



BRISBANE CITY COUNCIL'S APPROVAL PACKAGE.

APPLICATION DETAILS

This package relates to the application detailed below 

Address of Site:	152 MT COOT-THA RD MOUNT COOT-THA QLD 4066 170 MT COOT-THA RD MOUNT COOT-THA QLD 4066
Real Property Description of Site:	L6 SP.266267 L1 SP.266267
Aspects of development and type of approval:	DA - PA - Material Change of Use Development Permit - Environment Facility, Tourist Attraction
Council File Reference:	A006083027 Permit Reference Number/s: DAMC426340722.
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PROJECT TEAM

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DRAWINGS AND DOCUMENTS

The term 'drawings and documents' or similar expressions mean:

Drawing or Document	Number	Plan Date
Traffic Impact Assessment and Traffic Management Plan Framework	B22113TR004_REVF FINAL (Amended In Red 03-JUL-2023)	19-JUN-2023 (Received)
Preliminary Noise Assessment Report	6419R1 Rev 1	11-AUG-2022
Assessment of the Obtrusive Effects of the Proposed Lighting Experience	Q695A-E-REP-001 [B] Rev B	03-AUG-2022
Lumina Night Walk Activity Area Plan	1121096 Rev A	16-AUG-2022 (Received)

Advice

Please see the attached document(s) for any advices.

APPROVAL CONDITIONS

Permit to Which These Conditions Relate:	DA - PA - Material Change of Use
Activity(ies):	Environment Facility Tourist Attraction
Stage:	

General/Planning Requirements

	Timing
1) Limitation of Use - Environmental Facility and Tourist Attraction (Capacity) (a) This development approval for an Environmental Facility and Tourist Attraction is limited to a maximum of 1,600 people visiting the site per night for a maximum 150 days per year for a minimum 4- month period from the commencement of the use, and until such a time that a Traffic Report signed by a Registered Professional Engineer Queensland (RPEQ) in accordance with Condition 12 justifying increased capacity for the approved use per night is reviewed and endorsed by Council. (b) This development approval for an Environmental Facility and Tourist Attraction is limited to a maximum of 2,400 people visiting the site per night for a maximum 150 days per year subject to Council review and endorsement of a Traffic Report signed by a Registered Professional Engineer Queensland (RPEQ) following the first 4 months from commencement.	As indicated
2) Maintain the Approved Development Maintain the approved development in accordance with the approved DRAWINGS AND DOCUMENTS, and any other relevant Council approval required by the conditions.	At all times
3) Hours of Operation Hours of operation for the approved environmental facility and tourist attraction must be in accordance with the following: - Monday to Sunday between 6pm and 11pm	At all times
4) Approved Drawings and Documents A legible copy of the Council approved DRAWINGS AND DOCUMENTS and the Development Approval Package must be maintained on site and kept available for inspection by site workers and Council officers. Note: This condition is imposed to ensure compliance with the conditions of development approval.	While site/operational/building work is occurring
5) Carry Out the Approved Development Carry out the approved development in accordance with the approved DRAWINGS AND DOCUMENTS. Note: This approval does not imply permission to enter neighbouring properties to carry out the construction (including, but not limited to, associated drainage and earthworks). Permission to enter neighbouring properties must be obtained from the relevant property owners.	While site/operational/building work is occurring

Ecology

4/10

Pollution

Engineering

5/10

*been completed in accordance with the relevant Brisbane Planning Scheme Codes and any other relevant infrastructure requirements.
Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.*

11) Access, Grades, Manoeuvring, Carparks, Signs and Line Marking

Provide and maintain access, parking and manoeuvring for vehicles on site in accordance with the relevant Brisbane Planning Scheme Codes, as indicated on the approved DRAWINGS AND DOCUMENTS, including the following outcomes:

1. Maintain suitably clear aisle areas to maintain efficient circulation of shuttle busses, ride share services, and for the loading and unloading of vehicle(s).
2. Maintain the existing parking spaces on the site for 184 X visitor cars, including 4 X parking spaces for people with disabilities, and provision for the loading and unloading of vehicle(s) within the site.
3. Maintain the existing bicycle parking spaces on the site.
4. An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
5. Prepare and implement signs and line markings drawings that show the internal paved areas signed and delineated as required in accordance with the outcomes outlined within the approved Traffic/Event Management Plan. The drawings must be prepared and certified by a Registered Professional Engineer Queensland in accordance with the relevant Brisbane Planning Scheme Codes and the Manual of Uniform Traffic Control Devices.

