Queensland
Government

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

DEV2012/223

6 November 2013

Fame (Qld) Pty Ltd
c/- Michael Kisluk
TVS Architects
48 Leichardt Street
SPRING HILL Q 4000

Dear Michael

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR AN MCU FOR MULTIPLE RESIDENTIAL (18 DWELLING UNITS) AND ASSOCIATED OPERATIONAL WORKS AT 1-3 HURWORTH STREET, BOWEN HILLS DESCRIBED AS LOTS 1, 2 AND 3 ON RP54247

On 6 November 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 30244120.

Yours Sincerely

Patrick Atkinson
Director, Development Assessment Division

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ABN 29 230 178 530

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	1-3 Hurworth Street, Bowen Hills	
Lot on plan description	Lot number	Lot description
	Lots 1, 2 & 3	RP54247
PDA development application details		
MEDQ reference number	DEV2012/223	
Lodgement date	5 November 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	S 99 change to the approval; amendments to the existing approved plans	

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 notice
Original Decision date	10 May 2012
Change to approval date	6 November 2013
Currency period	4 years from original Decision date

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.	Lower Level Plan – Proposed	5355.1W.03.001, Rev 12	29.10.13
2.	Ground Floor Plan – Proposed	5355.1W.03.002, Rev 13	29.10.13
3.	Level 1 Plan – Proposed	5355.1W.03.003, Rev 13	29.10.13
4.	Level 2 Plan – Proposed	5355.1W.03.004, Rev 13	29.10.13
5.	Unit 5 Accessible Housing Provision Detail	5355.1W.03.005, Rev 5	1.11.13
6.	Roof Plan	5355.3S.02.004	Feb 2012
7.	Elevations/Sections	5355.1W.04.001, Rev 11	29.10.13
8.	Landscape Plan (Amended in Red)	LP 001	02/2012

CONDITIONS		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.	**Public Lighting** a) Enter into an agreement with an electricity supplier to provide a lighting system. b) Install and maintain a suitable system of lighting to operate from dusk to dawn within all areas where the public will be given access. c) Ensure that all external lighting areas lights the building, particularly entrances and vegetated areas but does not overspill into other buildings or the sky. d) Ensure lighting over public footpaths covered by	Prior to commencement of use and to be maintained

	permanent awnings to a minimum of 20 lux (horizontal plane) at footpath level. e) Ensure lighting is to be maintained by the owner of the building in a safe and good working order.	
4.	**Lighting** External lighting is to be designed and installed in accordance with any relevant local government policy or standard or, where no relevant local government policy or standard exists, in accordance with AS4282-1997 Control of the Obtrusive Effects of Outdoor Lighting so as not to cause nuisance to nearby residents or passing motorists.	Prior to commencement of use
5.	**Detailed landscape plan** a) Submit to the ULDA's DA Manager a detailed landscape plan generally in accordance with the approved Landscape Plan LP001 dated 02/2012. The plans are to be prepared and certified by an Australian Institute of Landscape Architects (AILA) registered landscape architect. b) Provide written confirmation from an AILA registered landscape architect or a Building Services Authority (BSA) QLD licensed and experienced landscape contractor that the constructed works comply with the approved landscape plan from part a) of this condition.	a) Prior to approval for building works b) Prior to commencement of use and to be maintained
6.	**Streetscape Improvements** a) Submit for compliance endorsement from the ULDA's Manager – Development Assessment detailed landscape plan for all proposed streetscape works including planting, footpath treatment and any streetscape furniture. The proposed streetscape improvements along Hurworth are to: i) be in accordance with the road's function generally in accordance with Brisbane City Council's *Centres Detail Design Manual (CDDM)* and *Subdivision and Development Guidelines* ii) provide semi-advanced street trees to the Hurworth Street frontage at spacing generally complying with the Brisbane City Council's *Centres Detail Design Manual* (CDDM) and *Subdivision and Development Guidelines.* b) Provide 12 months maintenance to the street trees, commencing on receipt of written confirmation from the ULDA Principal Engineer that planting is satisfactory.	a) Prior to commencement of use and to be maintained b) As indicated
7.	**Filling and Excavation** a) Submit to ULDA'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 *Filling and Excavation Code* and *Subdivision and Development Guidelines.* The plan is to	a) Prior to the commencement of works

	demonstrate that the ground floor level of the development is at least the ARI 100 flood level plus 300mm. b) Submit to ULDA'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 *AS3798* and any unsuitable material encountered has been treated or replaced with suitable replacement material.	b) Prior to the commencement of use
8.	**Construction management** a) Prepare and submit to the ULDA 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. 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.	a) Prior to the commencement of site works b) At all times during site works
9.	**Accessible Housing** a) Provide 1 x accessible dwelling in accordance with Unit 5 – Accessible Housing Provision Detail, drawing no. 5355.1W.03.005, Rev 5 b) Provide "As Constructed" drawings in accordance with part a) of this condition.	a) Prior to survey plan endorsement b) Prior to commencement of use

