

Our ref: DEV2010/047

15 January 2016

Lend Lease (Bowen Hills) Pty Ltd
c/- Mr Matthew Brown
Urbis Pty Ltd
Level 7, 123 Albert Street
BRISBANE QLD 4000

Dear Matt

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR AN MCU FOR THE USES LISTED IN RNA SHOWGROUNDS MASTER PLAN (VOLUME 2) (AS AMENDED IN RED ON 30 NOVEMBER 2010), SECTION 1.3 AND BUILDING WORK (OTHER THAN UNDER THE *BUILDING ACT 1975*) AT 600 GREGORY TERRACE; 1 BOWEN BRIDGE ROAD; 58 O'CONNELL TERRACE; 601, 631 AND 655 GREGORY TERRACE; 10 AND 11 SYMES STREET; AND ALEXANDRIA STREET ROAD RESERVE, BOWEN HILLS FORMERLY DESCRIBED AS LOT 481 ON SP196765, LOT 3 ON SP190738, LOT 2 ON SP144596, LOT 487 SP196776, LOT 484 ON SL4553, LOT 486 ON SL4553, LOT 641 ON SP196755, LOT 485 ON SP192466

On 15 January 2016 the Minister for Economic Development Queensland (MEDQ) decided to grant all of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can also be viewed in the MEDQ Development Approvals Register via the Department of Infrastructure, Local Government and Planning website <http://dilgp.qld.gov.au/planning/development-assessment/priority-development-area-development-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Gerard McCafferty on 3452 7424.

Yours sincerely



Beatriz Gomez
Director – EDQ Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	600 Gregory Terrace; 1 Bowen Bridge Road; 58 O'Connell Terrace; 601, 631 and 655 Gregory Terrace; 10 and 11 Symes Street; and Alexandria Street Road Reserve, Bowen Hills	
Lot on plan description	Lot number	Plan description
	Lot 481	SP196765
	Lot 3	SP190738
	Lot 2	SP144596
	Lot 487	SP196776
	Lot 484	SL4553
	Lot 486	SL4553
	Lot 641	SP196755
	Lot 485	SP192466
	Lot 481	SP196765
	Lot 3	SP190738
PDA development application details		
DEV reference number	DEV2010/047	
'Properly made' date	15 December 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	MCU for the uses listed in the RNA Showgrounds Master Plan (volume 2) (as amended in red on 30 November 2010), section 1.3 and building work (other than under the <i>Building Act 1975</i>)	

PDA development approval details		
Decision of the MEDQ	The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ▪ change to condition 18, to include a new part a); and ▪ new condition 19A.	
Original Decision date	30 November 2010	
Change to approval date	11 October 2013	
Currency period	25 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.		
Plans and documents previously approved on 30 November 2010. Delete if not required.	Number	Date
1. RNA Showgrounds Master Plan (Volume 2)	Revision 15	20 October 2010, amended in red on 30 November 2010.

PREAMBLE

For the purpose of interpreting this Decision Notice, including the conditions of approval, the following applies:-

1. **compliance assessment** means:- the process of having plans, works, documents, reports, strategies or the like, as required by a condition of approval, endorsed by the nominated assessing authority.
2. **enabling infrastructure and works** means:- infrastructure and works essential to prepare a precinct for building work.
3. **nominated assessing authority**, pursuant to section 88 of the *Economic Development Act 2012* (the Act), for the conditions of approval means:-
 - (i) for operational works:-
 - a. the Minister of Economic Development Queensland (MEDQ) or their delegate;
 - b. a Certifier as agreed to by the MEDQ; or
 - c. if the site is no longer within a declared Priority Development Area under the Act, the local government or entity responsible for assessing and deciding planning and/or development applications in the area.
 - (ii) for other matters:-
 - a. the Minister of Economic Development Queensland (MEDQ) or their delegate; or
 - b. if the site is no longer within a declared Priority Development Area under the Act, the local government or entity responsible for assessing and deciding planning and/or development applications in the area.
4. **planning entity** means:-
 - (i) the Minister of Economic Development Queensland (MEDQ) or their delegate

- (ii) if the site is no longer within a declared Priority Development Area under the Act, the local government or entity responsible for assessing and deciding planning and/or development applications in the area;

5. **private development** means:- as defined in RNA Master Plan.

6. **RNA master plan** means:- the RNA Showgrounds Master Plan (Volume 2), as amended in red on 30 November 2010.

This approval also acknowledges that:-

- (i) the development depicted in the approved drawings and documents is expected to be delivered precinct¹ by precinct over a 15 to 25 year development timeframe;
- (ii) the precinct boundaries nominated in the Master Plan – Figure 3 is indicative only and that the boundaries of the precincts can be reasonably modified where there is a sound planning and development argument to justify this. In particular, the change in a precinct boundary must be proven not to compromise the development principles of the RNA Showgrounds Master Plan, the intent of that precinct and or precincts being changed and the philosophy and intent of the approval as a whole;
- (iii) certain conditions contained in this Decision Notice require the lodgement of further information for compliance assessment by a nominated assessing authority;
- (iv) the plans for the redevelopment of the Industrial Pavilion may be submitted for compliance assessment (i.e. equivalent to compliance assessment B) prior to endorsement for the precinct within which it is being given by the nominated assessing authority; and
- (v) the design and delivery of certain critical infrastructure (enabling infrastructure) may be able to be endorsed by the nominated assessing authority prior to the submission and endorsement of compliance assessment of the precinct within which it is being constructed

¹ As shown on Figure 3 – Precinct Plan contained in the approved RNA Showgrounds Master Plan (Volume 2)
Revision 15 – 20 October 2010.

