

Our ref: DEV2014/643

30 March 2016

Tessa Group (5-9 Folkestone Street Pty Ltd)  
Attention: Mr Brendan Tutt and Mr Kurt Swenson  
Level 3, 120 Edward Street  
BRISBANE QLD 4000

Dear Brendan and Kurt

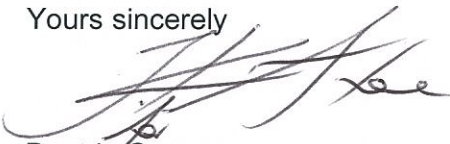
**SECTION 89(1)(a) CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – MULTIPLE RESIDENTIAL (37 DWELLING UNITS) AT 5-9 FOLKESTONE STREET, BOWEN HILLS DESCRIBED AS LOTS 5, 6 AND 7 ON RP10094**

On 30 March 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	5 – 9 Folkestone Street, Bowen Hills	
Lot on plan description	Lot number	Plan description
	Lot 5	RP10094
	Lot 6	RP10094
	Lot 7	RP10094
PDA development application details		
DEV reference number	DEV2014/643	
'Properly made' date	23 March 2016	
Type of application	<input type="checkbox"/> New development involving:- <ul style="list-style-type: none"> <li><input type="checkbox"/> Material change of use               <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary approval</li> <li><input type="checkbox"/> Development permit</li> </ul> </li> <li><input type="checkbox"/> Reconfiguring a lot               <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary approval</li> <li><input type="checkbox"/> Development permit</li> </ul> </li> <li><input type="checkbox"/> Operational work               <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary approval</li> <li><input type="checkbox"/> Development permit</li> </ul> </li> </ul> <input checked="" type="checkbox"/> Changing a PDA development approval <input type="checkbox"/> Extending the currency period of a PDA approval	
Description of proposal applied for	Change to Approval for a PDA Development Permit for a Material Change of Use – Multiple Residential (37 Dwelling units)	

### PDA development approval details

Decision of the MEDQ	<p>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.</p> <p>The approved changes are summarised as follows:</p> <ul style="list-style-type: none"> <li>▪ Change to the approved stormwater management plan; and</li> <li>▪ Change to condition 14 Stormwater Management.</li> </ul>
Original Decision date	22 May 2015
Change to approval date	30 March 2016
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	Date
1.	Site Based Stormwater Management Plan prepared by DNBS Consulting Engineers	2016009 Issue 2	7/3/2016
Plans and documents previously approved on 24 June 2015		Number	Date
2.	Site Plan	DA-001, Rev. 6	04.06.15
3.	Basement Plan	DA-100, Rev. 9	03.07.15
4.	Ground Floor Plan	DA-101, Rev. 10	16.07.15 (as amended in red 6 August 2015)
5.	Level 2 Floor Plan	DA-102, Rev. 9	04.06.15
6.	Level 3 & 4 Floor Plan	DA-103, Rev. 3	04.06.15
7.	Level 5 Floor Plan	DA-104, Rev. 3	05.06.15
8.	Level 6 Floor Plan	DA-105, Rev. 8	04.06.15
9.	Level 7-8 Floor Plan	DA-106, Rev. 8	04.06.15
10.	Elevations	DA-200, Rev. 7	05.06.15
11.	Elevations	DA-201, Rev. 8	16.07.15
12.	Elevations	DA-202, Rev. 7	16.07.15
13.	Elevations	DA-203, Rev. 7	05.06.15
Plans and documents previously approved on 22 May 2015		Number	Date
14.	Landscape Concept Plan	1411-LCP1 Issue C	December 14
15.	Traffic Engineering Assessment prepared by CRG Traffic and Transport Engineering Consultants	14196 Rev 1	17 December 2014 (as amended in red 24 April 2015)
16.	Environmental Noise Impact Assessment for Proposed Residential Development	R14118/D2986/Rev.0	8.12.14

17.	Folkestone Street Sight Distance Assessment prepared by Rytenskild Traffic Group	14196-01 Rev A	09.04.15
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## **PREAMBLE**

For the purpose of interpreting this PDA Development Approval, including the PDA Development Conditions, the following applies:

### **Compliance assessment**

Where a condition of this PDA Development Approval requires compliance assessment, compliance assessment is required in accordance with the following:

- a) The applicant must pay to MEDQ at the time of submission the relevant fee for compliance assessment, including any third party peer review costs which will be charged on a 100% cost recovery basis. The compliance assessment fees are set out in the MEDQ's development assessment fee schedule (as amended from time to time).
- b) Compliance assessment and endorsement by EDQ Development Assessment, DILGP is required prior to any work commencing.
- c) Compliance assessment and endorsement can be repeated where a different design or solution, to that already endorsed, is sought.
- d) The process and timeframes that apply to compliance assessment are as follows:
  - i. the applicant liaises with EDQ Development Assessment, DILGP to determine the relevant plans/supporting information required to be submitted.
  - ii. the applicant submits plans/supporting information as required under the relevant condition of approval for compliance assessment.
  - iii. **within 20 business days** – EDQ Development Assessment, DILGP assesses the plans/supporting information and:
    1. if satisfied with the plans/supporting information as submitted – endorses the plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
    2. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly
  - iv. if the applicant is notified under iii.2. above, revised plans/supporting information are to be re-submitted to EDQ Development Assessment, DILGP **within 20 business days** from the date of the notice.
  - v. **within 20 business days** – EDQ Development Assessment, DILGP assesses the revised plans/supporting information and:
    1. if satisfied with the revised plans/supporting information - endorses the revised plans/supporting information and the condition of

- approval (or element of the condition) is determined to have been met; or
2. if not satisfied with the revised plans/supporting information as submitted – notifies the applicant accordingly.
- vi. if EDQ Development Assessment, DILGP is not satisfied that compliance has been achieved within **20 business days** - repeat steps iv. and v. above. 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.

Despite note vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DILGP endorses relevant plans/supporting information.

### **ABBREVIATIONS**

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

1. **AILA** means a Landscape Architect registered by the Australian Institute of Landscape Architects.
2. **Certification Procedures Manual** means Certification Procedures Manual, prepared by The Department of State Development, Infrastructure and Planning, September 2013 (as amended from time to time).
3. **Council** means Brisbane City Council.
4. **DILGP** means The Department of Infrastructure, Local Government and Planning.
5. **EDQ** means Economic Development Queensland.
6. **MEDQ** means The Minister of Economic Development Queensland.
7. **PDA** means Priority Development Area.
8. **RPEQ** means Registered Professional Engineer of Queensland.
9. **QUU** means Queensland Urban Utilities.

### PDA Development Conditions – Material Change of Use

[illegible]

5.	<p><b>Traffic Management Plan</b></p> <p>a) Submit to EDQ Development Assessment, DILGP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Level 3 qualification or higher.</p> <p>The TMP must include the following:</p> <ol style="list-style-type: none"> <li>provision for the management of traffic around and through the site during and outside of construction work hours;</li> <li>provision for parking and materials delivery during and outside of construction hours of work;</li> <li>planning including risk identification and assessment, staging, etc;</li> <li>ongoing monitoring, management review and certified updates (as required);</li> <li>traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s).</li> </ol> <p>b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.</p>	<p>a) Prior to commencement of site works</p> <p>b) At all times during construction</p>
6.	<p><b>Retaining Walls</b></p> <p>a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by an RPEQ, of all retaining walls 1.0m or greater in height.</p> <p>b) Construct the works generally in accordance with the certified plans required under part a) of this condition.</p> <p>c) Submit to EDQ Development Assessment, DILGP certification by a RPEQ that all retaining wall works 1.0m or greater in height have been carried out generally in accordance with the certified plans.</p>	<p>a) Prior to commencement of site works</p> <p>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>
7.	<p><b>Filling and Excavation</b></p> <p>a) Submit to EDQ Development Assessment, DILGP detailed earthworks plans certified by a RPEQ, generally in accordance with AS3798 – 1996 <i>Guidelines on Earthworks for Commercial and Residential Developments</i>.</p> <p>The certified earthworks plans shall:</p> <ol style="list-style-type: none"> <li>include a geotechnical soils assessment of the site;</li> <li>be consistent with the Erosion and Sediment Control plans;</li> <li>provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation;</li> <li>provide full details of any areas where surplus soils are to be stockpiled.</li> </ol>	<p>a) Prior to commencement of site works</p>