8.	**Protecting Existing Infrastructure** Where there is existing infrastructure in the vicinity of the proposed work, then the new work must not damage or compromise the working ability of the existing infrastructure. Should it be required to provide alterations to public utility mains, existing mains, services or installations, then the developer is required to meet the costs of the alteration/s, which is to be carried out in accordance with Brisbane City Council's "Subdivision and Development Guidelines".	While site works are occurring, then to be maintained
9.	**Sewer & Water Connection** **Brisbane City Council - Nominated Assessing Authority** a) Submit to the ULDA a letter of endorsement 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 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 the ULDA 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
10.	**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 *Supplementary Manual.*	Prior to the commencement of use
11.	**Stormwater system** a) Submit for compliance endorsement to the ULDA's Principal Engineer a Stormwater Drainage Plan detailing how the internal drainage is collected and discharged to the external drainage system. 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 certified 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 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	a) Prior to commencement of site works b) Prior to commencement of use

12.	**Construct a Permanent Vehicle Crossing** Construct the driveway crossing in accordance with Council's "Subdivision and Development Guidelines" and Standard Drawings Remove the existing vehicular crossing on the frontage of the site and reinstate in accordance with Brisbane City Council's "Subdivision and Development Guidelines	Prior to commencement of use
13.	**Construct footpath** a) Submit to the ULDA engineering plans certified by a Registered Professional Engineer Qld (RPEQ) showing the design of the footpaths to Hurworth Street are generally in accordance with Brisbane City Council's *Subdivision and Development Guidelines* and *Centres Detailing Design Manual* (CDDM) including any signs and traffic safety signs, markings and devices. b) Construct footpaths in accordance with part a) of this condition	a) Prior to approval for building works b) Prior to commencement of use and to be maintained
14.	**Repair damage to Kerb, Footpath or Road** **Brisbane City Council – Nominated Assessing Authority** 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 commencement of use
15.	**On site Erosion** a) Minimise on-site erosion and the release of sediment or sediment-laden stormwater from the site at all times. b) Prepare an Erosion and Sediment Control (ESC) Management Plan for the site in accordance with the Healthy Waterways document "Controlling Stormwater Pollution on Your Building Site" 2006 (or later version) and Brisbane City Council's "Erosion and Sediment Control Standard" (Version 9 or later). c) Implement and maintain the ESC Management Plan on-site for the duration of the operational or building works, and until all exposed soil areas are permanently stabilised (e.g. turfed, hydro-mulched, concreted, landscaped). The prepared ESC Management Plan must be available on-site during these works.	a) As indicated b) Prior to site works commencing c) While site works/operational works/building works is occurring
17.	**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 *Subdivision and Development Guidelines.*	Prior to commencement of use

	b) Construct the services in accordance with the agreement.	
18.	**Electricity (Underground Supply Area)** Provide underground electricity services in accordance with an approved electricity reticulation plan and the Brisbane City Council's *Subdivision and Development Guidelines.*	Prior to commencement of use
19.	**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 *Subdivision and Development Guidelines.*	Prior to commencement of use
20.	**Broadband** Provide infrastructure within the development to accommodate NBN services in accordance with NBN Co Limited *'New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers'*, Doc. No NBN-TE-CTO-194, issue date 1st April 2011.	Prior to commencement of use.
21.	**Refuse Collection** a) Submit to the ULDA's Manager – Development Assessment refuse collection approval from City Waste Services, Brisbane City Council. b) Provide a screened bin corral and locate as indicated on the approved plans for the storage of bulk bins, which is to be shared between all tenants. c) The applicant/owner shall notify future owners/body corporate that the development has been approved on the basis that an indemnity is provided for refuse collection vehicles to enter the property.	a) Prior to approval for building works b) Prior to commencement of use and to be maintained. c) Prior to commencement of use and to be maintained
22.	**Certification Agreement** Comply with all requirements and fulfil all responsibilities outlined in the ULDA Certification Procedure Manual. No work is to commence until the certification documents submitted by the Project Coordinator is acknowledged in writing by the ULDA.	Prior to commencement of site works
23.	**Pre-Construction Certification** No work shall commence until the ULDA acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with ULDA Certification Procedures Manual.	Prior to commencement of construction

<table>
<tr><td>24.</td><td>Post-Construction 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.</td><td>Prior to the commencement of use</td></tr>
<tr><td>25.</td><td>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 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>
<tr><td>15 dwelling units (small)</td><td>$11,785.00 per dwelling unit (small)</td><td>$176,775.00</td></tr>
<tr><td>Total</td><td></td><td>$176,775.00</td></tr>
</table>

Value uplift component (applying only to the GFA exceeding City Plan):

<table>
<tr><td>3 dwelling units (small)</td><td>$11,336.00 per dwelling unit (small)</td><td>$34,008.00</td></tr>
<tr><td>Less 30% on 100% affordable housing</td><td></td><td>-$10,202.00</td></tr>
<tr><td>Total Value Uplift</td><td></td><td>$23,806.00</td></tr>
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<table>
<tr><td>TOTAL</td><td>$200,581.00</td></tr>
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* Charge will be adjusted each July in accordance with the 5 year rolling average of the Road and Bridge Construction Queensland Index</td><td>Prior to the commencement of use</td></tr>
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STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this UDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Urban Land Development Authority Act 2007* as well as the *Sustainable Planning Act 2009* (e.g. for building work), the *Plumbing and Drainage Act 2002* and the Commonwealth *Environmental Protection and Biodiversity Act 1999.* Carrying out development may also be subject to ‘duty of care’ legislation such as the *Aboriginal Cultural Heritage Act 2003.* For advice on other approvals that may be necessary in relation to your proposal, please seek professional advice.

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 ****