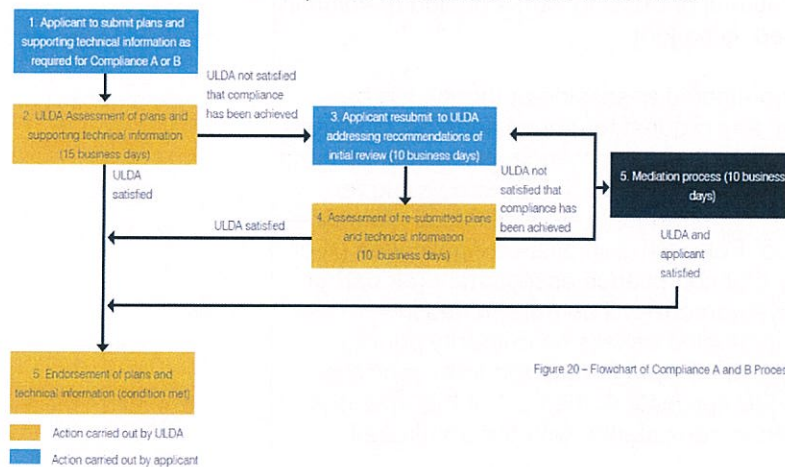
PDA development conditions

1.	Carrying out the development Carry out and complete the development generally in accordance with the approved documents and the conditions contained in this Decision Notice. <i>NB. Where a condition of approval requires compliance assessment, the development must also comply with the endorsed plans, works, documents, reports, strategies or the like.</i>	Prior to and during construction and then maintained.
2.	Compliance assessment by the nominated assessing authority A condition of approval may require compliance assessment by a nominated assessing authority. In some instances, the compliance assessment process may be split into:- • compliance assessment A - assessment of the proposed outcome for the precinct and • compliance assessment B - assessment of the proposed outcome for a building or works (a) Where a condition requires both Compliance assessment A and B – the process may be undertaken as either combined or separate steps. If undertaken in one step, the information required for both Compliance assessment A and Compliance assessment B must be lodged together for assessment. (b) Compliance assessment and endorsement by the nominated assessing authority is required prior to work commencing, unless the works have been separately approved as enabling works. (c) Compliance assessment and endorsement may be repeated where a different operational or building works design or solution to that already endorsed, is sought. (d) A fee, payable to the nominated assessing authority, will be required to accompany any request for compliance assessment. The total fees payable (2010) for compliance assessment (A and B) for the development is calculated at \$300 per dwelling for Residential use and \$1.00 per square metre of Gross Floor Area for Non-Residential use. For each Compliance Application (A or B), the fee payable for that compliance assessment (as part of the total fee for the development) will be determined in consultation with the nominated assessing authority prior to submission. Where additional input is required from specialist consultants to assess the application, the cost of this specialist input will be determined in consultation with the nominated assessing. (e) The process and timeframes that apply to compliance assessment are: (i) the applicant submits plans and supporting information as required for compliance assessment (ii) within 15 business days – the nominated assessing authority assesses the plans and supporting information and:- a) if satisfied with the information as submitted – endorses the information and the condition of approval (or element of the condition) is determined to have been met, or	Not applicable

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- b) if not satisfied with the information as submitted – notifies the applicant accordingly
- (iii) if the applicant is notified under (ii) b) above, **within the next 10 business days** – the information and plans addressing the concerns are to be resubmitted to the nominated assessing authority
- (iv) **within 10 business days** – the nominated assessing authority assesses the re-submitted plans and supporting information and:-
 - a) if satisfied with the re-submitted information lodged - endorses the plans and supporting information and the condition of approval (or element of the condition) is determined to have been met, or
 - b) if not satisfied with the information as submitted – notifies the applicant accordingly.
- (v) if the nominated assessing authority is not satisfied that compliance has been achieved, within **10 business days** – the nominated assessing authority and applicant will repeat steps (iii) and (iv). If either party is not satisfied by the outcome of this process, that party can elect to enter into a mediation process with an independent mediator agreed to by both parties.

When the nominated assessing authority and applicant are both satisfied with the re-submitted information lodged – the nominated assessing authority endorses the plans and supporting information and the condition of approval (or element of the condition) is determined to have been met.



- (f) The following generally outlines the information required to be submitted for compliance assessment which may be more specifically identified in a particular condition of approval:-

For Compliance Assessment A

- (i) land use, including gross floor area for each use and the intended distribution across the precinct
- (ii) development envelopes within each precinct (or agreed sub-precinct)
- (iii) conceptual level public realm plans
- (iii) indicative site and floor plans supported by 3D perspectives of the proposed stage of development, and

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	(iv) specialist assessment reports as required that may include traffic, heritage, civil engineering, geotechnical, flooding, acoustics and air quality. <u>For Compliance B Assessment</u> (i) plans for each building (site plan, floor plans, elevations, sections, roof plans, private and visitor car parking, private and semi-private open space etc) (ii) gross floor area schedule and apartment numbers (iii) details of proposed building materials (iv) public realm and landscape plans (v) details of proposed Roads and intersections (if required) (vi) end of trip facilities (vii) access and car parking arrangements, and (viii) specialist assessment reports as required that may include traffic, heritage, civil engineering, geotechnical, flooding, acoustics and air quality. (g) Operational works are able to be lodged, assessed and approved outside the compliance assessment process where the works involves: (i) enabling infrastructure – including trunk water, trunk stormwater and trunk sewerage infrastructure (ii) the demolition of heritage buildings – where the removal has been approved in the RNA Master Plan development approval and the removal is necessary to facilitate enabling infrastructure site preparation and / or relocation of Ekka or other RNA Event area requirements. (h) The plans for the redevelopment of the Industrial Pavilion may be the subject of compliance assessment (i.e. equivalent to compliance assessment B) prior to compliance assessment for the precinct within which it sits being given by the nominated assessing authority. (i) Compliance assessment B may be undertaken using the MEDQ's Self-certification manual, when identified by the nominated assessing authority following the conclusion of Compliance assessment A. <i>NB The applicable DA fees will be increased by CPI each July.</i>	
3.	Heritage <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority, concept plans outlining a heritage response for each precinct, generally in accordance with:- (i) the Master Plan, Appendix A – Heritage Places, classifying buildings and spaces as high, medium and low heritage significance and detailing the buildings, spaces and elements to be retained, adapted and removed; (ii) RNA Showgrounds Master Plan (Volume 3), Attachment E (Heritage Impact Report by Riddel Architecture dated 7 July 2010, Data Sheets and Building Assessment by Riddel Architecture Rev 2, 26 November 2009); and	a) Prior to commencing work in the precinct.

