Queensland
Government

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

Our ref: DEV2014/542

27 March 2015

Mr Michael Tigani
Sommer & Staff Constructions
PO Box 455
SUMNER QLD 4074

Dear Mr Tigani

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE RESIDENTIAL (81 DWELLING UNITS), SHOP AND FOOD PREMISES (61M²) AT 9-11 BOWEN BRIDGE ROAD, BOWEN HILLS DESCRIBED AS LOTS 11 AND 12 ON RP9940

On 27 March 2015 the Minister for Economic Development Queensland (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 this PDA decision notice.

The PDA decision notice and approved plans/documents can also be viewed in the MEDQ Development Approvals Register via the Department of State Development, Infrastructure and Planning website
http://www.statedevelopment.qld.gov.au/assessment-of-priority-development-areas/infrastructure-and-planning/development-applications/assessment-of-priority-development-areas.html

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Tom Barker on 3452 7440.

Yours sincerely

Lyndy Rapson
A/Director – EDQ Development Assessment

Executive Building
100 George Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3227 8548
Website www.dsdip.qld.gov.au
ABN 29 230 178 530

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	9-11 Bowen Bridge Road, Bowen Hills	
Lot on plan description	Lot number	Plan description
	Lot 11	RP9940
	Lot 12	RP9940
PDA development application details		
DEV reference number	DEV2014/542	
'Properly made' date	17 February 2015	
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	Section 99 Change to PDA Development Approval for a PDA Development Permit for a Material Change of Use – Multiple Residential (81 Dwelling Units), Shop and Food Premises (61m²)	

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	19 March 2014
1st Change to approval date	12 September 2014
2nd Change to approval date	23 January 2015
3rd Change to approval date	27 March 2015
Currency period	4 years from Original Decision Date

Plans and documents

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

Approved plans and documents		Number *(if applicable)*	Date *(if applicable)*
1.	Floor Plan – Basement 02	DD 2001, Issue H	04/02/15
2.	Floor Plan – Basement 01	DD2002, Issue H	04/02/15
3.	Floor Plan – Ground Floor	WD 2003, Issue 00	16/03/15
4.	Floor Plan – Level 01	WD 2004, Issue 00	16/03/15
5.	Floor Plan – Level 02 - 04	WD 2005, Issue 00	16/03/15 (Amended in Red 25/03/15)
6.	Floor Plan – Level 05 - 09	WD 2007, Issue 00	16/03/15 (Amended in Red 25/03/15)
7.	Floor Plan – Level 10 – Roof	WD 2009, Issue 00	16/03/15
8.	Elevations	WD 3001, Issue 00	16/03/15
9.	Elevations	WD 3002, Issue 00	16/03/15
10.	Elevations	WD 3003, Issue 00	16/03/15
11.	Elevations	WD 3004, Issue 00	16/03/15
12.	Sections	DD 3101, Issue E	04/02/15
13.	Sections	DD 3102, Issue E	04/02/15
14.	Sections	DD 3103, Issue E	04/02/15
15.	Sections	DD 3104, Issue E	04/02/15
16.	Sections	DD 3105, Issue E	04/02/15
17.	Road Cross Section Analysis, prepared by TTM	13BRT0578-SK2, Revision A	5 December 2015
Plans and documents previously approved on 23 January 2015		**Number**	**Date**
18.	Site Based Stormwater Management Plan	130743, No. 3	29 July 2014

Plans and documents previously approved on 12 September 2014		Number	Date
19.	Site Plan	SD1002 Issue C	May 2014
20.	Existing & Demolition Plan – Ground Floor	SD1201 Issue D	May 2014
21.	Accessible Unit Layout	SD 4001 Issue D	May 2014
22.	Balcony Unit Arrangement	SD 4002 Issue B	May 2014
23.	Alfresco Unit Arrangement	SD 4003 Issue B	May 2014
Plans and documents previously approved on 19 March 2014		**Number**	**Date**
24.	Servicing Report, prepared by Sellick Consultants	130743	January 2014
25.	Noise Impact Assessment, prepared by Vipac	70Q-14-0049-TRP-516151-0	07 March 2014