	<p>b) Carry out the earthworks generally in accordance with the certified plans required under part a) of this condition.</p> <p>c) Submit to EDQ Development Assessment, DILGP certification by a RPEQ that all earthworks have been carried out in generally accordance with the certified plans required under part a) of this condition and any unsuitable material encountered has been treated or replaced with suitable material.</p>	<p>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>
<b>8.</b>	<p><b>Vehicle Access</b></p> <p>Construct a vehicle crossover generally in accordance with the approved plans and designed and constructed in accordance with Council adopted standards.</p>	Prior to commencement of use and to be maintained
<b>9.</b>	<p><b>Sight Distance</b></p> <p>Carry out yellow line marking on Folkestone Street in accordance with <i>Folkestone Street Sight Distance Assessment prepared by Rytenkild Traffic Group, drawing number 14196-01 Rev A, dated 09.04.15.</i></p>	Prior to commencement of use
<b>10.</b>	<p><b>Car Parking</b></p> <p>a) Provide car parking spaces, delineated and signed generally in accordance with the following approved plans:</p> <ol style="list-style-type: none"> <li>Basement Plan prepared by Red Door Architecture, drawing no. DA-100, Rev. 9 dated 03.07.15;</li> <li>Ground Level Floor Plan prepared by Red Door Architecture, drawing no. DA-101, Rev. 10, dated 16.07.15.</li> </ol> <p>b) Car parking spaces are to be designed in accordance with <i>AS2890 – Parking Facilities.</i></p> <p>c) Demonstrate parking facilities have been provided in accordance with parts a) and b) of this condition.</p>	Prior to commencement of use and to be maintained
<b>11.</b>	<p><b>Bicycle Parking</b></p> <p>a) Provide 37 bicycle parking spaces for residents and 8 spaces for visitors delineated and signed generally in accordance with the following approved plan:</p> <ol style="list-style-type: none"> <li>Basement Plan prepared by Red Door Architecture, drawing no. DA-100, Rev. 9, dated 03.07.15.</li> </ol> <p>b) Bicycle parking spaces are to be designed in accordance with <i>AS2890.3 – 1993 Bicycle parking facilities.</i></p> <p>c) Demonstrate bicycle parking facilities have been provided in accordance with parts a) and b) of this condition.</p>	Prior to commencement of use and to be maintained
<b>12.</b>	<p><b>Water connection</b></p> <p>Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.</p>	Prior to commencement of use

<b>13. Sewer connection</b>	Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
<b>14. Stormwater Drainage</b>	<p>a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by an RPEQ, for the proposed stormwater drainage system generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i> and the following documents;</p> <p>i. Site Based Stormwater Management Plan prepared by DNBS Consulting Engineers, project reference 2016009 Issue 2, dated 7/3/2016</p> <p>b) Construct the works in accordance with the certified plans required under part a) of this condition.</p> <p>c) Submit to EDQ Development Assessment, DILGP "as constructed" plans including an asset register and test results, certified by a RPEQ, in a format acceptable to Council.</p>	<p>a) Prior to commencement of site works</p> <p>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>
<b>15. Outdoor Lighting</b>	Outdoor lighting within the development shall be designed and installed in accordance with <i>AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use and to be maintained
<b>16. Electricity</b>	<p>Submit to EDQ Development Assessment, DILGP either:</p> <p>a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the development; or</p> <p>b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.</p>	Prior to commencement of site works
<b>17. Telecommunications</b>	Submit to EDQ Development Assessment, DILGP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the proposed development.	Prior to commencement of site works
<b>18. Broadband</b>	Submit to EDQ Development Assessment, DILGP a written agreement from an authorised telecommunications service provider that infrastructure within the development as defined under the <i>Telecommunications Act (Fibre Deployment Bill 2011)</i> can be provided	Prior to commencement of site works

