



Department of Infrastructure,  
Local Government and Planning

Our ref: DEV2015/692

18 November 2016

Mr Cameron Hoffmann  
RPS Australia Asia Pacific  
PO Box 1559  
FORTITUDE VALLEY QLD 4006

Dear Cameron

**SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - VISITOR ACCOMMODATION (101 ROOMS), FOOD PREMISES AND OFFICE AT 63 O'CONNELL TERRACE, BOWEN HILLS DESCRIBED AS LOT 1 ON RP9941**

On 17 November 2016 the Minister for Economic Development Queensland (MEDQ) approved the Priority Development Area (PDA) development application pursuant to s.85(4)(b) of the *Economic Development Act 2012*. MEDQ has decided to grant all of the PDA development approval applied for subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can also be viewed in the MEDQ Development Approvals Register via the Department of 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 Jennifer Davison on 3452 7127.

Yours sincerely

A handwritten signature in black ink, appearing to read "B Gomez".

Beatriz Gomez  
Director – EDQ Development Assessment

## PDA Decision Notice – Approval

Site information		
Priority Development area (PDA)	Bowen Hills	
Site address	63 O'Connell Terrace, Bowen Hills	
Lot on plan description	Lot number	Plan description
	Lot 1	RP9941
PDA development application details		
DEV reference number	DEV2015/692	
'Properly made' date	15 July 2015	
Type of application	<input checked="" type="checkbox"/> New development involving:- <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Material change of use               <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary approval</li> <li><input checked="" 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> <li><input type="checkbox"/> Changing a PDA development approval</li> <li><input type="checkbox"/> Extending the currency period of a PDA approval</li> </ul>	
Description of proposal applied for	Material Change of Use: <ul style="list-style-type: none"> <li>• Visitor Accommodation (101 rooms)</li> <li>• Food Premises</li> <li>• Office</li> </ul>	

## PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions forming part of this decision notice.
Decision date	17 November 2016
Currency period	4 years from the decision date

## Plans and documents

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

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	O'Connell Tce Hotel DA 3D Visualisations 1	Drawing Number A002, Issue DA05	5 October 2016
2.	O'Connell Tce Hotel DA 3D Visualisations 2	Drawing Number A003, Issue DA05	5 October 2016
3.	O'Connell Tce Hotel DA Art Wall, prepared by Future City Architects	Drawing Number A004, Issue Number DA05	5 October 2016
4.	O'Connell Tce Hotel DA Ground Floor Plan, prepared by Future City Architects	Drawing Number A201, Issue Number DA05	5 October 2016
5.	O'Connell Tce Hotel DA Level 1 Floor Plan, prepared by Future City Architects	Drawing Number A202, Issue Number DA05	5 October 2016
6.	O'Connell Tce Hotel DA Typical Floor Plan (Levels 2-6), prepared by Future City Architects	Drawing Number A203, Issue Number DA05	5 October 2016
7.	O'Connell Tce Hotel DA Level 7 – Room B Queen Options, prepared by Future City Architects	Drawing Number A204, Issue Number DA05	5 October 2016
8.	O'Connell Tce Hotel DA Level 8 Floor Plan, prepared by Future City Architects	Drawing Number A205, Issue Number DA05	5 October 2016
9.	O'Connell Tce Hotel DA Condenser Deck + Roof Plan, prepared by Future City Architects	Drawing Number A206, Issue Number DA05	5 October 2016
10.	O'Connell Tce Hotel DA Elevations, prepared by Future City Architects	Drawing Number A501, Issue Number DA05	5 October 2016
11.	O'Connell Tce Hotel DA Elevations, prepared by Future City Architects	Drawing Number A502, Issue Number DA05	5 October 2016
12.	O'Connell Tce Hotel DA Sections, prepared by Future City Architects	Drawing Number A601, Issue Number DA05	5 October 2016
13.	O'Connell Tce Hotel DA Area Schedule, prepared by Future City Architects	Drawing Number A901 Issue Number DA05	5 October 2016

