

Our ref: DEV2014/552

17 March 2014

Blue Sky Private Real Estate
c/- Leo Mewing
Cardno HRP
Level 11, 40 Creek Street
BRISBANE QLD 4000

Dear Leo

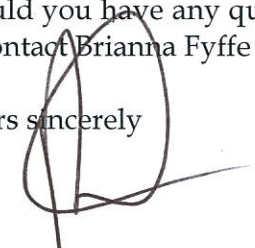
SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - MULTIPLE RESIDENTIAL (40 DWELLING UNITS), SHOP AND FOOD PREMISES (93M²) AT 44-46 BROOKES STREET, BOWEN HILLS DESCRIBED AS LOT 14 AND 15 ON RP9985.

On 17 March 2014 the Minister for Economic Development Queensland (MEDQ) approved the Priority Development Area (PDA) development application pursuant to s.85(4)(b) of the *Economic Development Act 2012*. MEDQ has decided to grant all of 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 MEDQ website <http://www.dsdip.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 Brianna Fyffe on 3452 7167.

Yours sincerely



Patrick Atkinson
DIRECTOR - DEVELOPMENT ASSESSMENT

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PDA Decision Notice – Approval

Site information		
Name of urban development area (PDA)	Bowen Hills	
Site address	44-46 Brookes Street, Bowen Hills	
Lot on plan description	Lot number	Lot description
	Lot 14	RP9985
	Lot 15	RP9985
PDA development application details		
MEDQ reference number	DEV2014/552	
Lodgement date	12 February 2014	
Type of application	☒ New development involving:- ☒ Material change of use ☒ Development permit	
Description of proposal applied for	Multiple Residential (40 dwelling units), Shop and Food Premises (93m ²)	

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	
Decision date		17 March 2014	
Currency period		4 years from 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.	Site Plan	DA-002, Revision A	Feb. 2014
2.	Development Summary	DA-003, Revision B	Feb. 2014
3.	Basement Floor Plan	DA-110, Revision A	Feb. 2014
4.	Ground Floor Plan	DA-100, Revision C	Feb. 2014
5.	Level 1 Plan	DA-101, Revision B	Feb. 2014
6.	Level 2 Plan – Podium	DA-102, Revision B	Feb. 2014
7.	Levels 3-4 Plans	DA-103, Revision B	Feb. 2014
8.	Levels 5-11 Plans	DA-104, Revision B	Feb. 2014
9.	Roof Plan	DA-105, Revision B	Feb. 2014
10.	West Elevation – Brookes Street	DA-300, Revision B	Feb. 2014
11.	North Elevation – Mallon Street	DA-301, Revision B	Feb. 2014
12.	South Elevation	DA-302, Revision B	Feb. 2014
13.	East Elevation	DA-303, Revision A	Feb. 2014
14.	Sections	DA-400, Revision A	Feb. 2014
15.	Sections	DA-401, Revision A	Feb. 2014
16.	Cross-Section	DA-402, Revision A	Feb. 2014
17.	ESD Report, prepared by Eco Lateral	Issue B	03/02/2014
18.	Conceptual Site-Based Stormwater Management Plan, prepared by Barlow Shelley	1089-SBSMP_Version 1.0	23 January 2014
19.	Noise Impact Assessment, prepared by MWA Environmental	Final Report	6 February 2014
20.	Proposed Sewerage Infrastructure Plan 13/5376, prepared by Queensland Urban Utilities (QUU)	Figure 1	15/01/14

PDA Development Conditions

General/ Planning Requirements

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 commencement of use and to be maintained
2.	Complete all Operational Works Complete all operational work associated with this development approval, including work required by any of the conditions included in the Conditions Package. Such operational work is to be carried out generally in accordance with the approved drawing(s), and/or documents or, if requiring a further approval from DSDIP, in accordance with the relevant approval(s).	Prior to commencement of use
3.	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, and any relevant Council engineering or other approval required by the conditions.	As indicated
4.	Demolish or Relocate Buildings Demolish or relocate buildings/structures that are not on the Brisbane and Queensland Heritage Register in accordance with the approved plans.	Prior to commencement of site works
5.	Approval of 'as constructed' sustainable design a) Ensure the development achieves an average NatHERS rating of 7.5 stars. b) Submit written confirmation, from a suitably qualified sustainability professional, to DSDIP PDA Development Assessment, certifying that the development has been constructed to meet the objectives and recommendations as outlined in the ESD Report, prepared by Eco Lateral, Issue B, dated 03/02/2014	a) Prior to commencement of building works b) Prior to commencement of use
6.	Affordable Housing Submit to DSDIP PDA Development Assessment, evidence that the development delivers 20 affordable units in accordance with the approved plans and the EDQ (ULDA) Guideline no. 16 Housing.	Prior to commencement of use
7.	Outdoor Lighting - Public Areas Outdoor lighting required to illuminate public areas must comply with Australian Standard No. AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.	Prior to commencement of use and to be