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	(iii) the approved Heritage Strategy for the site. The heritage response must:- (i) identify how removed and adapted buildings, spaces and elements will be interpreted within the precinct or wider site area in accordance with the Heritage Strategy; (ii) provide an appropriate transition in scale between new development and the retained or adapted buildings, spaces and elements; and (iii) be prepared by a suitably qualified heritage architect and in accordance with the principles of the Burra Charter. <u>Compliance assessment B (for a building and works)</u> (b) Submit for compliance assessment by the nominated assessing authority detailed design plans for the heritage response for any retained or adapted buildings, spaces and elements generally in accordance with:- (i) the RNA Showgrounds Volume 3, Attachment E (Heritage Impact Report, Data Sheets and Building Assessment); (ii) the overarching Heritage Strategy; and (iii) the Compliance A endorsed documents. This heritage response must be prepared by a suitably qualified heritage architect and be in accordance with the principles of the Burra Charter. (c) Deliver and maintain the heritage response for the precinct generally in accordance with the Compliance A endorsed documents. (d) Upon completion of the works, provide written certification from the Heritage Architect that the works comply with the Compliance B endorsed plans.	b) Prior to commencing work on a building. c) Prior to commencing use of the new building in the precinct and then maintained. d) Upon completion of building work.
4.	Demolition plans (a) Submit to the nominated assessing authority a demolition/removal and rebuilding program/strategy in relation to any heritage buildings of Medium or High significance identified within the RNA Master Plan. The program/strategy must detail:- (i) the sequencing for the demolition of individual buildings and structures within the precinct (ii) times for the demolitions and (iii) timing for the commencement and completion of the construction of the new buildings and structures within the precinct. The program/strategy must be resubmitted to the nominated assessing authority if any of the details contained in the most recently submitted program/strategy changes. (b) Removed and adapted buildings, spaces and elements must be documented and archived in accordance with the principles of the Burra Charter.	a) Prior to demolishing any building, space or element classified in the Master Plan, Appendix A as having high or medium heritage significance. b) Prior to demolishing any building, space or element classified in the Master Plan, Appendix

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	<i>Note:- The purpose of this condition is to ensure that the heritage buildings and structures within the site are not demolished/removed prematurely or unnecessarily. Given the timeframe for delivery of development on the site (up to 25 years), it is considered reasonable to assume that a level of review and refinement of development (and therefore of the extent of demolition/removal of heritage fabric) will occur as part of the more detailed planning for the precinct. This condition is intended to protect the opportunity to retain heritage fabric in addition to that proposed in this approval, where this can be achieved by the developer.</i>	A as having high or medium heritage significance.
5.	Affordable housing For both residential and mixed use developments, submit to the nominated assessing authority details demonstrating how a minimum of 5% of gross floor area of all residential dwellings will be delivered as affordable to rent by households on the medium income for the Brisbane City Council local government area. The median household income will be determined at the time of lodgement of the Compliance B application. Housing will be considered to be affordable if households are spending no more than 30% of gross household income on rent and no more than 35% for home purchase.	During compliance B assessment under condition 7 of this approval package.
6.	Accessible housing Submit to the nominated assessing authority details demonstrating a minimum of 10% of all residential dwellings delivered as accessible housing in accordance with the Urban Land Development Authorities Accessible Housing Guidelines dated September 2009.	During compliance B assessment under condition 7 of this approval package.
7.	Land use, gross floor area (GFA) and building design <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority, conceptual plans for each precinct, generally in accordance with the RNA Master Plan and identifying:- (i) land use/s, total GFA for each use and the intended distribution across the precinct (ii) building envelopes (iii) indicative site and floor plans (iv) a 3D perspective of the precinct. <u>Compliance assessment B (for a building within a precinct)</u> (b) Submit for compliance assessment by the nominated assessing authority, detailed design plans for each building within the precinct, generally in accordance with the RNA Master Plan and the Compliance assessment A endorsed documents and detailing:- (i) site plans, floor plans, elevations, sections, roof plans etc (ii) gross floor area and apartment numbers (iii) building materials (iv) end of trip facilities and (v) access and car parking arrangements. (c) Construct and maintain the buildings and works in accordance with the Compliance B endorsed documents.	a) Prior to submitting Compliance assessment B. b) Prior to commencing work. c) Prior to commencing use of new

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		development in the precinct and then maintained
8.	Child care centre (a) Submit for compliance assessment by the nominated assessing authority detailed plans for any proposed Child care centre identifying appropriate:- (i) car parking and pedestrian access arrangements (ii) open space and children's play areas (iii) air quality and noise levels and (iv) amenity for adjoining uses. (b) Construct and maintain the Child care centre in accordance with the Compliance endorsed documents.	Prior to commencing work.
9.	Open space, public realm and landscaped areas (a) Submit for compliance assessment by the nominated assessing authority, detailed plans of the public realm, open space, landscape area and street tree plantings for the precinct generally in accordance with Chapters 8 and 9 of the RNA Master Plan. The plans must be prepared by a suitably qualified professional. (b) Construct and maintain the open space, public realm and landscape areas in accordance with the endorsed documents.	a) Prior to commencing work in the precinct. b) Prior to commencing use of the private development in the precinct and then maintained.
10.	Public access to open space Upon completion of the development, a minimum of 1 hectare of the open space nominated as Open Space in Table 1, Chapter 8 in the RNA Master Plan must remain publicly accessible at all time, with the exception of 'Ekka' and up to 12 other events within each calendar year. The delivery of public access to the 1 hectare of open space is to be progressively delivered through the life of the development. The extent of public access to the progressively delivered 1 hectare of open space for each stage of development is to be determined in consultation with the nominated assessing authority as part of the compliance process.	Upon completion of the development and then maintained.
11.	Public access within the site (a) Submit for compliance assessment by the nominated assessing authority, detailed plans of the access paths for the precinct generally in accordance with Section 8 and 12 of the RNA Master Plan. The delivery of public access within the site is to be progressively delivered through the life of the development. The extent of public access within a precinct is to be determined in consultation with the nominated assessing authority as part of the compliance assessment process. (b) The following access paths must be provided:- (i) Low speed, shared surface route for pedestrian and cycle access through Stockman's Rest from Gregory Terrace to O'Connell Terrace and Brookes Street (ii) Low speed, shared surface route for pedestrian and cycle access through Ekka Plaza from Gregory Terrace	a) Prior to commencing work in the precinct. b) Upon completion of the development and then maintained

