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ABN 90 856 020 239

### **DECISION NOTICE**

# Ministerial Infrastructure Designation (MID) for Nursery Road State Special School, Holland Park West

#### **Decision details**

Decision: MID made under section 38 of the *Planning Act 2016* 

Date of decision: 1 October 2020

Type of infrastructure: Planning Regulation 2017, Schedule 5, Part 2:

• Item 3: community and cultural facilities, including community centres, galleries, libraries and meeting halls

Item 6: educational facilities

 Item 9: facilities at which an education and care (QEC) service under the Education Care Services National Law

(Queensland) is operated

 Item 10: facilities at which a QEC approved service under the Education and Care Services Act 2013 is operated.

Reference: MID-0320-0412

#### **Premises details**

Street address: 49 Nursery Road, Holland Park West, QLD, 4121

Real property description: Lot 713 on SL8595 Local government area: Brisbane City Council

#### Infrastructure entity details

Infrastructure entity: Department of Education (DoE)

Infrastructure entity contact

details:

c/- Department of Housing and Public Works (DHPW)

**Building and Asset Services** 

PO Box 2937

**BRISBANE QLD 4001** 

#### Requirements

A notice of requirements included in the MID is at **Schedule 1**.

#### **Submissions**

A notice of how I have considered the submissions is at **Schedule 2**.

# Advice to the entity

Despite the MID, the entity is responsible for determining what obligations exist under previous development approvals that apply to the premises.

#### **Effective date**

As set out in section 9(3) of the *Planning Act 2016*, the MID will take effect from the date the gazette notice for this designation is published in the Queensland Government Gazette.

# **Duration of designation**

The duration of the MID is set out in section 39 of the Planning Act 2016.

**CAMERON DICK MP** 

**Treasurer** 

Minister for Infrastructure and Planning

Enc (2)

# Schedule 1 - Notice of requirements included in the MID

Development under the MID is to be carried out generally in accordance with the plans, reports and documents referenced in the requirements included in Table 1.

# Table 1 - Requirements Plan of designation 1. The 'Plan of designation for Nursery Road State Special School', ref. MID-0320-0412 and included at **Annexure 1** (Plan of designation). Stormwater management 2. (a) Prior to the commencement of use of the new administration and GLA building, implement best practice stormwater quantity and quality measures generally in accordance with the following sections of the Stormwater Management Plan (reference no. 8142) prepared by MPN Consulting Pty Ltd, dated 25 October 2019, as included at Annexure 2: Drawing 8142 / CP.1.01 Issue D – Civil Works Detail Plan Sheet One Drawing 8142 / CP.1.02 Issue D – Civil Works Detail Plan Sheet Two. Car parking 3. (a) Prior to the commencement of use of the new administration and GLA building, provide a minimum of 112 on-site car parking spaces. (b) A minimum of 71 car parking spaces are to comply with the relevant council or Australian standards. 4. All formal vehicle parking, manoeuvring and servicing areas are to be designed to facilitate servicing and manoeuvring on-site and accord with the relevant standards. **Active Transport** 5. Prior to the commencement of use of the new administration and GLA building. provide a minimum of two bicycle parking spaces on site. School transport management 6. (a) Prior to the commencement of use of the new administration and GLA building, liaise with the council, the Department of Transport and Main Roads (DTMR) and bus operators, and prepare or update a School Transport Management Plan (STMP). (b) The STMP must be submitted to DTMR (ministerialdesignations@tmr.qld.gov.au) and Queensland Treasury (QT) (infrastructuredesignation@dsdmip.qld.gov.au) and include/address: management of car parking and drop off and pick up activity on and off site pedestrian connectivity between the school and drop off and pick up

areas and bus bays

- iii. operational management measures for minibus and taxi bays
- iv. educating parents and students to use pedestrian crossing points
- v. promotion of public and active transport options.

# Design

- 7. (a) The design of the new administration and GLA building should incorporate the following design elements:
  - i. variation in building and roof form
  - ii. variation in façade materials, muted tones and detailing
  - iii. easy to identify building entrances.

#### Landscaping

8. Prior to the commencement of use of the new administration and GLA building, provide landscaping generally in accordance with Nursery Road State Special School New GLA & Administration Building - Landscape Concept plans (Ref: 2019.100 SK01-SK03 Issue D) prepared by Jeremy Ferrier Landscape Architects, dated January 2020 included at **Annexure 3**.