PDA Development Conditions		
No	**Condition**	**Timing**
General		
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.	**Sustainable Design** a) Ensure the development can achieve an average NatHERS rating of 7 stars. b) Submit written confirmation from a suitably qualified sustainability professional to EDQ Development Assessment DSDIP certifying that the development has been constructed to meet part a) of this condition.	a) Prior to approval of building works above natural ground level b) Prior to commencement of use
6.	**Affordable Housing** Submit to EDQ Development Assessment DSDIP, evidence that the development delivers 50 affordable units in accordance with the approved plans and the EDQ (ULDA) Guideline no. 16 Housing.	Prior to commencement of use

7.	**Accessible Housing** Submit to EDQ Development Assessment DSDIP, evidence that the development delivers 18 accessible units, in accordance with approved Accessible Unit Layout plan, SD4001, Issue D dated May 2014.	Prior to commencement of use
8.	**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
9.	**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 tap, 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		
10.	**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 of building works above natural ground level
11.	**Compliance Assessment – Detailed Drawings** Submit for Compliance Assessment to EDQ Development Assessment DSDIP, amended architectural drawings detailing: a) all external windows and screens where alfresco units are proposed; b) external details of the southern facing 1 bedroom apartments and the adjacent shared corridors; and c) roof details including condensers.	Prior to approval of building works above natural ground level
12.	**Compliance Assessment – Pedestrian Entries** Submit for Compliance Assessment to EDQ Development Assessment DSDIP, amended architectural drawings detailing: a) the pedestrian entries from Bowen Bridge Road and Walden Lane including materials, colours and finishes ensuring the design creates a sense of address and arrival;	Prior to approval of building works above natural ground level

	b) the steps from Bowen Bridge Road are at least 1.8m wide (not including the stair hoist) and can demonstrate access into the building using the proposed stair hoist; and c) the steps from Walden Lane are at least 1.0m wide (not including the stair hoist).	
13.	**Submit External Details** Submit EDQ Development Assessment DSDIP for approval further details of the building, facade treatment and external materials, colours and finishes generally consistent with the approved plans.	Prior to approval of building works above natural ground level
Engineering		
14.	**Acid Sulphate** a) If Acid Sulphate Soils are found on the site, submit to EDQ Development Assessment DSDIP, 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 site works b) During the site works
15.	**Carparks, Signs, and Lines** Provide car parking spaces, delineated and signed in accordance with the stamped approved plans ensuring a total of 54 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
16.	**Bicycle Parking** Submit to EDQ Development Assessment DSDIP, amended plans providing bicycle spaces in accordance with the following: a) 30 bicycle spaces within the ground floor and basement car park levels; and b) 54 hanging bike racks within each car space.	Prior to commencement of use and to be maintained

17.	**Traffic Management Works – Walden Lane** a) Submit to the EDQ Development Assessment DSDIP, detailed traffic design drawings certified by a Registered Professional Engineer Qld (RPEQ) for the proposed road reconfiguration works in Walden Lane generally in accordance with the Road Cross Section Analysis prepared by TTM, drawing number 13BRT0578-SK2, revision A, dated 5 December 2013, cross-section D (interim road reserve). b) Construct the works as required by part a) of this condition in accordance with current Council standards c) Submit to EDQ Development Assessment DSDIP, 'as-constructed' plans, asset register as required by Council, verified by a Registered Professional Engineer Qld (RPEQ), for all works constructed in accordance with part b) of this condition.	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use
18.	**Streetscape Works – Walden Lane & Bowen Bridge Road** a) Submit to EDQ Development Assessment DSDIP, detailed engineering design drawings for the proposed streetscape works, certified by an AILA registered landscape architect generally in accordance with Brisbane City Council's *Relevant Brisbane Planning Scheme Codes/Policies.* b) Construct the works as required by part a) of this condition in accordance with the current Council standards. c) Submit to EDQ Development Assessment DSDIP, 'as-constructed' plans, asset register and relevant test results as required by Council, certified by an AILA registered landscape architect, for all works constructed in accordance with part b) of this condition.	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use
19.	**Road Dedication – Walden Lane** Dedicate as public road, at no cost to Brisbane City Council, volumetric road widening at ground level along the Walden Lane frontage of the subject site to provide for a minimum 2.0m wide footpath.	Prior to commencement of use
20.	**Road Dedication – Bowen Bridge Road** Dedicate as public road, at no cost to Brisbane City Council, road widening along the Bowen Bridge Road frontage of the subject site to provide for a minimum 3.75m wide footpath.	Prior to commencement of use