		maintained
8.	Food premises refuse bin washing facility If the development involves a food premises, construct an on-site refuse bin washing facility for food premises refuse bins. The area must be provided with a tab, paved with an impervious material, graded and drained to sewer subject to the requirements and recommendations of Queensland Urban Utilities.	Prior to the commencement of use and to be maintained
Architecture and Design		
9.	Window sill treatments Window sills on all ground floor and Shop tenancies are to be within 100-300mm above the corresponding footpath level. The use of reflective glass for all Shops on the Ground level is not appropriate.	Prior to approval for building works
10.	Compliance Assessment – Detailed Drawings Submit for Compliance Assessment to DSDIP PDA Development Assessment, amended architectural drawings detailing the southern façade wall treatment, materials and colours.	Prior to approval for building works
11.	Submit External Details Submit DSDIP PDA Development Assessment for approval further details of the building, facade treatment and external materials, colours and finishes generally consistent with the approved plans.	Prior to commencement of building work
Engineering		
12.	Acid Sulphate a) If Acid Sulphate Soils are found on the site, submit to DSDIP PDA Development Assessment an Acid Sulphate Soils Management Plan (ASSMP), prepared and certified by a suitable qualified and experienced professional. The ASSMP shall be reviewed and approved by the principal consultant overseeing and certifying the construction works. b) Excavation and removal of acid sulphate soils will be undertaken in accordance with the approved ASSMP.	a) Prior to commencement of works b) During the site works
13.	Carparks, Signs, and Lines Provide car parking spaces, delineated and signed in accordance with the stamped approved plans ensuring a total of 22 spaces generally in accordance with the Bowen Hills Urban Development Area Development Scheme. Parking spaces must be designed in accordance with AS2890.1 – 2004- Off Street Car Parking	Prior to commencement of use and to be maintained
14.	Bicycle Parking Submit to DSDIP amended plans providing bicycle spaces in	Prior to

	accordance with the following: a) 18 bicycle spaces within the ground floor, level 1 car park or at grade outside of the building b) 22 hanging bike racks within each car space c) 9 spaces at grade outside of the building for the retail tenancies and visitors to the site	commencement of use and to be maintained
15.	Construction Management Plan a) Submit to PDA Development Assessment, DSDIP a site based construction management plan, certified by a Registered Professional Engineer of QLD (RPEQ) that includes but is not limited to: • Prepare a construction monitoring programme during in-ground construction work. • 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 noise and dust generated from the site during and outside construction work hours including the nomination of a complaint manager. • 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. • That the construction does not pose a permanent or temporary obstruction or potential hazard to air craft movements in accordance with BCA, CASA and the Brisbane Airport Master Plan requirements. b) 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. 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.	a) Prior to commencement of site works b) As indicated c) As indicated
16.	Easements over infrastructure - water supply, sewerage, drainage Where public utilities are located on private land, public utility easements must be provided in favour and at no cost to the relevant service provider entities. The terms of the easements must be to the satisfaction of the Chief Executive Officer of the entities.	Prior to commencement of use

17.	Filling and Excavation a) Submit to DSDIP PDA Development Assessment 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>. b) Submit certification from a RPEQ specialising in geotechnical engineering stating that all constructed cut/fill batters 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 commencement of site works b) Prior to commencement of use
18.	Erosion & Sediment Management a) 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). b) 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) Prior to site works commencing b) At all times during site works
19.	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
20.	Sewer connection Connect the development to the existing sewerage reticulation network in accordance with QUU standards.	Prior to commencement of use