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	and across Sideshow Alley to O'Connell Terrace, Bowen Bridge Road and the Bowen Bridge Road underpass (iii) pedestrian, cycle and vehicular access from St Pauls Terrace to Gregory Terrace via Grand Parade and (iv) legible access paths to the Open Space areas of Show Ring 2, Gregory's Rest, Sutton Park and the Woodchop Arena. (c) Construct and maintain the public access paths within the site in accordance with the endorsed documents.	c) Prior to commencing use of new development in the precinct and then maintained.
12.	Legal access to all buildings and public spaces All buildings and public spaces must have legal public access.	Prior to commencing use of a building or public space and then maintained.
13.	Car parking spaces (<i>other than ancillary to the approved uses for the site</i>) At any given point in time, no more that 650 commercial car parking spaces are to be made available on the site. These spaces are to be made available exclusively to staff of the Royal Brisbane Hospital complex. <i>Note:- It is acknowledged that these spaces may be moved within the site in order to accommodate RNA activities and operations management.</i>	To be maintained.
14.	RNA Activities Operations Plan (a) Submit for compliance assessment by the nominated assessing authority, an RNA Activities Operations Plan for the area of the site to be retained for RNA Showgrounds activities. The Plan must be prepared by a suitably qualified and experienced person and:- (i) articulate the different types of events to be held at the RNA Showgrounds (ii) incorporate appropriate over-arching management plans for each type of event (iii) specify the practices that will be employed to manage the impacts that will result during an event as well as in the set-up and pull-down of the event (iv) detail the statutory approvals required in relation to the events and the issue relevant to the approvals (v) outline the mechanisms for communicating the relevant contents of the operations plan to those engaged in the planning and delivery of RNA activities (vi) outline the processes to be used for communicating with the local community/key stakeholders and the mechanisms for incorporating their feedback and concerns into future event planning and preparation of the individual event management plans and (vii) identify appropriate review periods.	a) Within 12 months of issue of this approval.

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	The types of management plans to be provided for each major event may include the following: • Traffic and Transport Management • Noise Management • Waste Management • Security • Occupational Health and Safety • Stakeholder Communication • Site Management. (b) The endorsed operations plan must be kept available on site and be accessible at all times. (c) Undertake the RNA activities on the site in accordance with the endorsed operations plan.	b) To be maintained c) To be maintained
15.	Construction Management Plan (a) Submit for compliance assessment by the nominated assessing authority, a Construction Management Plan (CMP) that specifies the practices that will be employed to manage the impacts that will result during construction. The Plan must include the practices employed 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) maintain waterway corridors (v) efficiently sort and minimise waste and maximise recycling opportunities; (vi) manage groundwater and surface water collection, treatment and disposal to accepted environmental standards (vii) manage Acid Sulfate soils in accordance with management plans prepared specifically for this site (viii) manage rock anchors and other treatment systems used to ensure soil stability during excavation and foundation works in accordance with geotechnical reports prepared specifically for this site and (ix) 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 must be prepared in consultation with the professionals responsible for the individual site related management plans to ensure that all aspects of the construction and environmental management are included. (c) Prior to submitting the CMP to the nominated assessing authority, the Plan shall be reviewed and approved by the principal consultant overseeing and certifying the construction works. (d) Undertake all work in accordance with the CMP. (e) The CMP must be current and available on site at all times during the construction period.	a) – c) Prior to commencing work. d) – e) Until completion of construction.

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16.	Community Management Statements Where a building is to be titled under the <i>Body Corporate and Community Management Act 1997</i> (or similar legislation), the Community Management Statement (or similar document) is to reflect the requirements specified in Section 13.3 of the RNA Master Plan Report.	Prior to commencing use and then maintained.
17.	O'Connell Terrace and Brookes Street road widenings Submit for compliance assessment by the nominated assessing authority plans for precinct 4 and 5 demonstrating that the proposed development does not prejudice the following future road widening:- (i) O'Connell Terrace – approximately 4.4 metres west from Tufton Street (ii) O'Connell Terrace – approximately 0.4 metres east of Tufton Street and (iii) Brookes Street – approximately 0.2 metres on the western alignment.	During compliance B assessment under condition 7 of this approval package.
18.	Roadworks <u>Compliance A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority a functional road layout plan for the precinct. The plan is to demonstrate the functionality of the proposed road network and illustrate: (i) road reserve widths; (ii) carriageway and verge widths; (iii) on-street car parking; (iv) indicative site access locations; and (v) bipods, gully pits and other infrastructure which directly relates to the functionality of the road network. The plan is to be: • prepared by a Registered Professional Engineer Queensland (RPEQ); • generally in accordance with section 8 of the RNA Master Plan; and • generally in accordance with the relevant Brisbane City Council Standards (unless otherwise agreed to by the nominated assessing authority). <u>Compliance B (for a building)</u> (b) Submit for compliance assessment by the nominated assessing authority detailed design plans of the roads and streetscapes reasonably associated with the building that are generally in accordance with the plan endorsed under part a) of this condition and Section 8 of the RNA Master Plan. The upgrades are to be designed:- (i) by a suitably qualified and experienced professional engineer and certified by a Registered Professional Engineer Queensland (REPQ-Civil) and (ii) in accordance with relevant Brisbane City Council standards (unless otherwise agreed to by the nominated	a) Prior to submitting Compliance assessment B. b) Prior to commencing work