	in accordance with the Communications Alliance G645:2011 guideline, to accommodate services which are compliant with the Federal Government's National Broadband Network policy.	
<b>19. Gas</b>	Submit to EDQ Development Assessment, DILGP documentation from an authorised gas service provider confirming that an agreement has been entered into for the provision of underground gas services to the proposed development.	Prior to commencement of site works
<b>20. Damage and Repairs</b>	Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drainage lines) that occurred during any works carried out in association with the approved development.	Prior to commencement of use
<b>Landscape and Environment</b>		
<b>21. Landscape Works</b>	<p>a) Submit to EDQ Development Assessment, DILGP detailed landscape plans, certified by an AILA, for improvement works within the proposed development generally in accordance with the following plans.</p> <p>i. Landscape Concept Plan, drawing no. 1411-LCP1, issue C dated December 14</p> <p>b) Construct the works generally in accordance with the certified plans required under part a) of this condition.</p>	<p>a) Prior to commencement of site works</p> <p>b) Prior to commencement of use and to be maintained</p>
<b>22. Acid Sulfate Soils (ASS)</b>	<p>a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DILGP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP must be:</p> <p>i. prepared generally in accordance with the <i>State Planning Policy</i>, July 2014 (as amended from time to time) and relevant guidelines; and</p> <p>ii. certified by a suitably qualified professional in soils and/or erosion sediment control.</p> <p>b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP.</p>	<p>a) Prior to commencement of or during site works</p> <p>b) Prior to commencement of use</p>
<b>23. Erosion and Sediment Management</b>	<p>a) Submit to EDQ Development Assessment, DILGP an Erosion and Sediment Control Plan (ESCP) certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC) generally in accordance with the following guidelines:</p> <p>i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP)</p> <p>ii. Best Practice Erosion and Sediment Control (International</p>	a) Prior to commencement of site works

	Erosion Control Association).	
	b) Implement the certified ESCP as required under part a) of this condition.	b) At all times during construction
<b>24.</b>	<b>Refuse Collection</b>  Submit to EDQ Development Assessment, DILGP refuse collection approval from Council or a private waste contractor.	Prior to commencement of use
<b>25.</b>	<b>Acoustic treatments</b>  Undertake acoustic treatments to the development generally in accordance with the recommendations in the following approved document: Environmental Noise Impact Assessment for Proposed Residential Development, 5-9 Folkestone Street, Bowen Hills by David Moore & Associates, Report No. R14118/D2986/Rev.0/8.12.14	Prior to commencement of use
<b>26.</b>	<b>Energy efficiency</b>  a) Submit to EDQ Development Assessment, DILGP written confirmation from a suitably qualified professional that the proposed development is capable of achieving an average NatHERS rating of 6 stars. b) Construct the development to achieve an average NatHERS rating of 6 stars.	a) Prior to commencement of site works b) Prior to commencement of use
<b>Surveying, land transfers and easements</b>		
<b>27.</b>	<b>Easements over Infrastructure</b>  Public utility easements must be provided, in favour of and at no cost to the grantee, over infrastructure located in land that becomes contributed assets.  The terms of the easements must be to the satisfaction of the Chief Executive Officer of the authority which ultimately is to takeover and maintain the contributed assets.	Prior to commencement of use or endorsement of a Building Format Plan, whichever occurs first
<b>Affordable and Accessible Housing</b>		
<b>28.</b>	<b>Affordable Housing</b>  Submit to EDQ Development Assessment, DILGP evidence that the approved development delivers 2 affordable units in accordance with the <i>PDA (ULDA) Guideline no. 16 Housing</i> .	Prior to commencement of use
<b>29.</b>	<b>Compliance Assessment - Accessible Housing</b>  a) Submit to EDQ Development Assessment, DILGP for compliance assessment accessible unit layout plans for 4 units. The plans are to be prepared in accordance with <i>PDA guideline no. 2 Accessible Housing</i> b) Construct 4 accessible units generally in accordance with the endorsed plans required by part a) of this condition.	a) Prior to commencement of building works b) Prior to commencement of use

Infrastructure Charges		
30.	<b>Infrastructure Contributions</b>  Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) February 2015 indexed to the date of payment.	In accordance with the IFF

#### **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 \*\***

