



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2014/643

20 September 2016

Tessa Group
C/- Ms Emily Richards
Urban Strategies Pty Ltd
PO Box 3368
SOUTH BRISBANE QLD 4101

Dear Emily

SECTION 99 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 19 September 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 be viewed in the MEDQ Development Approvals Register via the Department of Infrastructure, Local Government and Planning website <http://www.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

A handwritten signature in black ink, appearing to read "BG", followed by a small dot.

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
	5	RP10094
	6	RP10094
	7	RP10094
PDA development application details		
DEV reference number	DEV2014/643	
'Properly made' date	13 May 2016	
Type of application	<input type="checkbox"/> New development involving:- <div style="margin-left: 20px;"> <input type="checkbox"/> Material change of use <div style="margin-left: 20px;"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit </div> <input type="checkbox"/> Reconfiguring a lot <div style="margin-left: 20px;"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit </div> <input type="checkbox"/> Operational work <div style="margin-left: 20px;"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit </div> </div> <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	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"> • Amendment to eastern side boundary to decrease the car park wall setback to 957mm • Increased setback to terrace on eastern boundary to 957mm • Allocation of booster valves and metre assembly room to property frontage
Original Decision date	22 May 2015
1 st Change to approval date	7 August 2015
2 nd Change to approval date	30 March 2016
3 rd Change to approval date	19 September 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.	Floor plan – Basement + Ground floor (Level 1)	WD-201, Issue H	5/12/15
2.	Elevations North & West	WD-301, Issue E	05/12/15
Plans and documents previously approved on 30 March 2016		Number	Date
3.	Site Based Stormwater Management Plan prepared by DNBS Consulting Engineers	2016009 Issue 2	7/3/2016
Plans and documents previously approved on 7 August 2015		Number	Date
4.	Site Plan	DA-001, Rev. 6	04.06.15
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-202, Rev. 7	16.07.15
11.	Elevations	DA-203, Rev. 7	05.06.15

Plans and documents			
Plans and documents previously approved on 22 May 2015		Number	Date
12.	Landscape Concept Plan	1411-LCP1 Issue C	December 14
13.	Traffic Engineering Assessment prepared by CRG Traffic and Transport Engineering Consultants	14196 Rev 1	17 December 2014 (as amended in red 24 April 2015)
14.	Environmental Noise Impact Assessment for Proposed Residential Development	R14118/D2986/Rev.0	8.12.14
15.	Folkestone Street Sight Distance Assessment prepared by Rytenskild Traffic Group	14196-01 Rev A	09.04.15

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.

[illegible]

	<ul style="list-style-type: none"> ii. provision for parking 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); 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). <p>b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.</p>	b) At all times during construction
6.	<p>Retaining Walls</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>Filling and Excavation</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> <ul style="list-style-type: none"> 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; iv. provide full details of any areas where surplus soils are to be stockpiled. <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>a) Prior to commencement of site works</p> <p>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>

8.	Vehicle Access Construct a vehicle crossover generally in accordance with the approved plans and designed and constructed in accordance with Council adopted standards.	Prior to commencement of use and to be maintained
9.	Sight Distance Carry out yellow line marking on Folkestone Street in accordance with <i>Folkestone Street Sight Distance Assessment prepared by Rytenskild Traffic Group, drawing number 14196-01 Rev A, dated 09.04.15.</i>	Prior to commencement of use
10.	Car Parking a) Provide car parking spaces, delineated and signed generally in accordance with the approved plans 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
11.	Bicycle Parking a) Provide 37 bicycle parking spaces for residents and 8 spaces for visitors delineated and signed generally in accordance with the approved plans 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
12.	Water connection Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
13.	Sewer connection Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
14.	Stormwater Drainage 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; i. Site Based Stormwater Management Plan prepared by DNBS Consulting Engineers, project reference 2016009 Issue 2, dated 7/3/2016	a) Prior to commencement of site works

	<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>b) Prior to commencement of use</p> <p>c) Prior to commencement of use</p>
15.	<p>Outdoor Lighting</p> <p>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>.</p>	Prior to commencement of use and to be maintained
16.	<p>Electricity</p> <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
17.	<p>Telecommunications</p> <p>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.</p>	Prior to commencement of site works
18.	<p>Broadband</p> <p>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.</p>	Prior to commencement of site works
19.	<p>Gas</p> <p>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.</p>	Prior to commencement of site works
20.	<p>Damage and Repairs</p> <p>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.</p>	Prior to commencement of use

Landscape and Environment		
21. Landscape Works	<ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> i. Landscape Concept Plan, drawing no. 1411-LCP1, issue C dated December 14 b) Construct the works generally in accordance with the certified plans required under part a) of this condition. 	<ul style="list-style-type: none"> a) Prior to commencement of site works b) Prior to commencement of use and to be maintained
22. Acid Sulfate Soils (ASS)	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> a) Prior to commencement of or during site works b) Prior to commencement of use
23. Erosion and Sediment Management	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP) ii. Best Practice Erosion and Sediment Control (International Erosion Control Association). b) Implement the certified ESCP as required under part a) of this condition. 	<ul style="list-style-type: none"> a) Prior to commencement of site works b) At all times during construction
24. Refuse Collection	<p>Submit to EDQ Development Assessment, DILGP refuse collection approval from Council or a private waste contractor.</p>	<p>Prior to commencement of use</p>

25.	Acoustic treatments 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
26.	Energy efficiency 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
Surveying, land transfers and easements		
27.	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		
28.	Affordable Housing 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
29.	Compliance Assessment - Accessible Housing 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.	Infrastructure Contributions 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 ****