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	assessing authority). (c) Construct the works in accordance with the Compliance B endorsed plans. (d) Submit to the nominated assessing authority as-constructed plans, verified by a Registered Professional Engineer of QLD (RPEQ). (e) Submit to the nominated assessing authority as-constructed plans (including an asset register in accordance with BCC's <i>subdivision and Development Guidelines 2008</i>) verified by a Registered Professional Engineer Queensland (RPEQ-Civil) and confirming all works have been completed in accordance with the endorsed plans.	c) Prior to commencing use of new development in the precinct and then maintained. d) & e) Upon completion of building works.
19.	Intersection works <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority a traffic report for the site evaluating the operation of and identifying the extent of any up- grade works required to the following intersections:- (i) Gregory Terrace and Brookes Street (ii) St Pauls Terrace, Costin Street and Constance Street (iii) O'Connell Terrace, Brookes Street and Hamilton Place (iv) Exhibition Street and St Pauls Terrace (v) Grand Parade and St Pauls Terrace (vi) Grand Parade and Gregory Terrace (vii) Exhibition Street and Gregory Terrace (viii) Sutton Street and Gregory Terrace, and (ix) Costin Street and Gregory Terrace. The traffic report must be prepared within the context of:- • the existing traffic flows and conditions for the immediate area • the reasonably expected traffic flows arising from the RNA master plan development for the immediate area and • the reasonably expected traffic flows and conditions arising from the PDA provided to the applicant by the MEDQ. The traffic report must also identify indicative timing for the works. Where intersections require upgrade works, these works are subject to Condition 37(d). <u>Compliance B (for a building)</u> (b) Submit for compliance assessment by the nominated assessing authority detailed design plans of the road and intersection upgrades reasonably associated with the building and identified through Compliance assessment A.	a) Prior to submitting Compliance assessment B. b) Prior to commencing works.

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	The upgrades are to be designed:- • by a suitably qualified and experienced professional engineer and certified by a Registered Professional Engineer Queensland (RPEQ-Civil) and • in accordance with relevant Brisbane City Council standards (unless otherwise agreed to by the nominated assessing authority). (c) Construct the works in accordance with the Compliance B endorsed plans. (d) Submit to the nominated assessing authority as-constructed plans, verified by a Registered Professional Engineer of QLD (RPEQ). (e) Submit to the nominated assessing authority as-constructed plans (including an asset register in accordance with BCC's <i>Subdivision and Development Guidelines 2008</i>) verified by a Registered Professional Engineer Queensland (RPEQ-Civil) and confirming all works have been completed in accordance with the endorsed plans.	c) Prior to commencing use of new development in the precinct and then maintained. d) & e) Upon completion of building works.
19A	Performance bond – Intersection works for the ultimate signalised intersection of St Pauls Terrace and King Street (condition 19 part a)(ii)) The ultimate signalised intersection (the ultimate signalised intersection) for King Street and St Pauls Terrace, as referred to in the traffic report under condition 19 part a), must include: (i) Left and right turn movements from King Street into St Pauls Terrace; (ii) A protected right turn lane on St Pauls Terrace into King Street; and (iii) Pedestrian crossings across St Pauls Terrace and King Street for three (3) approaches. (a) Submit to the MEDQ performance security which satisfies the following: (i) is for a value of no less than \$11,900,000 being 125% of the cost of ultimate signalised intersection works required by condition 19 parts a)(ii), b) and c) as determined by the MEDQ; and (ii) is either an insurance bond or bank guarantee obtained by the applicant from either an insurance company or financial institution which is unconditional, irrevocable, in favour of the MEDQ and in a form acceptable to the MEDQ. (b) At the time the ultimate signalised intersection works, the subject of condition 19 part c), are accepted on maintenance, the applicant may submit a request to the MEDQ to return the performance security within 10 business days of the works reaching on maintenance.	a) Prior to 30 April 2016 b) As indicated in this part
20.	Footpaths (a) Submit for compliance assessment by the nominated assessing authority detailed design for footpaths proposed to service the relevant building or precinct in accordance with the relevant	a) Prior to commencing work

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	Brisbane City Council standards (unless otherwise agreed to by the nominated assessing authority). (b) Construct the works in accordance with the endorsed plans. (c) Submit to the nominated assessing authority as-constructed plans (including an asset register in accordance with BCC's <i>Subdivision and Development Guidelines 2008</i>) verified by a Registered Professional Engineer Queensland (RPEQ-Civil) and confirming all works have been completed in accordance with the endorsed plans.	b) Prior to commencing use of new development in the precinct and then maintained. c) Prior to commencing use of new development in the precinct.
21.	Street lighting (a) Submit for compliance assessment by the nominated assessing authority detailed design for street lighting proposed to service the relevant building or precinct in accordance with the relevant Brisbane City Council standards (unless otherwise agreed to by the nominated assessing authority). (b) Construct the works in accordance with the endorsed plans. (c) Submit to the nominated assessing authority as-constructed plans (including an asset register in accordance with BCC's <i>Subdivision and Development Guidelines 2008</i>) verified by a Registered Professional Engineer Queensland (RPEQ-Civil) and confirming all works have been completed in accordance with the endorsed plans.	a) Prior to commencing work b) Prior to commencing use of new development in the precinct and then maintained. c) Prior to commencing use of new development in the precinct.
22.	Water infrastructure <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority, concept plans of the water reticulation system proposed to service the precinct. The water reticulation system for the precinct must be prepared within the context of an overarching water strategy for the entire site and must:- (i) demonstrate an appropriate level of consultation with Queensland Urban Utilities (QUU) (ii) detail the water supply mains and connections to be constructed which will facilitate the ultimate development and proposed integration of the internal network with the planned mains upgrades by QUU (iii) include an indicative timetable for the delivery of the water services and (iv) where the water design impacts on individual property owners – include approval in principle from the affected owners, agreeing to the constructing of the water infrastructure within their property.	a) Prior to submitting Compliance assessment B.

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	<u>Compliance assessment B (for a building)</u> (b) Submit for compliance assessment by the nominated assessing authority, detailed design plans for the water services for the building, generally in accordance with the endorsed plan/s detailing the water reticulation system to service the precinct. The plans must be prepared by a suitably qualified and experienced professional engineer and the design must be certified by a Registered Professional Engineer Queensland (REPEQ-Civil). (c) Submit to the nominated assessing authority approval from QUU to connect into the existing water infrastructure. (d) Submit to the nominated assessing authority a copy of the water reticulation plans as reviewed (and where appropriate approved) by QUU. (e) Construct the works in accordance with the Compliance B endorsed plans. (f) Submit to the nominated assessing authority verification from a Registered Professional Engineer of QLD (RPEQ) that all works have been inspected and constructed in accordance with the design and completed in accordance with the current applicable standards. (g) Submit to the nominated assessing authority as-constructed plans verified by a Registered Professional Engineer of QLD (RPEQ) and confirming all works have been completed in accordance with the endorsed plans. (h) Where the water design impacts on individual property owners – include written confirmation from the affected owners, agreeing to the constructing of the water infrastructure within their property or evidence of a legal right to construct water infrastructure within their property. (i) Should the delivery of the RNA Master Plan require the planned QUU water mains upgrade works along Campbell St and / or O'Connell Tce to service the development in advance of the expected delivery of the Bowen Hills Priority Development Area these works are subject to Condition 38(d).	b) Prior to commencing work. c), d) & e) Prior to making the connection. f) & g) Prior to commencing use of new development in the precinct. h) Prior to commencing work
23.	Sewer infrastructure <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority, concept plans of the sewer reticulation system proposed to service the precinct. The sewer reticulation system for the precinct must be prepared within the context of an overarching sewer strategy for the entire site and must:- (i) demonstrate an appropriate level of consultation with Queensland Urban Utilities (QUU) (ii) detail the sewer supply mains and connections to be constructed which will facilitate the ultimate development and proposed integration of the internal network with the	a) Prior to submitting Compliance assessment B.