#### Land dedication

9. Liaise with Brisbane City Council (the council) to dedicate land to the council as generally shown on the Site Plan, reference A.00.02, prepared by THELANDER, dated 31/01/20, as included at **Annexure 4**.

#### Refuse plant and screening

10. Refuse storage bins and all new plant and equipment are to be stored behind fencing or screened from view from roads, adjoining premises and open space.

# Flora and fauna management

- 11. Prior to the commencement of work, undertake the necessary actions to protect vegetation that is not required to be cleared from construction impacts in accordance with the *AS4970-2009 Protection of Trees on Development Sites*.
- 12. Prior to the commencement of work, undertake a site inspection to confirm the presence of any invasive, declared or pest species (flora or fauna). If found, remove these in accordance with legislative requirements.
- 13. Prior to any clearing operations, a suitably qualified wildlife officer or ecologist must undertake a preclearing inspection of trees, wet areas and other vegetation for fauna, hollows, nests and other breeding places and must be present during clearing operations.

14. Prior to the commencement of work, implement a Koala Management Plan, prepared by a suitably qualified person, that seeks to ensure site design provides safe koala-movement opportunities and that landscaping activities provide koala food, shelter and movement opportunities.

# **Event management**

- 15. (a) Prior to undertaking any extraordinary on-site events including ceremonies, carnivals, school performances or concerts or where school facilities are being used for private hire, prepare and implement an Event Management Plan (EMP). The EMP is to include/address:
  - i. access location points for traffic, any additional traffic management activities and additional/overflow car parking provision.

# **Construction management**

- 16. (a) Prior to commencement of work, a Construction Environmental Management Plan (CEMP) must be prepared and submitted to QT (infrastructuredesignation@dsdmip.qld.gov.au) and DTMR (southcoast@tmr.qld.gov.au). The CEMP must include/address:
  - i. an Erosion and Sediment Control Plan that addresses the erosion risk and surface water run-off
  - ii. dust mitigation methods (such as use of water to supress potential dust) and air quality management measures
  - iii. hours of construction, vibration, and construction noise (including the default noise standards), in accordance with the *Environmental Protection Act 1994* (s440R & 440S)
  - iv. waste control and management, in conjunction with a waste management plan if deemed necessary
  - v. disposal and management of hazardous materials and regulated waste, including removal by a suitably licenced contractor where deemed necessary
  - vi. proximity of works to easements and services and any necessary design measures, additional analysis or safe work methods
  - vii. other required permits from the council, easement holders or utility providers
  - viii. maintenance of safe pedestrian and cyclist access/movement around the site
  - ix. complaint resolution procedures, including who to contact and a record of how complaints have been addressed
  - x. a construction communication plan including:
    - how neighbouring properties will be advised of construction activities for each stage
    - how the appropriate extent of neighbouring properties to be notified will be determined
    - timeframes for notification of construction activities, with notification to occur prior to works commencing.

(b) Construction of the development is to be undertaken in accordance with the CEMP.

### **Information Signage**

- 17. (a) Prior to the commencement of work, place an information sign on the site.
  - (b) The information sign is to:
    - include the following details:
      - a link to where a copy of the MID and Construction Environmental Management Plan can be viewed on the QT website
      - the name, postal and/or email address and a contact telephone number for the key contact/principal contractor
    - be positioned on the Nursery Road frontage of the site and be clearly visible for a pedestrian
  - (c) be non-illuminated and maintained at all times during construction.

# Public utility services (services)

- 18. (a) Prior to commencement of construction of the new GLA and administration building, confirm the adequacy, capability and location of services (water, sewer, electricity and telecommunications) for the proposed development.
  - (b) If reasonably required, the infrastructure should be upgraded to cater for the proposed development.
  - (c) Connect the development to all available urban infrastructure.

#### **Geotechnical conditions**

19. Prior to commencement of construction of the new GLA and administration building, undertake a geotechnical investigation that confirms the ground conditions and informs building requirements.

### Acid sulfate soils (ASS)

20. If potential or actual ASS is identified during construction, an ASS investigation is to be carried out and managed in accordance with an ASS management plan.

#### Schedule 2 - Notice of how submissions were considered

# Submissions received during Minister's consultation

On 1 May 2020, I gave a notice to the council and the landowner advising that I was proposing to make a MID and inviting final submissions within 25 business days.

