

Our ref: DEV2015/722

10 May 2016

Bowen Rise Pty Ltd
C/- Mr Tam Dang and Ms Katherine Jaenke
PO Box 2453
FORTITUDE VALLEY BC QLD 4006

Dear Tam and Katherine

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – MULTIPLE RESIDENTIAL (77 DWELLING UNITS) AT 63-65 ABBOTSFORD ROAD AND 1-3 FOLKESTONE STREET, BOWEN HILLS DESCRIBED AS LOTS 1-2 ON RP50667 AND LOTS 3-4 ON RP10094

On 10 May 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 Brianna Fyffe on 3452 7167.

Yours sincerely



Beatriz Gomez
Director – EDQ Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Bowen Hills	
Site address	63-65 Abbotsford Road and 1-3 Folkestone Street, Bowen Hills	
Lot on plan description	Lot number	Plan description
	1	RP50667
	2	RP50667
	3	RP10094
	4	RP10094
PDA development application details		
DEV reference number	DEV2015/722	
'Properly made' date	7 April 2016	
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	Material Change of Use – Multiple Residential (77 Dwelling Units)	

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: ▪ Reconfiguration within Basements 1-3 to include additional storage rooms; ▪ Unit 1A and penthouse internal layout reconfigurations; ▪ Reduction of stair core area resulting in increase in GFA of Unit typology 2A.4 (+11m²) and allowing for a Multi-Purpose Room (MPR) and minor layout changes; ▪ Increase in GFA of 126m²; ▪ Planter boxes on balconies in Units 2A.2 and 2A.4 removed to accommodate relocated substation below; and ▪ Penthouse balcony size increased (+10m²).
Original Decision date	28 January 2016
Change to approval date	10 May 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 (if applicable)	Date (if applicable)
Plans and documents approved as part of this approval			
1.	Site Location Plan	SK000	23 March 2016
2.	Development Summary	SK001	23 March 2016
3.	Basement 03	SK100	23 March 2016
4.	Basement 02	SK101	23 March 2016
5.	Basement Level 01	SK102	23 March 2016
6.	Level 01	SK103	23 March 2016
7.	Level 02	SK104	23 March 2016
8.	Typical Levels 03-08	SK105	23 March 2016
9.	Level 09	SK106	23 March 2016
10.	Section AA	SK300	23 March 2016
Plans and documents previously approved on 28 January 2016 and still applicable to this approval			
11.	Roof Plan	SK106	9 October 2015
12.	North Elevation	SK200	9 October 2015
13.	East Elevation	SK201	9 October 2015
14.	South Elevation	SK202	9 October 2015
15.	West Elevation	SK203	9 October 2015

Approved plans and documents		Number (if applicable)	Date (if applicable)
16.	Section BB	SK301	9 October 2015
17.	Section CC	SK302	9 October 2015
18.	Landscape Concept Plan – Level 1	1509-LCP1 Issue B	September 15
19.	Landscape Concept Plan – Level 2-8	1509-LCP2 Issue B	September 15
20.	Landscape Concept Plan – Level 9	1509-LCP3 Issue B	September 15
21.	Traffic Engineering Assessment Report, prepared by BMC Traffic	BMC16021	21 October 2015
22.	Engineering Services Report, prepared by ADG	18403, Revision 01	15 October 2015
23.	Noise Assessment Report, prepared by Noise Measurement Services	3400	18 November 2015
24.	Energy Efficiency Rating Report prepared by House of Stars	5401	12 October 2015

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:
 - i. 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)
 - ii. submit to MEDQ a duly completed compliance assessment form, and
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- 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:
 - A. 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
 - B. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly
- iv. if the applicant **is** notified under iii.B. 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:
 - A. 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
 - B. 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. **DEHP** means The Department of Environment and Heritage Protection.
5. **DILGP** means The Department of Infrastructure, Local Government and Planning.
6. **EDQ** means Economic Development Queensland.
7. **MEDQ** means The Minister of Economic Development Queensland.
8. **PDA** means Priority Development Area.
9. **RPEQ** means Registered Professional Engineer of Queensland.