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	planned mains upgrade by the QUU (iii) include an indicative timetable for the delivery of the services and (iv) where the sewer design impacts on individual property owners – include approval in principle from the affected owners, agreeing to the constructing of the sewer infrastructure. <u>Compliance assessment B (for a building)</u> (b) Submit for compliance assessment by the nominated assessing authority, detailed design plans for the sewer services for the building, generally in accordance with the endorsed plan/s detailing the sewer reticulation system to service the precinct. The plans must be prepared by a suitably qualified and experienced professional engineer and the design must be certified by a Registered Professional Engineer Queensland (REPEQ-Civil). (c) Submit to the nominated assessing authority approval from QUU to connect into the existing sewer infrastructure. (d) Submit to the nominated assessing authority a copy of the sewer reticulation plans as reviewed (and where appropriate approved) by QUU. (e) Construct the works in accordance with the Compliance B endorsed plans. (f) Submit to the nominated assessing authority verification from a Registered Professional Engineer of QLD (RPEQ) that all works have been inspected and constructed in accordance with the design and completed in accordance with current applicable standards. (g) Submit to the nominated assessing authority as-constructed plans verified by a Registered Professional Engineer of QLD (RPEQ) and confirming all works have been completed in accordance with the endorsed plans. (h) Where the sewer design impacts on individual property owners – include written confirmation from the affected owners, agreeing to the constructing of the sewer infrastructure or evidence of a legal right to construct sewer infrastructure within their property.	b) Prior to commencing work. c), d) & e) Prior to making the connection. f) & g) Prior to commencing use of new development in the precinct. h) Prior to commencing work
24.	Stormwater Infrastructure <u>Compliance assessment A (for a precinct)</u> (a) Submit for compliance assessment by the nominated assessing authority, concept plans of the stormwater management proposed to service the precinct including the proposed stormwater treatment train. The stormwater solution for the precinct must be prepared within the context of an overarching stormwater strategy for the entire site and be accompanied by:- (i) details of the proposed treatment measures to manage and treat stormwater from those parts of the site being	a) Prior to commencing work.

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	developed to meet Brisbane City Council (BCC) load based water quality objectives. Stormwater from the external catchment that is conveyed through the site does not require treatment. (ii) evidence that the stormwater runoff from the site does not adversely impact on flooding or drainage for all events up to the 50 year Average Recurrence Interval (ARI) of properties that are upstream, downstream or adjacent to the site. (iii) Evidence that the stormwater solution is based on a minor event (pipe design) with a recurrence interval of 10 years and a major event (for setting flood levels) with a recurrence interval of 50 years. (iv) an indicative timetable for the delivery of the solution and (v) where the stormwater design impacts on individual property owners – approval in principle from the affected owners, agreeing to the constructing of the stormwater. <u>Compliance assessment B (for a Building)</u> (b) Submit for compliance assessment by the nominated assessing authority, detailed design plans for stormwater management for each building, generally in accordance with the endorsed stormwater reticulation plan for the precinct. The plans must be prepared by a suitably qualified and experienced professional engineer and the design must be certified by a Registered Professional Engineer Queensland (REPQ-Civil). (c) Submit to the nominated assessing authority approval from BCC to connect into the stormwater infrastructure. (d) Submit to the nominated assessing authority a copy of the stormwater solution as reviewed (and where appropriate approved) by BCC. (e) Construct the works in accordance with the Compliance B endorsed plans. (f) Submit to the nominated assessing authority as-constructed plans, verified by a Registered Professional Engineer of QLD (RPEQ) and confirming all works have been completed in accordance with the endorsed plans. (g) Where the stormwater solution is within a community titled subdivision – submit to the nominated assessing authority a full community management statement outlining the responsibilities of the various parties to the maintenance of the solution. (h) Where the stormwater design impacts on individual property owners – written confirmation from the affected owners, agreeing to the constructing of the stormwater or evidence of a legal right to construct water infrastructure within their property.	b) Prior to commencing work. c), d) & e) Prior to making the connection. f) & g) Prior to commencing use of new development in the precinct. h) Prior to commencing work
25.	Easements over infrastructure – water supply, sewerage, drainage Where public utilities are located on private land - provide easements in favour of and at no cost to Brisbane City Council (BCC). The terms of the easements must be to the reasonable	Prior to commencing use for which the public utilities are proposed.