21.	Sewer Upgrade – Hynes Street a) Submit to DSDIP – PDA Development Assessment Principal Engineer detailed engineering design plans certified by a Registered Professional Engineer Queensland (RPEQ) for the upgrade of the sewer reticulation network in Hynes Street generally in accordance with the Proposed Sewerage Infrastructure Plan 13/5376, dated 15/01/14, prepared by Queensland Urban Utilities (QUU) to QUU current design standards. b) Construct the works generally in accordance with the certified plans required by part a) of this condition and the current QUU construction standards. c) Submit to DSDIP – PDA Development Assessment ‘as-constructed’ plans, asset register and all test results required by QUU with RPEQ certification that all works have been completed in accordance with part c) of this condition. <i>Advice note:</i> The sewerage upgrade in Hynes Street is trunk infrastructure and may be eligible for partial or full cost offset against the infrastructure contributions.	a) Prior to commencement of works b) Prior to commencement of use c) Prior to commencement of use
22.	Water connection Connect the development to the existing water reticulation network in accordance with QUU standards.	Prior to commencement of use
23.	Stormwater Management a) Construct stormwater quantity and quality facilities, certified by a Registered Professional Engineer Queensland (RPEQ) generally in accordance with the Conceptual Site-Based Stormwater Management Plan No. 1089-SBSMP-01 Version 1 dated 23/01/14 prepared by Barlow Shelley Consulting Engineers. b) Connect the development to the existing stormwater reticulation network generally in accordance with current Brisbane City Council standards.	a) Prior to commencement of use b) Prior to commencement of use
24.	Streetscape Works a) Submit to DSDIP PDA Development Assessment for compliance endorsement streetscape plans certified by a Registered Landscape Architect detailing the proposed streetscape works in Brookes and Mallon Streets generally in accordance with Brisbane City Council’s <i>Subdivision and Development Guidelines</i> and <i>Centres Detailing Design Manual</i> (CDDM). indicating where appropriate but not limited to the following; b) Construct the works in accordance with the approved streetscape plans required under part (a) of this condition in accordance with	a) Prior to commencement of site works b) Prior to

	the following standards: c) Submit to DSDIP – PDA Development Assessment “as constructed” plans and an asset register certified by a Registered Landscape Architect in a format acceptable to Brisbane City Council demonstrating compliance with this condition.	commencement of use c) Prior to commencement of use
25.	Refuse Collection a) Submit to the Principal Engineer, PDA Development Assessment, DSDIP refuse collection approval from City Waste Services, BCC or a private waste contractor. b) 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.
26.	Electricity Provide or connect to 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
27.	Telecommunications a) Enter into an agreement with a telecommunication carrier to provide or connect to 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 services in accordance with the agreement.	a) Prior to commencement of use b) Prior to commencement of use
28.	Service Conduits & Mains Supply and install or connect to all service conduits and meet the cost of any alterations to public utility mains, existing mains, services or installations required in association with the approved development in accordance with Brisbane City Council’s <i>Subdivision and Development Guidelines</i>.	Prior to commencement of use
29.	Broadband Submit to PDA Development Assessment, DSDIP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the Telecommunications Act (Fibre Deployment Bill 2011) can be provided in accordance with the Communications Alliance G645:2011 guideline, to accommodate services which are compliant with the Federal Government’s National Broadband Network policy.	Prior to commencement of use

30.	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 drainage lines) that may occur during any works carried out in association with the approved development.	Prior to commencement of use
31.	Certification Agreement Comply with all requirements and fulfil all responsibilities outlined in the DSDIP Self Certification Procedure Manual. No work is to commence until the certification documents submitted by the Project Coordinator is acknowledged in writing by DSDIP.	Prior to commencement of site works
32.	Pre-Construction Self Certification No work shall commence until PDA Development Assessment, DSDIP acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with DSDIP Certification Procedures Manual.	Prior to commencement of construction
33.	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
34.	Acoustics a) Implement noise attenuation measures generally in accordance with the Noise Impact Assessment, Final Report dated 6/02/14, prepared by MWA Environmental; b) Submit written confirmation to the Principal Engineer PDA Development Assessment, DSDIP from a Registered Professional Engineer of Queensland (RPEQ) or accredited Building Certifier that the noise attenuation measures have been installed as required by part a) of this condition.	a) Prior to the commencement of use b) Prior to commencement of use
35.	Infrastructure Contributions Pay to Minister Economic Development Queensland a monetary contribution towards the cost of the provision of essential infrastructure. The contribution has been calculated in accordance with the EDQ's <i>Infrastructure Funding Framework</i> (The Framework). The current applicable general infrastructure charge is:	Prior to commencement of use

20 Small units @ 0-60m ² GFA	\$12,574 per unit	\$251,480
20 Medium units @ 60-100m ² GFA	\$17,552 per unit	\$351,040
93m ² Retail	\$15,061 per 100m ² GFA	\$15,061
Total		\$617,581

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

GFA type	Charge	Total
14 Small units @ <60m ² GFA	\$12,095 per unit	\$169,330
14 medium units @60m ² - 100m ² GFA	\$18,144 per unit	\$254,016
Total		\$423,346*

TOTAL	*\$1,040,927
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** Infrastructure charges will be indexed in accordance with the annual rate of the 3 year rolling average – expressed as a percentage to four (4) decimal places - of the movement of the Road and Bridge Construction Index (Queensland) calculated from that March which is three (3) years prior to the current year, to March of the current year.*

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Economic Development Act 2012* 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.

Awnings in Road Reserve

Where the street canopies, window awnings and or weather protection devices protrude over road reserve approval from DEHP will be required.

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:

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

Operational Airspace

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

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 ****