PROOF OF FULFILMENT

*Certification from a Registered Professional Engineer Queensland, that the above requirements have been implemented in accordance with this condition.
Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.*

Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first

12) Traffic/Event Management Plan

Carry out the development in accordance with the Approved Traffic Impact Assessment and Traffic Management Plan Framework prepared by Lambert and Reibin and dated 19/06/2023, and the following outcomes:

1. Parking spaces within the Botanical Gardens Carpark must be allocated at the Point Of Sale (at the time of ticket purchase).
2. The number of car parking spaces available must be suitably managed to ensure that the capacity of the car park is not exceeded.
3. Suitable personnel must be stationed throughout the Botanical Gardens Carpark to guide and direct patrons toward vacant car parking spaces, whilst ensuring that vehicles will circulate through the carpark in an orderly manner; maintaining clear space to allow for efficient shuttle bus movements through the carpark area.
4. All tickets which do not include a car parking space, must be provided with clear instructions on alternate transport to the site including shuttle buses.
5. Shuttle buses must be provided to and from approved locations (to allow for various modes of transport) as per the Approved Traffic / Event Management Plan.
6. Post show services (e.g., Food Trucks) must not be provided unless approved by Council in writing, to reduce risk of patron overlap across show

As indicated

intervals, and capacity issues within the Botanical Gardens Carpark. - For a minimum period of 4-months from the commencement of use, the capacity must be restricted to a maximum of 1,600 per night, to allow for collection of information on the modes of transport adopted by patrons. - Upon completion of this 4-month period, the capacity per show may be increased subject to Council review and endorsement of a subsequent Traffic Report signed by a Registered Professional Engineer Queensland (RPEQ) which is to justify an increased capacity, accompanied with supporting data captured from this period. 12(a) Submit Traffic Management Plan For Approval Submit a Traffic Management Plan to Council for approval. The traffic management plan is to be generally in accordance with the Approved Traffic Impact Assessment and Traffic Management Plan Framework, and address the following: - Ticketing and point of sale controls will be implemented to ensure that the capacity of the Botanical Gardens Carpark will not be exceeded. - Internal Carpark Controls will be implemented to ensure that vehicles will be efficiently directed through the carpark to ensure no queuing occurs onto the external road network. - Temporary signage required to be located on the external road network, or within the Botanical Gardens Carpark is to be shown on a Traffic Guidance Scheme Plan prepared by a certified Traffic Management Designer or an RPEQ. Timing: Prior to commencement of use.	As indicated
13) Refuse Collection - On Site Provide for the installation and collection of refuse/recycling bins by Brisbane City Council's Waste and Resource Recovery Services or a private waste contractor. 13(a) Arrange Refuse Collection Arrange for the installation of refuse/recycling bins and for the subsequent collection of refuse including recycling from the site by Brisbane City Council's Waste and Resource Recovery Services or a private waste contractor. Timing: A minimum of four weeks prior to the commencement of use and then to be maintained. <i>PROOF OF FULFILMENT</i> <i>Where a private waste contractor is engaged, provide written confirmation from the proposed waste collection contractor of the agreement to service the property. The written agreement must be submitted to Council's Waste and Resource Recovery Services and include full details of the proposed system, bin sizes, number of bins, frequency of collection and the refuse collection vehicle size. Timing: Prior to commencement of use.</i> 13(b) Indemnify Council The owner and any subsequent owner must, by approved form to Waste and Resource Recovery Services, indemnify Council and its agents in respect of any damage to the pavement and other driving surfaces. Timing: When an arrangement for refuse/recycling collection services is made with Brisbane City Council.	At all times As indicated As indicated