21.	**Basement Intrusion – Bowen Bridge Road** Submit to the Principal Engineer, EDQ Development Assessment DSDIP, for compliance endorsement, a plan detailing the basement intrusion, generally in accordance with approved plan Sections SD3102, Issue F, dated May 2014. The top of slab must be a minimum of 300mm below the finished level of the footpath.	Prior to commencement of site works
22.	**Construction Management Plan** a) Submit to EDQ 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

23.	**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
24.	**Filling and Excavation** a) Submit to EDQ Development Assessment DSDIP, 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*. 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
25.	**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 commencement of site works b) At all times during site works
26.	**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

27.	**Sewer connection** Connect the development to the existing sewerage reticulation network in accordance with QUU standards.	Prior to commencement of use
28.	**Water connection** Connect the development to the existing water reticulation network in accordance with QUU standards.	Prior to commencement of use
29.	**Stormwater Management** a) Construct stormwater quantity and quality facilities, certified by a Registered Professional Engineer Queensland (RPEQ) generally in accordance with the Site Based Stormwater Management Plan No. 130743, No.3 dated 29 July 14, prepared by Sellick Consultants. 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
30.	**Refuse Collection** a) Submit to the Principal Engineer, EDQ 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 commencement of use b) Prior to commencement of use and to be maintained
31.	**Electricity** 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
32.	**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.* b) Construct services in accordance with the agreement.	a) Prior to commencement of use. b) Prior to commencement of use

33.	**Service Conduits & 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 association with the approved development in accordance with Brisbane City Council's *Subdivision and Development Guidelines.*	Prior to commencement of use.
34.	**Broadband** Submit to EDQ 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
35.	**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
Certification Process		
36.	**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.	As indicated
37.	**Pre-Construction Self Certification** No work shall commence until EDQ Development Assessment DSDIP, acknowledges in writing receipt of certification package(s) from the Project Coordinator in accordance with DSDIP Certification Procedures Manual.	As indicated
38.	**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

Pollution		
39.	**Acoustics** a) Implement noise attenuation measures generally in accordance with the recommendations in the Noise Impact Assessment, 70Q-14-0049-TRP-516151-0, dated 07 March 2014 prepared by Vipac; b) Submit written confirmation to the Principal Engineer EDQ 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 commencement of use b) Prior to commencement of use
Monetary Contributions		
40.	**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 *Infrastructure Funding Framework* (The Framework). **The applicable general infrastructure charge as at 19 March 2014 is:**	Prior to commencement of use

GFA type	Charge	Total
38 Small units @ <60m²GFA	$12,574 per unit	$477,812
43 medium units @60m² to 100m²GFA	$17,552 per unit	$754,736
61m² retail	$15,061 per 100m² GFA	$15,061
Total		**$1,247,609***

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

GFA type	Charge	Total
30 Small units @ <60m²GFA	$12,095 per unit	$362,850
34 medium units @60m² to 100m²GFA	$18,144 per unit	$616,896
Total		**$979,746***

TOTAL	**$2,227,355***

	** 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 ****