shall commence until EDQ acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with EDQ's Certification Procedures Manual.	Prior to commencement of Construction									
31.	Post-Construction Self Certification Submit Post-Construction (Practical Completion) Certification, approved forms and "as Constructed" plans including an asset register, certified by a Registered Professional Engineer Queensland (RPEQ), that the plans are a true record of the works "as constructed" are in accordance with the approved plans.	Prior to the commencement of use									
32.	Infrastructure Contributions Pay to the Urban Land Development Authority a monetary contribution towards the cost of the provision of essential infrastructure. The contribution has been calculated in accordance with the ULDA's <i>Interim Infrastructure Framework</i> (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>18 Small units @ 0-60m² GFA</td><td>\$12,256/ unit</td><td>\$220,608.00</td></tr> <tr> <td>18 Medium units @ 60-100m² GFA</td><td>\$17,108/ unit</td><td>\$307,944.00</td></tr> <tr> <td>30m² Retail</td><td>\$14,680/ 100m² GFA</td><td>\$14,680.00</td></tr> </table>	18 Small units @ 0-60m ² GFA	\$12,256/ unit	\$220,608.00	18 Medium units @ 60-100m ² GFA	\$17,108/ unit	\$307,944.00	30m ² Retail	\$14,680/ 100m ² GFA	\$14,680.00	Prior to survey plan endorsement
18 Small units @ 0-60m ² GFA	\$12,256/ unit	\$220,608.00									
18 Medium units @ 60-100m ² GFA	\$17,108/ unit	\$307,944.00									
30m ² Retail	\$14,680/ 100m ² GFA	\$14,680.00									

The current value uplift component (applying only to the GFA exceeding City Plan):		
12 Small units @ 0-60m ² GFA	\$11,789/ unit	\$64,860.00
12 Medium units @ 60-100m ² GFA	\$17,685/ unit	\$145,935.00
Total Value Uplift		\$353,688.00
The total payable is:		
TOTAL		*\$896,920.00
* Charge will be adjusted each July in accordance with the 5 year rolling average of the Road and Bridge Construction Queensland Index		

STANDARD ADVICE

PDA Development Approval

This PDA Development Approval does not include assessment against the following:

- Building Code of Australia and does not permit building work to occur. Prior to the commencement of any building work, a Development Permit under the *Sustainable Planning Act 2009* for Carrying out Building Work will be required.
- *Plumbing and Drainage Act 2002*. Prior to commencement of any building work a Compliance Permit will be required from the Brisbane City Council.

Awnings in Road Reserve

Where the street canopies protrude over road reserve approval from DERM will be required.

Operational Airspace

Development is not within the operational airspace however the construction cranes may be. Development in operational airspace, as per Brisbane Airport Master Plan, must not cause a permanent or temporary obstruction or potential hazard to aircraft movements.

Brisbane City Council (BCC) or Queensland Urban Utilities (QUU) - Nominated Assessing Authority

For any conditions in this package that require the consideration of BCC or QUU, you will need to submit the relevant forms, plans and/or reports and fee to the entity nominated in the condition/s. When satisfied that the condition has been met, the applicable entity will issue a response in the manner required by the condition/s (e.g. a letter of endorsement or authorisation or a permit).

Equitable Access

You are notified of your responsibility to provide equitable access for disabled persons to and within the site in accordance with the *Queensland Anti-Discrimination Act 1991*, the *Federal Disability Discrimination Act 1992* and Australian Standard AS1428 Parts 1-4 Australian Standard for Access and Mobility.

This development approval does not indicate that the proposal complies with these requirements. Determination of compliance with these requirements is the sole responsibility of the owner/builder/developer of the proposal.

Noise and Dust Emissions

You are advised that all development involving the emission of noise and dust from building/construction activities requires that such emissions be in accordance with the requirements of the *Environmental Protection Act 1994*.

Pursuant to Division 3 Section 440R of the Act, a builder or building contractor must not carry out building work on a building site in a way that makes or causes audible noise to be made from the building work:

- on a Sunday or public holiday, at any time or
- on a Saturday or business day, before 6.30 a.m. or after 6.30 p.m.

Please note: The above information has been provided to the applicant as an advice only, and does not form part of the development approval conditions. This advice has been provided to the applicant to inform them of other obligations they may have to comply with (under state legislation or local laws) prior to their activity commencing.

**** End of Package ****