Public consultation actions were also conducted by the entity inviting submissions between 14 May 2020 and 12 June 2020.

I received 61 submissions during this period which were from the local councillor, the council, Turrbal Association Inc, a local resident's group, local organisations, local residents and the school community.

A summary of how I have considered the submissions is provided in the table below.

Matters raised	Response				
Car parking					
The creation of the Clough Street car park will	The car park accessed via Clough Street is no longer included in the MID and there will be no change to the				
result in a loss of green     space used by the local     community	use of this green space.  The proposal has been amended with additional car parking in a number of locations within the school site.				
result in an oversupply of car parking at the school	The MID requires an area of the site to be dedicated to the council for use as a park or active transport link.				
- result in additional traffic to Clough Street and other adjoining residentials streets					
create a conflict with the childcare use on the site					
create urban heat island     effect and impact stormwater     run off.					
There is sufficient space in other locations on the school site for adequate car parking					
Transport					
The school should develop a School Transport Management Plan (STMP)	The MID requires the school to prepare a STMP in consultation with the council, the Department of Transport and Main Roads and bus operators that considers the increase in the school's population and addresses the management of vehicle parking and drop off and pick up activity on and off site.				

Active transport facilities should be provided, and their use encouraged	The MID requires the school to provide a minimum of two new bicycle parking spaces and promote the use of active transport options as part of the STMP.					
	I have been advised that DoE have committed to providing appropriate end of trip facilities.					
Public transport use should be encouraged	The MID requires the school to promote the use of public transport options as part of the STMP.					
A refuse vehicle turnaround should be provided at the end of Middleton Road	This is not considered relevant to the MID as this part of the site is no longer being developed.					
Further assessment is needed on the impacts of the proposal to Nursery Road	I am satisfied that the proposal would not have an adverse impact on the surrounding road network. As such, I am satisfied that the proposal will not impact on the safe functioning and operation of Nursery Road.					
Flora and Fauna						
The proposal will impact on koalas and vegetation	The Clough Street car park is no longer included in the MID, however the MID requires existing vegetation to be protected (where not required to be removed for construction works to occur), and for DoE to prepare and implement a Koala Management Plan prior to the commencement of work.					
Stormwater management						
The proposal should consider impacts to the existing waterway	I am satisfied that the proposal would not adversely impact on the existing waterway or result in adverse off-site impacts. Notwithstanding, the MID requires the implementation of best practice stormwater quantity and quality measures generally in accordance with the submitted Stormwater Management Plan.					
Design						
The two-storey blank stairwell on the proposed new building should include visual interest	The MID requires the design of the new General Learning Area (GLA) and administration building to incorporate variation in design elements.					
Cultural heritage						
Overview of the assessment process for future cultural heritage assessment.	The MID does not override any duty of care under the Aboriginal Cultural Heritage Act 2003, which is still applicable in full.					

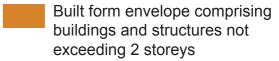
Designation process						
The proposal should be assessed by the council	Queensland planning legislation includes provisions for the Planning Minister to designate land for a range of purposes specified in the Planning Regulation 2017. These purposes make provision for educational facilities As such, the MID process is an appropriate assessment process for this type of development.					
Lack of community consultation on proposal	Given the number of submissions received during the MID process, I am satisfied that there was adequate consultation for this MID.					
	This consultation took the form of initial stakeholder engagement that was undertaken by DoE and also formal consultation that occurred between 1 May 2020 and 12 June 2020.					
	As evidenced in this schedule, I have considered all of the issues raised during this consultation.					
Insufficient information and deficiencies in the Environmental Assessment Report (EAR)	A revised EAR was provided by DoE that addressed these matters.					
Question the need for the proposal	The MID provides needed improvements to existing school facilities based on forecast increases to the school population.					
Support						
Support for the project	I acknowledge there are a number of submissions that support the proposal.					