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[illegible]

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35.	Air Quality (a) For each proposed new or significantly altered building, submit for compliance endorsement by the nominated assessing authority an air quality report, prepared by a suitably qualified and experienced consultant demonstrating compliance with section 13.2 of the RNA Master Plan. (b) Construct the buildings in accordance with the endorsed air quality measures and treatments. (c) Upon completion of the works, submit to the nominated assessing authority certification from a suitable qualified Registered Professional Engineer of Queensland (RPEQ) that the endorsed air quality measures have been incorporated into the building construction.	a) Prior to lodging an application for approval for the building under the Building Act. b) Prior to commencing use of the building and then maintained. c) Prior to commencing use of the building and then maintained.
36.	Acid Sulfate Soils (ASS) (a) For each precinct containing Acid Sulfate Soils (ASS) submit for compliance assessment by the nominated assessing authority, an Acid Sulfate Soils Investigation and Management Plan. The plan must:- (i) be in accordance with State Planning Policy 2/02 and relevant guidelines and (ii) be prepared, checked and certified by a suitable qualified and experienced professional. (b) Undertake all work in accordance with the endorsed Acid Sulfate Soils Investigation and Management Plan.	a) Prior to commencing work in the precinct. b) During work.
37.	Infrastructure contributions (a) Subject to Note 3 contained in this condition, infrastructure contributions must be paid to the Planning Entity in respect of each building constructed on the site (the Infrastructure Contributions) less:- (i) the whole or part of any unused Infrastructure Works Offset claimable against an infrastructure contribution under condition 37 of this approval. (b) The Infrastructure Contributions will be calculated at the time of payment as follows: (i) For any part of a building used for non-residential use in accordance with the formula $A \times B$, where: A = the Contribution Rate (as indexed in accordance with condition 39) on the date of payment of the Infrastructure Contributions and B = the Gross Floor Area of the building constructed on the Land divided by 100. (ii) For any part of a building used for residential use, the total of the Infrastructure Contributions for each type of dwelling unit where the Infrastructure Contributions for each type of	Within 90 days of issue of the Building Act certificate of classification for the building or part of the building.

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dwelling unit will be calculated in accordance with the formula $A \times B$, where:-

A = the Contribution Rate for each type of dwelling unit being constructed i.e. small, medium or large (as indexed in accordance with condition 39) on the date of payment of the Infrastructure Contributions and

B = the number of dwelling units of that type being constructed.

- (iii) The Contribution Rate means the applicable rate set out in Table 1 below (as indexed in accordance with condition 39).
- (iv) Gross Floor Area means the total floor area of all storeys of a building, including mezzanines, measured from the outside of external walls or the centre of a common wall, excluding areas used for:-
- building services, plant, vertical transportation systems
 - ground floor public lobby or access way
 - a public mall in a shopping complex
 - the parking, loading docks and manoeuvring of vehicles and bicycles
 - end of trip facilities for pedestrians and cyclists and
 - private balconies whether roofed or not.

Table 1 – Infrastructure Contribution Rates

2010/2011 \$	S ¹	M ¹	L ¹
Residential			
Contribution Rate	\$11,235 ³	\$15,685 ³	\$25,965 ³
Non-Residential			
Contribution Rate		\$13,460 ^{2,3}	

1. S<60m², M=60m² to 100m², L>100m² GFA
2. Per 100m² GFA
3. Excludes GST

Note:

- (1) A copy of the certificate of classification for the relevant building or part of the building must be provided to the Planning Entity within five (5) business days of it being issued.
- (2) It is acknowledged that it is not intended that an infrastructure agreement will be entered into regarding the development referred to in the development approval.
- (3) It is acknowledged that in calculating the above Infrastructure Contributions an assessment has been made of the infrastructure required for:-
 - (i) the development referred to in the development approval, together with
 - (ii) any associated operational work, building work or reconfiguration of a lot

and the Infrastructure Contributions reflect the infrastructure

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	<i>required for the development referred to in the development approval together with any associated operational work, building work or reconfiguration of a lot.</i> (4) Infrastructure contributions a. <i>apply to premises owned by the RNA that will be predominantly occupied (whether pursuant to lease(s), licence(s) or other agreement(s)) by entities other than the RNA for periods in excess of three (3) years (e.g. Visitor Accommodation, commercial office etc)</i> b. <i>do not apply to:</i> i. <i>buildings or other structures on the site used predominantly by the RNA in connection with holding the Ekka</i> ii. <i>the Industrial Pavilion, Fresh Food Markets, Cattle Pavilion, Horse Pavilion and refurbished or adaptively reused heritage buildings and</i> iii. <i>Development for the purposes of Visitor Accommodation including ancillary uses i.e. Food Premises (bar & restaurant) and reception on the RNA Leasehold Land known as Site 1.02 where the following provisions are met (otherwise infrastructure contributions are payable):</i> a. <i>Where Compliance B endorsement has been granted by 30 June 2014 and where construction commences within 2 years of the date of the Compliance B endorsement; and</i> b. <i>Accreditation for a 4 or 5 star rated Visitor Accommodation is obtained and submitted to the Director, Development Assessment of the Department of State Development, Infrastructure and Planning (formerly ULDA) prior to the commencement of use.</i>	
38.	Infrastructure works (a) Pursuant to other conditions of this approval, all of the Items of Infrastructure set out in Column 1 of Table 2 below (the Infrastructure Works) must be provided. The entity (Entity) providing the Infrastructure Works (or the RNA) is entitled to claim an offset for the Infrastructure Works (the Infrastructure Works Offset) against an Infrastructure Contribution. (b) An Infrastructure Works Offset, or any part of it, is claimable once the construction of the Infrastructure Item, or part thereof, has been completed (Claimable Date). Where the claimable date is prior to the payment date of the Infrastructure Contributions from which the Infrastructure Works will be offset, the cost of works will be indexed in accordance with Condition 39 up to the payment date of the Infrastructure Contributions. (c) Except for the Infrastructure Item described as 'Intersection works' undertaken pursuant to condition 19 of this approval, the amount of the Infrastructure Works Offset or part thereof, which	

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can be claimed is:-

(i) if the whole of the Infrastructure Item is provided:-

- (A) the offset amount in column 2 of Table 2 below for that item (as indexed in accordance with condition 39) on the date of claim or
- (B) the actual construction costs for the Infrastructure Item (for which the Entity must provide sufficient documentary evidence to substantiate the reasonable costs)

whichever is the lesser.

(ii) if part of an Infrastructure Item is provided (other than the last part of the Infrastructure Item being provided)
- the reasonable costs incurred in the provision of that part of the item subject to:-

- (A) the total amount claimed cumulatively for the item must not exceed:-
 - the offset amount for the item in column 2 of Table 2 (as indexed in accordance with condition 39 on the date the Infrastructure Works Offset is claimed or
 - the actual construction costs for the Infrastructure Item (for which the Entity must provide sufficient documentary evidence to substantiate the reasonable costs)

whichever is the lesser and

(iii) if it is the last part of an Infrastructure Item being provided - the amount of the offset which can be claimed is:-

- (A) the offset amount for the item in column 2 of Table 2 (as indexed in accordance with condition 39) on the date the Infrastructure Works Offset is claimed less the offset amounts already claimed for the item or
- (B) the actual construction costs for the Infrastructure Item (for which the Entity must provide sufficient documentary evidence to substantiate the reasonable costs) less the offset amounts already claimed for the item

whichever is the lesser.