14.	Superior Design Outcomes document (attached to plans), prepared by Future City Architects.	Pages 1/2 and 2/2	5 October 2016 amended in red (dated)
15.	Superior Design Outcomes (extract) of the Planning Report, prepared by the Planning Place	Page 19-20	Undated and amended in red (titled)
16.	Further Issues Letter Response – Environmentally Sustainable Development (ESD) (extract), prepared by RPS	Page 5	30 May 2016 amended in red (titled)

## **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.
  - 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:
    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		
No.	Condition	Timing
<b>General</b>		
1.	<b>Carry out the approved development</b>  Carry out the approved development generally in accordance with the approved plans and documents.	Prior to commencement of use
2.	<b>Maintain the Approved Development</b>  Maintain the approved development (including landscaping, parking, driveways and other external spaces) in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	As indicated
3.	<b>Rooftop Terrace</b>  The rooftop terrace is to be for the exclusive use of the patrons of the Visitor Accommodation use.	At all times
<b>Amenity</b>		
4.	<b>Compliance Assessment – Amenity</b>  a) Submit to EDQ Development Assessment, DILGP, for compliance assessment, a report undertaken by a suitably qualified professional demonstrating how all of the visitor accommodation rooms comply with the <i>National Construction Code 2016</i> , Section F4.0 – F4.4 assuming a building will be constructed on the adjacent eastern lot with mirrored setbacks.  b) Construct the works generally in accordance with the endorsed recommendation report required under part a) of this condition.	a) Prior to commencement of works  b) Prior to commencement of works
<b>Engineering</b>		
5.	<b>Construction Management Plan</b>  a) Submit to EDQ Development Assessment, DILGP a Site Based Construction Management Plan (CMP), prepared by the principal site contractor, that manages the following: <ul style="list-style-type: none"> <li>i. noise and dust generated from the site during and outside construction work hours in accordance with the <i>Environmental Protection Act 1994</i>;</li> <li>ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties;</li> <li>iii. contaminated land (if required), including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated</li> </ul>	a) Prior to commencement of use

	<p>land auditor.</p> <p>b) Undertake all works generally in accordance with the CMP which must be current and available on site at all times during the construction period.</p>	<p>b) At all times during construction</p>
<b>6.</b>	<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> <ul style="list-style-type: none"> <li>i. provision for the management of traffic around and through the site during and outside of construction work hours;</li> <li>ii. provision of parking for workers and materials delivery during and outside of construction hours of work;</li> <li>iii. planning including risk identification and assessment, staging, etc.;</li> <li>iv. ongoing monitoring, management review and certified updates (as required);</li> <li>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).</li> </ul> <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 use</p> <p>b) At all times during construction</p>
<b>7.</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>	<p>Prior to commencement of use</p>
<b>8.</b>	<p><b>Sewer connection</b></p> <p>Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.</p>	<p>Prior to commencement of use</p>
<b>9.</b>	<p><b>Stormwater connection</b></p> <p>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.</p>	<p>Prior to commencement of use</p>
<b>10.</b>	<p><b>Stormwater quality</b></p> <p>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>.</p>	<p>a) Prior to commencement of works</p>