PDA Development Conditions

[illegible]

No.	Condition	Timing
	work hours; ii. provision of parking for workers and materials delivery during and outside of construction hours of work; iii. planning including risk identification and assessment, staging, etc; iv. ongoing monitoring, management review and certified updates (as required); and v. 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). b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.	b) At all times during construction
6.	Retaining walls a) Submit to EDQ Development Assessment, DILGP detailed engineering plans, certified by an RPEQ, of all retaining walls 1.0m or greater in height. b) Construct the works generally in accordance with the certified plans required under part a) of this condition. 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.	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use
7.	Filling and excavation 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>. The certified earthworks plans shall: i. include a geotechnical soils assessment of the site; ii. be consistent with the Erosion and Sediment Control plans; iii. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; and iv. provide full details of any areas where surplus soils are to be stockpiled. b) Carry out the earthworks generally in accordance with the certified plans required under part a) of this condition. 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	a) Prior to commencement of site works b) Prior to commencement of use c) Prior to commencement of use

No.	Condition	Timing
	required under part a) of this condition and any unsuitable material encountered has been treated or replaced with suitable material.	
8.	Vehicle access Construct a vehicle crossover generally in accordance with the approved plans and designed and constructed in accordance with Council's adopted standards.	Prior to commencement of use and to be maintained
9.	Car parking a) Provide car parking spaces, delineated and signed generally in accordance with the following approved plans and report: i. Basement 03 Plan, drawing number SK100, dated 23 March 2016; ii. Basement 02 Plan, drawing number SK101, dated 23 March 2016; iii. Basement 01 Plan, drawing number SK102, dated 23 March 2016; iv. Level 01 Plan, drawing number SK103, dated 23 March 2016; and v. Traffic Engineering Assessment Report, Prepared by BMC Traffic and dated 21 October 2015. b) Car parking spaces are to be designed in accordance with <i>AS2890 – Parking Facilities</i> . c) Demonstrate parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained
10.	Bicycle parking a) Provide bicycle parking facilities delineated and signed generally in accordance with the following approved plans: i. Traffic Engineering Assessment Report, Prepared by BMC Traffic and dated 21 October 2015. b) Bicycle parking spaces are to be designed in accordance with <i>AS2890.3 – 1993 Bicycle parking facilities</i> . c) Demonstrate bicycle parking facilities have been provided in accordance with parts a) and b) of this condition.	Prior to commencement of use and to be maintained
11.	Water connection Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
12.	Sewer connection Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use

13.	Stormwater connection Connect the development to a lawful point of discharge with 'no-worsening' to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability (AEP) in accordance with Council current adopted standards.	Prior to commencement of use
14.	Stormwater quality a) Submit to EDQ Development Assessment, DILGP detailed engineering drawings, certified by a RPEQ for the proposed stormwater treatment devices designed generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and the following documents: i. Engineering Services Report, prepared by ADG, 18403, Revision 01, and dated 15 October 2015. b) Construct the works generally in accordance with the certified plans required under part a) of this condition. c) Provide evidence from a RPEQ that the works have been constructed generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of works b) Prior to commencement of use c) Prior to commencement of use
15.	Outdoor lighting 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
16.	Electricity Submit to EDQ Development Assessment, DILGP either: 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 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.	Prior to commencement of site works
17.	Telecommunications 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

18.	Broadband 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 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 site works
19.	Public infrastructure – Damage, repairs and relocation Repair any damage to existing public infrastructure that occurred during works carried out in association with the approved development. Should existing public infrastructure require relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory requirements.	Prior to commencement of use
Landscape and Environment		
20.	Landscape works 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: i. Landscape Concept Plan, prepared by Mark Baldock Landscape Architect and dated September 2015. b) Construct the works generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of site works b) Prior to commencement of use and to be maintained
21.	Acid sulfate soils 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: i. prepared generally in accordance with the <i>State Planning Policy</i> , July 2014 (as amended from time to time) and relevant guidelines; and ii. certified by a suitably qualified professional in soils and/or erosion sediment control. b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP.	a) Prior to commencement of or during site works b) Prior to commencement of use
22.	Erosion and sediment management 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	a) Prior to commencement of site works