(d) For the Infrastructure Item described as 'Intersection works' and 'Planned QUU Water Mains Upgrades' undertaken pursuant to condition 19 and condition 22(i) of this approval, the amount of the Infrastructure Works Offset which can be claimed is the reasonable costs incurred in the provision of the item, or any part of the item.

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- (e) The reasonable costs incurred in the provision of an Infrastructure Item, or part thereof, referred to in condition 2(c)(ii), and 2(d) of this approval shall include, but not be limited to the following:-
- (i) planning costs and the costs of preparing the design
 - (ii) survey and site investigation costs
 - (iii) costs and expenses incurred under a contract to carry out works associated with the Infrastructure Item, or part thereof including but not limited to:-
 - (A) remediation;
 - (C) earthworks;
 - (D) temporary shoring;
 - (E) management and disposal of contaminated material; and
 - (F) importing of clean fill.
 - (iv) portable long service leave payments, insurance premiums and Council approval fees including but not limited to, inspection fees for acceptance on and off maintenance of works
 - (v) fees for preparing applications for and the costs of obtaining approvals
 - (vi) supervision, co-ordination, project management and regulatory fees
 - (vii) costs relating to the dedication of any part of the Land or the granting of any easement over the Land, including but not limited to survey costs, legal costs and duty costs
 - (viii) any operating or maintenance costs for an Infrastructure Item, or part thereof, or any contribution made by the Entity towards these costs, regardless of whether:-
 - (A) the contribution is made to a third party including but not limited to the Brisbane City Council or Queensland Urban Utilities
 - (B) it is for ongoing operating or maintenance costs
 - (C) the cost is calculated as a capitalised amount for projected future operating or maintenance costs.
 - (ix) costs relating to securing access to, dedication of, or granting an easement over, land which is not the Land (External Land) including, but not limited to, the consideration paid to secure the relevant interest in the External Land, acquisition costs, survey costs, legal costs and duty costs
 - (x) GST unless the entity claiming the offset is entitled to an input tax credit

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- (xi) costs of effecting insurances
- (xii) costs of traffic control and temporary road closures
- (xiii) payment of third party compensation arising from provision of the Infrastructure Item, or part thereof, including, but not limited to, construction work impacts.
- (xiv) Costs relating to the creation of open-air stormwater detention (i.e. not within an underground tank) as part of the overall stormwater infrastructure system which may include detention beneath the John Reid Pavilion and associated buildings.

Unless otherwise agreed in writing by the Entity, only the Entity or the RNA is entitled to claim an Infrastructure Works Offset regardless of who is the owner or occupier of the Land.

- (f) All relevant approvals relating to the item(s) of Infrastructure Works to be constructed must be obtained prior to the construction of any item of Infrastructure Works.
- (g) Unless agreed otherwise by the Planning Entity, any costs intended to be claimed by the Entity as reasonable costs pertaining to condition (e) must be ratified by an independent third party Quantity Surveyor agreed to by both the Entity and the Planning Entity prior to these costs being offset against the Infrastructure Contributions.
- (h) The Entity must:-
 - (i) provide the Planning Entity with the designs and specifications for the Infrastructure Works within five (5) business days of:-
 - (A) obtaining all relevant approvals for the Infrastructure Works; or if no approvals are required for the Infrastructure Works
 - (B) completion of the designs and specifications and
 - (ii) not change the design or specifications for the Infrastructure Works without the prior written consent of the Planning Entity (which consent must not be unreasonably withheld or delayed).

TABLE 2 - Infrastructure Works Offset

1.Item of Infrastructure	2. Offset amount
ST003 – Stormwater Upgrades for overland flows, SW009, SW010 and Upgrade to trunk sewer connection between Costin Street and Ann Street	\$19,475,000
CP010 – Landscape & Signage Civic Plaza (RNA Site) to BCC quality standards or otherwise agreed with the nominated assessing authority	\$10,215,000
CP013 – Public Realm improvements to RNA side of Brookes Street (for extent of RNA boundary)	\$350,000
CP014 – public realm improvements to RNA side of St Pauls Terrace (for extent of RNA boundary) or otherwise agreed with the nominating assessing authority	\$385,000
Road works undertaken pursuant to Condition 16 of this approval	To be determined
Planned QUU Water Mains Upgrades pursuant to Condition 21(i) of this approval	\$728,000

Indexation

39.

The:-

- (a) Infrastructure Contribution Rates in table 1 and
- (b) Infrastructure Works Offset Amounts in table 2
- (c) Infrastructure Works Offset referred to in Condition 38(b)

will be reviewed on 1 July each year (the "Review Date(s)") and will be increased by the amount calculated by multiplying the Infrastructure Contribution Rate or Infrastructure Works Offset Amount or Infrastructure Works Offset referred to in Condition 38(b) (as the case may be) applying immediately preceding the relevant Review Date by the annual compounding average for the Queensland Roads and Bridges Construction Index for the preceding five (5) calendar years with this average to be calculated in accordance with the following formula:-

$$\frac{B}{C} \text{ to be converted to an annual compounding average}$$

Where:-

- B = the Queensland Roads and Bridges Construction Index for the last quarter of the calendar year immediately prior to the relevant Review Date
- C = the Queensland Roads and Bridges Construction Index for the last quarter of the calendar year five (5) years prior to the relevant Review Date

but the amounts will not be reduced below those prior to the Review Date.

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	An example of the annual compounding average for the Queensland Roads and Bridges Construction Index for the preceding five (5) calendar years is set out below:- <i>Example:-</i> <i>For the 2010/11 financial year, the increase in the contribution rate is calculated as follows:-</i> <i>B = Dec 2009 Index 169.7</i> <i>C = Dec 2004 Index 127.0</i> $\frac{B}{C} = 1.3362$ = 33.62% increase The annual compounding average to achieve a 33.62% increase over five (5) years is 5.97%.	

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

**** End of Package ****