Annexure 1	to Schedule	I - Plan of	designation
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Built form envelope comprising buildings and structures not exceeding 1 storey



Open space, landscaping and associated structures, car parking and vehicle circulation

Ground level car parking and vehicular circulcation

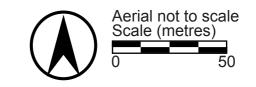
Vehicular ingress/egress

Designation boundary

Title: Plan of designation for Nursery Road State Special School

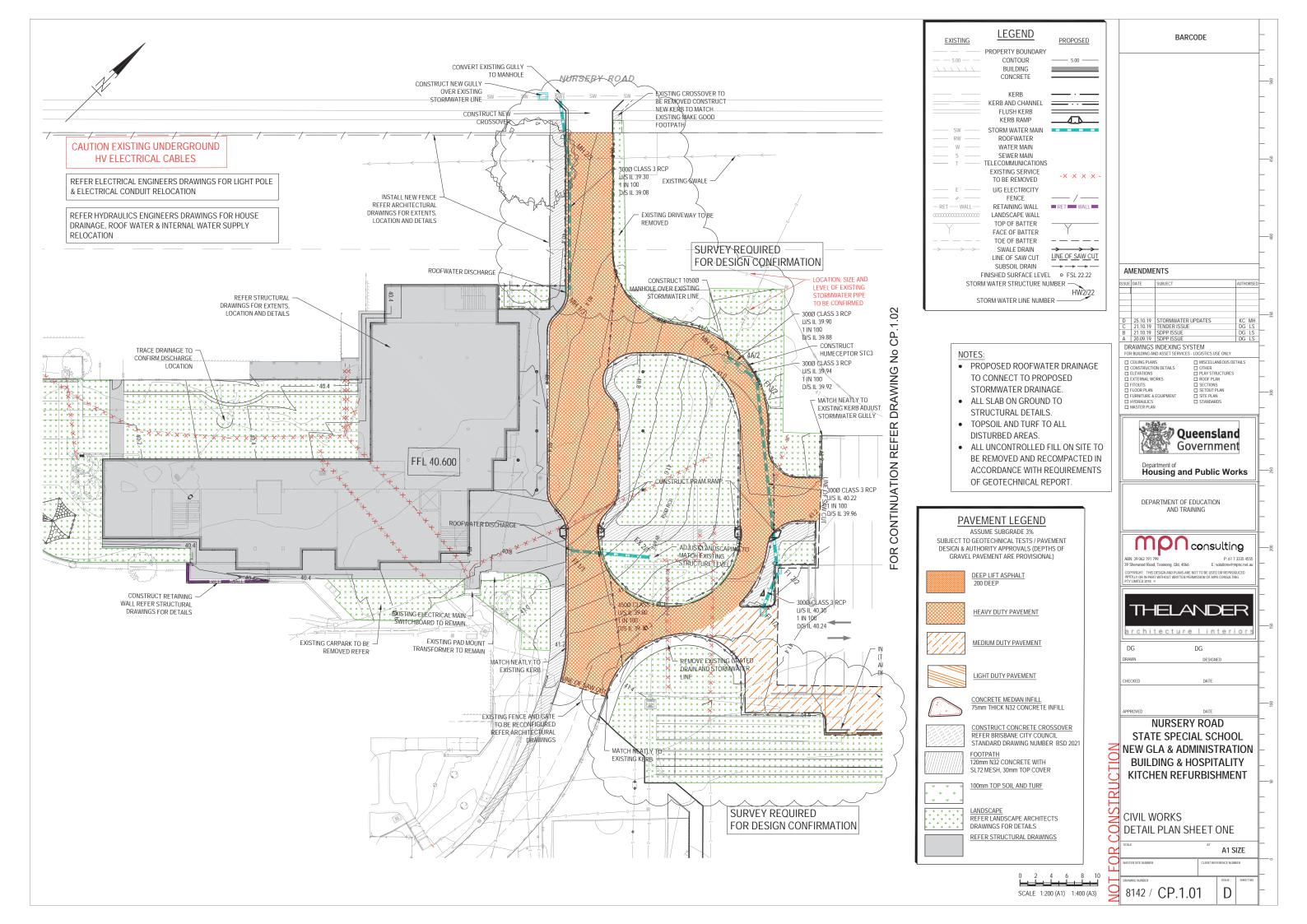
Address: 49 Nursery Road, Holland Park West, QLD, 4121