	following guidelines: i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP); and ii. Best Practice Erosion and Sediment Control (International Erosion Control Association). b) Implement the certified ESCP as required under part a) of this condition.	b) At all times during construction
23.	Waste collection Submit to EDQ Development Assessment, DILGP waste collection approval from Council or a private waste contractor.	Prior to commencement of use
24.	Acoustic treatments Undertake acoustic treatments to the development generally in accordance with the recommendations in the following approved document: i. Noise Assessment Report, prepared by Noise Measurement Services and dated 18 November 2015.	Prior to commencement of use
25.	Energy efficiency Construct the development to achieve a NatHERS Energy Rating generally in accordance with the recommendations in the following certified report: i. Energy Efficiency Rating Report, prepared by Residential Building Star Rating Assessors, 5401, dated 12 October 2015.	Prior to commencement of use
Surveying, Land Transfers and Easements		
26.	Easements over infrastructure 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
Affordable and Accessible Housing		
27.	Affordable housing Submit to EDQ Development Assessment, DILGP evidence that the approved development delivers 4 affordable units in accordance with the <i>PDA (ULDA) Guideline no. 16 Housing</i>.	Prior to commencement of use
28.	Compliance assessment – Accessible housing a) Submit to EDQ Development Assessment, DILGP for compliance assessment accessible unit layout plans for 8 units. The plans are to be prepared in accordance with	a) Prior to commencement of building works

	<i>PDA guideline no. 2 Accessible Housing.</i> b) Construct 8 accessible units generally in accordance with the endorsed plans required by part a) of this condition.	b) Prior to commencement of use																																
Infrastructure Charges																																		
29.	Infrastructure Contributions Pay to MEDQ a monetary contribution towards the cost of the provision of essential infrastructure. The contribution has been calculated in accordance with MEDQ's <i>Infrastructure Funding Framework</i> July 2015 (The Framework). The current applicable general infrastructure charge is: <table><tr><th colspan="3">General Infrastructure Charges</th></tr><tr><td>16 Small units @ 0 - <60m² GFA</td><td>\$13,151 / unit</td><td>\$210,416</td></tr><tr><td>60 Medium units @ 60-100m² GFA</td><td>\$18,358 / unit</td><td>\$1,101,480</td></tr><tr><td>1 Large unit @ >100m² GFA</td><td>\$30,389 / unit</td><td>\$30,389</td></tr><tr><td>Total</td><td></td><td>\$1,342,285</td></tr></table> The current applicable value uplift charge is: <table><tr><th colspan="3">Value Uplift</th></tr><tr><td>14 Small units @ 0 - <60m² GFA</td><td>\$12,650 / unit</td><td>\$177,100</td></tr><tr><td>53 Medium units @ 60-100m² GFA</td><td>\$18,977 / unit</td><td>\$1,005,781</td></tr><tr><td>1 Large unit @ >100m² GFA</td><td>\$33,736 / unit</td><td>\$33,736</td></tr><tr><td>Total Value Uplift</td><td></td><td>\$1,216,617</td></tr></table> <table><tr><td>Grand Total</td><td>\$2,558,902</td></tr></table> <i>* Note – For residential development, credits are available for up to 30% of the value uplift charge for achieving affordable housing and 20% of the value uplift charge for delivering ecologically sustainable development (ESD) outcomes. For commercial or retail development, credits are available for up to 50% of the value uplift charge for delivering ESD outcomes. Where affordable housing and ESD are provided as part of a Superior Design Outcome, those affordable dwellings and ESD</i>	General Infrastructure Charges			16 Small units @ 0 - <60m ² GFA	\$13,151 / unit	\$210,416	60 Medium units @ 60-100m ² GFA	\$18,358 / unit	\$1,101,480	1 Large unit @ >100m ² GFA	\$30,389 / unit	\$30,389	Total		\$1,342,285	Value Uplift			14 Small units @ 0 - <60m ² GFA	\$12,650 / unit	\$177,100	53 Medium units @ 60-100m ² GFA	\$18,977 / unit	\$1,005,781	1 Large unit @ >100m ² GFA	\$33,736 / unit	\$33,736	Total Value Uplift		\$1,216,617	Grand Total	\$2,558,902	Prior to Building Format Plan endorsement for the relevant stage
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	<i>components are not eligible for an offset against the value uplift charge. Further information is available on request.</i> <i>* Note - Infrastructure charges are updated in the IFF at the beginning of each financial year and are indexed in accordance with the annual rate of the 3 year rolling average of the movement of the Road and Bridge Construction Index (Queensland). Indexation is calculated from that March which is three (3) years prior to the current year, to March of the current year.</i>	
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STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this 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 ****