13(c) Notify Future Owner Where Council is engaged as the waste contractor, the owner must notify any future owner/body corporate that the development has been approved on the basis that an indemnity must be provide for refuse collection vehicles to enter the property. Timing: At time of a change of ownership.	As indicated
14) Refuse Storage - On Site Collection Provide a roofed and wholly screened refuse enclosure utilising materials consistent with the development or a dedicated refuse storage room, as shown on the approved plans and documents. The enclosure/refuse storage room must be of a design to accommodate the quantity of refuse and recycling including source separation to allow for low servicing collection of the development. Bins must be located in an area which allows them to be manoeuvred from the bin storage area to the designated internal collection point.	Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first
15) Service Conduits and Mains Provide and install all service conduits and meet the cost of any alterations to public utility mains, existing mains, services, street lighting or installations that are required to carry out the approved development. These works must be in accordance with the relevant Brisbane Planning Scheme Codes, and include the following, where applicable: - the provision of all services and/or conduits along the full length of any rear allotment access or access easement. - the breaking and/or relocation of any existing sewer combine drains. - the relocation of any fire hydrant and/or valves from the development's vehicular footway crossings. - the retention and/or relocation of any existing foul water lines that currently exist within the site. - any new or existing installations of electrical pillar boxes, pad mounted transformers (PMTs), water reticulation mains, water meters and the like, must be installed/relocated to their ultimate alignment relative to the new property boundary and clear of the usable footpath areas irrespective of the alignment of the existing services/conduits. Note: - The cost of moving services, utilities and assets is the responsibility of the Developer. The permission of the service, utility or asset owner will be required. Council permission is required if street trees, stormwater gullies/drains, and swales are affected. Urban Utilities permission is required if water supply and sewerage services are affected. - Standard utility alignments may be found on Council's 'Brisbane Standard Drawings' 1013 to 1016 inclusive. - Applicants must liaise with the appropriate service authorities. Typical underground services and/or conduits to be constructed include power, phone, telecommunications, sewer (including private combine drains) stormwater and gas, if applicable. 15(a) Submit As Constructed Drawings Submit to Development Services As Constructed drawings, including an asset register, prepared and certified by a Registered Professional Engineer Queensland.	Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first As indicated

Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland, confirming that the works have been completed in accordance with the requirements of this condition. Note: Civil works are to be certified by a RPEQ(Civil) and electrical works are to be certified by a RPEQ (Electrical).

Standard Advice

	Timing
16) Construction Noise and Dust Emissions Pursuant to the Environmental Protection Act 1994, all development involving the emission of noise and dust from building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the Act. The Environmental Protection Act 1994 prescribes that: 1. A person must not carry out building work in a way that makes an audible noise- - on a business day or Saturday, before 6.30a.m. or after 6.30p.m; or - on any other day, at any time. 2. The reference in subsection (1) to a person carrying out building work- - includes a person carrying out building work under an owner-builder permit; and - otherwise does not include a person carrying out building work at premises used by the person only for residential purposes. Note: A request can be made to work outside of these hours by submitting an Environmental Management Plan for assessment and obtaining an endorsed decision from the Environmental Management delegate Development Services.	As indicated
17) Plumbing and Drainage Work Pursuant to the  Plumbing and Drainage Act 2018, any plumbing and drainage work must be carried out in compliance with the Plumbing and Drainage Regulation 2019. Plumbing and drainage permit work requires approval by Brisbane City Council prior to the work being carried out.	As indicated
18) Currency Period The currency period for this development approval is stated in the Decision Notice and is expressed as a date. This development approval lapses at the end of the currency period (the date stated in the decision notice) pursuant to section 85 of the Planning Act 2016.	As indicated
19) Cultural Heritage Aboriginal cultural heritage is protected under the Aboriginal Cultural Heritage Act 2003. This Act establishes a cultural heritage duty of care and in section 23(1) mandates that a person who carries out an activity must take all reasonable and practicable measures for ensuring activities are managed to avoid or minimise harm to Aboriginal cultural heritage.	As indicated

The Duty of Care Guidelines gazetted pursuant to the Aboriginal Cultural Heritage Act 2003 provide guidance on identifying and protecting Aboriginal cultural heritage to fulfil the duty of care. For further information contact the relevant Queensland State Government Department (Department of Aboriginal and Torres Strait Islander Partnerships).	
20) Damage to Trees on Adjoining Land Please note that any damage caused to vegetation on adjoining land as a result of exercising this development approval may result in an offence under other legislation (e.g. Natural Assets Local Law) and/or civil action	As indicated
21) Fire Ant Movement Controls To prevent the spread of fire ants, the Queensland Government has implemented improvement controls in areas of Queensland (biosecurity zones) where this pest species has been detected. These controls apply to individuals and commercial operators and restrict the movement of materials that could carry fire ants which include soil, turf, potted plants, mulch, baled hay or straw, animal manures, mining or quarry products. Breaches of these controls can potentially impact the community, economy and the environment. Penalties for non-compliance with movement controls within fire ant biosecurity zones apply under the Biosecurity Act 2014. For further information contact the relevant Queensland State Government department on 13 QGOV.	As indicated
22) Water and Wastewater Services for water and wastewater (sewerage) are not under the jurisdiction of Brisbane City Council. Authorisation to connect the approved development to the water/wastewater networks and for property service connections required a Water Approval under the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009. For further information about any necessary Water Approvals contact Urban Utilities.	As indicated

**** End of Package ****