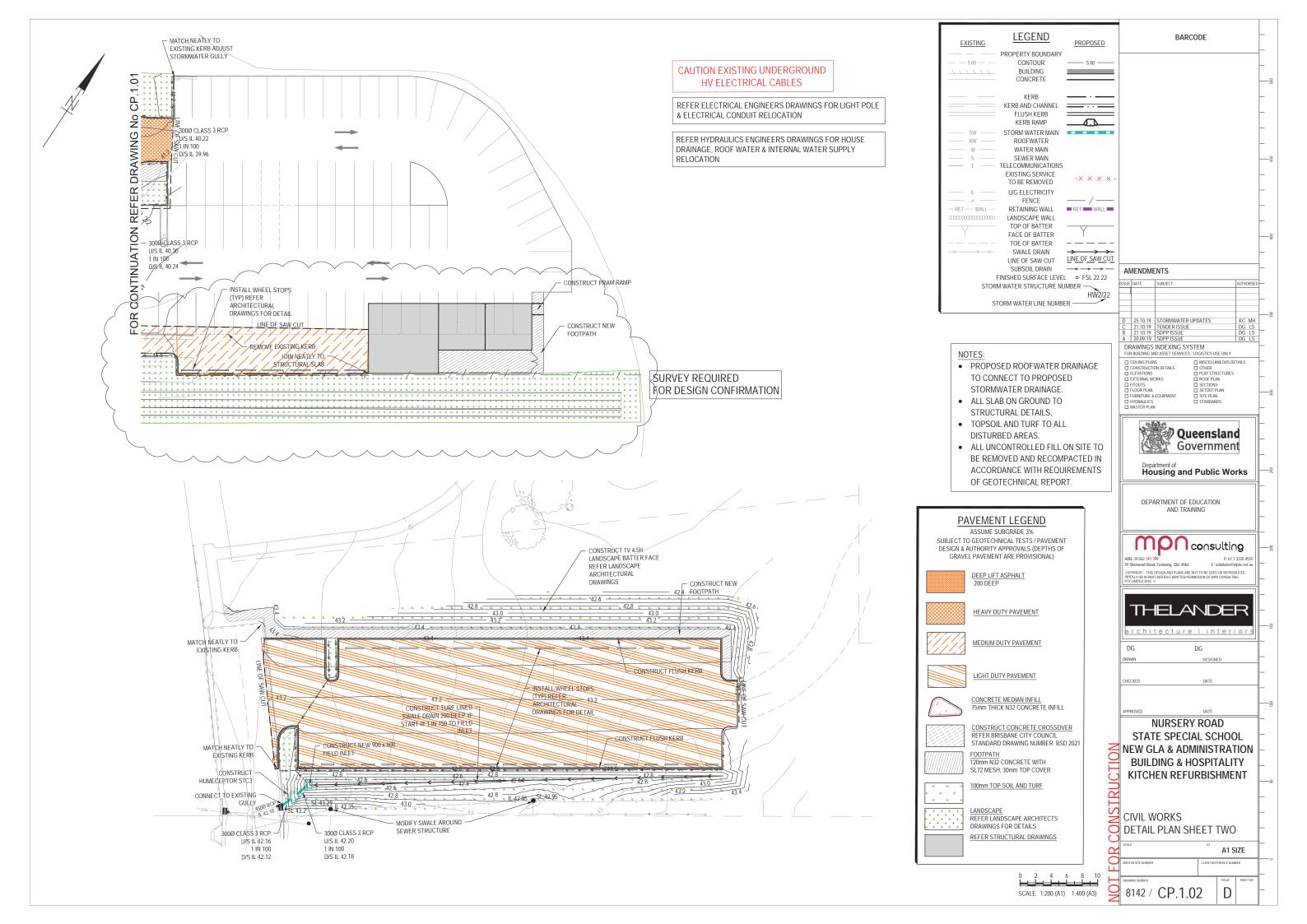
**Reference:** MID-0320-0412



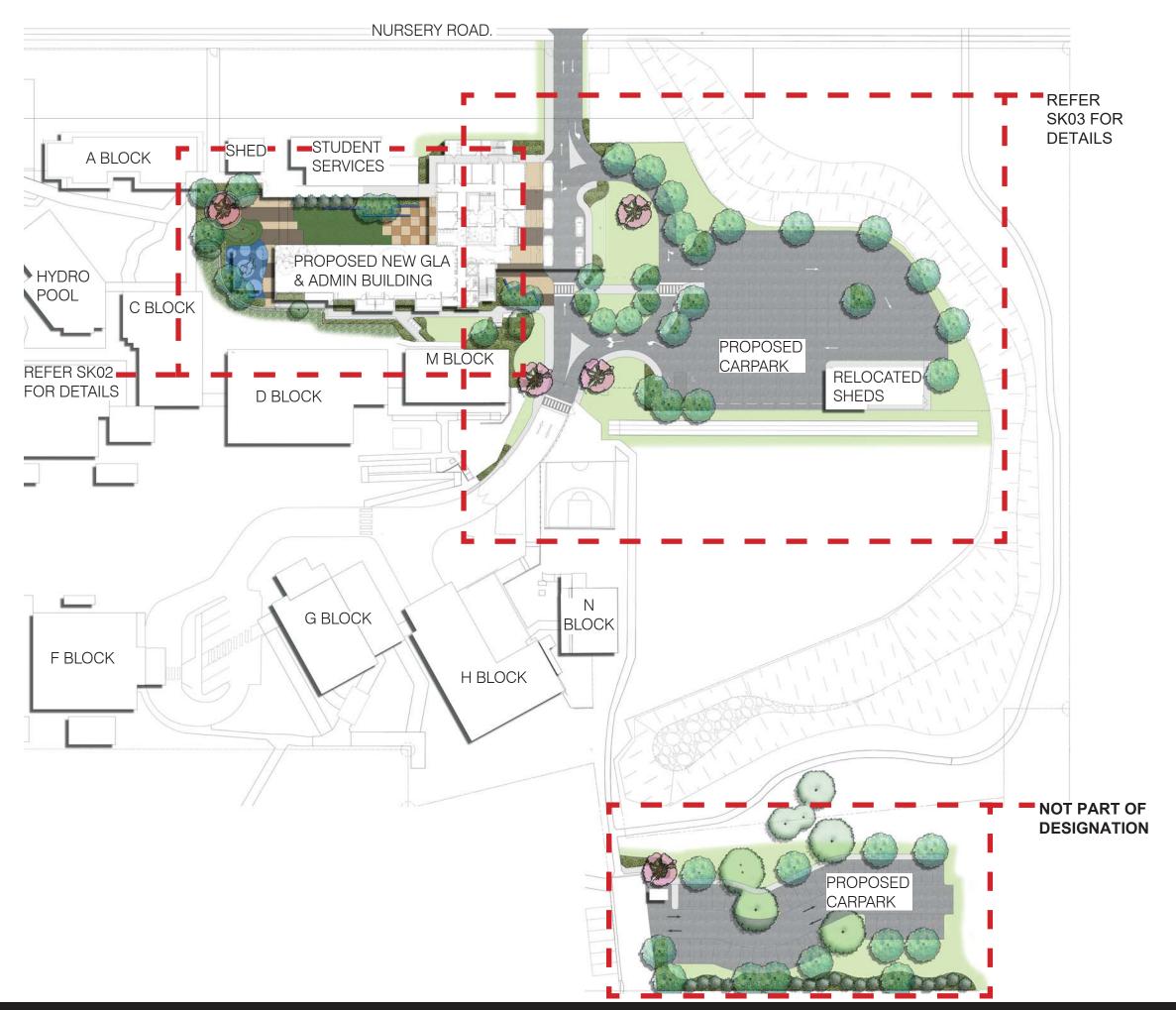


Annexure 2	2 to	Schedule	1 –	Stormwater	management
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<b>Annexure</b>	3	to	Schedule	1 -	<ul> <li>Landscap</li> </ul>	е	plans
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# LEGEND

EXISTING TREES TO BE RETAINED

EXISTING TREES TO BE REMOVED FEATURE

FLOWERING TREE SHADE TREE

SHAPED TREE UNDERSTORY

PLANTING

**EXISTING VEGETATION** TO BE RETAINED

UPRIGHT COLUMNAR

LAWN AREA

ARTIFICIAL GRASS

PLAIN GREY

COLOURED CONCRETE

BENCH SEATING

RUBBER SOFTFALL SURFACE



FORMED CONCRETE LOW WALL / SEAT

- Refer to Architects drawings for all details on external Fencing, Steps, Ramps, Retaining Walls
- Refer Civil Engineers drawings for all details on the carpark's hardstand, footpaths and Kerbs; Overland flow
- Refer to the performance specification for landscape works for further details on the landscape design and individual elements.

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Annexure	4 to	Schedule	1 - 1 and	d dedication
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