	b) Construct the works generally in accordance with the certified plans required under part a) of this condition.	b) Prior to commencement of use
<b>11.</b>	<b>Car Parking</b>  a) Provide car parking spaces, delineated and signed generally in accordance with O'Connell Tce Hotel Ground Floor Plan, Drawing Number A201 Issue number DA05 dated 5 October 2016.  b) The 3 car parking spaces provided are to be allocated as follows: i. 2 parking spaces for car share vehicles; and ii. 1 parking space for a mini bus.  c) Car parking spaces are to be designed in accordance with <i>AS2890 – Parking Facilities</i> .  d) Submit to EDQ Development Assessment, DILGP written evidence that the development complies with part a), b) and c) of this condition.	a) Prior to commencement of use and to be maintained  b) Prior to commencement of use and to be maintained  c) Prior to commencement of works  d) Prior to commencement of use
<b>12.</b>	<b>Bicycle Parking</b>  a) Provide a minimum of 10 bicycle parking spaces, delineated and signed generally in accordance with O'Connell Tce Hotel Ground Floor Plan, Drawing Number A201 Issue number DA05 dated 5 October 2016.  b) Provide 5 electric bicycles and 5 conventional bicycles and 10 bicycle helmets for use by guests.  c) Bicycle parking spaces are to be designed in accordance with <i>AS2890.3 – 1993 Bicycle parking facilities</i> .  d) Submit to EDQ Development Assessment, DILGP written evidence that the development complies with part a), b) and c) of this condition.	a) Prior to commencement of use and to be maintained  b) Prior to commencement of use and to be maintained  c) Prior to commencement of use  d) Prior to commencement of use
<b>13.</b>	<b>Electricity</b>  Connect the development to the existing electrical reticulation network in accordance with Energex current adopted standards.	Prior to commencement of use
<b>14.</b>	<b>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>15.</b>	<b>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>16.</b>	<b>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 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
<b>17.</b>	<b>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.</b>	<b>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>19.</b>	<b>Public Infrastructure - Damage, Repairs and Relocation</b>  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
<b>Landscape and Environment</b>		
<b>20.</b>	<b>Landscape Works</b>  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 approved plans.  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
<b>21.</b>	<b>Erosion and Sediment Management</b>  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"> <li>i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP)</li> <li>ii. Best Practice Erosion and Sediment Control (International Erosion Control Association).</li> </ul> b) Implement the certified ESCP as required under part a) of this condition.	a) Prior to commencement of site works  b) At all times during construction
<b>22.</b>	<b>Refuse Collection</b>  Submit to EDQ Development Assessment, DILGP a refuse collection strategy endorsed by Council or a private waste contractor.	Prior to commencement of site works
<b>Superior Design Outcomes</b>		
<b>23.</b>	<b>Compliance Assessment – Superior Design Outcomes</b>  Submit to EDQ Development Assessment, DILGP for compliance assessment documentation prepared by suitably qualified professional, that the development has been constructed in accordance with the following DA reports/ documents: <ul style="list-style-type: none"> <li>i. Development Assessment Report – Section 7– <i>Superior Design Outcomes</i>, prepared by the Planning Place, (undated). The development is to be constructed to deliver the materials and energy efficiency items and as set out in this report.</li> <li>ii. Further Issues Letter Response – Page 5 - <i>Environmentally Sustainable Development (ESD)</i> (extract), prepared by RPS and dated 30 May 2016. The development is to be constructed to deliver the Environmentally Sustainable Development (ESD) outcomes as set out on page 5 of the approved document.</li> <li>iii. Plan Series Issue DA05 – <i>Superior Design Outcomes</i>, prepared by Future City Architects and dated 5 October 2016. The development is to be constructed to deliver the components under the headings <i>Eastern Light Wall, Level 1 Hangout, Housing Diversity, Street Activation, Streetscape + Architecture and ESD</i>.</li> </ul>	a) Prior to commencement of use
<b>24.</b>	<b>Compliance Assessment – Artwork Installation</b>  a) Submit to EDQ Development Assessment, DILGP for compliance assessment detailed plans for all art installations illustrating the design concept (theme) and content (imagery), generally in accordance with; <ul style="list-style-type: none"> <li>i. Section 6.3 (excluding subsections 6.3.7 and 6.3.8) of Chapter 6 – Public Art, Infrastructure Design</li> </ul>	a) Prior to the construction of artwork installation

	Planning Scheme Policy, <i>Brisbane City Plan 2014</i> . ii. O'Connell Tce Hotel DA Art Wall, Drawing Number A004, Issue DA05; and iii. O'Connell Tce Hotel DA 3D Visualisations 1 and 2.  b) Construct the art installations in accordance with part a) of this condition.  c) Any artworks within the art installations are not to include any form of advertising.	b) Prior to the commencement of use and to be maintained  c) At all times
<b>Infrastructure Charges</b>		
<b>25.</b>	<b>Infrastructure Contributions</b>  Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) July 2016 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 \*\***